

COURT OF APPEALS OF MARYLAND

Rieger v. Washington Suburban Sanitary Commission, 211 Md. 214

126 A.2d 598 (1956) · No. No. 26, October Term, 1956 · Decided October 26, 2001

SUMMARY

The Maryland Court of Appeals held that a back injury sustained by a pipe fitter while performing routine work was not an accidental injury compensable under the Maryland Workers’ Compensation Act. Because the injury resulted from a normal position and exertion, rather than an unusual strain, exertion, or employment condition, the court affirmed dismissal of the compensation claim.

CASE DETAILS

COURT	Court of Appeals of Maryland
WRITING FOR THE COURT	William L. Henderson, J.; Brune, C.J.; Collins, J.; Henderson, J.; Hammond, J.; Henderson, J., specially assigned
JURISDICTION	Maryland
DECIDED	October 26, 2001
DOCKET	No. 26, October Term, 1956
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from a judgment affirming the State Industrial Accident Commission's dismissal of a workers' compensation claim; the trial court granted a demurrer prayer withdrawing the case from the jury.
STANDARD OF REVIEW	Whether the evidence was legally sufficient to establish that the injury was accidental within the meaning of the Maryland Compensation Act.
PRECEDENTIAL VALUE	Published precedential opinion
PARTIES	Rieger v. Washington Suburban Sanitary Commission et al.

TOPICS

- workers compensation
- employment law
- administrative law

PRACTICE AREAS

- workers compensation
- employment law
- administrative law

QUESTIONS PRESENTED

1. Whether the claimant presented legally sufficient evidence that his back injury was accidental and therefore compensable under the Maryland Compensation Act.
2. Whether an injury resulting from a normal position and ordinary exertion in the employment constitutes an accidental injury under Maryland workers' compensation law.

HOLDINGS

1. An injury is accidental under Maryland workers' compensation law only when it results from some unusual strain or exertion or from some unusual condition in the employment; the claimant's evidence did not satisfy that standard.

KEY QUOTATIONS

“Under the Maryland cases an injury is accidental only when it results from some unusual strain or exertion or some unusual condition in the employment.” (216)

“We find nothing in the instant case to differentiate it from the cases cited.” (216)

FACTUAL BACKGROUND

The claimant, a pipe fitter, was working in an underground dam-site vault, tightening bolts with a three-foot wrench while positioned on a scaffold. While pulling down on the wrench, he experienced sudden back pain, but he did not slip or fall. His position and the bolt he was tightening were not unusual for the work, and he testified that working off balance was normal procedure.

PROCEDURAL HISTORY

The State Industrial Accident Commission dismissed the claimant's compensation claim. The lower court affirmed that dismissal and granted a demurrer prayer withdrawing the case from the jury. The claimant appealed to the Court of Appeals of Maryland, which affirmed.

DISPOSITION

affirmed

CASES CITED

- Stancliff v. H.B. Davis Co., 208 Md. 191
- Jackson v. Ferree, 173 Md. 400
- Fenton v. Thorley & Co., Ltd., (1903) A.C. 443
- Kelly-Springfield Co. v. Daniels, 199 Md. 156
- Caled Products Co., Inc. v. Sausser, 199 Md. 514
- Coal Co. v. Chisholm, 163 Md. 49
- Schemmel v. Gatch & Sons, etc., Co., 164 Md. 671
- Baltimore v. Schwind, 175 Md. 60

- Foble v. Knefely, 176 Md. 474
- Baltimore & Ohio R.R. Co. v. Zapf, 192 Md. 403

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