

SUPREME COURT OF OKLAHOMA

Yaumary Concepcion Torres v. Seaboard Foods, LLC, American Zurich Ins. Co., and the Workers' Compensation Commission

2016 OK 20 (Okla. 2016) · No. 113649 · Decided March 1, 2016

SUMMARY

The Oklahoma Supreme Court held that 85A O.S. § 2(14), which required an employee alleging cumulative trauma to have completed 180 days of continuous employment, violated the Due Process Section of the Oklahoma Constitution as applied to the petitioner. The Court concluded that the statute's classifications were not rationally related to the asserted interests of preventing workers' compensation fraud and reducing employers' costs. The Workers' Compensation Commission's order was reversed, and the proceeding was remanded.

CASE DETAILS

COURT	Supreme Court of Oklahoma
WRITING FOR THE COURT	Edmondson, J.; Reif, C.J.; Combs, V.C.J.; Watt, J.; Gurich, J.; Colbert, J.; Kauger, J.; Winchester, J.; Taylor, J.
JURISDICTION	Oklahoma
DECIDED	March 1, 2016
DOCKET	113649
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Employee appealed to the Oklahoma Supreme Court from a Workers' Compensation Commission order affirming an administrative law judge's denial of her cumulative-trauma workers' compensation claim. The Supreme Court retained the appeal.
STANDARD OF REVIEW	Constitutional validity of the statute and its application reviewed as a question of law; the court examined whether the statutory classification was rationally related to legitimate state interests.
PRECEDENTIAL VALUE	Published Oklahoma Supreme Court opinion, but the source states that it had not yet been released for publication and remained subject to revision or withdrawal.
PARTIES	Yaumary Concepcion Torres v. Seaboard Foods, LLC, American Zurich Ins. Co., Workers' Compensation Commission

TOPICS

workers compensation administrative law judicial review of agency action substantive due process
statutory interpretation

PRACTICE AREAS

workers' compensation constitutional law administrative law statutory interpretation remedies

QUESTIONS PRESENTED

1. Whether 85A O.S. Supp. 2013 § 2(14)'s requirement that an employee complete 180 continuous days of employment before filing a cumulative-trauma claim violates the Due Process Section of the Oklahoma Constitution as applied to Torres.
2. Whether the 180-day classification is rationally related to the asserted state interests of preventing workers' compensation fraud and reducing employers' costs.
3. Whether the court needed to decide Torres's broader challenges to § 5, Article 2, § 6 of the Oklahoma Constitution, or the alleged workers' compensation 'grand bargain.'

HOLDINGS

1. 85A O.S. Supp. 2013 § 2(14) violates the Due Process Section of the Oklahoma Constitution, Okla. Const. art. 2, § 7, as applied to Torres because its overinclusive and underinclusive classifications are not rationally related to legitimate state interests.
2. The court did not decide the constitutionality of § 5 or whether § 5 independently barred a district-court remedy.
3. The court did not adjudicate Torres's claims under Okla. Const. art. 2, § 6, her broader challenge to the workers' compensation statutes, or her argument that the statutory scheme violated the workers' compensation 'grand bargain.'

KEY QUOTATIONS

"We hold 85A O.S. § 2(14) violates the Due Process Section of the Oklahoma Constitution, Art. 2 § 7, when applied to employee because the statute's overinclusive and underinclusive classifications are not rationally related to legitimate State interests of (1) preventing workers' compensation fraud and (2) decreasing employers' costs." (¶ 4)

"It does not follow, however, that the blanket and conclusive exclusion . . . [of one class to benefits] is reasonably related to the prevention of spurious claims." (¶ 40)

"it does not follow, however, that the blanket and conclusive exclusion of one class of injured employees to benefits is reasonably related to the prevention of spurious claims." (¶ 43)

"We conclude 85A O.S.Supp. 2013 § 2(14) violates the Due Process Section of the Oklahoma Constitution, Art. 2 § 7, because its overinclusive and underinclusive classifications are not rationally related to legitimate State interests of (1) preventing workers' compensation fraud and (2) decreasing employers' costs." (¶ 54)

FACTUAL BACKGROUND

Torres, a former employee of Seaboard Foods, alleged that she suffered an on-the-job cumulative-trauma injury requiring surgery. When she filed her claim, she had not worked 180 continuous days for Seaboard. The administrative law judge denied the claim under 85A O.S. Supp. 2013 § 2(14), and the Workers' Compensation Commission affirmed. The employer also contended that the exclusive-remedy provision of 85A O.S. Supp. 2013 § 5 barred Torres from pursuing a district-court action.

PROCEDURAL HISTORY

Torres alleged a cumulative-trauma injury arising from her employment with Seaboard Foods. The administrative law judge determined that she was barred from obtaining workers' compensation because she had not completed 180 continuous days of employment, and the Workers' Compensation Commission affirmed. The Supreme Court reversed the Commission's order and remanded for further proceedings.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The Workers' Compensation Commission's order was reversed, and the matter was remanded for further proceedings consistent with the opinion, including proceedings not applying the unconstitutional 180-day limitation to bar Torres's claim.

CASES CITED

- United States R.R. Retirement Bd. v. Fritz, 449 U.S. 166 (1980)
- Adams v. Iten Biscuit Co., 1917 OK 47, 162 P. 938
- Jimenez v. Weinberger, 417 U.S. 628 (1974)
- Wieman v. Updegraff, 344 U.S. 183 (1952)
- Adwon v. Retail Grocers Ass'n, 1951 OK 43, 228 P.2d 376
- Jacobs Ranch, L.L.C. v. Smith, 2006 OK 34, 148 P.3d 842
- Suntime Inn Operating Corp. v. State, 1977 OK 204, 571 P.2d 1207
- Gibbons v. Missouri, K. & T. R. Co., 1930 OK 108, 285 P. 1040
- Gladstone v. Bartlesville Indep. School Dist. No. 30, 2003 OK 30, 66 P.3d 442
- Board of Regents v. Updegraff, 1951 OK 270, 237 P.2d 131
- Davis Oil Co. v. Cloud, 1986 OK 73, 766 P.2d 1347
- BMW of North America, Inc. v. Gore, 517 U.S. 559 (1996)
- State Farm Mutual Automobile Insurance Co. v. Campbell, 538 U.S. 408 (2003)
- Weber v. Aetna Casualty & Surety Co., 406 U.S. 164 (1972)
- Presley v. Board of County Commissioners of Oklahoma County, 1999 OK 45, 981 P.2d 309
- Parret v. UNICCO Service Co., 2005 OK 54, 127 P.3d 572

- Earnest, Inc. v. LeGrand, 1980 OK 180, 621 P.2d 1148
- Maryland Casualty Co. v. Hankins, 1975 OK 25, 532 P.2d 426
- Coates v. Fallin, 2013 OK 108, 316 P.3d 924
- Dean v. Multiple Injury Trust Fund, 2006 OK 78, 145 P.3d 1097
- Thayer v. Phillips Petroleum Co., 1980 OK 95, 613 P.2d 1041

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