

SUPREME COURT OF OKLAHOMA

Rural Waste Management & Indemnity Insurance Co. of North America v. Mock

292 P.3d 24 (Okla. 2012) · Decided December 4, 2012

SUMMARY

The Oklahoma Supreme Court reviewed a workers' compensation award involving an employee's cumulative hip, back, and leg injuries and a subsequent motor-vehicle accident. The court held that the any competent evidence standard applied and that competent medical evidence supported the finding that employment was the major cause of the injury. The court vacated the Court of Civil Appeals' decision and sustained the Workers' Compensation Court's award.

CASE DETAILS

COURT	Supreme Court of Oklahoma
WRITING FOR THE COURT	Colbert, Vice Chief Justice; Kauger, Justice; Watt, Justice; Winchester, Justice; Edmondson, Justice; Reif, Justice; Combs, Justice; Gurich, Justice; Taylor, Chief Justice
JURISDICTION	Oklahoma
DECIDED	December 4, 2012
DISPOSITION	vacated
PROCEDURAL POSTURE	The employer and its insurer sought certiorari review after the Oklahoma Court of Civil Appeals vacated a workers' compensation award on the ground that the three-judge panel's decision was against the clear weight of the evidence.
STANDARD OF REVIEW	Statutory-construction issues are reviewed de novo. For this workers' compensation claim, the applicable standard for reviewing factual determinations was the any competent evidence test: the court canvasses the facts only to determine whether competent evidence supports the tribunal's decision and does not reweigh conflicting proof.
PRECEDENTIAL VALUE	Published Oklahoma Supreme Court opinion; precedential
PARTIES	Rural Waste Management, Indemnity Insurance Co. of North America v. Harold Mock

TOPICS

workers compensation

standard of review

appellate procedure

statutory interpretation

insurance

PRACTICE AREAS

workers' compensation

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employment law

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QUESTIONS PRESENTED

1. What standard of appellate review applies to a workers' compensation claim filed in 2009?
2. Whether competent evidence supported the finding that Mock's employment was the major cause of his compensable injury.

HOLDINGS

1. The any competent evidence test, rather than the clear-weight-of-the-evidence standard, applies to appellate review of this workers' compensation claim.
2. Mock established by competent medical evidence that his employment was the major cause of his personal injury arising out of and in the course of employment; the injury was therefore compensable under the Workers' Compensation Code.

KEY QUOTATIONS

"Under the any competent evidence test this Court will simply "canvass the facts, not with an object of weighing conflicting proof in order to determine where the preponderance lies but only for the purpose of ascertaining whether the tribunal's decision is supported by competent evidence." (¶ 10)

"CERTIORARI PREVIOUSLY GRANTED; OPINION OF COURT OF CIVIL APPEALS VACATED; AWARD OF THE WORKERS' COMPENSATION COURT SUSTAINED." (¶ 10)

FACTUAL BACKGROUND

Harold Mock worked as a truck driver for Rural Waste Management, repeatedly climbing in and out of the truck, loading and unloading waste, and sweeping the trailer. He developed progressively worsening pain in his right hip, leg, and lower back and later suffered a motor-vehicle accident while driving his work truck. Medical evidence conflicted as to whether his injury was primarily caused by cumulative workplace trauma and the accident or by preexisting osteoarthritis and degenerative disc disease.

PROCEDURAL HISTORY

The Workers' Compensation Court found that Mock sustained a compensable cumulative-trauma injury to his lumbar back, right hip, and right leg, declared him temporarily totally disabled, and awarded benefits. A three-judge panel sustained the award, but the Court of Civil Appeals vacated it after applying the clear-weight-of-the-evidence standard. The Oklahoma Supreme Court granted certiorari, vacated the Court of Civil Appeals' opinion, and sustained the workers' compensation award.

DISPOSITION

vacated

CASES CITED

- Williams Companies, Inc. v. Dunkelgod, 2012 OK 96, 295 P.3d 1107 (Okla. 2012)
- Huggins v. State of Oklahoma, 1998 OK CIV APP 153, 861 P.2d 1007 (Okla. Civ. App. 1998)
- Kluver v. Weatherford Hospital Authority, 1998 OK 85, 859 P.2d 1081 (Okla. 1993)
- Veith v. Ogburn, 2006 OK CIV APP 75, 136 P.3d 1080 (Okla. Civ. App. 2006)
- Parks v. Norman Municipal Hospital, 1984 OK 53, 684 P.2d 548 (Okla. 1984)

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