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Supreme Court, Appellate Division, Third Department, New York

Matter of BRENDA SANCHEZ, Appellant

v

NEW YORK CITY TRANSIT AUTHORITY, Respondent

and

WORKERS' COMPENSATION BOARD, Respondent

Decided February 16, 2023

Facts: The claimant filed a claim for an occupational disease of bilateral carpal tunnel syndrome in 2020. She attributed it to her repetitive job duties as a station agent for 33 years. Although the claimant's doctor testified that her medical condition was related to her job, the judge disallowed the claim. The Board affirmed the decision, finding the claimant failed to demonstrate a sufficient causal link between her occupational disease and a distinctive feature of her employment.

Holding: *Affirmed.*

Decision: The Court set forth the requirements to establish an occupational disease. It must be a disease resulting from the nature of the employment and does not derive from a specific condition peculiar to an employee's place of work, nor from an environmental condition specific to the place of work. Matter of Patalan v PAL Env'tl., 202 AD3d 1252 (3rd Dept. 2022). The claimant must demonstrate a recognizable link between the condition and a distinctive feature of his or her employment. In this case, prior to 1995, the claimant described the manual tasks and maintenance requirements of her job duties. This included working on turnstiles, heavy lifting and protracted coin and token handling and counting. Her job duties changed in 1995 with the introduction of the MetroCard. Her tasks consisted of mainly adding money to MetroCards at the both. Her job shifted to customer service with some keyboard typing. The testimony of the claimant's

doctor did not reflect a detailed understanding of the claimant's specific job duties in the past 25 years since the introduction of the MetroCard.

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