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Supreme Court, Appellate Division, Third Department, New York

Matter of BRIAN BURKE, Appellant

v

NEW YORK CITY TRANSIT AUTHORITY, Respondent

and

WORKERS' COMPENSATION BOARD

Decided March 30, 2017

Facts: Claimant, a subway train operator, filed a claim for work-related psychological injuries alleging that he endured harassment at the hands of multiple supervisors. The claim was disallowed. The Board Panel Affirmed. The claimant now appeals.

Holding: *Affirmed.*

Discussion: The claimant failed to demonstrate that the stress that caused the injury was greater than that experienced by similarly situated workers. The Board's determination was based on substantial evidence and will therefore be affirmed.