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Supreme Court, Appellate Division, Third Department, New York

In the Matter of the Claim of LORRAINE QUIGLEY, Respondent,

v.

CONCERN FOR INDEPENDENT LIVING et al., Appellants,

WORKERS' COMPENSATION BOARD, Respondent.

January 19, 2017

Facts: Claimant fell at work and sustained injuries to her left arm and wrist. A WCLJ found that the injuries were work-related and awarded benefits. The Board affirmed the decision, with one panel member dissenting. The employer and workers' compensation carrier sought Full Board review and the Board affirmed the decision. The employer appealed.

Holding: *Affirmed.*

Discussion: The Court stated it was undisputed that claimant's unwitnessed accident occurred during employment. The Board credited claimant's testimony, such as not knowing the cause of her fall, and found her contradictory statements at the hospital describing how she fell were merely general descriptions of a fall and not proof that her fall was unrelated to her employment. The Court affirmed the Board's decision based upon the substantial evidence.