

COMPENSATION NEWS

MONTHLY REPORT

Court of Appeal gives good discussion of commercial traveler rule and special mission

This is an appellate decision that was not published

This is a significant decision even though it is not a published case. It gives a good discussion of the commercial traveler rule, the special mission exception, and the little known theory of personal self-improvement.

The applicant was employed by the city as an accountant. The applicant was a Certified Public

Accountant (CPA) but not required by the employer to be one.

The applicant attended a CPA convention in another state. It was not required. The applicant was not reimbursed for the trip. On the trip the applicant slipped and fell striking his head. He eventually died. A claim for death benefits ensued and the employer denied injury.

A trial was held and the Workers' Compensation Judge (WCJ) found the death industrial. The WCJ found a "special mission". The Workers' compensation Appeals Board (WCAB) affirmed the decision. Defendant filed a Writ.

The appellate court overturned the decision. This is

an excellent discussion of valid case law.

They discuss the commercial traveler exception to claim for industrial injury. They indicated the exception was inapplicable here. They then discuss the special mission exception and find that inapplicable as well. Finally, they discuss a little no exception of personal self-improvement and find that inapplicable as well.

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Editor: Harvey Brown
Firm: Samuelsen, Gonzalez, Valenzuela and Brown
Address: 18881 Von Karman # 250 Irvine 92612
Phone: 949 252-1300

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