

NOTICE

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NOTICE

Decision filed 2/27/13. The text of this decision may be changed or corrected prior to the filing of a Petition for Rehearing or the disposition of the same.

2013 IL App (3d) 120189WC-U

NO. 3-12-0189WC

IN THE  
APPELLATE COURT OF ILLINOIS  
THIRD DISTRICT  
WORKERS' COMPENSATION COMMISSION DIVISION

SUPER VALUE, INC., d/b/a  
ADVANTAGE LOGISTICS

Appellant,

v.

THE ILLINOIS WORKERS' COMPENSATION  
COMMISSION, *et al.*, ( Jerri Neuhalfen, Appellee).

) Appeal from the  
) Circuit Court of  
) Bureau County.

)  
)  
) No. 11 MR 23

)  
) Honorable  
) C.J. Hollerich,  
) Judge, Presiding.

JUSTICE STEWART delivered the judgment of the court.  
Presiding Justice Holdridge and Justices Hoffman, Hudson, and Harris  
concurred in the judgment.

**ORDER**

¶ 1 *Held:* The Commission did not err in concluding that the employer failed to prove that the claimant had a pre-existing condition because it weighed all evidence presented and the lack of medical evidence was just one factor it

considered. The Commission's determination that the claimant's carpal tunnel syndrome was causally related to her employment is not against the manifest weight of the evidence where, prior to working for the employer, she had never been treated for wrist or hand problems and she never missed work due to hand pain, and where there is medical testimony of a causal relationship between her work for the employer and her condition of ill-being.

¶ 2 The claimant, Jerri Neuhalfen, filed an application for adjustment of claim against her employer, the Super Value, Inc., d/b/a Advantage Logistics, seeking workers' compensation benefits for carpal tunnel syndrome allegedly caused by a repetitive injury that manifested itself on April 23, 2007. The claim proceeded to an arbitration hearing under the Workers' Compensation Act (the Act) (820 ILCS 305/1 *et seq.* (West 2006)). The arbitrator found that the claimant sustained an injury that arose out of and in the course of her employment. He found that the claimant was temporarily totally disabled from May 10, 2007, through July 10, 2007, and from May 14, 2008, through July 7, 2008. He ordered the employer to pay the claimant temporary total disability (TTD) benefits of \$363.03 per week for 16 5/7 weeks. He ordered the employer to pay reasonable and necessary medical expenses in the amount of \$1,782.06. The arbitrator further found that the claimant's injury caused a permanent partial loss of use of her right hand to the extent of 18% thereof, and the permanent partial loss of use of her left hand to the extent of 15% thereof. He ordered the employer to pay permanent partial disability (PPD) benefits of \$326.73 per week for a period of 67.65 weeks.

¶ 3 The employer appealed to the Illinois Workers' Compensation Commission (Commission). The Commission affirmed and adopted the arbitrator's decision. One Commissioner dissented. The employer filed a timely petition for review in

the circuit court of Bureau County. The circuit court confirmed the Commission's decision, and the employer appealed.

¶ 4

#### BACKGROUND

¶ 5 The claimant testified that she began working for the employer in October 2006, as a warehouse picker, classified as a "pick to light selector." She described her job duties as using a gun to scan a cluster number which would report which items needed to be picked from the aisles or modules to fulfill an order for a store. The claimant testified that she walked down an aisle with racking systems and product systems on both sides and when she passed a product that needed to be picked, a red light flashed on the racking system. The claimant would then reach into the racking system and grab the product. She stated that depending on the size, shape, or weight of the item to be picked, she would use one or both hands. The claimant testified that if an item was at the back of a rack, she would use a grab hook to retrieve it. If it was closer, she would use her hands to pick it up.

¶ 6 The items could be located at ground level or above her head. Items ranged in size from a few ounces to as heavy as eight pounds. She stated that when picking smaller items like toothbrushes, the smallest amount she would pick was three. She said that toothpaste is packed in groups of six, so if she needed three, she would have to remove the plastic film from around the boxes and take what she needed. Items in the aisles were picked and placed in a tote on a cart. Usually three totes fit on a cart. The claimant stated that she pushed the cart through the aisles and when the totes were full, she placed them on the floor or on pallets. In the lower modules, there was a conveyor system with gravity rollers that the totes could be placed on. She stated that she picked items out of boxes and when the

boxes were empty, she had to put them in a designated area. On average she would throw away eight to ten boxes per hour.

¶ 7 The claimant testified that when picking in the aisles she would pick between 300 to 400 items per hour. The claimant testified that when picking in the modules, she would pick approximately 400 to 450 items per hour from the lower modules and 250 items per hour from the upper modules. The items in the upper modules were heavier and consisted of things like cases of toothpaste, mouthwash, or batteries. Once she finished picking items for a particular store, she would tie up the tote and put it on the floor or on a pallet. She testified that her normal shift was 10 hours, but in April 2007, it was extremely busy and she worked 2-3 hours overtime per day.

¶ 8 A training video depicting the job duties of a pick to light selector was admitted into evidence. The claimant testified that she watched the training video. She recognized the employees in the video and identified them as Julia Nieto and Marcella. She stated that the video accurately reflected her position in April 2007, to the extent that it showed an employee picking in an aisle with a cart and three totes and an employee picking in the module pushing totes along the gravity rollers. She said that it did not accurately reflect how much she picked or how fast she picked. She further stated that it showed smaller items being picked and did not show the larger items she was required to pick. She stated that the video did not show the employee pushing three totes down the line when working in the lower module and it did not show the employee picking up the totes and putting them on a pallet or the ground.

¶ 9 Julia Nieto testified that she had worked for the employer for 4 years as a pick to light selector and worked with the claimant in April 2007. She testified

that she was one of the people in the training video depicting the job duties of a pick to light selector. She stated that the video did not accurately depict the speed at which they were required to pick. She testified that the job entailed picking small items like pain medicine and larger items like shampoo, mouthwash, and batteries weighing about eight pounds.

¶ 10 Viva Keller testified that she had worked for the employer for just over 10 years. She stated that she worked as a pick to light selector and that she was employed in that job in April 2007. She described her job duties in the same way as the claimant described them. Ms. Keller stated that, in upper level modules, she had to open the product. She stated that she had to rip the boxes open approximately 100 times per hour. She stated that, in the aisles, she picked 150 to 200 items per hour. She said that, in upper level modules, she averaged 175 items per hour. In the lower level modules, she would pick over 300 items per hour. Ms. Keller testified that, in April 2007, they were working mandatory overtime of 2-3 three hours per day.

¶ 11 The claimant testified that, prior to working for the employer, she worked as a telephone operator, a food service manager, a restaurant manager, a restaurant owner, and answered phones at a hog confinement business. She stated that she purchased her own restaurant in 1998 and owned it for 4 ½ years. After that she went to work as a store manager at Dollar General. She worked at Dollar General until she went to work for the employer.

¶ 12 The claimant testified that in April 2007 she experienced tingling in her hands and was waking up with hand and arm pain during the night. On April 23, 2007, the claimant was examined by her family physician Dr. Richard Twanow. In his patient history, Dr. Twanow wrote that the claimant remembered no specific

injury at work, but after working the previous night, had significant pain in her right shoulder with painful arc syndrome. He wrote that she also had numbness and tingling in her fingers. He assessed the claimant with recent onset of carpal tunnel syndrome, right hand, and painful arc syndrome, right shoulder. He recommended that she be off work for one day. Dr. Twanow referred the claimant to Dr. Rakesh Garg for nerve conduction studies.

¶ 13 On April 26, 2007, Dr. Rakesh Garg performed an EMG and sensory NCS and Motor BCS tests on the claimant. He concluded that "NVC and EMG of right arm suggest severe CTS. Normal radial and ulnar nerve."

¶ 14 Ann Elliott testified that she had worked for the employer for almost 10 years. She stated that in April 2007 she was a supervisor. She testified that on April 27, 2007, she had a conversation with the claimant in the break room. The claimant had been off work for one day on Dr. Twanow's orders, and Ms. Elliott stated that the claimant gave her a doctor's release to return to work. She stated that the claimant told her that she had carpal tunnel syndrome in both wrists from previous jobs. The claimant denied telling Ms. Elliott this. Ms. Elliott testified that after this conversation, she contacted the risk control supervisor, Ms. Knott.

¶ 15 The claimant testified that in April 2007 she approached her supervisor Ann Elliott in the cafeteria about tingling in her right arm and hand and discomfort in her hands when sleeping. She stated that, while Ms. Elliott was initially alone when she approached her, quite a few people joined the conversation. The claimant said that Ms. Elliott asked her how she was doing and what the doctor told her. The claimant testified that Ms. Elliott wrote a report summarizing their conversation.

¶ 16 Sandy Knott testified that she had worked for the employer for 12 years as the risk control manager and that she held that position in April 2007. She stated that in April 2007 she had a conversation with the claimant in the break room and that the operations manager, Duane Burnette, and the human resource director, Frank Hughes, were present. Ms. Knott testified that she was "called up to talk to [the claimant] about her report of shoulder pain and the reason that [she] was called up at that time was that the operations manager and HR director wanted risk control input even though the injury was reported as a non work-related injury." She stated she was called in as a consultant to Mr. Burnette and Mr. Hughes.

¶ 17 Ms. Knott testified that Ms. Elliott was not present. She stated that if the claimant had spoken with Ms. Elliott about her condition, she would have been aware of it. Because she was not aware of any conversation, it was her belief that the claimant did not report her condition to Ms. Elliott.

¶ 18 Ms. Knott testified that the claimant told her that she just woke up Sunday morning and her shoulder was stiff and sore. Ms. Knott testified that the claimant stated "she had done absolutely nothing at work, and that she was fine on Saturday when she left, and that she had had problems with her arms from the food service business and what she was experiencing now was not related to anything at [the employer.]" Ms. Knott stated that, because the claimant told her that the pain was not work related, she was allowed to see her own doctor instead of the employer "taking her." The claimant stated that she did not believe she said she woke up Sunday with shoulder pain even though she was fine when she ended her shift on Saturday. She denied saying that her pain and problems with her arms were due to her many years of work in the food industry. She stated that she did not believe she said that her problems with her arms were not related to her work duties.

¶ 19 Ms. Knott testified that she spoke with the claimant in the aisles on April 28, 2007. She stated that the claimant told her she had seen her doctor. Ms. Knott testified that she asked the claimant if her injury was related to work. She said that the claimant responded that it was one of the easiest jobs she had ever done and that her arms had been bothering her for "many, many years from the food service business." The claimant denied telling Ms. Knott that she suffered from problems with her hands and arms for years or that her job with the employer was the easiest work she had done in her life.

¶ 20 Ms. Knott testified that on May 9, 2007, she had two telephone conversations with the claimant. Ms. Knott stated that the claimant telephoned to discuss concerns about income because she was not yet eligible for short term disability. Ms. Knott stated that the claimant told her that her doctor suggested the claimant file a workers' compensation claim, even though she told him she was not injured at work, because worker's compensation would pay anyway. Ms. Knott testified that they had a second conversation that day about the claimant's situation, the claimant indicated that she was going to file a worker's compensation claim, and she apologized to Ms. Knott. Ms. Knott testified that the claimant said "she was sorry that she had to do this because she had to be paid." The claimant admits speaking to Ms. Knott and expressing concerns about how her bills would be paid when she was off work due to the injury. She denied telling Ms. Knott that her injuries were not work related and then changing her story to claim workers' compensation benefits.

¶ 21 Ms. Knott testified that she spoke to the claimant by telephone again on May 10, 2007. She said that the claimant again apologized for planning to file a workers' compensation claim and said that she worked in the food service industry

for 20 years and her injury was caused from that work. The claimant stated that she spoke to Ms. Knott on May 10, 2007, but denied apologizing or saying that her injury was not caused by her work for the employer. The claimant testified that Ms. Knott told her that she did not think the claimant had carpal tunnel, and suggested she may have slept on her hands wrong.

¶ 22 Robert Durkin testified that he worked for the employer for 24 years. In April 2007, he was the first shift supervisor. He stated that around April 23 or 25, 2007, he had a conversation with the claimant in one of the aisles. He stated that she had missed one day of work for medical reasons, so he went to speak with her. He testified that the claimant told him she had been diagnosed with carpal tunnel syndrome and that she did not believe that it was the result of her work duties for the employer, but that it resulted from her years of service in the food service industry. The claimant denied saying this.

¶ 23 Duane Burnette testified that he worked for the employer for 12 years, and in April 2007, he was the warehouse operations manager. He stated that in April 2007 he had a conversation with the claimant in the break room about a medical condition. He stated that Frank Hughes and Sandy Knott were also present. He stated that he remembered that the claimant said that she was fine when she left work on Friday or Saturday, but that on Sunday she woke up with pain in her shoulder.

¶ 24 Dr. Paul Perona, a board certified orthopedic surgeon, testified by evidence deposition. He testified that he first examined the claimant on May 10, 2007, on referral from Dr. Twanow. He stated that she complained of right hand numbness and tingling with pain in the hand. The claimant told him that she had been having symptoms for a number of weeks, that she saw Dr. Twanow who ordered an EMG

and nerve conduction velocity test, that her symptoms were increasing, and that she was treated with a cock-up wrist brace at night. He said his examination revealed bilateral palmar hyperemia with some bilateral flattening of the thenar eminence. He diagnosed her with right carpal tunnel syndrome.

¶ 25 Dr. Perona testified that he performed a right carpal tunnel release on the claimant on May 16, 2007. His postoperative diagnosis was right carpal tunnel syndrome. He took her off of work for convalescence.

¶ 26 On June 19, 2007, the claimant saw Dr. Perona for a follow-up of her right hand surgery. He wrote that she had symptoms in her left wrist and diagnosed her with left hand carpal tunnel syndrome. He recommended left hand carpal tunnel release. On July 10, 2007, Dr. Perona released the claimant to work with the use of a padded glove to decrease direct pressure to the area where the right carpal tunnel release was performed.

¶ 27 Dr. Perona testified that he examined the claimant on April 15, 2008, for complaints of left hand symptoms. He stated that she complained of bilateral symptoms in her initial visit. He recommended left carpal tunnel release, which he performed on May 14, 2008. His postoperative diagnosis was left carpal tunnel syndrome. He stated he released her to return to work on July 7, 2008. He stated that he instructed her to wear a padded glove.

¶ 28 Dr. Perona testified that he reviewed the video of the claimant's job duties. He stated that her carpal tunnel syndrome could be attributed to her work because of the repetitive flexion and extension of the wrist that would be required with lifting and packing objects on a repetitive basis with weights up to 10 pounds. When asked if the claimant's smoking could have been a cause of her carpal tunnel syndrome, he responded that it could be a contributing factor. He stated that her

gender and age were not risk factors, but that there is an increased incidence of carpal tunnel in females compared to males, and an increased incidence of carpal tunnel in people over 40.

¶ 29 Dr. Jay Pomerance, an orthopedic surgeon, testified by evidence deposition. He reviewed the claimant's medical records and viewed a video depicting her job duties, but did not examine the claimant. He diagnosed the claimant with bilateral carpal tunnel syndrome. He stated that in reviewing her medical records, he noted that the nerve conduction study on her right side "showed fairly advanced changes, which were that her sensory conductions could not be obtained. And, typically that's a very late finding which would be indicative that, in absence of trauma, that the condition was there for months to years."

¶ 30 Dr. Pomerance testified that, based on a review of her records and job duties as depicted on the video, he did not believe the claimant's condition of ill-being was related to her work for the employer. In a letter dated October 8, 2007, Dr. Pomerance wrote that the claimant had numerous factors in her past medical history which would predispose her to carpal tunnel syndrome, notably female gender, menopause status by virtue of a hysterectomy, obesity, and a long-standing smoking history. He went on to state that:

¶ 31 "The upper extremity use which was seen on the job video was varied. There were not factors on it which would be known to cause, aggravate or accelerate a diagnosis of a carpal tunnel syndrome. Therefore, I would not have a medical reason to relate her job duties to the diagnosis of carpal tunnel syndrome."

¶ 32 In describing the claimant's job duties as depicted in the video, Dr. Pomerance testified that the objects did not appear to be heavy as they were easily

handled with one hand and that the pace of the job did not appear to be hurried. He did state that if the claimant's job was "markedly different in the rate of task completion and the objects handled, the weights that they were working with, the upper extremity positioning, then certainly that could change my [causation] opinion."

¶ 33 A medical record of an examination Dr. Twanow performed on the claimant on April 15, 2004, was admitted into evidence. Dr. Twanow wrote that the claimant had several concerns including "recurrent arthralgias in her wrists and elbows with overuse." He assessed her with non-specific arthralgias. There was no patient plan related to the arthralgias.

¶ 34 The claimant testified that in September 1984 she had an injury to her finger that required reconstructive surgery to a tendon. She stated that other than that she had not had any therapy or testing on either hand or wrist before she began working for the employer. She further stated that prior to October 2006, when she was hired by the employer, she had never received a recommendation for surgery for carpal tunnel release.

¶ 35 The arbitrator found that the claimant sustained an accident that arose out of and in the course of her employment with the employer and that her condition of ill-being was causally related to the accident. The employer was ordered to pay the claimant temporary total disability benefits of \$363.03 per week for 16 5/7 weeks, from May 10, 2007, through July 10, 2007, and from May 14, 2008, through July 7, 2008. The arbitrator awarded the claimant \$23,323.65 as reasonable and necessary medical expenses and gave the employer credit for payment towards the bills of \$18,726.01, leaving a balance of \$1,782.06 due from the employer. The employer was further ordered to pay the sum of \$326.73 per

week for a period of 67.65 weeks, for a total of \$22,103.28 because the injuries sustained caused permanent partial loss of the use of the claimant's right hand to the extent of 18% thereof and the permanent partial loss of use of the claimant's left hand to the extent of 15% thereof.

¶ 36 The arbitrator found that the claimant's job duties "represent a repetitive job which would require picking products of varying weights up to 8 or 10 pounds, hundreds of products per hour depending upon the particular store orders."

¶ 37 The arbitrator further found that:

"Respondent submitted one medical record from 2004 to suggest that [the claimant] may have had prior elbow and wrist pain. However, there is no suggestion based upon that medical record that these symptoms were in any way related to a development of carpal tunnel. Further, that medical record was created by Mr. Twanow who is the same physician who in April 2007 refers to her diagnosis as 'recent' which is suggestive that even he did not believe her symptoms were of any significant length. Lastly, the fact that three years prior she had one medical visit is irrelevant, given her lack of medical treatment for any alleged symptoms and given her ability to continue to work and perform hand intensive repetitive work."

¶ 38 The arbitrator noted that the claimant's prior employment as well as her risk factors may have contributed to her carpal tunnel syndrome. However, he found that she needed to prove only that her job with the employer was a causative factor contributing to her present condition. He found that she proved her work related activities were a causative factor resulting in her condition of ill-being.

¶ 39 The employer appealed to the Commission which affirmed and adopted the arbitrator's decision. One Commissioner dissented. The employer appealed to the circuit court of Bureau County. The court confirmed the Commission's decision.

¶ 40 The circuit court examined the employer's argument that the Commission's decision was contrary to law because it required medical evidence that the claimant's pre-existing carpal tunnel syndrome had been diagnosed. The court found that the Commission did not apply a new or incorrect standard, it merely weighed the evidence presented. The court found: "a review shows merely that the arbitrator weighed the evidence in deciding whether a pre-existing condition had been proved and that the arbitrator concluded that it had not been proven, considering among other things, that the evidence of a pre-existing condition was largely from [the claimant's] statements themselves rather than from reliable medical opinion testimony from a qualified medical expert. " The court found that the arbitrator weighed inconsistent medical evidence and resolved inconsistencies by noting that, "although there might have been findings of pain in the hands perhaps three years before, it had not been so severe that Twanow had diagnosed carpal tunnel. Connecting that with Twanow's findings of 'recent' onset of CTS and with Dr. Garg's diagnosis of 'severe' CTS, the arbitrator simply concluded that prior employment was not a significant causation factor in [the claimant's] injuries."

¶ 41 The court found that the arbitrator weighed the evidence presented to him and found in favor of the claimant. He noted that it is not the court's role to substitute its own findings for those of the Commission. The court found that the Commission's decision was not against the manifest weight of the evidence. The employer filed a timely notice of appeal.

¶ 42

## ANALYSIS

¶ 43 The employer argues that the Commission's decision on the issue of causation is incorrect as a matter of law because it determined that the employer must produce medical evidence of a diagnosis of pre-existing carpal tunnel syndrome before it could find that there was no causal link between the claimant's employment and her condition of ill-being. The employer points out that a specific diagnosis was not required for the Commission to find that the claimant's problems pre-existed her work for the employer. It argues that the Commission discounted the claimant's own statements to her co-workers and the medical record referencing carpal tunnel problems solely because there were no medical records introduced specifically diagnosing carpal tunnel syndrome. The employer argues that there was a "medical record indicating that the claimant had wrist splints; these splints were not prescribed by her current physicians and clearly show that she underwent prior treatment for carpal tunnel syndrome." Since the employer argues that the Commission erred as a matter of law, it urges us to apply a *de novo* standard of review.

¶ 44 The claimant argues that there is no evidence that the Commission required a medical diagnosis before it could find a pre-existing condition of carpal tunnel syndrome. She contends that the Commission considered all the evidence in reaching its decision, thus, it did not employ an improper legal standard and manifest weight of the evidence, not *de novo* review, should apply. We agree with the claimant.

¶ 45 A review of the Commission's decision shows that it weighed all the evidence, including the claimant's statement to co-workers and medical records, in deciding whether a pre-existing condition had been shown. The lack of medical

evidence was just one factor that the Commission considered in concluding that the employer failed to prove that the claimant had a pre-existing condition. What the employer characterizes as the Commission imposing an improper legal standard requiring medical evidence of a diagnosis is simply a matter of the Commission weighing the evidence. The Commission committed no error in that regard.

¶ 46 We now turn to the employer's alternative argument. The employer argues that the Commission's finding that the claimant's carpal tunnel syndrome was causally related to her work for the employer was against the manifest weight of the evidence. An injury is compensable under the Act only if it "arises out of" and "in the course of" one's employment. 820 ILCS 305/2 (West 2006). "The determination of whether an injury arose out of and in the course of one's employment is generally a question of fact." *Hosteny v. Worker's Compensation Comm'n*, 397 Ill. App. 3d 665, 674, 928 N.E.2d 474, 482 (2009). "The Commission's determination of questions of fact will not be disturbed on review unless they are against the manifest weight of the evidence; that is to say, unless an opposite conclusion is clearly apparent." *R & D Thiel v. Illinois Workers' Compensation Comm'n*, 398 Ill. App. 3d 858, 868, 923 N.E.2d 870, 878 (2010).

¶ 47 Employers take their employees as they find them. *Sisbro, Inc. v. Industrial Comm'n*, 207 Ill. 2d 193, 205, 797 N.E.2d 665, 672 (2003). "Thus, even though an employee has a preexisting condition which may make him more vulnerable to injury, recovery for an accidental injury will not be denied as long as it can be shown that the employment was also a causative factor." *Id.*, 797 N.E.2d at 672-73. "An accidental injury need not be the sole or principal causative factor, as long as it was a causative factor in the resulting condition of ill-being." *Land and Lakes*

*Co. v. Industrial Comm'n*, 359 Ill. App. 3d 582, 592, 834 N.E.2d 583, 592 (2005). The employer urges this court to modify this standard so that to prove causation an employee must prove that her employment was "more likely than not *the* cause of her injury." We lack the authority to modify the standard for proof of causation established by the supreme court, and we decline to do so.

¶ 48 The employer argues that the claimant's work duties were not the type that would cause or aggravate carpal tunnel syndrome. The employer asserts that Dr. Pomerance testified that the types of movements that are required to cause, aggravate, or accelerate carpal tunnel syndrome are constant hyperextension or hyperflexion positioning of the wrist, high-force impact use of the hand, constant heavy or forcible gripping, and the use of high-frequency vibrating tools, and that the claimant's job did not involve these types of activities. Dr. Perona testified that the claimant's carpal tunnel syndrome could be attributed to her work. He specifically found that her job required her to lift and pack objects on a repetitive basis, that these repetitive activities involved flexion and extension of the wrist, and that these duties could cause carpal tunnel syndrome.

¶ 49 Both physicians viewed the video depicting the claimant's job. Dr. Pomerance testified that, based on the video, the claimant's job did not involve a hurried pace or objects that were heavy as they were easily handled with one hand. He stated that his opinion that the claimant's carpal tunnel syndrome was not causally related to her job could change if her job involved a different rate of task completion and the objects handled were of different weights than shown in the video.

¶ 50 The claimant and Ms. Nieto testified that the video did not accurately depict the speed at which they had to work. The claimant testified that she picked

between 300 and 400 items per hour when picking the aisles, between 400 to 450 items per hour when picking the lower modules, and approximately 250 items per hour when picking the upper modules. Both the claimant and Ms. Nieto testified that certain items weighed up to eight pounds.

¶ 51 The resolution of conflicting medical evidence falls within the province of the Commission, and its findings will not be reversed unless contrary to the manifest weight of the evidence. *Sisbro, Inc.*, 207 Ill. 2d at 206, 797 N.E.2d at 673. In the instant case, Dr. Perona and Dr. Pomerance agreed that the claimant had bilateral carpal tunnel syndrome. Dr. Perona testified that it was causally related to her work. Dr. Pomerance testified that it was not causally related to her work, but stated it could be if her job duties differed from those depicted in the video. Testimony was presented that the video did not accurately show the speed at which pick to light selectors were required to work or the varied weights of the items picked. There is sufficient evidence to support the Commission's determination that the claimant's condition of ill-being was causally related to her employment.

¶ 52 The employer argues that the claimant should not recover because she had a prior history of carpal tunnel syndrome symptoms and complaints. It points to the April 2004 medical record that states the claimant had recurrent arthralgias in her wrists and elbows with overuse and the fact that on her May 10, 2007, patient questionnaire completed for Dr. Perona she refers to wearing braces at night. There is no evidence in the record that the claimant was treated for the arthralgias. There is no evidence in the record about when or if the braces were prescribed or if the claimant purchased them over-the-counter. The claimant testified that prior to working for the employer she never missed work due to hand pain, that she never

had therapy or testing on either hand or wrist, and that she never received a recommendation for surgery for carpal tunnel syndrome.

¶ 53 The Commission weighed this evidence, determined the weight to give it, and resolved conflicts in the evidence. Taking into account this evidence and Dr. Perona's testimony that the claimant's carpal tunnel syndrome was causally related to her employment, the Commission determined that the claimant's injury arose out of and in the course of her employment. To recover for accidental injury, the accidental injury need not be the principal causative factor, it need only be a causative factor in the resulting condition of ill-being. *Land and Lakes Co.*, 359 Ill. App. 3d at 592, 834 N.E.2d at 592. We cannot say that the Commission's determination of a causal relationship between the claimant's work-related injury and her condition of ill-being is against the manifest weight of the evidence.

¶ 54 The employer argues that the Commission's decision was against the manifest weight of the evidence because the claimant admitted to several co-workers that her carpal tunnel syndrome was not related to her work duties. The claimant denied telling co-workers that her condition of ill-being was not related to her work duties. The Commission weighed the conflicting evidence and drew reasonable inferences from it. This court must not reject permissible inferences drawn by the Commission merely because other inferences might be drawn. *Sisbro, Inc.*, 207 Ill. 2d at 206, 797 N.E.2d at 673.

¶ 55 The employer argues that the claimant had several risk factors that could cause or aggravate carpal tunnel syndrome, specifically, she smoked, was obese, was a female, and had surgically induced menopause from a hysterectomy. Dr. Perona testified that the claimant's smoking would not cause carpal tunnel syndrome, but could be a contributing factor. He stated that her gender and age

were not risk factors, but that there is an increased incidence of carpal tunnel syndrome in females as compared to males, and an increased incidence of carpal tunnel in people over 40. Dr. Pomerance testified that at least two studies show that obesity is a risk factor in the development of carpal tunnel. Even though an employee may have risk factors that make her more vulnerable to injury, recovery for accidental injury will not be denied as long as it can be shown that employment was also a causative factor. *Id.* at 205, 797 N.E.2d at 672-73. Dr. Perona testified that the claimant's condition of ill-being was causally related to her employment, thus recovery will not be denied merely because she had certain risk factors for carpal tunnel syndrome.

¶ 56 The Commission's determination that the claimant's carpal tunnel syndrome was causally related to her employment is not against the manifest weight of the evidence. The claimant denied telling co-workers that her carpal tunnel syndrome was not related to her work duties. She testified that prior to working for the employer she never missed work due to hand pain, and that she was never treated for hand or wrist problems. Dr. Perona testified that her bilateral carpal tunnel syndrome was causally related to her work. The Commission weighed all the evidence presented and determined that the claimant's carpal tunnel syndrome was not a pre-existing condition, but was causally related to her employment. There is sufficient evidence in the record to support such a finding.

¶ 57 **CONCLUSION**

¶ 58 For the foregoing reasons, we affirm the judgment of the circuit court of Bureau County confirming the decision of the Commission.

¶ 59 Affirmed.