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In the Matter of the Compensation of  
**CAROLYN L. STREY, Claimant**  
WCB Case No. 09-03640  
**ORDER ON RECONSIDERATION**  
Welch Bruun & Green, Claimant Attorneys  
James B Northrop, SAIF Legal, Defense Attorneys

Reviewing Panel: Members Langer, Biehl, and Herman. Member Biehl dissents.

On November 24, 2010, we reversed an Administrative Law Judge's (ALJ's) order that set aside the SAIF Corporation's denial of claimant's injury claim for a left wrist condition. Disagreeing with our conclusion that she was injured while on a personal errand, claimant seeks reconsideration.

After considering claimant's argument, we continue to adhere to the analysis of the factual circumstances surrounding claimant's injury as set forth in our decision. Nonetheless, we offer the following additional comments to address claimant's current contentions.

Notably, claimant argues that she was "self-managed" and thus it was not unforeseeable that she would be injured in the manner that occurred. Yet, as discussed in our previous decision, the testimony of claimant's supervisor does not support a finding that the nature of claimant's position removed her from following the employer's established procedure for obtaining office supplies. Claimant's supervisor acknowledged that transition coordinators were "out-stationed" employees with a certain amount of expected self-management. (Tr. 56). However, although claimant had a significant degree of autonomy in traveling to/from nursing homes and her office, and there were timeliness issues with the employer's supply ordering process, claimant's supervisor unambiguously explained that there was an established process for *all employees* to follow when they needed office supplies. (Tr. 38, 56-57). Claimant's supervisor further noted that the employer had no knowledge of employees obtaining supplies outside of that process and that it would not have acquiesced to such conduct. (Tr. 38).

After further considering the record, we continue to find that, although claimant had significant independence in performing her job duties, her job did not include responsibility for ordering or obtaining office supplies directly from a vendor. Although we acknowledge claimant's work-related intention in using the magnifying glass, her approach to obtaining the item was directly contrary to the employer's procedures and there was no employer knowledge of, or acquiescence to, her conduct.

Furthermore, in response to claimant's contention that she could have waited up to "6 months" to receive the magnifying glass through the employer's ordering process, and that she decided to purchase the item on her own in furtherance of the goals of the program, we note that the employer did not indicate that there was an exception to the established procedure. Nor does the record establish a six month delay in obtaining supplies by means of the established ordering process. At the most, claimant's coworker testified that it could take "a couple of weeks" to receive supplies through the employer's procedure. (Ex. 10-11).

Consequently, for these reasons and those expressed in our previous order, we adhere to our reasoning and conclusion that claimant's injury did not arise out of her employment.

Accordingly, our November 24, 2010 order is withdrawn. On reconsideration, as supplemented, we adhere to and republish our November 24, 2010 order. The parties' rights of appeal shall begin to run from the date of this order.

**IT IS SO ORDERED.**

Entered at Salem, Oregon on December 16, 2010

Member Biehl dissenting.

For the reasons expressed in my initial dissent, I continue to disagree with the majority's reasoning and conclusions.