

IN THE MATTER OF THE CLAIM OF

INSURANCE
OCT 27 1977

T. M. L.

Claimant

Employer

Number

REDACTED

864 Washington St.
Cleveland, Ohio 44115

Sherwin-Williams Company
Sprayon Products Inc.
864 Washington Street
Bedford, Ohio 44146

STATEMENT OF FACTS

Date of O.D: February 1, 1974
Nature of O.D: "Alleged Eyes, Nose and Head"
Claim Disallowed For: "Irritative Conjunctivitis and Rhinitis"

PREVIOUS COMPENSATION AND MEDICAL - None

QUESTION: CLAIMANT'S APPEAL TO THE COMMISSION, FILED SEPTEMBER 27, 1976

ISSUE: Should the claim be allowed?

PRIOR ORDERS: On November 3, 1975, the Deputy Administrator disallowed irritative conjunctivitis and rhinitis as an occupational disease.

On September 16, 1976, the Cleveland Regional Board of Review found the claimant's Notice of Appeal, gave it jurisdiction and affirmed the finding of November 3, 1975.

I-12 was filed timely by claimant on September 27, 1976.

CLAIMANT'S EVIDENCE

Claimant's OD-4 alleges that claimant worked with a cleaning solvent for 2 years and was also exposed to chemicals from paint and solvents being mixed in her work area resulting in sinus.

EMPLOYER'S EVIDENCE

On October 8, 1975, Employer's Workmen's Compensation Administrator, Carl Scruggs, states that claimant symptomatology had no relationship to her employment.

MEDICAL EVIDENCE

On April 6, 1974, Dr. Irving I. Cramer states he first treated claimant on April 2, 1974, that he diagnosed irritative conjunctivitis and rhinitis which he felt was due to exposure to chemicals.

On September 23, 1975, Dr. Gilbert Erlechner stated he saw no disabling condition of ear, nose, throat or respiratory system. He saw no relationship between reported symptoms and employment & felt that claimant had a nervous condition.

SUMMARY

Claimant worked for the instant employer about two years and claims that exposure of chemicals and solvents at work caused sinus. There is conflicting medical proof of same in filed. Please note also that the Notice of Appeal filed by claimant from the Deputy Administrator's Find ings used the name of the parent corporation as the employer and not the subsidiary and the employer contended that this was jurisdictionally defective. The Regional Board of Review properly ruled otherwise. The true issue on this appeal is whether claimant's irritative rhinitis and conjunctivis is related to employment.

Respectfully submitted,

Herbert G. Stern
Attorney-at-Law