

I would suggest to you that this year, 1992, we have had two further court cases in this field of this type of cumulative trauma injuries in which the court found, in both cases, for the plaintiff, for the injured party. In both Schlup... Schlup v. Auburn Needleworks and Edmonds v. IBP, the court did find, in fact, that the cumulative injuries were a result of their job. They did meet the three-part cases, the three-part tests and were, in fact, compensable under...

SPEAKER BAACK: One minute.

SENATOR COORDSEN: ...Nebraska law. Again, to repeat a definition of an accidental injury, the employee must experience the effects of the injury or the trauma within a reasonably limited period of time and related to a particular job. Sometimes there is a matter of discussion when an employee has spent a reasonable amount of time on the job. And then I do have my light on and we will continue a little bit on the definitional aspects of cumulative trauma, occupational disease and work-related injury. Thank you, Mr. Speaker.

SPEAKER BAACK: Thank you, Senator Coordsen. Before I proceed to the next speaker, I would like to introduce some guests of Senator Moore this morning. We have...in the south balcony, we have 24 fourth graders from St. Joseph's School in York, Nebraska and their teacher. Would you folks please stand and be welcomed by the Legislature. Thank you for being with us. The next speaker is Senator Crosby.

SENATOR CROSBY: Thank you, Mr. Speaker, and members. Senator Morrissey, I have a quick question. You said something that caught my ear. You said that this would make work practices change. How? Do you think just because the legislation were passed that employers would change their...what?

SPEAKER BAACK: Senator Morrissey, would you respond, please.

SENATOR MORRISSEY: Yes. I think, as you recognize this cumulative trauma, it will be incumbent upon the employer to make sure they are doing everything possible to change work habits, change machinery styling, ergonomic things that will make...avoid the trauma and the repetitive type of actions; change shifts, change jobs, things that...

SENATOR CROSBY: Okay.