

►► What Is A Repetitive Motion Illness?



Various health symptoms have been associated with the use of computers. One particular health problem, known as repetitive motion illness, is caused primarily by having to perform rapid repetitive work. Additionally, poor work organization procedures, poorly designed computer and workstation equipment, and poor posture may also contribute to the onset of worker health symptoms.

Most often, repetitive movement requires some strength, such as sustained pressure or repeated pressure movements. Repetitive motion illnesses will most often be identified as pain, swelling and/or numbness in or around the affected muscles and tendons. Such impairment usually occurs in the fingers, wrists, hands, and/or arms. In some cases, it may affect the shoulder, neck, and back muscles.

Usually there is a gradual progression of more severe symptoms such as burning, aching, prickling, or painful numbness in the fingers and deep in the palm. With this pain and tingling there occurs an often-reported feeling of uselessness in the fingers, causing the hand(s) to feel swollen.

For more information please contact the
CWA Occupational Health
and Safety Department.

Communications Workers of America,
Occupational Safety & Health Department
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Washington, DC 20001-2797
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Repetitive Motion Illness

WHAT TO DO IF A MEMBER CONTACTS YOU

CWA

Education Department
Communications Workers of America

►► The Initial Contact

A member contacts you and asks your advice on what they should do about their repetitive motion illness. What do you do? Begin by finding out as much about the problem as possible. Ask the member the following questions:

- 1 What exactly are your symptoms (i.e., sore wrists, numbness)?
- 2 Have you seen a physician? If so, who and what is/was the diagnosis?
- 3 Do you have an explanation of what the diagnosis means? For example, if the employee tells you he or she has diagnosed carpal tunnel syndrome, be sure you understand what he or she means by that.
- 4 Why do you believe your condition is work related? Did your physician agree with this?
- 5 What course of action has your physician recommended (i.e., surgery, therapy)?
- 6 Have you filed a workers' compensation claim? A claim for benefits with the employer? If so, obtain all relevant documentation. If not, obtain the appropriate forms and assist the employee in completing them.
- 7 With whom have you discussed this in management? What, if anything, were you told?

There will, of course, be follow-up questions you will wish to ask to elicit as much information as possible.

If you have any doubts or question about how a repetitive motion problem should be handled, or if you recognize a pattern of problems in a workplace, contact your National Staff Representative.

WORK INJURY CLAIM FORM

►► Options Available

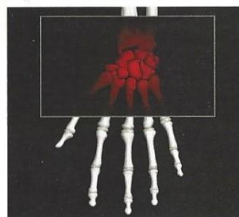
Once you have a good understanding of the problem, you may advise the member which of the following avenues to pursue. You may suggest pursuing several.

1 File a Grievance

Review the contract under which the employee with a repetitive motion illness works to determine whether the employer is or has engaged in any contract violations. For example, many contracts have a clause requiring the employer to provide safe working conditions or to provide specific safety equipment. If there is some contractual violation, the contractual grievance procedure should be utilized.

2 Apply for Accident or Disability Benefits with Employer

As employee should be counseled about the contractual benefits that may be available to him or her. Most CWA contracts contain some form of accident or disability benefits. The employee may need assistance in applying for benefits and/or processing an appeal of a decision concerning his or her benefits. Be sure that the employee files timely appeals (where applicable) of any Benefit Committee decisions. Failure to do so may preclude the employee from taking further legal action.



3 File Workers' Compensation Claim

State workers' compensation laws provide workers with payment for lost wages and medical expenses as a result of a work-related injury. An employee who has sustained a repetitive motion illness and who has been out of work or has incurred out-of-pocket medical costs or other expenses as a result of the illness, should be advised to file a workers' compensation claim.

The employee may need union assistance in filing and/or proving his or her workers' compensation claim. The employee will need a physician's certificate of illness and will generally need a physician's opinion as to whether the illness is work-related. Workers' compensation claims are highly fact-based. Thus, you should be prepared to assist the employee in gathering evidence and presenting his or her case to the Workers' Compensation Board.

Specific questions concerning your particular state workers' compensation law should be referred to your National Staff Representative.

4 File an OSHA Complaint

As mandated by the Occupational Safety and Health Act of 1970, employers must provide members (computer) working conditions free of recognized workplace safety and health hazards. If the employer is in violation with this principle, you should file an OSHA complaint (see Chapter 6 of the CWA Occupational Safety and Health manual for directions).

5 Use the Americans With Disabilities Act

The Americans With Disabilities Act passed by Congress in July, 1990, prohibits discrimination against qualified people with disabilities in, among other areas, employment. The law requires employers to make "reasonable accommodations" to the known physical or mental limitations of an otherwise qualified individual with a disability unless to do so would impose an undue hardship. A "disability" is defined as a physical or mental impairment that substantially limits one or more major life activities (including working) or who is regarded by others as having such an impairment. Individuals with a repetitive motion illness may be "disabled" under this Act, thus requiring the employer to make reasonable accommodations.



