

BEFORE THE IOWA WORKERS' COMPENSATION COMMISSIONER

CHRISTOPHER LAIDLAW,

Claimant,

vs.

COGNIZANT TECHNOLOGY  
SOLUTION SERVICES, LLC,

Employer,

and

AMERICAN ZURICH INSURANCE,

Insurance Carrier,  
Defendants.

**FILED**

JUL 12 2018

WORKERS' COMPENSATION

File No. 5043159

A P P E A L

D E C I S I O N

Head Note No: 1100; 5-9998

Claimant Christopher Laidlaw appeals from an arbitration decision filed on May 18, 2016. Defendants Cognizant Technology Solution Services, LLC, employer, and its insurer, American Zurich Insurance, respond to the appeal. The case was heard on October 21, 2015, and it was considered fully submitted in front of the deputy workers' compensation commissioner on December 7, 2015.

The deputy commissioner found claimant failed to carry his burden of proof that he sustained an injury which arose out of and in the course of his employment with defendant-employer on or about December 1, 2012, as alleged. Because the deputy commissioner found claimant failed to carry his burden of proof on the issues of causation and compensability regarding the alleged injury, the deputy commissioner found all other issues raised in this matter are moot, including the extent of any permanent disability which might result from the alleged injury. The deputy commissioner ordered claimant to pay defendants' costs of the arbitration proceeding.

Claimant asserts on appeal that the deputy commissioner erred in finding claimant failed to carry his burden of proof that he sustained a work-related injury as alleged. Claimant asserts the deputy commissioner erred in finding claimant is not entitled to receive permanent disability benefits for the alleged injury.

Defendants assert on appeal that the arbitration decision should be affirmed in its entirety.

Those portions of the proposed agency decision pertaining to issues not raised on appeal are adopted as a part of this appeal decision.

I have performed a de novo review of the evidentiary record and the detailed arguments of the parties and I reach the same analysis, findings, and conclusions as those reached by the deputy commissioner.

Pursuant to Iowa Code sections 17A.5 and 86.24, I affirm and adopt as the final agency decision those portions of the proposed arbitration decision filed on May 18, 2016, which relate to the issues properly raised on intra-agency appeal.

I find the deputy commissioner provided sufficient analysis of all the issues raised in the arbitration proceeding. I affirm the deputy commissioner's findings of fact and conclusions of law pertaining to those issues. I affirm the deputy commissioner's finding that claimant failed to carry his burden of proof that he sustained a work-related injury on December 1, 2012, as alleged. I affirm the deputy commissioner's finding that all other issues raised in this matter are moot, including whether claimant is entitled to receive permanent disability benefits for the alleged injury. I affirm the deputy commissioner's order that claimant pay defendants' costs of the arbitration proceeding. I affirm the deputy commissioner's findings, conclusions and analysis regarding those issues.

#### ORDER

IT IS THEREFORE ORDERED that the arbitration decision filed on May 18, 2016, is affirmed in its entirety.

Claimant shall take nothing from these proceedings.

Pursuant to rule 876 IAC 4.33, claimant shall pay defendants' costs of the arbitration proceeding, and claimant shall pay the costs of the appeal, including the cost of the hearing transcript.

Signed and filed on this 12<sup>th</sup> day of July, 2018.



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JOSEPH S. CORTESE II  
WORKERS' COMPENSATION  
COMMISSIONER

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