COURT OF APPEALS OF VIRGINIA

Present: Judges Baker, Bray and Fitzpatrick
Argued at Alexandria, Virginia

C. W. WRIGHT CONSTRUCTION COMPANY, INC. and
PACIFIC EMPLOYERS INSURANCE COMPANY

v. Record No. 2134-94-4 MEMORANDUM OPINION* BY
JUDGE RICHARD S. BRAY
WILLIAM E. McALISTER MAY 2, 1995

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

A. James Kauffman (G. Wythe Michael, Jr.; Taylor, Hazen & Kauffman, on brief), for appellants.

John J. McGrath, Jr. (Janney, Janney & McGrath, on brief), for appellee.

C. W. Wright Construction Company, Inc. and Pacific Employers Insurance Company (together "employer") appeal the commission's finding that William E. McAlister (claimant) suffered from an occupational disease, carpal tunnel syndrome, and an award of attendant benefits. Employer contends that the evidence was insufficient to support the claim.[1] We affirm the decision of the commission.

The parties are fully conversant with the record in this case, and we recite only those facts necessary to explain our holding.

Under familiar principles, this Court will construe the evidence in the light most favorable to the prevailing party below, claimant in this instance. Crisp v. Brown's Tysons Corner Dodge, Inc., 1 Va. App. 503, 504, 339 S.E.2d 916, 916 (1986). "'Whether a

*Pursuant to Code § 17-116.010 this opinion is not designated for publication.

[1]Although employer identifies several issues on appeal, we have considered them collectively in a sufficiency analysis.

disease is causally related to the employment and not causally related to other factors is . . . a finding of fact.' When there is credible evidence to support it, such a finding of fact [by the commission] is 'conclusive and binding' on this Court." Ross Laboratories v. Barbour, 13 Va. App. 373, 377-78, 412 S.E.2d 205, 208 (1991) (quoting Island Creek Coal Co. v. Breeding, 6 Va. App. 1, 12, 365 S.E.2d 782, 788 (1988)); Code § 65.2-706(A).

On September 11, 1992, claimant first visited Dr. Jonathan K. Malone, the treating physician, complaining of "numbness and swelling" in his right hand. Dr. Malone noted in his records that claimant's symptoms were indicative of carpal tunnel syndrome and successfully performed "carpal tunnel release" surgery on November 13, 1993. In correspondence dated June 18, 1993, Dr. Malone associated carpal tunnel syndrome with "repetitive use of the hands and wrists," and, noting that claimant's work "required this type of repetitive use," concluded that he developed the condition "due to the nature of his job." In a later report, Dr. Malone described this pathology as "an occupational disease" caused by the "repetitive nature in which [claimant] used his hands."

This evidence, considered with the entire record, provided sufficient support to the commission's finding that claimant suffered a compensable, occupational disease. See Code § 65.2-400(B); Piedmont Mfg. Co. v. East, 17 Va. App. 499, 503, 438 S.E.2d 769, 772 (1993); Dep't of State Police v. Haga, 18 Va. App. 162, 165-66, 442 S.E.2d 765, 425-26 (1994). Accordingly, we affirm the award.

Affirmed.