

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

LINDA MANTIA,)	No. ED103016
)	
Respondent,)	Appeal from the Labor and Industrial
)	Relations Commission
vs.)	
)	Case No. 08-096413
MISSOURI DEPARTMENT OF)	
TRANSPORTATION,)	
)	
Employer/Appellant,)	
)	
and)	
)	
TREASURER OF MISSOURI AS)	
CUSTODIAN OF THE SECOND)	
INJURY FUND,)	
)	
Additional Party/Respondent.)	Filed: June 14, 2016

The Missouri Department of Transportation (“MoDOT”) appeals the Labor and Industrial Relations Commission’s (“the Commission”) decision that awarded Linda Mantia workers’ compensation benefits representing fifty-percent permanent partial disability of the whole body and the right to future medical care for her work-related mental injury. MoDOT argues that the Commission misapplied the law and that its award was not supported by sufficient competent and substantial evidence.

AFFIRMED.

DIVISION THREE HOLDS: Since under the 2005 amendments to the Workers’ Compensation statute Mantia was not required to prove the extraordinary and unusual nature of her work-related stress by comparing the stress she endured with that experienced by similarly-situated employees, we find that there was ample competent and substantial evidence to support the Commission’s finding that Mantia suffered a work-related stress occupational disease, that Mantia suffered fifty percent permanent partial disability, and to support the Commission’s award of future medical care to treat Mantia’s mental injuries.

Opinion by: James M. Dowd, J.

Robert M. Clayton III, P.J., Lawrence E. Mooney, J., concur.

Attorney for Appellant: Jeffrey Wells Wright and Catherine Stattman Salmon

Attorney for Respondents: Jeffrey Ray Swaney for Linda Mantia

Ellen Joye Hudson for Treasurer of Missouri as Custodian of the Second Injury Fund

THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.