

1. Mr. Anderson injured his low back on January 6, 1999, while working for Scarlett Auto Interiors, an upholstery shop. At the time of the incident, Mr. Anderson was stepping into a Suburban that he had been working on so he could move it and then sweep the shop.
2. Entering and exiting vehicles was an integral part of Mr. Anderson's job doing automotive upholstery work and an activity that he was required to do frequently in order to properly perform his job.

CONCLUSIONS OF LAW

1. The preliminary hearing Order should be affirmed.
2. Only those accidents that arise out of and in the course of employment are compensable under the Workers Compensation Act.²
3. For an accident to arise out of employment, there must be a causal connection to the nature, conditions, obligations, or incidents of the employment.³
4. The Appeals Board concludes that entering and exiting vehicles is an integral part of Mr. Anderson's job. The risk of injury inherent in that activity is, therefore, a risk directly associated with Mr. Anderson's employment. The Board concludes that Mr. Anderson's low back injury arose out of and in the course of his employment.

WHEREFORE, the Appeals Board affirms the August 12, 1999 preliminary hearing Order entered by Judge Brad E. Avery.

IT IS SO ORDERED.

Dated this ____ day of September 1999.

BOARD MEMBER

- c: L. J. Leatherman, Topeka, KS
 Rex W. Hensch, Lenexa, KS
 Brad E. Avery, Administrative Law Judge
 Philip S. Harness, Director

² See K.S.A. 1998 Supp. 44-501.

³ See Martin v. U.S.D. No. 233, 5 Kan. App. 2d 298, 615 P.2d 168 (1980) and Hensley v. Carl Graham Glass, 226 Kan. 256, 597 P.2d 641 (1979).