

The Administrative Law Judge explained her decision to award benefits as follows:

The rationale for this finding is this: Claimant was in the process of completing a trip that was sanctioned by his employer. Although he was at his home in his own driveway, he was nevertheless completing a necessary step in the process, that of removing his luggage and seminar materials from the vehicle. [Citation omitted.] This would have been a far more complicated decision had Claimant injured himself after leaving the vehicle and gone [sic] into his house. As it is, the court believes Claimant was still within the umbrella of exposure. He was still in the process of completing the employer's work. Accordingly, Claimant is entitled to the benefits he seeks.

The Board agrees with this rationale. The Board also agrees that this case is distinguishable from *Peck v. State of Kansas*, WCAB Docket No. 255,064 (Oct. 1998), a Board decision to which both parties have compared this case. In *Peck*, the Board denied benefits to a highway patrol officer who was injured when he slipped on the ice between his home and his car. He was going to the car to scrape ice off the windshield at the time. Here, claimant was doing more than going from his house to his vehicle.

WHEREFORE, it is the finding, decision, and order of the Appeals Board that the preliminary hearing Order entered by Administrative Law Judge Julie A. N. Sample on June 27, 2000, should be, and the same is hereby, affirmed.

IT IS SO ORDERED.

Dated this ____ day of August 2000.

BOARD MEMBER

c: Gary L. Jordan, Ottawa, KS
James K. Blickhan, Overland Park, KS
Julie A. N. Sample, Administrative Law Judge
Philip S. Harness, Director