

STATE OF MICHIGAN
COURT OF APPEALS

BARBARA J. WATSON,

Plaintiff-Appellant,

v

GENERAL MOTORS CORPORATION,

Defendant-Appellee.

UNPUBLISHED

March 26, 1999

No. 208245

WCAC

LC No. 94-000043

ON REMAND

Before: Griffin, P.J. and McDonald and White, JJ.

PER CURIAM.

Plaintiff appeals as on leave granted after remand from the Supreme Court the order of the Worker's Compensation Appellate Commission affirming the magistrate's denial of disability benefits. We affirm.

Plaintiff filed an application for hearing, alleging in part that constant standing on cement floors in the course of her employment with defendant caused or aggravated a disabling varicose vein condition. The central question presented is whether varicose veins are a condition of the aging process, subject to the application of MCL 418.301(2); MSA 17.237(301)(2), which provides in part:

Mental disabilities and conditions of the aging process, including but not limited to heart and cardiovascular conditions, shall be compensable if contributed to or aggravated or accelerated by the employment in a significant manner.

The significant manner standard applies to both single event injuries and to occupational diseases. *Farrington v Total Petroleum, Inc*, 442 Mich 201, 215; 501 NW2d 76 (1993). The significant manner provision was designed to impose on claimants a higher standard of proof for specific injuries or diseases. *Id* at 216. To meet the standard, an injury must be significantly caused or aggravated by employment considering the totality of all the occupational factors and claimant's health circumstances and nonoccupational factors. *Id* at 216-217. Factors to be considered include age, weight, diet, previous ailments, and genetic predispositions. *Id*.

The WCAC found that plaintiff's condition fell within § 301(2). All the experts agreed that age was a factor in the development of varicose veins. To determine whether varicose veins are a cardiovascular condition, the magistrate and WCAC consulted with a dictionary. Where a statute does not define a term, a dictionary definition is appropriately used to construe statutory language according to common and approved usage. *Hottmann v Hottmann*, 226 Mich App 171, 178; 572 NW2d 259 (1997). *The American Heritage Dictionary of the English Language* employed by the magistrate defined "cardiovascular" as pertaining to or involving the heart and the blood vessels. Under this definition, varicose veins are a cardiovascular condition. Where none of the expert witnesses would testify that plaintiff's condition was caused or aggravated by her employment in a significant manner, the WCAC properly affirmed the magistrate's denial of disability benefits.

Affirmed.

/s/ Richard Allen Griffin

/s/ Helene N. White

I concur in result only.

/s/ Gary R. McDonald