

# Court of Appeals, State of Michigan

## ORDER

Christopher Parshall v Worden & Company Inc

Docket No. 350390

LC No. 17-000036

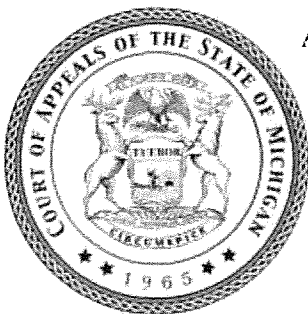
Mark T. Boonstra  
Presiding Judge

Jane M. Beckering

James Robert Redford  
Judges

Pursuant to MCR 7.205(E)(2), in lieu of granting the application for leave to appeal, the Court VACATES the July 31, 2019 opinion and order of the Michigan Compensation Appellate Commission, and REMANDS this matter to the MCAC for a determination whether plaintiff provided services to defendant under a contract of hire, as required by MCL 418.161(1)(l). MCL 418.861a(14); *Reed v Yackel*, 473 Mich 520; 703 NW2d 1 (2005); *Mudel v Great Atlantic & Pacific Tea Co*, 462 Mich 691; 614 NW2d 607 (2000); *Hoste v Shanty Creek Management, Inc*, 459 Mich 561; 592 NW2d 360 (1999). On remand, if the MCAC is persuaded that a contract of hire existed, then it must revisit its analysis of the magistrate's application of the 20-factor test referenced in MCL 418.161(1)(n), explain the path it takes through the conflicting record evidence and the evidence it adopted and why, and identify the factors that it found the magistrate weighed in error. This order has immediate effect. MCR 7.215(F). The Court does not retain jurisdiction.

Redford, J., would GRANT the application for leave to appeal.



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

JAN 23 2020

Date

  
Chief Clerk