

STATE OF MICHIGAN
COURT OF APPEALS

WENDY OW CZARSKI,

Plaintiff-Appellant,

V

CITIZENS BANK,

Defendant-Appellee.

UNPUBLISHED
February 11, 2003

No. 240993
Worker's Compensation
Appellate Commission
LC No. 01-000274

Before: Sawyer, P.J., and Jansen and Donofrio, JJ.

MEMORANDUM.

Plaintiff appeals by leave granted from the order and opinion of the Worker's Compensation Appellate Commission reversing the magistrate's imposition of a \$1,500 penalty on defendant for its late payment under a voluntary pay agreement. We reverse and reinstate the magistrate's decision in light of this Court's decision in *Morley v General Motors Corp*, 252 Mich App 287; 651 NW2d 808 (2002), where this Court held that voluntary pay agreements are enforceable and penalties for nonpayment may be imposed under the worker's compensation act, MCL 418.801(2).

Reversed.

/s/ David H. Sawyer
/s/ Kathleen Jansen
/s/ Pat M. Donofrio