

SUPREME COURT OF MINNESOTA

Arrowhead Senior Living Community v. Kainz

860 N.W.2d 379 (Minn. 2015) · Decided March 4, 2015

SUMMARY

The Minnesota Supreme Court reversed a Workers' Compensation Court of Appeals decision awarding benefits to Carol Kainz for an ankle injury sustained on a workplace staircase. The court concluded that the WCCA's findings regarding the staircase handrails were manifestly contrary to the evidence and remanded the matter to the compensation judge for reconsideration under the increased-risk test described in *Dykhoff v. Xcel Energy*.

CASE DETAILS

COURT	Supreme Court of Minnesota
WRITING FOR THE COURT	David R. Stras
JURISDICTION	Minnesota
DECIDED	March 4, 2015
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Arrowhead appealed the Workers' Compensation Court of Appeals' affirmance of an award of workers' compensation benefits to Kainz. The Minnesota Supreme Court reversed the WCCA's decision and remanded to the compensation judge for reconsideration.
STANDARD OF REVIEW	The Supreme Court may reverse when the WCCA's decision is manifestly contrary to the evidence. The court reviewed the record, including the compensation judge's findings and photographic evidence, to determine whether the WCCA's factual conclusions were supported.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Arrowhead Senior Living Community v. Carol Kainz

TOPICS

workers compensation

appellate procedure

standard of review

employment law

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the WCCA's determination that Kainz's injury arose out of her employment under the increased-risk test was manifestly contrary to the evidence.
2. Whether the matter should be remanded to the compensation judge for reconsideration under the increased-risk test established in Dykhoff.

HOLDINGS

1. The WCCA's decision was manifestly contrary to the evidence because it relied on internally contradictory findings regarding the location of the handrails and failed to account for photographic evidence showing that the handrails extended all the way down the staircase.
2. The case must be remanded to the compensation judge to reconsider the compensability of Kainz's injury in light of Dykhoff and the unresolved evidence concerning whether the staircase presented a special hazard.

KEY QUOTATIONS

"Because the WCCA's decision was 'manifestly contrary to the evidence,' see Pelowski, 627 N.W.2d at 92, we reverse." (at 381)

"To give the compensation judge an opportunity to reconsider his decision in light of Dykhoff, we remand to the compensation judge for further proceedings consistent with this order." (at 381)

FACTUAL BACKGROUND

Carol Kainz fractured her ankle on a staircase at her workplace and sought workers' compensation benefits. The compensation judge found that the injury arose out of her employment and awarded benefits. The WCCA relied on the absence of handrails and the alleged steepness of the stairs to conclude that the workplace exposed Kainz to a special hazard under the increased-risk test, but the Supreme Court found that the record showed handrails extended throughout the staircase and that the compensation judge's findings were internally inconsistent.

PROCEDURAL HISTORY

Kainz fractured her ankle on a workplace staircase and received workers' compensation benefits after the compensation judge found that her injury arose out of her employment. The WCCA affirmed, initially applying a work-connection test. After the Minnesota Supreme Court reversed that approach in Dykhoff and remanded this case, the WCCA again affirmed under the increased-risk test. The Supreme Court concluded that the WCCA's decision relied on factual findings manifestly contrary to the evidence and remanded for reconsideration in light of Dykhoff.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The matter was remanded to the compensation judge for reconsideration consistent with the order and with *Dykhoff v. Xcel Energy*, including reconsideration of whether Kainz's injury arose out of her employment under the increased-risk test.

CASES CITED

- *Dykhoff v. Xcel Energy*, 2012 WL 6592145 (Minn. WCCA Nov. 29, 2012)
- *Dykhoff v. Xcel Energy*, 840 N.W.2d 821 (Minn. 2013)
- *Kainz v. Arrowhead Senior Living Community*, 2013 WL 1704315 (Minn. WCCA Apr. 1, 2013)
- *Kainz v. Arrowhead Senior Living Community*, 843 N.W.2d 785 (Minn. 2014)
- *Kainz v. Arrowhead Senior Living Community*, 2014 WL 4253406 (Minn. WCCA Aug. 6, 2014)
- *Pelowski v. K-Mart Corp.*, 627 N.W.2d 89, 92 (Minn. 2001)
- *Hoff v. Kempton*, 317 N.W.2d 361, 366 (Minn. 1982)

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