

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F306369

LINDA BOSS FOSTER, EMPLOYEE	CLAIMANT
EXPRESS PERSONNEL SERVICES, EMPLOYER	RESPONDENT
AMERICAN HOME ASSURANCE COMPANY, CARRIER	RESPONDENT

ORDER FILED FEBRUARY 22, 2006

Upon review before the FULL COMMISSION, Little Rock, Pulaski County, Arkansas.

Claimant represented by HONORABLE GREGORY R. GILES, Attorney at Law, Texarkana, Arkansas.

Respondent represented by HONORABLE CAROL L. WORLEY, Attorney at Law, Little Rock, Arkansas.

ORDER

The Arkansas Court of Appeals has reversed the Commission in the above styled matter and remanded for proceedings consistent with the Court's opinion. Boss v. Express Personnel Services, CA05-602 (Jan. 4, 2006). The Court of Appeals has held, "fair-minded people could not have reached the Commission's conclusion that Foster was not performing employment services at the time she was injured, and reverse and remand for further proceedings consistent with our opinion."

The Full Commission therefore remands this case to an Administrative Law Judge for additional proceedings. Notice was an issue at the hearing before the Administrative Law Judge. The Administrative Law Judge found that the claimant was not performing employment services and did not address the notice issue. Therefore, we order the Administrative Law Judge to conduct those proceedings necessary to address the issue of notice.

IT IS SO ORDERED.

OLAN W. REEVES, Chairman

SHELBY W. TURNER, Commissioner

KAREN H. MCKINNEY, Commissioner