

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION
CLAIM NO. F810692

STUART CLARK, EMPLOYEE

CLAIMANT

STEVEN GWYN D/B/A HEAVENLY SIDING,
UNINSURED EMPLOYER

RESPONDENT NO. 1

ARKANSAS WINDOWS AND SIDING, LLC,
UNINSURED PRIME CONTRACTOR

RESPONDENT NO. 2

OPINION FILED JANUARY 27, 2010

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

Claimant appears *pro se*.

Respondent No. 1 appears *pro se*.

Respondent No. 2 represented by the HONORABLE QUENTIN E.
MAY, Attorney at Law, North Little Rock, Arkansas.

Decision of Administrative Law Judge: Affirmed and Adopted.

OPINION AND ORDER

Respondent No. 2 appeals from a decision of the
Administrative Law Judge filed August 31, 2009.

The Administrative Law Judge entered the following
findings of fact and conclusions of law:

1. The Arkansas Workers' Compensation Commission has jurisdiction to determine the facts which establish jurisdiction of this claim.
2. Arkansas Windows and Siding, LLC, hired Steven Gwyn as a subcontractor to perform an

installation job at 904 Kellogg Acres Road, Sherwood, AR 72120.

3. The claimant, Stuart Clark, was an employee of Steven Gwyn on the installation job at 904 Kellogg Acres Road, Sherwood, AR 72120, on September 15, 2008 and September 16, 2008.
4. The claimant sustained a compensable injury to this left wrist on September 16, 2008, when he fell off a ladder at work and landed on his head.
5. All of the medical treatment which the claimant received at North Metro Medical Center on September 19, 2008, was reasonably necessary to diagnose the nature and extent of the claimant's compensable injury and to then treat the wrist injury sustained by the claimant on September 16, 2008; the respondents are therefore liable for the expense of the medical treatment documented in the hearing record.
6. The claimant experienced two weeks and three days of temporary disability as a result of his injury entitling him to \$1,040.00 in temporary total disability benefits based on an average weekly wage of \$600.00 per week as a full-time employee earning \$15.00 per hour.
7. Mr. Clark's employer, Steven Gwyn, and the prime contractor on the Kellogg Acres Road job, Arkansas Windows and Siding, LLC, are jointly and severally liable for the claimant's workers' compensation benefits.
8. Pursuant to the provisions of the Arkansas Code Annotated Section 11-9-402, Arkansas Windows and Siding LLC is directed to pay the workers' compensation benefits awarded herein and the hearing transcript fee incurred by the hearing court reporter, and Arkansas Windows and Siding LLC shall then have a

right to recover these amounts from the subcontractor, Steven Gwyn.

We have carefully conducted a de novo review of the entire record herein and it is our opinion that the Administrative Law Judge's decision is supported by a preponderance of the credible evidence, correctly applies the law, and should be affirmed. Specifically, we find from a preponderance of the evidence that the findings of fact made by the Administrative Law Judge are correct and they are, therefore, adopted by the Full Commission.

Thus, we affirm and adopt the decision of the Administrative Law Judge, including all findings and conclusions therein, as the decision of the Full Commission on appeal.

IT IS SO ORDERED.

A. WATSON BELL, Chairman

KAREN H. MCKINNEY, Commissioner

PHILIP A. HOOD, Commissioner