

**QUESTION 2 THE ANSWER TO THIS QUESTION SHOULD GO IN BLUEBOOK I  
OR IN SOFTEST ANSWER SCREEN 2**

Angie is employed as a customer service representative at ABC Call Center (ABC). ABC hired XYZ Maintenance Company (XYZ) to clean its offices nightly.

Angie is paid by ABC on an hourly basis with a daily starting time of 9 a.m. and quitting time of 5 p.m., five days per week. She typically arrives at work about 10 minutes before her starting time.

One morning, Angie arrived at work at 8:50 a.m. She hung up her coat and began to walk to her workstation. Near her workstation, Angie slipped and fell on the slippery wooden floor. The night before, the crew of XYZ had polished the wooden floor leaving it especially slick. XYZ had left no warning sign to indicate the floor was slick.

Angie's fall resulted in a back injury. Angie is considering pursuing workers' compensation benefits from ABC and/or a tort action against XYZ. In order to make an informed decision on how to proceed, she needs the answer to these two questions:

1. Could she receive both a workers' compensation recovery from ABC and a civil tort recovery from XYZ for the same injury? Fully explain your answer as well as any limitations on recovery.

2. Does she have a viable workers' compensation remedy against ABC? Fully explain why or why not.

Answer both questions with reference only to Michigan workers' compensation law.

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