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Summary of Mitchell v. Clark County Sch. Dist., 121 Nev. Adv. Op. 21

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EMPLOYMENT LAW—WORKERS COMPENSATION

Summary

Julie Mitchell, a Clark County classroom teacher, inexplicably fell down a flight of stairs while at work. The Court held that stairs, in and of themselves, and other things that are not peculiar to the employment environment, are not sufficiently dangerous to be the cause of a workers' compensation claim.

Disposition/Outcome

The Nevada Supreme Court affirmed the district court's decision and held that the cause of a worker's injury must be sufficiently connected to a risk of employment to qualify for workers' compensation benefits.

Factual and Procedural History

Julie Mitchell, a Clark County classroom teacher, inexplicably fell down a flight of stairs while at work. At the time of the accident, the working environment was free of any foreign material and did not appear to be the cause of the injury. Nevertheless, Mitchell showed no signs of any preexisting conditions or anything that could have been the cause of the injury. Accordingly, the physician concluded that the injury must have been work related. The Clark County School District denied Mitchell's worker's compensation claim and Mitchell appealed.

Discussion

The issue in this case was whether a workers compensation claimant must prove a causal connection between a workplace injury and the workplace environment. NRS 616C.150(1) states that an injured employee is not entitled to receive workers' compensation "unless the employee . . . establish[es] by a preponderance of the evidence that the employee's injury arose out of and in the course of his employment."² Mitchell argued that her fall "arose out of" her employment and is entitled to workers' compensation benefits. In *Rio Suite Hotel & Casino v. Gorsky*,³ the Nevada Supreme Court held that a worker must prove that there was a causal relationship between the workplace environment and an injury to the worker. Mitchell tried to distinguish *Gorsky* by proving that her injury was the result of stairs, and not flat ground. The court, however, held that stairs in and of themselves are not sufficiently dangerous to cause a workplace injury.

¹ By Chris Orme

² NEV. REV. STAT. 616C.150(1) (2004).

³ 113 Nev. 600, 939 P.2d 1043 (1997).

Conclusion

Stairs, in and of themselves, and other things that are not peculiar to the employment environment are not sufficiently dangerous to be the cause of a workers' compensation claim.