

WORKERS' COMPENSATION BOARD

v.

MICHAEL COOPER et al.

Argued September 16, 2009

Decided October 6, 2009

Panel: SAUFLEY, C.J., and ALEXANDER, LEVY, SILVER, MEAD,
GORMAN, and JABAR, JJ.

MEMORANDUM OF DECISION

Michael Cooper and Maine Logistics, LLC, appeal from a decision of the Workers' Compensation Board's Abuse Investigation Unit, imposing a \$1000 penalty pursuant to 39-A M.R.S. § 324(3)(B) (2008), for failure to secure workers' compensation insurance coverage for their taxicab drivers. On the record before us, we conclude that contrary to their contentions, the Abuse Investigation Unit did not act outside the reasonable decisional range or misconceive the meaning of the applicable legal standard when determining that for purposes of the workers' compensation law, the cab drivers who lease cabs from Maine Logistics are employees rather than independent contractors. 39-A M.R.S. § 102(13) (2008); *see West v. C.A.M. Logging*, 670 A.2d 934, 937 (Me. 1996).

The entry is:

Judgment affirmed.

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Maine Logistics, LLC:**

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Workers' Compensation Board Abuse Investigation Unit case number 08-06-04
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