

WORKERS' COMPENSATION
MANAGEMENT-LABOR ADVISORY COMMITTEE

Full Committee Meeting

September 7th, 2023

10:00 a.m.-12:00 p.m.

Committee Members Present via zoom:

Patrick Priest, Citycounty Insurance Services
Scott Strickland, Sheet Metal Workers Local #16
Sara Duckwall, Duckwall Fruit
Margaret Weddell, Labor Representative
Matt Calzia, Oregon Nurses Association
John McKenzie, JE Dunn Construction
Sarah Merrick, City of Salem Fire Department
Andrew Stolfi, DCBS Director, *ex officio*
Ryan Hearn, Roseburg Forest Products
Marcy Grail, IBEW Local 125

Excused:

Tammy Bowers, May Trucking

Staff:

Teri Watson, MLAC Committee Administrator
Baaba Ampah, MLAC Assistant

Agenda Item	Discussion
Opening (00:00:00)	Patrick Priest called the meeting to order, and Teri Watson called the roll of members.
	Public Comment
(00:02:35)	Nick Hilbers, Safety Representative, The Harver Company Nick Hilbers, The Harver Company, shared his concerns regarding Oregon's Occupational Disease Law and the aging workforce . He expressed that it is unfair to workers, employers, and policy holders. Nick Hilbers proposed that the last injurious exposure rule (LIER) "be replaced with a workers' benefit fund dedicated to paying the worker's compensation claims currently covered by this law and rule."
(00:09:49)	The committee requested data regarding how often LIER is used and demographics for the workers that are affected by the rule.
(00:10:40)	Nick Hilbers elaborated on how the construction industry is affected by LIER.

(00:14:51) Nick Hilbers clarified that he has spoken with stakeholders such as AGC and SAIF, within the finisher's, plasterer's, and carpenter's trade unions that are receptive to the idea of making changes to LIER and think it would be beneficial to the worker and to the employer.

Dr. Saboe Jr.

(00:16:31) Dr. Saboe Jr. was not present to provide a public comment.

There were no additional public comments.

Review and approve minutes from August 17, 2023 meeting

(00:17:21) Sara Duckwall moved to approve the August 17, 2023 meeting minutes as presented and Ryan Hearn seconded the motion. The motion passed with no opposition, one abstention (Marcy Grail), and one member excused (Tammy Bowers).

John McKenzie was noted as present.

- Workers' Compensation Board case law updates (if any) – Lauren Eldridge

(00:19:06) There was no update.

- Workers' Compensation Division (WCD) update – Sally Coen

(00:19:43) Sally Coen, WCD Administrator, provided an update for the Workers' Compensation Division:

- Workers' compensation costs are set to drop in 2024 due to the National Council on Compensation Insurance's (NCCI) recommendation for a 6.7% decrease in the pure premium rate.
- The director is proposing that the premium assessment rate remain at 9.8% for 2024, which was the same rate in 2023 and 2022. This rate will allow for continuous operating services and stability of Oregon's workers' compensation system.
- The director is also proposing that the Workers' Benefit Fund (WBF) assessment rate decrease from 2.2 cents per hour worked to 2.0 cents per hour beginning Jan. 1, 2024.
- There was a news release and GovDelivery notice announcing the proposed rates and information about the public hearings for both proposals. The hearings will take place on Sept. 21 at 3 p.m. and at 4 p.m.

(00:23:52) MLAC members will be added to the GovDelivery distribution list and the last GovDelivery update will be sent out to members.

(00:24:21) Scott Strickland asked if the premium reductions account for the increased inflation. Sally Coen answered that the NCCI considers the decrease in medical cost and has noted that medical inflation is an issue. Their response to the

decrease this year is an improvement in loss experience and loss development patterns. Although medical costs are going up, there are fewer claims and less severe claims, so it balances itself out.

- DCBS Comm’s story board for MLAC video update – Angela Van Grunsven (Teri Watson)

(00:26:23) Angela Van Grunsven was not present at the meeting but provided edits to the [MLAC Legislative Guidelines Video Script](#) and a timeframe for the video.

(00:28:04) **Timeframe for the Video:** Once the video script has been approved, video production can begin in October. The video production will take four to eight weeks and the committee will have opportunities to review the drafts of the animation. Once the video is approved, the webpage can be completed within a day and go live with the approval of MLAC.

(00:29:37) There was a motion from Sara Duckwall to approve the MLAC Legislative Guidelines Video Script and Marcy Grail seconded the motion. The motion passed unanimously

Review committee legislative check list

(00:30:53) The discussion shifted to the review of the committee’s [Legislative Checklist](#).

(00:32:35) Matt Calzia moved to approve the Legislative Review Guidelines as submitted and Sara Duckwall seconded the motion. The motion passed unanimously.

Review committee work plan

(00:33:44) Teri Watson explained that she transferred the workplan topics in green, and put them into a table formatted workplan. Once the topics are completed, they can be removed and more topics will be added to the table format workplan.

(00:35:14) It was suggested to change “Due Date” to “Estimated Due Date”.

(00:36:44) It was suggested to mark the completion date on the general workplan when a topic discussion is completed.

(00:38:21) It was decided that the workplan would remain as a live document open for continuous discussion rather than an action item.

During the discussion, members shared their appreciation and approval for the table formatted workplan.

Workday training issues

(00:39:06) Members will receive their OR number, standard instructions on how to access Workday, and links to trainings in an encrypted email from Theresa Van Winkle. Patrick Priest suggested that the Workday training issues be removed from further agendas, since the issues seems to been resolved.

(00:40:31) At the end of September, Stacy Lewallen, new member from Fortis Construction, will be confirmed by the Senate, replacing MLAC member Tammy Bowers.

(00:42:05) **Upcoming meetings – Oct. 5 (in person) and Nov. 2 (hybrid)**
There was a discussion as to where to have the Oct. 5 in-person meeting. Co-chairs and MLAC Administrator will decide whether the next meeting will take place at the Durham location or at the Salem location.

(00:45:50) Margaret Weddell moved to adjourn the meeting and Matt Calzia seconded the motion. The motion passed.

Meeting Patrick Priest adjourned the meeting at 10:46 a.m.
Adjourned

*These minutes include time stamps from the meeting audio found here:

<https://www.oregon.gov/dcbs/mlac/Pages/2023.aspx>

**Referenced documents can be found on the MLAC Meeting Information page here:

<https://www.oregon.gov/dcbs/mlac/Pages/2023.aspx>