

Workers' Compensation Board
Tuesday, June 30, 2015
10:30 a.m.

Meeting Minutes

Present: Holly Somers, Chair
Sally Curey, Member
Judy Johnson, Member
Steve Lanning, Member
Margaret Weddell, Member
Roger Pearson, Managing Attorney
Joy Dougherty, Presiding Administrative Law Judge
Terry Bello, Administrative Services Division Manager
Karen Burton, Executive Assistant
Debra Young, Staff Attorney

Call to Order

Chair Somers called the meeting to order.

Approval of Agenda and Order of Business

Member Weddell moved for approval of the agenda. Member Lanning seconded. Motion carried.

Approval of Past Minutes

Member Curey moved for approval of the February 3, 2015 meeting minutes. Member Lanning seconded. Motion carried.

Reports of Administrative Staff

Hearings Division: No report.

Board Review: No report.

Administrative Services Division: Bello provided a facilities update.

Medford: The Medford office moves the week of July 7. Lease negotiations for the current space were unsuccessful as some fairly significant issues were not addressed. In addition, the proposed raise in rent was high based on the market rates for commercial

properties in the area. Bello acknowledged the hard work put in by the Medford office staff for their patience and good attitude as WCB moved through the process with DAS and the preparation put into the upcoming move.

Eugene: A draft lease renewal is in the works for the Eugene office. The current lease is up July 31, and it is WCB's intent to renew with the property owner. Lease negotiations included new paint and carpet, which will be completed before the end of October.

Portland: With the announcement of the Portland office move, meetings began last week with DAS Leasing and some key DCBS staff. Any lease over 10,000 sq. ft. requires much more involvement from DAS Real Estate Services. At this time, Bello is working on tenant improvements, the physical move of the office, and telecommunications, as well as specifics to the lease structure.

Unfinished Business

None.

New Business

“Housekeeping” changes to OAR Chapter 438 rules, which pertain to references to Board’s email address and OAR 438 Divisions.

ORS 183.335(7) specifies types of changes that may be made to a rule without prior notice or hearing, which are generally referred to as “housekeeping” changes. Pearson provided a summary of the proposed housekeeping changes:

Update e-mail address:

Change the Board’s e-mail address from request.wcb@state.or.us to request.wcb@oregon.gov in the following rules:

OAR 438-005-0046(1)(f)(A) – Provides for electronic filing of the requests listed in OAR 438-005-0046(1)(e).

OAR 438-005-0050(2) – Hearing rights paragraph under ORS 656.262(6)(d), includes option of e-mail request for hearing regarding disagreement with a Notice of Acceptance.

OAR 438-005-0055(1), (2) – Hearing rights paragraph for denials, includes option of e-mail request for hearing.

Correct rule references:

Rule references should follow this format: OAR chapter XXX, division XXX. The following rules do not follow that format. These changes will correct the rule references.

OAR 438-005-0046(1)(b) – Change reference from “OAR 436, division 9 or 10” to “OAR chapter 436, division 009 or 010.”

OAR 438-005-0072 – Change reference from “OAR 438 divisions 005-006” to “OAR chapter 438, divisions 005-006.”

OAR 438-006-0075 – Change reference from “Division 013” to “OAR chapter 438, division 013.”

OAR 438-011-0022 – Change reference from “OAR chapter 438 division 11” to “OAR chapter 438, division 011.”

OAR 438-012-0018 – Change reference from “division 012” to “OAR chapter 438, division 012.”

OAR 438-019-0000(1) - Change reference from “OAR division 019” to “OAR chapter 438, division 019.”

OAR 438-019-0000(3) - Change reference from “OAR division 19” to “OAR chapter 438, division 019.”

Member Curey moved to approve the housekeeping changes. Members Lanning and Johnson seconded. All in favor: Curey, Johnson, Lanning, Weddell and Somers.

Notification of the Board’s action will be distributed to the Secretary of State’s office and posted on the Board’s website.

Public Comment

None.

Announcements

None.

Adjournment

There being no further business, the meeting adjourned.