

WORKERS' COMPENSATION  
MANAGEMENT-LABOR ADVISORY COMMITTEE  
Full Committee Meeting

Jan. 23, 2025  
10 a.m.–11 a.m.

***Committee members present via zoom:***

Scott Strickland, Sheet Metal Workers Local #16  
Patrick Priest, Citycounty Insurance Services  
Lorne Bulling, IronWorkers Local 29  
Sara Duckwall, Duckwall Fruit  
Ryan Hearn, Roseburg Forest Products (**Absent**)  
Stacy Lewallen, Fortis Construction, Inc.  
Sarah Merrick, City of Salem Fire Department  
Kim Schlessinger, Samaritan Health Services  
Margaret Weddell, Labor Representative  
Andrew Stolfi, DCBS Director, *ex officio*

***Staff:***

Teri Watson, MLAC Committee Administrator  
Baaba Ampah, MLAC Assistant  
Megan Parsons, MLAC Assistant

Agenda Item	Discussion
<b>Opening</b> <b>(00:00:30)</b>	<b>Affirmation and Roll Call</b> Co-Chair Scott Strickland called the meeting to order, and shared an affirmation. Teri Watson called the roll of members. A quorum was present.
<b>(00:01:48)</b>	<b>Public Comment</b> No public comments.
<b>(00:02:20)</b>	<b>Review minutes from December 5, 2024 and January 9, 2025</b> The Dec. 5, 2024, and Jan. 9, 2025, meeting minutes were presented. Scott Strickland proposed adding to the Dec. 5 <sup>th</sup> meeting minutes under Robert Austin's testimony about taking out loans and the resulting interest no being reimbursed, "the interest on which are not reimbursed".
<b>(00:04:20)</b>	Sara Duckwall moved to approved both set of minutes ( Dec. 5th, as amended, and Jan. 9th), and Sarah Merrick seconded the motion. The motion passed.
	<b>Department updates</b>
<b>(00:06:29)</b>	<b>Workers' Compensation Division (WCD) updates – Teri Watson</b> Teri Watson shared that Kelli Borushko, DCBS Senior Economist, will deliver the Worker Benefit Annual Report at the March 6 <sup>th</sup> meeting.

---

(00:07:06)	Theresa Van Winkle, DCBS Legislative Director, noted that there is currently no legislation that proposes for the Governor's Recommended Budget (GRB) Workers' Benefit Fund sweep, therefore the committee should wait on further conversations. She notes that the conversation can continue when the bill is released or during the Mar. 6 Worker Benefit Annual Report. In the meantime, she and Director Stolfi are available for any questions.
(00:09:30)	<p><b>Workers' Compensation Board case law updates – Lauren Eldridge</b></p> <p>Lauren Eldridge noted that she will provide WCB's monthly <a href="#">newsletters</a> in addition to case law updates. She presented a recent case, <a href="#">John Calie, 76 Van Natta 687</a>. Lauren Eldridge notes the WCB board member, Ousey, urges MLAC and the legislature to examine the current statutory scheme.</p>
(00:17:53)	Scott Strickland asked about MLAC's authority to review issues on its own and recommend statutory or regulatory changes outside of legislative bills. Lauren Eldridge was unsure and it was indicated that MLAC's scope and authority need to be clarified for future discussions.
(00:20:09)	Members noted that the work plan would be a great place to put the topic.
(00:21:14)	Scott Strickland asked about the timeline for the board's request. Lauren Eldridge responded that the request does not have a specific deadline or urgency.
(00:22:18)	Lauren Eldridge noted that there are some workers who go through this process without counsel.
(00:11:51)	<p><b>Bill Presentations:</b></p> <p><b>Oregon AFSCME Political Coordinator, Odalis Aguilar-Aguilar</b></p> <p><b>SB 705</b></p>
(00:24:30)	Odalis Aguilar-Aguilar shared an update to <a href="#">SB 705</a> , sponsored by Senator Taylor. She noted she has an amendment fix, and the -1 amendment, will remove "from the prior 52 week". It will also clarify an effective date of January 1, 2026, and strike out the mention of "total" on page three.
(00:26:15)	Odalis Aguilar-Aguilar explained the <a href="#">memo</a> regarding the state average weekly wage (SAWW).
(00:28:35)	Odalis Aguilar-Aguilar confirmed Scott Strickland's assumption that, after payroll deductions, SB 705 adds an additional floor if workers earn below the SAWW, receiving 100% of their average weekly wage (AAW).
(00:29:19)	Scott Strickland thanked Odalis Aguilar-Aguilar and the division for providing the data, mentioning that he was impressed by the calculation showing that 10-20% of workers earn less than \$70,000. So a deduction of 66 2/3 would result in a substantial decrease in income.

---

- 
- (00:30:11)** Sara Duckwall pointed out that the data only shows gross income and not the intended net-income. She asked about the expected Temporary Disability Benefit (TTD) rate for worker 3 in the memo. Matt West, WCD Interim Administrator, clarifies that AWW is based on a worker's gross wage. He continued explaining that currently, SB 705 writes that a worker making below the SAWW will get 100% of their gross income. Odalis Aguilar-Aguilar explains that the forthcoming amendment clarifies that it is net income, not gross income.
- (00:34:03)** Scott Strickland estimated that worker 3's example in the memo for TTD will be \$900 a week under SB 705. Odalis Aguilar-Aguilar agreed and stated that the forthcoming amendment will define wages, as written in statute, to ensure that workers are not earning more.
- (00:35:46)** Sara Duckwall asked how garnishments and pre-tax are dealt with the amendments. Odalis Aguilar-Aguilar responded that those are considered and were submitted in the amendment request.
- (00:36:11)** Margaret Weddell asked about the average state and federal deductions. She understands that the net pay would be different for each worker, but would like to know a workers' net pay based on different filing statuses. Odalis Aguilar-Aguilar will work with WCD to provide the requested data. She explained that if worker 3's pay in the memo is \$900 and they are taxed at 20%, their TTD would be increased to \$150 a week under SB 705.
- (00:40:01)** Scott Strickland noted that the data on the effective rates given the bracket with standard deduction should be readily accessible. He agreed with Margaret Weddell, noting that if the average does not exist, the effective rate assuming standard deductions could be calculated.
- (00:41:29)** Stacy Lewallen explained that in addition to state and Federal tax, Social Security and Medicare tax would be part of that equation to calculate net pay, which is another 7.65% deduction.
- (00:42:06)** Sara Duckwall requested information about other states' calculations, as well as their length of time loss being paid. Matt West informed that there is a chart that has other states' rate of temporary disability, and will seek additional information about the length of time loss being paid.
- (00:43:16)** Sara Duckwall asked about the fiscal impact of SB 705 on the workers' compensation system. Odalis Aguilar-Aguilar mentioned that the fiscal is being worked on.
- (00:43:46)** Patrick Priest asked for National Council on Compensation Insurance's (NCCI) analysis of SB 705 to have an independent analysis. Todd Johnson, NCCI,
-

---

stated that NCCI can price the fiscal impact to the workers' compensation system, however, will need more detail after the -1 amendment.

- (00:45:29) Matt West noted that the wage calculations is made by broad assumptions. Also, the breakdown of wages by claimants is accepted disabling claims reported to the division by 2024.
- (00:46:27) Margaret Weddell stated that assuming standard deduction is around 20%, a worker making \$18 an hour would have a net pay of roughly \$576, and TTD under the 66 2/3 rule, would be \$480. She noted that she would like to compare workers net pay/TTD under SB 705 versus the 66 2/3 rule . Scott Strickland suggested a spreadsheet presentation at the bottom of the second page.
- (00:48:19) Matt West asked for clarification on how to best display the net pay with the TTD rate. Margaret Wedell states that her understanding of SB 705, is to align time-loss benefits of workers, below the SAWW, to a their usual take-home pay.
- (00:49:56) Matt West agreed to add a tax rates assumptions column to the figure without any pre-tax deduction.
- (00:51:11) Sara Duckwall suggested adding side-by-side columns comparing current TTD rates to the proposed TTD rate under net pay rates.
- (00:53:36) Sarah Duckwall suggested adding the standard Oregon's minimum wage to the figure.
- (00:54:50) Appreciation was given to all participants of the memo research, particularly DCBS research team.
- (00:56:52) Teri Watson noted that there is no agenda items for the January 30<sup>th</sup> meeting, so it may be cancelled.

---

**Upcoming meetings –Jan 30 and Feb. 6, 2025, virtual meetings.**

---

**Meeting** Scott Strickland adjourned the meeting at 11 a.m.  
**Adjourned**

\*These minutes include time stamps from the meeting video found here:  
<https://www.youtube.com/watch?v=2gU8FMhnF2Y>

\*\*Referenced documents can be found on the MLAC Meeting Information page here:  
<https://www.oregon.gov/DCBS/mlac/Pages/2025-meetings.aspx>