

WORKERS' COMPENSATION
MANAGEMENT-LABOR ADVISORY COMMITTEE
Average Weekly Wage Subcommittee Committee Meeting

July 11, 2025
10:00 a.m.– 12:00 noon

Committee members present via zoom:

Scott Strickland, Sheet Metal Workers Local 16
Stacy Lewallen, Fortis Construction Inc.

Staff:

Teri Watson, MLAC Committee Administrator
Baaba Ampah, MLAC Assistant

Agenda Item	Discussion
Opening	Welcome:
(00:00:00)	Co-chair Scott Strickland called the meeting to order.
(00:00:54)	Teri Watson encouraged participants to attend meetings virtually, and introduced Katie Bruns, WCD new Deputy Administrator.
	Data report from WCD
	Data on states that offer different wage replacement
(00:01:53)	Summer Tucker, WCD policy analyst, presented Summary: state temporary disability rates .
(00:09:03)	Co-chair Strickland asked, whether states use statutory definitions of which taxes to deduct. Summer Tucker answered that it depends on the state, however, her research focused more on what deduction states actually make from the final benefit number rather than how they calculate their deductions. She noted that Alaska has an online tool for estimating benefits. Co-chair Stacy Lewallen added that some states use an employee's W-4 form to follow what they would expect.
(00:20:27)	Summer Tucker ended her presentation and Co-chair Strickland showed appreciation for the presentation. There were no additional questions
	Data report on tax tables of 1971
(00:21:30)	Rafael Robles introduced himself and presented Oregon Tax and Temporary Disability Payout Scenarios 2024 and 1971 .
(00:37:33)	On slide #12, Rafael Robles confirmed Co-chair Lewallen's question that workers on disability in 1971 generally took home less than workers on disability in 2024.

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- (00:42:27) Rafael Robles ended his presentation. Co-chair Strickland added that the data shows improvements for higher-income earners due to increased thresholds. However, housing, health insurance, retirement, and childcare have increased as a percentage of their total income. In 1971, most workers, except minimum wage earners, spent between a third and a half of their income on housing, but now most workers exceed those affordability threshold.
- Data on duration of temporary disability claims**
- (00:44:49) The data was not yet finalized, but might be available during the next meeting, along with a summary of long-term and short-term data.
- Policy Discussion –Average Weekly Wage (AWW) for low-income workers**
- (00:46:34) Co-chair Lewallen reemphasized that some issues are systematic and beyond the committee’s scope to solve. She found the data useful for providing reference points to incorporate into the discussions. She noted that states with higher benefit percentages often had lower AWW; citing Oregon at the higher end of 133%, and other states (New Jersey, Ohio, Oklahoma, Texas, and Washington) ranging from 70% to 120%. Co-chair Lewallen praised Summer Tucker’s and Rafael Robles’ presentations.
- (00:47:51) Co-chair Strickland noted that it seems that adjustments over time have increased payout amounts for middle and higher income workers but not for lower income workers, creating a potential imbalance. He pointed out that states with higher payouts often have more affordable housing. Co-chair Strickland expressed concern that inadequate benefits might disincentivize workers from filing claims, as they may be unable to pay their bills and instead choose to work injured, become unemployed, or work under the table.
- (00:50:04) Co-chair Lewallen expressed the importance of finding a balance, cautioning against creating incentives for individuals to stay home longer than necessary. As studies have showed that prolonged time away from work can negatively impact recovery, and other detrimental attributes.
- (00:51:03) Co-chair Strickland agreed with the importance of returning back to work, sharing personal experience about the importance of resuming work duties. However, he emphasized that decisions on returning to work are determined by medical providers, not by personal financial incentives. Co-chair Strickland noted the current system seem to incentivize workers to either lie to return back to work prematurely or avoid filing claims entirely. Co-chair Lewallen agreed, responding that the committee should focus on the issue at hand, wages, and not include external factors.
- (00:54:03) Teri Watson noted that there is missing data related to fraud in the system, loss to health care paid time off (PTO) or retirement in workers’ compensation claims, delay in time loss payments to injured workers, injured workers survey
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data, and workers' individual experience in the workers' compensation system. She will reach out to insurers about fraudulence in the system.

(00:57:24) Thais Lomax, Sedgwick, mentioned that Sedgwick's position is twofold: first, a lot of work was done, in the state, less than ten years ago to establish a fair calculation method for AWW. Second, Sedgwick encouraged the committee to focus instead on adjusting percentages applied to the AWW when compensating injured workers on leave. Sedgwick fully supports developing a tiered method when looking at AWW percentage based on income factors.

(01:01:14) Kirsten Adams, ACG, thanked the committee for their data. She agreed with earlier conversation had by the co-chairs, of the importance of finding the right balance in recalculating compensation rates. Kirsten Adams recognize that while systemic issues form past decades cannot all be resolved, the committee can focus on practical improvements to meet current needs while staying within the original intent of the system.

Anything else that should be included.

(01:03:28) Co-chair Strickland noted there has been outreach to insurers about injured workers surveys, suggesting that stakeholders such as Ombuds Office, OTLA, and Northwest Justice project might have data in regards to individual injured workers experience in the system.

(01:04:16) Co-chair Lewallen suggested data showing what percentage of the population falls into each compensation range or tiers. Understanding where most workers land within these compensation categories would help the committee better assess potential impacts to the system. Co-chair Strickland agreed, mentioning that there is pieces of such information from WCD and NCCI, but having it all on one page will be helpful.

(01:05:20) Teri Watson suggested a "show and tell" of all stakeholders (Ombuds, OTLA etc.) to share anecdotally what they are hearing during the August 8th meeting.

(01:06:36) Keith Semple, OTLA, shared his uncertainty in OTLA presenting anecdotes to the subcommittee, however noted that workers are hurting from a variety of factors.

(01:07:32) Co-chair Strickland noted it would be helpful to bring [SB 705 -2](#) back into discussion. Co-chair Lewallen agreed, noting that it is a great way to center the conversation.

Public Comment/Stakeholder Feedback

(01:11:09) There was no additional comments. Co-chair Strickland encouraged written statements.

(01:19:18) Co-chair Strickland adjourned the meeting at 11:13 p.m.

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

<https://www.youtube.com/watch?v=Mbonni3oHyw>

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

<https://www.oregon.gov/DCBS/mlac/Pages/access-to-care-subcommittee.aspx>