

WORKERS' COMPENSATION
MANAGEMENT-LABOR ADVISORY COMMITTEE
Full MLAC Meeting
August 26, 2020
1:30 p.m. – 2:00 p.m.

Committee Members Present:

Alan Hartley
Kimberly Wood, Perlo Construction
Diana Winther, IBEW Local 48
Tammy Bowers, May Trucking
Kevin Billman, United Food and Commercial Workers
Lynn McNamara, City County Insurance
Kathy Nishimoto, Duckwall Fruit
Andrew Stolfi, DCBS Director, *ex officio*

Committee Members Excused:

Ateusa Salemi, Oregon Nurses Association
Jill Fullerton, Clackamas County Fire Department

Staff:

Theresa Van Winkle, MLAC Committee Administrator
Jeffrey Roddy-Warburton, MLAC Assistant

Agenda Item	Discussion
Opening (0:06:00)	Kimberly Wood opened the meeting at 1:35 pm. Theresa Van Winkle goes of the agenda and the three items that are up for discussion. Co-chairs update on requests from presiding officers, upcoming meeting schedule and topics for stakeholder input.
(0:07:00)	Kimberly Wood states that she meet with Diana Winther about presiding officers, and they have been asked to come together and put forth a proposal that is supported by both sides instead of two independent proposals that were submitted. Meeting will be setup in the near future to work that out. Kimberly Wood states that input from the stakeholders will be encouraged.
(0:09:15)	Kimberly Wood introduces Scott Strickland, who is a nominee for the opening on the Labor side of the committee. Theresa Van Winkle states that the next round of appointment is in September. She also thanks Andrew Stolfi, DCBS Director and Sally Coen, WCD Administrator for joining the meeting.

(0:11:00) Theresa Van Winkle discusses the [memo on the analysis of the proposed rule that Sally Coen provided to the committee](#). Kimberly Wood states that her and Diana Winther decided that they will discuss that memo at the next MLAC meeting so that everyone has time to look at the data.

(0:13:00) Theresa Van Winkle gives an update on the items that were recommended in the report. [In regards to the first issue specific to social security numbers being used on the 801 forms](#), there is a stakeholder group that was formed to discuss this and the meeting is scheduled for September 15th, 2020. In regards to item 21, NCCI and the exclusion of COVID-19 claims from the experience rating, the [Division of Financial Regulation filed a temporary rule specific to this item](#) and went into effect on August 14th, 2020 and goes through October 24th, 2020. Kimberly Wood asks if employers who report their Workers Comp numbers to NCCI, do they not have any COVID-19 claims counted against their employer modification rate. Theresa Van Winkle responds yes that is correct.

(0:16:00) The last item is in regards to [OSHA and workplace safety](#), Theresa Van Winkle states that there is potential rule making language in the works. There will also be six public forums where the public can speak to Oregon OSHA staff about the rule and public comments are due on September 7th, 2020 and the near final language will be published the week of August 31st.

(0:17:00) Theresa Van Winkle gives the committee an overview of the issues they are covering. Issue 5 lack of consistent method or means for employees to record potential exposures, item 14 unclear requirements regarding employers burden to do contact tracing or inform other employees when one is tested positive, and issues 22-27 that focus on personal protection.

(0:18:30) Tammy Bowers thanks Oregon OSHA for all of the work they are putting in on all of these items.

**Meeting
Adjourned**

Kimberly Wood adjourns the meeting at 1:55 p.m.

*These minutes include time stamps from the meeting audio found here:
<https://www.oregon.gov/dcbs/mlac/Pages/2020.aspx>

**Referenced documents can be found on the MLAC Meeting Information page here:
<https://www.oregon.gov/dcbs/mlac/Pages/2020.aspx>