



STATE OF MAINE
WORKERS' COMPENSATION BOARD
Board of Directors' Business Meeting

August 10, 2021

A business meeting of the Maine Workers' Compensation Board of Directors was conducted on Tuesday, August 10, 2021 via Zoom.

PRESENT: John Rohde (*Executive Director/Chair*), Ron Green, Glenn Burroughs, Lynne Gaudette, Penny Picard, and Serina DeWolfe (*Directors*), and Richard Hewes (*General Counsel*). Director Wallace was not available for this meeting.

I. CALL TO ORDER

Executive Director Rohde called the meeting to order at 10:03 a.m. with over 45 people participating remotely. Executive Director Rohde reviewed the Zoom meeting platform and procedures. Board members and staff introduced themselves for the recording. Voting is to be conducted by roll call vote instead of a show of hands.

II. APPROVAL OF MINUTES

1. Draft Minutes of 7/13/2021 Board of Director's Business Meeting

Director Burroughs MOVED TO ACCEPT THE MINUTES OF THE 7/13/2021 BOARD MEETING AS WRITTEN; Director DeWolfe seconded. **MOTION PASSED 6-0.**

III. SUBCOMMITTEE REPORTS

1. IME Subcommittee

The IME subcommittee will be meeting on Friday, August 13, 2021.

2. Personnel Subcommittee

The Personnel Subcommittee met this morning to discuss the retirement of Thom Watson, Senior Staff Attorney. Thom's retirement will be official in October. The hiring process will begin in September.

IV. EXECUTIVE DIRECTOR REPORT

1. Bangor Office

The Bangor Regional office will be moving to 396 Griffin Road in Bangor on September 1, 2021.

2. Comp Summit

Comp Summit will be held on September 22 and 23rd. Executive Director Rohde and General Counsel Hewes will be among the Board staff members participating in presentations at Comp Summit.

3. Personnel

Katherine Rooks has joined the Board as our new Administrative Law Judge in the Lewiston office. ALJ Chabot will be moving to the Portland office. ALJ Collier is retiring at the end of this year. Board staff is working to address his case load so he can complete as much work as possible work before retirement.

4. COVID Work Rules

A new work rule is in place for state employees. Per Department of Administrative and Financial Service, proof of vaccination is required to work without a mask. Three foot separation and continuing to hold meetings via remote technology are still recommended. Seanna Crasnick is point person for any questions or issues regarding COVID-19 work rules.

Executive Director Rohde met with an attorney group and discussed planning for in-person hearings. He will also meet with the administrative law judges about in-person hearings. Parties may request in-person hearings via motions, which will be decided on a case by case basis. A motion will be drafted by General Counsel Hewes for parties to use to make requests. Once approved, it will be distributed online and via ListServe. When setting up hearings, adequate time will be scheduled between in-person hearings to avoid people waiting in the lobby. Board secretaries will keep track of names of people who attending person in case contact tracing becomes necessary.

The Board will also need to plan for the remaining meetings this year. Director Green suggested the caucuses meet and let Executive Director Rohde know who will speak at the October meeting regarding preference about meeting in-person versus remotely.

V. GENERAL COUNSEL REPORT

1. Kids Chance

Executive Director Rohde and General Counsel Hewes met with Elizabeth Brogan about Kids Chance scholarships. If the information is public, the Board can provide names of potential applicants.

2. Abuse Unit

Stacey Downs a business owner, pleaded guilty to failure to secure workers' compensation and other charges. This is a Class D crime. She signed a 2 year deferred agreement based on compliance.

3. Law Court

The Maine Supreme Court will review *Furrow v. Bath Iron Works*. This case involves a statute of limitations issue.

VI. OLD BUSINESS

1. Legislation Update

The PTSD report is due on 1/1/22. This report will now include E911 dispatchers.

VII. NEW BUSINESS

There is no new business.

VIII. ADJOURNMENT

Director Burroughs MOVED TO ADJOURN; Director Picard SECONDED. **MOTION PASSED 5-1.** (*Director Burroughs opposed; Director Wallace absent.*)

The meeting formally adjourned at 10:21 a.m.