



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

**July 13, 2021**

A business meeting of the Maine Workers' Compensation Board of Directors was conducted on Tuesday, July 13, 2021 via Zoom.

**PRESENT:** John Rohde (*Executive Director/Chair*), Ron Green, Glenn Burroughs, Richelle Wallace, Lynne Gaudette, Penny Picard, and Serina DeWolfe (*Directors*), and Richard Hewes (*General Counsel*).

**I. CALL TO ORDER**

Executive Director Rohde called the meeting to order at 10:02 a.m. with over 35 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 6/8/2021 Board of Director's Business Meeting**

Director Burroughs MOVED TO ACCEPT THE MINUTES OF THE 6/8/2021 BOARD MEETING AS WRITTEN; Director Green seconded. **MOTION PASSED 7-0.**

**III. SUBCOMMITTEE REPORTS**

**1. Personnel Subcommittee**

The Personnel Subcommittee met on July 12<sup>th</sup> to discuss a personnel issue.

**IV. EXECUTIVE DIRECTOR REPORT**

**1. Comp Summit**

Comp Summit will be held on September 22<sup>nd</sup> and 23<sup>rd</sup> at the Samoset Resort. There will not be a Board meeting at Comp Summit this year, but Board members are invited to

attend. Richard Hewes will be presenting a Legal Year in Review session, ALJ's Hirtle and Chabot will be presenting, as will Rebecca Burns.

## **2. COVID Workplace Rules**

Guidance from Department of Administrative and Financial Services (DAFS) regarding COVID-19 workplace precautions is expected to be released this month. Once received, Executive Director Rohde will meet with staff and the attorney group to discuss implementing the new rules.

## **3. Personnel**

On July 26<sup>th</sup>, Katherine Rooks will start as our new Administrative Law Judge in the Lewiston office. ALJ Chabot will move to the Portland office. Brad Howard from Information Management has retired after over 30 years of State service. His position is currently posted. A special mailbox for EDI questions has been created with Brad's retirement to help ensure emails are not missed during the changeover.

## **4. IAIABC**

The IAIABC annual meeting will be held in October. A virtual component to the annual meeting is available.

# **V. GENERAL COUNSEL REPORT**

## **1. Law Court**

The Maine Supreme Court will hear arguments in the *Desgrossielliers v. Auburn Sheet Metal* case. This case involves a notice issue as the employer went out of business and no one was designated to receive notice of the claim.

# **VI. OLD BUSINESS**

## **1. Legislation Update**

The Legislature will come back on July 19<sup>th</sup> to address vetoes. LD's 305, 575, and 1430 will be carried over to the next session. LD's 213 and 467 have been signed into law.

# **VII. NEW BUSINESS**

## **1. 1<sup>st</sup> Quarter 2021 Draft Compliance Report**

Carrie Pomeroy from the Monitoring Unit presented a draft of the 1<sup>st</sup> Quarter 2021 Compliance Report. The 1<sup>st</sup> quarter numbers show that benchmarks are all down. For instance, the MOP benchmark is 85% but this quarter is at 67%. The preliminary look at the second quarter does not show improvement. Discussion was held about the low compliance. Executive Director Rohde noted that benchmarks are set for a reason and need to be brought back up to the positive side. Director Wallace asked if Board staffing is a factor in the compliance. Carrie reported the open Monitoring position is posted and

we should be able to address the non-compliance better going forward, but all reporting is down which is not a reflection on our staffing level. Director Picard asked about those employers who did not respond and how that factors into the report percentages. While it does have a negative impact, it is not a major impact. Director Burroughs would like to have the Board kept up to date on this issue. Matt Harmon from MEMIC addressed their numbers and will continue to work with Monitoring to make improvements.

Director Wallace MOVED TO ACCEPT THE 1<sup>st</sup> QUARTER 2021 COMPLIANCE REPORT AS WRITTEN; Director Burroughs seconded. **MOTION PASSED 7-0.**

## **VIII. ADJOURNMENT**

Director Wallace MOVED TO ADJOURN; Director Picard SECONDED. **MOTION PASSED 6-1.** (*Director Burroughs opposed.*)

The meeting formally adjourned at 10:25 a.m.