

MINUTES OF THE WORKERS' COMPENSATION SECTION
EXECUTIVE COMMITTEE
April 14, 2023

I. CALL TO ORDER

Chair Frost called the meeting to order at 12:01 pm. Attendance was taken as follows:

Member	Present	Absent
Christine Coffelt Frost (Chair)	X	
Martin M Fisher (Chair-Elect)	X	
Andrea K Knight (Treasurer)	X	
Ian T Brown (Secretary)	X	
Spencer S Aldrich (Member)		X
Nicholas D Cordes (Member)		X
Trisha Loitz Fleischman (Member)		X
Heidi M Havercroft (Member)	X	
Martie L McQuain (Member)	X	
Craig Thomas Miller (Member)		X
Karli L Olson (Member)	X	
Jovanna Patrick (Member)	X	
Christo J de Villiers (Member)	X	
Elyse Waters, formerly Lopez (Member)	X	
John C Young (Member)		X
Tria Vang (Bar Liason)	X	

II. MINUTES

The March 10, 2023, minutes were corrected to note the date of the April 2023 meeting. The minutes were approved as corrected.

III. CHAIR REPORT

Possible Legislation

The following updates were noted:

- SB 418, removing minimum time period that injured worker must be absent from work for

compensable medical services before injured worker may receive temporary disability benefits for such absence, has passed the senate and is going to the house.

- HB 3471, making unlawful employment practice for employer to request or require worker to enter into settlement or agreement disposing of workers' compensation claim that bars worker from seeking further employment with employer unless such provision is first requested by worker, has passed the house and is going to the senate. This bill was not noted in previous minutes.
- HB 3541, extending exemption of insured employer from liability outside workers' compensation law to employer's parent company and related entities of employer under same parent company, has been tabled. This bill was not noted in previous minutes.

Issues with list serve and Nominations Survey

Tria and the bar looked into the problem of e-mails not being received by some members

- The most likely culprit is the members' own spam filters blocking OSB e-mails.
- Some practitioners, like Chris, accidentally let their membership in the section lapse and have to sign up during the year. This temporary separation from, and reunification with, the herd accounts for some of the fluctuation in membership levels.
- Some members may have opted out of e-mails

Mugs

Dale Johnson had gotten mugs made and then donated them. Tria has them now. They will be given to the Salishan committee to give out as prizes. Chris and Tria will handle distribution.

IV. TREASURER REPORT (Andrea Knight)

- Member count is up 8 (6 paying and 2 non-paying), for a total of 235 members (223 paying and 12 non-paying).
- Revenue from Salishan is coming in, \$8,525 in March, with another chunk expected in April.
- Routine expenditures include \$76 OSB support assessment for new members, \$236 credit card fees, \$20 Zoom fees.
- The second deposit for Salishan, \$3,000.
- Ending balance is \$26,258.
- Plaques for Salishan have been ordered.

IV. COMMITTEE REPORTS

A Access to Justice (Jovanna)

Committee had a meeting last Friday and decided future meetings will be on the second Wednesday of each month. The next meeting will be the second Wednesday of May.

Sydney Montanaro will take over as chair. Membership is even between claimant and defense. Still looking for new members.

Jovanna talked to the committee about what the Bar wants regarding the MCO request. Additional projects include education of doctors post-closure, getting statistical information regarding unrepresented claimants' settlements and win-loss ratio at hearings, and simultaneous service of documents to both attorneys (Jovanna is digging into that with Kevin Anderson).

An additional project was brought to the EC for approval for further action. The idea is to create some sort of designated stipend for interpretation. Claimants' attorneys cannot always accept cases, or even consult with potential claimants, where there's a language barrier, and there's not currently a good way to get interpretation in such cases paid for. The EC voted to authorize the Access to Justice committee to pursue this concept.

B Bench-Bar (Spencer)

Spencer was absent, but provided an update by an e-mail to Chris and Ian. The location will likely be at a McMenamins in Woodburn. They're planning to include an ethics credit. These two things (an ethics credit and a location closer to Portland) would address feedback from ALJs regarding why so few attended last year.

C Going Forward (Spencer)

Spencer's e-mail update noted that he had reached out to the group after the last EC meeting with several suggestions, but has not gotten responses. He continues to push the idea of incorporating a job fair/law student event into the programming of Bench-Bar and will try to get a social event planned for for sometime within the next couple of months.

Chris reported that we are welcomed to the swearing-in ceremony, and there will be a \$100 contribution to participate. We would need to move on that at the May meeting.

D Professionalism Award (Jovanna)

Allison will coordinate with Jenny regarding who will introduce Jenny at Salishan.

E Salishan/Annual Meeting (Karli)

The last meeting will be next week. Attendance is up. Presentations include one access to justice, one regular ethics, and one practical skills. Been submitted to the Bar, and no problems are anticipated.

Food will be mostly the same as last year, except for a change to a Mediterranean lunch.

The committee intends to do a survey regarding various issues, including staying at Salishan, combining with Bench-Bar, etc. Karli will bring to the committee the idea of coordinating with the Bench-Bar committee.

The number of CLE credits will be put on the website when that's known. Materials are not yet complete for one presentation.

Chris is a big fan of Mustafa Kasubhai from when he was on the Board.

F Nominations (Martin)

Martin's been burning the shoe leather personally visiting every Bar member to ask them to be on executive committee. Chris requested that Ian note "some sarcasm in there."

Generally, the committee meets when there is an active opening or when end-of-year vacancies approach. Tria will help identify who's rotating off.

V. OLD BUSINESS

None

Notes regarding future meetings:

- No formal meeting at Salishan.
- May meeting will be the second Friday as usual.
- June meeting will be live at the Bar.
- Live meeting at the Bar in June.

The EC meeting adjourned at 12:26 pm. The next meeting will be May 12, 2023, at noon.