

Workers' Compensation Advisory Board
April 15, 2010 Open Meeting Minutes
Illinois Workers Compensation Commission, Springfield, IL
1:00 p.m.

Present at the meeting:

Acting Chairman Mitch Weisz
Mr. Aaron Anderson, Painters Dist. Council #30
Mr. Michael Carrigan, Illinois AFL-CIO
Mr. Frank Cavarretta, United Steel Workers
Mr. Mark Flannery, Caterpillar, Inc.
Mr. Phil Gruber, International Assoc. of Machinists and Aerospace Workers, AFL-CIO
Mr. David Menchetti, Cullen Haskins, Nicholson & Menchetti

Attending the meeting via conference call:

Mr. David Buckman, CORE Construction Group
Mr. Michael Holewinski, Ace Industries
Ms. Kim Maisch, National Federation of Independent Business
Mr. David Vite, Illinois Retail Merchants Association

Also Present

Amy Masters, Secretary of the Commission

Acting Chairman Weisz called the meeting to order at 1:07 p.m.

Upon motion duly made, seconded and unanimously carried, the minutes of the meeting held on January 21, 2010, were approved.

The following documents were distributed to the board members: Notice and Agenda of Workers' Compensation Advisory Board meeting and minutes from the January 21, 2010 Workers' Compensation Advisory Board meeting.

Acting Chairman Weisz provided a Commission update, noting recent Senate and House fiscal year 2011 budget hearings occurred earlier that week. He also informed the board that he would continue the rules review process and forward rules already approved by the rules committee, advisory board, and Commission through the rulemaking process.

Acting Chairman Weisz spoke about the agreed bill process and asked if any workers' compensation reforms had not been implemented. David Menchetti noted he has not yet seen certain insurance statistics that are required under the 2005 work comp reforms from the Department of Insurance. Acting Chairman Weisz also asked the board for a list of items they would like addressed in the next agreed bill process.

Acting Chairman Weisz noted that while workers' compensation benefits in Illinois are equivalent with the national median, premiums are significantly higher in Illinois. He asked the board about their thoughts regarding the difference. David Vite noted the Illinois Self-Insurers Association has gathered information from other states on this issue and could possibly present information on this issue to the board.

Next, Acting Chairman Weisz spoke about the Rate Adjustment Fund (RAF). He noted the pending Chamber settlement will provide enough funds to pay RAF debt owed to the General Revenue Fund in full, and that Commission financial projections indicate every fourth RAF assessment will be one-half of the regular assessment. He added that he recently met with the Attorney General attorney for the Treasurer's Office to implement a process to review and terminate payments for settled RAF cases, as all settlements should be considered compromise settlements.

Acting Chairman Weisz then discussed the Commission's Self-Insurance program. He noted that many self-insured employers are subjected to higher security requirements due to the economy and he would like to review options to moderate the impact without challenging the integrity of the program. One option would be the creation of a state program to provide assistance to self-insured employers.

Upon suggestion by Acting Chairman Weisz, the board discussed meeting every 60 days. David Vite recommended the Chairman meet separately with labor representatives and business representatives between each regularly scheduled quarterly meeting.

Acting Chairman Weisz noted that Arbitrator Nalefski recommended Mattoon and Lawrenceville dockets be consolidated into one call held in Effingham. Acting Chairman Weisz noted this would provide nominal savings for the Commission, and invited feedback from the board. Frank Cavarretta noted that many positive improvements have been implemented over the last several years and he wanted to ensure efforts to reduce costs would not negatively impact those downstate services.

Acting Chairman Weisz informed the board that commissioner oral argument dates are being scheduled for the last half of 2010, and due to a majority of downstate cases, each panel will schedule 12 oral arguments in Springfield, and 7 in Chicago. He also noted a new policy in effect to allow attorneys to hold Springfield oral argument in Chicago if both sides are in agreement.

The board also discussed status of Commission appointments.

There being no further business, the meeting was adjourned at 1:50 p.m.