

**SPECIAL MEETING OF THE  
OKLAHOMA WORKERS' COMPENSATION COMMISSION**

Tuesday, June 30, 2020  
1:30 p.m.  
Commission Chambers  
1915 N. Stiles Ave.  
Oklahoma City, Oklahoma  
[www.wcc.ok.gov](http://www.wcc.ok.gov)

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**AGENDA**

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**CALL TO ORDER** ..... **Commissioner Liotta**

**ROLL CALL** ..... **Commissioner Liotta**

**Open Meeting Act Statement**

**THE FOLLOWING MATTERS ARE PRESENTED FOR CONSIDERATION AND ACTION, IF ANY, DEEMED APPROPRIATE BY THE COMMISSION.**

1. **Discussion and Possible Action on Minutes**

The drafted minutes of the June 18, 2020, Special Meeting of the Commission will be considered for approval.

**Possible Action**

Possible action may include: taking no action; approving the minutes as drafted; approving the minutes as amended; or continuing the matter.

2. **Request to Fully Release the Security Deposit for Warren Professional Building Corp, Former Own Risk Permit #18200**

Warren Professional Building Corp. (the Company), former own risk permit #18200, was a self-insured employer in the Own Risk program until June 17, 2018. The Company has petitioned the Commission to fully release the Company's security deposit on file. The Commission currently holds a \$350,000 Letter of Credit, issued by Prosperity Bank, as a security deposit.

All claims have been closed out and they all have passed the statute of limitations for reopening. The Company has complied with Commission Rule 810:25-9-19.

**Possible Action**

Possible action may include, but not limited to: continuing the matter; releasing or reducing the security deposit of Warren Professional Building Corp.; or not releasing or reducing the security deposit of Warren Professional Building Corp., a former own risk employer.

3. **Request to Approve the Distribution of Surplus Monies to Members of the Oklahoma Operators Self-Insurers Fund (#75292)**

Rule 810:25-11-10 of the Workers' Compensation Commission provides that any distributions of surplus funds back to the members of a group self-insurance association shall be subject to the prior approval of the Commission.

The Oklahoma Operators Self-Insurers Fund (the Group) has requested to make a partial distribution in the amount of \$350,000, which will be payable from Fund Years 2014 (\$162,000), 2015 (\$103,000), and 2016 (\$85,000). All claims for these fund years are closed.

The Group had a financial surplus of more than \$932,061 for all years combined, as indicated in the audited financial statement for the period ending December 31, 2019.

The Group has submitted the audited financial statement for the year ending December 31, 2019 in support of their request.

**Possible Action**

Possible action may include, but is not limited to; taking no action, continuing the matter, approving some, all, or none of the distribution of the surplus monies to the members of the Oklahoma Operators Self-Insurers Fund.

4. **Request to Reduce Security Deposit for Flex-N-Gate, Former Own Risk Permit #19362**

Flex-N-Gate (the Company), former own risk permit #19362, was a self-insured employer in the Own Risk program until June 1, 2015. The Company has petitioned the Commission to reduce the Company's security deposit on file. The Commission currently holds a \$1,175,000 Letter of Credit as security deposit. The Company currently has an outstanding loss reserve of \$978,894. It is requesting a reduction of their security deposit to \$1,075,000 (Decrease of \$100,000).

The Company has complied with Commission Rule 810:25-9-19.

**Possible Action:**

Possible action may include, but not limited to: continuing the matter; releasing or reducing the security deposit of Flex-N-Gate; or not releasing or reducing the security deposit of Flex-N-Gate, a former own risk employer.

5. **Discussion and Consideration of Approval of Annual Report**

Pursuant to 85A O.S. § 101(A), on or before the first day of July each year the Commission shall prepare, make public, and submit a report for the prior calendar year to the Governor, the President Pro Tempore of the Senate, the Speaker of the House of Representatives, and each member of the Legislature. The report shall contain a statement of the number of awards made and the causes of the accidents leading to the injuries for which the awards were made, total work load data of the administrative law judges, including a detailed report of the work load and judgments written by each judge, a detailed statement of the expenses of the Commission, together with any other matter which the Commission deems proper to report.

The Commission will discuss and consider approval of the 2019 Annual Report as presented at the meeting.

**Possible Action:**

Possible action may include, but is not limited to: taking no action; continuing the matter; approving the Report as submitted or as amended during the meeting, or not approving the 2019 Annual Report.

6. **Discussion and Possible Action Regarding Objectstream Phase II Agreement**

Discussion regarding the proposed agreement with Objectstream for implementation of Phase II of the CaseOK project. The Commission will consider whether to approve the agreement for signature.

**Possible Action:**

Possible action may include, but is not limited to: taking no action; continuing the matter; approving the agreement as presented and directing the Chairman to sign on behalf of the Commission; or taking other appropriate action within the Commission's authority.

7. **Discussion and Consideration of Commission Policies**

The Commission will discuss and consider adopting and/or modifying the Commission's policy WCC-14 – Workplace Violence and Anti-Bullying Policy.

**Possible Action:**

Possible action on WCC-14 includes: taking no action; continuing the matter; approving WCC-14 as presented; approving WCC-14 as modified in the meeting; or not approving changes to WCC-14.

8. **Discussion and Possible Action Regarding Operation of the Workers' Compensation Commission and Agency Concerns Related to COVID-19**

**Possible Action:**

Possible action may include, but is not limited to: taking no action, continuing the matter, approving a plan(s) regarding operations of the Workers' Compensation Commission in response to the threat of COVID-19.

9. **Discussion and Consideration of Commission's FY2021 Operating Budget**

The Commission will discuss and consider approval of its FY2021 operating budget, as proposed.

**Possible Action**

Possible action may include, but is not limited to: taking no action, continuing the matter, approving, approving as amended or not approving the Commission's FY2021 operating budget, as proposed.

10. **Possible Executive Session Pursuant to 25 O.S. § 307(B)(1) and Possible Action.**

**A. Motion and Vote to Enter into Executive Session**

The Commission will discuss the employment, performance, and/or salary of each individual Commission employee pursuant to 25 O.S. § 307(B)(1).

**B. Discussion in Executive Session**

**C. Motion and Vote to Reconvene in Open Session**

**Possible Action:**

Possible action may include, but is not limited to: taking no action; continuing the matter; adjusting the salaries of Commission employees as discussed in executive session.

11. **Announcements**

The Commission's next SIGFB Meeting is on Wednesday, July 15, 2020, at 1:00 p.m. The Commission's next regular business meeting is on Thursday, July 16, 2020, at 1:30 p.m. The Commission's next appeals meeting is on Friday, July 17, 2020, at 9:00 a.m.

**ADJOURNMENT.....Chairman Mark Liotta**