



STATE OF OKLAHOMA

**WORKERS' COMPENSATION COMMISSION**

M I N U T E S

of the

WORKERS' COMPENSATION COMMISSION  
FOR THE STATE OF OKLAHOMA

for the

October 21, 2020

Special Public Meeting

## **STATEMENT OF OKLAHOMA OPEN MEETING LAW COMPLIANCE**

Notice of this Special Meeting was filed with the Secretary of State's office on Monday, November 15, 2019 at 4:02 p.m., in compliance with the Open Meeting Act.

The Agenda was posted at least 24 hours in advance of the meeting, in compliance with the Open Meeting Act. It was posted on the Commission website and at 1915 N. Stiles Ave., Oklahoma City, Oklahoma, the Commission's principal office.

### **MINUTES OF THE OCTOBER 21, 2020 SPECIAL MEETING OF THE WORKERS' COMPENSATION COMMISSION FOR THE STATE OF OKLAHOMA**

The members of the Workers' Compensation Commission for the State of Oklahoma met at 1915 N. Stiles Ave., Oklahoma City, Oklahoma, on October 21, 2020.

Members Present: Chairman Liotta, Commissioner Tilly, and Jordan Russell

Others in attendance on behalf of the Commission: Collin Fowler.

After roll was taken, Commissioner Liotta announced the presence of a quorum. The meeting was called to order at 1:00 p.m.

#### **A. The Commissioners will observe and may participate in the Self-insurance Guaranty Fund Board discussion of the following agenda items, but no action will be taken by the Commission:**

1. Roll call and determination of quorum.
  2. Call to order the Workers' Compensation Commission meeting by Chairman Liotta.
  3. Introduction of guests.
  4. Discussion and approval of Board minutes.
  5. Report of presiding officer, general update and discussion.
  6. Andrea Delling update, discussion and possible action as to general finances, including:
    - a. ACH Deposits
    - b. Account Values
    - c. OMES Budget
    - d. How payments are going on 701 Accounts
  - e. Operating Budget FY2021
- 
7. Third Party Administrator **Combined Report** as to Self-insurance Guaranty Fund Claims and Trust Cases:

**7a. Self-Insurance Guaranty Fund Report** of claims arising pursuant to statutory authority of the Self-Insurance Guaranty Fund Board for the private employers approved to participate in the self-insurance program designated by account number of 675 and residual account 705. Effective November 1, 2019, 85A O.S. Section 98 requires the use of the **net fund balance** technique rather than the prior **cash fund balance** method to initiate an assessment of the Self-Insureds. There will be a general report of the Third Party Administrator including a financial summary, discussion and possible action by the Board.

**7b. Trust Cases Report** – These cases have been assigned to the Board by the Workers' Compensation Commission for administration of employer funds held by the Commission in individual employer trust accounts designated by account number 701. There will be a general report of the Third Party Administrator including a financial summary, discussion and possible action by the Board.

**7c. Trust Cases Report** – Discussion and possible action under, 85A O.S. Section 99, providing for the **transfer of "excess proceeds"** of 701 account balances to the Self-Insured Guaranty Fund account 675/705. Mr. Fisher will report on the claims analysis of older 701 accounts. Mr. Fisher will report his findings and make recommendations to transfer certain funds to the **Self-Insurance Guaranty Fund**.

Based on this determination, the Oklahoma Self-Insurance Guaranty Fund will be making application for statutory transfer of these excess proceeds from the Oklahoma Workers' Compensation Commission to the Oklahoma Self-Insurance Guaranty Fund pursuant to 85A O.S. § 99(B).

Hagale Industries, Inc. Self-Insurance Number: 71436

BFN Operations, LLC Self-Insurance Number: 20059

Tri-B Nursery, Inc. Self-Insurance Number: 19478

Blitz USA, Inc. Self-Insurance Number: 19245

Arrow Trucking, Inc. Self-Insurance Number: 17276

Venture Stores, Inc. Self-Insurance Number: 17240

Memorex-Telex Corp. Self-Insurance Number: 14366

Unarco, LLC Self-Insurance Number: 11536

Consolidated Freightways, Inc. Self-Insurance Number: 11026

Interested parties may address the Board and/or present information in writing as to whether the excess proceeds should or should not be transferred to the Self-insurance Guaranty Fund.

8. Possible adjournment of the Workers Compensation Commission.
9. Discussion and possible action on the following individual **Trust Cases** which have been assigned to the Board by the Workers' Compensation Commission for administration of employer funds held by the Commission in individual employer trust accounts designated by account number 701:

**General Motors, claims by employees:**

Thomas Long  
Billy Thomas  
Judy Smith  
Lupy Goodlin  
Jo Ann Waltrip  
Opal Cade  
Daniel Dunn

**Texoma Peanut, claims by employees:**

Lloyd Ormand

**Food Industry Group #75199, claims by employees:**

Verna Fisher vs Pruett Foods

**Penloyd LLC # 19456, claims by employees:**

Terry Stalnecker

(a) Proposed executive Session pursuant to 25 O.S. 2011, § 307(B)(4) to discuss these claims with the Board's attorneys.

(b) Vote to return to open session.

(c) Take any action deemed necessary as a result of Executive Session.

10. Discussion and possible action on the following claims against the **Self-insurance Guaranty Fund** designated by account number 675 and residual account 705:

(a) Proposed executive Session pursuant to 25 O.S. 2011, § 307(B)(4) to discuss these claims with the Board’s attorneys.

(b) Vote to return to open session.

(c) Take any action deemed necessary as a result of Executive Session.

**Employee**

Joe Ortiz  
Lonnie Swarer  
Raymond Vier  
Harlin Sanders  
Cindy Nickell-Hutchins  
Howard Barnes  
Robin Johnson  
Pam Crain

**Employer**

Ark Ramos  
Big Four Foundries  
Farm Fresh Inc  
Hale Halsell  
JP Emco  
Passmore  
Thornapple Valley  
Thornapple Valley

11. Discussion and possible action regarding minutes of executive sessions.

12. Comments from Board Members.

13. Adjournment

**B. ADJOURNMENT of the Commission .....Chairman Liotta**

***Motion:*** Commissioner Tilly moved to adjourn.

***Second:*** Commissioner Russell

Those voting aye: Chairman Liotta, Commissioner Tilly, Commissioner Russell.

***There being a majority of the members present voting in favor of the motion, the motion carried. The meeting adjourned.***