

SPECIAL MEETING OF THE  
OKLAHOMA WORKERS' COMPENSATION  
COMMISSION

Monday, November 9, 2015  
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 ..... Mr. Gilliland, Chair**
- ROLL CALL..... Mr. Gilliland, Chair**
- NOTICE OF COMPLIANCE..... Tiffany Pratt**

**MINUTES**

The drafted Minutes for the following Special Commission Meetings will be considered for approval:

Special Commission Meeting on Tuesday, October 27, 2015

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

1. **Discussion and Consideration of Vendor's Proposal and Date for 2016 Workers' Compensation Commission Annual Educational Conference.**

**Possible Action:**

Possible action may include, but is not limited to: taking no action, continuing the matter, approving some, all or none of the items regarding 2016 Workers' Compensation Commission Annual Educational Conference proposal.

2. **Discussion and Consideration of Reducing the Security Deposit of Staffmark Investment, LLC/Staffing Holding LLC #18390, a Former Own Risk Employer**

A security deposit posted with the Commission as required by 810:25-9-4 must remain in place, at its existing amount, for two years after an individual own risk employer voluntarily leaves self-insurance. A security deposit may be reduced at the Commission's discretion after the two year waiting period upon application by the employer and submission of current financial statements and workers' compensation loss runs.

**Possible Action:**

Possible action may include, but is not limited to: taking no action, continuing the matter, or reducing the security deposit of Staffmark Investment, LLC/Staffing Holding LLC #18390, a former own risk employer.

3. **Discussion and Consideration of Reducing the Security Deposit of Vaughan Foods, Inc./Reser's Fine Foods, Inc. #19675, a Former Own Risk Employer**

A security deposit posted with the Commission as required by 810:25-9-4 must remain in place, at its existing amount, for two years after an individual own risk employer voluntarily leaves self-insurance. A security deposit may be reduced at the Commission's discretion after the two year waiting period upon application by the employer and submission of current financial statements and workers' compensation loss runs.

**Possible Action:**

Possible action may include, but is not limited to: taking no action, continuing the matter, or reducing the security deposit of Vaughan Foods, Inc./Reser's Fine Foods, Inc. #19675, a former own risk employer.

4. **Exercise of the Commission's Power, Under Title 85A, Section 19, to Prescribe Additional Duties and Responsibilities of the Commission Chair**

Under the provisions of Section 19 of Title 85A, Subsection E, the Commission is empowered to impose various additional duties and responsibilities upon the Chair. The Commission will consider whether to impose the following duty and responsibility upon the Commission Chair:

Vesting the Chair with the Power and Responsibility of Entering Into All Leases, and Contracts Involving Expenditures of \$50,000 or less;

**Possible Action:**

Possible action may include, but is not limited to: taking no action, continuing the matter, taking action to impose this additional duty and responsibility upon the Chair.

**5. Personnel Policies**

The Commission will discuss and consider approving the following agency policies: 1) Tobacco Free Policy and 2) Work-related Injury or Illness Policy.

**Possible Action:**

Possible action may include, but is not limited to: taking no action; approving some, all or none of the policies listed and labeled as Agenda Item 4 in this agenda; or continuing the matter.

**6. Consent Agenda for Travel Vouchers Currently Outstanding**

85A O.S. §23 states any commissioner or employee of the Commission shall be entitled to receive his or her necessary traveling expenses as provided in the State Travel Reimbursement Act. The expenses shall be certified by the person who incurred them and shall be allowed and paid on presentation of vouchers approved by the Commission. In accordance with this section, the Commission will consider a vote to approve the currently outstanding vouchers.

All vouchers listed within this Consent Agenda have been made available to each Commissioner prior to today's meeting, are considered routine, and will be enacted by one motion of the Commission. If separate discussion is desired, that item may be removed from the Consent Agenda and separately voted upon.

**Possible Action:**

Possible action may include, but is not limited to: taking no action; approving some, all or none of the vouchers listed and labeled as Agenda Item 5 in this Consent Agenda; continuing the matter.

**7. Possible Executive Session pursuant to Title 25 O.S. § 307(B)(4) for confidential communications between the Commission and its attorneys concerning initiating litigation regarding the Commission's duties relating to own-risk, self-insurer and group**

**self-insurance programs under Title 85A and in accordance with the rules of the Commission**

Pursuant to 25 O.S. § 307(B)(4), an Executive Session is proposed for the purpose of conducting confidential communications between the Commission and its attorneys concerning initiating litigation regarding the Commission's duties relating to own-risk, self-insurer and group self-insurance programs under Title 85A and in accordance with the rules of the Commission.

The Commission's counsel from the Attorney General's Office has advised that public disclosure of the communications relating to this litigation will seriously impair the ability of the Commission and its counsel to take appropriate action related to the proceeding and to protect the employees of own risk or self-funded programs.

**A. Motion and Vote to:**

(i) Determine that disclosure of the communications will seriously impair the ability of the Commission to take appropriate action in initiating litigation regarding the Commission's duties relating to own-risk, self-insurer and group self-insurance programs under 85A and in accordance with the rules of the Commission; and

(ii) Go into Executive Session for purposes of:

Discussing the under §307(B)(4) initiating litigation concerning the Commission's duties relating to own-risk, self-insurer and group self-insurance programs under 85A and in accordance with the rules of the Commission.

**B. Vote to Reconvene in Open Session**

**Possible Action:**

Possible action may include but is not limited to taking no action; continuing the matter; or instructing the Chair or Executive Director to take any necessary actions in initiating litigation concerning the Commission's duties relating to own-risk, self-insurer and group self-insurance programs as discussed and recommended by counsel in executive session.

**8. Announcements**

The next regularly scheduled Commission meeting is scheduled for December 10, 2015.

**ADJOURNMENT.....Mr. Gilliland, Chair**