

# SPECIAL MEETING OF THE OKLAHOMA WORKERS' COMPENSATION COMMISSION

Wednesday, August 10, 2016

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 of the Regular Commission Meeting on July 14, 2016 and the Special Meeting on July 15, 2016 will be considered for approval.

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

1. **Discussion and Consideration of Distribution of Surplus Monies to Members of the Oklahoma Automobile Dealers Self-insurance Association (#75088)**

Oklahoma Automobile Dealers Self-Insurance Association (Association), a group self-insurance association, is requesting a partial distribution of surplus back to its members in the total amount of \$4,000,000 which will be payable in the amounts of \$1,000,000 from the fiscal year 2013-14 and \$3,000,000 from the fiscal year 2014-15. The Association has an overall surplus of more than \$11,965,578 for all years combined; as indicated in the financial statement for the year ending March 31, 2016. Commission Rule 810:25-11-10 states that any surplus monies may be declared refundable by the association's board. The date and manner of the distribution shall be declared by the association's board and shall be in accordance with the association's bylaws. The board shall submit the distribution request to the Commission, with all supporting documents. The Commission will consider approving the distribution of surplus

monies to members of the Oklahoma Automobile Dealers Self-insurance Association.

**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 Automobile Dealers Self-insurance Association.

**2. Discussion and Consideration of Reducing the Letter of Credit of Amsted Industries, a Former Own Risk Employer (#13081)**

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, reducing or not reducing the letter of credit of Amsted Industries, a former own risk employer (#13081).

**3. Discussion and Consideration of Permit Authority of the Insurance Director**

The Commission will discuss and consider assigning authority to the Insurance Director, in the absence of the Executive Director, to sign extensions for permit renewals for individual self-insureds, group self-insurance associations, and third party administrator applications.

**Possible Action:**

Possible action may include, but is not limited to: taking no action, continuing the matter, approving or not approving the permit authority of the Insurance Director.

**4. Discussion and Consideration of a Security Camera Viewing Policy**

The Commission will discuss and consider establishing a policy regarding installation of viewing software for the newly implemented security cameras at the Denver Davison Building.

**Possible Action:**

Possible action may include, but is not limited to: taking no action, continuing the matter, approving or not approving a policy.

**5. Discussion and Consideration of the Need for a Compliance Officer in the Commission's Tulsa Office**

Per 85A OS §40, if the Commission has reason to believe that any employer required to secure the payment of compensation under the Administrative Workers' Compensation Act has failed to do so, the Commission shall serve on the employer a proposed judgment declaring the employer to be in violation of this act and containing the amount, if any, of the civil penalty to be assessed against the employer. The Commission's Compliance Division investigates and enforces this section of the Act. Now that the Commission has the available office space in Tulsa, it will discuss and consider the need for hiring a Compliance Officer to serve the Tulsa area.

**Possible Action:**

Possible action may include, but is not limited to: taking no action, continuing the matter, approving or not approving hiring a Compliance Officer to serve the Tulsa area.

**6. Discussion and Consideration of Amending the Commission's Organizational Chart**

The staff has been operating under its current organizational chart for almost a year to determine the effectiveness of the structure. Due to some changes over the last year, a change in the organizational structure may be necessary. The Commission will discuss and consider adopting the proposed organizational chart.

**Possible Action:**

Possible action may include, but is not limited to: taking no action, continuing the matter, adopting the proposed organizational chart, adopting an amended organizational chart or maintaining the existing organizational chart.

**7. 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 in this Consent Agenda; continuing the matter.

**8. Announcements**

Commission's next regular meeting is Thursday, September 8, 2016.

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