

Minutes
Labor-Management Advisory Council
June 27, 2013
Great Northern Best Western, Helena

Advisory Council members present: Lt. Governor John Walsh, Bob Worthington, Annette Hoffman, Don Judge, Riley Johnson, Doug Buman, Al Ekblad, Jim Larson, Al Smith, Lance Zanto, Bob Olsen, Jean Branscum, Kevin Braun, Lisa Kozeluh, Jacqueline Lenmark, Diana Ferriter

Project Core Team members present: Bryan Page, Peter Van Nice, Anne Wolfinger, Mark Cadwallader, Bill Wheeler, Dave Kuntz

Others present: Ann Komac, Thom Danenhower, MMIA; Mike Marsh, Midland Claims; Dick Martin, Fair Claim; Brian Boland, Montana Laborers; Brian Reed, MCOPFF; Harold Blattie; Glenn Oppel; Tana Wilcox, Northwestern; Robyn Morrison; WorkSafeMT; Lanny Hubbard, Montana State Fund; Pam Bucy, Montana Department of Labor and Industry; Leah Tietz, Montana University System; Kris Wilkinson, Legislative Auditor's Office; Joe Hamilton; Tim Fitzpatrick, MTSBA; Pat Murdo, Legislative Services; Bruce Spencer; Barb Gullickson, Maralyn Lytle, Dr. Carla Huitt, Elizabeth Wang, Giorvanni Merilis, Kristine Shields, Bill Wheeler, Bryan Page, Karen Wiles, Misty Knight, Dave Elenbaas, Kim Clark, Employment Relations Division.

I. Welcome & Approval of Agenda

Lt. Governor John Walsh greeted those present. The agenda was approved.

II. Welcome

Department of Labor and Industry Commissioner Pam Bucy welcomed everyone and talked briefly about the formation of the new LMAC, including the five-member subcommittee. The LMAC and subcommittee members briefly introduced themselves. Diana Ferriter, administrator of the Employment Relations Division (ERD), also spoke and introduced the LMAC Core Team staff members and other ERD staff. Members of the audience also introduced themselves.

III. LMAC Orientation and History

Diana gave a presentation describing the history and background of the LMAC, which met from December 2006 to September 2010 (available at www.mtlmac.com).

IV. Economic Affairs Interim Committee (EAIC)

Pat Murdo, legislative staff for the EAIC, reported on the council's first meeting held on Tuesday, June 25. Two EAIC members will serve as liaisons to the LMAC: Representative Ryan Lynch from Butte and Representative Greg Hertz from Polson. The EAIC will hold their next meeting on August 21 in Helena.

V. Workers' Compensation Key Indicators

Bill Wheeler, chief of the Claims Assistance Bureau in the Employment Relations Division, discussed the report, "Workers' Compensation Key Indicators," produced by ERD staff. (Report and presentation available at www.mtlmac.com.)

VI. LMAC Member Perspectives

LMAC members each briefly spoke about their expectations and hopes for the council.

VII. LMAC Procedures

Anne Wolfinger, LMAC project manager, and Mark Cadwallader, staff attorney, presented a brief paper on LMAC principles and procedures along with an LMAC parliamentary procedure handbook. Bob Worthington moved, Don Judge seconded that the LMAC adopt the proposed principles and procedures and parliamentary procedure handbook. The motion carried.

VIII. LMAC Workplanning

Diana Ferriter and Anne Wolfinger led a discussion on LMAC workplanning and asked for topics from the LMAC. The following topics were proposed and voted on by the LMAC:

- Items from HB 87 not included in HB 334
- Analysis of HB 334
- Review and analysis of the Safety Culture Act, including further exploring other states' laws around safety enforcement, barriers, and effectiveness
- Funding for safety initiatives
- Review of the Occupational Disease Act as it was affected by the Grande decision
- Review how workers' compensation statutes changed in recent year and see if changes need to be made (e.g. 39-71-1006)

Anne will do an online survey of LMAC members to help determine priorities and report back at the next meeting.

IX. Election of LMAC Co-chairs

The LMAC management representatives nominated Bob Worthington as co-chair. The LMAC labor representatives nominated Don Judge. Riley Johnson moved, Doug Buman seconded that the nominations be accepted. The motion carried.

X. LMAC Meeting Schedule

The LMAC charter calls for quarterly meetings. After discussion, the consensus of the LMAC was to meet every other month. With the next meeting already scheduled for September 19, the following meeting would be held in November. Suggested topics for the September meeting were continued workplanning, Workers' Compensation 101, the utilization and treatment guidelines review process, utilization and treatment guidelines training update, and reports from individual LMAC members on the impact of work comp reform on their stakeholder groups, starting with Montana State Fund and the Rehabilitation Association of Montana.

XI. Governor's Conference on Workers' Compensation and Occupational Safety and Health

Bill Wheeler briefly covered the agenda for the conference and reminded LMAC members they were all invited to attend.

XII. Public Comment

There was no public comment.

XIII. Next Steps

Anne Wolfinger reviewed the action steps. She will draw up a list of the proposed workplan topics and do an online survey for LMAC members to prioritize the topics. She will work on scheduling the third LMAC meeting. ERD staff will draw up draft survey questions on the U&T guidelines for Jean Branscum to distribute to MMA members. Anne will compile a list of LMAC staff members.

The next meeting of the LMAC is scheduled for September 19, 2013, in Helena at the Holiday Inn downtown.