

**MINUTES OF THE ILLINOIS WORKERS' COMPENSATION COMMISSION
WORKERS' COMPENSATION ADVISORY BOARD MEETING**

HELD VIA WEBEX ON September 4, 2020 at 10:00AM

Present at the WebEx meeting:

Chairman Michael J. Brennan
Tim Drea
Karen Harris
Mitchell Horwitz
Jill Kastner
Aaron Anderson
Mark Denzler
Denne Knell
Robert Karr
Mark Prince
Sean Stott

IWCC staff present at the WebEx meeting:

Ronald A. Rascia, General Counsel
Annette Roti, Confidential Assistant to the Chairman
Cole D. Garrett, Deputy General Counsel
Cecelia Kasmierski, Associate General Counsel
Michele Kowalski, Research and Education Manager

On September 4, 2020 at 10:00AM, Chairman Michael J. Brennan called the meeting to order and noted that a quorum was present. Chairman Brennan asked for a motion to approve minutes from the March 2, 2020, Board meeting. Mr. Weaver so moved, Mr. Knell seconded the motion, and the motion carried unanimously.

There was no old business. As to new business, the Chairman and the Board discussed availability of arbitrator surveys. Mr. Denzler asked if surveys went out this year. Given the ongoing circumstances, Chairman Brennan did not believe so, but would check. Chairman Brennan advised that the surveys were always done in conjunction with the WCLA. Chairman Brennan advised he was not aware of past surveys going to the Board and that during his tenure surveys had not gone out to the Board, nor were current Arbitrators and Commissioners interviewed by the Board. The Chairman noted that he had never appeared before the Board when up for Commissioner appointment, reappointment, or before becoming Chairman. Chairman Brennan noted that surveys don't always get a good response, but going forward would continue discussion regarding surveys with the Board. Mr. Stott asked the Commission to review their records to determine whether and, if so, when the arbitrator reviews were shared with the WCAB members. Mr. Stott would also like the surveys shared with Board members.

Mr. Denzler asked a procedural question regarding how the Board is going to work going forward. Mr. Denzler advised that in the past Arbitrators and Commissioners up for reappointment were interviewed by the Board. Mr. Denzler expressed frustration with Arbitrators being dismissed or newly appointed

without asking for the Board's recommendations. Chairman Brennan advised that he was not aware of the reasons the three Arbitrators up for reappointment were not reappointed by the governor. The Chairman advised that he was not aware of any complaints regarding any of the entire group up for reappointment and that he had also reviewed their stats. As to why the Board was not able to vet Mr. Napleton before his appointment, the Chairman advised that was an oversight and that Mr. Napleton would appear before the Board today for questions. Mr. Denzler asked for a clear picture of the role of the WCAB going forward. The Chairman advised that the process and the procedures presented can be continued to be discussed going forward.

Chairman Brennan advised that the next item on the agenda concerned the Board's evaluation and recommendation of candidates for arbitrator positions. Chairman Brennan asked for a motion to dissolve into closed session pursuant to Sections 2(c)(1) and (3) of the Open Meetings Act. Mr. Stott so moved, Mr. Denzler seconded the motion, and the motion to dissolve into closed session carried unanimously.

At 12:08PM, Mr. Drea moved to arise from closed session, Mr. Denzler seconded the motion, and the motion carried unanimously.

Next, the Chairman advised that after the employer and employee groups of the Board caucus, the Board would reconvene in open meeting on September 10, 2020, at 4PM and make arbitrator recommendations. Upon arbitrator recommendations by the Board, a joint letter would be sent to the governor's office. Chairman Brennan noted that currently there are five arbitrator vacancies as well as ten arbitrators up for re-appointment.

Chairman Brennan noted that there was no public comment.

Mr. Anderson moved to adjourn, Mr. Horwitz seconded the motion, and the motion carried unanimously. The meeting adjourned.