

VOSHA REVIEW BOARD SPECIAL MEETING MINUTES
6 Baldwin Street, Room 313, Montpelier, VT 05633

October 23, 2024

The VOSHA Review Board (VRB) Meeting began at 8:35 A.M. Present were Gary D. McQuesten (Chair), Benjamin R. O'Brien, Mark J. Gregoritsch and Carolyn Desch (VRB Clerk).

ADDITIONS OR DELETIONS TO THE AGENDA

None

APPROVAL OF MINUTES

After discussion and upon motion made by Benjamin R. O'Brien and seconded by Mark J. Gregoritsch, the Board unanimously voted to approve the August 27, 2024, Review Board Meeting Minutes – PASSED.

BUDGET DISCUSSION

The Clerk summarized the information in the Clerk's Report relating to fiscal year 25 budget to actuals information. The VRB was approved yet for the carry-forward of \$23,809.

The clerk also summarized the information in the Clerk's Report relating to fiscal year 26, including the performance data switching from case to citation information. Member Benjamin O'Brien emphasized the need to keep some case data and to be able to determine what cases are being referred to in the collected data.

The Clerk shared newly received information about a question that arose around the 3% budget increase. Finance and Management had requested information to the Financial Services Division as to where \$1,530 was going to come from. Brenda Berry, the VRB's representative at the Financial Services Division, explained that there should be no issue since that money is included in the total budget increase.

DOCKET REVIEW

The Clerk reviewed the current docket summary. Seven cases open at this time. Two cases have been settled; three cases have been set for hearing, one case has been decided and one case has been issued a Order Vacating Notice of Contest.

DELIBERATIVE SESSION

After discussion and upon motion made by Gary D. McQuesten and seconded by Mark J. Gregoritsch, the Board unanimously voted to go into a deliberative session at 9:03 a.m. for purposes of reviewing the hearing officer's decision in A.C.T. Roofing – PASSED.

The Review Board came out of deliberative session at 9:37.

Upon motion made by Gary D. McQuesten and seconded by Benjamin R. O'Brien, the Board unanimously voted to direct review as provided by the VRB Rules of Procedure §2200.91(a) for the purpose of exploring more fully whether there was sufficient evidence presented to justify concluding that the injured individual was truly an employee versus an independent contractor. – PASSED.

SET THE NEXT BOARD MEETING DATE:

The Board agreed to set the next meeting for Tuesday, January 14, 2024, at 8:30 A.M.

ADJOURN

Upon motion by Benjamin R. O'Brien and seconded by Mark J. Gregoritsch, the Review Board unanimously voted to adjourn the meeting at 9:42 A.M. – PASSED.

DRAFT