

VOSHA REVIEW BOARD SPECIAL MEETING MINUTES
13 Baldwin Street, Montpelier, VT 05633

July 22, 2020

The Review Board Meeting began at 8:35 a.m. and was attended remotely via instantaneous transmission of video through Microsoft Teams by Leigh Keyser Phillips (Chair), Mark J. Gregoritsch (Board Member), Benjamin R. O'Brien (Member), and Carolyn Desch (Clerk). Benjamin R. O'Brien had to leave the meeting at 10:04 a.m. Also in attendance through Microsoft Teams for different portions of the meeting were first Brenda Berry, Deputy Chief Financial Officer of the Vermont Agency of Administration Financial Services Division, and later J. Stephen Monahan, Director of the Vermont Workers' Compensation & Safety Division and Dan Whipple, VOSHA Program Manager.

APPROVAL OF MINUTES

RESOLUTION PASSED: After discussion and upon motion made by Benjamin O'Brien, and seconded by Mark J. Gregoritsch, the Board unanimously voted to approve the May 27, 2020 VRB meeting minutes.
- PASSED

BUDGET

Brenda Berry attended the meeting to discuss the status of the Review Board's budget as it relates to the state mandated 5% reduction formally called a Restatement (attached). Several areas were reduced, many of which were required areas by the Agency of Administration and other were elected changes. However, as Ms. Barry pointed out, ultimately it is the bottom line that matters, not the specific line items, and the 5% overall reduction will not likely affect the Review Board in a negative way. She also felt that the Review Board would probably be able to maintain its carry forward balance, but we need to go through a request process later this summer. She will also follow up with Carolyn Desch about the carry over request process.

DOCKET REVIEW

The Review Board looked over the attached FY20-21 Case Tracking Spreadsheets and Docket Summary. Discussion centered on VRB1001 Eustis Cable Enterprises that while not open now, may be remanded back to the Hearing Officer depending on if an appeal of the Superior Court decision is made to the Supreme Court.

RULES OF PROCEDURE REVIEW

J. Stephen Monahan and Dan Whipple attended the meeting to discuss their comments (see attached memorandum) on the proposed rules. Based on those comments, Carolyn Desch will make certain modifications to 2200.20 for Leigh Phillips to review. Also, Sections 2200.52(c)(1) to (3) from the Federal Rules will be added to the draft of the proposed Review Board rules.

REVIEW OF ELECTRONIC FILING AND SERVICE AGREEMENT FORM

The Review Board looked over the form (attached) and found the proposed changes to be acceptable.

SCHEDULE UPCOMING MEETINGS

The next meeting is tentatively scheduled for September 15 or 16, 2020 at 8:30 a.m. depending on Benjamin R. O'Brien's availability. Carolyn Desch will reach out to him and confirm one of these dates or another date for the next Review Board meeting.

ADJOURN

Upon motion made by Mark J. Gregoritsch and seconded by Leigh Keyser Phillips, the meeting of the VOSHA Review Board was adjourned at 12:30 a.m. – PASSED