CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL
PUBLIC COMMENTS

Any member of the public may address the Committee on items within the Committee’s subject matter jurisdiction but which are not listed on this agenda during PUBLIC COMMENTS. However, no action may be taken on matters that are not part of the posted agenda. We request comments made on the agenda be made at the time the item is considered and that comments be limited to three minutes per person. Please address your comments to the Committee as a whole, and do not engage in dialogue with individual Committee Members, Authority staff, or members of the audience.

PRESENTATIONS

1. Workers’ Compensation Basics and Facts
   Presented by: Jonathan Wilby, Manager/Risk Management

MINUTES

2. Minutes for the Claims Settlement Committee for the February 23, 2017, Regular Meeting
   Submitted by: Sherry Wentz, Clerk of the Authority

   Recommended Action:
   Approve as submitted.

CONSENT CALENDAR

No items.

DISCUSSION CALENDAR

No items.

REPORTS

No items.

COMMITTEE MEMBER COMMENTS

CLOSED SESSION

No items.

ADJOURNMENT – The next regular meeting of the Claims Settlement Committee is scheduled for Thursday, April 27, 2017, at 5:00 p.m.
AFFIDavit OF POSTING

I hereby certify under penalty of perjury under the laws of the State of California, that the foregoing Agenda was posted in the lobby, front gate public display case, and website of the Orange County Fire Authority, Regional Fire Operations and Training Center, 1 Fire Authority Road, Irvine, CA, not less than 72 hours prior to the meeting. Dated this 16th day of March 2017.

Sherry A.F. Wentz, CMC
Clerk of the Authority

UPCOMING MEETINGS:

- Human Resources Committee Meeting
  Tuesday, April 4, 2017, 12 noon
- Budget and Finance Committee Meeting
  Wednesday, April 12, 2017, 12 noon
- Claims Settlement Committee Meeting
  Thursday, April 27, 2017, 5:00 p.m.
- Executive Committee Meeting
  Thursday, April 27, 2017, 5:30 p.m.
Workers’ Compensation Basics and Facts
Statutory Benefits

• **Medical Treatment** - to cure and relieve the effects of the injury
• **Temporary Disability** - wage replacement with statutory minimum and maximum
• **Permanent Disability** - compensation for permanent injury
• **Death Benefit** - dependent compensation for a death that arose out of employment
• **Supplemental Job Displacement** - retraining voucher
Claim Resolution

• **Standard Closure** - injury has completely resolved without permanent disability

• **Stipulation and Award** - injury resolved with or without permanent disability and a need for future medical care

• **Compromise and Release** - injured worker choosing to handle all future needs absolving the employer of future liability

• **Finding of Fact** - order by judge following a trial
Stabilization of the Workers’ Compensation Program

• January 2013 – Program Management Changes
• July 25, 2013 – Annual Workers’ Compensation Update to Board of Directors with a game plan for controlling workers’ compensation costs

• **Phase 1 (2014-2016):**
  – Third Party Administrator (TPA) Contract
  – Medical Provider Network (MPN)/Occupational Clinics
  – Alternative Dispute Resolution (ADR)
  – Return to Work Program

• **Phase 2 (2016-2020):**
  – Occupational Safety & Health Data
  – WEFIT Program (Realignment)
  – Safety Management System
OCFA’s Workers’ Compensation
Long-Term Liabilities

Orange County Fire Authority
Comparison to Private Industry

– Private fire companies cannot operate in California (Government Code Section 54981)
   • Office of Self-Insurance Plans (OSIP) and Workers’ Compensation Insurance Rating Bureau (WCIRB)
   • There are no private fire agencies in California for comparison

– Ambulance scope of work and demographics
Claims Count by Fiscal Year

- 2012/2013: 326 claims
- 2013/2014: 351 claims
- 2014/2015: 367 claims
- 2015/2016: 395 claims

Employees:
- 1,014 Employees
- 1,052 Employees
- 1,102 Employees
- 1,209 Employees
Claims Data by Type of Claim  
FY 15/16

Incident Count – 77  
Claims Count – 395

- Indemnity: 4+ Days Lost Time or Investigation: 170
- Medical Only: 0-3 Days Lost Time: 223
- Record Only/First Aid: Non-Reportable: 77

Orange County Fire Authority
Claims Breakdown and Cost
FY 15/16
Claims Count – 395

Indemnity: Investigations
9%
34

Indemnity: 90+ Days Lost Time
13%
51

Indemnity: 4-90 Days Lost Time
22%
85

Medical Only: 0-3 Days Lost Time
56%
223

0%, 2

Orange County Fire Authority
Light Duty Assignment Duration
FY 15/16

Orange County Fire Authority
OCERS Industrial Disability Retirement 2013-2016

Orange County Fire Authority
### Workers’ Compensation Backfill Costs

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<th>Years</th>
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<th>1,052 Employees</th>
<th>1,102 Employees</th>
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Total:
- 2012/2013: $3,432,663.00
- 2013/2014: $4,362,621.00
- 2014/2015: $3,770,891.00
- 2015/2016: $3,867,080.06

Orange County Fire Authority
Questions?
CALL TO ORDER
Chair Swift called a regular meeting of the Orange County Fire Authority Claims Settlement Committee to order at 5:03 p.m. on February 23, 2017.

PLEDGE OF ALLEGIANCE
Chair Swift led the assembly in the Pledge of Allegiance to our Flag.

ROLL CALL

Present:
Beth Swift, Chair, Buena Park
Ed Sachs, Vice Chair, Mission Viejo
Noel Hatch, Human Resources Committee Representative, Laguna Woods
Joe Muller, Budget and Finance Committee Vice Chair, Dana Point
Jeff Bowman, Fire Chief
Brigette Gibb, Human Resources Director

Absent: None

Also present were OCFA General Counsel David Kendig; Clerk of the Authority Sherry Wentz; Risk Manager Jonathan Wilby; and Workers’ Compensation Manager Rhonda Haynes.

PUBLIC COMMENTS (F: 12.02C3)

Chair Swift opened the Public Comments portion of the meeting. Chair Swift closed the Public Comments portion of the meeting without any comments from the general public.
MINUTES
1. Minutes for the Claims Settlement Committee for the January 26, 2017, Special Meeting

On motion of Vice Chair Sachs and second by Director Hatch, the Claims Settlement Committee voted by those present to approved the Minutes of the January 26, 2017, Special Meeting. Director Muller was recorded as an abstention, since he had not yet been appointed to the committee.

CONSENT CALENDAR
No items.

DISCUSSION CALENDAR
No items.

REPORTS
No items.

COMMITTEE MEMBER COMMENTS
The Committee Members offered no comments.

CLOSED SESSION
General Counsel David Kendig reported the Committee would convene to Closed Session to consider the matters on the Agenda identified as CS1, Conference with Legal Counsel – Existing Litigation, CS2, Conference with Legal Counsel – Existing Litigation, CS3, Conference with Legal Counsel – Existing Litigation, and CS4, Conference with Legal Counsel – Existing Litigation.

Chair Swift recessed the meeting to Closed Session at 5:04 p.m.

CS1. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Name of Claim: Joseph Rumney vs. OCFA
Case Nos. ADJ3742250, ADJ1044313, and ADJ3163637
Authority: Government Code Section 54956.9(a)

CS2. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
Name of Claim: Gene Begnell vs. OCFA
Case Nos. ADJ 9365415, ADJ9366294, ADJ9366292, and ADJ10591438
Authority: Government Code Section 54956.9(a)
CS3.  CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
      Name of Claim:  Thomas Conner vs. OCFA
      Case No.  DEU188165
      Authority:  Government Code Section 54956.9(a)

CS4.  CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
      Name of Claim:  John Mushinski vs. OCFA
      Case No.  ADJ8903599 and ADJ9046133
      Authority:  Government Code Section 54956.9(a)

Chair Swift reconvened the meeting at 5:26 p.m. with all prior Committee Members present.

CLOSED SESSION REPORT

General Counsel David Kendig stated there was no reportable action.

ADJOURNMENT – Chair Swift adjourned the meeting at 5:27 p.m. The next regular meeting of the Claims Settlement Committee is scheduled for Thursday, March 23, 2017, at 5:00 p.m.

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Sherry A.F. Wentz, CMC
Clerk of the Authority