

RESOLUTION NUMBER 21-01
RESOLUTION IN SUPPORT OF ADDRESSING THE REEMPLOYMENT BENEFITS SYSTEM UNDER
THE ALASKA WORKERS' COMPENSATION ACT

WHEREAS, the Alaska Workers' Compensation Board (Board) is a public organization that is accountable through its members to the residents, the Legislature, and the Governor of Alaska;

WHEREAS, the Board acts as the lead state agency for adjudicating disputes under the Alaska Workers' Compensation Act (Act), to ensure quick, efficient, and fair payments of benefits to injured workers at a reasonable cost to employers;

WHEREAS, Alaska's workers' compensation premium rates are the 4th highest in the nation according to the October 2018 Oregon Workers' Compensation Premium Rate Ranking Summary;

WHEREAS, stay-at-work/early return-to-work programs reduce reemployment costs to employers and improve worker outcomes;

WHEREAS, the Act requires a reemployment benefits eligibility evaluation when an injured worker has been unable to work for 90 days, without regard to whether an evaluation is warranted at that time;

WHEREAS, retraining plans under the Act focus on the quickest option to return an injured worker to work regardless of interest in that vocational goal, and at a maximum plan cost of \$13,300;

WHEREAS, the maximum plan cost of \$13,300, which has not been adjusted since 2000, is often insufficient to create a plan that meets statutory requirements;

NOW THEREFORE BE IT RESOLVED that the Board respectfully requests that the Alaska State Legislature amend the Alaska Workers' Compensation Act to provide the following:

1. Transition from emphasis on retraining to emphasis on stay-at-work/early return-to-work.
2. Increase the 90-day mandatory reemployment evaluation under AS 23.30.041 to 120 days.
3. Increase eligibility evaluation time from 30 days to 60 days.
4. Provide a statutory provision allowing reconsideration of the RBA's decision within 30 days of the decision.
5. Provide a statutory provision allowing modification of the RBA's decision within one year if circumstances have changed.

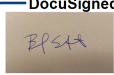
6. Transition from reemployment plans of shortest duration to plans that consider the injured worker's interests and experience, within statutory cost and duration limits.
7. Authorize the Board to establish fees for reemployment specialist services.
8. Increase the benefit under .041(l) from \$13,300 to \$19,300, and adjust to cpi annually.
9. Extend the timeframe to select a job dislocation benefit.
10. Establish a method for injured workers to voluntarily exit the reemployment benefits system.
11. Allow an employer to controvert reemployment benefits based on noncooperation.

BE IT FURTHER RESOLVED that copies of the Resolution be promptly transmitted to the Governor, the President of the Senate, the Speaker of the House, and the Chairman of the Senate and House Labor and Commerce Committees.

CERTIFICATION

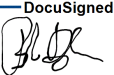
The Alaska Workers' Compensation Board held a meeting duly and regularly called, noticed, and convened this 14th day of January, 2021, and the foregoing Resolution was signed and adopted at said meeting.

DocuSigned by:
Charles Collins
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Charles Collins,

Chair
DocuSigned by:

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Brad Austin,

Labor Member
DocuSigned by:
Randy Beltz
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Randy Beltz,

Industry Member
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Pamela Cline
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Labor Member
DocuSigned by:

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Bob Doyle,

Industry Member
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Julie Duquette
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Julie Duquette,

Industry Member
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Sara Faulkner
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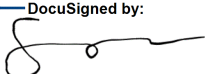
Industry Member
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~A. Bronson Frye
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Bronson Frye,

Labor Member
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Christina Gilbert
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Christina Gilbert,
Industry Member

ABSENT

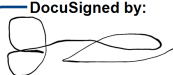
Jacob Howdeshell,

Labor Member
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Anthony Ladd
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Anthony Ladd,

Labor Member
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Sarah Lefebvre,
Industry Member

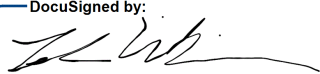
ABSENT

Justin Mack,

Labor Member
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Jason Motyka,

Industry Member
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Nancy Shaw
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Nancy Shaw,

Labor Member
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Robert C. Weed
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Robert Weel,

Industry Member
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Lake Williams,

Labor Member

Vacant,
Labor Member

Vacant,
Industry Member