



Dawn M. Droblich
Executive Secretary

Board of Managers

Ford Motor Company
Kathryn Mason
Chair

DTE Energy
Jerome Hooper
1st Vice Chair

Trinity Health
Ellyse Sites
2nd Vice Chair

Ilitch Holdings, Inc.
Michael J. Niehaus
Treasurer

City of Grand Rapids
Craig Coulson

Consumers Energy Company
Cynthia Eddy

General Motors LLC
Wendy Kolbusz

Kelly Services
Sandra DiCicco

**Marathon Petroleum Company
LP**
Courtney Quilter

Meijer
Theresa Hileman

Spectrum Health
Lorraine Climer

University of Michigan
Kathleen M. Rychlinski

Wayne County Airport Authority
Heather Day

Wayne State University
Pamela Galloway

MINUTES OF BOARD OF MANAGERS' MEETING

MAY 14, 2021

Present:

CLIMER, L., Spectrum Health
DAY, H., Wayne County Airport Authority
DICICCO, S., Kelly Services
EDDY, C., Consumers Energy
GALLOWAY, P., Wayne State University
HILEMAN, T., Meijer
HOOPER, J, DTE Energy
MASON, K., Ford Motor Company
NIEHAUS, M., Ilitch Holdings, Inc.
QUILTER, C., Marathon Petroleum Company
RYCHLINSKI, K., University of Michigan
SITES, E., Trinity Health

Chairperson's Council:

WHITE, D., FCA US LLC
SUSSER, D., MacArthur, MacArthur & Associates, PC

Not Present:

BLOCK, W., Michigan Chamber of Commerce
COULSON, C., City of Grand Rapids
KOLBUSZ, W., General Motors
PENZ, M., Human Service Association Workers Compensation Fund
WORTHAMS, D., Michigan Manufacturers Association

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The Chairperson, Ms. Mason, called the meeting to order at 11:33 a.m. to address the following Agenda:

Presiding: Kathryn Mason, Chairperson

1. Minutes of Board of Managers' prior Board Meeting
2. Old Business
 - a. Board Meetings for remainder of 2021/Date change
 - b. Proposed Administrative Rules for Workers' Compensation/Hearing July 7, 2021
 - c. Committee Restructure 2021
2. New Business
 - a. WDCAC expiration of terms
 - b. Past Board members' notes/memorabilia
3. Legislative Committee Report
4. Treasurer's Report
 - a. May 2021 Financial Report – Checking Account
 - b. May 2021 Financial Report – Money Market Account
5. 2021 Fall Conference Committee Report
 - a. October 13, 2021 virtual conference
6. Marketing & Communication Committee Report
 - a. Member survey
 - b. Lunch & Learn
7. Membership Committee Report
8. *Amicus Curiae* Committee Report
9. Health Care Committee Report
 - a. Employer Vacancy
10. Funds Trustee Committee Report

The **Minutes** were approved upon motion by Ms. Rychlinski and seconded by Ms. Climer.

Before the General Meeting began, the new representative from Marathon Petroleum Company, Ms. Courtney Quilter, was introduced to the Board. Ms. Quilter replaces Paulette Burghardt who had been the previous representative from Marathon. Ms. Quilter advised the Board that she has been working for the Marathon Petroleum Company for 2 ½ years. She indicated that her current position is as the Workers' Compensation Lead and she also handles claims in California and Illinois. Ms. Quilter was welcomed to the Board of Managers.

Under **Old Business**, Ms. Droblich thanked the Board for completion of the MSIA Whistleblowers' Policy documentation. If any Board member has yet to sign the document, please contact the Executive Secretary.

In other **Old Business**, the Board of Managers' Committee restructuring was discussed further. It was decided that the Marketing & Communication Committee would now take on the marketing responsibilities as well as replace the Technology Committee. This new committee would be co-chaired by Ms. Rychlinski and Ms. Sites with the goal being to drive membership and provide current and relevant

information to the members as it pertains to, not only Workers' Compensation, but other areas of interest to the self-insured community. The initial task of the Committee will be to send out a survey to the membership to ascertain what is important to them. Then, the Marketing & Communication Committee will create a list prioritizing what needs to be done to make MSIA a more valuable resource for its members. It may be necessary to have subcommittees to handle the various areas of interest. The Committee that is chaired by Ms. Rychlinski and Ms. Sites will include Ms. Quilter, Ms. Climer, Ms. Hileman, Ms. Eddy, Mr. Niehaus, Ms. Poole and Ms. Droblich.

In **New Business**, the Executive Secretary presented the Board with the calendar for the remainder of Board meetings in 2021. It was decided that the September Board meeting would be held in person. Ms. Poole will be contacted to assist with finding a location that will be convenient for the entire Board to attend.

Next, the Board discussed the proposed Workers' Compensation Agency Rules. As had previously been mentioned, there are numerous rules which raised concern amongst the Board. It was discussed that substantively, several of the rules seemed to conflict with the statute or case law. All members are encouraged to discuss any areas of concern with the Executive Secretary, Ms. Droblich. When the rules are submitted for public hearing this summer, it may be necessary to elicit direct testimony from MSIA regarding the Board's position with respect to same. Ms. Droblich will keep the Board closely advised.

The **Legislative Committee Report** was deferred in the absence of Mr. Worthams and Ms. Block. It was noted that the Executive Secretary would discuss with them the Board's position as it pertains to the Proposed Administrative Rules for Workers' Compensation.

The **Treasurer's Report** was submitted by Mr. Niehaus. He stated that there was positive cash flow in March attributable to the conference with some negative expenditures in April due to insurance renewals. Mr. Niehaus stated he will look at extending cyber liability coverage. Finally, the Conference Committee was congratulated by the Treasurer noting the profit made on the Spring Conference will help offset the monthly administrative costs pertaining to running the Michigan Self-Insurers' Association.

The **2021 Post Spring Conference Committee** report was submitted by Mr. Hooper. He echoed the sentiment of Mr. Niehaus that it had been a profitable conference and he thanked all attendees for participating in same. Moreover, Mr. Hooper extended his appreciation to the Spring Conference Committee for all of their hard work over the past year pertaining to the organization of MSIA's first virtual conference. Ms. Poole of Treeline Associates was also thanked for her contribution to the conference's logistics and organization. Finally, Mr. Hooper was recognized and thanked for his many hours of work as the Chairperson of the Spring Conference Committee which contributed greatly to its success.

The **2021 Fall Conference Committee** report was tabled by Mr. Hooper. Ms. Mason and Mr. Hooper both indicated that meetings would be held shortly to discuss the Fall Conference which is scheduled to be virtual on October 13, 2021. Options will be explored pertaining to the potential of the Fall Conference being a hybrid conference with both in person attendance and a virtual option. More details will follow after this possibility is explored.

The **Technology Committee** report was tabled by Ms. Sites. She indicated that as the Marketing & Communication Committee has now replaced the Technology Committee, there will be an update at next month's meeting encompassed in that Committee's report.

The **Nominating Committee** report was submitted by Ms. Rychlinski. As has been discussed previously, there are two vacancies on the Board. At this point, any member interested in sitting on the Board of Managers who is a self-insured employer or high deductible employer should contact the Executive Secretary. This will be the last official reporting. The Nominating Committee will be abolished post this meeting. The decision was made that, during the next membership drive, MSIA will look to fill the vacancies. Until that time, there will be two vacancies. Again, all members of MSIA are strongly encouraged to contact the Executive Secretary if there is any interest with respect to same.

The **Membership Committee** report was submitted by Ms. DiCicco. She indicated there has been no new applications for membership. She also indicated that the Membership Committee will now be restructured to include herself, Ms. Poole and Mr. Niehaus. Ms. DiCicco again reiterated that she would be meeting with Ms. Poole to discuss an update of the dues structure. She will continue to keep the Board closely advised.

The ***Amicus Curiae* Committee** report was submitted by Ms. Droblich. She indicated that we are awaiting a decision in the case of *Omer v Steel Technologies*, a case where MSIA had filed an *amicus* brief to the Michigan Supreme Court. Additionally, the Board awaits a decision in the case of *Cramer v Transitional Health Services of Wayne* where MSIA submitted an *amicus* brief to the Michigan Court of Appeals. Both cases deal with significant issues. Ms. Droblich will continue to keep the Board closed advised as to any and all developments.

The **Health Care Committee** report was submitted by Ms. Mason. She indicated that the meeting scheduled for April 21, 2021 had been cancelled. There have been no new meeting dates scheduled. Ms. Mason reminded the Board that Director Nolish had indicated there was room for one more employer representative on the Health Care Committee. We will discuss at next month's meeting if there are any volunteers from the Board who would like to sit on the Health Care Committee.

The **Funds Trustee Committee** report was submitted by Mr. Hooper. He stated they had met on April 12, 2021. There were discussions about the Committee to resume in person meetings. Mr. Hooper indicated that the Committee then went into private sessions and there was nothing new to report.

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With no further matters to be discussed, upon motion by Ms. Rychlinski and seconded by Ms. DiCicco, the meeting was adjourned at 2:39 P.M.

Respectfully submitted,

Dawn M. Droblich
Executive Secretary