WORKERS’ COMPENSATION SECTION
EXECUTIVE COMMITTEE MEETING
Friday, April 12, 2019

MINUTES

► In attendance: Maria Ciccotelli
Patrick Cummings
J.P. DeMarco
Kaitlin Files
Kelly Hemple
Alex Kwasny
Mark Mazzanti
Eric Pearson
Christian Petrucci
Hon. Michael Snyder
Judge Craig
Judge Krass
Judge Rago
Judge Seelig
1. **Approve March Minutes.** Approval of Minutes of March meeting deferred; this to be done at next-scheduled meeting.

2. **New Business.**
   - 2019 awards luncheon;
     - Irv Stander Award winner is law student Elizabeth Scian;
     - Martha Hampton Award winner is Patrice “Puddy” Toland;
     - The charities to be honored:
       i. Philadelphia Childrens’ Alliance
       ii. Sean F. Hogan, Sr. Foundation
       iii. Saint John’s Hospice
       iv. USO
     - High school students from the Section-sponsored Mock Trial program and supervising teacher will attend the awards luncheon;
     - All speakers and time slots for the speakers have been arranged;
     - Customized Mock Trial logo short and long-sleeved t-shirts will be available for purchase at the awards luncheon.

3. **Committee Updates.**
   - Increase of Section dues. Extended discussion regarding increase of dues to $25.00 per year to be effective as of 2020, then to increase to $30.00 per year effective as of 2023. Motion for approval is made, seconded, and approved by all in attendance.
   - **CLE.**
     - (a) Discussion of inquiry by CLE Director Tara Phoenix as to the Section’s interest in a presentation by a physical therapist about ergonomic factors bearing on work injuries. Co-chair Kelly Hemple indicates she will follow up on this to reach out specifically to Section sponsor ATI.
     - (b) Discussion held as to interest in a 4-hour presentation, perhaps 2 hours to cover the latest changes in Occupational Disease law relative to firefighters, followed thereafter by 4 other topics, each to be presented in ½ hour slots. By contrast with some other CLE opportunities, food would be available for attendees throughout the session. Also, attendees would be invited afterwards to participate in a happy hour.
(i) As to the possibility of an alternate (larger) venue than the Philadelphia Bar Association offices; Judge Snyder advised that an auditorium-sized space at the Kline School of Law could be made available to the Section at no charge. Interest is high.

(c) Treasurer. Eric Pearson indicates all is in order, formal report to follow at pending meeting.

(d) Fundraising. $12,500.00 has been raised to date for the Spring Party event and $5,000.00 has been raised to date for the Award Luncheon.

(e) Legislative. A Bill has been introduced to the State House by Representative James Cox (Republican District 129-Berks/Lancaster). This addresses the decisional law set forth in *Tooey v. AK Steel*, (Pa. Supreme Ct. 2013). This Decision is read to allow the filing of a civil action for the onset of slow-manifesting occupational diseases which appear after the run of the statute of limitations in the OD Act. The proposed legislation would extend the OD Act to encompass and allow the filing of these claims. It would also extend WC/OD immunity to third parties such as manufacturers. It is unclear at present how seriously this may be considered by the Wider House.

(f) Charitable Events and Community Service. In addition to the charities mentioned relative to the Award Luncheon, for the Spring Party, the Charity selected is Alex’s Lemonade.

Also, a motion to donate $1,500.00 to the Central Montgomery Technical High School, to provide support for a CNA program is made by Judge Rago, seconded and approved by all.

(g) Marketing and Communications. Per Judge Krass, Andrea Graf will be writing an article for an upcoming edition of the Bar Reporter. Also note Kaitlin Files’ article in the March edition of the Bar Reporter on grooming young lawyers, and the article by Mary Lemieux-Fillery reporting on the WCAIS CLE presentation.

Further, Judge Krass has again graciously volunteered to organize a Halloween Happy Hour for 2019.

(h) Diversity and Inclusion. Kaitlin Files and Jenna Messa will work during the summer to ramp up another Mock Trial program at the start of the Fall school semester.

(i) Pennsylvania Bar Association. The PBA’s Workers’ Compensation Law Section will be seeking commentary regarding pending proposed amendments to the Special Rules of Administrative Practice. Also, discussion continues as to amending the WCAB
rules regarding oral argument. That is, either litigant or the Board would have to
specifically request (or direct) oral argument.

(j) **Membership.** New membership deferred.

(k) **Board of Governors.** The Board met as scheduled on 3/28/19. Treasurer Mark
Zucker presented his report for period ending 2/28/2019. There was also a 2018
Audit Report by an independent CPA. In this regard, an IRS Form 990 to be utilized
by non-profits has been completed in draft. A Resolution was approved opposing
House Bill 71 to amend the Landlord and Tenant Act of 1951, following a
presentation by George Gould, Esquire of Community Legal Services. Executive
Director Harvey Hurdle presented a report for the first quarter indicating the progress
made to date. CLE attendance is up, with 602 attendees for February 2019. The
projection for 2019 is that 155 courses will have been presented under the aegis of the
Philadelphia Bar Association. A $50,000 per year sponsorship of the Philadelphia
Bar Association has been pledged by Law Pay. A renovation of the 10th and 11th
floors is a possibility, this to be accomplished without assessing the various sections.

(l) **Arts in the Courts.** Deferred.

(m) **YLD.** On the agenda for the next meeting is to discuss the Division’s participation
during law week to include Philadelphia High School students.

(n) **Of Counsel.** Judge Snyder advises that, because of certain recent public relations
issues, the Philadelphia Bar Association is considering submitting a resolution to the
Legislature asking it to consider transferring workers’ compensation judges as
employees of the Department of Labor & Industry (i.e., the executive) and having
them become members of the Judiciary. This would subject WC Judges to discipline
through the Administrative Office of Pennsylvania Courts, and presumably provide
stronger safeguards for judicial independence.

Lengthy discussion follows, but with agreement that more information must be
gathered and further discussion held within one month’s time, given the scope of the
issue.

Respectfully submitted,

*Mark L. Mazzanti*