

## COMMITTEE ON HUMAN RESOURCES/INSURANCE

February 11, 2008  
Aldermen Gatsas, Lopez,  
Pinard, Shea, Garrity

6:00 PM  
Aldermanic Chambers  
City Hall (3<sup>rd</sup> Floor)

Chairman Gatsas called the meeting to order.

The Clerk called the roll.

Present: Aldermen Gatsas, Lopez, Pinard, Shea, Garrity

Messrs: T. Arnold, D. Hodgen,  
Alderman J. Roy

### **TABLED ITEM**

3. Communication from Virginia Lamberton, Human Resources Director, requesting an amendment to Section 33.064(B)(2) of the Code of Ordinances which addresses sick leave benefits for Fire and Police Department employees.  
*(Note: Tabled 2/4/08 pending further drafting/info from Solicitor and HR)*

On motion of Alderman Lopez, duly seconded by Alderman Shea, it was voted to remove item 3 from the table.

Chairman Gatsas asked has everybody seen the document and had an opportunity to read it? Tom, let me ask you to go through this section by section and clearly dissect it so that we can understand it as we go through.

Mr. Tom Arnold, Deputy City Solicitor, stated the document that you have just received, what it does, as you can see from the first two paragraphs that have been eliminated...

Chairman Gatsas stated how about if you just give us the first paragraph, tell me what that does, and then we'll go through each one individually.

Mr. Arnold stated what this does is it removes the reference in the ordinance to Fire and Police so that, as you can see in paragraph A, any employee of the City who sustains an injury who is entitled to Workers Compensation, will be entitled to the supplemental pay. Lower down in the first paragraph, it's 80 percent of gross salary if the employee is covered by Social Security and 87 percent if they're not covered by Social Security.

Chairman Gatsas stated let's get through this. The 80 percent is for non-affiliates who receive 66 percent now, and that would be clerical staff. I guess I'd have to ask the Human Resources Director in a minute, how many claims we see on Workers Compensation on those folks?

Mr. David Hodgen responded I do not know precisely but I think there are very few claims from non-affiliated employees. Most of them hold clerical jobs and so forth, and the risk isn't like Police, Fire and Highway. The only other thing I'd like to note is the Workers Compensation statutory rate used to be 66 and two thirds, but a few years ago it was lowered to 60 percent.

Chairman Gatsas stated okay, so what we've done is increased it and leveled the playing field for everybody else.

Alderman Shea stated I believe that the School Department pays 66 and two thirds. I called today and I was told that.

Mr. Hodgen stated I don't understand that, to be honest with you.

Alderman Shea stated me neither, but that's what I was told.

Mr. Hodgen stated my guess is that's mistaken. The statutory percentage for Workers Compensation is 60 percent and then if they are applying this supplement pay ordinance, which they have done historically, they would supplement it up to 80 percent under this ordinance. I don't understand 66 percent.

Alderman Garrity asked so previously it was 66 and two-thirds percent?

Chairman Gatsas responded previously it was 60 percent, where we're at now. It used to be 66 percent and it got changed in Concord to 60 percent. This is going to 80 percent. So if you take an employee that's making \$1,000 a week, they would have gotten \$600 a week under Workers Compensation; they will now get \$800 a week.

Alderman Garrity asked and the reason for that is?

Chairman Gatsas responded because you've got to go to the supplemental pay.

Mr. Hodgen stated yes, if the supplemental pay ordinance is applied to non-affiliated employees, for example, then they would get 80 percent instead of 60 percent.

Chairman Gatsas stated and the discussion at the last meeting was trying to level the playing field, that if we're going to have this apply, then it should apply across the board. It kind of looked like the ordinance was singling out Fire and Police. So, any other questions on section one? Section two then.

Mr. Arnold stated this is essentially correcting the Stankiewicz decision. As you can see, what that section used to provide is that they could collect sick leave benefits, pending a determination of Workers Compensation eligibility, and on a determination that they were eligible for Workers Compensation benefits, the sick leave credit would be restored. And that was essentially the basis of the Stankiewicz decision. They said that he's entitled to both his Workers Compensation and his sick leave without having to repay the City. The additional language in there, as you can see, removes that, in that it says upon a determination of eligibility for Workers Compensation benefits, the employee shall repay the City all sick leave benefits that the employee has received. Upon repayment sick leave credit shall be restored.

Alderman Garrity stated I see on the write-offs in Accounts almost every month there's Highway employees that have overpayments. Will this solve that issue? Workers Compensation overpayment?

Mr. Arnold responded it may solve some of them I believe. I can't speak to all of them, but this would entitle Highway Department employees to...well actually, no it wouldn't, because right now the practice in Highway was to make them repay the sick leave, and most of those actions were for repayment of the sick leave.

Alderman Garrity asked are we just expanding the problem on write-offs?

Chairman Gatsas stated I think what happens is that we are writing off employees that don't have any intention of coming back to the City.

Alderman Garrity stated I saw one on there that's still employed.

Chairman Gatsas stated I'm just saying a good percentage of them, David, am I correct, most of them are not coming back as employees of the City.

Mr. Hodgen stated I think essentially we have traditionally tried to make employees repay us. Some of them refuse. When they retire or leave the City then it's pretty much a lost cause, but we have had current employees who have refused in the past. And because we cannot deduct it from their pay without their permission, it's pretty hard for us to force them to repay the City.

Chairman Gatsas asked can't we, for future employees, make that as a subject of employment? For future employees, not for employees that are here now.

Mr. Hodgen stated I do think there will be some need to try to cure it with the labor unions too, who will be representing employees, even new employees once they complete their probationary period. So to my way of thinking, this amendment, which I believe the Board should do, is really a first step. I think that there will be other things that will need to be done in order to get this fixed entirely.

Alderman Lopez stated David, I just want to make sure, if we pass this ordinance which makes it fair, that if I take my 20 days sick leave, I get my Workers Compensation, and I don't pay it back and I retire, I don't get my 20 days.

Mr. Hodgen stated we have the complication with the Supreme Court case, and there is the potential that some of the unions will try to apply the Supreme Court case to the members of their unions. But right now when employees do not repay us, we do not reinstate the sick leave days, so they don't have them there when they retire. I do think we may have some challenges from some of the unions to try to force us to apply the Supreme Court decision to their members.

Alderman Lopez asked but if we're changing the ordinance to apply to everybody, how can I come back and say, I took 20 days, I got Workers Compensation, I'm retiring so I want my 20 days?

Mr. Hodgen stated well I think they would try to do that before they retired. It's hard for me to predict but some of it may go to arbitration under the grievance procedures. I may be wrong and perhaps none of the unions will challenge us. However, I do have one union which has filed for arbitration on this subject already. Whether somebody will change their position on it later, I'm not sure.

Alderman Lopez stated I'm sure you've read this with the City Solicitor. Do you think this is pretty well etched in stone that we could beat any challenge to it?

Mr. Hodgen responded you should know that one of the contracts has a specific reference to the ordinance as it existed in 1992. Frankly, the **MAPPS** contract that Lieutenant Stankiewicz was covered by has the same reference. So I think the Firefighters may well say that the City can amend the ordinance, but their contract makes a specific reference to the ordinance as it read in 1992, and therefore we can't change that without their agreement.

Alderman Lopez asked do you want to weigh in, Tom Arnold?

Mr. Arnold stated Dave is the one to speak to the union contracts, but what I would say in terms of what you've got in front of you, is it says 'upon repayment sick leave credit shall be restored.' The Supreme Court in it's decision specifically noted that if the Board of Mayor and Aldermen disagreed with its interpretation of the ordinance, the Board of Mayor and Aldermen was free to change it, and that's essentially what this does.

Chairman Gatsas stated I would find it hard to believe that employees not recognizing...and I think that the two police officers that were in front of us last week certainly didn't think it was fair that anybody should even be double dipping, never mind triple dipping. And I think that that's clearly...the triple dip is I think the first piece that we must try and address. And I don't know if it's clear about how they get triple, but if somebody goes out on Workers Compensation, and again, I think we're only talking about a 20 day window here. It's not like somebody can go out for an awful long period of time...

Mr. Hodgen interrupted no, the police lieutenant in question was out approximately five and a half months before the Workers Compensation Appeals Board finally decided that the injury was compensable. So that's why that particular case was so difficult. It was for five and a half months of sick leave usage.

Chairman Gatsas stated well maybe that's something we have to get corrected to make sure that these cases are coming before us a lot quicker, and to determine whether they've got to come to this Committee. I think that that's the important thing, that an employee shouldn't be sitting around wondering whether he's going to pay his mortgage or put food on the table.

Alderman Roy stated I was going to wait until the end. I've got some background information and some other information that may be helpful to you. I can either wait till the end after you've gone through each one of the paragraphs or I could interject now. It's up to you. It won't take too, too long.

Chairman Gatsas stated let us try to get through these quickly and then try and put it all together.

Alderman Roy stated I've got some information on that very point.

Chairman Gatsas stated and it's interesting because I got a phone call today. If somebody has 120 days in their sick bank, and they're out on Workers Compensation and they lose ten days or fifteen days, they can pick that up just because it accrues at one and a quarter per month. So there are some other issues in here that we need to address because somebody may say, I don't care. I don't need to pay them back. I'm not going to use them; I can only get paid for 90. And I only get one for every four or five after 90. So I think that there are other flaws in the system that I don't think anybody has ever looked at and asked how does this truly work?

Mr. Hodgen stated and there are sick banks too, in every department.

Chairman Gatsas stated so why don't we finish going through this. Any other questions on two? Number three is next.

Mr. Arnold stated I think that I can summarize the rest of the paragraphs relatively quickly, Alderman. There are no real changes to paragraphs three through nine. All I did was change the numbers to letters, to be consistence with the way that the ordinances are set up. And I changed the Alderman Insurance Committee to the Aldermanic Human Resources/Insurance Committee in line with current practice. As you can see in paragraph ten, paragraph ten is removed. It had a bunch of provisions, basically that were meant to deal with this ordinance when it was originally passed and are now kind of superfluous, so that paragraph was removed and the ordinance takes effect upon its passage without reference to prior provisions such as 1982.

Chairman Gatsas stated correct me if I'm wrong, David. I can remember that some of these Workers Compensation claims, both medical and injury, used to come before the HR Committee to see if we couldn't negotiate them out. I haven't seen that in the last three years.

Mr. Hodgen stated traditionally, going back a number of years, they came before the Aldermanic Insurance Committee, and then of course that was consolidated with the Human Resources Committee, and probably those matters haven't come before this Committee since the Insurance Committee and the Human Resources Committee were combined. And frankly, the Aldermanic Insurance Committee used to be the trial, so to speak, if an employee was terminated after one year. Now that would be this Committee.

Chairman Gatsas stated Alderman Lopez reminded me that we moved the threshold to \$75,000 before it had to come in before this Committee. Maybe we have to reduce it again so that we can get some of these claims moved around a lot quicker, than having them appear on a report that says we're going to write them off.

Mr. Hodgen stated that aspect is in the hands of the Risk Management Department, so to speak.

Chairman Gatsas asked any questions on items three through nine? Alderman Roy, do you want to comment?

Alderman Roy responded looking into this further, knowing that this was going to come up, and wanting to get a lot of information, the comment that this may be a good first step is probably true. What I found is that there are some triggers that will enable a situation like this Stankiewicz case to happen. Number one, it appears...now we have our own Workers Compensation but we have somebody administer it for us. From my research it's almost a systematic denial at the beginning, that you're denied Workers Compensation and then the individual has to hire a lawyer. In this instance that went all the way to the Supreme Court, the individual was denied and as Mr. Hodgen said, it was five to six months before it was approved, and that was in the year 2000. It was an injury that went over several years, and when he finally got paid the wages from Workers Compensation in the year 2005, it was \$17,000. Now just by that number you know it's not just a couple of weeks out of work. He did go to the City and offered the \$17,000 to reinstate his sick leave, and the City told him at that time that they wanted the 2005 wage rate and he would have to pay them \$31,000. That's why he ended up going to court. The triggers that make this happen...obviously you get injured. Number two, you have to be denied by Workers Compensation to get a number like that.

Chairman Gatsas asked can I just ask you a question, Alderman Roy? The \$17,000 that he received, was that based on a 2000 wage rate or a 2005?

Alderman Roy responded that was based on a 2000 wage rate, because his injury had occurred and the five months was in 2000.

Chairman Gatsas stated and the City was looking for...

Alderman Roy stated 2005 wage rates. I still don't know how that figured out, but the number that he was told was \$31,000. He was going to have to come up with \$14,000 out of his own pocket.

Chairman Gatsas stated that doesn't make sense. If that's the case then he deserved to get what he got.

Alderman Roy stated my hat's off to the City for doing a supplemental. It's actually 87 percent for Police and Fire, to make sure that they're whole, and that's where I'm coming from when I say we should only be paid for one day. After that, after you get...you've got to have sick time to use. Some people may not have sick time and we'd have to go into sick banks if we have them, another whole issue that we'd have to look at. And then when the individual comes back to pay, to restore his sick leave, in my eyes, this wasn't fair, what happened to this individual. I think it needs to be rectified. And what might help us, my concern is that this ordinance is just going to be a Band-Aid on an injury that may take some stitches. I would like, before it goes to the whole Board, on the number of Firefighter and Police that don't pay back. I think it's very minute. And the number of immediate denials...In other words, when it goes to our Workers Compensation administrator, how many people are denied? I know I was when I was injured, and it's a difficult situation when they call you. They've got the paperwork that you've put in; they've got the information from the department, and they call you four times with the same questions, you know...your name, your middle name, your date of birth...four times. And on the paperwork that we fill out, your supervisor has to sign it and you have witnesses written down. So it's not just fraud anymore. There are essentially saying that, in my case, I had a conspiracy going on. I had been injured. Even though they had drained 12 ounces of fluid off my knee. It just didn't make any sense. So I think it really needs to have a long hard look taken at it. I'm glad to see that all the employees are going to be treated the same under this new ordinance. I think we've got a long way to go on this.

Chairman Gatsas stated I don't disagree with you, and that could be a discussion for another day. I don't think that has anything to do with this ordinance because what we're trying to do here is to stop people from a triple dip, never mind just a double dip, because what it's saying is that if we don't protect the City that somebody's going to...and again, and somebody goes out and the City says, I want \$31,000 for \$17,000, I certainly don't blame the guy for not doing it. I certainly believe what you're telling me, and I think that that's a question that somebody needs to come in and tell this Committee why that ever happened. We don't need to have that discussion tonight.

Alderman Roy stated we need to make sure that the employees are treated fairly and decently.

Chairman Gatsas stated I don't disagree.

Alderman Roy stated my other concern with this is, what I've been picking up, listening to the conversation at the last two meetings is that it sounded like we thought that the other unions had already been taken care of because of some decision back in 1994, or whatever it was. But we still see these individuals' names come up, and we're writing them off. So, even though we're going to pass this ordinance...I think Mr. Garrity brought it up already...Is it really going to take care of the problem or are people just going to turn their eye. And I'm not saying Police and Fire. Some people have been doing it. Are they still going to turn their head and say, I'm not paying, and get away with it?

Chairman Gatsas responded I don't think you can stop that individual, but what you can stop is having the City pay out that bank, even though it's already been paid once. That would be the triple dip. In other words, if he's been paid the 40 days of sick time and he doesn't want to pay it back, even though he's been paid Workers Compensation, and then he says, I'm retiring, this stops him from getting paid those 40 days of sick time even though he may not have them in his bank. That's what this does.

Alderman Lopez stated but you brought up a good point before, though. What is it, 90 days I can cash in?

Mr. Hodgen responded the City ordinance and most of the labor contracts say that when an employee retires, dies, or due to disability retires, he can be paid 80 days of his accrued sick leave, plus one quarter of the balance between 80 days and 120 days, so that's 40 divided by four is ten, so he could get a maximum of 90 days of pay off. Then there is another provision under the ordinance that says employees who leave after 15 years of service can get paid 60 days, and they don't have to retire or duty/disability retire, etc. to do that.

Alderman Lopez stated if I have 120 days and I don't pay it back, what's the difference?

Mr. Hodgen responded as I think Alderman Gatsas was saying a while ago, if somebody had five days of sick time and then it was determined to be compensable, and he was paid both sick leave and Workers Compensation for those same five days, and he refused to reimburse the sick leave at one and a quarter days per month, I guess that's four months and he's got his five days back. So some people may say why should they repay us when in four months they'll get those days back, but that's for small increments of days, like five. If it's many days it would take a long while at a day and a quarter a month to earn them back.

Alderman Shea stated you made reference to systematic denial. Is that done from someone in the City here or is that an insurance company that does that? Who does the denial?

Alderman Roy stated it seems that the company that's administering our Workers Compensation does that. And it's something that would have to be researched to make sure that it's true. That's what it looks like.

Alderman Shea asked is there any oversight on the part of the City, or is that strictly something...David?

Mr. Hodgen responded yes, we have a company called CCMSI that we hire as a third party administrator for Workers Compensation. When there is a first report of injury that gets sent to their office, they look into the background before they approve Workers Compensation. That can take a few days under normal circumstances, and that gets us into trouble if it takes a week for them to get a statement from the doctor and determine that yes, it is a legitimate comp claim, and they approve payment. In that week's time the employee has been using sick leave. Then they are paid some of those days, maybe all of those days, as Workers Compensation, and we get into this double payment situation. We try to get the employee to pay back the sick days, in which case we restore the sick days. Just administratively it has taken a while, a week or so, in almost every case, to decide whether it is Workers Compensation or not. I've talked with Harry Ntapolis; the Risk Manager works with CCMSI to resolve these Workers Compensation claims, and Harry has talked to them and said, look we need to speed this process up, and they have emailed him back and said, yes, they're going to increase their efforts to make those decisions more quickly. Now, in some cases CCMSI decides that it is not compensable, that for some reason or another it is not work related and the City does not want to voluntarily pay Workers Compensation. Those are the ones that can drag on for a long time because they can be appealed to the Department of Labor and to the Workers Compensation Appeals Board. And it may be months before it is decided, and in the meanwhile the employee is using sick leave and then later on is paid also with Workers Compensation. That though, to my way of thinking, only happens when the City and its attorney, and not somebody in the Solicitors Office, but outside counsel, determines that they want to fight the compensability at the Department of Labor and even to the Workers Compensation Appeals Board, if it comes to that.

Alderman Shea asked do we have any statistical data concerning how many particular denials there are? Do we know? In other words he indicated that obviously he had a legitimate concern and it took, I don't know just how long, for an appeal or something. Do we have any data that indicates that there is a ten percent denial or a twenty percent denial or anything like that?

Mr. Hodgen responded I believe that yes, Harry Ntapalis, the Risk Manager, does have those types of statistics. I don't know what those facts are.

Chairman Gatsas asked what about if I ask you to bring to this Committee, without an employee's name or identification number or department that they're working in, the last 100 claims and what the turnaround time was for CCMSI to either approve or deny a Workers Compensation claim?

Mr. Hodgen responded I believe that if I ask Harry to provide that information he will.

Chairman Gatsas added and whether the claim was denied, and how long was the appeal, and if the appeal proved the claim at the time. So if you can do the last 100, I think that will give us some idea of what it looks like. And if it's the third party administrator, I think we have an opportunity to go find another third party administrator if it has taken them too long to adjudicate claims for City employees.

Mr. Hodgen stated I'm sure the statistics exist and that they could be compiled, so if that's what the Committee wants, we'll do that.

Alderman Shea asked who benefits when there is a denial? Does the City benefit? Does this third party benefit? Who benefits if there is somebody filing and then there's a denial?

Mr. Hodgen responded I guess you could argue that the City benefits because it does not pay Workers Compensation benefits, and I suppose it forces the employee to use his sick leave or he won't receive any paycheck.

Alderman Shea stated and the third party administrator...

Mr. Hodgen stated the third party administrator gets paid a contracted fee to do it, and I don't believe there is any relationship between approvals and denials. I think we pay them so much per year to administer Workers Compensation claims.

Alderman Shea asked could we find that out too? I'd be interested to know if that's the case.

Mr. Hodgen stated Harry can clarify that.

Alderman Lopez stated I'm looking at 6(F). I guess our policy is the department head in the City controls the whole thing when a person gets hurt, as far as

paperwork and all that, or does Harry take care of that individual from the point that he gets hurt?

Mr. Hodgen responded when an employee is hurt on the job, the department head is required by Workers Compensation law to file a first report of injury and the department forwards that report to Harry Ntapalis' office and he forwards it to CCMSI. They decide if this is clearly an injury that occurred on the job or arose out of job? In which case they pay comp as quickly as they can turn it around. In some cases I think they suspect that it may not be a legitimate claim and they deny compensability, and then, as Alderman Roy says, the employee may have to go hire a lawyer, and so forth.

Alderman Lopez asked Jim, when you got hurt on the job, did you deal with your department head or did you deal with Harry Ntapalis?

Alderman Roy responded first you deal with the department.

Alderman Lopez stated I know that, but I mean after you report it.

Alderman Roy stated after that it was whoever the provider was. I didn't deal with Harry and I didn't deal with anybody from my department. It was someone from the office of CCMSI.

Alderman Lopez stated let me try it this way, David: If I'm on Workers Compensation and I work for this department, once I start receiving my Workers Compensation, do I deal with Harry from that point on, or do I have to go back to my department?

Mr. Hodgen responded I'm not sure that's an easy question. The third party administrator has some responsibilities with regard to therapy and light duty and return to work, and all of those kinds of things. So I think somebody is assigned to the employee to try to get him or her back to work as quickly as possible.

Alderman Pinard asked why did it take so long for the Board of Aldermen to find out the results of the settlement of this case with the police officer? The case was argued on November 8<sup>th</sup>, an opinion issued on December 20<sup>th</sup>, and we had to find out from an Alderman what happened. I was elected by the people to represent the people, and if we don't get first hand information on something like this that's very important to the taxpayers, I don't think it's fair to any of the 14 Aldermen that sit here.

Chairman Gatsas stated and I don't disagree with you for one second. That's why as the chairman of this Committee I'm going to suggest that these Workers

Compensation claims for both medical and wages come before this Committee on a regular basis so that we can...and I guess we've got to do it in executive session, and I know that we took away that threshold and said it was \$75,000 but maybe we need to re-institute it so that we get a better grasp of what's going on.

Mr. Hodgen stated I think the Committee should meet with the Risk Manager and discuss those matters. I don't know if the City Solicitors Office wants to weigh in, so perhaps I'll charge in where angels fear to tread. You should know that once the City received the Supreme Court decision, that there is an ability to file a motion for reconsideration, to ask the Supreme Court to reconsider their decision and the City Solicitors Office did do that, so there is some time available to file a motion for reconsideration. Then the City needs to wait for the Supreme Court to decide whether it will reconsider or not.

Chairman Gatsas stated I don't think that's where Alderman Pinard was going, with all due respect, David. I think what he's saying, and I agree with him...I think if something came before this Board and said that we were looking for \$31,000 and we only paid an individual \$17,000, rational people on this Board might have asked why we were doing this.

Mr. Hodgen stated let me try on that one. I believe the facts are that over the course of this whole event, Lieutenant Stankiewicz received approximately \$31,000 in six leave payments and Workers Compensation payments. Then, because the City took the position that he had been paid twice, the City asked him to pay back the sick leave amount, which my memory says was \$17,000. And my memory may not be clear because it's not my area of responsibility.

Chairman Gatsas asked can we get a clarification or some documentation of what happened so that we all get cleared? I'm sure that Alderman Roy is going on hearsay and some facts, and I just want to make sure that we at least see the facts so that somebody can say if it's \$31,000 or \$17,000. But if it's the way Alderman Roy brought it forward, I think it's unreasonable that we would be looking for \$31,000.

Alderman Roy stated I would welcome the facts to be presented and it's not just hearsay that I'm talking about.

Alderman Pinard stated I think we'd better open up and establish the lines of communication between maybe the City Solicitors Office and maybe the Risk Management and anything like this. Because I don't think it's fair for us Aldermen that represent the people and the people out there are probably waiting for an answer. I think you're on the right track by opening up a meeting and opening up a discussion.

Chairman Gatsas stated I would say that seeing that we just received this this evening, and I don't see the two police officers that were in here to ask us to slow this down, I guess what I will do is ask for a motion to table, get this out to all the interested parties, and see if we can't get this brought up again. But I think that it's imperative that we do this very quickly so that somebody's not in triple dipping because of the lawsuit and the Supreme Court ruling. I'm not looking to have this sit on the table for two months. I think we have a meeting next week, and I think we're back March 5<sup>th</sup>. We'll see if we can schedule another HR meeting, and let's start it early on the day of the meeting so that we can get all the information out.

Alderman Lopez stated I'm not prepared to move it. I like your idea but I'd like to go a little further and maybe this ordinance be given to all the unions and the workers and the non-affiliated so that they know what we're talking about. And when we have that meeting, let them stand here. This goes from 87 percent and it spells everything out...and see what the pros and cons are. I think it's a good thing for all the City employees, in my viewpoint. If we're going to be challenged and go to court every time something comes up, it's going to put things on hold. So I think what we're trying to do, and I agree with the chairman, is that we're trying to make this equal. It seems equal to me. Now some people are going to get around it, like he has indicated, if they're ready to retire and they don't care about losing ten days or twenty days. We have to get the communication out to all the department heads and the union people so that they know what we're doing so we're above board.

Chairman Gatsas stated and I think that was to all interested parties, whoever is covered by Workers Compensation in the City of Manchester.

Mr. Hodgen asked current employees?

Chairman Gatsas responded I don't care if it goes to current employees. If that's what we so choose, let's send it to current employees and let's send it to department heads, and let's make sure everybody has an opportunity to air.

Alderman Pinard asked would it be possible to have someone who is directly involved with Workers Compensation so we can understand properly. I know this afternoon I spent quite a few hours looking at the RSA's that were Workers Compensation. There's pages after pages. So maybe it might be an idea to invite one of the experts from Workers Compensation so that we understand everything that's going on, so we don't get burned at the end of the day.

Chairman Gatsas stated I agree.

Mr. Hodgen stated I suggest that that's Harry Ntapalis. He is the Risk Manager and also sits on the Department of Labor Appeals Board.

Chairman Gatsas stated when he brings forward that report at the next meeting, then we'll sit down and make sure we address whatever questions.

Alderman Shea stated I think it's March 4<sup>th</sup>, not the next Board meeting but the one after that.

Chairman Gatsas stated that's fine. As long as we can get it scheduled before and if we can have the Risk Manager come in with the report, along with the third party administration. I guess we would have him at another meeting, once we look at those 100 claims. And also a copy of an identified item on the Supreme Court case, a very concise line-by-line, one item at a time, so that we can see what the dates were, what the claims were, what the payments were, what was looked to be received and what wasn't, so that there's a very, very, very visual timeline.

On motion of Alderman Garrity, duly seconded by Alderman Shea, it was voted to table this item.

On motion of Alderman Pinard, duly seconded by Alderman Lopez, it was voted to devote the next meeting of this Committee solely to this subject.

There being no further business on motion of Alderman Lopez, duly seconded by Alderman Pinard, it was voted to adjourn.

A True Record. Attest.

Clerk of Committee