



A LOOK BACK AT 2016 WITH WILG

Here's a quick overview of what WILG is doing for Workers' Compensation

Opt Out

- Aided in the defeat of the Oklahoma Opt Out scheme by decision of the Oklahoma Supreme Court
- Participated in the effort to halt the spread of Opt Out to additional states
- Held an Opt Out seminar in Atlanta Georgia, along with the Georgia Injured Workers' Advocates and the Workers' Compensation Claimant Lawyers

- Had a hand in the decision by the Florida Supreme Court which found the Florida Workers' Compensation Act Unconstitutional
- Worked with the National Academy of Social Insurance (NASI) on an Opt Out Round Table
- Initiated and spoke at Pound Institute Opt Out Round Table



Legislative

- Worked alongside members of the U.S. Senate and U.S. House of Representatives to aid in the U.S Department of Labor's renewed interest in the adequacy of state workers' compensation systems. As well as, worked with the staff of Senator Sherrod Brown (D.Ohio) to prepare a federal minimum standards bill for state workers' compensation systems
- Defeated federal legislation (attached to the National Defense Authorization Act of 2017) that would create a new definition of recreational vessel excluding a significant number of injured workers from coverage under the Longshore and Harbor Workers' Compensation Act
- Assisted with DOL and NASI "The State of Workers' Compensation" Forum
- Developed Strategic Summit group to examine the future of workers' compensation and what it means to WILG members and their clients
- Participated in 3 national strategic summits in Florida, Texas and New Mexico, discussing the future of Workers' Compensation
- Assisted 30 states in legislative initiatives and battles



- WILG staff and leadership along with advocates from across the nation, including 43 state trial lawyers associations and coalition groups, met to discuss the impact of the November election on Workers' Rights, Longshore/DBA, Health and Liability issues in order to strategize about how best to protect the rights of all Americans
- Continued working with a diverse group in the workers' compensation community to address legislatively the policies of the Centers for Medicare and Medicaid Services impacting future medical obligations after settlement of a workers' compensation claims is showing signs of significant progress in enacting the Medicare Secondary Payer and Worker's Compensation Settlement Agreements Act
- Identical legislation has been introduced in the U.S House of Representatives, H.R. 2649, and U.S Senate, S. 1514. Dialogue between the committee staffs, our coalition and CMS is continuing in preparation for an attempt to add the bills to other vehicle bills that need to pass before the end of the calendar year
- Presented testimony to the New York State Assembly on Labor & Workplace Safety. The purpose of the hearing was "to examine best practices for workplace safety programs and evaluate opportunities for additional worker training"



Amicus

•Jonnie Yvonne Vasquez vs. Dillard's Inc. Case No. 114810, In the Supreme Court of the State of Oklahoma.

WILG's brief examined what is the significance and the practical implications of the Oklahoma Employee Benefit Act, otherwise known as the Opt-Out Plan, if it withstands the constitutional challenge

•Wilkes v. City of Greenville, NO. 368P15 (North Carolina Supreme Court)

Whether the Court of Appeals correctly applied the Parsons'/Perez' Presumption under the facts of this case? Whether the Court of Appeals properly applied the law of this State when it awarded disability benefits to Mr. Wilkes, in light of the Russell factors?

•Stahl, Petitioner vs. Hialeah Hospital and Sedgwick Claims Management Services No. 16-98

The issue presented here is whether specific provisions of the Florida Workers' Compensation Law, contained in Chapter 440, as set forth herein, are facially unconstitutional because they deny Due Process in violation of the Fourteenth Amendment of the United States Constitution

Media / Public Relations

- Released in conjunction with Work Comp Central a special report titled "The Uncompensated Worker: The Financial Impact of Workers' Comp on Injured Workers and Their Families"
- Fielded approximately 100 media calls providing background information or direct quotes
- Presented at 20 different organizations across the United States
- Increased social media presence through an increase in content, followers and participation on Facebook, Twitter and LinkedIn
- Spoke at the Black Lung National Coalition Conference



Practical Assets

- Held WILG 2016 Annual Convention at the Boulders in Carefree, Arizona featuring CLE topics on Workers' Compensation, FECA, Longshore, Black Lung, Social Security, Representing Immigrant Workers and Wage & Hour
- Held two Regional events in the Southeast and began planning for expansion of regional programs in the Northwest and Northeast
- Expanded membership into every state across the country



- Expanded and revitalized WILG Paralegal program
- Developed the WILG Top Injured Workers' Advocates Program to recognize legal staff
- Reinvigorated WILG.org with a new President's Message Page, E-Newsletter Archive Page, live Blog Feed, and Injured Worker Resource Page aimed at providing information and assistance to the public
- Increased WILG Staff

FECA

- Merged the WILG FECA section with FLAG (FECA Law & Advocacy Group) forming a cohesive group
- Held a full day of seminars at the 2016 WILG Annual Convention in Arizona with presentations by Adam Calendrillo (Chief of the Branch of Regulations & Procedure, OWCP) and Catherine Carter (Counsel for Claims and Compensation, USDOL Solicitor's Office, FEWC Division)
- Conducted meetings in Washington, DC with OWCP and ECAB officials, GAO staff, union leaders, and Hill staffers on both the House and Senate sides about FECA issues
- Continued work on ECAB research project



Longshore

- WILG Longshore Section swiftly responded to an amendment to the Longshore & Harbor Workers' Compensation Act Section 3512 of the Defense Authorization Act (HR 4909/S. 2943)
- Held Annual Longshore Conference in New Orleans, LA providing a plaintiff's only follow up on the ALC and conducted 2 full days of Longshore CLE at the 2016 WILG Annual Convention in Arizona
- Met with the Office of Workers' Compensation Programs, Department of Labor and congressional members in Washington, DC