



Montana

Department of Labor and Industry

Commissioner's Office

BRIAN SCHWEITZER, GOVERNOR
KEITH KELLY, COMMISSIONER

Agency Order establishing the Labor-Management Advisory Council on Workers' Compensation

WHEREAS, recent media reports have cited high workers' compensation premiums in Montana as compared to other states.

WHEREAS, Governor Schweitzer requested Lieutenant Governor Bohlinger to establish the Workers' Compensation Study Project to conduct a study of and gather information on the Montana workers' compensation system as compared to other selected states.

WHEREAS, the scope of the Workers' Compensation Study Project does not include making recommendations for changes to Montana's system.

WHEREAS, other states have experienced significant success in modifying their workers' compensation systems by using an advisory council made up of labor and management representatives to suggest changes to their workers' compensation system.


NOW THEREFORE, I, Keith Kelly, Commissioner of Labor and Industry ("Commissioner"), hereby create the Labor-Management Advisory Council on Workers' Compensation within the Department of Labor and Industry effective December 1, 2008, in accordance with the provisions of section 2-15-122, MCA.

- I. Purpose: The purpose of the advisory council is to evaluate the findings by the Workers' Compensation Study Project, identify problems with Montana's workers' compensation system, and recommend solutions to the Commissioner. The advisory council will gather information, furnish advice, and make recommendations on workers' compensation to the Commissioner in order to facilitate education, promote mutual cooperation between labor and management, and improve the workers' compensation system in Montana.
- II. Composition: Membership will consist of five representatives of employers, five representatives of employees, the Lt. Governor, and the Employment Relations Division Administrator, who shall be a non-voting member. Each member has one vote. The Lt. Governor will serve as chair of the advisory council. The members of the advisory council are as listed in Attachment A.
- III. Structure: A majority of the membership constitutes a quorum to do business. A favorable vote of at least a majority of the representatives of employers and a majority of the representatives of employees and the vote of the Lt. Governor is required to adopt any resolution, motion, or other decision. The advisory council will meet at least quarterly.

IV. Duration: The advisory council shall terminate on December 1, 2010. This order is effective immediately upon signing.

V. Approval:

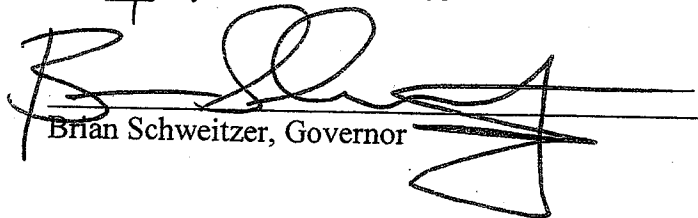
Approved this 3rd day of Dec., 2008



Keith Kelly, Commissioner of Labor and Industry

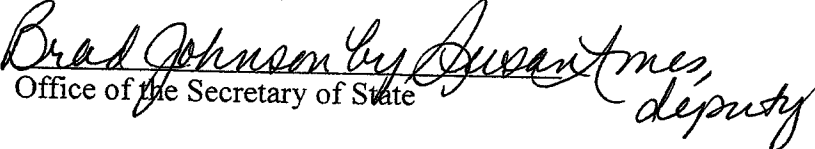
I, Brian Schweitzer, Governor of the State of Montana, pursuant to authority vested in me by § 2-15-122, MCA, do hereby approve the creation of the Labor-Management Advisory Council on Workers' Compensation within the Department of Labor and Industry as requested by Keith Kelly, Commissioner of the Department of Labor and Industry.

Given under my hand and the
Great Seal of the State of Montana
this 4 day of December 2008



Brian Schweitzer, Governor

Accepted for filing by:



Office of the Secretary of State *deputy*