

BRUYNS Fred H * DCBS

From: Chris Frost <cfrost@tcnf.legal>
Sent: Thursday, October 26, 2017 5:08 PM
To: BRUYNS Fred H * DCBS
Subject: Rule making meeting on Rate Change 10-27
Attachments: Richard Poland Letter.pdf

Fred,
Please insert this injured worker's letter into the record for tomorrow's meeting.

Thanks!

Chris Frost

THOMAS, COON, NEWTON & FROST

PORTLAND LAW FIRM SINCE 1980

Personal Injury • Social Security Disability • Workers' Compensation

820 SW Second Avenue, Suite 200
Portland, OR 97204
503.228.5222
Fax 503.273.9175
cfrost@tcnf.legal
www.tcnf.legal

[Click Here To Send Me Files Securely](#)

This communication is privileged, confidential and intended for the designated recipient only. If you receive a copy in error, please send it back and delete your copy.

From: BRUYNS Fred H * DCBS [<mailto:Fred.H.Bruyns@oregon.gov>]
Sent: Friday, October 20, 2017 11:48 AM
To: BRUYNS Fred H * DCBS <Fred.H.Bruyns@oregon.gov>
Cc: SAVAGE Louis D * DCBS <Louis.D.Savage@oregon.gov>; COEN Sally C * DCBS <Sally.C.Coen@oregon.gov>; BREITENSTEIN Adam J * DCBS <Adam.J.Breitenstein@oregon.gov>; BELCHER Barbara * DCBS <Barbara.Belcher@oregon.gov>; PAINTER Troy J * DCBS <Troy.J.Painter@oregon.gov>; FLOOD Jennifer R * DCBS <Jennifer.R.Flood@oregon.gov>; FILSINGER Cara L * DCBS <Cara.L.Filsinger@oregon.gov>; CLARK Christopher M * DCBS <Christopher.M.Clark@oregon.gov>; HOWARD Karen * DCBS <Karen.Howard@oregon.gov>; KARMA Daneka A * DCBS <Daneka.A.Karma@oregon.gov>
Subject: Agenda for rulemaking advisory committee meeting on 10-27

Hello everyone,

Thank you for your interest in OAR 436-060-0025, Rate of Temporary Disability Compensation. Please join us for discussion of this rule:

Oct. 27, 8:30 a.m., Pacific Daylight Time
Room F (basement), Labor and Industries Building, 350 Winter Street NE, Salem, Oregon
Teleconference: 1-213-787-0529 | Access code: 9221262#

The agenda for our meeting is posted here: <http://wcd.oregon.gov/laws/Documents/rule-meetings/2017/2017-10-27-060-0025/RAC-agenda-2017-10-27.pdf>. Included with the agenda are draft revisions to rule 0025.

Please contact me if you have questions. I look forward to talking with you next Friday!

Fred Bruyns, policy analyst/rules coordinator
Department of Consumer and Business Services
Workers' Compensation Division
503-947-7717; fax 503-947-7514
Email: fred.h.bruyns@oregon.gov

community
Workers' Compensation
How is Our Service? Take a Short [Survey](#)

October 23, 2017

To Whom It May Concern:

My name is Richard Poland. I am a commercial glazier for Culver Glass. On February 2, 2017, I fell off a ladder and got hurt. SAIF accepted my claim. Part of this claim is a labral tear in my hip. I am now scheduled for surgery to fix this tear. I have missed a lot of work because of this injury and I know I will miss a lot more. SAIF is paying 2/3 of my lost wages while I cannot work.

As a glazer, I get to be in the Glaziers, Architectural Metal & Glass Workers Local Union Number 740. My union negotiates our wage and benefits package. One part of this package is that we receive pay increases every six months.

In February 2016 (1 year before my injury), I was making \$33.41 per hour. Then in July 2016 (7 months before my injury) I received a raise to \$34.65. Then in January 2017 (1 month before my injury), I got a raise to \$35.64.

I have been told that SAIF now finds out how much I should make by averaging out all of my wages from the year before my injury. That is not fair because if I never got hurt, I would be making \$35.64 per hour (and more with the new raises). Not the average of my wages over the past year when I was \$1 and \$2 less per hour.

I have been told that that if SAIF didn't use new rules, I would be receiving \$100 more in every one of my checks from SAIF every two weeks. \$100 may not seem like very much to you, but when you are living on 2/3 of what you are used to, that \$100 can make a big difference.

I am asking you to help make SAIF use the old rules that were fairer instead of the new rules that allows SAIF to pay me less.

Thank you.

Sincerely,

Richard Poland

