



NORTH CAROLINA INDUSTRIAL COMMISSION

January 2021 Quarterly Update

Full Commission Section and General/ Administrative Updates

- Law Clerk April Gladkin has been named the Full Commission's Lead Law Clerk and Trial Court Administrator.
- Consistent with the January 14, 2021 Order of the Chief Justice of the Supreme Court of North Carolina, the Industrial Commission has reverted to its mediation and hearing policies that existed prior to the December 14, 2020 Order of the Chief Justice of the Supreme Court of North Carolina. Currently, all Industrial Commission mediations shall be conducted remotely, unless all parties and persons required to attend the mediation, including the mediator, agree to conduct the mediation in person, or unless the Industrial Commission orders that the mediation be conducted in person. Additionally, all Deputy Commissioner hearings will be conducted remotely via Webex videoconference, unless the Deputy Commissioner grants an in-person hearing upon a showing of good cause as to why an in-person hearing should be allowed. If a party believes that a case is neither appropriate for a Webex hearing nor appropriate to be heard in person at the present time, the party may file a motion to temporarily remove the case from the hearing docket with the presiding Deputy Commissioner. Full Commission hearings will continue to be conducted via Microsoft Teams videoconference. The Commission also will continue to accept written affirmations without notarization, so long as the subscriber affirms the truth of the matter to be verified in substantially the same language as that allowed by Emergency Directive 5 (*"I (we) affirm, under the penalties for perjury, that the foregoing representation(s) is (are) true. (Signed)_____."*).
- Seven rule amendments and one new rule went into effect 12/1/20. A copy of these rules can be found at: <http://www.ic.nc.gov/Rules%20Effective%2012-1-20.pdf>. Nine rule amendments will go into effect 3/1/21. A copy of these rules can be found at: <http://www.ic.nc.gov/Rules%20Effective%203-1-21.pdf>.

- Temporary rule 11 NCAC 23E .302, which allows the Commission to waive or modify its rules to bring them in conformity with an emergency order or directive of the Chief Justice of the North Carolina Supreme Court goes into effect 1/29/21.

Deputy Commissioner Section

- Chair Baddour has designated Tammy R. Nance as Chief Deputy Commissioner. Nance also will continue to serve as the Director of Claims Administration until a new Director is hired.
- The Deputy Commissioner Section is pleased to welcome Larry D. Hall as a Deputy Commissioner. Hall comes to the Commission with a long history of distinguished public service, most recently serving as the Secretary of the North Carolina Department of Military and Veterans Affairs. He previously represented Durham County for ten years in the North Carolina House of Representatives, where he served as the House Minority Leader during his final four years. Hall maintained a private law practice in Durham prior to and during his terms in the General Assembly, with a focus on business, employment, and personal injury law.
- To help parties prepare for hearings during the pandemic, the Commission has created two short video tutorials featuring Deputy Commissioner Kevin V. Howell to help answer some common questions about Webex hearings. To view these tutorials and other Deputy Commissioner hearing presentations, go to the “Sections” tab on the IC website homepage, click on the “Deputy Commissioners” tab, and then click on “Deputy Commissioner Hearing Presentations on Webex and Other Practical Tips” (under the Deputy Links column on the right side of the Deputy Commissioners Section page).