



# NORTH CAROLINA INDUSTRIAL COMMISSION

## August 2020 Quarterly Update

- The Commission's 25<sup>th</sup> Annual North Carolina Workers' Compensation Educational Conference will be held this year as a purely virtual event. This year's agenda includes a discussion of the 2011 legislative changes and extended compensation claims under G.S. 97-29(c), as well as several presentations specifically related to the pandemic (including suitable employment and return-to-work issues in 2020, work-related injuries and telecommuting, and COVID-19 compensability). A demonstration of the Commission's new case management system also will be offered. The initial presentation of each session will be pre-recorded for quality assurance, but it will be followed by a period of live Q&A with the presenter(s). Sessions will be available online for on-demand viewing following the scheduled presentation and continuing through October 30, 2020. Attorneys attending the conference will receive Continuing Legal Education credits.
- Stakeholders in the workers' compensation system can now receive important Industrial Commission updates by email. For stakeholders who have previously subscribed to the Commission's NCIC Updates mailing list, nothing needs to be done in order to begin receiving the new NCIC Updates by email. Stakeholders whose email address is not in the Commission's database can subscribe to the NCIC Updates by clicking on "Subscribe to receive NCIC Updates via email" under "Quick Links" on the Home Page of the Commission's website. Stakeholders who receive an NCIC Update email but wish to unsubscribe can do so by clicking on the "Unsubscribe" link in the email.
- The Commission adopted an emergency amendment to Rule 11 NCAC 23G .0104, which was approved by the Codifier of Rules and became effective June 16, 2020. Under the emergency rule amendment, 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 following a motion filed pursuant to Rule 11 NCAC 23G .0104(b) and Rule 11 NCAC 23G .0111. The Commission simultaneously initiated temporary rulemaking to adopt the same changes prior to the expiration of the emergency

provision. The public hearing on the rule was held on June 25, 2020, and the comment period ended on July 8, 2020. On August 6, 2020, the Commission adopted the temporary rule with some non-substantial changes for clarification and consistency. The Rules Review Commission approved the temporary rule, with technical corrections, at its August 20, 2020 meeting. The approved temporary rule will go into effect on August 28, 2020. A copy of the approved temporary rule can be found on the Rules page and under the Latest News tab on the Commission's website.

- The Commission continues to issue guidelines and institute policies in response to the COVID-19 pandemic to help protect public health and safety while enabling the workers' compensation system to function as efficiently as possible. The Commission recently published Webex instructions for Deputy Commissioner hearings. Additionally, when an in-person hearing is approved by the Deputy Commissioner for good cause, the Commission has adopted health and safety guidelines that apply to all participants. All Commission guidelines and policies issued in response to the pandemic can be found on the Commission's website.