



MEMORANDUM

Prepared for: Oregon State Senate
Date: October 27, 2021
By: Leslie Porter, Analyst
Re: Legislative Review of Executive Appointments

LPRO: LEGISLATIVE POLICY AND RESEARCH OFFICE

WORKERS' COMPENSATION BOARD

The Governor has appointed the following individual to the Workers' Compensation Board subject to Senate confirmation.¹

Appointee

Roger Ousey of Keizer; Reappointment

Term

May 3, 2021 – January 12, 2024

Appointment/Confirmation Authority

[ORS 656.712 \(2019\)](#)

Statement of Economic Interest²

Required.

Statutory Requirements³

The board consists of five members appointed by the Governor and subject to confirmation by the Senate.⁴ Not more than three members may belong to one political party and must be appointed to fairly represent the interests of all concerned. All board members must impartially apply the law in each case and may not represent any special interest. At least two members must be selected from among persons with background and understanding as to the concerns of employers (CUREY (D), WOODFORD) and at least two members of the board must be selected from among persons with background and understanding as to the concerns of employees (CEJA, **OUSEY (D)**). One member must represent the interests of the public and serve as the board chairperson (WOLD (D)).

No member may hold any other office or position of profit or pursue any other business or vocation or serve on or under any committee of any political party.⁵ Before entering on the duties of office, each member must take and subscribe to an oath or affirmation and execute a bond payable to the state and conditioned on the faithful discharge of the duties of the office.

¹ [Or. Const. art. III sect. 4](#), [ORS 171.562 \(2019\)](#) and [171.565 \(2019\)](#).

² [ORS 244.050 \(2019\)](#).

³ [ORS 182.100 \(2019\)](#) for affirmative action policy and [ORS 236.115 \(2019\)](#) for diversity criteria.

⁴ [ORS 656.712 \(2019\)](#).

⁵ [ORS 656.716 \(2019\)](#).

Members serve four-year terms from the date of appointment and qualification. Each member holds office until a successor is appointed and qualified. The Governor may at any time remove a member for inefficiency, neglect of duty, or malfeasance in office after providing a copy of the charges and an opportunity for a hearing.⁶ A majority of the board's members constitutes a quorum for the transaction of business.⁷ No vacancy may impair the right of the remaining members to exercise all the powers of the board.

Duties and Authority

The board provides timely and impartial resolution of disputes arising under Oregon Workers' Compensation Law and the Oregon Safe Employment Act.⁸ The chairperson supervises and manages the board and the Hearings Division, in which administrative law judges (ALJs) conduct contested case hearings and provide alternative dispute resolution.⁹

The board must:¹⁰

- review and approve or deny claim disposition agreements;
- adopt rules and standards for the administration of specified statutory duties;
- receive requests for hearings and refer to an ALJ for determination;
- receive and adjudicate appealed orders of ALJs; and
- consult with the chairperson on the administration of the Hearings Division.

The board may:¹¹

- exercise own motion jurisdiction of all claims within the board's authority;
- impose sanctions for an appeal or motion which the board finds is frivolous or filed in bad faith;
- hold sessions at any place within the state;
- administer oaths;
- issue and serve by the board's representatives, or by any sheriff, subpoenas for the attendance of witnesses and the production of papers, contracts, books, accounts, documents, and testimony;
- generally provide for the taking of testimony and for the recording of proceedings; and
- make and declare all rules which are reasonably required in the performance of its duties.

⁶ [ORS 656.714 \(2019\)](#).

⁷ [ORS 656.718 \(2019\)](#).

⁸ Workers' Compensation Board, *About Us*, <https://www.oregon.gov/wcb/Pages/about.aspx> (last visited August 5, 2020).

⁹ [ORS 656.726 \(2019\)](#).

¹⁰ [ORS 656.206 to 656.740 \(2019\)](#).

¹¹ [ORS 656.236 to 656.726 \(2019\)](#).

Executive Appointments Board Roster

Workers' Compensation Board

Agency: None
Authorization: ORS 656.712
Members: Min: 5 Max: 5
Term Length: 4 years Limit: None
Senate confirmation required? Yes
Paid Position: Yes

Policy Area: Labor/Trades

Board Contact:

Kayleen Swift
2601 25th Street SE, Suite 150
Salem, OR 97302
503-934-0123
Fax: 503-373-1684
kayleen.r.swift@oregon.gov
Katy.E.Gunville@oregon.gov

Current Appointments:

Member Name and Address (Alphabetical)

Moises R Ceja Employee Representative; not a member of a party Term(s): 05-14-2021 - 05-13-2025	Position Number: 3
---	--------------------

Sally A Curey, JD Employer Rep; Democrat Term(s): 06-01-2018 - 05-31-2022 06-01-2014 - 05-31-2018	Position Number: 2
--	--------------------

Roger W Ousey Employee Rep.; Democrat Term(s): 05-03-2021 - 05-02-2025 05-03-2017 - 05-02-2021	Position Number: 5
---	--------------------

Roger W Ousey Employee Rep- Democrat Term(s): 05-03-2021 - 05-02-2025 05-03-2017 - 05-02-2021	Position Number: 5
--	--------------------

Connie Wold, Chair Public Member, Democrat Term(s): 09-25-2019 - 09-24-2023 09-25-2017 - 09-24-2019	Position Number: 1
--	--------------------

Barbara A Woodford not a member of a party Term(s): 06-01-2018 - 05-31-2022	Position Number: 4
---	--------------------