

1       **Workers' Compensation Full Board Meeting Minutes**

2  
3       **Date:**                Tuesday, July 15, 2025  
4       **Location:**        328 State Street, Schenectady, NY  
5                               Room 324  
6                               Webcast Live

7       **Time:**             10:00 a.m.

8       **MEMBERS OF THE BOARD**

9       Freida Foster, Chair  
10      Mark Higgins  
11      Samuel Williams  
12      Clarissa Rodriguez, Esq.  
13      Steven A. Crain, Esq.  
14      Pamela Caggianelli  
15      Martin M. Dilan  
16      Renee Delgado, Esq.  
17      Gloribelle Perez, Esq.  
18      Robert Bergin, Esq.  
19      Peter DeJesus Jr.  
20      Maria Matos, Esq.  
21      Gina Sillitti

22      **SECRETARY TO THE BOARD**

23      Laura Inglis

24      **GENERAL COUNSEL**

      Keith Longden, Esq.

**ASSISTANT ATTORNEY**

      Benjamin Jacobs, Esq.

1 CLARISSA RODRIGUEZ: Good morning, everyone.

2 ALL: Morning.

3 CLARISSA RODRIGUEZ: Welcome. My name is  
4 Clarissa Rodriguez, former Chair of the New York State  
5 Workers' Compensation Board. Before we start the  
6 meeting, as many of you know, Freida has been a Board  
7 member since 2009 and Vice Chair since 2019.

8 In the 16 years she has served on the Board,  
9 Freida has reviewed tens of thousands of workers'  
10 compensation appeals and helped the agency's efforts  
11 to modernize its systems and processes. She also had  
12 an important role in implementing New York State Paid  
13 Family Leave and is assisting the Chair with overall  
14 day-to-day oversight and management of the agency and  
15 the Full Board.

16 Freida has decades of professional experience in  
17 the areas of education, government, civic service and  
18 public relations. Prior to joining the Workers'  
19 Compensation Board, she was a public relations  
20 specialist at Bunson -- Burson-Marsteller where she  
21 managed the firm's largest account, Help America Vote  
22 Act, and organized the citywide education campaign for  
23 New York City's voting system transition from manual  
24 to electronic machines. She has created and organized

1 many state-level initiatives, including being a  
2 founding creator of the New York State's comprehensive  
3 celebration of the Martin Luther King, Jr. holiday  
4 drives.

5 Freida has held membership on several boards, all  
6 with a focus on community and/or civic service as well  
7 as student leadership. She currently serves as Chair  
8 of the Harlem Community Development Corporation Board  
9 of Directors and for the CUNY School of Public Health  
10 Advisory Board. Additionally, she sits on the  
11 Community Advisory Board for Channel 13, WLIW.

12 Previously, she served as a trustee for the City  
13 University of New York from 2006 to 2016 helping  
14 oversee campus management trustees for the New York  
15 City Employee Retirement System, trustee for the  
16 Teacher's Retirement System, member of the New York  
17 City Department of Education's panels for educational  
18 policy and Board member for the Coro Leadership  
19 Council, among others.

20 A lifelong Harlem resident, Freida holds a  
21 master's in corporate communications from the  
22 University of Wisconsin and a BA in communications  
23 from Hofstra University. Why am I telling you all of  
24 this? Because I want you to help me in congratulating

1 and supportive -- supporting our now Chair of the  
2 Board, Freida Foster, in her new role.  
3 Congratulations. (Audio fades) the passing of the  
4 gavel. Thank you very much.

5 FREIDA FOSTER: Thank you so much.

6 CLARISSA RODRIGUEZ: Thank you. I'm so  
7 proud of you and I'm so happy for the Board.

8 FREIDA FOSTER: Thank you. Oh, gosh.  
9 Thank you very much, everyone. Thank you, Clarissa.  
10 And good morning and welcome, everyone.

11 CLARISSA RODRIGUEZ: And now I'm going to  
12 take my proper seat.

13 FREIDA FOSTER: Okay. Thank you very much.  
14 All right. And before we begin with the official  
15 order of business, I want to take a personal privilege  
16 to recognize and thank former Chair,  
17 Clarissa Rodriguez, for her seven years of dedicated  
18 service as Chair. And although she stepped down from  
19 the post last month, she still loves us so much that  
20 she hasn't gone very far and we are very fortunate to  
21 have her still around the table to work with. So  
22 thank you, Clarissa.

23 Well, my name is Freida Foster and I am the new  
24 Chair of the New York State Workers' Compensation

1 Board. And today's Full Board meeting is being  
2 webcast live for members of the public. It's also  
3 facilitated by an American Sign Language interpreter.  
4 Welcome to you all and thank you for joining us.

5 There's been a few more changes here at the Board  
6 and we are -- we welcome our four new Board members  
7 who are joining us today for their very first meeting.  
8 Starting from this side of the table, I welcome our  
9 new colleagues to introduce themselves.

10 ROBERT BERGIN: Yes. I -- I'm Bob Bergin.  
11 I was just appointed to the Board by the Governor, who  
12 I thank very much for that. And my background is of a  
13 lawyer. I was in private practice. I worked in the  
14 utility business. I was Corporation Counsel for the  
15 City of Rochester. And those jobs give me some  
16 perspective on employees from small business to large.  
17 And I hope to provide that experience and be a  
18 complement to this Board. Thank you.

19 FREIDA FOSTER: Thank you.

20 GINA SILLITTI: All right. Good morning,  
21 everyone. My name is Gina Sillitti. Prior to coming  
22 to the Board, I was a member of the New York State  
23 Assembly, but even prior to that, I've had 21 years of  
24 service in government. I'm so grateful for the

1 Governor for this opportunity to continue to serve the  
2 people of New York. So thank you so much and I'm  
3 excited to get to work.

4 FREIDA FOSTER: Thank you.

5 PETER DEJESUS: Good morning, everyone.

6 Peter DeJesus, Jr. from Buffalo, New York. I spent  
7 the last two decades in a number of positions within  
8 the labor movement, most recently as president of the  
9 Western New York Area Labor Federation and also  
10 political coordinator for 1199. So I'm looking  
11 forward to -- to working with everyone. I thank the  
12 Governor for the opportunity to continue to serve the  
13 great State of New York. So thank you.

14 MARIA MATOS: I am Maria Matos and I am a  
15 mom, a lifetime New Yorker, and I've been a public  
16 servant for over two decades. And I am very -- I'm --  
17 I'm humbled and grateful to the Governor of our great  
18 state and to the Senate for their confirmation. And I  
19 look forward to continue to serve the people in the  
20 State of New York. And I believe that public service  
21 is the greatest honor, and thank you for the  
22 opportunity. I look forward to rolling up my sleeves  
23 and working with my fellow Board members.

24 FREIDA FOSTER: Thank you. Thank you to you

1 all. We are very happy you are here and we look  
2 forward to working with you.

3 GINA SILLITTI: Thank you.

4 FREIDA FOSTER: With that, now I am honored  
5 to Chair the 1,045th meeting of the Full Board and I  
6 now call this meeting to order. Madam Secretary, roll  
7 call, please.

8 LAURA INGLIS: Board Member Higgins.

9 MARK HIGGINS: Here.

10 LAURA INGLIS: Board Member Williams.

11 SAMUEL WILLIAMS: Here.

12 LAURA INGLIS: Board Member Rodriguez.

13 CLARISSA RODRIGUEZ: Here.

14 LAURA INGLIS: Board Member Crain.

15 STEVEN CRAIN: Here.

16 LAURA INGLIS: Board Member Caggianelli.

17 PAMELA CAGGIANELLI: Here.

18 LAURA INGLIS: Board Member Dilan.

19 MARTIN DILAN: Here.

20 LAURA INGLIS: Board Member Delgado.

21 RENEE DELGADO: Here.

22 LAURA INGLIS: Board Member Perez.

23 GLORIBELLE PEREZ: Here.

24 LAURA INGLIS: Board Member Bergin.

1 ROBERT BERGIN: Here.

2 LAURA INGLIS: Board Member DeJesus.

3 PETER DEJESUS: Here.

4 LAURA INGLIS: Board Member Matos.

5 MARIA MATOS: Here.

6 LAURA INGLIS: And Board Member Sillitti.

7 GINA SILLITTI: Here.

8 LAURA INGLIS: And we have the Full Board.

9 FREIDA FOSTER: Thank you very much. Agenda

10 Item Number 1, approval of the June 17, 2025

11 meeting -- meeting minutes. You've all received a

12 copy for review. Are there any questions or a need

13 for discussion? May I have a motion to approve the

14 minutes?

15 MARK HIGGINS: Yes, Madam Chair. Board

16 Member Mark Higgins, and I move that we approve the

17 minutes of the last meeting.

18 FREIDA FOSTER: Thank you, Board Member

19 Higgins. Is there a second?

20 PAMELA CAGGIANELLI: Madam Chair, this is

21 Board Member Caggianelli and I second that motion.

22 FREIDA FOSTER: Thank you, Board Member

23 Caggianelli. Is there any opposition? All right.

24 All those in favor?



1 ALL: Aye.

2 FREIDA FOSTER: Any opposed? All right. I  
3 am also a yes and that motion passes. Item Agenda  
4 Number 2, Office of General Counsel's Departmental  
5 Report. Keith will present the Office of General  
6 Counsel's Departmental report for June.

7 KEITH LONGDEN: Thank you very much, Madam  
8 Chair, and congratulations.

9 FREIDA FOSTER: Thank you very much.

10 KEITH LONGDEN: As every month, I'm going to  
11 give a brief statistical analysis from last month of  
12 the workflow of the three divisions in the Office of  
13 General Counsel that decide cases.

14 So June 2025 the Adjudication Division held  
15 16,650 hearings, resolved 10,593 cases at hearing and  
16 issued 412 Reserved Decisions. They also held 1,290  
17 Pre-Hearing Conferences, finalized 1,983 Section 32  
18 Waiver Agreements, and of those, 1,583 were decided at  
19 hearing and 400 were approved via a desk review.

20 The Administrative Review Division received 1,004  
21 applications, processed 1,018 applications for an  
22 end-of-month inventory of 8,515 cases. And finally,  
23 the Legal Affairs Division received 97 applications  
24 for a Full Board Review during the month, processed 61

1 applications for Full Board Review with an  
2 end-of-month inventory of 3 -- 236 cases. And that  
3 concludes my report. Thank you.

4 FREIDA FOSTER: Thank you very much for that  
5 report. Is there any need for discussion? All right.  
6 May I have a motion for approval of the departmental  
7 report?

8 STEVEN CRAIN: Board Member Crain, motion to  
9 approve the report.

10 FREIDA FOSTER: Thank you. Thank you, Board  
11 Member Crain. Is there a second?

12 GLORIBELLE PEREZ: Board Member Perez. I  
13 second that motion.

14 FREIDA FOSTER: Thank you, Board Member  
15 Perez. Is there any opposition? All in favor?

16 ALL: Aye.

17 FREIDA FOSTER: Any opposed? I'm also a  
18 yes. That motion passes. Agenda Item Number 3,  
19 Assistant Attorney Benjamin Jacobs will now present  
20 Licensing Applications.

21 BENJAMIN JACOBS: Good morning, Madam Chair,  
22 Board Members and colleagues. You have before you the  
23 recommendations from the Assigned Board Panel  
24 regarding the Licensing Application listed in Part 3

1 of today's agenda. Under Section 24-a, Mark Tabakman,  
2 three-year renewal. Under Section 50(3-b), Benetech,  
3 Incorporated, qualifying officer, Michael J. Keenan,  
4 Esquire, three-year renewal, and First Unum Life  
5 Insurance Company, qualifying officer, Mark A. Konkell,  
6 Esquire, three-year renewal. And under Section  
7 50(3-d), UPMC Benefit Management Services,  
8 Incorporated, qualifying officer, Christopher Whyland,  
9 Esquire, three-year renewal. I present these  
10 recommendations to the Board for your consideration.  
11 Thank you.

12 FREIDA FOSTER: Thank you very much. Are  
13 there any questions or need for a discussion? May I  
14 have a motion for approval?

15 CLARISSA RODRIGUEZ: Yes, Madam Chair. I  
16 move to accept the licensing recommendations.

17 FREIDA FOSTER: Thank you, Board Member  
18 Rodriguez. Is there a second?

19 PAMELA CAGGIANELLI: Yes, Madam Chair. This  
20 is Board Member Caggianelli and I second that.

21 FREIDA FOSTER: Thank you very much. Is  
22 there any opposition? All in favor?

23 ALL: Aye.

24 FREIDA FOSTER: Any opposed? I'm also a

1           yes. That motion passes. Back again to Legal  
2           Appeals. Keith will now present the recommendations  
3           concerning decisions for the Appellate Division.

4           KEITH LONGDEN:       Thank you, Madam Chair. On  
5           this month's agenda, we have four decisions of the  
6           Appellate Division Third Department, which are in  
7           Items 4A through 4D on your agenda. It's the  
8           recommendation of the Office of General Counsel that  
9           all the Board decisions be adopted as the decision of  
10          the Full Board.

11          FREIDA FOSTER:       Thank you very much. May I  
12          have a motion to accept the recommendations of the  
13          Office of General Counsel?

14          SAMUEL WILLIAMS:     Madam Chair, this is Board  
15          Member Williams, and I move that we accept the  
16          recommendation.

17          FREIDA FOSTER:       Thank you very much, Board  
18          Member Williams. Is there a second?

19          PETER DEJESUS:       Madam Chair, I'm Board  
20          Member DeJesus, and I second that motion.

21          FREIDA FOSTER:       Thank you very much, Board  
22          Member DeJesus. Is there any opposition? All right.  
23          May -- hearing none, all those in favor?

24          ALL:        Aye.

1                   FREIDA FOSTER:       Any opposed? I am also a  
2                   yes. That motion passes. Item 5, there are no  
3                   mandatories to discuss this month. So with Item 6,  
4                   Discretionary Full Board Review, I now turn this  
5                   portion over to Board Member Renee Delgado.

6                   RENEE DELGADO:       Thank you, Madam Chair. For  
7                   the case listed in Item 6 on your agenda, it has been  
8                   recommended that Full Board Review be granted. That  
9                   case is Item 6A, Case Number G3742193, Matter of New  
10                  York City Transit Authority. I move to refer the case  
11                  back to the respective Panel for further  
12                  consideration.

13                  FREIDA FOSTER:       Thank you very much. Is  
14                  there a second?

15                  MARTIN DILAN:       Board Member Dilan, and I  
16                  second the motion.

17                  FREIDA FOSTER:       Thank you, Board Member  
18                  Dilan. Does anyone need to be recused from this case?  
19                  Is there any opposition? All right. Hearing --  
20                  hearing none, I am -- I am -- all in favor?

21                  ALL:            Aye.

22                  FREIDA FOSTER:       Any opposed? I am also a  
23                  yes. That motion passes. Any other business?  
24                  Hearing none, may I have a motion to adjourn?

1                    MARIA MATOS:        Board Member Matos, I -- I  
2                    move to adjourn the meeting.  
3                    FREIDA FOSTER:        Have a second?  
4                    ROBERT BERGIN:        Board Member Bergin.  
5                    FREIDA FOSTER:        All right.  
6                    ROBERT BERGIN:        I second the motion.  
7                    FREIDA FOSTER:        Very nice. Is there any  
8                    opposition? Hearing none, all in favor?  
9                    ALL:            Aye.  
10                    FREIDA FOSTER:        Any opposed? I am also a  
11                    yes. The motion passes and this meeting is adjourned.  
12                    Have a great day, everyone.  
13                    WHEREUPON THE MEETING WAS ADJOURNED.  
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