

1 Workers' Compensation Full Board Meeting Minutes

2 **Date:** Tuesday, May 19, 2026

3 **Location:** 328 State St., Schenectady, NY
4 Room 324
5 Webcast Live

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

7 **MEMBERS OF THE BOARD**

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

21 **SECRETARY TO THE BOARD**

22 Laura Inglis

23 **DEPUTY GENERAL COUNSEL**

24 Keith Longden, Esq.

ASSOCIATE ATTORNEY

Heather Justice, Esq.

1 FREIDA FOSTER: Good morning, welcome
2 everyone. Thank you for joining us. I'm Freida
3 Foster, Chair of the New York State Workers'
4 Compensation Board. And today's Full Board meeting is
5 being webcast live for members of the public. Welcome
6 to everyone. It is also facilitated by an American
7 Sign Language interpreter. I now have the honor of
8 calling the 1054th meeting of the Full Board to order.
9 Madam Secretary, roll call, please.

10 LAURA INGLIS: Vice Chair Delgado.

11 RENEE DELGADO: Here.

12 LAURA INGLIS: Board Member Higgins.

13 MARK HIGGINS: Here.

14 LAURA INGLIS: Board Member Williams.

15 SAMUEL WILLIAMS: Here.

16 LAURA INGLIS: Board Member Crain.

17 STEVEN CRAIN: Here.

18 LAURA INGLIS: Board Member Rodriguez.

19 CLARISSA RODRIGUEZ: Here.

20 LAURA INGLIS: Board Member Caggianelli.

21 PAMELA CAGGIANELLI: Here.

22 LAURA INGLIS: Board Member Dilan.

23 MARTIN DILAN: Here.

24 LAURA INGLIS: Board Member Perez.

1 GLORIBELLE PEREZ: Here.

2 LAURA INGLIS: Board Member Bergin.

3 BOB BERGIN: Here.

4 LAURA INGLIS: Board Member De Jesus.

5 PETER DE JESUS: Here.

6 LAURA INGLIS: Board Member Matos.

7 MARIA MATOS: Here.

8 LAURA INGLIS: And Board Member Silitti.

9 GINA SILLITTI: Here.

10 LAURA INGLIS: We have a Full Board, Madam
11 Chair.

12 FREIDA FOSTER: Thank you very much.
13 Agenda Item 1, you've all received a copy of the
14 April 21, 2026 meeting minutes to review. Are there
15 any questions or need for discussion? Is there a
16 motion to approve the Board meeting minutes?

17 MARK HIGGINS: Yes, Madam Chair, Board
18 Member Mark Higgins, I move we approve the Board
19 meeting minutes of the last meeting.

20 FREIDA FOSTER: Thank you, Board Member
21 Higgins. May I have a second?

22 CLARISSA RODRIGUEZ: I second that motion.

23 FREIDA FOSTER: Thank you, Board Member
24 Rodriguez. Is there any opposition? Hearing none,

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all in favor?

ALL: Aye.

FREIDA FOSTER: Any opposed? I'm also a yes, that motion is passed. Agenda Item 2, welcome Deputy General Counsel Keith Longden. He will now present the Office of General Counsel's Departmental Report for April.

KEITH LONGDEN: Thank you, Chair Foster, Members of the Board. The following are statistics for the month of April 2026 of the three divisions within the Office of General Counsel responsible for deciding cases. During that month, the Adjudication Division held 17,060 hearings, resolved 11,005 cases at hearing, and issued 301 Reserve Decisions. During that time, they also held 1,557 pre-hearing conferences, and finalized 1,875 §32 Waiver Agreements.

The Administrative Review Division received 899 applications, processed 1,074 applications, for an end-of-month inventory of 7,413 cases. Finally, the Office of General Counsel Legal Affairs Division received 97 applications for Full Board review, processed 72 applications, for an end-of-month inventory of 242 cases. That concludes my report

1 (indecipherable, voice trailing off).

2 FREIDA FOSTER: Thank you for your report.

3 Are there any questions or need for discussion?

4 Hearing none, may I have a motion to accept the Office

5 of General Counsel's Departmental Report?

6 PAMELA CAGGIANELLI: Madam Chair, this is

7 Board Member Caggianelli, and I move that we accept

8 the General Counsel's Departmental Report.

9 FREIDA FOSTER: Thank you, Board Member

10 Caggianelli. May I have a second?

11 GLORIBELLE PEREZ: I second that motion.

12 Board Member Perez.

13 FREIDA FOSTER: Thank you, Board Member

14 Perez. Is there any opposition? Hearing none, all in

15 favor?

16 ALL: Aye.

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

18 yes, that motion is passed. Agenda Item 3, Associate

19 Attorney Heather Justice will now present Licensing

20 Applications. Good morning.

21 HEATHER JUSTICE: Good morning, Madam Chair,

22 Madam Vice Chair, Board Members, and Colleagues. You

23 have before you the recommendations from the Assigned

24 Board Panel regarding the Licensing Applications

1 listed in Part 3 of today's agenda. All the following
2 applications are for three-year renewals. Under
3 Section 24-a, Terri Howland. Under Section 50(3-b),
4 Maralee Denz; and Matrix Absence Management, Inc.,
5 Qualifying Officer, William Jones. And under
6 Section 50(3-d), Davies Claims North America, Inc.,
7 Qualifying Officer, Matthew Mead. I present these
8 recommendations to the Board for your consideration.

9 FREIDA FOSTER: Thank you for your
10 recommendations. Are there any questions or need for
11 discussion? Hearing none, may I have a motion to
12 approve?

13 MARTIN DILAN: Madam Chair, Board Member
14 Dilan, and I make a motion to approve the
15 (indecipherable).

16 FREIDA FOSTER: Thank you very much, Board
17 Member Dilan. Do I have a second?

18 MARIA MATOS: I second that. Board Member
19 Matos.

20 FREIDA FOSTER: Thank you, Board Member
21 Matos. Is there any opposition? Hearing none, all in
22 favor?

23 ALL: Aye.

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

1 yes, that motion is passed. Agenda Item 4, Keith
2 Longden will now present the recommendations
3 concerning decisions by the Appellate Division.

4 KEITH LONGDEN: Thank you, Chair Foster,
5 Members of the Board. In this month's agenda we have
6 five decisions of the Appellate Division Third
7 Department. They are in Items 4A through 4E of your
8 agenda. It is the recommendation of the Office of
9 General Counsel that all those decisions be adopted as
10 the decisions of the Board.

11 FREIDA FOSTER: Thank you for your
12 recommendations. May I have a motion to accept the
13 recommendations --

14 PETER DE JESUS: Board Member De Jesus, I
15 make the motion, Madam Chair.

16 FREIDA FOSTER: Thank you, Board Member De
17 Jesus. May I have a second?

18 (Simultaneous crosstalk.)

19 STEVEN CRAIN: Board Member Crain, I second.

20 FREIDA FOSTER: Board Member Crain, thank
21 you, Board Member Crain. Is there any opposition?
22 Hearing none, all in favor?

23 ALL: Aye.

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

1 yes, that motion is passed. There are no mandatory
2 items to consider this month. And for now Agenda
3 Item 6, I will turn this portion over to Vice Chair
4 Delgado. Good morning.

5 RENEE DELGADO: Morning. Thank you, Madam
6 Chair. For the cases listed in Item 6 on your agenda,
7 it has been recommended that Full Board Review be
8 granted. Those cases are 6A, G3667491, Matter of
9 Physician Affiliate Group of New York, PC; 6B,
10 G1912679, Matter of FD Sprinklers Inc.; 6C, G3667385,
11 Matter of The New York and Presbyterian Hospital; and
12 6D, G2171011, Matter of Department of Education. I
13 move to refer these cases back to the respective
14 Panels for further consideration.

15 FREIDA FOSTER: Thank you, Vice Chair
16 Delgado. May I have a second?

17 SAMUEL WILLIAMS: I second that motion.
18 Board Member Williams.

19 FREIDA FOSTER: Thank you, Board Member
20 Williams. Does anyone need to be recused from any of
21 these cases? All right. Is there any opposition?
22 Hearing none, all in favor?

23 ALL: Aye.

24 FREIDA FOSTER: Any opposed? I am also a

1 yes, that motion is passed. Agenda Item 7, is there
2 any other business to be considered? Hearing none,
3 Agenda Item 8, our guest speaker.

4 Today's guest speaker is our very own Advocate
5 for Business, Anthony Tomaselli. As the Workers'
6 Compensation Board's Advocate for Business, Anthony
7 leads the office that serves as a liaison between New
8 York's business community and the Board, providing
9 helpful assistance to employers on issues related to
10 workers' compensation, disability benefits, and paid
11 family leave.

12 Anthony joined the Board after more than eight
13 years at the New York State Office of General
14 Services, where he helped build the successful New
15 York State Service-Disabled Veteran-Owned Business
16 program. He also served at the Empire State
17 Development Corporation; the New York State Division
18 of Homeland Security and Emergency Services; as a
19 social studies teacher in the Brentwood, Seaford, and
20 New Lebanon School Districts, as well; and as a
21 paratrooper in the US Army, 82nd Airborne Division.
22 Welcome, Anthony.

23 ANTHONY TOMASELLI: Thank you so much, Chair
24 Foster. Thank you so much for having me. I'm very,

1 very happy to be here. I recently turned in my Annual
2 Report to the Chair. Which we do report on the fiscal
3 year basis, which on the one hand it's convenient
4 because a lot of other people report on that
5 timeframe, but it's especially convenient for me
6 because I started working for the Board in March. So
7 it's very easy for me to look at my own progress year
8 over year since I've come to the Board. Because I
9 just start immediately from that first April running
10 through March the next year.

11 So I just turned the report in for 2025-2026, and
12 I'm happy to be invited to share that information with
13 you because I'm always happy to brag about my team.
14 We do really, really good work. I'm very happy with
15 them.

16 So in case those of you don't know, and I know we
17 added four Board Members within the last year, so some
18 of you may not be very familiar with what we do, the
19 Advocate For Business office is here to help
20 businesses. We're the ombudsman for the business
21 community. They come to us when they have problems or
22 issues that they can't resolve elsewhere.

23 Most of the time they are coming to us with
24 noncompliance penalties. That's really kind of the

1 driver of what our office does. And of course we
2 would rather help them before they get penalties, so
3 that kind of pushes us into the other end of our
4 operation, which is outreach. We are trying to
5 connect with and speak to as many business owners as
6 we can before they get into trouble. So that they
7 don't get into trouble.

8 So that's what we do. We get out there, we do
9 quite a lot of it. And I'm going to tell you all
10 about it. So I just mentioned that we do two things,
11 calls and e-mails come into the office. We have quite
12 a bit. That's my crew over there, we have Mary
13 Parish, Nicole Cassino, and Anupa Phillips. We have
14 one more person, Walt Peretti, who is not with us
15 today because he actually should be arriving in Queens
16 right now because he's exhibiting at City Field at the
17 moment for the Queens Chamber of Commerce Business
18 Expo. Should be fun. It's a nice day for it. So
19 that's the outreach that we do.

20 So let's talk about numbers. I'm a big numbers
21 guy. We track everything that we do. We track all
22 the calls and e-mails that are coming in. Who's
23 calling us? What are they calling us about? These
24 are the primary reasons that people call us.

1 We had 5069 people contact the Advocate For
2 Business office for help. I need to really emphasize
3 that that is just a very small picture of the number
4 of employers who are contacting the Workers'
5 Compensation Board. The Bureau of Compliance probably
6 deals with about ten times that many customers, but we
7 get kind of the overflow, the people who are either,
8 they're not satisfied, or they don't feel like the
9 assistance has gone the way they wanted downstairs, or
10 if they know a VIP, or somebody who knows us, or they
11 connect with us at one of the events. I think almost
12 everyone in this room has referred someone to me at
13 some point or another, so most of you are familiar
14 with that part of the operation.

15 So what are people calling us about? Like I
16 said, mostly it's penalties. You know, most of these
17 on the pie chart here, we've got penalties no
18 coverage, just workers' comp, penalties no coverage
19 for the DB and PFL, or both, or debarments. It all
20 falls into the penalty family.

21 The other thing that we really are dealing with a
22 lot is these certificate requests. And we are working
23 on a project right now to see if we can kind of
24 alleviate some of the stress on the employers.

1 So that's really the benefits of actually
2 tracking this information, right, is we record what
3 people are calling us about as they come in. We can
4 see what the problems are, try to come up with plans
5 to address them. So that's the customer service. And
6 I know people are a lot more interested in our
7 outreach.

8 See us on social media, we're all over the place
9 looking pretty. I do have to give a shout-out to
10 Missy Stewart over there, and her team, because they
11 do make us look really good. I have used the
12 expression before, I really feel like the Advocate of
13 Business is like a suit, and I just kind of put it on
14 when I got here. And that suit looks really good
15 because PIO, these slides, and that report in front of
16 you, they're the ones that made it pretty. I just put
17 the numbers in, they made it look pretty.

18 So we did 116 events in the last year, most of
19 them virtual. Virtual is very attractive. It's
20 really easy to do, right, very low overhead when you
21 do virtual events. We do try to go in-person. We
22 actually push for being in-person, that's the one that
23 we sell the most, because I really feel like you make
24 more meaningful connections when we're out there. And

1 that's what we're trying to do, is making meaningful
2 connections.

3 We do a lot of education, but I'm realistic, most
4 of the people in the room are going to forget most of
5 the details that I tell them. But what I want them to
6 remember from me and my team is that there are people
7 here that will help you. And when they walk away and
8 they forget all the details, wait a minute, there was
9 people from the Workers' Compensation Board, and they
10 are here to help us.

11 So we like the in-person. We also do a lot of
12 exhibiting and tabling. Every once in a while they
13 give us the opportunity to do both in the same place.
14 And then the other 2%, that kind of like is these
15 oddball events that we end up at. Like once in a
16 while there will be a networking event somewhere in
17 the region that's close, and we'll just stop by, pass
18 through, hand out business cards or something like
19 that. That's really what we're looking at with the
20 others.

21 So, here's the slide that I like to talk about
22 because one of the questions we're getting, because
23 we've done a lot outreach, 116 events, and I talk to
24 my colleagues in the Department of Tax and Finance,

1 the Department of Labor, and they keep asking us, how
2 are you doing so much outreach? Well it's because we
3 go out looking for it. We're actually calling people.
4 We're cold-calling people, we're running like a sales
5 operation. We're cold-calling people, we're knocking
6 on the door, hey, you have an opportunity for us to
7 come and educate people, right?

8 We're targeting, because as the Chair mentioned
9 in my bio, I worked for many years in the procurement
10 world. We kind of target that area because that
11 really is where most of the compliance oversight is
12 happening, and people are getting permits, or trying
13 to bid on contracts, or get grants.

14 So all these organizations who are out there
15 trying to educate and make better bidders, better
16 vendors, we're trying to get in there with them,
17 because, all right, if you're already looking to
18 educate business owners, and I've got educational
19 materials that I want to give business owners, let me
20 get in next to you and get my stuff in there as well.

21 So we partner up, we reach out to people. But I
22 really, really want to emphasize the fact that we only
23 succeed about 34% of the time. Which means two out of
24 three times we're calling people, they're saying no,

1 we're not interested. But then maybe they come back
2 and they will be interested. And I also want to point
3 out that that number has gone up, we're actually doing
4 better, it was more like one in four, or one in five
5 when I first started.

6 That kind of gets to the idea that some people
7 are coming back looking for us now. You know, we made
8 that connection, so we don't have to call them
9 anymore. They're calling us. So it's taking a little
10 bit of stress off of us.

11 So we think we hit about 20,010 people. And I've
12 got to put in there one, the numbers are skewed a
13 little bit because the Executive Director and I did a
14 podcast with the Business Counsel, and they told us
15 they have 7500 subscribers. So I'm taking all 7500 of
16 them and putting them in there. We'll see if I can
17 get that 75 in there next year, but even, you know,
18 1250 is pretty good, right?

19 So we're getting out there, we're talking to lots
20 of businesses. And we're trying to hit every part of
21 the state, that's something that's really important to
22 me. I don't want anyone to feel like we're focused on
23 only one part of the state. Obviously New York City
24 is a magnet. Pulls us all in there. You can see we

1 mostly end up in New York City, but we try to get
2 around to the other areas.

3 Mohawk Valley, Mid-Hudson, Long Island, large
4 population, will draw us a little more. We do make a
5 very, very specific effort to try to get to the North
6 Country, try to get to the Southern Tier. I don't
7 want anybody to think that we're ignoring any parts of
8 the state. We want to hit every part of it.

9 New York's a nice place too. It's actually kind
10 of one of the perks of this job, is that we do get to
11 get out there and see the whole state.

12 And then these are the types of groups that we
13 work with. Like I said, my background kind of comes
14 from the procurement world. So I kind of already have
15 some awareness of who's out there doing things for
16 small businesses, so that's who we match up with.

17 I really look for people who are working with
18 baby businesses, new businesses, because like I said,
19 I'm trying get to them before they make a mistake. I
20 like to talk to the business incubators, the small
21 business development centers, and even professional
22 association where you are going to find new young
23 businesses who are really just starting out, and we
24 want to try to lock in and get them, and get them

1 educated. Don't forget about your workers'
2 compensation, disability, and paid family leave.

3 So just to toot my own horn a little bit here,
4 this is what we've done over the last three years
5 since we've got here. 2023-'24 through to here, total
6 number of events we went up 34% the first year that we
7 were, that I was here; 18% last year. And then as far
8 as total number of attendees. So like even without
9 the Business Counsel podcast, I'm still doing pretty
10 good.

11 So we're just going to keep doing. We're going
12 to keep putting ourselves out there, we're going to
13 keep making friends. Like I said, it feels like the
14 more we put ourselves out there, the less we have to
15 put ourselves out there. The more people are coming
16 to us. So I feel like I'm very comfortable with where
17 the office is at the moment.

18 We're going to keep doing what we do, looking
19 ahead, and continue to try to educate small new
20 businesses, make sure we get to them before they get
21 into trouble. And keep looking at what we're doing,
22 keep tracking this information so that we keep
23 learning from it. And trying to be proactive and stay
24 ahead and do whatever we can to help the business

1 community, and help the Agency as a whole. So thank
2 you so much for listening to me. For giving me a
3 chance to brag a little bit. Happy to be here.

4 FREIDA FOSTER: Thank you so much.

5 ALL: Thank you.

6 FREIDA FOSTER: All right, may I have a
7 motion to adjourn the meeting?

8 PAMELA CAGGIANELLI: Madam Chair, this is
9 Board Member Caggianelli, I move to adjourn the
10 meeting.

11 FREIDA FOSTER: Thank you, Board Member
12 Caggianelli. Is there a second?

13 GINA SILLITTI: I second. Board Member
14 Sillitti.

15 FREIDA FOSTER: Thank you, Board Member
16 Sillitti.

17 FREIDA FOSTER: Any opposition? Hearing
18 none, all in favor?

19 ALL: Aye.

20 FREIDA FOSTER: Any opposed? I'm also a
21 yes. Meeting adjourned.

22

23 (Whereupon, meeting was adjourned.)

24