



## **Special Board Meeting Minutes**

**November 16, 2021**

**Call to Order:** The meeting convened at 9:00 a.m. with the following present:

Mark Jaffe, Chair Pro Tem  
Jack S. Eng, Member  
Isabel A. M. Cole, Member  
Christopher Swanson, Acting Chief Industrial Appeals Judge  
Brian Watkins, Chief Legal Officer  
Jay Raish, Confidential Secretary

Excused absences:

Bob Liston, Chief, Administrative Services  
Christy Sterling, Human Resources Manager

**Approval of Minutes:** The November 2, 2021 Board Meeting minutes were approved.

**Appeals Received:** We reviewed the appeals received numbers.

**Reopening:** The Acting Chief Industrial Appeals Judge advised we will conduct a dress rehearsal when we get closer to reopening for live hearings.

**Executive Session:** The meeting entered Executive Session at 9:05 a.m. to discuss whether an industrial appeals judge can mediate a case that is active in superior court. The Chief Legal Officer recited a 2009 opinion from the Deputy Solicitor General that BIIA employees cannot use state resources to mediate a case that is no longer before the BIIA.

**Adjournment:** There being no further business to discuss, the meeting was adjourned at 9:20 a.m.

Respectfully submitted,

/s/

Jay Raish,  
Confidential Secretary