



2016 Annual Report

Tennessee Bureau of Workers' Compensation Compliance Program

*A level playing field for
Employers and coverage for
Employees*



Abbie Hudgens, Administrator

Scott Yarbrough, Director

Tennessee Bureau of Workers' Compensation

February 1, 2016

**The Honorable Jack Johnson
Chairman, Senate Commerce
and Labor Committee
11 Legislative Plaza
Nashville, TN 37243**

**The Honorable Jimmy Eldridge
Chairman, House Consumer
and Human Resources Committee
208 War Memorial Building
Nashville, TN 37243**

Dear Chairman Johnson and Chairman Eldridge:

This report is to update the Legislature on the Bureau of Workers' Compensation's FY 2014/15 activities to reduce employee misclassification and coverage noncompliance. T.C.A. § 50-6-919 created the Employee Misclassification Advisory Task Force ("Task Force") to "make recommendations regarding issues relative to employee misclassification in the construction industry." The Task Force was required to submit annual reports by February 1st of each year. Though the law creating the Task Force sunset in June 2014, as the Administrator, I offered to continue making an annual report to the Legislature. The Task Force was reconstituted in the form of the Employee Misclassification Advisory Committee to continue to assist in combating employee misclassification.

The bureau appreciates the Legislature's vision in 2010 that led to the creation of the original Employee Misclassification Task Force and passage of legislation that allowed the bureau to detect significant misclassification in the construction industry. The bureau is grateful to the member agencies, businesses, and interested members of the public that have continued to participate as members of the Bureau's Advisory Committee to address the problems stemming from employee misclassification. While much has been accomplished, there is much more work to do. The bureau remains committed to reducing misclassification even more in the coming years. I hope you find this year's report helpful and we look forward to discussing it with you at your discretion.

Sincerely,


Abbie Hudgens
Administrator

Executive Summary

The Tennessee Bureau of Workers' Compensation Compliance Program's goals are to reduce unlawful failure to provide workers' compensation coverage and workers' compensation premium avoidance through construction employee misclassification. The Compliance program consists of two program areas. The first is the Uninsured Employers Fund program, which increases the number of employees with workers' compensation coverage through discovery of employer non-compliance. The second is the Employee Misclassification Education and Enforcement Fund program, which combats workers' compensation premium avoidance in the construction services field. These programs together increase the number of employees with coverage and provide a more level playing field for law-abiding employers. During FY 2014/15 the Compliance program met both of these goals. The program enforces Tennessee Code Annotated sections 50-6-405, 50-6-411, 50-6-412, and also 50-6-902.

Highlights of FY 2014/15 for both programs include the following successes:

- The Compliance Program increased education efforts during the year. Compliance staff made presentations to 1,800 people at fifteen (15) seminars about employee misclassification.
- Staff responded to approximately 700 calls last year from individuals, employers, employees, insurance professionals, and attorneys about compliance with Tennessee law.
- 6,531 employees gained workers' compensation insurance coverage because of bureau investigations, a 24% increase from the prior fiscal year.
- The Compliance Program of the Tennessee Bureau of Workers' Compensation continued to uncover misclassification and took actions to require employers to correct unlawful practices. The total number of employers investigated increased 94% to 5,520.
- Collections of penalties increased 30% to \$1,287,547.

Significant time was spent by the Compliance program to increase the information it receives about potential noncompliant employers. Fraud detection software, made possible by a legislative appropriation in 2013, began "end user testing" on December 17, 2015. Initial results from the "beta" testing have resulted in over

\$100,000 in assessments. The fraud detection software is expected to be fully functional by the end of February 2016.

While there was significant progress in the past fiscal year, the problem of employee misclassification has not been eradicated and much work still needs to be done. The Employee Misclassification Advisory Committee met continuously with the bureau through 2014/15 to consider ways to reduce employee misclassification. A special subcommittee was formed to look at issues related to enforcement and found that some employers are using the Workers' Compensation Exemption Registry inappropriately, which is another form of misclassification. The Employee Misclassification Advisory Committee unanimously recommended legislation to establish a civil penalty against any person entering false or unauthorized information on an Exemption Registry application. The subcommittee also recommended that construction services providers maintain simple documentation of their workers' compensation insurance on the job site.

The Employee Misclassification Education and Enforcement Initiative

The Bureau of Workers' Compensation's Employee Misclassification Education and Enforcement Fund program ("EMEEF") identifies employers in the construction industry who improperly avoid insurance premiums by misclassifying employees as independent contractors, underreport payroll, or misrepresent the type of work the employees perform. "Construction service providers" are those persons whose work activities place them in a contracting industry class code as the governing class for workers' compensation insurance rating purposes. The Employee Misclassification Education and Enforcement Fund program was created by legislation in 2010 which also created the Employee Misclassification Advisory Task Force ("Task Force"). The Task Force studied employee misclassification issues and made recommendations to the Legislature and to the bureau. The law creating the Task Force sunset in June 2014. Fortunately, the former Task Force members continued to help in combating employee misclassification by serving on the Employee Misclassification Advisory Committee ("Advisory Committee"). **(See Appendix.)**

The consequences of employee misclassification practices hurt all Tennessee citizens. Employers who avoid paying workers' compensation premiums by employee misclassification gain unfair competitive advantage over law-abiding employers by 20% or more of the total bid price on construction jobs. Misclassification of employees results in avoided workers' compensation premiums, uncollected unemployment insurance premiums, and uncollected federal employment taxes. Workers' compensation benefits, overtime pay, health insurance, Social Security benefits, Fair Labor Standards, Family Medical Leave, and other employee protections are limited or inaccessible to misclassified employees. Without the benefit of these existing statutory protections, the costs of medical care and benefits are passed on to hospitals, health insurance plans, TennCare (Medicaid), Social Security disability, charitable programs, and ultimately the Tennessee taxpayers for injuries that would normally be paid by workers' compensation insurance. Education and enforcement efforts by the bureau reduce the incidence of these illegal practices by improving coverage for injured

employees, while at the same time leveling the playing field for law-abiding employers.

Education/Outreach in Fiscal Year 2014/15

Education is as important in combating employee misclassification as enforcement. Outreach efforts also build the public's knowledge and understanding of the workers' compensation law. An effective method to educate the construction services community and their service providers is to make presentations to stakeholder groups. In FY 2014/15, the Compliance program collaborated with other state agencies, as well as with professional organizations to make employee misclassification presentations to interested groups. The presentations provided greater awareness of the compliance program and results of misclassification to attorneys, insurance agents, certified public accountants, construction services providers and other stakeholders. Approximately 1,800 persons attended 15 seminars where employee misclassification was on the agenda and the speaker was from the Bureau's Compliance program. In addition, Compliance investigators and office staff provided awareness and education to callers. In FY 2014/15 the Compliance program received over 700 telephone calls from people seeking information as to compliance and misclassification. These outreach efforts more than doubled the outreach of the previous fiscal year.

To increase awareness and facilitate compliance, the bureau website offers information, including: 1) coverage verification service, 2) a toll free help line at 800-332-2667, 3) an online "tip form" at <http://tn.gov/workforce/article/emeef>, 4) a map with contact information for the local investigator, and 5) general information on injuries at work. The free public "coverage verification" link provides an up to date check for Tennessee workers' compensation coverage at the bottom left of the page at <http://tn.gov/workforce/section/injuries-at-work>. The tip form is available for anyone to report potential employee misclassification or coverage non-compliance. These web links increase understanding of the law and facilitate communication with the bureau.

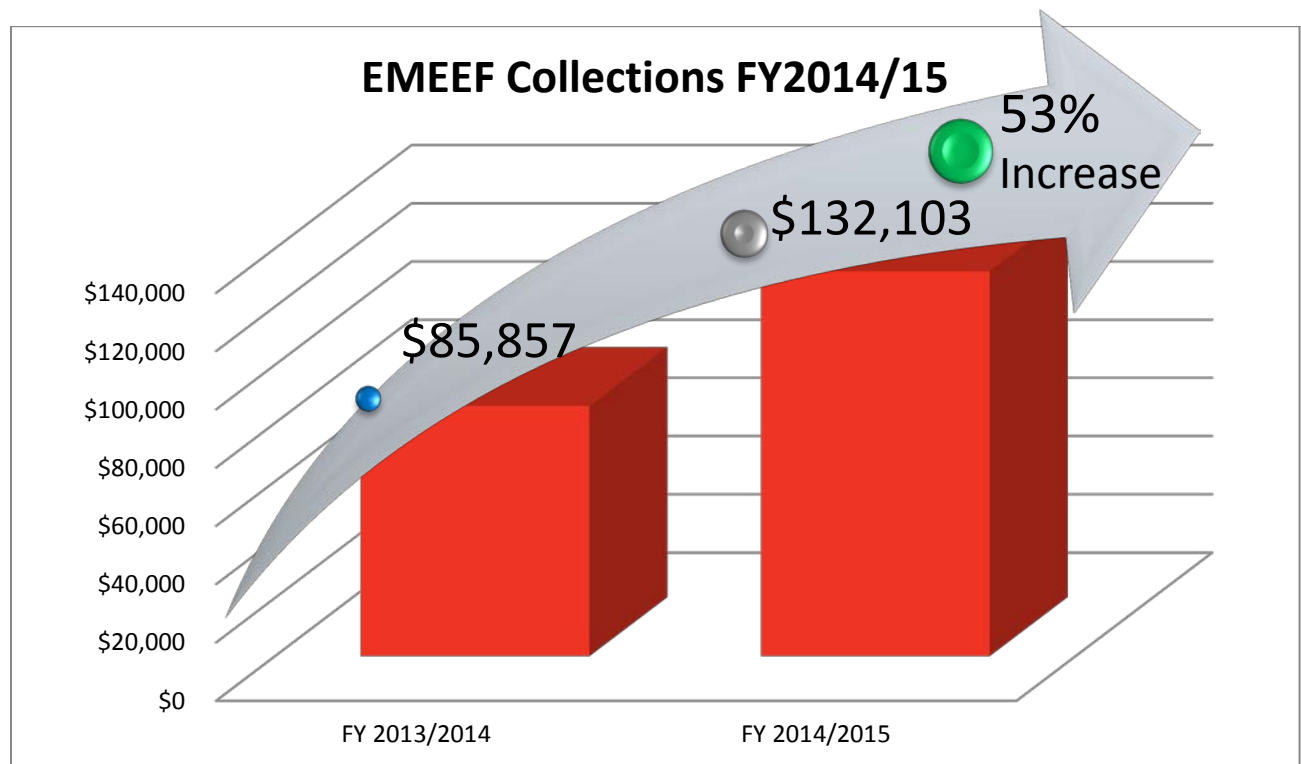
The language barrier is an obstacle to compliance enforcement in many different Tennessee industries. Employee Misclassification Advisory Committee members made contributions towards outreach and education of Hispanic employers and workers this past year. The Compliance Program Director, with the help of a fluent

Compliance Investigator, made presentations in Spanish last year. Spanish language presentation materials were prepared and distributed to an audience of insurance agent representatives and bookkeepers. This education and outreach effort was successful and will continue.

Enforcement

FY 2014/15 was a successful year for the Employee Misclassification Education and Enforcement program. The statistics demonstrate the following improvements:

- The number of Employers investigated for underreporting payroll increased from 484 in FY 2013/14 to 622 in FY 2014/15, a 28% increase.
- Misclassification assessments increased from \$343,619 in FY 2013/14 to \$562,609 in FY 2014/15, a 49% increase.
- Misclassification collections also increased from \$85,857 collected in FY 2013/14 to \$132,103 in FY 2014/15, a 53% increase.



The chart above shows misclassification collections increased from \$85,857 collected in FY 2013/14 to \$132,103 in FY 2014/15, a 53% increase

One factor in the improved enforcement efforts was access to more information. The Compliance Program greatly increased the amount of information it received about potential noncompliant employers last year through increased use of computer technology. Fraud detection software, made possible by a legislative appropriation in 2013, began end user testing a few weeks ago on December 17, 2015. The software, developed with SAS Institute, Inc., has been used by several states to detect misclassification fraud including Louisiana, North Carolina, and Washington. Prior to this end user testing phase, extensive development specific to Tennessee occurred over a period of eighteen months. SAS uses “big data” concepts to indicate noncompliance. The software functions by comparing several different available data sets. The software’s purpose is to identify potential noncompliance that might otherwise avoid detection.

The software produced preliminary leads from the “beta” versions before the end user testing began in December 2015. These leads were effective, resulting in completed investigations that generated over \$100,000 in assessments against noncompliant employers. The software, expected to be fully functional by the end of February 2016, should multiply the preliminary results.

Additional action to enhance enforcement was taken by increasing staffing. In the past fiscal year, two additional investigators were added to the program as part of a 2013 appropriation. This brings the total number of investigators in the Compliance Program to nine. (See Appendix.) To increase efficiency, the bureau upgraded Investigators’ computer technology in the last eighteen months. Investigators now use wireless laptops so they can immediately check compliance in the field. This technology allows investigators to access coverage verification software, skip-trace software, Secretary of State’s records, tax records and other useful websites from the field. It reduces the time burden on employers by confirming their compliance immediately with minimal interruption of their business. It also allows discussion of problems immediately, often resulting in proper compliance and agreed settlements of violations.

The Uninsured Employers Fund (“UEF”)

The Uninsured Employers Fund (“UEF”) is another integral part of the bureau’s Compliance Program. The UEF is responsible for increasing the number of employers who properly provide workers’ compensation coverage for their employees. If an employer is required to have coverage under the law, but does not cover their employees, the UEF identifies and requires them to get coverage. Generally speaking, every employer in the state that has five (5) or more employees must secure workers’ compensation insurance coverage for their employees, or be self-insured. Employers in the construction trades and coal mining must provide coverage on all their employees. Agricultural and household workers are exempted from the coverage requirements. The UEF was established by legislation effective in 2000, found at Tennessee Code Annotated sections 50-6-412 & 50-6-801.

Education/Outreach

Improvements were seen in procedures and educational efforts last year. Education and outreach efforts outlined above for the EMEEF program were concurrently carried out by the Uninsured Employers Fund. At all of the speaking engagements, both programs were discussed and “question and answer” periods were included in the presentations.

Improvement in procedural aspects of the assessment process was realized during the past fiscal year. During FY 2014/15, a more efficient penalty process was instituted as a result of legislative action which harmonized assessment procedures within the bureau. Formerly, the Compliance Program would have to go to an administrative court to assess penalties. Usually a default judgment resulted, as employers would not appear. This involved costly court reporters and unnecessary utilization of bureau resources. The new process allows employers to request a hearing after notice of the proposed penalty. This new process produced less litigation, more settlements, more familiarity of the procedure to stakeholders, and less expenditures by the bureau. The new procedure continued to guarantee constitutional “due process” to employers.

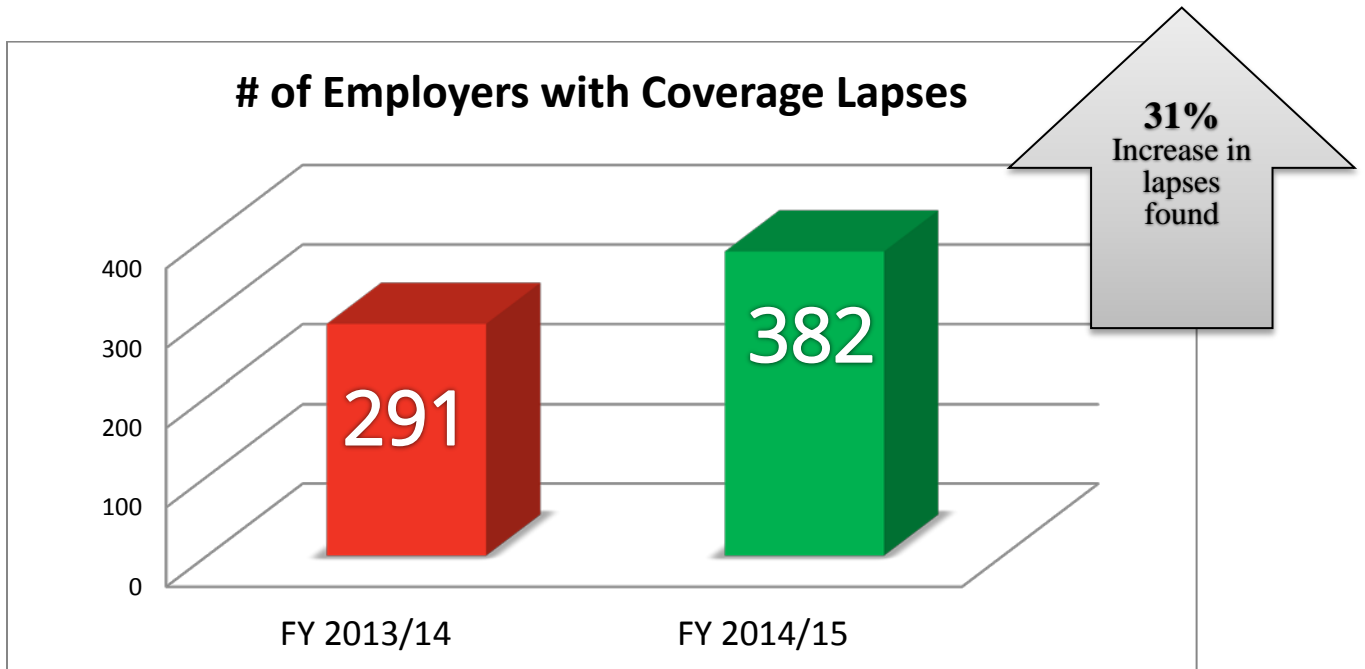
Staff training remained a priority for the Uninsured Employers Fund during the past fiscal year. Continuing education of staff improved the work of the program. Training of staff during the last year included improvement of alternative dispute resolution techniques by investigators and attorneys. Additional training this year also included group in-person and telephonic meetings on a semi-monthly basis and additional individual coaching for investigators by staff attorneys on a weekly basis. These efforts improved communications, education, and investigative methods, which resulted in less conflict, more education of stakeholders, and better results, including more settlement agreements. Because of bureau policy to be reasonable and informative to stakeholders, employers sometimes see the program as a resource and maintain contact with us long after the penalty process is completed.

Enforcement

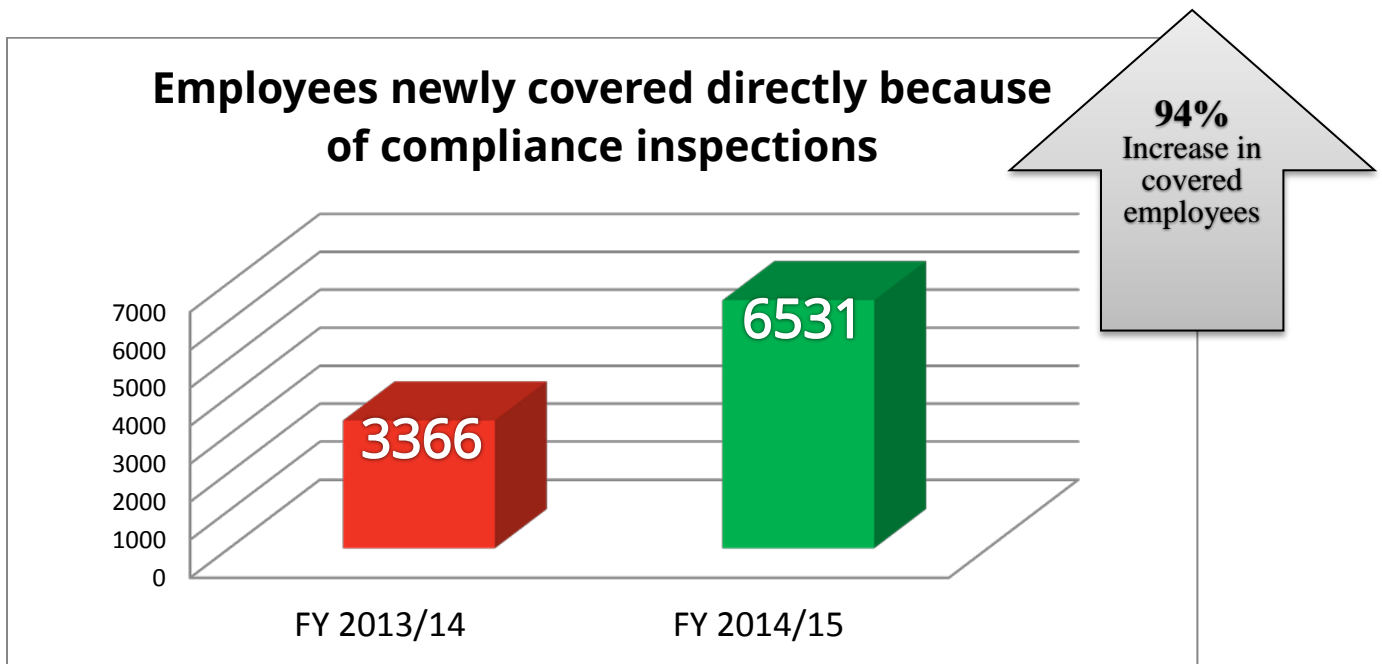
UEF Enforcement efforts showed improvement in FY 2014/15. The gross number of employers checked for coverage more than doubled from FY 2013/14 to FY 2014/15 with an increase of 107%. This increase resulted in more employees with the workers' compensation coverage to which they are entitled. It also means fewer compliant employers are disadvantaged by illegal practices. 6,531 employees who gained first time coverage are now in the workers' compensation system. These compliance efforts contribute to wider coverage and lower premiums for all employers.

The success last year of the Uninsured Employers Fund program was further demonstrated by the statistical improvements as follows:

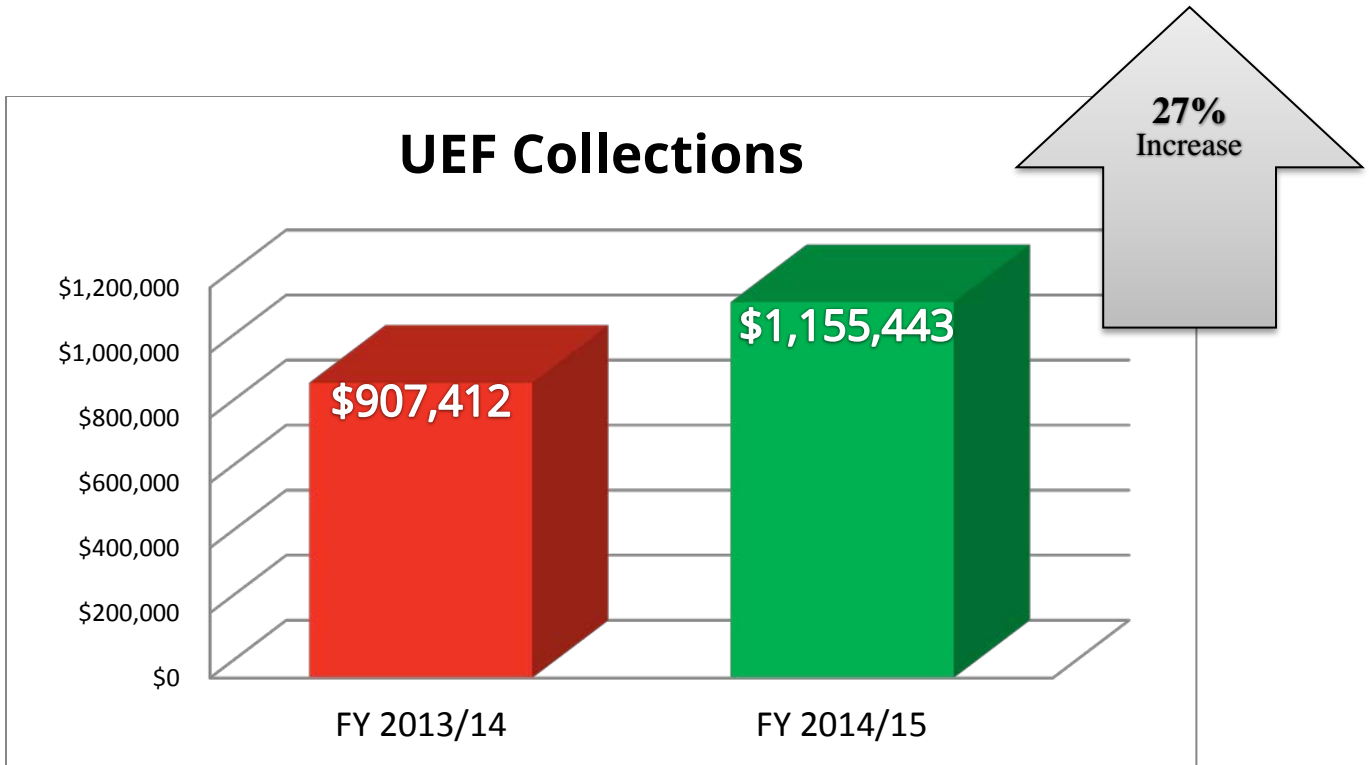
- The number of employers identified to have lapses in coverage increased from 291 in FY 2013/14 to 382 in FY 2014/15, a 31% increase.
- The Uninsured Employers Fund continued on an upward trend; 6,531 employees gained workers' compensation coverage because of compliance program actions, an estimated 94% increase.
- Collections increased from \$907,412 in FY 2013/14 to \$1,155,443 in FY 2014/15, an increase of 27%.



The chart above reflects the increase in the number of employers identified to have lapses in their workers' compensation coverage.



This chart reflects the number of employees who became newly covered by workers' compensation insurance directly because of compliance inspections.



The chart above shows UEF Collections increased from \$907,412 in FY 2013/14 to \$1,155,443 in FY 2014/15, a 27% increase

A New UEF Program

The Uninsured Employers Fund Benefit Provision Act went into effect for injuries that occur on or after July 1, 2015. The Administrator of the Bureau of Workers' Compensation, under the statutory requirements found in Tennessee Code Annotated section 50-6-801, may make limited payments to injured Tennessee employees whose employers did not provide coverage that meets the statutory requirements. Funds for this new employee benefit will come totally from penalties collected from noncompliant employers and up to 25% of the balance of the Employee Misclassification Education and Enforcement Fund. Processes have been put in place to quickly investigate these claims and get information to the Court of Workers' Compensation Claims for hearing. Over 20 claims have been investigated, but no claims have been eligible for these benefits at the time of preparing this report. Several of the claims were paid voluntarily by the employer after bureau staff successfully mediated the claim and the employer accepted liability. Some of the claimants were not able to show that they met the statutory requirements. Other claims are working through the Court of Workers' Compensation Claims for a possible order for benefits and payment by the Administrator at a future date.

Challenges for Continued Reduction in Employee Misclassification

The functioning of the Workers' Compensation Exemption Registry ("Registry") was a focus of the bureau and the Employee Misclassification Advisory Committee for the past year. Troublesome examples of what the Employee Misclassification Advisory Committee and the bureau consider abuses of this system were found after investigatory examples warranted detailed examination of the data from the Registry. These investigations indicate that persons are being placed on the Registry via online applications without their knowledge. This allows employers to obtain a less expensive policy from another insurance agency, that does not use correct information, creating unfair competitive advantage. The bureau and Advisory Committee agree that a civil penalty against any person or party who enters false or unauthorized information on an Exemption Registry application should be authorized by legislative action.

Another situation where employers compete unfairly and employees have problems accessing workers' compensation benefits occurs when employers are difficult to locate. Often, Tennessee employers have to compete with out-of-state companies who do not have Tennessee workers' compensation insurance. These out-of-state employers and Tennessee employers who don't have a fixed office location are difficult to bring into compliance. These situations are further complicated by the language barrier often encountered in several different Tennessee industries. The bureau and Advisory Committee agree that employers should be required to have proof of workers' compensation insurance on their job sites. These situations are discussed in detail below.

1) Workers' Compensation Exemption Registry

As of December 31, 2015, there were approximately 34,700 active registrants listed on the Workers' Compensation Exemption Registry ("Registry"). The Registry was created by an act of the legislature in 2010. The Secretary of State began accepting applications early in calendar year 2011. Generally, the Registry is working well, allowing owners of construction businesses, and certain others, to elect not to have coverage. Persons properly on the Registry are not covered by workers'

compensation insurance at their own request. They understand that they do not have coverage and they are not charged premiums.

However, there are some troublesome examples of what the Employee Misclassification Advisory Committee and the bureau consider abuses of the registry process. Some employers are “placing” employees on the Registry in order to avoid paying for the cost of workers’ compensation and other employee benefits. Unfortunately, some of the persons placed on the Registry in this way are either unaware or do not understand that they no longer are covered by workers’ compensation.

These employees are misclassified as independent contractors. As a result, workers’ compensation premium dollars, premium taxes to the Second Injury Fund, unemployment insurance premiums, and federal withholdings are not collected. Employee benefits such as overtime, family and medical leave, among other benefits, may not be provided. When these misclassified employees get injured, there is no workers’ compensation coverage and the citizens of Tennessee may ultimately be required to pay for the cost of medical care and disability.

The issue of persons being placed on the Registry by third parties without proper authorization or understanding of the waiver of rights by the registrant has reached the Workers’ Compensation Court system. In the matter of *Robert L. Wallace v. Mark Conard dba Marcon Builders*, (See: <http://trace.tennessee.edu/>) the owners of Marcon asked their employees to fill out some paperwork to set up their own businesses. The owners then used that information to fill out the online Registry application and also paid the associated fees. The Court of Workers’ Compensation Claims found that the registration was not valid as Mr. Wallace did not own his own business, did not attest to the registration, and he did not knowingly waive his rights under workers’ compensation law. Temporary benefits were ordered; however the case is still pending a final compensation hearing.

Employees are not the only victim from these practices. Compliant employers are placed at a significant competitive disadvantage by these practices. The problem of workers being wrongfully placed on the Registry also negatively affects the insurance industry. Several insurance agents reported losing clients when an employer would place all their former employees on the Exemption Registry and move their insurance business to another agency, who then sells a \$750 minimum premium insurance policy. Insurance auditors are not picking up the lost premium

because the employer is able to produce certificates of exemption for these former employees at the annual audit. As a result, agents who had policyholders that previously reported higher (accurate) payroll lose business to other agencies that use inaccurate information. These workers will find it difficult to access workers' compensation benefits if they are injured.

The Committee and bureau staff examined data from the Exemption Registry in detail. The statutory limit for the number of registrants per company is five. It was observed that 2,052 registrants show an email address that is linked to employers who have exceeded the statutory allowed number of registrants for their company. Some of these registrants are linked to bookkeeping services and others are linked to employers placing their former employees on the Registry. This data strongly suggests these 2,052 registrants are not really independent contractors operating their own businesses. In addition, compliance program investigations have found 31 examples, thus far, of employers using registrants in an apparent employee capacity based on the employer's control of the work and the other factors of the statutory independent contractor test.

To find solutions for this problem, the Advisory Committee and bureau reviewed current applicable statutes. Perjury statutes are implicated when an applicant makes false declarations of their own on a Registry application. Additionally, Tennessee Code Annotated section 50-6-920 provides for a misdemeanor criminal penalty for coercing a person to obtain an exemption as a condition of employment. One local District Attorney told the Compliance Program staff that coercion is a difficult case to prosecute because of the beyond a reasonable doubt standard of proof. The bureau recognizes Tennessee District Attorneys' heavy criminal case loads make it difficult for them to prioritize a workers' compensation case over more serious crimes on their criminal dockets. Further, neither the bureau nor District Attorneys General have clear jurisdiction to take punitive action where parties act without the Registrant's authorization.

In order to address these issues prior to court action, the bureau sought current ways to rectify the problem. These efforts include referrals to local District Attorneys, working with the Secretary of State's office within the current statutory framework to improve the administration of the Exemption Registry (both prospectively and retrospectively), and seeking input from industry stakeholders on the Employee Misclassification Advisory Committee for solutions. Several referrals

are currently working through the criminal justice system based on referrals by the bureau. The bureau expects criminal referrals to be an increasingly used enforcement tool. Additionally, the Secretary of State's office has continued to consult with the bureau and the Advisory Committee on ways to prevent inappropriate persons from getting on the Registry in the first place.

At its November meeting, the Employee Misclassification Advisory Committee unanimously voted to recommend two action steps, with which the bureau agrees. The first recommendation is to allow a \$50-\$5,000 per violation civil penalty against any person or party who enters or directs someone to enter false or unauthorized information on an Exemption Registry application. This monetary range would allow the bureau to have some discretion for the penalty to fit the behavior. Consistent with other administrative penalties, notice, opportunity to be heard, appeals under the Uniform Administrative Procedures Act, and factors to consider in determining the severity of the penalty could be prescribed. This civil penalty would deter this type of abuse of the system. Legislative action is required to authorize this civil penalty.

2) On-Site Proof of Workers' Compensation Coverage

A second recommendation of the Employee Misclassification Advisory Committee is to require employers to have proof of workers' compensation insurance on their job sites. This recommendation is intended for individual employers and not as a requirement for general contractors. This is particularly important with highly mobile construction operations. An on-site visit can sometimes be the only contact the bureau will ever have with some employers who have no fixed office. Verifying proof of coverage immediately is sometimes the only way that fairness to compliant employers can be achieved. Further, there is often a language barrier at job sites. This proposal would overcome that barrier as the documented proof of coverage would speak for itself. The proof of coverage could be verified on-site with the use of the recently acquired wireless technology.

A copy of an employer's valid Certificate of Insurance, policy declarations page, or Certificate of Exemption would be sufficient to satisfy this proposed requirement. Either of these documents are easy to obtain. The state of Florida uses a similar statute for their compliance efforts. The Bureau is researching the effectiveness of

this statute on reducing employee misclassification. Having proof of coverage on job sites would terminate some investigations immediately, lessening the regulatory burden for employers, as they would not have to gather and communicate additional documentation to establish compliance.

One example of the utility of on-site proof of coverage is demonstrated by a recent criminal referral. Bureau compliance "on-site" enforcement efforts identified a Middle Tennessee general contractor who improperly deducted ten percent of the gross contract price from its subcontractors. This was ostensibly to pay for workers' compensation insurance, as that was noted on the check stub. One of the subcontractors presented a certificate of insurance to an investigator that was actually in force only for the General Contractor. The subcontractor kept this certificate in his work truck. These subcontractors were under the impression they had coverage, but an on-site check of the bogus certificate immediately revealed a problem. This situation probably would not have been detected if the subcontractor did not have the certificate of insurance in his possession. Over \$96,000 was recovered for the benefit of nine subcontractors. One of these subcontractors called and thanked the bureau for the return of their money. Implementation of this recommendation through legislative action would give compliant employers a more level playing field in their competition for business.

Conclusion

The Compliance program of the Bureau of Workers' Compensation continues to effectively uncover employee misclassification and correct it. The data reflects increased effectiveness in all areas.

- More noncompliant employers are being investigated and brought into compliance.
- The Uninsured Employers Fund Program continued at a high level of effectiveness.
- The Employee Misclassification Education and Enforcement Fund Program demonstrated rapid growth in its enforcement measurements. Continued growth is indicated for the coming year.
- Fairness in competition and coverage for employees was improved.
- Communication of employer rights and responsibilities under the law to the stakeholder community increased.

There is still more work to do in the enforcement of Tennessee workers' compensation laws regarding coverage and employee misclassification. The bureau looks forward to additional improvements in the current fiscal year. We look forward to discussing these programs with the members of the Senate Commerce and Labor Committee and House Consumer and Human Resources Committee.

APPENDIX

Feedback from the Public:

From: [Employer]

Sent: April 01, 2015 11:40 AM

To: Benjamin Edwards **Cc:** xxxxn@xxxpeo.com; 'adjuster'

Subject: RE: Workers Compensation Compliance

Mr. Edwards,

I greatly appreciate your time and attention to this matter and I am glad things worked out the way they have. We will continue to make sure that this does not happen again and will stay in touch.

Sincerely and with Highest regards. [Employer]

From: Kevin@haleinsurance.com

Sent: Wednesday, November 04, 2015 4:01 PM

To: Scott Yarbrough

Subject: Re: EMAC 10/4/15 Agenda

Scott,

I know it will never make it into any report or public record but I continue to be impressed by you and your team to "help" the employers and employees rather than the perception of being a "gotcha" agency.

You guys are doing a good job and are making a difference.

Thank you!

Kevin

2015 Employee Misclassification Advisory Committee

**Abbie Hudgens, Administrator
Bureau of Workers' Compensation**

**Scott Yarbrough, Compliance Director
Bureau of Workers' Compensation**

**Commissioner Julie Mix McPeak
Department of Commerce and Insurance
Mike Shinnick, Designee**

**Carolyn Lazenby, Director
Board for Licensing Contractors**

**The Honorable Tre Hargett, Secretary of State
Nathan Burton, Designee
Kevin Rayburn**

**The Honorable Herbert Slattery, Attorney General and Reporter
Martha Campbell, Designee
Alex Rieger
Jordan Scott**

**The Honorable David H. Lillard, Jr., State Treasurer
Advisory Council on Workers' Compensation
Lynn Schroeder, Designee**

**The Honorable J. Wally Kirby, DA's General Conference
James Milam, Designee**

**Director, Mark Gwyn, Tenn. Bureau of Investigation
Jason Locke, Designee
Russ Winkler**

**Daniel Bailey
Attorney for the Tennessee Department
of Labor and Workforce Development**

**Randall Thomas
The Travelers Companies, Inc.**

**Dr. William Canak, Ph.D.
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Middle Tennessee State University**

**Matthew Capece, Esq.
United Brotherhood of Carpenters**

**Mark Howell
Tenn. Dept. of Labor and Workforce Development
Director Unemployment Insurance Employer Accounts**

**Jim Brown
Sarah Waters
National Federation of Independent Business**

**Ashley Arnold Gold
Insurors of Tennessee**

**Kevin Hale
Hale Insurance**

**Bradley Jackson
The Tennessee Chamber**

**Bob Pitts
Associated Builders and Contractors**

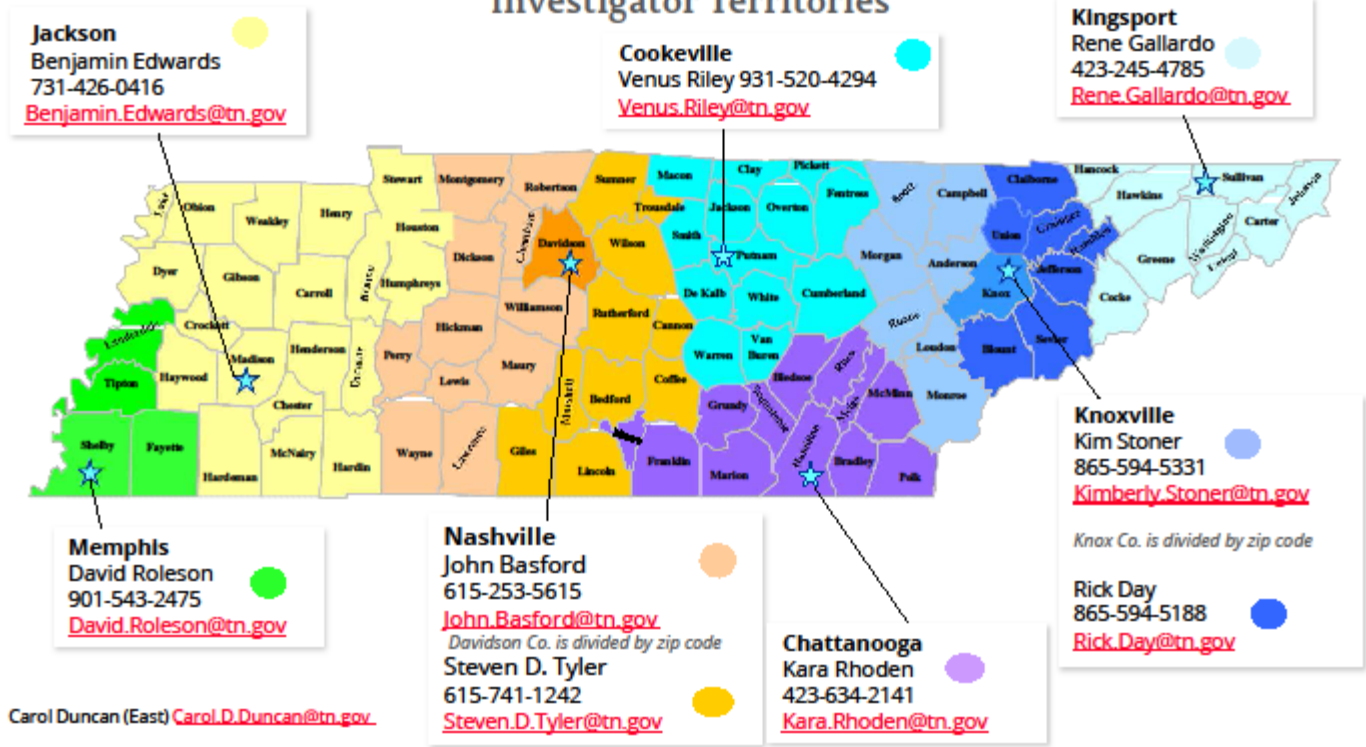
**Baird Morgan
Morgan insurance**

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**Susan Ritter
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Tennessee Bureau of Workers' Compensation Compliance Program

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