

## **Georgia State Board of Workers' Compensation**

**270 Peachtree Street, NW**

**Atlanta, GA 30303-1299**



### **Frank R. McKay, Chairman**

Established in 1920 by the Georgia legislature, the State Board of Workers' Compensation serves over a quarter of a million employers in Georgia and over 3.8 million workers. The State Board is funded by assessments from insurance companies and self-insured employers. An employee that is injured on the job and is covered by the law may be eligible for replacement of a portion of lost wages, medical payments, vocational rehabilitation services and other benefits.

Prior to the passage of the Workers' Compensation Act, an employee who was injured on the job could not expect benefits from the employer. Men, women, and children were often subjected to harsh and oppressive working conditions with little or no recourse for work-related injuries. Courts often denied recovery to employees by holding that employees assumed risks in taking the job, were negligent, or were barred from recovery by the negligence of a fellow employee. Filing a suit in court was also unsatisfactory because trials were expensive and often lengthy. This posed a problem to an employee who needed money immediately to pay for medical expenses and replace lost wages. A successful suit could also force a small company out of business.

Today, the workers' compensation law provides for specific benefits to be paid to employees for injuries arising out of and in the course of employment, without regard to negligence or fault, and at the same time, provides the employer with limited liability. In Georgia, employers obtain worker's compensation coverage through private insurers or programs of self-insurance. The rights granted an employee under the law preclude any other legal remedies against an employer by an employee due to a work-related injury.

The law is applicable to all employers, including public corporations and nonprofit organizations that have at least three full-time or part-time employees.

There are several categories of workers who are specifically exempted from the workers' compensation law: federal government employees, railroad employees, farmers and farm laborers, and domestic servants, to name a few.

If facts concerning a claim are contested or liability is questioned, either the employee or the employer/insurer may request a hearing before an Administrative Law Judge to resolve the issues. If either party is dissatisfied with the decision, a party may request a review by the Appellate Division. Further appeals may be taken through the court system; however, the courts can review only disputed questions of law, while Administrative Law Judges and the Appellate Division determine both factual and legal issues.

Although the Subsequent Injury Trust Fund is a separate state agency, the Board and the Fund work closely together. The Fund reimburses the employer/insurer for a portion of workers' compensation benefits paid in cases where a preexisting permanent impairment combines with a subsequent injury to produce a greater disability than would have resulted from the subsequent injury alone. The workers' compensation program is entirely funded by assessments from insurance companies and self-insured employers.

## Board Members



Judge Frank McKay  
Chairman



Judge Elizabeth Gobeil  
Director



Judge Harrill L. Dawkins  
Director

The three-member Board constitutes the Appellate Division and is responsible for the administration of the Workers' Compensation Act. They are appointed by the Governor for a term of four years. The Board members are Chairman Frank McKay, Director Elizabeth Gobeil and Director Harrill L. Dawkins.

The responsibilities of the Board are divided into judicial, administrative, and regulatory functions.

In their judicial capacity, the three members of the Board function as a three-judge appellate review panel called the Appellate Division. The Appellate Division hears and reviews cases when a party to a claim files an appeal from an award of an Administrative Law Judge of the Trial Division. The Appellate Division issues a written decision either adopting, amending, or reversing the decision issued by the Administrative Law Judge. The decision of the Appellate Division may then be appealed as a matter of right to the Superior Court having jurisdiction in the county of injury. A party dissatisfied with the order of the Superior Court may then file an application for appeal to the Court of Appeals or Supreme Court of Georgia; however, the right to file an appeal is discretionary with these courts.

The Appellate Division issues orders approving settlements which have been agreed upon and submitted by the parties in a claim. The judicial function also includes the responsibility of reviewing and issuing orders in claims where the employee is requesting an advance or lump sum payment of future benefits.

The administration and regulatory functions include responsibility for maintaining the efficient monitoring of all claims and benefit payments to injured workers, ensuring that employers maintain required insurance coverage, approving applications of insurance companies to write workers' compensation insurance and applications of employers to act as self-insurers, and participating in programs to explain the functions of the Board to the general public.

The members of the Board work with an advisory council to develop policies and laws affecting workers' compensation and each year, with the advice of the council, promulgates and adopts rules and regulations affecting workers' compensation processes.

**You can access the Georgia Statutes, Rules & Regulations on our website at**

[www.sbwc.georgia.gov](http://www.sbwc.georgia.gov)

## **General Telephone List**

### **APPELLATE DIVISION**

- Frank R. McKay, Chairman .....404.656.2034  
Lynn Osborne, Executive Secretary
- Elizabeth D. Gobeil, Director.....404.656.2036  
Robbin Brindle, Administrative Assistant
- Harrill L. Dawkins, Director .....404.656.2038  
Lynn Cochran, Administrative Assistant
- Delece A. Brooks, Executive Director/Chief Operating Officer.....404.656.2048  
Martine Schweitzer, Confidential Secretary
- Doug Witten, Division Director .....404.657.2994  
Cathy McNiel, Chief Court Clerk .....404.656.9688

### **ADR DIVISION**

- Judge Janice Askin, Division Director.....404.656.2939
- Judge Liesa Gholson, Alternative Dispute Resolution .....404.656.3327  
Charlie Strong-Baker, Secretary
- Barbara Lynn Howell., Alternative Dispute Resolution ..... 404.656-3327

### **ADMINISTRATIVE SERVICES DIVISION**

- Tom Risko, Division Director/Chief Financial Officer .....404.656.2314
- Sharon Jones Stallworth, Personnel Director.....404.656.3697  
Sheila Stubbs, Administrative Assistant
- Hilary Williams, Conference/Training & Dev. Mgr.....404.656.5656

**CLAIMS & DOCUMENTS PROCESSING DIVISION**

- Cheryl Lowe, Division Director.....404.656.3154  
Druzella White, Administrative Assistant
- Denise Fedrick, Assistant Division Director .....404.651.9057

**ENFORCEMENT DIVISION**

- D. Stan Bexley, Division Director .....404.657.7285  
Loretta Lewis, Secretary
- Sgt. Stephen Dawson, Police Officer/Board Security .....404.657.1393

**INFORMATION TECHNOLOGY SERVICES DIVISION**

- Pam Carter, Division Director ..... 404.463-1909

**LEGAL DIVISION**

- Judge David Imahara, Division Director .....404.656.7773  
& Chief Administrative Law Judge  
Rosa Jones, Legal Secretary

**LICENSURE & SELF-INSURANCE DIVISION**

- Judge Viola S. Drew, Interim Division Director .....404.656.4893

**MANAGED CARE AND REHABILITATION DIVISION**

- Deborah Krotenberg, Division Director.....404.651.7831  
Yvonne Watkins, MCO/Administrative Coordinator
- Robin Steinbrenner, Rehabilitation Coordinator .....404.656.0850  
Shirley Simmons-Walton, Secretary

**PROCESS IMPROVEMENT & OVERSIGHT DIVISION**

- Dana Prather, Division Director .....404.656.2017
- Call Center/WC Online .....404.656.3818

**SETTLEMENT DIVISION**

- David Kay, Division Director.....404.651.5078