



# Kentucky Labor Cabinet

## Department of Workers' Claims

**Andy Beshear**  
Governor

**Jacqueline Coleman**  
Lieutenant Governor

**Larry L. Roberts**  
Secretary

**Robert L. Swisher**  
Commissioner

### MEMORANDUM

TO: Kentucky Workers' Compensation Stakeholders

FROM: Robert L. Swisher, Commissioner

DATE: June 10, 2020

RE: Videoconference proceedings

As of March 12, 2020, the Department of Workers' Claims (DWC) cancelled all in-person benefit review conferences and formal hearings in response to the COVID-19 state of emergency in the Commonwealth of Kentucky. Initially, the cancellation was to run only through April 20, but was subsequently extended indefinitely.

To promptly address pending claims with cancelled hearings, and to prevent a further backlog of hearings, the DWC initiated the temporary use of videoconference technology

(Zoom platform) for conducting virtual formal hearings. To date, participation in virtual proceedings has been voluntary, but reports from stakeholders on the use and acceptance of Zoom have been overwhelmingly positive.

Because of issues presented with ensuring a safe return to hearing sites, and because of the initial success of videoconference proceedings, the DWC does not anticipate a return to regular in-person dockets in the near future. Thus, it is the policy of the DWC that participation in virtual proceedings shall be mandatory, absent extraordinary circumstances. Upon a party's objection to participation in a videoconference hearing, the assigned administrative law judge shall determine whether, under the circumstances presented, the claim is appropriate for virtual proceedings.



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