

METRO ATLANTA MEMBERS FIRST MEETING

Wednesday, August 19, 2015 11:15 am – 1:30 pm

Hyatt Regency Suites Atlanta Northwest
2999 Windy Hill Road, SE, Marietta 30067

11:15 am – Registration Opens; Networking Reception Begins

11:45 am – Attendees Invited to be Seated for Lunch

12:30 pm – Keynote Speaker, Mark Woodall, AGC Georgia's Director of Governmental Affairs



Recap of 2015 Legislative Session: *The Good, The Bad and The Ugly*

Mark Woodall, AGC Georgia's Director of Governmental Affairs, is visiting with members across the state to share the *good, the bad and the ugly*...and how new laws and regulations from the 2015 Legislative Session will affect you and your company.

A core principle of the entire AGC organization is "less government is better." Each year our primary legislative agenda is playing defense against many well-intended legislative proposals that can lead to bad public policy. We were also intimately involved in the passage of a number of pro-active industry bills, including one involving workers' compensation exclusive remedy and another impacting Public-Private Partnerships (P3).

For more than two years, AGC Georgia has been engaged in discussions regarding negative court decisions from *Estate of Pitts v. City of Atlanta*. During the 2015 session, we helped craft language resulting in House Bill 412. AGC Georgia believes the *Estate of Pitts v. City of Atlanta* court decision circumvented Georgia's workers' compensation exclusive remedy provisions. The exclusive remedy provisions within Georgia's workers' compensation laws are a tradeoff, or quid pro quo, between employer and employee. Our leadership believes that if the *Pitts* decision was not addressed legislatively, every employer in Georgia would need to question whether Georgia's no fault workers' compensation coverage will in fact be the exclusive remedy for work place injuries, or would they be subject to additional actions for not providing a safe work place. House Bill 412, was ultimately introduced by the Workers' Compensation Board and supported by the business community. It received unanimous votes of support on the Georgia House and Senate floor.



Governor Deal signed HB 412 (Act 185) into law on May 6. It is effective July 1, 2015. AGC Georgia participated in the signing ceremony with representatives from the state Workers' Compensation Board.

The first section of the new law clarifies that the workers' compensation exclusive remedy defense applies to all claims, regardless of whether they are based in contract, tort or some other legal theory for civil liability. Specifically, it adds a words to O.C.G.A. § 34-9-11(a) to make it clear that the rights and remedies created by the Georgia workers' compensation statute shall exclude "**and be in place of**" all other rights and remedies "**and all other civil liabilities whatsoever.**" The bill also includes an employer may, if it chooses, assume greater liability to employees, but only "**by expressly agreeing in writing to specific additional rights and remedies; provided, further, however, that the use of contractual provisions generally relating to workplace safety, generally relating to compliance with laws or regulations, or generally relating to liability insurance requirements shall not be construed to create rights and remedies beyond those provided in this chapter.**"

Our second pro-active legislative agenda item pertained to creation of the Partnership for Public Facilities and Infrastructure Act, Senate Bill 59, also known as Public-Private Partnerships (P3). AGC Georgia was has been actively engaged with stake holder groups on P3 for the last three years. This legislation grants board authority to state and local governments to utilize P3s. The new law allows both solicited and unsolicited proposals to secure providers of P3 services.



AGC Georgia joined with various stakeholder groups as Governor Deal signed SB 59 (Act 72) into law on May 5. It became effective upon his signature.

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REGISTRATION OPTIONS

OPTION A – register online at www.agcga.org

- \$45/person – register EARLY
- \$55/person – register after August 10
- \$130/person – register as a **non-AGC Georgia member***

OPTION B – register with this form and return via mail, fax or automated email

- \$55/person – register EARLY
- \$65/person – register after August 10
- \$130/person – register as a **non-AGC Georgia member***

***If you are unsure your company is a member of AGC Georgia, please call L.B. at 678.298.4102.**

If you prefer to register with this form rather than take advantage of preferred pricing at www.agcga.org, please check the correct box in the above right column, then fill out all of the below fields. We'll send a confirmation via email prior to the event.

Attendee Name: _____ Company: _____

Phone Number: _____ Email Address: _____

**Dietary restrictions: _____ Total Payment Due: \$ _____

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Regardless of payment method, please use one of the methods below to return this form by **August 10, 2015**

Electronically On many systems, pressing "Click to Submit" after completing form will attach file to automated email
Fax 678-298-4101

Email (after manually completing form): registration@agcga.org

Contact L.B. Kinnett with questions at 678.298.4102 or kinnett@agcga.org.

Cancellation Policy: All cancellations must be received by August 10 in order to receive a full refund.
No refunds can be made after this date due to food commitments. Substitutions are encouraged.