

MINUTES OF MEETING
OF THE INDUSTRIAL COMMISSION OF ARIZONA
Held at 800 West Washington Street
Conference Room 308
Phoenix, Arizona 85007
Thursday, December 6, 2018 – 1:00 p.m.

Present:	Dale L. Schultz	Chairman
	Joseph M. Hennelly, Jr.	Vice Chair
	Scott P. LeMarr	Commissioner
	Steven J. Krenzel	Commissioner
	Jason M. Porter	Deputy Director
	Gaetano Testini	Chief Legal Counsel
	Trevor Laky	Legislative Affairs Chief / Public Information Officer
	Jessie Atencio	ADOSH Director
	Rick Jackson	Compliance Officer
	Kara Dimas	Commission Secretary

Chairman Schultz convened the meeting at 1:05 p.m. Also in attendance were Tracy Kopp and Kim Bentley (Premier Risk Management); and Michael Fassett (Snell & Wilmer).

Approval of Minutes of November 29, 2018 Regular Meeting.

Commissioner LeMarr moved to approve the Minutes of the November 29, 2018 regular session meeting and Vice Chair Hennelly seconded the motion. Chairman Schultz, Vice Chair Hennelly, Commissioner LeMarr and Commissioner Krenzel voted in favor of the motion. The motion passed.

Consent Agenda:

All items following under this agenda item are consent matters and will be considered by a single motion with no discussion unless a Commissioner asks to remove an item on the consent agenda to be discussed and voted on separately. The Commission may move into Executive Session under A.R.S. § 38-431.03(A)(2) to discuss records exempt by law from public inspection. Legal action involving a final vote or decision shall not be taken in Executive Session. If such action is required, then it will be taken in General Session.

a. Approval of Proposed Civil Penalties Against Uninsured Employers.

1. 2CRP17/18-0228 - Christian Roofing for \$1,000.00
2. 2C-17/18-0892 - Copper Fitness, LLC for \$1,000.00
3. 2C-17/18-0766 - Flying Eagle Framing, LLC for \$1,000.00
4. 2C-17/18-0949 - GLZ Cleaning Services, LLC for \$1,000.00
5. 2C-17/18-0950 - Martin Framing, LLC for \$1,000.00
6. 2C-18/19-0389 - My Tree Guy, LLC for \$5,000.00
7. 2C-18/19-0390 - Simple Mobile Solutions fka Simply Prepaid for \$5,000.00
8. 2CRP18/19-0058 - Stell Roofing, LLC - for \$1,000.00
9. 2C-18/19-0391 - Threadslly, Inc., dba Proven Collection, LLC for \$5,000.00

aware of all of the moving parts. Mr. Atencio noted the safety program for the company and training and noted the difficulty of training on such large machines.

Vice Chair Hennelly and Mr. Atencio noted multiple employees were affected.

Chairman Schultz noted the quick abatement and employer knowledge of the hazard. He discussed the importance of an effective written safety program and having it be part of the day-to-day operations requiring employees to follow those safety programs.

Vice Chair Hennelly and Mr. Atencio discussed the inspection history and a similar inspection in 2016 and any abatement at that time.

Vice Chair Hennelly moved to approve the citation and proposed penalties as presented. Commissioner LeMarr seconded the motion. Chairman Schultz, Vice Chair Hennelly, Commissioner LeMarr, and Commissioner Krenzel voted in favor of the motion. The motion passed.

Announcements, Scheduling of Future Meetings and Retirement Resolutions.

Ms. Dimas presented a retirement resolution for Jianzin L. Yingst, Customer Service Representative II in Claims, who has provided 15 years of state service. A second retirement resolution is for Gregory A. Morgan, Assistance Claims Manager, who has provided 34 years of state service.

Ms. Dimas noted the Commissioners were invited to the Arizona Rock Products Association Christmas luncheon. Chairman Schultz noted that last year the Governor attended.

Ms. Dimas confirmed Commission meeting dates through January 2019. Commissioner LeMarr discussed quorums for the remaining meeting in December and noted he will call in on December 13th and attend on December 20th. Chairman Schultz asked Mr. Atencio if he had any file deadlines.

Mr. Porter announced and invited the Commissioners to the Workers' Compensation Research Institute (WCRI) national program in Phoenix on February 28 and March 1. If anyone is interested in attending please let Ms. Dimas know. Chairman Schultz noted he thought it would be worthwhile and noted they are a research group. Vice Chair Hennelly and Commissioner Krenzel were interested in attending.

Public Comment.

There was no public comment.

Commissioner Krenzel moved to adjourn and Commissioner LeMarr seconded the motion. Chairman Schultz, Vice Chair Hennelly, Commissioner LeMarr, and Commissioner Krenzel voted in favor of the motion and the meeting was adjourned at 1:35 p.m.

THE INDUSTRIAL COMMISSION OF ARIZONA

By  _____
Jason Porter, Deputy Director

ATTEST:



Kara Dimas, Commission Secretary