

MINUTES OF MEETING  
OF THE INDUSTRIAL COMMISSION OF ARIZONA  
Held at 800 West Washington Street  
Conference Room 308  
Phoenix, Arizona 85007  
Thursday, January 10, 2019 – 1:00 p.m.

Present:	Dale L. Schultz	Chairman
	Joseph M. Hennelly, Jr.	Vice Chair
	Scott P. LeMarr	Commissioner
	James Ashley	Director
	Gaetano Testini	Chief Legal Counsel
	Trevor Laky	Legislative Affairs Chief / Public Information Officer
	Renee Pastor	Self Insurance
	Michael Mosesso	Chief Administrative Law Judge
	Marilyn Carter	HR Manager
	Yvonne Borunda	Legal
	Kara Dimas	Commission Secretary

Chairman Schultz convened the meeting at 1:00 p.m. Also in attendance were Aaron Smith; Similola Adejughe; and Alexandria Dionne.

Approval of Minutes of December 13, 2018 Regular Meeting.

Chairman Schultz noted there was not a quorum present from the December 13, 2018 meeting and approval would be moved to the next meeting.

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.

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a. Approval of Proposed Civil Penalties Against Uninsured Employers.

1. 2C18/19-0082 Abradayless Landscaping, LLC \$1,000
2. 2CNP17/18-0221 Another Welding Company \$1,000
3. 2C18/19-0325 Douglas Hume DBA Big Orange Bus Transportation Company \$1,000
4. 2C18/19-0025 Krytamck, LLC DBA A Perfect Party Rental and Jumping Monkey Party Rentals \$1,000
5. 2CRP18/19-0059 Roman Roofing, Inc. \$1,000
6. 2C18/19-0120 We Build It Construction, LLC \$1,000
7. 2C18/19-0300 Your Window Cleaners \$1,000
8. 2C18/19-0314 EZ Medical Transportation, LLC \$5,000
9. 2C18/19-0455 Dalla Mae Home Care, PLLC \$5,000
10. 2C18/19-0456 Gracious Haven Healthcare, LLC \$5,000

11. 2C18/19/0457 Juntos Ventures, LLC \$5,000
12. 2C18/19-0458 The Home Care Solution, LLC \$5,000

b. Approval of Requests for Renewal of Self-Insurance Authority.

1. Arizona Counties Workers' Compensation Pool
2. Maricopa County
3. Regis Corporation
4. The Proctor & Gamble Company

Commissioner LeMarr requested Maricopa County's Approval of Requests for Renewal of Self-Insurance Authority be moved to the regular agenda.

Vice Chair Hennelly moved to approve the remaining items on the Consent Agenda and Commissioner LeMarr seconded the motion. Chairman Schultz, Vice Chair Hennelly and Commissioner LeMarr voted in favor of the motion. The motion passed.

Commissioner LeMarr recused himself from Consent Agenda item b.2 (Maricopa County). Chairman Schultz noted there would not be a quorum to vote and moved b.2 (Maricopa County) to the next agenda.

Discussion and/or Action regarding the Consideration of Candidates for the Administrative Law Judge Position, discussion regarding interview questions, second interviews, and the salary. The Commission may move into Executive Session under A.R.S. §§ 38-431.03(A)(1), (A)(2), and (A)(3) to obtain legal advice and to discuss the candidates and the salary.

Chairman Schultz recommended that the Commission move into executive session.

Vice Chair Hennelly moved to go into executive session and Commissioner LeMarr seconded the motion.

The Commission went into Executive Session at 1:05 pm.

The Commission returned to regular session at 1:15 p.m.

Commissioner LeMarr moved to approve extending an offer to Candidate No. 1 for the vacant ALJ position and Candidate No. 6 should Candidate No. 1 no longer be available. Vice Chair Hennelly seconded the motion. Chairman Schultz, Vice Chair Hennelly and Commissioner LeMarr voted in favor of the motion. The motion passed.

Discussion and/or action regarding Industrial Commission goals, objectives and key initiatives for 2019. This Agenda Item may include discussion regarding the Commission budget and review of Division, Department, and Section specific objectives.

Mr. Ashley discussed the partial federal government shutdown and recent notification from the Department of Labor to the states regarding a full year budget appropriation they had received through the federal fiscal year.

Announcements, Scheduling of Future Meetings and Retirement Resolutions.

Ms. Dimas confirmed Commission meeting dates through March 2019. Commissioner LeMarr noted he would not be available and Vice Chair Hennelly noted he may have to call in on February 14.

Mr. Ashley discussed quarterly commission outreach.

Chairman Schultz noted the WCRI conference on February 28 and March 1.

Public Comment.

Ms. Adejughe commented on a dispute with her employer. Mr. Ashley noted staff would have to get more information after the meeting in order to assist her.

There was no other public comment.

Commissioner LeMarr moved to adjourn and Vice Chair Hennelly 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 1:24 p.m.

THE INDUSTRIAL COMMISSION OF ARIZONA

By James Ashley  
James Ashley, Director

ATTEST:

Kara Dimas  
Kara Dimas, Commission Secretary