

MINUTES OF MEETING  
OF THE INDUSTRIAL COMMISSION OF ARIZONA  
Held at Yuma City Hall, Council Chambers,  
1 City Plaza, Yuma, Arizona 85364  
Thursday, March 7, 2019 – 1:30 p.m.

Present:	Dale L. Schultz	Chairman
	Joseph M. Hennelly, Jr.	Vice Chair
	Scott P. LeMarr	Commissioner (Telephonic)
	Steven J. Krenzel	Commissioner (Telephonic)
	James Ashley	Director
	Gaetano Testini	Chief Legal Counsel
	Trevor Laky	Legislative Affairs Chief / Public Information Officer
	Jessie Atencio	ADOSH Director
	Kara Dimas	Commission Secretary

Chairman Schultz convened the meeting at 1:30 p.m.

Approval of Minutes of February 21, 2019 Regular Meeting.

Vice Chair Hennelly moved to approve the Minutes of the February 21, 2019 regular session meeting and Commissioner LeMarr seconded the motion. Chairman Schultz, Vice Chair Hennelly, and Commissioner LeMarr voted in favor of the motion. Commissioner Krenzel abstained. 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.

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a. Approval of Proposed Civil Penalties Against Uninsured Employers.

1. 2C-18/19-0365 Tena's Framing LLC \$1000
2. 2C-NP-18/19-0153 Zenem Corporation \$1000
3. 2C-18/19-0582 Your Window Cleaners \$5000

Commissioner LeMarr moved to approve the items on the Consent Agenda 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.

Discussion and Action of Arizona Division of Occupational Safety and Health Proposed Citations and Penalties.

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Chairman Schultz discussed the purpose of and process for the Commission's consideration of ADOSH citations and proposed penalties.



Mr. Ashley noted this will wrap up another successful and informative out of town outreach trip to Yuma. He thanked the community and agriculture industry for providing a warm welcome and an opportunity to explore ways in which we can work collaboratively together. Chairman Schultz added that agriculture is a high risk industry and deserves our attention.

Director Ashley discussed the recent Benchmark AMS visit with representatives of the Arizona Commerce Authority, Department of Corrections, OSPB, the Governor's Communication Office and new Government Transformation Office staff who have made it part of their standard work to attend.

Mr. Ashley noted the rulemaking to allow residential Pneumatic Elevator installation has received approval from the Governor's office and we are ready to move on to the next step in the rulemaking process.

Mr. Ashley noted the Golden Hard Hat Award was awarded this month to the Labor Division. 2016's Prop 206 presented a significant set of responsibilities and the Labor Department has reduced the oldest unpaid sick time claim by 106 days, and average pending time dropped by 26 days.

Mr. Ashley noted the Arizona Food Marketing Alliance has a new president after the retirement of Tim McCabe. Mark Miller will be the new president and we will be looking forward to meeting with him.

Announcements, Scheduling of Future Meetings and Retirement Resolutions.

Ms. Dimas presented a retirement resolution for Linda Lodwick, Legal Secretary in the ALJ Division with 5 years of state service.

Ms. Dimas confirmed Commission meeting dates through May 2019.

Mr. Ashley noted that the ICA Day at the Capitol will be held on March 27, 2019 at 11:00 am. Chairman Schultz, Commissioner LeMarr and Commissioner Krenzel confirmed they will be attending. Vice Chair Hennelly noted he will not be available.

Public Comment.

There was no public comment.

Vice Chair Hennelly moved to adjourn and Commissioner Krenzel 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 1:57 p.m.

THE INDUSTRIAL COMMISSION OF ARIZONA

By James Ashley  
James Ashley, Director

ATTEST:

Kara Dimas  
Kara Dimas, Commission Secretary