

MINUTES OF MEETING
OF THE INDUSTRIAL COMMISSION OF ARIZONA
Held at 800 West Washington Street
Conference Room 308
Phoenix, Arizona 85007
Thursday, November 21, 2019 – 1:00 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
	Renee Pastor	Self Insurance
	Janine Locke	Special Services Manager
	Ruby Tate	Claims Manager
	Jessie Atencio	ADOSH Director
	Kara Dimas	Commission Secretary

Chairman Schultz convened the meeting at 1:00 p.m. Also in attendance was Scot Butler (Undisclosed).

Approval of Minutes of November 7, 2019 and November 14, 2019 Regular Meeting Minutes.

Vice Chair Hennelly moved to approve the Minutes of the November 7, 2019 regular session meeting and Commissioner LeMarr seconded the motion. Chairman Schultz, Vice Chair Hennelly, Commissioner LeMarr and Commissioner Krenzel voted in favor of the motion. The motion passed.

Vice Chair Hennelly moved to approve the Minutes of the November 14, 2019 regular session meeting and Commissioner LeMarr 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 Requests for Renewal of Self-Insurance Authority.
 1. FedEx Freight, Inc.
 2. McKee Foods Corporation

Chairman Schultz noted it was McKee Foods' first renewal of self-insurance authority, and that FedEx Freight, Inc. continues to improve their safety record and experience modification factor despite their difficult industry.

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

Safety Committee Update and Topic Discussion.

Ms. Locke reviewed the Industrial Commission's SDS sheets and hazardous communication training program for the agency.

Mr. Ashley noted that 63 of the 73 items from the VPP Inspection have been abated.

Discussion & Action regarding Appointment of Special Assistant to the Industrial Commission of Arizona.

Ms. Tate requested that Melissa Smith be appointed as Special Assistant to the Industrial Commission to be authorized as the Ombudsman for the Commission. She noted Ms. Smith's background for the position.

Vice Chair Hennelly moved to appoint Melissa Smith as Special Assistant to the Industrial Commission of Arizona and Commissioner LeMarr 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 regarding Administrative Law Judge Appointment Dates.

As a record keeping item, Mr. Testini discussed the Administrative Law Judges appointed by the Commissioners, and a resolution of such appointments.

Vice Chair Hennelly moved to appoint the Administrative Law Judges to their current position and 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.

Mr. Ashley reiterated the abatement of 63 items from the VPP inspection and stated the Commission submitted the "Letter of Commitment" to ADOSH for those items.

The building tour was postponed due to the weather.

Mr. Atencio provided an update of the seven members with an ADOSH Alliance. Chairman Schultz and Mr. Atencio discussed the use of simulations or game theory. Mr. Atencio noted the Chairman's Roofer Alliance and Mr. Ashley noted the attendance at the Chairman's Roofer Alliance meetings continue to be strong after over 2 1/2 years. Chairman Schultz noted his amazement that competitors get together for safety.

Mr. Atencio discussed the partnership with Central AZ Home Builders and the Tucson Chamber of Commerce members with ADOSH working with the Chamber members on a few events.

Mr. Atencio noted the Safety Summit will be December 4, at Goodyear Ballpark.

Ms. Dimas confirmed Commission meeting dates through January 2020.

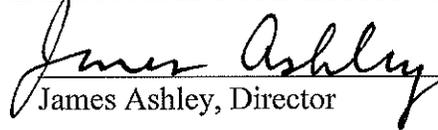
Public Comment.

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 1:30 p.m.

THE INDUSTRIAL COMMISSION OF ARIZONA

By


James Ashley, Director

ATTEST:


Kara Dimas, Commission Secretary