

MINUTES OF MEETING  
OF THE INDUSTRIAL COMMISSION OF ARIZONA  
Held at 800 West Washington Street  
Conference Room 308  
Phoenix, Arizona 85007  
Thursday, October 19, 2017 – 1:00 p.m.

Present:	Dale L. Schultz	Chairman
	Joseph M. Hennelly, Jr.	Vice Chair
	Scott P. LeMarr	Commissioner
	Robin S. Orchard	Commissioner
	Steven J. Krenzel	Commissioner (telephonic)
	James Ashley	Director
	Jason M. Porter	Chief Legal Counsel
	Trevor Laky	Legislative Affairs Chief / Public Information Officer
	Renee Pastor	Self Insurance
	Jacqueline Kurth	Medical Resource Office
	William Warren	ADOSH Director
	Phillip Murphy	Assistant ADOSH Director
	Billie Gingrass	Compliance Officer
	Kara Dimas	Commission Secretary

Chairman Schultz convened the meeting at 1:00 p.m. Also in attendance were Sergeant John France and Dorothy France; Jason Mau; Raymond Byrne, Scott Hayes, and James Lechuga with America Roofing; Elise Kulik with the Association of Lawyers for Injured Workers; Janell Youtsey with the Law Office of Janell Youtsey; Tom Whitley with Taylor & Associates; Frank Garcia and Frank R. Garcia with Premier Risk Management; Fabian Sandez, Conrad Corrasco, Steve Pasko, Jim Stewart, and Hector Hernandez with Southwest Regional Council of Carpenters; Shane Gray, Rosie Chavez, and Mike Levy with Local 428 Operating Engineers; Steve Haver representing Ridgeline Construction, Inc.; Emily Rice with Arizona Self Insured Association; Daniel Romm with Kutak Rock LLP; Mark Kendall and Susan Canata with CopperPoint Insurance; Seema Lord with Freeport-McMoRan; Stephanie Coulter with the Cavanagh Law Firm; and Jessica Aceves with Snell & Wilmer.

Approval of Minutes of October 5, 2017 Regular Meeting Minutes, October 12, 2017 Regular Meeting Minutes and October 12, 2017 Executive Session Minutes.

Vice Chair Hennelly moved to approve the Minutes of the October 5, 2017 regular session meeting and Commissioner LeMarr seconded the motion. Chairman Schultz, Vice Chair Hennelly, Commissioner LeMarr, Commissioner Orchard, and Commissioner Krenzel voted in favor of the motion. The motion passed.

Commissioner LeMarr moved to approve the Minutes of the October 12, 2017 regular session meeting and Commissioner Orchard seconded the motion. Chairman Schultz, Commissioner LeMarr, Commissioner Orchard, and Commissioner Krenzel voted in favor of the motion. Vice Chair Hennelly abstained. The motion passed.

Commissioner Orchard moved to approve the Minutes of the October 12, 2017 executive session meeting and Commissioner LeMarr seconded the motion. Chairman Schultz, Commissioner

LeMarr, Commissioner Orchard, and Commissioner Krenzel voted in favor of the motion. Vice Chair Hennelly 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. 2C17/18-0125 Rococo Event and Banquet Hall, Inc.
- b. Approval of Requests for Renewal of Self-Insurance Authority.
  1. FedEx Ground Package System, Inc.

Chairman Schultz commended FedEx Ground Package System on its exceptional experience modification rate (“EMod”) and discussed the meaning of the EMod.

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, Commissioner Orchard, and Commissioner Krenzel voted in favor of the motion. The motion passed.

Stakeholder Presentation.

Mr. Ashley discussed Commission efforts to seek feedback and input from stakeholders. He introduced Sergeant John France and Dorothy France.

Sergeant France discussed: (1) the hierarchy of on-duty injuries applicable to law enforcement officers; (2) a 2016 article written by Carolyn Whiting (a retired officer from the State of California) regarding the hierarch of on-duty injuries; (3) classification of on-duty injuries and typical responses to different types of injuries; (4) types of injuries that are considered “injuries of shame,” including back injuries and emotional/mental-health injuries (including post-traumatic stress disorder (PTSD) and post-traumatic stress injury (PTSI)); (5) how “injuries of shame” affect first responders and impact their lives; (6) how on-duty injuries impact women in law enforcement; (7) the investigation process for officer-involved shootings and the impact of the process on the involved officer; (8) the “unexpected, unusual, and extraordinary” standard in Arizona’s workers’ compensation system for claims involving law enforcement officers; (9) the workers’ compensation claim process for law enforcement officers and the impact of the process on an officer (including secondary trauma issues); (10) the impact of timely, qualified treatment on an officer; (11) costs associated with injuries to law enforcement officers; (12) PTSD in first responder professions; and (13) how to change the culture regarding on-duty injuries and provide better peer support and administrative support for injured officers. Sergeant France asked the Commission to consider how it can assist with an improved approach to PTSD and PTSI workers’ compensation claims.

Chairman Schultz and Mr. Ashley thanked Sergeant France for his comments and helping educate the Commission about PTSD and PTSI issues.

Discussion Regarding National Council on Compensation Insurance (NCCI) Medical Data Report for Arizona, 2016.

Ms. Kurth discussed the 2016 NCCI Medical Data Report and presented a summary of highlights from the report, including information regarding: (1) total number of medical transactions and amounts paid for medical benefits in 2016; (2) decrease in usage of opioid medications and amounts spent on opioids in 2016; (3) decrease in the number of claims with at least one controlled substance; (4) distribution of medical payments; (5) the cost of OxyContin; (6) decrease in the use of Percocet and the amounts paid for Percocet; (7) decrease in the volume of opioid prescribing; (8) increasing cost of opioid prescriptions; (9) amounts paid for inpatient care in hospitals; (10) amounts paid for hospital out-patient care; and (11) amounts paid for ambulatory surgery centers. Ms. Kurth noted that the Commission does not regulate hospital or surgery centers and stated that the NCCI report is available on the Commission's website.

Mr. Ashley noted that the data was encouraging and that he looks forward to further data after the full twelve-month time span for 2017 is released.

Chairman Schultz discussed Arizona's adoption of ODG for the treatment of chronic pain and how the Arizona data is tracking the results of other states with evidence-based medicine treatment guidelines. He noted the data was very encouraging and reflected a significant step forward in treating chronic pain appropriately. He discussed the importance of helping injured workers receive appropriate chronic pain treatment without the issues that accompany opioid addiction. He emphasized the importance of helping injured workers obtain the best possible care at the right time.

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

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

America Roofing LLC	Referral
1005 S 30 <sup>th</sup> Ave	Years in Business: 18
Phoenix, AZ 85009	Empl. Covered by inspection: 6
Site Location: 4950 W. Chandler Blvd	
Chandler, AZ 85226	
Inspection No: H9685-1256188	
Inspection Date: 08/14/2017	

REPEAT SERIOUS – Citation 1 - Item 1 – 4950 W Chandler Blvd Chandler, AZ 85226: Four employees engaged in moving and storing rolls of roof underlayment from the north side of the roof to the south side of the roof were not protected from falling approximately 22 feet to the ground below by the use of conventional fall protection or the combination of other fall protection systems required by the standard. (29 CFR 1926.501(b)(10)).

America Roofing LLC was previously cited for a violation of this occupational safety and health standard 1926.501(b)(10), which was contained in ADOSH inspection number 1102438, citation

number 1, item number 1 and was affirmed as a final order on January 26, 2017, with respect to a workplace located at 18413 W Roma Ave, Goodyear, AZ 85395.

Div. Proposal - \$4,000.00	Formula Amt. - \$4,000.00
TOTAL PENALTY - \$4,000.00	TOTAL FORMULA AMT. - \$4,000.00

Mr. Warren summarized the citation and proposed penalty and reviewed the photographs.

Commissioner LeMarr discussed the availability of fall protection at the worksite, the use of fall protection by one of the employees, and the employer's fall protection training program.

Mr. Byrne discussed the legal sufficiency of the proposed citation, the employer knowledge standard, and the evidence bearing on the employer knowledge issue. Mr. Lechuga recounted his interaction with the ADOSH Compliance Officer and his statements to the Compliance Officer. Mr. Byrne discussed Mr. Lechuga's comments, fall protection training provided to employees, disciplinary practices of the company, and potential employer defenses (including employee misconduct or isolated incident). He asked that the Commission consider whether the case should be dismissed for not meeting the required legal elements for a violation.

Commissioner LeMarr and Mr. Lechuga discussed whether the employees at the worksite were asked whether they had fall protection certification cards and the number of employees on the roof. Commissioner LeMarr and Mr. Byrne discussed the employee who was properly using fall protection.

Commissioner Orchard and Mr. Lechuga discussed the presence of anchors on the roof. Commissioner Orchard emphasized the importance of employees taking the time to "clip in."

Mr. Warren discussed the evidence of employer knowledge and discussed the actual and constructive knowledge standards. He noted the company's violation history, participation in the Chairman's Roofer's Alliance, and the company's training program.

Commissioner Orchard and Mr. Warren discussed the company's violation history.

Chairman Schultz and Mr. Warren discussed the employer knowledge standard, whether actual knowledge exists in the case, how a company's violation history might apply to the constructive knowledge analysis, and the evidence of employer knowledge gathered at the time of the inspection.

Commissioner LeMarr and Mr. Warren discussed confusion arising from the citation report about who was present at the worksite and who was involved in the inspection. Mr. Warren recited a summary of the information gathered from Mr. Lechuga at the time of the inspection.

Commissioner Orchard and Mr. Warren discussed the impact of Mr. Lechuga's acknowledgement that he was not properly using fall protection and how a supervisory employee imputes knowledge to an employer.

Commissioner LeMarr and Mr. Warren discussed the involvement of Mr. Campbell and Mr. Cooper in the inspection and what was said during the opening conference.

Commissioner LeMarr moved to remand the matter to ADOSH for further consideration of whether sufficient evidence exists to establish employer knowledge. Vice Chair Hennelly seconded the motion and noted the absence of information in the report regarding employer knowledge. He noted his agreement with Commissioner LeMarr that the report is confusing about the various

individuals involved and hoped that information could be laid out more thoroughly in the future. Commissioner LeMarr noted that more information would be helpful. Chairman Schultz, Vice Chair Hennelly, Commissioner LeMarr, Commissioner Orchard, and Commissioner Krenzel voted in favor of the motion. The motion passed.

J.R.B., Inc.	Planned	
1135 W. Geneva Dr.	Years in Business:	25
<u>Tempe, AZ 85282</u>	Empl. Covered by inspection:	6
Site Location:	1135 W. Geneva Dr.	
	Tempe, AZ 85282	
Inspection No:	A3807-1238787	
Inspection Date:	06/09/2017	

SERIOUS – Citation 1 - Item 1 – Chemical Closet: Two employees utilized corrosive chemicals such as Proclean Delimer and Blue Ribbon Bleach and the employer did not provide suitable facilities for quick drenching or flushing of the eyes and body within the work area for immediate emergency use. (29 CFR 1910.151(c)).

Div. Proposal - \$1,250.00	Formula Amt. - \$1,250.00
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SERIOUS – Citation 1 - Item 2 – Warehouse: One employee operated the Crown walk behind forklift model WS2000 Series serial 5A102776 and had not received training prior to operating the equipment. (29 CFR 1910.178(l)(1)(i)).

Div. Proposal - \$1,000.00	Formula Amt. - \$1,000.00
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SERIOUS – Citation 1 - Item 3 –

- a) Mixing Area: Two employee used vertical mixers number 1M- Boku Type SK460A Machine 5800 that was not completely enclosed to prevent employee contact with moving parts as prescribed in 29 CFR 1910.263(e)(1)(i).
  - b) Mixing Area: Two employee used vertical mixer number 2M: Emil Kemper Type ECO125, Machine Kem0000378that was not completely enclosed to prevent employee contact with moving parts as prescribed in 29 CFR 1910.263(e)(1)(i).
  - c) Mixing Area: Two employee used vertical mixer number Small: Eberhardt type MVL80, number KB704 was not completely enclosed to prevent employee contact with moving parts as prescribed in 29 CFR 1910.263(e)(1)(i).
  - d) Mixing Area: Two employee used vertical mixer number 4M: Lucks unknown type/serial numbers that was not completely enclosed to prevent employee contact with moving parts as prescribed in 29 CFR 1910.263(e)(1)(i).
  - e) Mixing Area: Two employee used vertical mixer number 6 Hobart unknown model/serial that was not completely enclosed to prevent employee contact with moving parts as prescribed in 29 CFR 1910.263(e)(1)(i).
  - f) Mixing Area: Two employee used vertical mixer number 7 Hobart model V-1401, serial 11-1029-747 that was not completely enclosed to prevent employee contact with moving parts as prescribed in 29 CFR 1910.263(e)(1)(i).
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| Div. Proposal - \$1,000.00 | Formula Amt. - \$1,000.00 |
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SERIOUS – Citation 1 - Item 4 –

- a) Hazards-Operation/Condition-Accident: a) Oven Room: The employer utilized one Revent model 624-G CG, serial UO4-2431-027-0704 gas oven and did not ensure that the safety devices on the ovens were inspected twice a month by a properly instructed bakery employee and not less than once annually by a representative of the oven manufacturer. (29 CFR 1910.263(l)(9)(ii)).
- b) Oven Room: The employer utilized one Revent model 624-G CG, serial UO4-2431-028-0704 gas oven and did not ensure that the safety devices on the ovens were inspected twice a month by a properly instructed bakery employee and not less than once annually by a representative of the oven manufacturer. (29 CFR 1910.263(l)(9)(ii)).
- c) Oven Room: The employer utilized one Hobart model HBA2G, serial 24-1037556 gas oven and did not ensure that the safety devices on the ovens were inspected twice a month by a properly instructed bakery employee and not less than once annually by a representative of the oven manufacturer. (29 CFR 1910.263(l)(9)(ii)).
- d) Oven Room: The employer utilized one Hobart model HBA 2G, serial 24-1031946 gas oven and did not ensure that the safety devices on the ovens were inspected twice a month by a properly instructed bakery employee and not less than once annually by a representative of the oven manufacturer. (29 CFR 1910.263(l)(9)(ii)).
- e) Oven Room: The employer utilized one Hobart model HBA 2G, serial 24-1030571 gas oven and did not ensure that the safety devices on the ovens were inspected twice a month by a properly instructed bakery employee and not less than once annually by a representative of the oven manufacturer. (29 CFR 1910.263(l)(9)(ii)).
- f) Oven Room: The employer utilized one Hobart model DRO 2GR, serial 25-1000791 gas oven and did not ensure that the safety devices on the ovens were inspected twice a month by a properly instructed bakery employee and not less than once annually by a representative of the oven manufacturer. (29 CFR 1910.263(l)(9)(ii)).
- g) Oven Room: The employer utilized one Adamatic model DR02GH, serial 24-1020849 gas oven and did not ensure that the safety devices on the ovens were inspected twice a month by a properly instructed bakery employee and not less than once annually by a representative of the oven manufacturer. (29 CFR 1910.263(l)(9)(ii)).
- h) Oven Room: The employer utilized one Reed model 8-26X110, serial R11020 gas oven and did not ensure that the safety devices on the ovens were inspected twice a month by a properly instructed bakery employee and not less than once annually by a representative of the oven manufacturer. (29 CFR 1910.263(l)(9)(ii)).
- i) Oven Room: The employer utilized one MIWI Ideal model 1060/4G, serial 23 145 gas oven and did not ensure that the safety devices on the ovens were inspected twice a month by a properly instructed bakery employee and not less than once annually by a representative of the oven manufacturer. (29 CFR 1910.263(l)(9)(ii)).

Div. Proposal - \$1,250.00

Formula Amt. - \$1,250.00



Ridgeline Construction, Inc.  
1745 W. Deer Valley Rd., Ste. 104  
Phoenix, AZ 85027

Planned  
Years in Business: 21  
Empl. Covered by inspection: 35

Site Location: 4950 W. Chandler Blvd.  
Chandler, AZ 85226

Inspection No: A3807-1243998

Inspection Date: 06/27/2017

SERIOUS – Citation 1 - Item 1 – Enclave Building section C2: Two employees were working on a roof with unprotected sides at a height of approximately 10 feet 6 inches above the lower level and three employees were working at a height of approximately 30 feet above the lower level; employees were not protected from falling by the use of guardrail systems, safety net systems, or personal fall arrest system. (29 CFR 1926.501(b)(1)).

Div. Proposal - \$3,500.00	Formula Amt. - \$3,500.00
TOTAL PENALTY - \$3,500.00	TOTAL FORMULA AMT. - \$3,500.00

Mr. Warren summarized the citation and proposed penalty and reviewed the photographs.

Commissioner LeMarr and Ms. Gingrass discussed Photographs 5 and 6 and the availability of fall protection at the worksite.

Chairman Schultz and Ms. Gingrass discussed the height of the building.

Commissioner LeMarr and Mr. Warren discussed an error on the history page.

Chairman Schultz and Ms. Gingrass discussed Photograph 3 depicting an unguarded opening in the roof.

Commissioner Orchard and Ms. Gingrass discussed the employer's prompt abatement and cooperation.

Mr. Haver commended ADOSH on a well-conducted inspection. Mr. Haver, Chairman Schultz, Mr. Warren, and Ms. Gingrass discussed whether a good faith reduction was appropriate. Mr. Haver and Ms. Gingrass discussed the use of bracket scaffolding at the worksite and the presence of the opening in the deck. Mr. Haver and Ms. Gingrass discussed the employer knowledge standard, whether the standard is satisfied in this case, and the presence of anchors on the roof. Mr. Warren discussed the applicability of the constructive knowledge standard.

Commissioner Orchard and Mr. Haver discussed his relationship with Ridgeline Construction and his strength in fall protection.

Commissioner Orchard noted the company's good faith and prompt abatement and moved to reduce the proposed penalties by 20%, as follows: (1) reduce the proposed penalty for Citation 1, Item 1 from \$3,500.00 to \$2,800.00, for a total penalty of \$2,800.00. Commissioner Krenzel seconded the motion. Chairman Schultz and Ms. Gingrass discussed abatement and Photograph 10. Mr. Warren and Ms. Gingrass noted there were seven or eight inspection files related to the worksite. Chairman Schultz, Vice Chair Hennelly, Commissioner LeMarr, Commissioner Orchard, and Commissioner Krenzel voted in favor of the motion. The motion passed.

Tecta America Arizona LLC  
1824 W. Broadway Rd.  
Phoenix, AZ 85041

Referral  
Years in Business: 37  
Empl. Covered by inspection: 7

Site Location: 7175 N. 138<sup>th</sup> Ave.  
Commissary Building  
Glendale, AZ 85307  
Inspection No: H9685-1243698  
Inspection Date: 06/30/2017

SERIOUS – Citation 1 - Item 1 – Commissary Roof Northwest Side: One employee signaling a powered industrial truck operator who was lowering a load onto the roof was not protected from falling approximately 18 feet to ground below by guardrail systems or personal fall arrest systems. (29 CFR 1926.501(b)(3)).

Div. Proposal - \$1,250.00

Formula Amt. - \$1,250.00

SERIOUS – Citation 1 - Item 2 –

*29 CFR 1926.501(b)(10)*

- a) Commissary Roof: Seven employees engaged in roofing activities on a low-slope roof, with unprotected sides and edges, were not protected from falling approximately 18 feet to the ground below by the use of conventional fall protection or the combination of other fall protection systems required by the standard while working inside the warning line. (29 CFR 1926.501(b)(10)).

*29 CFR 1926.502(f)(1)*

- a) Commissary Roof West Side: The warning line was not erected around all sides of the roof work area as there was a gap between two warning line stanchions that was approximately 38 inches wide. (29 CFR 1926.502(f)(1)).
- b) Commissary Roof Southeast Side: The warning line was not erected around all sides of the roof work area as there was a gap between a warning line stanchion and the wall to the adjacent building that was approximately 58 inches wide. (29 CFR 1926.502(f)(1)).

*29 CFR 1926.502(f)(1)(iii)*

- a) Commissary Roof East Side: The roof point of access was not connected to the work area by an access path formed by two warning lines. (29 CFR 1926.502(f)(1)(iii)).
- b) Commissary Roof Northwest Side: The hoist area where materials were landed using a powered industrial truck was not connected to the work area by an access path formed by two warning lines. (29 CFR 1926.502(f)(1)(iii)).

*29 CFR 1926.502(f)(2)(i)*

- a) Commissary Roof: The warning line that was erected along the perimeter of the roof was not flagged at not more than 6 foot intervals as flags were missing in multiple sections on the east and west sides of the roof. (29 CFR 1926.502(f)(2)(i)).

*29 CFR 1926.502(f)(2)(ii)*

- a) Commissary Roof: The warning line that was erected along the perimeter of the roof was not rigged or supported so that its lowest point (including sag) was not less than 34 inches from the

walking/working surface as the warning line was laying on the roof in one area and less than 34 inches in several other areas. (29 CFR 1926.502(f)(2)(ii)).

Div. Proposal -	\$2,500.00	Formula Amt. -	\$2,500.00
TOTAL PENALTY -	\$3,750.00	TOTAL FORMULA AMT. -	\$3,750.00

Mr. Warren summarized the citation and proposed penalties and reviewed the photographs.

Commissioner Orchard discussed grouping of the violations.

Commissioner LeMarr and Mr. Warren discussed the standards relating to the use of flagging systems and the deficiencies in the flagging system in use. Mr. Warren referred to Photograph 1 to reflect the deficiencies.

Mr. Ashley and Mr. Warren discussed ADOSH's jurisdiction related to military installations.

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

#### Discussion and Action Regarding Approval of Settlements under A.R.S. § 23-941.01.

Mr. Porter provided an overview regarding full and final settlements under A.R.S. § 23-941.01, the requirements of the statute, and the Commission's duties and responsibilities under the statute. He stated that staff is recommending that the Commission delegate (pursuant to A.R.S. § 23-108.03(B)) to the Administrative Law Judge Division decision-making authority related to review and approval of settlements under A.R.S. § 23-941.01. He discussed Commission efforts to learn from other states that have the full and final settlement processes and to prepare for the October 31, 2017 effective date. He discussed Commission plans to post a "suggested best practices" document on the Commission website in an effort to provide guidance to interested stakeholder and parties to workers' compensation claims.

Ms. Kulik and Mr. Porter discussed the statutory authority for delegating duties to the ALJ Division.

Mr. Kendall discussed the reasonableness of delegating decision-making authority to the ALJ Division.

Commissioner Orchard noted that she liked the plan to have suggestive best practices posted on the website and would encourage continued communication with stakeholders moving forward.

Chairman Schultz and Mr. Porter discussed the importance of posting guidance on the website and of involving stakeholders.

Commissioner Orchard and Mr. Porter discussed whether the new statute was in the most-recently printed "Statutes" booklet.

Mr. Porter invited stakeholders to submit suggestions regarding the suggested best practices.

Mr. Ashley noted that the "suggested best practices" would be posted to the Commission's main webpage and the ALJ Division webpage.

Chairman Schultz summarized the recommendation of staff.

Commissioner Orchard moved that the Commission delegate (pursuant to A.R.S. § 23-108.03(B)) to the Administrative Law Judge Division decision-making authority related to review and approval of settlements under A.R.S. § 23-941.01. Commissioner LeMarr seconded the motion.

Vice Chair Hennelly discussed the significant efforts by the Commission, including the ALJ Division, to study the new statute and prepare for the October 31 effective date. He thanked staff for their diligence and noted that the ALJ Division was a very good place for these matters to be heard.

Chairman Schultz, Vice Chair Hennelly, Commissioner LeMarr, Commissioner Orchard, and Commissioner Krenzel voted in favor of the motion. The motion passed.

Executive Session under A.R.S. § 38-431.03(A)(3) to Obtain Legal Advice Regarding Approval of Settlements under A.R.S. § 23-941.01.

This item was provisional. There was no need for an executive session.

Discussion and/or action regarding Industrial Commission goals, objectives and key initiatives for 2017. This Agenda Item may include discussion regarding the Commission budget and review of Division, Department, and Section specific objectives.

Mr. Ashley discussed the great success of the Governor's Transformation Office Arizona Management System Roadshow, held at the Commission's Offices in Tucson. He and Chairman Schultz thanked Francisco Mendoza and Ruben Rodriguez for their participation on behalf of the Commission.

Mr. Ashley provided an update regarding the tuition and professional development reimbursement policies.

Mr. Ashley noted that he was proud of the work being done to lower the assessment rate and discussed related press coverage.

Mr. Ashley noted the Governor's Red Ribbon Kickoff for opioid addiction awareness and prevention will be held on October 23, 2017, from 5:00 to 6:00 p.m. on the Senate lawn.

Announcements, Scheduling of Future Meetings and Retirement Resolutions.

Commissioner LeMarr noted his appreciation of Commissioner Orchard for personally attending the events in Tucson and Chairing the Commission meeting.

Mr. Warren discussed the Commission's participation in the Raytheon VPP event.

Mr. Warren discussed the Yuma Regional Safety Summit and noted his appreciation of Diane Robinson for hosting the event. He noted that over 200 people should be participating in the 2-day Safety Summit at the Thunderbird School of International Management on November 16 and 17. Chairman Schultz noted that attendance numbers are a significant increase over prior safety meetings, reflective of the Commission's outreach efforts.

Ms. Dimas confirmed Commission meeting dates through December 2017.

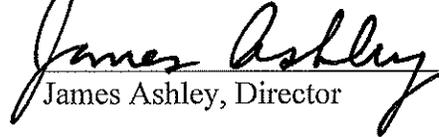
Public Comment.

There was no public comment.

Commissioner LeMarr moved to adjourn and Vice Chair Hennelly seconded the motion. Chairman Schultz, Vice Chair Hennelly, Commissioner LeMarr, Commissioner Orchard, and Commissioner Krenzel voted in favor of the motion and the meeting was adjourned at 2:55 p.m.

THE INDUSTRIAL COMMISSION OF ARIZONA

By

  
James Ashley, Director

ATTEST:

  
Kara Dimas, Commission Secretary