

MINUTES OF MEETING
OF THE INDUSTRIAL COMMISSION OF ARIZONA
Held at 800 West Washington Street
Phoenix, Arizona 85007
Thursday, March 30, 2023 – 1:00 p.m.

Present: Dale L. Schultz	Chairman
Joseph M. Hennelly, Jr.	Vice Chair
Scott P. LeMarr	Commissioner (Telephonic)
D. Alan Everett	Commissioner
James Ashley	Director
Gaetano Testini	Chief Legal Counsel
Trevor Laky	Legislative Affairs Chief/Public Information Officer
Renee Pastor	Self Insurance
Melissa Spurgeon	Labor Supervisor
Christina Lasater	Labor Division
Yvonne Borunda	Legal Admin
Kara Dimas	Commission Secretary

Chairman Schultz convened the meeting at 1:00 p.m. In attendance, confirmed by roll call were Anne Ryman and cameraman (unknown) (ABC 15). Also in attendance on the telephone, confirmed by roll call were Lorena Sanchez, Kathy Thomas and Sam Garza (City of Glendale); Pamela Dominguez (Alliant); Nitra Hawkins (City of Mesa); CamaLe Russell (City of Peoria); George Wood and Denise Plug (City of Scottsdale); Nichole Martinez and Christopher Hansen (City of Tempe); Carolyn Horton and Uyen Nguyen (Costco Wholesale Corporation); and Lisa Laird (Maricopa County Community College District).

Approval of Minutes of March 9, 2023 Regular Meeting Minutes and March 16, 2023 Regular Meeting Minutes.

Vice Chair Hennelly moved to approve the Minutes of the March 9, 2023 regular session meeting and Commissioner Everett seconded the motion. Chairman Schultz, Vice Chair Hennelly, Commissioner LeMarr and Commissioner Everett voted in favor of the motion. The motion passed.

Commissioner Everett moved to approve the Minutes of the March 16, 2023 regular session meeting and Vice Chair Hennelly seconded the motion. Chairman Schultz, Vice Chair Hennelly, Commissioner LeMarr and Commissioner Everett 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. 2CSP22/23-0128 AG Builders Commercial & Residential, LLC \$1,000

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

1. City of Glendale
2. City of Mesa
3. City of Peoria
4. City of Scottsdale
5. City of Tempe
6. Costco Wholesale Corporation
7. Maricopa County Community College District

c. Approval of Proposed Youth Employment Penalty.

1. YL-2223-0043 Tibirin, LLC dba Cocina Madrigal \$700

Chairman Schultz commended both Costco and the Maricopa County Community College District for their envious experience modification factors of .87 and .74, respectively which demonstrate they are significantly safer than other businesses in their same industrial classification. He also thanked the Labor staff for the chart in their packet.

Commissioner Everett 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 Everett voted in favor of the motion. The motion passed.

Discussion and Action of Resolution Appointing Special Assistants.

Bianca Hernandez
Alma Tellez

Director Ashley welcomed them to the agency and highlighted their experience and background.

Chairman Schultz commented they are highly qualified folks to act as Assistants.

Vice Chair Hennelly moved to appoint Bianca Hernandez and Alma Tellez as Special Assistants and Commissioner Everett seconded the motion. Chairman Schultz, Vice Chair Hennelly, Commissioner LeMarr, and Commissioner Everett voted in favor or the motion. The motion passed.

Announcements, Scheduling of Future Meetings and Retirement Resolutions.

Mr. Ashley updated the Commissioners with the agency scorecard metrics for the fiscal year-to-date. He reviewed six metrics for the Labor Department.

The Commission monitors many metrics of performance in every area within the purview of the Industrial Commission. The divisions work as teams, put up boards, set goals, and establish milestones monitored weekly to ensure they are on the glidepath to achieve the milestones and goals that have been established. This system has been working very effectively. Additionally, the

objectives are constantly re-assessed, to tighten and stretch the goals to keep out of the red and yellow, and apply whatever resources necessary to get back and meet the goals.

Mr. Ashley noted achieving the goal is important but when you sustain those accomplishments for resolutions that is something also attributed to the great work of the teams in the Labor Department and throughout the agency.

Mr. Ashley and Mr. Testini reviewed three scorecard metrics for Legal.

Mr. Ashley reviewed scorecard metrics for the Medical Resource Office.

Mr. Ashley commented on a meeting with the Arizona Dental Association later in the day to discuss adding dental codes to the Fee Schedule.

Ms. Dimas confirmed Commission meeting dates through May 2023.

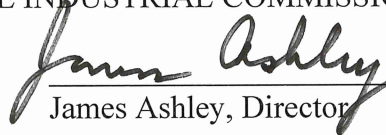
Public Comment.

There was no public comment.

Vice Chair Hennelly moved to adjourn and Commissioner Everett seconded the motion. Chairman Schultz, Vice Chair Hennelly, Commissioner LeMarr and Commissioner Everett voted in favor of the motion and the meeting was adjourned at 1:25 p.m.

THE INDUSTRIAL COMMISSION OF ARIZONA

By


James Ashley, Director

ATTEST:



Kara Dimas, Commission Secretary