

MINUTES OF MEETING  
OF THE INDUSTRIAL COMMISSION OF ARIZONA  
Held at 800 West Washington Street  
Phoenix, Arizona 85007  
Thursday, April 7, 2022 – 1:00 p.m.

Present: Dale L. Schultz	Chairman
Joseph M. Hennelly, Jr.	Vice Chair
Scott P. LeMarr	Commissioner
D. Alan Everett	Commissioner
James Ashley	Director
Gaetano Testini	Chief Legal Counsel
Trevor Laky	Legislative Affairs Chief/Public Information Officer
Jessie Atencio	ADOSH Director
Anna Maria Stonerock	ADOSH Admin
Renee Pastor	Self Insurance
Kara Dimas	Commission Secretary

Chairman Schultz convened the meeting at 1:00 p.m. Also in attendance were Jason Jessamine (Buckeye Valley Fire District and Barry M. Aylstock (Faith, Ledyard & Faith).

Approval of Minutes of March 31, 2022 Regular Meeting Minutes.

The Minutes were deferred 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 Requests for Renewal of Self-Insurance Authority.

1. Roman Catholic Church Diocese of Tucson

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

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.

Buckeye Valley Rural Volunteer Fire District  
dba Buckeye Valley Fire District  
6213 S Miller Rd, Ste 112  
Buckeye, AZ 85326

Fatality/Catastrophe  
Years in Business: 12  
Empl. Covered by Inspection: 13

Site Location: 6213 S Miller Rd, Ste 112  
Buckeye, AZ 85326  
Inspection No: FC-2022-A7717-0009  
Inspection Date: February 8, 2022

Mr. Atencio summarized ADOSH's investigation related to COVID 19 and reviewed the file and photographs. ADOSH was not recommending a citation for Buckeye Valley Rural Volunteer Fire District.

Commissioner LeMarr and Mr. Atencio discussed whether fit testing for public safety/firefighters was a requirement; Mr. Atencio explained that at the onset of COVID-19, employers were not required to have fit testing and medical evaluations because of the lack of available supplies, potential exposure during fit testing and the lack of available medical professionals who were inundated with positive COVID cases.

Chairman Schultz checked if Buckeye Valley Fire District would like to comment.

Mr. Aylstock thanked Mr. Atencio and staff, who were extremely professional and helpful.

The Commission took no action.

#### Announcements, Scheduling of Future Meetings and Retirement Resolutions.

Mr. Ashley discussed the Veteran's Job Fair on March 31 at the Capitol and shared the recruiting brochure used by the Labor Division. He noted the agency received some good leads and will be participating in the next veteran's job fair on April 28, 2022 at the ADOT facility.

Because of the Commission's inclusion in the AZ Hires Vets program, the agency received an official designation as an "Arizona Veterans Supportive Employer" which is a nationally recognized partnership focused on "ensuring there is no wrong door and no wrong person for service members, veterans or family members to turn to for employment opportunities, training and resources."

Mr. Ashley noted that for the Legal division, they have a compliance investigator position which received 17 applicants.

Mr. Ashley noted the Arizona Food Marketing Alliance Journal, which featured ADOSH Consultation last month will again profile ADOSH in the next edition sharing the ADOSH upcoming training schedule.

Mr. Ashley reminded the Commissioners of the Day at the Capitol on Monday April 11, 2022 at 11:00 am for the Commission's Workplace Safety Recognition event and highlighted a few of the groups which will be attending.

Ms. Dimas confirmed Commission meeting dates through June 2022.

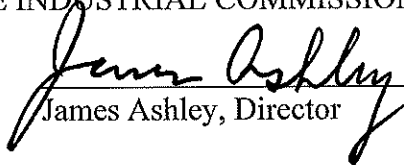
Public Comment.

There was no other public comment.


Commissioner Everett moved to adjourn and Commissioner LeMarr 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 1:33 p.m.

THE INDUSTRIAL COMMISSION OF ARIZONA

By

  
James Ashley, Director

ATTEST:

  
Kara Dimas, Commission Secretary