

MINUTES OF MEETING
OF THE INDUSTRIAL COMMISSION OF ARIZONA
Held at 800 West Washington Street
Conference Room 308
Phoenix, Arizona 85007
Thursday, May 9, 2019 – 1:00 p.m.

Present: Joseph M. Hennelly, Jr. Vice Chair
Scott P. LeMarr Commissioner
Steven J. Krenzel Commissioner

James Ashley Director
Gaetano Testini Chief Legal Counsel
Trevor Laky Legislative Affairs Chief / Public Information Officer
Renee Pastor Self Insurance
Kara Dimas Commission Secretary

In Chairman Schultz's absence, Vice Chair Hennelly, acting as Chairman, convened the meeting at 1:00 p.m.

Approval of Minutes of April 25, 2019 Regular Meeting.

Because a quorum of Commissioners who were present at the April 25, 2019 regular session meeting were not present, the agenda item for approval of the Minutes of the April 25, 2019 regular session meeting was moved to the agenda of the next regular 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.

a. Approval of Proposed Civil Penalties Against Uninsured Employers.

1. 2C-18/19-0524 Let's Help Movers LLC \$1000
2. 2CLP-18/19-0248 Coconut Contracting LLC \$1000
3. 2CNP-18/19-0271 Ignacio Ramirez dba Ramirez Auto Repair \$1000
4. 2C-18/19-0691 Roman Roofing \$5000
5. 2C-18/19-0692 Express Moves, LLC \$5000

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

1. Empire Southwest, LLC

Vice Chair Hennelly noted he would like to remove a.2. (Coconut Contracting LLC) from the Consent Agenda.

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

Coconut Contracting LLC – Mr. Testini noted that a.2. (Coconut Contracting LLC) had recently obtained insurance and requested a reduction of the penalty to \$500.00.

Commissioner Krenznel moved to approve the penalty reduction to \$500 for Coconut Contracting LLC and Commission LeMarr seconded the motion. Vice Chair Hennelly, Commissioner LeMarr and Commissioner Krenznel voted in favor of the motion. The motion passed.

Discussion and/or Action regarding Proposed Settlement and Bond Release with MIG, LLC (successor in interest to Metromedia International Group, Inc.) related to Surety Bond No. 105003108.

Vice Chair Hennelly tabled the item for a future meeting date.

Executive Session under A.R.S. § 38-431.03(A)(3) & (A)(4) regarding Proposed Settlement and Bond Release with MIG, LLC (successor in interest to Metromedia International Group, Inc.) related to Surety Bond No. 105003108.

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

Announcements, Scheduling of Future Meetings and Retirement Resolutions.

Mr. Ashley noted the Governor signed HB2137 regarding Excess Insurance on April 11, 2019. The Bill makes the Special Fund the successor to excess insurance policies for self-insured entities when they go bankrupt.

Mr. Ashley stated that Larry Gast is the new Whistleblower Supervisor, Steve Harder is the new Boiler Chief and Steve Morgan is the new Assistant Director for Consultation; each of these hires add good components to the leadership team in ADOSH.

Mr. Ashley announced Senator Kate Brophy McGee, the Chair of the Education Committee, who also serves on the Senate Ethics and Workforce Development committees will be the Legislative keynote speaker for the annual ICA Claims Seminar

Mr. Ashley detailed the upcoming Commission meeting and facility visits in Show Low and Pinetop-Lakeside, Arizona on May 15th and 16th. Commissioner Krenznel will be calling in on Thursday.

Mr. Ashley outlined the Gemba walk scheduled for today after the meeting.

Ms. Dimas presented a retirement resolution for Larry Griese, Chief Elevator Inspector with ADOSH. Mr. Griese had eight years of state service. Mr. Ashley noted they have selected John Graft, as Interim Chief Elevator Inspector, and there is an open recruitment for candidates.

Ms. Dimas confirmed Commission meeting dates through July 2019.

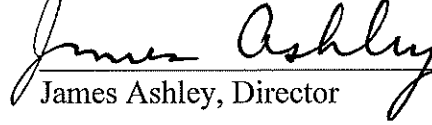
Public Comment.

There was no public comment.

Commissioner LeMarr moved to adjourn and Commissioner Krenzel seconded the motion. Vice Chair Hennelly, Commissioner LeMarr and Commissioner Krenzel voted in favor of the motion and the meeting was adjourned at 1:10 p.m.

THE INDUSTRIAL COMMISSION OF ARIZONA

By


James Ashley, Director

ATTEST:



Kara Dimas, Commission Secretary