

MINUTES OF MEETING
OF THE INDUSTRIAL COMMISSION OF ARIZONA

Telephonic Meeting

Held at 800 West Washington Street

Phoenix, Arizona 85007

Thursday, September 16, 2021 – 1:00 p.m.

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

Chairman Schultz convened the meeting at 1:00 p.m. Also in attendance on the telephone, confirmed by roll call were Larry Reilly (Bottle Breacher, LLC); Mark Witte and Frank Quevedo (Mesa Fully Formed, LLC).

Approval of Minutes of September 2, 2021 Regular Meeting Minutes.

Commissioner Everett moved to approve the Minutes of the September 2, 2021 regular session meeting and Vice Chair Hennelly seconded the motion. Chairman Schultz, Vice Chair Hennelly 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 Requests for Renewal of Self-Insurance Authority.

1. Salt River Project Agricultural Improvement and Power District and the Salt River Valley Water Users' Association ("SRP")
2. Young Electric Sign Company

Mr. Atencio noted that the Compliance Officer, Mr. Black was available for questions. Mr. Atencio discussed ADOSH's planned inspection, summarized the citation and proposed penalties, and reviewed the photographs.

Chairman Schultz checked if anyone on the phone would like to comment.

Mr. Witte provided information on the abatement steps taken by the company, and discussed possible solutions for item 1 with Mr. Atencio.

Chairman Schultz was impressed with the research performed by Mr. Witte which shows his interest in providing a safe workplace. He applauded Mr. Witte's efforts in contacting others to set industry standards. That is the kind of spirit and commitment to safety that the Commission looks for.

Commissioner Everett moved to approve the citation and proposed penalties as presented 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.

Chairman Schultz thanked Mr. Witte for joining the meeting and Mr. Atencio will be contacting him after the meeting.

Announcements, Scheduling of Future Meetings and Retirement Resolutions.

Mr. Ashley commented on new features for stakeholders in the ICA Community Portal allowing for the ability to receive individual, rather than combined, new claim notifications, and a courtesy fax communication tool allowing carriers and the self-insured community flexibility to have communications sent to up to 20 fax numbers to assist in the distribution of Claims and ALJ notices to allow for more timely receipt by the carriers, self-insured and third-party adjusters.

Chairman Schultz congratulated Mr. Ashley on the significant improvement in the system. He has been incredibly pleased with the new system which has been positively received.

Mr. Ashley recognized the Labor Department, and shared a complimentary email that was sent to the Labor Department from an individual with a wage claim. It is a great testament to the work that the Labor Department does every day to have a positive beneficial impact for Arizonans and thanked Ms. Padgett and the team.

Chairman Schultz thanked Ms. Pagett and appreciated what the Labor Department does each and every day, protecting our children entering the workforce, protecting frontline workers in receiving their owed wages, and administering the complex earn paid sick time regulations including helping employers understand the program through the amazing FAQs.

Ms. Padgett appreciated the kind words noting that amazing teams do amazing things and the Labor team is out of this world for the commitment that they have every day remembering that on the other side of the claim is an individual. She will mention the kind words at their huddle this afternoon.

Ms. Dimas confirmed Commission meeting dates through November 2021. Vice Chair Hennelly confirmed he was not available for the first two October meetings. Commissioner LeMarr noted he may not be available on November 4 and will confirm.

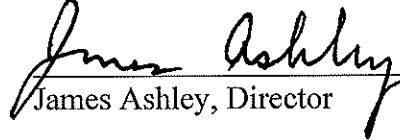
Public Comment.

There was no other public comment.

Vice Chair Hennelly 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 2:04 p.m.

THE INDUSTRIAL COMMISSION OF ARIZONA

By


James Ashley, Director

ATTEST:


Kara Dimas, Commission Secretary