

MINUTES OF MEETING
OF THE INDUSTRIAL COMMISSION OF ARIZONA

Held at 800 West Washington Street

Conference Room 308

Phoenix, Arizona 85007

Thursday, March 31, 2016 – 1:00 p.m.

Present:	Dale L. Schultz	Chairman
	Joseph M. Hennelly, Jr.	Vice Chair
	Scott P. LeMarr	Commissioner
	Robin S. Orchard	Commissioner
	James Ashley	Director
	Andrew Wade	Chief Legal Counsel
	Melinda Poppe	Deputy Director
	Bob Charles	Legislative Affairs Chief / Public Information Officer
	Sylvia Simpson	Chief Financial Officer
	Renee Pastor	Accounting
	Carol Ward	Claims Division
	William Warren	ADOSH Director
	Glenn Saavedra	Compliance Officer
	Michael Mosesso	Chief Administrative Law Judge
	Allen Shayo	Vice Chief Administrative Law Judge
	Kara Dimas	Commission Secretary

Chairman Schultz convened the Commission meeting at 1:00 p.m. noting a quorum present. Also in attendance were Ede Bourelli with the Cavanagh Law Firm, Wes Poorman with Artistic Paver Mfg., Matthew Hitchcock with Peterson-Dean, Mary Kyle, David Mathews and Sean Kindell with the City of Phoenix, , Lydia Terrazas, Commission Intern, and Jason Weber of Snell & Wilmer.

Approval of Minutes of March 2, 2016 Regular Meeting and March 17, 2016 Regular Meeting.

Vice Chair Hennelly moved to approve the Minutes of the March 2, 2016 Regular Session meeting and Commissioner Orchard seconded the motion. Chairman Schultz, Vice Chair Hennelly, and Commissioner Orchard voted in favor of the motion. Commissioner LeMarr did not vote.

Commissioner LeMarr moved to approve the Minutes of the March 17, 2016 Regular Session meeting and Vice Chair Hennelly seconded the motion. Chairman Schultz, Vice Chair Hennelly, and Commissioner LeMarr voted in favor of the motion. Commissioner Orchard did not vote.

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. 2C15/16-1406 C & D Crystal Cleaning, Inc.
2. 2C15/16-1424 HTSS Enterprises, LLC dba Tiny's Family Restaurant & Lounge
3. 2C15/16-0042 Hoover Well Service LLC
4. 2C15/16-0048 Levi's Ventures LLC dba Prostyles Barbershop
5. 2C14/15-2496 NK Transport, LLC

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

1. City of Phoenix
2. Costco Wholesale Corporation
3. Walgreen Co.

Chairman Schultz stated that agenda item a.1, a.2, a.3., b.1. and b.2., would be removed from the consent agenda and heard separately. The Commission unanimously approved the remaining items on the consent agenda on motion of Commissioner Orchard, second of Commissioner LeMarr.

Chairman Schultz noted that the employers in items a.1., a.2. and a.3. have a significant number of employees. He explained that C & D Crystal Cleaning, Inc. has 42 employees, HTSS Enterprises, LLC dba Tiny's Family Restaurant & Lounge has 10 employees, and Hoover Well Service LLC has 28 employees and each of these employers allowed their workers' compensation to lapse. He added that these employers knew of their responsibility to have workers' compensation insurance, had the insurance, and then allowed the insurance to lapse. He suggested the Commission explore methods to better reach the business community to emphasize the need for employers to have workers' compensation insurance.

Commissioner LeMarr asked about the process related to notification to the Commission when a carrier cancels a workers' compensation policy and Ms. Pastor and Mr. Wade responded to the question. Commissioner LeMarr asked if there is notification to the Commission when an employer changes carriers and Mr. Wade described the Commission's software program that identifies replacement coverage.

Chairman Schultz announced the next item would be the self-insurance renewal for the City of Phoenix and asked the City officials if they would like to make any comments. David Mathews stated he would like to thank Renee Pastor for her help in completing the renewal application process. Chairman Schultz explained why he removed the matter from the consent agenda. The Commission unanimously approved renewal of self-insurance authorization for the City of Phoenix and approved the City's request for an exemption from the requirement to post security on motion of Commissioner LeMarr, second of Vice Chair Hennelly.

Chairman Schultz explained why he removed the Costco Wholesale Corporation renewal request from the consent agenda and noted the significant improvement in the experience modification rating (e-mod) over the prior three years. He explained how the reduction in the e-mod reflects the benefits of the additional safety training that Costco has implemented and he encouraged Costco to continue their efforts to improve their safety record. The Commission

unanimously approved the authorization to self-insure for the Costco Wholesale Corporation on motion of Vice Chair Hennelly, second of Commissioner LeMarr.

Chairman Schultz announced that the Commission would return to the civil penalties that were removed from the consent agenda; C & D Crystal Cleaning, Inc., HTSS Enterprises, LLC dba Tiny's Family Restaurant & Lounge, and Hoover Well Service LLC. The Commission unanimously assessed the recommended penalty as presented against the employers on motion of Commissioner LeMarr, second of Commissioner Orchard.

Discussion and/or Action regarding Legislation. This agenda item may include Discussion and/or Action Regarding the Sunset Review of the Industrial Commission of Arizona, and related Boards, Committees or Councils.

Mr. Charles commented on SB 1500 and other bills of interest to the Commission. He announced that federal OSHA has published the new silica standards as a final rule.

Chairman Schultz asked if there were any concerns related to amendments in the bills and Mr. Charles responded that the amendments were what the Commission asked for and he did not have any concerns.

Presentation from and/or discussion with the Industrial Commission's Public Information Officer. This agenda item may include discussion regarding the operations of the Industrial Commission.

Mr. Charles noted that Chairman Schultz and Director Ashley have been interviewed by the Arizona Food Marketing Alliance for an article in the Arizona Food Industry Journal. He commented on meetings with media representatives and recent articles.

Chairman Schultz explained that the presentation from the Administrative Law Judge Division would be moved until after the OSHA Citations agenda item.

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

Artistic Paver Mfg. Phoenix, Inc.	Fatality/Accident	
1508 N VIP Blvd	Years in Business:	9
Casa Grande, AZ 85122	Empl. Covered by inspection:	10
Site Location:	1508 N VIP Blvd	
	Casa Grande, AZ 85122	
Inspection No:	B7667-1098615	
Inspection Date:	10/02/2015	

WILLFUL-SERIOUS – Citation 1 - Item 1 – Production Line #1280: Employees entered a restricted work envelope area that was not protected from moving and rotating parts resulting in the death of one employee. (29 CFR 1910.212(a)(1)).

Div. Proposal - \$70,000.00

Formula Amt. - \$70,000.00

WILLFUL-SERIOUS – Citation 1 - Item 2 –

1. The employee injury resulting in permanent disability or death was caused by the violation for which the employer is assessed a penalty under section 23-418.01, subsection A;
2. Compensation benefits are paid under Chapter 6 of this title either:
 - (a) To the injured employee.
 - (b) In the event of death, to the employee's dependents. The requirement of this subdivision is satisfied if an employee did not have any dependents for which compensation benefits would have otherwise been paid under Chapter 6 of this title.
3. The violation for which the employer is assessed a penalty under section 23-418, subsection A did not result from the injured or deceased employee's disobedience to specific instructions given to the employee regarding the job condition causing the employee's injury or death or relating to the safety standards applicable to that job condition.

a) Artistic Paver Mfg. Phoenix, Inc.: On October 2, 2016, at approximately 9:15 a.m., Production Line #1280, George J. Holl, a Quality Control worker, was killed as a result of a willful violation of 29 CFR 1910.212(a)(1). (A.R.S. 23-418.01).

Div. Proposal - \$25,000.00

Formula Amt. - \$25,000.00

SERIOUS – Citation 2 - Item 1 – Production Line #1280: An energy control program with procedures, training and inspections was not implemented for employees servicing and maintaining equipment. (29 CFR 1910.147(c)(1)).

Div. Proposal - \$1,250.00

Formula Amt. - \$1,250.00

SERIOUS – Citation 2 - Item 2 – Production Areas: Employees used muriatic acid in the paver manufacture processes and suitable facilities for quick drenching and flushing of the eyes and body were not available for immediate emergency use. (29 CFR 1910.151(c)).

Div. Proposal - \$1,250.00

Formula Amt. - \$1,250.00

SERIOUS – Citation 2 - Item 3 – Production line #1280: Junction box below the Fanuc Robot's electrical station was uncovered exposing live electrical wires. (29 CFR 1910.305(b)(2)).

Div. Proposal - \$1,250.00

Formula Amt. - \$1,250.00

SERIOUS – Citation 2 - Item 4 – Production Area: A written Hazard Communication Program had not been established for those employees who were exposed in the workplace to hazardous chemicals such as Muriatic Acid, Portland Cement, etc. (29 CFR 1910.1200(e)(1)).

Div. Proposal - \$1,250.00

Formula Amt. - \$1,250.00

TOTAL PENALTY - \$100,000.00

TOTAL FORMULA AMT. - \$100,000.00

Mr. Warren summarized ADOSH's investigation into a workplace fatality and explained the recommendation for citations and reviewed the photographs. Commissioner LeMarr asked for additional details regarding the prior history report and the 2008 inspection. Mr. Warren provided additional details. Commissioner Orchard referred to mounted photograph number 8 and asked whether the photograph depicted inadequate guarding or abatement. Glenn Saavedra and Mr. Warren responded to the question. Commissioner LeMarr asked for additional details regarding employee exposure and Mr. Saavedra responded to the question. Commissioner LeMarr asked about de-energizing the machinery. Mr. Warren commented on the lock out tag out procedure and the difference between maintenance and regular operations.

Commissioner Orchard asked if there was an employer representative present. Chairman Schultz asked Wes Poorman if he would like to address the Commission. Mr. Poorman noted that he has been employed with Artistic Paver for about a year and commented on the machine guarding and the use of electronic sensors. Chairman Schultz asked about the sensors and Mr. Poorman explained how the sensors would stop the robotics but the second machine would continue to operate. Mr. Warren and Mr. Saavedra commented on investigation findings.

Commissioner Orchard asked Mr. Poorman about Artistic Paver's post-accident investigation. Mr. Poorman responded and added that a gate has been installed to stop the equipment if the gate is opened. He commented on lock out training provided to employees after the accident. Commissioner Orchard asked for more details regarding what his role was with Artistic Paver and Mr. Poorman stated he was the site manager. Commissioner LeMarr asked if he would be able to answer any questions regarding the conditions in 2008. Mr. Poorman replied only from what he has learned after the accident as he attempted to understand what happened.

Commissioner LeMarr asked Mr. Poorman about safety manuals regarding procedures and the equipment. Mr. Poorman replied that he located some and has developed more since the accident. Mr. Warren added that the owner participated in the inspection in 2008 and is still there today.

Commissioner LeMarr referred to the restricted area and the procedure applied in entering a restricted area. Mr. Warren provided additional details regarding the incident and findings from the recent inspection.

Vice Chair Hennelly asked for clarification regarding the other instance of the violation and Mr. Saavedra responded to the question. Vice Chair Hennelly asked about the elements for a willful designation and Mr. Wade read an excerpt from the Field Operations Manual.

Commissioner LeMarr commented on the circumstances and moved to approve the citation and penalty as recommended. Commissioner Orchard seconded the motion. The Commission unanimously approved issuing the citation and assessed the penalty of \$100,000.00.

Barbagallo Electric, LLC
13235 N Verde River Dr
Fountain Hills, AZ 85268

Referral
Years in Business: 7
Empl. Covered by inspection: 2

Site Location: 609 N 10th Ave
Phoenix, AZ 85007
Inspection No: A3807-1113424
Inspection Date: 12/21/2015

SERIOUS – Citation 1 - Item 1 – Unit 1: One employee erecting a rented baker scaffold, model/serial unknown was not trained to recognize hazards associated with scaffold erection. (29 CFR 1926.451(f)(7)).

Div. Proposal - \$5,000.00	Formula Amt. - \$5,000.00
TOTAL PENALTY - \$5,000.00	TOTAL FORMULA AMT. - \$5,000.00

Mr. Warren summarized the citation and proposed penalty as listed and reviewed the photographs. Commissioner LeMarr asked for additional details regarding the scaffolding and Mr. Warren explained that the scaffold was rented and returned prior to the inspection and noted that the

Commissioner LeMarr commended the employer for having the men in the basket wearing harnesses and being tied into the basket and noted that overloading the scaffolding was not a good idea.

Commissioner Orchard asked for additional details regarding Item 1 and Mr. Warren commented on the requirements.

Chairman Schultz commented on how proper training could have impacted the decision to overload, as well as the initial bad decision to use the man basket at all.

Commissioner LeMarr asked whether another employer on the job was cited and for clarification regarding the differences between Item 1 and 2. Mr. Warren responded to the questions.

Commissioner Orchard moved to issue Citation 1, Item 1 with a \$500.00 penalty since the employees were wearing fall protection and Item 2 and 3 with a \$1,000.00 penalty for each. Commissioner LeMarr seconded the motion. The Commission unanimously approved issuing the citation with a total penalty of \$2,500.00.

Loftco, Inc.	Planned	
1832 E. Deer Valley Rd	Years in Business:	25
Phoenix, AZ 85024	Empl. Covered by inspection:	6
Site Location:	16368 W Moreland St	
	Goodyear, AZ 85338	
Inspection No:	Y8817-1108331	
Inspection Date:	11/25/2015	

REPEAT-SERIOUS – Citation 1 - Item 1 – 16368 W Moreland St Goodyear, AZ, 85338 Lot 73: Employees were installing trusses on a two-story single family home approximately 18 feet above the ground without the use of guardrail systems, safety net or personal fall arrest systems. (29 CFR 1926.501(b)(13)).

Loftco, Inc was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1926.501(b)(13) which was contained in OSHA inspection number 1052507, citation number one, item number one and was affirmed as a final order on 7-1-2015, with respect to a workplace located at 10734 W Prickly Pear Trl Peoria, AZ 85383.

Div. Proposal - \$4,000.00	Formula Amt. - \$4,000.00
TOTAL PENALTY - \$4,500.00	TOTAL FORMULA AMT. - \$4,500.00

Mr. Warren summarized the citation and proposed penalty as listed. Commissioner Orchard asked about the August inspection shown on the prior inspection history. Mr. Warren responded to the question. Commissioner LeMarr commented on the potential impact the outcome of the August inspection could have on the current matter. Mr. Warren explained the basis for the repeat classification.

Commissioner Orchard asked about the abatement photographs and commented on the employer's efforts and needed improvements. Mr. Warren commented on the abatement photographs. Commissioner LeMarr commented on the presence of the safety equipment on site and how the employees knew how to immediately use the equipment.

Commissioner Orchard asked if this matter could be tabled pending the result of the August inspection. Mr. Warren commented on the timing. Commissioner Orchard commented on how the results from the August inspection could impact the decision regarding the present matter.

Commissioner LeMarr described information that would be helpful to include in the prior history report. Mr. Warren replied that going forward, the compliance officers will provide additional information regarding open matters on the prior inspection history.

Commissioner LeMarr moved to continue this matter to the next meeting for Mr. Warren to provide an update regarding inspection number 1083965. Commissioner Orchard seconded the motion. The Commission unanimously voted in favor of the motion.

Petersen-Dean, Inc. dba Petersen Dean	Planned	
215 S. 13 th St.	Years in Business:	32
Phoenix, AZ 85034	Empl. Covered by inspection:	3
Site Location:	1187 N 164 th Ave	
	Goodyear, AZ 85338	
Inspection No:	S8089-1108328	
Inspection Date:	11/25/2015	

REPEAT-SERIOUS – Citation 1 - Item 1 – Two employees engaged in the installation of roofing materials (i.e. Roofing felt) on a low-slope roof with unprotected sides and edges approximately 10 feet above a lower level were not protected from falling by a guardrail system, safety net system or personal fall arrest systems. (29 CFR 1926.501(b)(10)).

Petersen-Dean, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard (1926. 501(b)(10), which was contained in OSHA inspection number 1083193, citation number 1, item number 1 and was affirmed as a final order on 09/22/2015, with respect to a workplace located at 11416 W Spear Shaft Dr. Marana AZ 85658.

Petersen-Dean, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard (1926. 501(b)(10), which was contained in OSHA inspection number 1072066, citation number 1 , item number 1 and was affirmed as a final order on 11/12/2015, with respect to a workplace located at 29537 N 23rd Ln Phoenix, AZ, 85085.

Petersen-Dean, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard (1926. 501(b)(10), which was contained in OSHA inspection number 1081868, citation number 1, item number 1 and was affirmed as a final order on 09/21/2015, with respect to a workplace located at 11030 E Tarragon Ave Mesa AZ 85212.

Div. Proposal - \$12,500.00	Formula Amt. - \$12,500.00
TOTAL PENALTY - \$12,500.00	TOTAL FORMULA AMT. - \$12,500.00

Mr. Warren summarized the citation and proposed penalty as listed and explained how the penalty was calculated. Commissioner Orchard asked if there was a representative for the employer present. Matthew Hitchcock addressed the Commission. He commented on Petersen-Dean's focus on safety, that safety equipment is provided, and summarized the training program. He referred to the crew that was the subject of the inspection and explained that the crew members were suspended and have had specific retraining. Commissioner LeMarr noted that Petersen-Dean is a large

employer and asked Mr. Hitchcock for data regarding fall injuries. Mr. Hitchcock replied that there are about 80 employees in Arizona and for the last three years they have had zero falls.

Mr. Warren commented on findings from the inspection. Mr. Hitchcock commented on efforts to improve employee compliance. Vice Chair Hennelly clarified that Mr. Hitchcock was describing efforts made since the November inspection and Mr. Hitchcock replied that they were.

Commissioner Orchard commented on a potential disconnect between the employer's safety culture and employee compliance. She asked Mr. Hitchcock about bridging that gap. Mr. Hitchcock commented on efforts to ensure compliance noting that the employer has terminated or suspended six crews in the past two months, but those crews could have found new employment two hours later. Chairman Schultz added that Mr. Warren has talked about it being an industry issue not just an individual employer and they have had other roofing companies, and they have said the same thing and implemented bonus systems to pay the employees more for when they are anchored than when they are not and it is still difficult issue to address.

Commissioner LeMarr moved to issue Citation 1 with a \$5,000.00 penalty. He noted that the company has devoted a lot of resources towards having a safe working environment and there have been no fall injuries in the prior three years. Commissioner Orchard seconded the motion. The Commission unanimously approved issuing the citation with a penalty of \$5,000.00.

Petersen-Dean, Inc. dba Petersen Dean 215 S. 13 th St. Phoenix, AZ 85034	Planned Years in Business: 31 Empl. Covered by inspection: 4
Site Location: 1842 N 156 th Dr Goodyear, AZ 85395	
Inspection No: W0250-1113375	
Inspection Date: 12/18/2015	

REPEAT-SERIOUS – Citation 1 - Item 1 – 1842 N 156th Dr Goodyear, AZ 85395: Four employees were installing felt roofing paper on a new one story residential home at an eve height above 10 feet and were not protected from falling by guardrail systems, safety net systems or personal fall arrest systems. (29 CFR 1926.501(b)(10)).

Petersen-Dean Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1926.501(b)(10) which was contained in OSHA inspection number 1083193, citation number 1 , item number 1 and was affirmed as a final order on 9/22/2015, with respect to a workplace located at 11416 W. Spear Shaft Dr., Marana, Az., Lot #44.

Petersen-Dean Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1926.501(b)(10) which was contained in OSHA inspection number 1072066, citation number 1, item number 1 and was affirmed as a final order on 11/12/2015 with respect to a workplace located at 29537 N 23rd Ln Phoenix, Az. 85085.

Petersen-Dean Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1926.501(b)(10) which was contained in OSHA inspection number 1041868 citation number 1 , item number 1 and was affirmed as a final order on 11/23/2015 with respect to a workplace located at 11030 E Tarragon Ave Mesa, AZ 85212.

Div. Proposal - \$12,500.00

Formula Amt. - \$12,500.00

TOTAL PENALTY - \$12,500.00

TOTAL FORMULA AMT. - \$12,500.00

Mr. Warren commented on the inspection and the repeat designation. Chairman Schultz asked who the general contractor was on the jobsites and Mr. Hitchcock replied that KB Homes was the general at the November inspection and at the December inspection it was Meritage Homes. Chairman Schultz asked if the general contractors were cited. Mr. Warren replied that he did not have that information.

Commissioner LeMarr moved to issue the citation with a \$5,000.00 penalty and he explained the reasons. Commissioner Orchard seconded the motion. The Commission unanimously voted in favor of the motion.

U.S. Foods, Inc.	Complaint	
9399 W Higgins Rd Ste 500	Years in Business:	25
Rosemont, IL AZ 60018	Empl. Covered by inspection:	470
Site Location:	9399 W Buckeye Rd	
	Phoenix, AZ 85043	
Inspection No:	W0250-1111256	
Inspection Date:	12/04/2015	

SERIOUS – Citation 1 - Item 1 – Yard Area: One employee was not trained in the safe operation of a Crown, PE 400 Series Electric Pallet Jack, Model number unknown, Serial number unknown, which was being used to load and unload palletized materials and equipment from delivery trucks. (29 CFR 1910.178(l)(6)).

Div. Proposal - \$2,250.00

Formula Amt. - \$2,250.00

SERIOUS – Citation 1 - Item 2 – Warehouse: A Crown SC4000 Servo Sideshifter 55F-SS-A172 forklift, serial number 94134993 was not equipped with a Seat Belt. (29 CFR 1910.178(p)(1)).

Div. Proposal - \$2,250.00

Formula Amt. - \$2,250.00

SERIOUS – Citation 1 - Item 3 – Battery Charging Area: Information and training was not furnished to an employee who was exposed in the workplace to hazardous chemicals such as Sulphuric Acid. (29 CFR 1910.1200(h)(3)).

Div. Proposal - \$1,350.00

Formula Amt. - \$1,350.00

TOTAL PENALTY - \$5,850.00

TOTAL FORMULA AMT. - \$5,850.00

Mr. Warren summarized the citation and proposed penalty as listed. Commissioner LeMarr asked Mr. Warren about mounted photograph number 5 and Mr. Warren summarized the findings regarding the sulfuric acid and the training records. Chairman Schultz commented on the employer abating the issue of the seatbelt and allowing equipment to deteriorate.

Commissioner Orchard moved to approve the citation and penalties are presented. Vice Chair Hennelly seconded the motion. The Commission unanimously approved issuing the citation with a total penalty of \$5,850.00.

Presentation and Discussion regarding the operations of the Industrial Commission’s Administrative Law Judge Division.

Chief Administrative Law Judge Michael Mosesso described the Administrative Law Judge Division's mission. Chairman Schultz commented on the administrative law judges (ALJs) and their backgrounds. Judge Mosesso described the types of cases that the judges hear, summarized the statistics for the past several years, commented on trends, and reviewed the Key Performance Indicators (the scorecard).

Commissioner LeMarr asked about staffing and the referral of ADOSH cases to the Office of Administrative Hearings. Judge Mosesso explained the staffing considerations. Commissioner Schultz commented on the turn-around days data for 2016 and Judge Mosesso commented on a potential contributing factor.

Vice Chief Allen Shayo commented on the referral process and the process for assignment. He reviewed the statistics related to referrals of requests for hearing and the 1061(J) requests. He commented on some other statistics.

Commissioner LeMarr asked about an increase in the case load and Judge Shayo responded to the question.

Judge Mosesso commented on other matters involving the ALJs and the new fast track pilot program. Chairman Schultz commented the fast track pilot program.

Judge Mosesso described the hearing process, how the ALS' issue written decisions, and summarized the potential for appellate review. He commented on the ALJ remote access portal and the Bench/Bar Committee. Chairman Schultz commented on meeting with the Bench/Bar Committee and how the ALJ remote access portal provides an opportunity to improve efficiency of the system. Judge Mosesso commented on the use of a "settlement day," and developing a customer service survey.

Chairman Schultz commented on the settlement day and the use of blocked scheduling.

Judge Mosesso concluded his presentation. Chairman Schultz commented that they have retained some very talented people and that helps increase efficiency. Mr. Ashley thanked Judge Mosesso and Deputy Director Poppe for participating in a stakeholder meeting regarding the move of ADOSH cases to the Office of Administrative Hearings and commented on efforts to assure a seamless and smooth transition.

Discussion and/or action regarding Industrial Commission goals, objectives and key initiatives for 2016. This Agenda Item may include discussion regarding the Commission budget and review of Division, Department, and Section specific objectives.

Ms. Poppe commented on the ALJ Division scorecard and efforts to meet the new goals. She added that the recruitment for the Special Fund Manager position is ongoing.

Announcements, Scheduling of Future Meetings and Retirement Resolutions.

Mr. Ashley presented a tentative itinerary for the Tucson trip scheduled for April 13 and 14. Chairman Schultz stated he would be at the Safety Summit in Marana on the April 13. Commissioner Orchard announced she planned on attending the Commission Meeting scheduled for April 14.

Mr. Ashley stated that CopperPoint has announced that Don Smith is retiring and as of June 1, Marc Schmittlein will be the new President and CEO and Mr. Ashley presented a brief summary of his background.

Ms. Dimas presented a retirement resolution recognizing Galen Williams for eight years of state service with ADOSH as an Elevator Inspector.

Public Comment.

Glenn Saavedra, an ADOSH compliance officer, thanked the Commissioners for all the work that they do.

Vice Chair Hennelly moved to adjourn and Commissioner Orchard seconded the motion. The Commission unanimously voted to adjourn and the meeting was adjourned at 3:35 p.m.

THE INDUSTRIAL COMMISSION OF ARIZONA

By


James Ashley, Director

ATTEST:


Kara Dimas, Commission Secretary