

SPECIAL MEETING OF THE OHIO INDUSTRIAL COMMISSION

- - -

- - -

AUDIO TRANSCRIPT
APRIL 25, 2023

- - -

Michele M. Snyder
Professional Reporter

- - -

- - -

ARMSTRONG & OKEY, INC.
222 East Town Street, Second Floor
Columbus, Ohio 43215-9481

- - -

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPEARANCES:

Chairman Jim Hughes
Commissioner Dan Massey
Commissioner Dr. Karen L. Gillmor
Executive Director Tim Adams

- - -

1 P R O C E E D I N G S

2 - - -

3 MR. HUGHES: It's one o'clock. This is
4 Chairman, Jim Hughes. Let's start the meeting of the
5 Industrial Commission having been called to order.
6 The date April 25th, 2023. The Chair's time shows
7 one o'clock.

8 This meeting is being conducted in
9 person. It's being held in the main hearing room of
10 the William Green Building located at 30 West Spring
11 Street in Columbus, Ohio. The meeting is also being
12 streamed on The Ohio Industrial Commission's YouTube
13 Channel. A link to listen to this meeting is
14 available on The Industrial Commission's public
15 website.

16 The purpose for this special meeting is
17 limited to the following items: Roll call vote on
18 approval of special meeting minutes from
19 December 1st, 2022, review discussion and roll call
20 vote to proposed changes to Memos (B)3, (R)6, (I)2,
21 (C)2, and (M)2.

22 The discussion of Memo (K)1 is being
23 tabled to a later date in order to provide additional
24 time for further consideration of a transition.
25 Review and discussion of roll call vote of proposed

1 Memos Ohio Administrative Code 4121-309, also, for
2 entering the Executive Session to discuss the hiring
3 of candidates for district hearing officer positions,
4 and a roll call on hiring candidates for the district
5 hearing officer positions.

6 During this time, it's important that
7 prior to speaking, each participant introduce
8 themselves by stating their name and their title.
9 This is to ensure that the audio recording accurately
10 reflects the proceeding and the public is properly
11 informed.

12 For those of you who are listening on
13 The Industrial Commission's YouTube Channel, please
14 be aware that when the Commissioners vote to enter
15 The Executive Session, you will not be able to hear a
16 live recording during that time.

17 When the Commissioners exit Executive
18 Session, the recording will resume. I now ask our
19 Executive Director, Mr. Tim Adams, to call the roll,
20 please.

21 MR. ADAMS: This is Tim Adams, Executive
22 Director of The Ohio Industrial Commission. As I
23 call your name, please restate your name and affirm
24 your presence. Commissioner Gillmor?

25 MS. GILLMOR: This is Commissioner

1 Karen Gillmor, here.

2 MR. ADAMS: Commissioner Massey?

3 MR. MASSEY: This is
4 Commissioner Massey, here.

5 MR. ADAMS: Chairman Hughes?

6 MR. HUGHES: Chairman, Commissioner
7 Jim Hughes, present. We do have a quorum.

8 We'll first go now to review and discuss the special
9 meeting minutes of December 1st of 2022. We will now
10 discuss -- is there a motion for December 1st, 2022?
11 Is there any discussion on the amendments or the
12 meeting minutes? Hearing none, I move to amend the
13 minutes of the special meeting held December 1st,
14 2022.

15 Do I have a second to the said motion?

16 MR. MASSEY: This is Commissioner
17 Massey. I second it.

18 MR. HUGHES: This is Jim Hughes,
19 Chairman. Thank you, Commissioner Massey for your
20 second. Will the Executive Director, Tim Adams,
21 please call the roll?

22 MR. ADAMS: This is Tim Adams, Executive
23 Director of The Ohio Industrial Commission. As I
24 call your name, please restate your name and state
25 your vote. Commissioner Gillmor?

1 MS. GILLMOR: Commissioner

2 Karen Gillmor, yes.

3 MR. ADAMS: Commissioner Massey?

4 MR. MASSEY: Commissioner Dan Massey,
5 yes.

6 MR. ADAMS: Chairman Hughes?

7 MR. HUGHES: Chairman Hughes, yes.

8 The motion does carry. The meeting minutes were
9 approved. We will now review and discuss the
10 proposed provisions to Memos (B)3, (R)6, (I)2, (C)2,
11 and (M)2.

12 The floor is now open to discuss any of
13 the Memos or any of the issues in regards to the said
14 Memos. In regards to (R)6, which is the interpreter
15 for the hearing impaired or foreign language, the
16 Chair would like to move, in the third paragraph
17 down, it says, "The role of interpreting hearings"
18 currently was there. The Chair would like to have
19 the role of interpreter is -- and strike -- in
20 hearings.

21 In addition, dropping down to the fifth
22 paragraph where it says, "Only individuals assigned
23 by The Industrial Commission who proposes to serve as
24 interpreters in Industrial Commission hearings are
25 entitled to payment for such services. The Chair

1 would like to have "only individuals assigned by The
2 Industrial Commission to serve as interpreters for
3 the Industrial Commission Hearings, pre-hearing
4 conferences and exams are entitled to payment for
5 such services." I would like to add that in.

6 Is there any discussion? I move to have that added.

7 Is there a second to my amendment?

8 MS. GILLMOR: This is Commissioner
9 Gillmor. I second.

10 MR. HUGHES: It has been properly moved.
11 Is there any discussion of what we are doing by any
12 of the Commissioners?

13 MR. MASSEY: No.

14 MR. HUGHES: Hearing none, I am going to
15 call for the amendment to (R)6, and I will ask -- and
16 excuse me. This is Jim Hughes, Chairman. I will ask
17 Mr. Tim Adams to call the roll and see if there is
18 any objection to the Amendment by the Chair which has
19 been properly moved and seconded by Commissioner
20 Gillmor.

21 MR. ADAMS: This is Tim Adams, Executive
22 Director of The Ohio Industrial Commission. As I
23 call your name, please restate your name and state
24 your vote. Commissioner Gillmor?

25 MS. GILLMOR: Commissioner

1 Karen Gillmor, yes.

2 MR. ADAMS: Commissioner Massey?

3 MR. MASSEY: Commissioner Dan Massey,
4 yes.

5 MR. ADAMS: Chairman Hughes?

6 MR. HUGHES: Chairman Hughes, yes.

7 This is Chairman, Jim Hughes. The motion does carry.
8 The amendment is adopted into (R)6. Is there any
9 discussion on, either, (R)6 or Memos (B)3, (I)2,
10 (C)2, and (M)2? Hearing no further discussion, I
11 will make the motion to adopt proposed changes to
12 Memo (B)3. Do I a have a second to the said motion?

13 MR. MASSEY: This is Commissioner
14 Dan Massey. I second it.

15 MR. HUGHES: This is Jim Hughes,
16 Chairman. Thank you, Commissioner Massey for the
17 second. Will the Executive Director, Tim Adams,
18 please call the roll?

19 MR. ADAMS: This is Tim Adams, Executive
20 Director of The Ohio Industrial Commission. As I
21 call your name, please restate your name and state
22 your vote. Commissioner Gillmor?

23 MS. GILLMOR: Commissioner
24 Karen Gillmor, yes.

25 MR. ADAMS: Commissioner Massey?

1 MR. MASSEY: Commissioner Massey, yes.

2 MR. ADAMS: Chairman Hughes.

3 MR. HUGHES: Chairman Hughes, yes.

4 This is Chairman Hughes. The motion does carry.

5 Memo (B)3 is adopted. I will now make a motion to
6 adopt those changes to the amended Memo (R)6. Do I
7 have a second to that said motion?

8 MS. GILLMOR: Commissioner Karen
9 Gillmor, I second it.

10 MR. HUGHES: This is Chairman,
11 Jim Hughes. Thank you, Commissioner Gillmor for your
12 second. Will it please the Executive Director,
13 Mr. Tim Adams, please call the roll for the amended
14 Memo (R)6.

15 MR. ADAMS: This is Tim Adams, Executive
16 Director of The Ohio Industrial Commission. As I
17 call your name, please restate your name and state
18 your vote. Commissioner Gillmor?

19 MS. GILLMOR: Commissioner Karen
20 Gillmor, yes.

21 MR. ADAMS: Commissioner Massey?

22 MR. MASSEY: Commissioner Dan Massey,
23 yes.

24 MR. ADAMS: Chairman Hughes?

25 MR. HUGHES: Chairman Hughes, yes.

1 This is Chairman Hughes. The memo does carry of the
2 amended (R)6. I will now move to make a motion to
3 adopt those changes to Memo (I)2. Do I have a second
4 for that motion?

5 MR. MASSEY: This is Commissioner
6 Massey. I will second the motion.

7 MR. HUGHES: This is Chairman
8 Jim Hughes. I will thank you, Commissioner Massey,
9 for your second. I will now ask the Executive
10 Director, Tim Massey, to call the roll, please.

11 MR. ADAMS: This is Tim Adams, Executive
12 Director of The Ohio Industrial Commission. As I
13 call your name, please restate your name and state
14 your vote. Commissioner Gillmor?

15 MS. GILLMOR: Commissioner Karen
16 Gillmor, yes.

17 MR. ADAMS: Commissioner Massey?

18 MR. MASSEY: Commissioner Dan Massey,
19 yes.

20 MR. ADAMS: Chairman Hughes?

21 MR. HUGHES: Chairman Hughes, yes.

22 This is Chairman Jim Hughes. The motion does carry.
23 I will now make a motion to adopt proposed changes to
24 the Memo (C)2. Do I have a second for that, please?

25 MS. GILLMOR: This is Commissioner

1 Karen Gillmor. I will second it.

2 MR. HUGHES: This is Chairman
3 Jim Hughes. It has been properly moved and seconded
4 to adopt the changes of Memo (C)2. Will the
5 Executive Director, Mr. Tim Adams, please call the
6 roll?

7 MR. ADAMS: This is Tim Adams, Executive
8 Director of The Ohio Industrial Commission. As I
9 call your name, please restate your name and state
10 your vote. Commissioner Gillmor?

11 MS. GILLMOR: Commissioner Karen
12 Gillmor, yes.

13 MR. ADAMS: Commissioner Massey?

14 MR. MASSEY: Commissioner Dan Massey,
15 yes.

16 MR. ADAMS: Chairman Hughes?

17 MR. HUGHES: Chairman Hughes, yes.
18 This is Chairman Hughes. The motion does carry to
19 adopt those changes to Memo (C)2. I will now make a
20 motion to adopt proposed changes to Memo (M)2. Do I
21 have a second?

22 MR. MASSEY: This is Commissioner
23 Massey. I second the motion.

24 MR. HUGHES: This is Chairman
25 Jim Hughes. It has been properly moved and amended

1 and thank you, Commissioner Massey, for that second.
2 Will the Executive Director, Tim Adams, please call
3 the roll?

4 MR. ADAMS: This is Tim Adams, Executive
5 Director of The Ohio Industrial Commission. As I
6 call your name, please restate your name and state
7 your vote. Commissioner Gillmor?

8 MS. GILLMOR: Commissioner Karen
9 Gillmor, yes.

10 MR. ADAMS: Commissioner Massey?

11 MR. MASSEY: Commissioner Dan Massey,
12 yes.

13 MR. ADAMS: Chairman Hughes?

14 MR. HUGHES: Chairman Hughes, yes.
15 This is Chairman Hughes. The proposed change to the
16 Memo (M)2 do carry. I will now move to review and
17 discuss the Memo and amendment to the Ohio
18 Administrative Code 4121-3-09. The floor is now open
19 for discussion to the proposed Amendment to Ohio
20 Administrative Code 4121-3-09.

21 Hearing no further discussion, I,
22 Chairman Hughes, make a motion to adopt the proposed
23 amendments to The Ohio Administrative Code 4121-3-09.
24 Do I have a second to the said motion?

25 MS. GILLMOR: This is Commissioner

1 Gillmor. I second.

2 MR. HUGHES: This is Chairman
3 Jim Hughes. It has been properly moved and seconded.
4 Thank you, Commissioner Gillmor for your second.
5 Will Executive Director, Tim Adams, please call the
6 roll.

7 MR. ADAMS: This is Tim Adams, Executive
8 Director of The Ohio Industrial Commission. As I
9 call your name, please restate your name and state
10 your vote. Commissioner Gillmor?

11 MS. GILLMOR: Commissioner Karen
12 Gillmor, yes.

13 MR. ADAMS: Commissioner Massey?

14 MR. MASSEY: Commissioner Massey, yes.

15 MR. ADAMS: Chairman Hughes?

16 MR. HUGHES: Chairman Hughes, yes.
17 Chairman Jim Hughes. The proposed changes do carry.
18 And we will now go into the review and discussion of
19 personnel matters of hiring of district hearing
20 officers. This is a personnel matter that requires a
21 discussion among the Commissioners in Executive
22 Session.

23 Executive Session is limited to the
24 discussion of the potential hiring of district
25 hearing officers with any necessary legal advise.

1 Any vote can be made in open session.

2 I, Jim Hughes, Chairman, now move the Commission to
3 now enter into Executive Session to discuss the
4 potential employment of the district hearing officer
5 candidates. Do I have a second to enter into
6 Executive Session?

7 MR. MASSEY: This is Commissioner
8 Massey. I will second it.

9 MR. HUGHES: This is Chairman
10 Jim Hughes. It has been properly moved and seconded.
11 Thank you, Commissioner Massey, for your second.
12 I will now ask Executive Director, Tim Adams, to call
13 the roll.

14 MR. ADAMS: This is Tim Adams, Executive
15 Director of The Ohio Industrial Commission. As I
16 call your names, please restate your name and state
17 your vote. Commissioner Gillmor?

18 MS. GILLMOR: Commissioner
19 Karen Gillmor, yes.

20 MR. ADAMS: Commissioner Massey?

21 MR. MASSEY: Commissioner Massey, yes.

22 MR. ADAMS: Chairman Hughes?

23 MR. HUGHES: Chairman Hughes, yes.

24 This is Chairman Hughes. The motion does carry.

25 The motion to enter into Executive Session, as I

1 mentioned, carries. I respectfully request that
2 anyone who is uninvited remains for Executive
3 Session, please leave the hearing room until the
4 Commission reconvenes in open session.

5 I will also ask to suspend the audio
6 recording while the Commission is in Executive
7 Session.

8 (Break for Executive Session.)

9 MR. HUGHES: It's my understanding we
10 are live. We are back on the record.

11 At this time, we will make a roll call regarding the
12 personnel matters. I have reviewed the personnel
13 matters in Executive Session.

14 I will now make a motion -- by the way,
15 this is Jim Hughes, Chairman -- to approve the hiring
16 of district hearing officers as discussed in
17 Executive Session. Do I have a second regarding
18 hearing officers to adopt the said motion?

19 MS. GILLMOR: This is Commissioner
20 Karen Gillmor. I second.

21 MR. HUGHES: This is Jim Hughes,
22 Chairman. Thank you, Commissioner for properly
23 moving and seconding that. Having received a second,
24 I am going to ask Executive Director, Mr. Tim Adams,
25 to call the roll, please.

1 MR. ADAMS: This is Tim Adams, Executive
2 Director of The Ohio Industrial Commission. As I
3 call your name, please restate your name and state
4 your vote. Commissioner Gillmor?

5 MS. GILLMOR: Commissioner
6 Karen Gillmor, yes.

7 MR. ADAMS: Commissioner Massey?

8 MR. MASSEY: Commissioner Massey, yes.

9 MR. ADAMS: Chairman Hughes?

10 MR. HUGHES: Chairman Hughes, yes. This
11 is Chairman Hughes. We have made a motion to this
12 hearing. One other thing we do have is we had a
13 discussion Memo (K)1, which we set on our schedule
14 for today. As I mentioned before, I am going to make
15 a motion now to table that for a later date in order
16 to buy more additional time for further
17 consideration.

18 So I move that we table discussion of
19 the Memo (K)1. Do I have a second to the said
20 motion, please?

21 MR. MASSEY: This is Commissioner
22 Massey. I will second it.

23 MR. HUGHES: This is Chairman
24 Jim Hughes. Thank you. It has been properly moved
25 and seconded by myself, as well as, Commissioner

1 Massey to table Memo (K)1. I will now call upon our
2 Executive Director, Mr. Tim Adams, to call the roll,
3 please.

4 MR. ADAMS: This is Tim Adams, Executive
5 Director of The Ohio Industrial Commission. As I
6 call your name, please restate your name and state
7 your vote. Commissioner Gillmor?

8 MS. GILLMOR: Commissioner
9 Karen Gillmor, yes.

10 MR. ADAMS: Commissioner Massey?

11 MR. MASSEY: Commissioner Massey, yes.

12 MR. ADAMS: Chairman Hughes.

13 MR. HUGHES: Chairman Hughes, yes.

14 This is Chairman Hughes. The motion does carry, so
15 (K)1 is being tabled. At this point in time, we
16 considered all the items on our agenda of the special
17 meeting. I will move to adjourn. Do I have a second
18 to the motion to adjourn?

19 MS. GILLMOR: This is Commissioner
20 Karen Gillmor. I second it.

21 MR. HUGHES: This is Chairman Hughes.
22 It has been properly moved and seconded. Thank you,
23 Commissioner Gillmor for your second. I will now ask
24 our Executive Director, Mr. Tim Adams, to call the
25 roll.

1 MR. ADAMS: This is Tim Adams, Executive
2 Director of The Ohio Industrial Commission. As I
3 call your name, please restate your name and state
4 your vote. Commissioner Gillmor?

5 MS. GILLMOR: Commissioner
6 Karen Gillmor, yes.

7 MR. ADAMS: Commissioner Massey?

8 MR. MASSEY: Commissioner Massey, yes.

9 MR. ADAMS: Chairman Hughes.

10 MR. HUGHES: Chairman Hughes, yes.
11 This is Chairman Hughes. We have seconded the motion
12 of this hearing. We are now adjourned. Thank you
13 very much, everybody. Have a great afternoon.

14 - - -

15 (Whereupon, the special meeting
16 was concluded.)

17 - - -

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE

I do hereby certify that the foregoing is a true, correct and complete written transcript of the audiotaped proceedings in the matter, reduced by me into stenotypy, to the best of my ability, and transcribed from my stenographic notes on May 8, 2023.

Michele M. Snyder



Michele M. Snyder

Notary Public

In and for the State of Ohio

My commission expires

February 2, 2026