

OHIO INDUSTRIAL COMMISSION

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AUDIO TRANSCRIPT  
NOVEMBER 3, 2021

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Michele M. Snyder  
Professional Reporter

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APPEARANCES:

Chairman Jim Hughes  
Commissioner Dan Massey  
Commissioner Karen L. Gillmor  
Executive Director Tim Adams  
Director of Adjudication Tom Connor  
Assistant Legal Counsel Amanda Brown

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

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4 MR. HUGHES: Approval of a May 13th,  
5 2021, meeting minutes from a meeting that was  
6 conducted through phone conference and broadcast  
7 on the Industrial Commission YouTube Channel.

8 Review and discussion of 2022 Industrial  
9 Commission's five-year review, rule review, roll call  
10 vote on proposed no change rules, proposed amendments  
11 to such rules, review and discussion or revisions to  
12 Memo C3, roll call vote to adopt proposed revisions  
13 to Memo C3, discussion of utilizing the video  
14 function for WebEx hearings and discussion of  
15 adoption of video for meeting minutes.

16 During this meeting it is important that  
17 prior to speaking, each participant introduce  
18 themselves by stating their name and their title.  
19 This is to ensure that the audio recording accurately  
20 reflects the proceedings and that the public is  
21 properly informed. I now ask our Executive Director,  
22 Mr. Tim Adams, to call the roll please.

23 MR. ADAMS: This is Tim Adams, Executive  
24 Director of the Ohio Industrial Commission. As I  
25 call your name, please restate your name and affirm

1 your presence Commissioner Karen Gillmor.

2 MS. GILLMOR: Commissioner Karen  
3 Gillmor, here.

4 MR. ADAMS: Commissioner Dan Massey.

5 MR. MASSEY: Commissioner Dan Massey,  
6 here.

7 MR. ADAMS: Chairman Jim Hughes.

8 MR. HUGHES: Chairman Jim Hughes, here.  
9 This is Chairman Jim Hughes. Let the record show  
10 that the quorum is present. And now the quorum is  
11 going to be open to discuss the approval of the  
12 meeting minutes from May 13th, 2021, special meeting.  
13 Is there any discussion on the minutes of the May 13,  
14 2021, special minutes?

15 Hearing no further discussion, I move to  
16 approve the audio of May 13, 2021, special meeting as  
17 approved minutes. Do I have a second to that motion?

18 MS. GILLMOR: This is Commissioner  
19 Gillmor, I second.

20 MR. HUGHES: This is Jim Hughes,  
21 Commissioner. It has now been properly moved and  
22 seconded for the motion. I now call upon  
23 Mr. Tim Adams, our Executive Director, to call the  
24 roll.

25 MR. ADAMS: This is Tim Adams, the

1 Executive Director of the Ohio Industrial Commission.

2 As I call your name, please restate your name and  
3 state your vote. Commissioner Karen Gillmor.

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

6 MR. ADAMS: Commissioner Dan Massey.

7 MR. MASSEY: Commissioner Dan Massey,  
8 yes.

9 MR. ADAMS: Chairman, Jim Hughes.

10 MR. HUGHES: This is Chairman Jim  
11 Hughes, yes.

12 The motion having the necessary votes,  
13 the motion carries. The minutes will be approved.  
14 And now we'll move to the order of the adoption of  
15 the 2022 five-year reviews. At this point in time,  
16 as I noticed we have some people that are in our  
17 audience that we want to make sure, as a point of  
18 order we have 4121-3-09, as well as 4125-1-01.

19 We have received additional feedback  
20 even as of late yesterday with a letter. And what we  
21 would like to do, is to be fair to our State Boards,  
22 give them adequate time for feedback. We're going to  
23 ask -- I'm going to -- I think it would be proper if  
24 we would move to table those two.

25 We're still within the time period to

1 have those filed with JCARR, but in order to give our  
2 State Board ample time to come and make sure  
3 everything is what they want, I would ask that we  
4 would table those two rules to another meeting,  
5 therefore; they can have their input and digest it.

6 I'll call upon Amanda Brown, our  
7 legal -- by the way, just for the record, our chief  
8 counsel unfortunately is sick today of all days.  
9 So Amanda Brown, who is the assistant legal counsel  
10 up there, is going to be helping us today. Is there  
11 anything that I have stated that is not proper?

12 Do you have anything you would like to  
13 add in terms of why we need to have these two tabled  
14 as far as the feedback you have heard since have you  
15 been working with Mr. Burkhardt?

16 MS. BROWN: Thank you, Chairman.

17 MR. ADAMS: This is Amanda Brown,  
18 correct?

19 MS. BROWN: Yes, this is Amanda Brown,  
20 Assistant Legal Counsel. Thank you. Yes, we did  
21 recently receive feedback. We also recently received  
22 for the joint rule the Bureau's changes for post  
23 changes as well. We have actually -- we are very  
24 early in the process.

25 We have until February the 1st to do an

1 initial filing in regard to the rules, and there is  
2 additional time actually after that if it's needed.  
3 But this gives a great opportunity, I believe, for  
4 the Commissioners to be able to be together and  
5 discuss any changes they might have to those rules or  
6 suggestions.

7 But we certainly have ample time to  
8 table these and reconsider them later.

9 MR. ADAMS: This is Jim Hughes,  
10 Chairman. Do any of the Commissioners have any  
11 questions of Ms. Brown in terms of what she is  
12 recommending we do?

13 MS. GILMORE: This is Commissioner Karen  
14 Gillmor. I have two questions; the first one is,  
15 which two are we tabling, please?

16 MS. BROWN: This is Amanda Brown,  
17 Assistant Legal Counsel.

18 MS. GILLMOR: I'm sorry?

19 MS. BROWN: I'm sorry. This is Amanda  
20 Brown, Assistant Legal Counsel. The two rules that  
21 are being proposed for tabling would be 4121-3-09,  
22 which is Conduct of Hearings, and then 4125-1-01  
23 which is Wage Loss Compensation.

24 MR. HUGHES: This is Jim Hughes,  
25 Chairman. Do you have a follow up?

1 MS. GILLMOR: Thank you. One more,  
2 please.

3 MR. HUGHES: Sure.

4 MS. GILLMOR: This is Commissioner  
5 Karen Gillmor. I'm assuming these will be brought up  
6 at a subsequent meeting of the Commission, and it  
7 would be really helpful to get any feedback that  
8 anyone has gotten here at the Commission, whether  
9 it's written, whether it's a phone call or comment or  
10 in person, so that we have some understanding of what  
11 different groups are thinking and what issues they  
12 see that we may not have seen.

13 So if we could have the information  
14 either verbal and/or written.

15 MS. BROWN: Thank you, Commissioner  
16 Gillmor. This is Amanda Brown, Assistant Legal  
17 Counsel. Yes, we just sent out the most recent  
18 proposed changes that we have received to that  
19 moment. And those reflect those proposed added  
20 additions, suggestions, but we would be glad to  
21 continue to forward those as we receive them.

22 MS. GILLMOR: This is Commissioner  
23 Gillmor. Thank you very much.

24 MS. BROWN: Thank you.

25 MR. HUGHES: This is Jim Hughes,

1 Chairman. Yes, we received those you sent out as of  
2 late yesterday and forwarded them yesterday of those  
3 changes. So we do appreciate Ms. Brown and legal  
4 counsel for getting that information to us as you  
5 receive it.

6 Is there any other  
7 discussion -- Mr. Massey, do you have any questions?

8 MR. MASSEY: This is Commissioner  
9 Massey, I do not.

10 MR. HUGHES: Okay. Any other  
11 discussion? Hearing none, I am going to move that we  
12 table 4121-3-09 as well as 4125-1-01. I move to  
13 that, is there a second?

14 MR. MASSEY: I'll second. This is  
15 Commissioner Massey, I will second.

16 MR. HUGHES. This is Chairman  
17 Jim Hughes. Thank you. It has been properly moved  
18 and I'll second it. We will now go to our Executive  
19 Director, Mr. Tim Adams, ask him to call the roll on  
20 the motion to table 4121-3-09, as well as, table  
21 4125-1-01 which has properly been moved to second,  
22 Mr. Adams.

23 MR. ADAMS: This is Tim Adams, Executive  
24 Director of the Ohio Industrial Commission.

25 As I call your name, please restate your

1 name and state your vote. Commissioner Karen  
2 Gillmor.

3 MS. GILLMOR: Commissioner Karen  
4 Gillmor, yes.

5 MR. ADAMS: Commissioner Dan Massey.

6 MR. MASSEY: Commissioner Dan Massey,  
7 yes.

8 MR. ADAMS: Chairman Jim Hughes.

9 MR. HUGHES: Chairman Jim Hughes, yes.

10 The motion having a proper number of  
11 votes is hereby accepted. Those rules will be  
12 tabled. We'll now move to other rules that we have  
13 up for discussion, which my understanding is Rule  
14 4121-3-10, 4121-3-15 and 4121-3-32.

15 At this point in time I'd like to call  
16 upon Mr. Tom Connor, Director of Adjudication, for  
17 him and/or Ms. Brown to explain what they recommend  
18 with those three rules with JCARR, either one  
19 may -- whoever wants to go first or --

20 MS. BROWN: Sure.

21 MR. HUGHES: Both.

22 MS. BROWN: The first rule that we are  
23 proposing for No Change is Rule 4121-3-10, addresses  
24 lump-sum payments for attorneys' fees for securing an  
25 award.

1           We've reviewed the language in that rule  
2 as well as House Bill 75 and House Bill 81 to confirm  
3 that there are no impacted changes in regard to that  
4 legislation. Seeing then we would respectively  
5 propose that there would be a No Change in rule.

6           There is also Rule 4121-3-15 addressing  
7 percentage of Permanent Partial Disability. Again,  
8 the same review occurred and seeing no conflict with  
9 the legislation, we propose No Change on that rule.

10           Finally we have Rule 4121-3-32,  
11 Temporary Disability. Again, a review was done in  
12 regard to any conflict with the current legislation.  
13 We did not see within the code section, so at that  
14 time we have not received any feedback in regard to  
15 any of our stakeholders in regard to any of these  
16 rules that have been submitted.

17           So without any additional feedback and  
18 without seeing any conflict in legislation, we did  
19 propose these rules as No-Change Rules.

20           MR. HUGHES: This is Jim Hughes,  
21 Chairman. Thank you, Ms. Brown, for your  
22 information.

23           MS. BROWN: Thank you.

24           MR. HUGHES: And I will now ask my  
25 colleagues to see if they have any questions, that we

1 present have any questions of Ms. Brown of what we're  
2 doing.

3 MS. GILLMOR: This is Commissioner  
4 Gillmor, no questions.

5 MR. MASSEY: Commissioner Massey, no  
6 questions.

7 MR. HUGHES: This is Chairman Jim  
8 Hughes. I don't have any questions either. I will  
9 then move, since there is no further discussion, to  
10 have Rule 4121-3-10, 4121-3-15, 4121-3-32, to file  
11 with JCARR as No Change. May I have a second,  
12 please.

13 MS. GILLMOR: This is Commissioner  
14 Gillmor. I second.

15 MR. HUGHES: Thank you. This is Jim  
16 Hughes. Thank you, Commissioner Gillmor. It has  
17 been properly moved and seconded. I am going to go  
18 to our Executive Director, Tim Adams, and ask him to  
19 call the roll. Mr. Adams, please, sir.

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

24 MS. GILMORE: Commissioner Karen  
25 Gillmor, yes.

1 MR. ADAMS: Commissioner Dan Massey.

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

4 MR. ADAMS: Chairman Jim Hughes.

5 MR. HUGHES: This is Chairman Jim  
6 Hughes, yes. This is Chairman Jim Hughes. Having  
7 the necessary votes, the motion does carry.

8 The next matter up for discussion is our  
9 Joint Ohio Administrative Code Rule 4125-1-02.  
10 This is our final rule for discussion today.  
11 These are proposed revisions for Joint Rule  
12 4125-1-02, which deals with electronic submission and  
13 acceptance of documents.

14 And it seems as also joint rule of the  
15 Commission, of the BWC, is called the  
16 2022 Five-year Review. I will also call once again  
17 upon either Ms. Brown or Mr. Connor for any feedback  
18 regarding 4125-1-02 for the admission to be explained  
19 to us.

20 MS. BROWN: Thank you. This is Amanda  
21 Brown, Assistant Legal Counsel. 4125-1-02 is indeed  
22 a joint rule with the Bureau. There was only a very  
23 small amendment contained within that rule that was a  
24 request of the Bureau's in regard to the term  
25 "mailed" in anticipation of perhaps a future

1 situation where received documents to be considered  
2 mailed electronically.

3 So that word was added at the Bureau's  
4 request. We didn't see any conflict with our current  
5 rules, and so we have proposed adding that additional  
6 term as well.

7 MR. HUGHES: This is Jim Hughes,  
8 Chairman. Thank you, Ms. Brown, for that. I will  
9 now ask my colleagues to see if they have any  
10 questions of this. Commissioner Dr. Karen Gillmor,  
11 do you have any questions?

12 MS. GILLMOR: This is Commissioner  
13 Gillmor, no questions. Thank you.

14 MR. HUGHES: This is Jim Hughes,  
15 Chairman. Thank you, Commissioner.  
16 I will go then to Commissioner Dan Massey.

17 MR. MASSEY: This is Commissioner  
18 Massey. I have no questions.

19 MR. HUGHES: This is Jim Hughes.  
20 Thank you, Commissioner. After hearing no further  
21 discussion, I move to adopt the recommended revisions  
22 to Joint Rule 4125-1-02. Do I have a second?

23 MS. GILLMOR: This is Commissioner  
24 Gillmor, I second it.

25 MR. HUGHES: This is Jim Hughes. It has

1 been properly moved and seconded.

2 The Joint Advisory Rule 4125-1-02 has  
3 been properly moved and seconded, and I call upon my  
4 Executive Director, Mr. Tim Adams, to call the roll,  
5 please.

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

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

12 MR. ADAMS: Commissioner Dan Massey.

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

15 MR. ADAMS: Chairman Jim Hughes.

16 MR. HUGHES: Chairman Jim Hughes, yes.

17 The motion having the proper number of  
18 votes, it is adopted. We will now go to the approval  
19 of the Memo C3 Revision. This is a special provision  
20 to the OIC Memo C3.

21 At this point in time I would like to  
22 call upon our Director of Adjudication, Mr. Tom  
23 Connor, for discussions for the Commission, please.  
24 Good morning, Mr. Connor.

25 MR. CONNOR: Good morning. This is

1 Tom Connor, Director of Adjudication.

2 The draft before you is as a result of  
3 the recent changes in law, the change in the statute  
4 of limitations for occupational disease claims from  
5 two years to one year, kind of following suit to what  
6 had been done, I believe, a year earlier for injury  
7 claims.

8 It's really only -- the main point is to  
9 reflect that change applying to claims after the  
10 effective date of the legislation which was September  
11 28, 2021. You will note in the bottom of the second  
12 paragraph, what we did at the same time since we are  
13 going to be into this policy, is there's a provision  
14 in 4123.85 that talks about extending the period  
15 after a date of diagnosis.

16 That had never been in the policy  
17 before, but it had been in the statute all along.  
18 So that way, the policy speaks to interpreting the  
19 date of disability as well as the statute, and it  
20 would be the one policy statement dealing with this  
21 issue. I'll be happy to take any questions that you  
22 may have.

23 MR. HUGHES: This is Jim Hughes,  
24 Chairman. Thank you, Mr. Connor, for your analysis.

25 I guess I have one question real quick.

1     Isn't there also the issue of the case of  
2     White versus Mayfield, date of disability?  Isn't  
3     that also involved in this too?

4             MR. CONNOR:  Right.  And that case has  
5     been out there for --

6             MR. HUGHES:  Tom Connor, Director of  
7     Adjudication.

8             MR. CONNOR:  I'm sorry.  Tom Connor,  
9     Director of Adjudication, right.  That case has been  
10    out there for a period of time, and that was  
11    originally what this policy only, kind of, dealt with  
12    is interpreting what White had said about the date of  
13    disability.

14            We, like I said -- or I tried to convey,  
15    we actually dropped in this additional provision that  
16    had been in the statute all along.  So that way, the  
17    hearing officers and the outside parties can look to  
18    one policy to get guidance on how to interpret 412385  
19    in light of White versus Mayfield's interpretation on  
20    the date of disability.

21            MR. HUGHES:  Jim Hughes, Chairman.  
22    Thank you, Mr. Connor.  I will now ask my colleagues  
23    to see if they have any questions based on my  
24    question or anything Mr. Connor has added to it.

25            MS. GILLMOR:  This is Commissioner

1 Gillmor.

2 I don't have a question, but I do have a  
3 comment. The previous composition of the Industrial  
4 Commission Board, a majority in  
5 White v. Mayfield -- majority of the Commission  
6 decided that the three prongs of White v. Mayfield  
7 must all be present, where as, I read it as the law  
8 is written that it's "or."

9 Well, I have no problem with the changes  
10 because your narrowing -- subscribing to what  
11 House Bill 75 says today. But I would like to  
12 suggest that a discussion of White v. Mayfield on the  
13 three prongs on whether the word "or" means "or" or  
14 whether it means "and." I would like to have that at  
15 a future time on our agenda.

16 And I would also, before that, hope that  
17 the Rules Advisory Committee could weigh in on that.  
18 I'd like their opinion. And also, I'd like the  
19 weight of Rules Advisory Committee opinion on wage  
20 loss before it comes back before us. I think that  
21 would be helpful.

22 MR. HUGHES: This is Jim Hughes,  
23 Chairman. Thank you, Commissioner.

24 Mr. Connor, do you want to respond in  
25 terms of the Board that issue as well as three prongs

1 that Commissioner Gillmor raised?

2 MR. CONNOR: This is Tom Connor,  
3 Director of Adjudication. Actually, that is an issue  
4 that's been discussed quite a bit over the years  
5 since White came out. I would say if the Commission  
6 wants to discuss that, we can certainly prepare some  
7 of that, get some of the Court of Appeals cases that  
8 delve in some of those issues.

9 And if there's a desire, we'll process  
10 the tabled rules anyway that the Commissioners would  
11 desire as far as working with the Rules Advisory  
12 Group and the stakeholders.

13 MR. HUGHES: This is Jim Hughes,  
14 Chairman. Thank you, Mr. Connor. Mr. Massey, do you  
15 have any questions?

16 MR. MASSEY: This is Commissioner  
17 Massey. No, I don't, Mr. Chairman. Thank you.

18 MR. HUGHES: Having no further  
19 discussion, I move to adopt the changes as proposed  
20 to Memo C3. Do I have a second?

21 MS. GILLMOR: This is Commissioner  
22 Gillmor. I second.

23 MR. HUGHES: This is Jim Hughes,  
24 Chairman. Thank you, Commissioner. I will now call  
25 upon Mr. Tim Adams, our Executive roll -- Executive

1 Director to call the roll.

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

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

8 MR. ADAMS: Commissioner Dan Massey.

9 MR. MASSEY: Commissioner Dan Massey,  
10 yes.

11 MR. ADAMS: Commissioner Jim Hughes.

12 MR. HUGHES: Commissioner Jim Hughes,  
13 yes. The motion having the proper number of votes is  
14 adopted.

15 Next on our agenda is discussion of  
16 utilizing the video function for WebEx functions.  
17 When we first adopted the WebEx protocol, we were  
18 limited to the use of audio function only. And with  
19 this chair, as well as others, have shared to me they  
20 have received feedback from both parties on both  
21 sides that it might be an advantage for us to include  
22 the use of the video function of WebEx, when  
23 conducting a hearing.

24 I will also call upon  
25 Mr. Tom Connor. I know he has had some discussions

1 with these parties to discuss this matter too.

2 MR. CONNOR: This is Tom Connor,  
3 Director of Adjudication. Just as a reminder or to  
4 refresh the memory, you know, when we first started  
5 with the WebEx Hearings, the real concern we had at  
6 the time was that the telephone format that we were  
7 using was not as stable as the Commissioners would  
8 like.

9 We were getting a lot of complaints  
10 about dropped calls during the middle of the hearing  
11 and that type of thing. So we've worked with our IT  
12 folks, identifying WebEx as a far more robust,  
13 efficient way of doing this with the chances of  
14 dropped calls -- well, using WebEx, you don't get  
15 dropped calls, and it would limit the number of  
16 people using telephone, which would also help with  
17 those folks not getting dropped out of hearings and  
18 make the hearing process more efficient.

19 And it did have that effect, it was, I  
20 think, by and large, everything we were hearing was  
21 that that was a big improvement. At the time, I  
22 think, there was -- the hearing officers were  
23 conducting hearings at home.

24 So I think there was a concern or, kind  
25 of, working with that of putting the video -- number

1 one, the video wasn't what the telephone hearings  
2 were providing, so that was, kind of, a change.  
3 And there was also some concern raised about seeing  
4 the inside of folks homes and that type of thing.

5 There was no limitation on what the  
6 parties could do. If they were participating by a  
7 WebEx, they could turn on their camera and do, in  
8 some cases, if they so choose, but the idea was the  
9 hearing officer was not going to enable the video  
10 portion at the time.

11 We have now received some commentary and  
12 the hearing officers are back conducting hearings in  
13 the hearing room, that there are times when it is  
14 felt -- this isn't universal, it's just getting some  
15 comments -- that there are times when it's felt that  
16 the video, having that access and being able to see  
17 the parties who are talking and the hearing officer,  
18 would be of value.

19 Now, one of the things in that -- there  
20 are two things on the agenda. It also talks about  
21 Commission meetings. One of the things that we would  
22 have to do, even if the Commissioners are inclined to  
23 explore this further, it would take some equipment  
24 changes in the hearing so that somebody appearing  
25 remotely could see the hearing officer, but also see

1 if there was a party in the hearing room  
2 participating in the hearing.

3 So it's going to take some work.  
4 The idea here is, is this something you would like to  
5 ask us to start having discussion about in  
6 determining how would be best to do this? There was  
7 not an inclination to turn on the video cameras, you  
8 know, some months ago. If there is now, then we have  
9 some work to do to try to make that happen.

10 MR. HUGHES: This is Jim Hughes,  
11 Chairman. Thank you, Mr. Connor, for that  
12 discussion. I will call upon my colleagues and see  
13 if they have any questions of you. I will first go  
14 to Dr. Commissioner Karen Gilmore to see if she has  
15 any questions of Mr. Connor at this time.

16 MS. GILLMOR: This is Commissioner  
17 Gillmor. I am going to make myself a little more  
18 popular, but I think maybe a little bit more robust  
19 discussion of video function not only for hearings  
20 but also for our community meetings might be  
21 beneficial so that we are examining all sides of the  
22 issue under our current operating situation, which  
23 means it may be revised in the future.

24 But I think it would be beneficial, and  
25 again, I'd be interested in what our different

1 segments of our constituencies think.

2 MR. HUGHES: This is Chairman Jim  
3 Hughes. Thank you, Commissioner Dr. Karen Gillmor,  
4 for an input. I will go next to Commissioner  
5 Dan Massey to see if he has any questions of  
6 Mr. Connor.

7 MR. MASSEY: I don't. Thank you,  
8 Mr. Chairman. This is Commissioner Massey. I do not  
9 have any questions at this time.

10 MR. HUGHES: This is Chairman  
11 Jim Hughes. At this point in time, what is the will  
12 of the Commission regarding this?

13 MS. GILLMOR: I would make a motion that  
14 the Industrial Commission administrative staff look  
15 into the feasibility and the actual viability of  
16 video function of WebEx so that further discussion  
17 with the three Commissioners can take place.

18 MR. HUGHES: This is Chairman  
19 Jim Hughes. Motion has been moved. Is there a  
20 second to that motion?

21 MR. MASSEY: This is Commissioner  
22 Massey. I'll second the motion.

23 MR. HUGHES: This is Chairman  
24 Jim Hughes. It has been properly moved and seconded  
25 to -- make sure I state this correctly to form -- to

1 further effort discussions and to take the next steps  
2 to look into possibly doing this with our -- pursuant  
3 to Memo C3 of the revisions. With this I will now  
4 call upon Mr. Tim Adams, our Executive Director, to  
5 call the roll.

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

10 MS. GILLMOR: Commissioner Gillmor, yes.

11 MR. ADAMS: Commissioner Dan Massey.

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

14 MR. ADAMS: Chairman Jim Hughes.

15 MR. HUGHES: Chairman Jim Hughes, yes.

16 It has the necessary votes for approval.  
17 That motion is now approved.

18 Our next agenda -- item of agenda is  
19 allow for utilization of video function for WebEx  
20 hearings. As we know from the final agenda, is the  
21 use of video recordings to use at our meeting  
22 minutes. This (Inaudible) will require a  
23 communication throughout this video to record all our  
24 meetings, where we engage (inaudible) to video record  
25 the meeting.

1           This will be in conjunction with the  
2 audio broadcast through YouTube Channel. Adopting  
3 this available technology ensures that the public is  
4 currently informed of our meetings in a timely manner  
5 as well as transparency. I will now call upon  
6 Mr. Tom Connor to see if he has additional thoughts  
7 in terms of what I already stated.

8           MR. CONNOR: This is Tom Connor,  
9 Director of Adjudication. I actually -- I think that  
10 that essentially is the issue. This is a little  
11 different than the hearings. The purpose of  
12 Commission meetings, there has already been a move to  
13 using the audio recording as the minutes. But one of  
14 the things with the audio only, we all have to do the  
15 introduction of ourselves as we walk around for those  
16 people.

17           But the idea of turning on cameras for  
18 purposes -- which is available through the  
19 YouTube -- they can be broadcast that way. Some of  
20 that will go away. However, as earlier stated, we  
21 have to work with our IT folks to determine how best  
22 to set up equipment so that, when there is an  
23 interaction in the meeting, the outside folks can see  
24 who's talking.

25           So, again, even if there is a desire to

1 move in this direction, it's not flipping a switch  
2 and next Monday we're ready to go. But it allows us  
3 to start looking in earnest to what would need to be  
4 done to make that work well.

5 MR. HUGHES: This is Jim Hughes,  
6 Chairman. Thank you, Mr. Connor for that. I will  
7 now ask my colleagues to see if they have any  
8 questions on what is being discussed. I will first  
9 go to Commissioner Dr. Karen Gillmor to see if she  
10 has any questions.

11 MS. GILLMOR: This is Commissioner  
12 Gilmore. I think the trend in public service and  
13 government certainly has been to go to video such as  
14 the Legislature's Committees are being broadcast now.  
15 In fact, this week the National Conference of State  
16 Legislatures is meeting in Tampa and the Ohio Public  
17 Radio and TV -- the State House Division has sent its  
18 employees to Tampa to record the speeches of the Ohio  
19 Legislatures at this national meeting.

20 So it probably behooves us, again, to  
21 look at the video recording of our meetings.  
22 That would be my suggestion.

23 MR. HUGHES: This is Jim Hughes,  
24 Chairman. Thank you, Commissioner Gillmor for your  
25 input. I will now call upon my other colleague,

1 Mr. Dan Massey, to see if he has any questions of  
2 Mr. Connor or has any comments.

3 MR. MASSEY: This is Commissioner Dan  
4 Massey. I have no comments at this time.

5 MR. HUGHES: This is Jim Hughes.  
6 Hearing no further discussion, I move to have video  
7 recording of the Ohio Industrial Commission, allow  
8 these video recordings to be adopted as our meeting  
9 minutes. However, this motion is limited only to  
10 Commission meetings. It does not extend to  
11 Commission hearings or adjudications. Do I have a  
12 second?

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

15 MR. HUGHES: This is Jim Hughes,  
16 Chairman. It has been properly moved and seconded  
17 the motion. I will now call upon our Executive  
18 Director, Mr. Tim Adams, to call the roll please.

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

23 MS. GILLMOR: Commissioner Gillmor, yes.

24 MR. ADAMS: Commissioner Dan Massey.

25 MR. MASSEY: Commissioner Massey, yes.

1 MR. ADAMS: Chairman Jim Hughes.

2 MR. HUGHES: Commissioner Jim Hughes,  
3 yes.

4 The motion having a set number of votes  
5 for approval is now approved. Looking at our agenda,  
6 we have dispatched all the items that were on our  
7 agenda. At this point in time, for our special  
8 meeting, I move to adjourn. Do I have a second?

9 MR. MASSEY: The is Commissioner Massey.  
10 I will second.

11 MR. HUGHES: This is Chairman  
12 Jim Hughes. It has been properly moved and been  
13 seconded to adjourn. I will call upon our Executive  
14 Director, Mr. Tim Adams, to call the roll please.

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 Karen Gilmore.

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

21 MR. ADAMS: Commissioner Dan Massey.

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

24 MR. ADAMS: Chairman Jim Hughes.

25 MR. HUGHES: Chairman Jim Hughes, yes.

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We are adjourned.

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(Whereupon, the special meeting  
was concluded.)

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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 December 3, 2021.

*Michele M. Snyder*  
Michele M. Snyder  
Notary Public  
In and for the State of Ohio  
My commission expires  
February 2, 2026

