

NOTICE OF MEETING AND AGENDA
OF THE INDUSTRIAL COMMISSION OF ARIZONA

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Industrial Commission of Arizona and to the general public that the Industrial Commission of Arizona will hold a meeting open to the public on **Wednesday, October 21, 2015, beginning at 1:00 p.m.**, in Conference Room 308, 800 West Washington, Phoenix, Arizona. Members of the Industrial Commission will attend either in person or by telephone conference call, or by video conference. The Commission may vote to hold an Executive Session for the purpose of obtaining legal advice from the Commission's attorneys on any matter listed on the agenda pursuant to A.R.S. § 38-431.03(A)(3). The Executive Session is not open to the public. This agenda is subject to change up to 24 hours prior to the meeting. The Commission Chair reserves the right to change the order of the items on the agenda, except for matters set for a specific time.

The agenda for the meeting is as follows:

1. Call to Order.
2. Approval of Minutes of October 15, 2015 Regular Meeting.
3. 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. 2C14/15-1636 Casey, L.L.C. dba Las Casitas Villas
 2. 2C15/16-0259 E-Vapor Zone, L.L.C.
 3. 2C15/16-0264 Foothills Mattress and Furniture, L.L.C.
 4. 2C14/15-2414 Jose Amador & Maria Amador, h/w, and Fernando Amador & Sandra Amador, h/w, dba Yuma Organic
 5. 2C15/16-0803 Laveen Nails and Day Spa JP, L.L.C., dba Laveen Nails & Day Spa
 6. 2C15/16-0804 Ronald Williams & Courtney Williams, h/w, dba Classic Colorworks
4. 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.
5. Discussion and Action and Potential Resolution regarding Proposed Rulemaking to A.A.C. R20-5-601 to adopt Federal Occupational Safety and Health standards extending the deadline for employers to ensure that crane operators are certified by three years, until

November 10, 2017 and adding a new subpart to provide protections to employees working in confined spaces in construction.

6. Discussion and/or Action of Arizona Division of Occupational Safety and Health Discrimination Complaint.

- 14-2865-35 - Miguel A. Marquez vs. Sun-Brite Professional Services, Inc. dba Sun-Brite Fire & Water Restorations
- 14-2919-23 - Curtis James Fikes vs. Staffing Network and Arizona Office Technologies (AOT)
- 15-3633-12 - Beverly Taylor-Barton vs. Pinal County dba Pinal County Adult Probation Department
- 15-3633-16 - Gabe Lindstrom vs. RCHP-Sierra Vista, Inc. dba Canyon Vista Medical Center
- 15-3633-26 - Ricardo A. Diaz vs. Mitchell's Merchant Patrol, Inc.

7. Executive Session under A.R.S. § 38-431.03(A)(3) and (A)(4) to Discuss Arizona Division of Occupational Safety and Health Discrimination Complaint.

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

City of Williams, Elephant Rocks at Williams
City of Williams, Central Shop
Johnson Manley Lumber Company
McKenna Construction Inc.
Sargon Masonry Construction, LLC

9. Discussion and Action Regarding Rulemaking relating to the Development and Implementation of a Process for the use of Evidence Based Medical Treatment Guidelines to Treat Injured Workers under A.R.S. § 23-1062.03.

10. Discussion and Action regarding the Selection of Candidates for Interviews for Administrative Law Judge Positions. The Commission may move into Executive Session under A.R.S. §§ 38-431.03(A)(1) and (A)(3) to Discuss Selection of Candidates.

11. Announcements, Scheduling of Future Meetings and Retirement Resolutions.
12. Public Comment.

This is the time for the public to comment on issues within the jurisdiction of the Commission. The Commission Chair has the authority to impose reasonable time, place and manner restrictions on those that wish to speak. Time permitting, each presentation may be limited to one person per organization. Unless the item is specifically identified on this agenda, pursuant to A.R.S. § 38-431.01(H), members of the Commission may not discuss or take legal action on any matter raised by a public comment, except that the Commission may respond to criticism made by those who have addressed the public body, may ask staff to review the matter, or may ask that the matter be put on a future agenda.

The Notice of Meeting and Agenda is posted in the first floor lobby of the Phoenix Office of the Industrial Commission, 800 West Washington Street, Phoenix, Arizona 85007. A courtesy copy of the Notice of Meeting and Agenda is posted in the first floor lobby of the Tucson Office of the Industrial Commission, 2675 East Broadway Boulevard, Tucson, Arizona 85716.

Persons with a disability may request a reasonable accommodation by contacting Commission Secretary Kara Dimas in the Office of the Commission Director at (602) 542-4411. Requests should be made as early as possible to allow time to arrange the accommodation.

Dated this 19th day of October, 2015.

INDUSTRIAL COMMISSION OF ARIZONA
Kara Dimas, Commission Secretary