

NOTICE OF MEETING  
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 **Thursday, October 22, 2009, beginning at 1:00 p.m.**, in the 3<sup>rd</sup> Floor Conference Room 308, 800 West Washington, Phoenix, Arizona. Members of the Industrial Commission will attend either in person, by telephone conference call, or by video conference. Pursuant to A.R.S. §§38-431.03(A)(3) and/or (4), the Commission may meet in Executive Session to discuss any of the following items. 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 Chairman 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. (Chairman Delfs)
  2. Approval of Minutes of October 7, 2009 Meeting.  
  
General Session and Executive Session
  3. Discussion & Action of ADOSH Discrimination Complaint.  
  
#09-55 Christine Buda v. Arizona Department of Fire, Building and Life Safety
  4. Discussion & Action of OSHA Proposed Citations & Penalties.  
  
Bernie's Brass, Inc.  
Bryant Industries, Inc.  
Custom Farm Service, Inc.  
Eurofresh, Inc.  
Norman D. and Norma F. Hubele dba Refrac Systems
  5. Discussion & Action of Request for Lump Sum Commutation.  
  
Jerry Berkbigler #98252-346278
  6. Discussion & Action of Requests for Renewal of Self Insurance Authority.  
  
Pilot Travel Centers, LLC  
TMC Healthcare
  7. Discussion & Action of Proposed Civil Penalties Against Uninsured Employers.  
  
2C08/09-1181 AZ Dermatology, LLC dba AZ Dermatology  
2C09/10-0556 BMJ Transport, Inc.  
2C08/09-1622 Nicolas Del Rio & Irma Del Rio, Husband & Wife  
dba Oasis Sports Bar  
2C09/10-0557 SVP Manufacturing, Inc.
  8. Discussion & Action regarding June 25, 2009 form of Resolution Adopting New Maximum Average Monthly Wage.
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9. Discussion &/or Action regarding Budget and Operations of the Industrial Commission.
10. Discussion &/or Action regarding Legislation.
11. Discussion &/or Action regarding Industrial Commission of Arizona, for Itself and as Trustee for the Special Fund of the Industrial Commission of Arizona; and the Special Fund of the Industrial Commission of Arizona, Petitioners, v. Dean Martin, Arizona State Treasurer, in his official capacity; Janice K. Brewer, Governor of the State of Arizona, in her official capacity, Respondents. The Commission may move into Executive Session under A.R.S. §§38-431.03(A)(3) and (A)(4) for Discussion and Consultation with the Attorneys of the Public Body regarding Pending Litigation or Settlement Discussions in order to resolve Litigation. 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.
12. Announcements.
13. Public Comment.

This is the time for the public to comment on issues within the jurisdiction of the Commission. The 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.

A copy of the agenda and agenda background material provided to Commission members (with the exception of material relating to possible executive sessions) is available for public inspection at the Commission's Office, Room 307, Industrial Commission Building, 800 West Washington, Phoenix, Arizona. The Notice of Meeting with Agenda is also posted in the lobby of the Tucson Office of the Industrial Commission, 2675 E. Broadway, Tucson, AZ 85716-5342.

Persons with a disability may request a reasonable accommodation, such as a sign language interpreter or using the TDD, by contacting Executive Secretary Teresa Hilton 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 19<sup>th</sup> day of October, 2009.

INDUSTRIAL COMMISSION OF ARIZONA  
Teresa Hilton, Commission Secretary