

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 **Wednesday, December 2, 2009, beginning at 1:00 p.m.**, in the 3rd 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 November 19, 2009 Meeting.
3. Discussion & Action of ADOSH Discrimination Complaints.
 - #09-42 Jim Green v. Town of Superior
 - #09-53 Robert Chavez v. Performance Contracting, Inc.
 - #09-74 Wendy Nichols v. Holiday Inn Express & Suites
4. Discussion & Action of OSHA Proposed Citations & Penalties.
 - Arizona Boiler Company, Inc.
 - Corrosion Engineering, Inc.
 - Desert Metal Works, Inc.
 - Velmar Food Services Inc. dba Arizona Gold
 - Westerner Products, Inc.
5. Discussion & Action of Proposed Civil Penalties Against Uninsured Employers.
 - 2C09/10-0251 ARC One Associates, LLC
 - 2C09/10-0562 A Shining Star Preschool, Inc.
aka Discovery Learning Center
 - 2C08/09-1947 Keith G. Waldersen & Rhonda J.
Waldersen, Husband & Wife
dba CF Capital Finance, Inc.
 - 2C07/08-1552 El Rancho Snowflake, Inc.
aka El Rancho Café #4
 - 2C08/09-2071 Noor Corporation dba Frank's Pizza & Wings
 - 2C08/09-1939 J & L Harvesting, Inc.
 - 2C09/10-0264 Donald J. Greathouse, a Single Man
dba Mardon Nametag Company
 - 2C09/10-0204 Bubba' Investments, LLC
dba Sammy's Sports Bar & Grill
 - 2C09/10-0804 Richard James Voth Jr. & Samantha
Simmons Voth, Husband & Wife
dba Samurai Sam's Teriyaki Grill/
Surf City Squeeze

6. Discussion &/or Action regarding Budget and Operations of the Industrial Commission.
7. Discussion &/or Action regarding Legislation.
8. 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.
9. Announcements.
10. 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 30th day of November, 2009.

INDUSTRIAL COMMISSION OF ARIZONA
Teresa Hilton, Commission Secretary