

AGENDA  
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, May 8, 2013, 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, 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 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 Parker)
2. Approval of Minutes of May 1, 2013 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.

- a. Approval of Proposed Civil Penalties Against Uninsured Employers.
    1. 2C12/13-1027 D.M. Foods, Inc. dba  
Rosati's Authentic Chicago Pizza
    2. 2C12/13-0221 National Tax Network, L.L.C. dba  
Jackson Accounting
  4. Discussion &/or Action regarding Legislation.
  5. Discussion & Action regarding ADOSH Discrimination Complaints.
    - #12-57 Ann Marie Miller vs. Colmed Collection Services, LLC
    - #13-3633-03 Lindsey Emerson vs. Crystal Reflections Int., Inc.
    - #13-2603-03 German Cortez vs. Interstate Mechanical Corporation
  6. Discussion & Action regarding Proposed OSHA Citations and Penalties.
    - Block Partners LLC dba Master Block
    - Fayette A/C & Sheetmetal, Inc.
  7. Discussion & Action regarding Hourly Rate Used in Considering Applications to Set Attorneys' Fees under A.R.S. § 23-1069.
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8. Discussion & Action of Attorney Fee Petition.

Richard E. Taylor v. Thomas W. McDonough

9. Discussion &/or Action on Notice of Final Rulemaking regarding Selection of Index Used in Adopting Maximum Average Monthly Wage under A.R.S. §23-1041(E).

10. Announcements and Scheduling of Future Meetings.

11. 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 6<sup>th</sup> day of May, 2013.

INDUSTRIAL COMMISSION OF ARIZONA  
Teresa Hilton, Commission Secretary