

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 **Thursday, February 5, 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 meetings. 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 January 22, 2015 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. 2C14/15-0154 AG West Logistics, LLC
2. 2C13/14-2292 Copper Miners Restaurant & Lounge, LLC dba Copper Miner Kitchen
3. 2C14/15-0093 Elwood Recycle, LLC
4. 2C14/15-0198 Grace's Place, LLC dba Grace's Place Assisted Living Home
5. 2C14/15-0481 Luz Social Services, Inc. dba Adalberto M. Guerrero Middle School
6. 2C14/15-0042 M & M General Contracting, Inc.
7. 2C14/15-1418 Revival Scottsdale, GP, Inc., dba Revival Scottsdale, LLLP aka Jaxon's
8. 2C14/15-0725 SDM Truck & Trailer Repair, L.L.C.
9. 2C14/15-1558 Sicily AZ, L.L.C. dba Little Sicily

b. Approval of Requests for Renewal of Self-Insurance Authority.

1. Carondelet Health Network
2. Arizona Counties Workers' Compensation Pool

4. Discussion and Action of Application for Self-Insurance Authority.

Heartland Express, Inc.

5. Discussion and/or Action regarding Legislation.

6. Discussion and/or Action regarding Residential Fall Protection and Federal OSHA's Notice of Initiation of Proceedings to Reject State Initiated Plan Change No. 133, and Reconsider Arizona's State Plan Authority under Section 18(e) of the Occupational Safety and Health Act. The Commission may move into Executive Session under A.R.S. §§ 38-431.03(A)(3) and (A)(4) to consult with its attorneys to obtain legal advice and to consider its position and instruct its attorneys regarding pending or contemplated litigation.

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7. Discussion and Action of Arizona Division of Occupational Safety and Health (ADOSH) Discrimination Complaint.

14-3633-20 - Patricia Diaz vs. Saeid Badie, D.D.S., P.C.

14-3633-21 - Sheanelle Noragus vs. Saeid Badie, D.D.S., P.C.

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

Baboquivari Unified School District  
R & S Firearms, Inc dba Sam's Shooters Emporium II  
Solar Industries, Inc.

9. Discussion and Action regarding Establishment of Discount Rate for Calculating Lump Sum Commutations under A.A.C. R20-5-121(B).

10. Discussion and Action regarding requests to the Governor's Office for approval under Executive Order 2015-01 to proceed with rulemaking. This agenda item will include discussion of referral of rulemaking considered under A.R.S. § 23-1062.03 (evidence based medical treatment guidelines) and referral of rulemaking required to adopt occupational safety and health standards, regulations or rules.

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11. 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.

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12. Announcements, Scheduling of Future Meetings and Retirement Resolutions.

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.

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 2<sup>nd</sup> day of February, 2015.

INDUSTRIAL COMMISSION OF ARIZONA  
Kara Dimas, Commission Secretary