

MINUTES OF MEETING
OF THE INDUSTRIAL COMMISSION OF ARIZONA
Held at 800 West Washington Street
Phoenix, Arizona 85007
Thursday, April 3, 2025 – 1:00 p.m.

Present:	Dennis P. Kavanaugh	Chairman
	Joseph M. Hennelly, Jr.	Vice Chair
	D. Alan Everett	Commissioner
	Maria Cecilia Valdez	Commissioner
	Orion J. Godfrey	Commissioner
	Gaetano J. Testini	Director
	Afshan Peimani	Chief Legal Counsel
	Lisa Padgett	Deputy Director
	Charles Carpenter	Legislative Affairs Chief/Public Information Officer
	Sandra Perez	Claims
	Alma Tellez	Claims
	Bianca Hernandez	Claims
	Brian Hudson	ADOSH Director
	Anna Maria Stonerock	ADOSH Compliance
	Bethany Votta	ADOSH Admin
	Yvonne Borunda	Legal
	Kara Dimas	Commission Secretary

Chairman Kavanaugh convened the meeting at 1:00 p.m. In attendance, confirmed by roll call were Taylor Thomas (Snell and Wilmer); Tom Stillwell (Stillwell Law); and Jason Forcier (Nunez Law Firm).

Approval of Minutes of March 20, 2025 Regular Meeting and March 27, 2025 Regular Meeting Minutes.

Commissioner Valdez moved to approve the Minutes of the March 20, 2025 regular session and March 27, 2025 regular session meeting and Commissioner Godfrey seconded the motion. Chairman Kavanaugh, Vice Chair Hennelly, Commissioner Everett, Commissioner Valdez and Commissioner Godfrey voted in favor of the motion. The motion passed.

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 Arizona Division of Occupational Safety and Health Proposed Citations and Penalties Less Than \$15,000.

- | | |
|-----------------------|--|
| 1. UR-2025-JW184-0148 | E Floors, LLC |
| 2. PP-2025-TN976-0043 | Gila County – Automotive Department Payson |
| 3. CP-2025-EG419-0092 | ProFinish Construction Services, Inc |
| 4. CP-2025-TN976-0009 | Southwark Metal Manufacturing Company |
| 5. CP-2025-JW184-0148 | S.R. Bray LLC dba Power Plus |

Chairman Kavanaugh noted that ADOSH removed Gila County from the Consent Agenda to be heard at a later meeting.

Commissioner Everett moved to approve the remaining items on the Consent Agenda and Vice Chair Hennelly seconded the motion. Chairman Kavanaugh, Vice Chair Hennelly, Commissioner Everett, Commissioner Valdez and Commissioner Godfrey voted in favor of the motion. The motion passed.

Discussion and Action of Request for Lump Sum Commutation. The Commission may move into Executive Session under A.R.S. §§ 38-431.03(A)(2) and (A)(3) to discuss or consider records exempt by law from public inspection or to consult with its attorneys for legal advice.

20213-050014 - Duarte

Chairman Kavanaugh noted the Commissioners received and reviewed the packet and the Claimant is requesting to receive the remaining balance of the scheduled award. He asked if there were any questions.

Commissioner Valdez moved to approve the proposed lump sum commutation and Commissioner Everett seconded the motion. Chairman Kavanaugh, Vice Chair Hennelly, Commissioner Everett, Commissioner Valdez and Commissioner Godfrey voted in favor of the motion. The motion passed.

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

Chairman Kavanaugh discussed the purpose of and process for the Commission's consideration of ADOSH citations and proposed penalties.

Double D Masonry, Inc.	Fatality/Catastrophe	
12621 N Tatum Blvd #400	Years in Business:	30
Phoenix, AZ 85032	Empl. Covered by Inspection:	4
Site Location:	1315 N Higley Rd	
	Gilbert, AZ 85234	
Inspection No:	FC-2025-KS402-0008	
Inspection Date:	October 11, 2024	

Mr. Hudson summarized ADOSH's investigation and reviewed the file. ADOSH was not recommending a citation for Double D Masonry, Inc.

Chairman Kavanaugh checked if there any questions. He had no request to speak.

The Commission took no action.

Public Comment.

Tom Stillwell wanted to bring to the attention of the Commission what he believes to be violations of Rule 130 and 131 by the Carriers and Third-Party Administrators and commented on what he believes is the problem and misuse of the Rules and asked the Commission to investigate and improve the processes.

Chairman Kavanaugh noted he appreciated Mr. Stillwell bringing it to the Commissions attention and will have staff investigate and let the Commission know if changes need to be made to the Rules.

There was no other public comment.

Announcements, Scheduling of Future Meetings and Retirement Resolutions.

Ms. Dimas confirmed Commission meeting dates through May 2025.

Chairman Kavanaugh congratulate Mr. Testini on his nomination moving forward from the Senate Committee with a unanimous vote and thanked him for his hard work.

Mr. Carpenter commented on Mr. Testini's Senate Committee confirmation getting out of Committee this morning with a vote of 5 to 0 and expect a similar result from the floor and get full confirmation. Mr. Carpenter updated the Commissioners noting that bill 1159 was signed by the Governor increasing the amount of wage claims from \$5,000.00 to \$12,000.00. The others are still active: bill 2032, bill 1156, bill 1157, bill 1182 and bill 1551.

Chairman Kavanaugh asked if appropriation was obtained to support bill 1159 with additional staff. Mr. Carpenter noted they are working with the Governor's Office and OSPB on it to increase the number of employees.

The meeting was adjourned at 1:17 p.m.

THE INDUSTRIAL COMMISSION OF ARIZONA

By


Gaetano J. Testini, Director

ATTEST:


Yvonne Borunda, Acting Commission Secretary