

MINUTES OF MEETING
OF THE INDUSTRIAL COMMISSION OF ARIZONA
Held at 800 West Washington Street
Phoenix, Arizona 85007
Thursday, May 22, 2025 – 1:00 p.m.

Present:	Dennis P. Kavanaugh	Chairman
	Joseph M. Hennelly, Jr.	Vice Chair
	D. Alan Everett	Commissioner (Telephonic)
	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
	Brian Hudson	ADOSH Director
	Brant Smith	ADOSH Deputy Director
	Bethany Votta	ADOSH Admin
	Andy Campbell	Chief Administrative Law Judge
	Kara Dimas	Commission Secretary

Chairman Kavanaugh convened the meeting at 1:03 p.m. In attendance, confirmed by roll call were Taylor Thomas (Snell and Wilmer); Lindsey Wheeler (Premier Risk Management); and Sarah Fisher (Wood Framing).

Approval of Minutes of May 15, 2025 Regular Meeting Minutes.

Commissioner Valdez moved to approve the Minutes of the May 15, 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.

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.

Mr. Hudson discussed the Non-Serious penalties for today and wanted to submit a notice to the Commission to suggest he would like to raise the penalty from \$1,000.00 to \$5,000.00 and will go through the process to raise the amount. The FOM and Federal OSHA allows the ADOSH Director to make those changes, it does not require rulemaking, and he will be sending notification to the Commissioners. Mr. Hudson and Chairman Kavanaugh discussed notice to employers for incidents that require reporting.

JBS Tolleson, Inc.
651 S 91st Ave
Tolleson, AZ 85353

Referral	
Years in Business:	70
Empl. Covered by Inspection:	3

SERIOUS – Citation 1 - Item 2 –

- a) Closed area: Five employees were tasked with demolishing a processing lab that contained unknown chemicals without having received hazard communication training. 29 CFR 1910.1200(h)(1)
Div. Proposal - \$16,550.00 Formula Amt. - \$16,550.00

SERIOUS – Citation 1 - Item 3 –

- a) Closed area: Five employees were tasked with demolishing a processing lab that contained unknown chemicals while safety data sheets for the chemical were not made readily available. 29 CFR 1910.1200(g)(8)
- | | | | |
|-----------------|-------------|----------------------|-------------|
| Div. Proposal - | \$16,550.00 | Formula Amt. - | \$16,550.00 |
| TOTAL PENALTY - | \$49,650.00 | TOTAL FORMULA AMT. - | \$49,650.00 |

Mr. Hudson discussed ADOSH's inspection, summarized the citation and proposed penalty.

Chairman Kavanaugh compliment Mr. Hudson and his staff on the decrease in intervals between investigations and inspections.

Chairman Kavanaugh checked if the Commissioners had any question and noted he did not have a request to speak.

Commissioner Valdez moved to approve the citation and proposed penalties as presented 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.

Wood Framing, LLC
2864 North Power Road
Mesa, AZ 85215

Site Location: 1057 E Apache Blvd
Tempe, AZ 85281
Inspection No: RF-2025-JW184-0150
Inspection Date: March 17, 2025

Referral	
Years in Business:	17
Empl. Covered by Inspection:	27

SERIOUS – Citation 1 - Item 1 –

- | | |
|---|----------------------------|
| a) 1057 E Apache Blvd, Tempe: One employee installed wood frame walls on the fourth floor, approximately 40 feet above the ground without having received fall protection training. 29 CFR 1926.503(a)(1) | |
| Div. Proposal - \$10,641.00 | Formula Amt. - \$10,641.00 |

NON-SERIOUS – Citation 2

- b) 1057 E Apache Blvd, Tempe: One employee was hospitalized on March 11, 2025, as a result of a wood frame wall falling on them and the hospitalization was not reported to ADOSH within 24 hours. 29 CFR 1904.39(a)(2)
- | | | | |
|-----------------|-------------|----------------------|-------------|
| Div. Proposal - | \$1,000.00 | Formula Amt. - | \$1,000.00 |
| TOTAL PENALTY - | \$11,641.00 | TOTAL FORMULA AMT. - | \$11,641.00 |

Mr. Hudson discussed ADOSH's inspection, summarized the citation and proposed penalty.

Chairman Kavanaugh checked if the Commissioners had any question and noted he did not have a request to speak.

Vice Chair Hennelly moved to approve the citation and proposed penalties as presented 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.

Announcements, Scheduling of Future Meetings and Retirement Resolutions.

Mr. Testini informed the Commissioners that earlier today Governor Hobbs issued Executive Order 2025-09, entitled "Protecting Arizonans from Heat Risks in the Workplace." The Executive Order has two main functions: The establishment of workplace heat safety task force; and the creation of a recognition program for those employers who go above and beyond the minimum standards to provide heat safety protection for their employees. The task force will be comprised of people from industry, labor, and advocacy groups with the requirement for them to have recommendations by December 2025.

Mr. Testini announced Brandt Smith will be joining the Director's Office as an additional Deputy Director for the agency.

Chairman Kavanaugh commented on the task force; his understanding is the recommendations will come to the Commission with the idea that the Commission would review their recommendation or guidelines for the purpose to help provide guidance and interpretations of the general duty clause.

Mr. Testini noted the recommendation would first go to the ADOSH Advisory Committee and then to the Commission.

Ms. Dimas confirmed Commission meeting dates through July 2025.

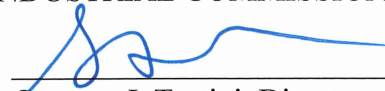
Public Comment.

There was no public comment.

The meeting was adjourned at 1:24 p.m.

THE INDUSTRIAL COMMISSION OF ARIZONA

By


Gaetano J. Testini, Director

ATTEST:


Kara Dimas, Commission Secretary