

MINUTES OF MEETING
OF THE INDUSTRIAL COMMISSION OF ARIZONA
Held at 800 West Washington Street
Phoenix, Arizona 85007
Thursday, July 31, 2025 – 1:00 p.m.

Present:	Dennis P. Kavanaugh	Chairman
	Joseph M. Hennelly, Jr.	Vice Chair (Telephonic)
	D. Alan Everett	Commissioner
	Maria Cecilia Valdez	Commissioner
	Orion J. Godfrey	Commissioner
	Gaetano J. Testini	Director
	Sophia Cox	Assistant Chief Legal Counsel
	Lisa Padgett	Deputy Director (Telephonic)
	Charles Carpenter	Legislative Affairs Chief/Public Information Officer
	Charles Conner	COOP Program Manager
	Renee Pastor	Self-Insurance (Telephonic)
	Melissa Spurgeon	Labor Director
	Christina Lasater	Labor Supervisor
	Brian Hudson	ADOSH Director
	Elizabeth Bennett	ADOSH Compliance
	Anna Maria Stonerock	ADOSH Compliance
	Matthew Shrum	ADOSH Compliance
	Bethany Votta	ADOSH Admin
	Jeff Hutton	Chief Elevator Inspector
	Kara Dimas	Commission Secretary

Chairman Kavanaugh convened the meeting at 1:02 p.m. In attendance, confirmed by roll call were Taylor Thomas (Snell and Wilmer); Lindsey Wheeler and Dawson Stoffel (Premier Risk Management); Jolene Donnelly (Event Rents Phoenix); and Cynthia Diaz (Arizona Jobs with Justice). Also in attendance on the telephone, confirmed by roll call were Leonard Shneyderman (Adobe Highlands Management L.P.); and Jason Kruger (MKP Law) (Representing Event Rents Phoenix).

Chairman Kavanaugh announced Delta Security Services, LLC would be removed from the Consent Agenda, because they have now obtained workers' comp insurance. He also announced Adobe Highlands Management L.P. would be removed from the Consent Agenda and presented with the ADOSH regular agenda items.

Approval of Minutes of July 17, 2025 Regular Meeting Minutes.

Commissioner Godfrey moved to approve the Minutes of the July 17, 2025 regular session meeting and Commissioner Valdez 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 Proposed Civil Penalties Against Uninsured Employers.

1. 2C24/25-0431 American Eagle Stucco, LLC

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

1. Banner Health
2. HonorHealth
3. Pilot Travel Centers LLC
4. Textron, Inc.

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

1. CP-2025-JW184-0168 Dang Fine Rentals and Design LLC
2. CP-2025-JW184-0165 Silverado Painting Contractors, Inc

Commissioner Everett moved to approve the remaining items on the Consent Agenda 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 regarding Proposed Retaliation Penalty.

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

1. RT-2425-0132 Paramount Auto Sales LLC

Ms. Spurgeon summarized the Labor Department's investigation into the Earned Paid Sick Time (EPST) Retaliation claim. Ms. Spurgeon recommended that the Commission approve issuance of a Penalty in the amount of \$3,450.00 for the demotion violation and the amount of \$40,550.16 for the termination violation of A.R.S. § 23-364.

Commissioner Godfrey asked about the evidence and if the employer did not have any or choose not to provide. Ms. Spurgeon noted they provided statements from colleagues and that was it, Labor reached out several times for clear evidence and nothing was provided.

Commissioner Valdez moved to approve issuance of a Penalty for Retaliation in the amount of \$44,000.16 to Paramount Auto Sales LLC. 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.

SERIOUS – Citation 1 - Item 7 –

- a) Shop: Three employees used hazardous chemicals such as Cardinal gray powder coating powder and 25% Carbon Dioxide, 75% Argon gas without having received hazard communication training. 29 CFR 1910.1200(h)(1)

Div. Proposal - \$3,547.00	Formula Amt. - \$3,547.00
TOTAL PENALTY - \$23,409.00	TOTAL FORMULA AMT. - \$39,724.00

Mr. Hudson discussed ADOSH's inspection, summarized the citation and proposed penalty. Mr. Hudson provided updated numbers on the proposed penalty to account for the 70% size adjustment factor because the business had less than 25 employees.

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

Commissioner Godfrey moved to approve the citation and proposed penalties as presented and Commissioner Everett seconded the motion. Chairman Kavanaugh, Commissioner Everett, Commissioner Valdez and Commissioner Godfrey voted in favor of the motion. The motion passed.

Vice Chair Hennelly lost connection and dropped off the call.

Discussion and Action to Approve the City of Phoenix Elevator Code Amendments according to A.R.S.23-491.15.

Ms. Cox explained Legal's position is in the memo.

Commissioner Valdez moved to set the City of Phoenix Elevator Code Amendments and Commissioner Godfrey seconded the motion. Chairman Kavanaugh, Commissioner Everett, Commissioner Valdez and Commissioner Godfrey voted in favor of the motion. The motion passed.

Discussion, Action, and Potential Resolution regarding Final Rulemaking to Amend Title 20, Chapter 5, Article 6.

Ms. Cox noted there was no additional comment, this is final rulemaking to update the safety standards to match Federal OSHA standards.

Commissioner Everett moved to approve final rulemaking for Title 20, Chapter 5, Article 6. Commissioner Valdez seconded the motion. Chairman Kavanaugh, Commissioner Everett, Commissioner Valdez and Commissioner Godfrey voted in favor of the motion. The motion passed.

Announcements, Scheduling of Future Meetings and Retirement Resolutions.

Ms. Dimas confirmed Commission meeting dates through September 2025.

Mr. Testini updated the Commissioners on the Governor's Heat Task Force, the 24 members met for the first time on July 30th with the goal of getting a recommendation in December.

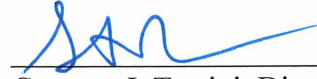
Public Comment.

There was no public comment.

The meeting was adjourned at 2:07 p.m.

THE INDUSTRIAL COMMISSION OF ARIZONA

By



Gaetano J. Testini, Director

ATTEST:



Kara Dimas, Commission Secretary