

MINUTES OF MEETING
OF THE INDUSTRIAL COMMISSION OF ARIZONA
Held at 800 West Washington Street
Phoenix, Arizona 85007
Thursday, September 4, 2025 – 1:00 p.m.

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| 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 |
| | Afshan Peimani | Chief Legal Counsel |
| | Lisa Padgett | Deputy Director |
| | Brandt Smith | Deputy Director |
| | Charles Carpenter | Legislative Affairs Chief/Public Information Officer |
| | Charles Conner | COOP Program Manager |
| | Renee Pastor | Self-Insurance (Telephonic) |
| | MacKenzie Scharf | Claims Supervisor |
| | Monica Miller | Claims |
| | Brian Hudson | ADOSH Director |
| | Cecilia Herrera | ADOSH Deputy Director |
| | Bethany Votta | ADOSH Admin |
| | Andy Campbell | Chief Administrative Law Judge |
| | Rosanne Oropeza | Human Resource |
| | Paula Eaton | Assistant Chief Administrative Law Judge |
| | Kara Dimas | Commission Secretary |

Chairman Kavanaugh convened the meeting at 1:01 p.m. In attendance, confirmed by roll call were Geneva Haber (Snell and Wilmer); and Ciera Johnson (Auditor General).

Approval of Minutes of August 22, 2025 Regular Meeting Minutes.

Commissioner Godfrey moved to approve the Minutes of the August 22, 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 Requests for Renewal of Self-Insurance Authority.

1. Knight Transportation, Inc.

2. QuikTrip Corporation
3. Swift Transportation Co., LLC

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

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| 1. RF-2025-JW184-0173 | Altium Packaging LP |
| 2. UR-2025-JW184-0169 | Damitio Construction, Inc. |
| 3. UR-2025-JW184-0170 | Efficiency Heating and Cooling, LLC dba Efficiency Mechanic |
| 4. CP-2025-TN246-0014 | Garney Companies, Inc. |
| 5. UR-2025-TN246-0016 | Precision Boring Technology, Inc. |

Vice Chair Hennelly requested QuikTrip be removed for further discussion.

Commissioner Valdez moved to approve the remaining items on the Consent Agenda 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.

Approval of Requests for Renewal of Self-Insurance Authority.

QuikTrip Corporation

Vice Chair Hennelly noticed their experience modification factor (“emod”) is going in the wrong direction. He asked if there was further information.

Ms. Pastor noted they started ADOSH consultation a little late so we will not see the effect just yet, additionally some of the claims are COVID claims since the employer is still responsible for them. Hopefully after they meet again with consultation we will see the emod going in the right direction, they want it moving in the right direction. It will take time to get it down.

Vice Chair Hennelly noted it is a challenging business. He thanked Ms. Pastor and request her to keep an eye on them.

Ms. Pastor commented their employees are important to them and will do whatever to keep their employees safe.

Vice Chair Hennelly moved to approve issuance of 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.

Discussion and Action of Resolution Appointing Custodian of Records.

Monica Miller

Commissioner Valdez moved to appoint Ms. Miller as Custodian of Records 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/or Action regarding the consideration of candidates for appointment to the position of Administrative Law Judge pursuant to A.R.S. § 23-108.02(A). The Commission may move into Executive Session for the purposes described in A.R.S. § 38-431.03(A)(1) and (A)(3).

Chairman Kavanaugh appreciated all of the work and assessments by the interviewing panel.

Judge Campbell noted in April he had a candidate that did not accept the position, and they continued to interview seven candidates. Candidate 6 withdrew yesterday after accepting another position. There is one position currently vacant for the Phoenix office. Judge Campbell provided background for his recommended Candidate 1 and alternate Candidate 7 pending being licensed to practice by the Arizona State Bar.

Commissioner Godfrey moved to accept Judge Campbell's recommendation to extend an offer to Candidate 1, if Candidate 1 does not accept to offer Candidate 7 the position pending admittance to the Arizona State Bar. Commissioner Valdez seconded the motion.

Chairman Kavanaugh and Judge Campbell discussed if there would be additional vacancies in the near future and did not know of any anticipated. Judge Campbell was hoping to add another position in the future.

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.

Ms. Dimas announced the retirement of Pamela Sutherin, a Workers' Comp Claims Adjuster 2 in the Special Fund Division who is retiring after 6 years of service.

Ms. Dimas confirmed Commission meeting dates through October 2025, noting the September 25th meeting will be in Prescott Valley with a VPP tour on Friday the 26th as part of our community outreach.

Chairman Kavanaugh congratulated the Industrial Commission for the Claims Seminar.

Mr. Testini announced that Ms. Dimas was the successful candidate to fill the agency Safety Manager position and will assume the role on Monday.

Public Comment.

There was no public comment.

The meeting was adjourned at 1:19 p.m.

THE INDUSTRIAL COMMISSION OF ARIZONA

By


Gaetano J. Testini, Director

ATTEST:


Kara Dimas, Commission Secretary