

MINUTES OF MEETING  
INDUSTRIAL COMMISSION OF ARIZONA  
800 West Washington Street  
Phoenix, Arizona 85007  
April 30, 2026

MINUTES OF MEETING  
OF THE INDUSTRIAL COMMISSION OF ARIZONA  
Held at 800 West Washington Street  
Phoenix, Arizona 85007  
Thursday, April 30, 2026 – 1:00 p.m.

Present:	Dennis P. Kavanaugh	Chairman
	D. Alan Everett	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
	Renee Pastor	Self-Insurance (Telephonic)
	Melissa Spurgeon	Labor Director
	Christina Lasater	Labor Supervisor
	Brian Hudson	ADOSH Director
	Cecilia Herrera	ADOSH Deputy Director
	Bryce Rucker	ADOSH Deputy Director
	Liam Bristol	ADOSH Compliance
	Leland Wittman	ADOSH Supervisor
	Tyler Ninnemann	ADOSH Compliance
	Debbie Rol	ADOSH Admin
	Andy Campbell	Chief Administrative Law Judge
	Rosanne Oropeza	Human Resource Manager
	Alvira Meza	Human Resource Analyst Senior
	Paula Valenzuela	Human Resource Analyst Intermediate
	Janine Locke	Manager - Special Services
	Mary Crosson	Procurement Technician
	Lydia Perez	Procurement Associate
	Daniel Macaulay	Administrative Assistant II
	Angi Searle	Administrative Assistant II
	Yvonne Borunda	Legal
	Sophia Cox	Legal
	Anniemarie Tisi	Commission Secretary

Chairman Kavanaugh convened the meeting at 1:01 p.m. In attendance, confirmed by roll call were Carmina Gregorio (Snell and Wilmer); Diane McDaniel, and Ken Davis (Phoenix Children's Hospital); Kareem Hacker (New Legend Transportation); and Ashley Lee, Deputy Director- Safety & Workers' Compensation (City of Phoenix).

Also, in attendance on the telephone, confirmed by roll call Peter "PJ" Kinkel (United Metal Products, Inc.); Ted Flores, Assistant Director, and James Corlis, Risk Manager (City of Avondale); Sarah Meland, Management Analyst, Kristin Maier, HR Manager (City of Chandler); Lorena Sanchez-Zumph, HR & Risk Manager and Stephanie Guizar, Risk Management (City of Glendale); Nitra Hawkins, Safety Administrator (City of Mesa); George Woods Jr., Safety & Risk Management Director (City of Scottsdale); Nichole Gonzalez, Workers Compensation Program Specialist, and Christopher Hansen, Risk Manager (City of Tempe); Sara L. Hussak, Workers

Compensation Claims Manager, and Maria Robinson, Risk Manager (City of Tucson); Kali Vander Meeden, Risk Analyst II (Mastec, Inc.); Bill Mesa, Risk Manager, Theresa Cons, Claim Adjuster, and Laura Felten, Finance Director (Valley Schools Workers' Compensation Group).

Approval of Minutes of April 9, 2026 Regular Meeting Minutes.

Commissioner Everett moved to approve the Minutes of April 9, 2026, regular session meeting and Commissioner Godfrey seconded the motion. Chairman Kavanaugh, Commissioner Everett, 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.

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a. Approval of Proposed Civil Penalties Against Uninsured Employers.

1. Swift & Gentle Moving & Storage, LLC - 2CNP25/26-4368

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

1. City of Avondale
2. City of Chandler
3. City of Glendale
4. City of Mesa
5. City of Phoenix
6. City of Scottsdale
7. City of Tempe
8. City of Tucson
9. Mastec, Inc.
10. SK Food Group, Inc.
11. Valley Schools Workers' Compensation Group

c. Approval of Requests for Initial Application for Self-Insurance Authority.

1. Phoenix Children's Hospital

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

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1. A.R. Mays Construction, Inc. - UR-2026-JW184-0194
2. Forest Investments, L.L.C. dba Mount Lemmon Lodge - CP-2026-MG193-0031
3. Ironman Fence LLC - PP-2026-TN246-0074

4. Pima County - Joint Technical Education District- CP-2026-JL680-0061
5. Mikes Cleaning LLC - UR-2026-JW184-0215
6. Sculpture Arts Atelier, LLC - PP-2026-LB058-0016
7. SX Paint and Resurfacing, LLC - CP-2026-MG193-0023

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

Discussion and Action regarding Notice of Proposed Rulemaking to Update Rules for Title 20, Chapter 5, Articles 9, 10 and 12.

Ms. Cox presented the proposed rulemaking updates and reviewed changes intended to improve processes for the Labor Department, employers, and workers. She stated the Labor Department, stakeholders, and legal staff had worked diligently on technical corrections and more extensive procedural updates involving several major areas She noted additional discussions could continue at a future meeting.

Commissioner Godfrey moved to approve Notice of Proposed Rulemaking to Update Rules for Title 20, Chapter 5, Articles 9, 10 and 12. Vice Commissioner Everett seconded the motion. Chairman Kavanaugh, Commissioner Everett, 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.

Greystone Development LLC	Unprogrammed Related	
11835 N Blackheath Rd	Years in Business:	6
Scottsdale, AZ 85254	Empl. Covered by Inspection:	1
Site Location:	11835 N Blackheath Rd	
	Scottsdale, AZ 85254	
Inspection No:	UR-2026-LB058-0013	
Inspection Date:	November 25, 2025	

WILLFUL SERIOUS – Citation 1 – Item 1 –

a) West Garage Roof: One employee setting trusses and running string lines at a height up to 10' 8" without fall protection. 29 CFR 1926.501(b)(1)	
Div. Proposal - \$39,979.00	Formula Amt. - \$39,797.00
TOTAL PENALTY - \$32,979.00	TOTAL FORMULA AMT. - \$32,979.00

Mr. Hudson summarized ADOSH's investigation and reviewed the file.

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



Div. Proposal - \$5,674.00

Formula Amt. - \$5,674.00

SERIOUS – Citation 1 - Item 3b–

- a) 811 S 59th Ave, Phoenix: One employee worked with chemicals including Rotella 5W 40 oil when performing truck maintenance without safety data sheets maintained in the workplace for these chemicals. 29 CFR 1910.1200(g)(8)

Div. Proposal - \$0.00

Formula Amt. - \$5,674.00

SERIOUS – Citation 1 - Item 3c–

- a) 811 S 59th Ave, Phoenix: One employee worked with chemicals including 5W 40 oil when performing truck maintenance without being provided effective training on hazardous chemicals. 29 CFR 1910.1200(h)(1)

Div. Proposal - \$0.00

Formula Amt. - \$5,674.00

TOTAL PENALTY - \$47,288.00

TOTAL FORMULA AMT. - \$58,636.00

Mr. Hudson discussed ADOSH’s inspection, summarized the citation and proposed penalty. Staff reported that employer failed to notify ADOSH within the required time after the work-related employee death, it was stated that management was more focused on getting the truck ready for the next driver instead of reporting the fatality. Staff noted the employer had previously been instructed on proper reporting requirements. Proposed penalties were presented along with additional serious safety violations involving unsafe work conditions in the truck shop.

Chairman Kavanaugh asked if the Commissioners had any questions. Commissioner Godfrey questioned the 20% history reductions applied to items one and three of the Willful Non-Serious citation. Commissioner Godfrey stated that due to the seriousness of violations involving failure to report a fatality and failure to report within 8 hours, he believed those reductions should be removed.

Commissioner Godfrey moved to amend items one and three of the Willful Non-Serious citation, removing the 20% history reduction and adjusting them to 0% reductions. Commissioner Everett seconded the motion. Chairman Kavanaugh, Commissioner Everett, and Commissioner Godfrey voted in favor of the motion. The motion passed.

United Metal Products, Inc.  
 1920 E Broadway Rd  
 Tempe, AZ 85282

Complaint  
 Years in Business: 45  
 Empl. Covered by Inspection: 48

Site Location: 1920 E Broadway Rd  
 Tempe, AZ 85282  
 Inspection No: CP-2026-JW184-0208  
 Inspection Date: February 11, 2026

SERIOUS – Citation 1 - Item 1 –

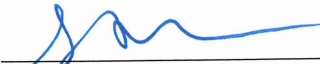
- a) 1920 E Broadway Rd, Tempe Assembly area: Four employees operated and worked around a single girder underhung trolley hoist cranes and the rated load test reports were not maintained. A.R.S. 23-403.A







THE INDUSTRIAL COMMISSION OF ARIZONA

By   
Gaetano J. Testini, Director

ATTEST:

  
Anniemarie Tisi, Commission Secretary