

MINUTES OF MEETING
OF THE INDUSTRIAL COMMISSION OF ARIZONA
Held at 800 West Washington Street
Phoenix, Arizona 85007
Thursday, June 4, 2026 – 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
Charles Carpenter	Legislative Affairs Chief/Public Information Officer
Charles Conner	COOP Program Manager
Melissa Spurgeon	Labor Director
Lousia Vela	Labor Investigator
Bryce Rucker	ADOSH Deputy Director
Victoria Medina	ADOSH Supervisor
Mingle Tang	ADOSH Compliance Officer
Mireya Gomez	ADOSH Industrial Hygienist
Debbie Rol	ADOSH Admin
Kara Dimas	Safety Program Manager
Daniel Brooks	MIS Administrator
Yvonne Borunds	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); and Lindsey Wheeler (Premier Risk Management).

Approval of Minutes of May 28, 2026, Regular Meeting Minutes.

Commissioner Godfrey moved to approve the Minutes of May 28, 2026, regular session meeting 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 regarding Proposed Retaliation Penalty.

1. Diamondback Risk Management LLC - RT-2526-0178

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 \$32,979.74 for violation of A.R.S. § 23-364.

Commissioner Valdez moved to approve issuance of a Penalty for Retaliation in the amount of \$32,979.74 to Diamondback Risk Management LLC - RT-2526-0178. 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.

Mr. Rucker 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.

Commissioner Godfrey moved to approve the citation and proposed penalties as presented 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 pursuant to A.R.S. §23-1041(E) to Adopt the Maximum Average Monthly Wage under A.R.S. §23-1041(D)(8) for Calendar Year 2027.

Chairman Kavanaugh noted the memo from the Legal Department that explained the process. The recommendation is to approve the increase of \$202.32, setting the maximum average monthly wage at \$6,333.32 for calendar year 2027.

Commissioner Valdez moved to set the maximum average monthly wage at \$6,333.32 for calendar year 2027 and Vice Chair Hennelly seconded the motion. Chairman Kavanaugh, Vice Chair Hennelly, Commissioner Everett and Commissioner Valdez voted in favor of the motion. The motion passed.

Discussion and Action of Attorney Fee Petition. This agenda item may include discussion concerning the processing of attorney fee petitions and the reasonable hourly rates used in analyzing fee petitions.

Feeney and Fendon - Chairman Kavanaugh noted the Commissioners received the analysis from the Legal Department and recommendation.

Chairman Kavanaugh asked if there were any questions regarding the proposed attorney fee. No requests to speak were received.

Commissioner Godfrey moved to approve the Legal Departments recommendation regarding attorney fee petition and Vice Chair Hennelly seconded the motion. Chairman Kavanaugh, Vice Chair Hennelly, Commissioner Everett and Commissioner Godfrey voted in favor of the motion. The motion passed.

Announcements, Scheduling of Future Meetings and Retirement Resolutions.

Chairman Kavanaugh announced the retirement of Colleen Marmor, an Administrative Law Judge who is retiring after 9 years of service; and the retirement of Mary M. Crosson a Procurement Specialist in the Procurement Division who is retiring after 29 years of service.

Ms. Tisi confirmed Commission meeting dates through June 2026.

Mr. Carpenter provided a legislative update and reported that legislature remains in session. He advised that House Bill 1254 had passed the legislator and was transmitted to the Governor's office for signature. Mr. Carpenter also reported that Senate Bills 1135 and 1136 had passed the legislature. Senate Bill 1135 increases burial benefits from \$5,000 to \$10,000. Senate Bill 1136 removes the remarriage provision for first responders and applies retroactively to January 1st, 2000. Chairman Kavanaugh commented regarding Senate Bill 1136 and noted his concerns related to the

application of the remarriage provision solely to first responders. Discussion followed regarding ongoing legislative negotiations and the state budget process.

Chairman Kavanaugh provided an update on the Youth Employment/Labor Task Force and reported that the next meeting was scheduled for June 15, 2026. He stated that the task force included review proposals to align Arizona youth employment laws more closely with federal laws, increased penalties for violations and to develop anti-retaliation protections for youth workers. Chairman Kavanaugh further reported that future discussions would include school hour restrictions and community outreach efforts related to youth labor issues.

No action was taken.

Public Comment.

There was no public comment.

The meeting was adjourned at 1:39 p.m.

THE INDUSTRIAL COMMISSION OF ARIZONA

By

Gaetano J. Testini, Director

ATTEST:

Anniemarie Tisi, Commission Secretary