

MINUTES OF MEETING
OF THE INDUSTRIAL COMMISSION OF ARIZONA
Held at 800 West Washington Street
Phoenix, Arizona 85007
Thursday, February 15, 2024 – 1:00 p.m.

Present:	Dennis P. Kavanaugh	Chairman
	Joseph M. Hennelly, Jr.	Vice Chair
	D. Alan Everett	Commissioner
	Maria Cecilia Valdez	Commissioner
	Gaetano J. Testini	Executive Deputy Director
	Afshan Peimani	Chief Legal Counsel
	Charles Carpenter	Legislative Affairs Chief/Public Information Officer
	Renee Pastor	Self-Insurance (Telephonic)
	Ruby Tate	Claims Manager
	Sydney Standifird	Claims Compliance
	Andy Campbell	Chief Administrative Law Judge
	Phil Murphy	ADOSH Interim Director
	Jonathon Wright	ADOSH Compliance
	Anna Maria Stonerock	ADOSH Admin
	Kara Dimas	Commission Secretary

Chairman Kavanaugh convened the meeting at 1:02 p.m. In attendance, confirmed by roll call were Anne Ryman (ABC15); Paige Millan (Snell and Wilmer) Steven Coffin (Attorney for employer DBL LLC) (Pace·Selden·Gilman·Marks); Mario Ortiz, Johnny Smith and Micah Smith (Fire -N- Ice Heating and Air Conditioning, LLC). Also in attendance on the telephone, confirmed by roll call was Lisa Laird (Maricopa County Community College District).

Approval of Minutes of February 8, 2024 Regular Meeting Minutes.

Commissioner Valdez moved to approve the Minutes of the February 8, 2024 regular session meeting and Commissioner Everett seconded the motion. Chairman Kavanaugh, Vice Chair Hennelly, Commissioner Everett and Commissioner Valdez 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. Costco Wholesale Corporation
 2. Maricopa County Community College District

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

1. American Solar Electric, Inc. dba American Solar & Roofing
2. Fastik Packaging Products, Inc.
3. McKenna Construction Inc.

Commissioner Everett moved to approve the items on the Consent Agenda and Commissioner Valdez 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 regarding Appointment of Special Assistant to the Industrial Commission of Arizona.

Sydney Standifird

Ms. Tate introduced Ms. Standifird and highlighted her background and experience. She requested a Resolution appointing Ms. Standifird as a Special Assistant with the Compliance Team.

Commissioner Valdez moved to appoint Ms. Standifird as Special Assistant 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 regarding Administrative Law Judge Appointment Dates.

As a record keeping item, Judge Campbell presented the Administrative Law Judges appointed by the Commissioners since 2020, and requested a resolution of such appointments.

Vice Chair Hennelly moved to appoint the Administrative Law Judges to their current position and Commissioner Valdez 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 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.

DBL LLC
832 West 22nd Street
Tempe, AZ 85282

Site Location: 22601 N 19th Ave
Phoenix, AZ 85027
Inspection No: FC-2023-JR339-0015
Inspection Date: August 8, 2023

Fatality/Catastrophe
Years in Business: 17
Empl. Covered by Inspection: 6

Mr. Murphy summarized ADOSH's investigation and reviewed the file. ADOSH was not recommending a citation for DBL LLC.


Chairman Kavanaugh confirmed the next step in the interview process with the recommendation of a group of finalists for the Commissioners to interview.

Public Comment.

There was no public comment.

The meeting was adjourned at 1:29 p.m.

THE INDUSTRIAL COMMISSION OF ARIZONA

By  _____
Gaetano J. Testini, Executive Deputy Director

ATTEST:

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Kara Dimas, Commission Secretary