

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

Present: Joseph M. Hennelly, Jr.	Vice Chair
D. Alan Everett	Commissioner
Orion J. Godfrey	Commissioner
Lisa Padgett	Deputy Director (Telephonic)
Afshan Peimani	Chief Legal Counsel
Phil Murphy	ADOSH Assistant Director
Taryn North	ADOSH Compliance
Thomas Martz	ADOSH Compliance
Jonathon Wright	ADOSH Compliance
Kara Dimas	Commission Secretary

Vice Chair Hennelly convened the meeting at 1:00 p.m. In attendance, confirmed by roll call was Stephanie Hefner (Snell and Wilmer). Also in attendance on the telephone, confirmed by roll call was Kevin Thomson (LR Acquisitions, Inc. d/b/a Lyons Roofing).

Approval of Minutes of April 4, 2024 Regular Meeting Minutes.

Commissioner Godfrey moved to approve the Minutes of the April 4, 2024 regular session meeting and Commissioner Everett seconded the motion. Vice Chair Hennelly, 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.

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

1. CP-2024-TN976-0018 LA Laser Center, PC, California Professional Medical Corporation D/B/A Sun City West Dermatology

Commissioner Everett moved to approve the items on the Consent Agenda and Commissioner Godfrey seconded the motion. Vice Chair Hennelly, 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.



Mr. Murphy discussed ADOSH's inspection, summarized the citation and proposed penalties.

Vice Chair Hennelly noted for the record the initial calculation of penalties were \$11,162.00 for each violation and was reduced by 30% based on size.

Vice Chair Hennelly asked if Mr. Thomson would like to make a comment.

Mr. Thomson appreciated the details which are consistent with his understanding and wanted to publicly reserve the right to appeal.

Commissioner Godfrey moved to approve the citation and proposed penalties as presented and Commissioner Everett seconded the motion. Vice Chair Hennelly, Commissioner Everett and Commissioner Godfrey voted in favor of the motion. The motion passed.

Western Veterinary Partners LLC dba  
North Ranch Animal Hospital  
6245 E Bell Rd # 108  
Scottsdale, AZ 85254

Complaint  
Years in Business: 35  
Empl. Covered by Inspection: 8

Site Location: 6245 E Bell Rd  
Scottsdale, AZ 85254  
Inspection No: CP-2024-JW184-0039  
Inspection Date: October 24, 2023

SERIOUS – Citation 1 – Item 1a –

- a) Clinic: One employee used hazardous corrosive chemicals such as Synergize and Clorox Performance Bleach without having access to an eye wash station.
- b) Clinic: One employee used hazardous corrosive chemicals such as Synergize and Clorox Performance Bleach without having access to a shower. 29 CFR 1910.151(c)  
Div. Proposal - \$11,162.00                      Formula Amt. - \$11,162.00

SERIOUS – Citation 1 - Item 1b –

- a) Clinic: Two employees used hazardous chemicals such as; Synergize, isopropyl alcohol 70%, and Clorox Performance Bleach to clean and disinfect the clinic and disinfect animal wounds without there being a written hazard communication program in place. 29 CFR 1910.1200(e)(1)  
Div. Proposal - \$0.00                              Formula Amt. - \$11,162.00

SERIOUS – Citation 1 - Item 1c –

- a) On tool box: One employee used a clear spray bottle containing synergize to disinfect surfaces inside the clinic that was not labeled properly.
- b) West shelf near sink: Two employees used a pink spray bottle containing isopropyl alcohol 70% to disinfect animals' wounds that was not labeled properly. 29 CFR 1910.1200(f)(6)(ii)  
Div. Proposal - \$0.00                              Formula Amt. - \$11,162.00

SERIOUS – Citation 1 - Item 2 –

- a) Clinic: Two employees used hazardous chemicals such as; synergize, isopropyl alcohol, and Clorox Performance Bleach to clean and disinfect the clinic and disinfect animal wounds without having received hazard communication training on the chemicals. 29 CFR 1910.1200(h)(1)

Div. Proposal - \$11,162.00	Formula Amt. - \$11,162.00
TOTAL PENALTY - \$22,324.00	TOTAL FORMULA AMT. - \$44,648.00

Mr. Murphy discussed ADOSH's inspection, summarized the citation and proposed penalties.

Vice Chair Hennelly asked for clarification on the abatement, Mr. Murphy noted it was for the Non-Serious items.

Commissioner Everett moved to approve the citation and proposed penalties as presented and Commissioner Godfrey seconded the motion. 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.

Ms. Dimas confirmed Commission meeting dates through May 2024.

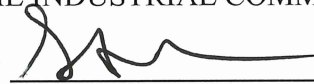
Public Comment.

There was no public comment.

The meeting was adjourned at 1:23 p.m.

THE INDUSTRIAL COMMISSION OF ARIZONA

By



Gaetano J. Testini, Executive Deputy Director

ATTEST:



Kara Dimas, Commission Secretary