

**WORKERS' COMPENSATION APPEALS BOARD
STATE OF CALIFORNIA**

MARTINA VARELAS, *Applicant*

vs.

**PALMDALE LODGING ASSOCIATES;
ZURICH AMERICAN INSURANCE COMPANY; GREAT AMERICAN INSURANCE
COMPANY; EMPLOYERS ASSURANCE COMPANY; SECURITY NATIONAL
INSURANCE COMPANY, administered by AMTRUST NORTH AMERICA, *Defendants***

**Adjudication Numbers: ADJ13021836; ADJ13022571; ADJ17282642;
ADJ20509785; ADJ20509813
Van Nuys District Office**

**OPINION AND DECISION
AFTER RECONSIDERATION**

We previously granted the Petition for Reconsideration by defendant Security National Insurance Company (Security National) of the June 2, 2025 Joint Findings of Fact and Orders issued by the workers' compensation administrative law judge (WCJ). Therein, in Case No. ADJ13022571, the WCJ found that applicant sustained injury arising out of and in the course of employment (AOE/COE) to her excretory system and reproductive system, while employed on July 26, 2015, by Palmdale Lodging Associates, insured by Security National Insurance Company. The WCJ also found that Great American Insurance Company (Great American), Zurich American Insurance Company (Zurich), and Employers Assurance (Employers Assurance) do not have coverage in this case and dismissed them. In Case No. ADJ20509785, the WCJ found that applicant sustained injury AOE/COE to her excretory system and reproductive system, while employed during the period July 26, 2015 to January 5, 2016, by Palmdale Lodging Associates, insured by Security National from April 25, 2015 to August 21, 2015 and by Employers Assurance from August 6, 2018 to August 6, 2019. The WCJ also found that the Labor Code¹ section 5412 date of injury is May 1, 2024 and that Great American and Zurich do not have coverage in the last year of the continuous trauma period. In Case No. ADJ20509813, the WCJ found that applicant sustained

¹ All further statutory references are to the Labor Code, unless otherwise noted.

injury AOE/COE to her excretory system and reproductive system, while employed during the period June 1, 2016, to November 9, 2017, by Palmdale Lodging Associates, insured by Zurich. The WCJ also found that Great American, Security National, and Employers Assurance do not have coverage in the last year of the continuous trauma period. In Case No. ADJ13021836 (Master File (MF)), the WCJ found that applicant did not sustain injury AOE/COE to her excretory system and reproductive system, while employed during the period March 1, 2018 to March 1, 2020, by Palmdale Lodging Associates, insured by Employers Assurance from August 6, 2018 to August 6, 2019 and by Great American from August 6, 2019 to August 6, 2021. Finally, in Case No. ADJ17282642, the WCJ found that applicant did not sustain injury AOE/COE to her excretory system and reproductive system, while employed on August 26, 2017, by Palmdale Lodging Associates, insured by Employers Assurance.

We deferred a final decision on the Petition for Reconsideration pending further review of the entire record in light of applicable statutory and decisional law. We issued an order granting the petition and encouraged the parties to participate in the Appeals Board's voluntary mediation program. Thereafter the parties successfully participated in the aforementioned mediation program, resulting in a proposal to settle all issues by way of Compromise and Release (C&R). The parties have now submitted a fully executed C&R, the approval of which we defer to the WCJ.

Since the District Office is precluded from acting on a case while it is pending on reconsideration (Cal. Code Regs., tit. 8, § 10961), in order to permit review by the WCJ of the proposed settlement, we will rescind the decision of which reconsideration is sought and return this matter to the trial level for the WCJ to consider the proposed settlement. We note that this is not a decision on the merits, and if the WCJ does not approve the C&R, he may issue an order reinstating his original decision and any aggrieved person may timely seek reconsideration of the reinstated decision.

We commend the parties for successfully resolving this matter by joint agreement, without the need for further action by the Appeals Board.

For the foregoing reasons,

IT IS ORDERED as the Decision After Reconsideration of the Workers' Compensation Appeals Board that the WCJ's Joint Findings of Fact and Orders of June 2, 2025 is **RESCINDED** and this matter is **RETURNED** to the trial level for further proceedings by the WCJ.

WORKERS' COMPENSATION APPEALS BOARD

/s/ KATHERINE A. ZALEWSKI, CHAIR

I CONCUR,

/s/ ANNE SCHMITZ, DEPUTY COMMISSIONER

/s/ KATHERINE WILLIAMS DODD, COMMISSIONER



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

June 3, 2026

SERVICE MADE ON THE ABOVE DATE ON THE PERSONS LISTED BELOW AT THEIR ADDRESSES SHOWN ON THE CURRENT OFFICIAL ADDRESS RECORD.

**MARTINA VARELAS
LAW OFFICES OF ALI AZARAKHSH
LLARENA MURDOCK LOPEZ & AZIZAD, APC
MAVREDAKIS PHILLIPS
SAPRA & NAVARRA, LLP
TOBIN LUCKS, LLP**

TD/abs

I certify that I affixed the official seal of the Workers' Compensation Appeals Board to this original decision on this date. *abs*