

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

STEVEN TOFANELLI, *Applicant*

vs.

**SECURITY CONTRACTOR SERVICES, INC.;
TRAVELERS PROPERTY CASUALTY COMPANY, *Defendants***

**Adjudication Number: ADJ12511510
Sacramento District Office**

**OPINION AND DECISION
AFTER RECONSIDERATION**

Defendant sought reconsideration of the Findings of Fact issued on January 28, 2025, by a workers' compensation administrative law judge (WCJ). Therein, the WCJ found in pertinent part that applicant sustained injury arising out of and in the course of employment to the right ear and claims injury to the left ear, while employed by defendant on June 21, 2019, as a panel installer; and that applicant's injury caused 43% permanent disability without apportionment.

Defendant contends that the opinion of qualified medical evaluator (QME) Ronald Ward, M.D., is substantial medical evidence to support apportionment of applicant's disability.

We did not receive an answer. We received a Report and Recommendation on Petition for Reconsideration (Report) from the WCJ, recommending that we deny reconsideration.

We issued an order granting reconsideration pending further review of the entire record. Thereafter, the parties successfully participated in voluntary mediation at the Appeals Board.

Subsequently, the parties advised that a proposed settlement had been reached.

In order to expedite review and approval of the parties' settlement agreement, we will rescind the January 28, 2025 Findings of Fact and return this matter to the trial level to consider the settlement. The WCJ may conduct such further proceedings as is deemed appropriate.

Our decision should not be construed as a ruling on the merits of the Petition for Reconsideration. If the WCJ does not approve the settlement, the WCJ may reinstate the decision,

may conduct further proceedings as appropriate, and/or issue a new decision. Any aggrieved person may timely seek reconsideration of the new or reinstated decision.

Finally, 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After Reconsideration of the Workers' Compensation Appeals Board that the Findings of Fact of January 28, 2025 is **RESCINDED** and the matter is **RETURNED** to the trial level for further proceedings consistent with this decision.

WORKERS' COMPENSATION APPEALS BOARD

/s/ JOSÉ H. RAZO, COMMISSIONER

I CONCUR,

/s/ JOSEPH V. CAPURRO, COMMISSIONER

/s/ KATHERINE A. ZALEWSKI, CHAIR



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

August 7, 2026

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

**STEVEN TOFANELLI
LAW OFFICE OF LAURA CHAPMAN
EASON & TAMBORNINI**

AS/oo

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