

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

EDWARD JONES, *Applicant*

vs.

**MOTOR CITY SALES & SERVICE;
NATIONAL UNION FIRE INSURANCE COMPANY, administered by
GALLAGHER BASSETT SERVICES, INC., *Defendants***

**Adjudication Number: ADJ10111444
Bakersfield District Office**

**OPINION AND DECISION
AFTER RECONSIDERATION**

Applicant seeks reconsideration of the “Findings and Award” (F&A) issued on September 2, 2025, by the workers’ compensation administrative law judge (WCJ). The WCJ found, in pertinent part, that applicant was not entitled to an award of temporary disability because he was capable of working modified duty, but did not work.

Applicant contends that defendant failed to offer modified work within applicant’s work restrictions.

We have received an answer from defendant. The WCJ filed a Report and Recommendation on Petition for Reconsideration (Report) recommending that we deny reconsideration or grant reconsideration to amend the findings of fact to find that defendant offered appropriate work to applicant.

Thereafter, we issued an order granting the petition, pending further review of the entire record.

Subsequently, the parties successfully participated in a voluntary mediation at the Appeals Board.

On July 16, 2026, the parties advised that a proposed settlement by stipulation and order had been reached, and requested return of the matter to the trial level for review of the proposed settlement.

In order to expedite review and approval of the parties' settlement agreement, we will rescind the September 2, 2025 Findings and Award, and return this matter to the WCJ to consider the stipulation of the parties. 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 issue an order reinstating their original decision, or issue a new decision and/ or any other appropriate order. Any aggrieved person may timely seek reconsideration of a final decision, including a 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After Reconsideration of the Workers' Compensation Appeals Board that the WCJ's decision of September 2, 2025 is **RESCINDED** and this matter be **RETURNED** to the workers' compensation administrative law judge to consider the proposed stipulation and for further proceedings as is deemed appropriate.

WORKERS' COMPENSATION APPEALS BOARD

/s/ ANNE SCHMITZ, DEPUTY COMMISSIONER

I CONCUR,

/s/ JOSEPH V. CAPURRO, COMMISSIONER

/s/ CRAIG L. SNELLINGS, COMMISSIONER



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

July 24, 2026

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

**EDWARD JONES
LAW OFFICE OF JOSEPH PLUTA
HAWORTH BRADSHAW STALLKNECHT & BARBER**

EDL/oo

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