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DIVISION OF
WORKERS COMPENSATION
STOCKTON OFFICE

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**Workers' Compensation Appeals Board
31 East Channel Street, Rm. 344
Stockton, CA 95202-2314**

Dear Honorable Judge Kearse McGill:

I am writing to you today to bring to your attention some concerns regarding my work comp case, along with some requests for protection against attorney Eric Helphrey unethical legal tactics.

First and foremost I would like to give you some back ground to my case. I have been an employee of San Joaquin County Mosquito & Vector Control District since April of 2004.

My job is a male dominated place of employment. It is in my opinion and observation that my employer hires females to fill the affirmative action quota. The work is very physical and taxing on the human body. This statement is made to emphasize the effects caused to the body when tools and chemicals are removed from the employee's access to preform their duties, as in my case.

I was in good standing with my employer until the year of 2007. In 2007 two major events transpired that forever changed my relationship with management at SJCM&VCD. In July of 2007 I requested the presence of a mediator and put in writing a formal sexual harassment complaint regarding a relationship between a supervisor and his subordinate. During the same time period I was required to give a recorded interview against the same couple I complained about. The supervisor I complained about verbally attacked a fellow employee resulting in a heart attack to the fellow employee. The employee was hospitalized as a result. The employee filed a stress case and I was subpoenaed to testify. My testimony would have been detrimental to my employer. I have read it is illegal to retaliate against someone for filing a work-comp case, for testifying on behalf of another employee's case and for filing a sexual harassment complaint. Please take note Mr. Helphrey was the attorney who defended my employers heinous actions.

Although the word county is attached to our title my place of employment is a special district. Our board and manager lack accountability. I work for the good old boys club.

My manager's response to my complaint was to relocate me to a new job assignment without the tools or training I would need to succeed. There are many species of mosquitoes as well as many chemicals we use to kill them. I was relocated to an area where mosquitoes hatch in 3 days apposed to the 7 to 14 day period of my last location. My prior location was out in the delta wetlands. The majority of my sources were duck clubs. I mapped the sources out handed the information to the assistant manager and he would have our pilot fly the source. I was not even informed as to what chemical he chose to use. When I was relocated I was assigned to the Escalon region. These properties have irrigations that run 24 hours 7 days a week. The eggs are already in the soil so when the water is introduced the hatching period starts. I was not given instructions on how to deal with the pasturelands and irrigations. I was required to use chemicals I had never used before. I encountered hostile animals and hostile people. Employees were instructed not to speak to me or help me. Then my most crucial tool the altosid pellet was taken from me. This is a pre emergent chemical. The chemical is applied to areas notorious for over irrigation or lack of access. I have an excel spreadsheet to prove this chemical had been historically used and I was denied. My employer wanted my area to blow up to show I was incapable of doing my job. We are talking about disease carrying mosquitoes purposely let loose at the expense of the public and tax payer. This is when I incurred my first knee injury. The plan was to make my working conditions so difficult I would quit. The problem with the plan was I had children at home who depended on me to provide for them. Quitting was not an option for me.

January of 2008 the supervisor I filed my complaint about was given full authority to retaliate against me with a scathing six-month evaluation, his buddy, my new supervisor, wrote a six month retaliatory evaluation as well. They were given to me on the same day starting the process of firing me. One quote from the evaluation was " Tiffany is incapable of thinking" Upon receipt of these evaluations I called a phone number that hung on a poster in the break room. It said report workplace wrongdoing. I called the hotline and left a message. A few weeks later I received a letter from attorney Christopher Eley. Mr. Eley states in his letter he is representing the board and will be investigating my complaints against the manager John Stroh. I refused to cooperate with Mr. Eley as he represents John Stroh and any investigation he partook in would be biased.

I wrote the board a 10-page document; I made each board member a copy of my employee file and requested to meet with them. The board refused to meet with me. Mr. Eley wrote me a letter thirty days later informing me the board decided to close the investigation. I had two more 10-page documents that described the discrimination and retaliation, I incurred but because the board showed no interest these documents went to another agency investigating

the district as a whole. Please keep in mind that Mr. Eley is the attorney representing my manager in my 132a discrimination suit.

I had a bona fide stress case. I already mentioned I couldn't quit so I started to document my medical repercussions with my private physician. I was under the care of five doctors documenting the physical and emotional effects my job was creating. This documentation was only to be used if I was fired for a wrongful termination suit.

Since I made no progress with the board and it was clear my employer was setting me up to fire me I started contacting the Department of Fair Housing and Employment and the Equal Employment Opportunity Commission. The EEOC informed me not to file a complaint with them because the DFHE would contact them and I was told it would cause confusion between the two agencies. I had two phone interviews with the DFHE both denying my claim. I physically went to the agency and spoke with two employees. Because my complaint was not tied to race, age, color, religion I was told there was nothing they could do for me. They offered me a right to sue letter or suggested I go to the labor commissioner. This was getting very frustrating.

After being told I wasn't fast enough by my supervisor, that I complained too much, at one point my supervisor told me to hide in the bathroom because management didn't want to see me. I was sent home for being on my period stating I could be a liability to the district if I bleed too much. In 2009 I tore my meniscus again. This time the surgeon said it was a deep tare in order to get blood supply for healing he punctured holes around the injury. Dr Murata my surgeon said this was the second tare of this kind he had seen in his career.

I could not understand the work comp laws. It was my belief that my employer intended for me to get hurt and yet I couldn't find an attorney to represent me. I was told California is a no fault state yet the insurance company pays attorneys high salaries and private eyes to follow people around.

It was at this point I filed a complaint with the Grand Jury. My employer had a connection with the foreman and the investigation was tampered. Documents that proved my employer exposed employees and the public to toxic chemicals were destroyed. I have had three exposures with rashes and respiratory issues. My fellow co-workers have had similar reactions and most of them are not even aware why. It is not for me to tell them, but it is my hope this second Grand Jury investigation will produce the truth and not be compromised.

During my 2009 work comp leave our secretary was retiring. In our Memorandum of Understanding employees are supposed to have the right to opening positions prior to offering the job to the public. I was denied this opportunity. I have been attending Humphreys Business School and have the skills necessary to perform that job. Yet due to my employers dislike for me I was discriminated yet again.

The next opportunity denied to me was the right to work. My employer was in the process of inputting paper documents into a computer data system. Something I was fully capable of doing. Instead they hired two outside employees. All the while I lost 40 pay periods of retirement, vacation, sick leave, longevity.

I am writing to you today to give you a little background into my case as you are the residing judge over my medical case and the 132a discrimination suit.

It is my belief that Mr. Eric Helphry overstepped his bounds and violated my HIPPA rights. I did not give Eric Helphry the authorization to access my medical files. The only authorization I gave was from my waist down. Eric subpoenaed all my medical records, emails, psychology records from the time I was 18 to the current date. I find this evasive and offensive. What does my child birthing have to do with a torn meniscus?

I had no choice to see my own physical doctor when Dr. Eck from US Health works denied me care. I am in the process of filing a complaint to the medical board for his participation in my lack of care. My employer paid Dr. Eck out of the petty cash fund to make my injury go away and neglected to report my injury to their insurance company.

The last employee who had my territory retired on a medical leave do to his knees. His name is Tom Beard. Tom has had surgery on both knees. Knee injuries are the most common injury at my job. If need be I can make a list of employees who have had knee injuries and surgeries.

How do I get Mr. Helphrey to keep my medical files confidential? My employer has breeched my confidentiality to my co-workers and I want my privacy protected.

The second issue I want to address is the meeting that between you Honorable Judge McGill, Kyle representing AIMS and myself. When you asked Kyle if he was accepting my claim he said yes. I met with a QME who told me during my visit that my injury was a new injury. AIMS decided that my injury is an aggravation and has informed me that my ttd's are tapped out and I have not received any benefits from AIMS since November.

I physically walked into a metal stake that is more than an aggravation it is a new injury. I do not trust Dr. Tabbador as he seems to work for AIMS. His reports have inaccuracies the QME report he wrote stated he saw me three days before my appointment. This man sees me for one hour and decides my fate. Yet a surgeon who I see monthly and has physically preformed my surgeries has no weight regarding my benefits.

I have read the report Mr Helphry wrote to Dr. Tabbador prior to my QME and he misinformed Dr. Tabbador stating US Health works preformed a MRI on me and it showed no tare. US Health works did not do any MRI on me.