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September 14, 2010

Tiffany Anderson
2 North Avena Street
Lodi, CA 95242

Dear Ms. Anderson:

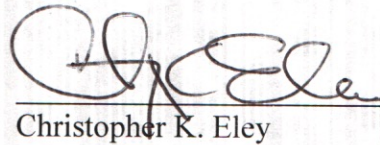
Mike Manna sent to me your e-mail dated September 5, 2010, regarding your employment at the District. In your correspondence you state that you wish your employee file to be expunged; you make some statements about employer-employee relations and ask for a meeting with members of the Board of Trustees.

Regarding expunging your employee file, I am not sure exactly what you are referring to. Are you asking for the District to remove your past performance evaluations? If an employee is unhappy with a performance evaluation, the employee can submit their own response. This needs to be shortly after receiving the evaluation. The time to submit any such response for the evaluation performed in February 2009 has long passed. Moreover, I am informed that your overall evaluation was 'satisfactory' at that time. There is an earlier performance evaluation completed for 2008. I believe that you did write a response to that evaluation. I am not aware of any other matters in the personnel file that would reflect on your performance as an employee.

Your correspondence also states that it is illegal to retaliate against an employee for certain protected actions, i.e., A) reporting of workplace wrong doing, B) filing a worker compensation claim or, C) giving testimony in a worker's compensation hearing. Your statements of the law are generally correct. If you have evidence to show that there has been retaliation against you based on any three of those actions, you may either contact management at the District, or I am available to receive facts which support any claim of retaliation. Finally, there are state and federal agencies which would consider such a claim.

With regard to your request for a meeting with some of the Trustees, I would advise my client against that at this time. The day to day operations of the District, including the review of performance evaluations, are up to District Management. The Board does not become involved unless there is some grievable issue which has not been resolved at the earlier steps in the grievance process. Additionally, the individual Trustees are not in a position to act alone, but can only act as members of the Board. Thus, please do not send your employment issues to the Trustees individually. If you believe that you have a grievance against the District, you should contact your employee representative to discuss the matter.

Sincerely,



Christopher K. Eley

CKE: pjd
Cc: SJCMVCD