

Tiffany Kay Anderson
1900 Lakeshore Drive
Lodi CA 95242
<http://culexpien.com>

January 5, 2016

BOT President Lambdin
7759 S Airport Way
Stockton CA 95206

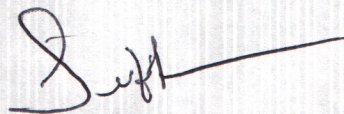
Regarding: My Employee Personnel File

Attention Board President Lambdin:

My name is Tiffany Anderson. I am a former pesticide applicator with the District. I am writing you today to request (pursuant to Labor Code Section 1198.5) a date and time for me to personally come in to inspect and copy my employee personnel file there at the main office. Documents are blatantly missing from my personnel file so I'd like the opportunity to clear up this discrepancy. AIMS has previously been employed through the workers comp arena to prevent me from gaining a complete personnel file as otherwise protected by Labor Code Section 432.

I expect that this review and copying could take up to two hours of time. Your considered response to this request will be greatly appreciated. Understand that I have been requesting just this over the last five years and it illegal to alter or falsify employee personnel records.

Sincerely,



Tiffany Kay Anderson



ACCESS TO PERSONNEL RECORDS

All employees have the right to inspect, at a reasonable time, their personnel files that are used or have been used to determine the employee's qualifications for employment, promotion, additional compensation, termination or other disciplinary action. (Labor Code § 1198.5) Employers are required to permit current or former employees to inspect or copy records maintained which provide payroll information.

An employer must provide an employee or applicant a copy of any document signed by the employee or applicant relating to obtaining or holding employment, if requested. (Labor Code § 432)

All employers must provide employees or the employee's representative(s) access to accurate records of employee exposure to potentially toxic materials or harmful physical agents. (Labor Code § 6408(d))

Employment records may be subpoenaed from a current or former employer by a third party. If employment records are subpoenaed, the employee must be notified and has the right to object to production of the records. (Code of Civil Procedure § 1985.6)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Tiffany K. Anderson**
2 N. Avena Avenue
Lodi, CA 95240

From: **San Francisco District Office**
450 Golden Gate Avenue
5 West, P.O. Box 36025
San Francisco, CA 94102



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

556-2012-00422**Malinda K. Tuazon,**
Investigator**(415) 522-3126****THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:**

- ☐ The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.
- ☐ Your allegations did not involve a disability as defined by the Americans With Disabilities Act.
- ☐ The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.
- ☐ Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge
- ☒ The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.
- ☐ The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.
- ☐ Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

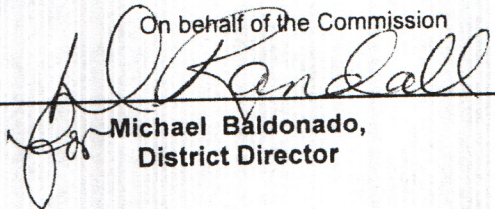
Enclosures(s)

cc:

Human Resources Director
SAN JOAQUIN COUNTY
Mosquito & Vector Control District
7759 S. Airport Way
Stockton, CA 95206

Michael Christian
Jackson Lewis LLP
801 K Street, Suite 2300
Sacramento, CA 95814

On behalf of the Commission


Michael Baldonado,
District Director

03/13/2014
(Date Mailed)

DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF LABOR STANDARDS ENFORCEMENT
RETALIATION COMPLAINT INVESTIGATION UNIT
455 Golden Gate Avenue, 10th Floor
San Francisco, CA 94102
(415)703-5300 Fax: (415)703-4130



May 1, 2014

Tiffany Anderson
2 N. Avena Avenue
Lodi, CA 95240

Re: State Case No. 35416-SFRCI; Anderson v Mosquito & Vector

Dear Tiffany Anderson:

This letter acknowledges receipt of the above-referenced retaliation complaint. The Retaliation Complaint Investigator (RCI) named below has been assigned to investigate your complaint. The investigation will be conducted pursuant to the provisions of Labor Code §98.7.

Catherine Daly
455 Golden Gate Avenue, 10th Floor
San Francisco, CA 94102

Your former employer will be notified of your complaint and requested to provide a written response; a copy will be forwarded to you for review. You will be asked to respond in writing to the employer's comments, and include all evidence, documents, position statements or collateral witness lists you wish to be considered. All inquiries and submission of information should be directed to the RCI in writing.

It is your responsibility to cooperate in the investigation. Failure to respond to the RCI's requests (attend scheduled meetings, report address/telephone number changes, provide written responses by due date), may result in closure of your case.

Any Complainant alleging retaliation based on an OSHA-protected right may file a separate, concurrent complaint with the U.S. Department of Labor within 30 days of the alleged violation.

Very truly yours,

Catherine Daly

Catherine Daly
Deputy Labor Commissioner



From: Tiffany Anderson tiffanyanderson@me.com
Subject: Re: February 15, 2011 Re: Labor Code 54957 posted
on agenda for up coming board meeting
Date: May 13, 2015 at 10:38 PM

To: Aliyah
Abdullahaliyah.abdullah@me.cm

Initial Request

On Jan 3, 2013, at 6:37 PM, Tiffany Anderson
<tiffanyanderson@me.com> wrote:

Begin forwarded message:

From: [tiffanyanderson](mailto:tiffanyanderson@me.com) <tiffanyanderson@me.com>
Subject: February 15, 2011 Re: Labor Code 54957 posted
on agenda for up coming board meeting **Date:** February
15, 2012 6:22:21 PM PST
To: "Christopher K. Eley" <eleylaw@aol.com>
Cc: John Stroh <jstroh@sjmosquito.org>, Michael Manna
<zinman104@aol.com>, Bob Phibbs <Bob@PhibbsLaw.com>, Michelle
Morgan <mmorgan@sjmosquito.org>

Chis-I am writing today to inform you I am requesting a public session for the items listed on the board meeting being held next Tuesday, February 21, 2012. I intend to be present to address the board regarding agenda item 10.c . Labor code 54957 section (b) (1) & (2) .

In 2009 I called the "Whistle Blower" hotline phone number that the district posts on our break room. I thought by calling the hotline I would be in contact with a state or federal agency to report work place wrong doing the charges were hostile work environment, retaliation, & discrimination. My complaint was rerouted to you never making to an out side party . When you contacted me to start your investigation I informed you that you were biased to the district and I wanted an outside mediator. The district is not accountable to anybody. I then mailed a 10 page document requesting the board to meet with me and explaining why. December of 2009 I was on the agenda to address the board, at that time I supplied every board member with a complete copy of my employee file to refer to while I informed them of the mismanagement I encountered during my employment, the hostile work environment, retaliation, & discrimination which resulted in my first surgery to my knee (since the I have had three arthroscopy knee surgeries) These second and third surgeries may have been prevented if the board intervened. This time the district can supply the documents at their expense. If any board member kept the

copy I provided he can bring it.

We are not only going to address John's allegations against me, we are going to address the whole story. Beginning to end. So make sure there's room on the agenda.

I will bring my own legal council, members of the press, witnesses, and a court reporter to record the meeting. In the event that litigations result from a wrongful termination I want a written transcript to provide as accurate evidence of the proceedings.

I request that you provide copies of these documents for each person in attendance:

- 1) My application I submitted when hired
- 2) A job description
- 3) The written complaint I filed in 2007 Re: Bob Durham & Janine Esau Finley Esau Durham
- 4) My 2007 retaliatory evaluations from Bob Durham & Keith Neiheis
- 5) A source code sheet
- 6) MOU 3003 punctuality, 2021 open door policy, 2007 job duties, 4004 health and safety code, 2230 nepotism, 2023 conflicts of interest, 3006 confidentiality, 2210 sexual harassment

I have requested documents multiple times in the past ie my time sheets and vacation sheets these requests fell on deaf ears. Do not ignore my request for the documents listed above. I will bring additional along additional documents that the district may no longer have. These documents will provide evidence of a behavior pattern that has used on other employees. They will prove I am not an isolated case and will provide a scale to prove inconsistency in the working environment, double standards, retaliation and harassment other employees endured during their time with the district.

Labor Code 54957

(a) Nothing contained in this chapter shall be construed to prevent the legislative body of a local agency from holding closed sessions with the Attorney General, district attorney, agency counsel, sheriff, or chief of police, or their respective deputies, or a security consultant or a security operations manager, on matters

posing a threat to the security of public buildings, a threat to the security of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric service, or a threat to the public's right of access to public services or public facilities.

(b) (1) Subject to paragraph (2), nothing contained in this chapter shall be construed to prevent the legislative body of a local agency from holding closed sessions during a regular or special meeting to consider the appointment, employment, evaluation of

performance, discipline, or dismissal of a public employee or to hear complaints or charges brought against the employee by another person or employee unless the employee requests a public session.

(2) As a condition to holding a closed session on specific complaints or charges brought against an employee by another person or employee, the employee shall be given written notice of his or her right to have the complaints or charges heard in an open session rather than a closed session, which notice shall be delivered to the employee personally or by mail at least 24 hours before the time for holding the session. If notice is not given, any disciplinary or other action taken by the legislative body against the employee based on the specific complaints or charges in the closed session shall be null and void.

You have an obligation to forward this document to all the board members who are currently serving the district. Sincerely,

Tiffany Anderson

Tiffany Anderson
2 N. Avena Ave.
Lodi, CA 95240
tiffanyanderson@me.com

September 9, 2014

Presiding Judge McGill
Division of Workers' Compensation (DWC)
31 East Channel Street, Room 344
Stockton, CA 95202

RE: Tiffany Anderson v. San Joaquin Co. Mosquito & Vector Control
District, AIMS
ADJ 7976768, ADJ 7010682, ADJ 7004227, ADJ 7004221

Dear Judge McGill:

Since the last settlement conference hearing, I have been working on trying to summarize the discovery history between myself and the Stockwell Harris firm. The table below is my best attempt at being precise and complete.

Date of the Request	What Was Requested	Stockwell Harris' Response
11/1/2012	Email sent to attorney Michael Christian, copied to Kyle Hansen A copy of my whole employment file / All time sheets, blue sheets [sick days], monthly vacation sheets / Copies of board agendas from 2005 to present / Summary of medical insurance charges for each of my work comp injuries / Summary of union dues charged during my work comp injuries / List of ERMA trainings 2004 to present/ Copy of daily work sheets from date of hire to the last day worked / A copy of my application for employment / A copy of the District's response to the Grand Jury	None

8/16/2013	<p>Email to Kyle Hansen</p> <p>A copy of the pre-employment medical examinations performed by Dameron Occupational Health / Dameron records for 6/9/04, 1/26/05, 11/1/05 / Copies of DWC-1s / MSDS labels and chemical treatment records from 2000 to 2010 including the use of Formalin at the White Slough facility / A copy of manager Stroh's memo dated 6/3/98 titled "Employee wastewater handling information update" / A copy of the training binder titled "Agricultural and Municipal Waste Water Information" / A copy of the safety leaflet N-8, published by the CA Dept. of Pesticide Regulation / Copies of my training and education records from date of hire to my termination date / Copies of my timesheets from 4/19/04 – 12/31/08</p>	<p>9/26/2013</p> <p>Letter from Kyle Hansen</p> <p>Some enclosures but mostly "Please explain how this is relevant to your case." Six such replies. Advise if your Dameron dates relate to work place injuries. Will ask for the MSDS sheets for the locations that you worked. Dr. Allems should be looking [mostly] at the cumulative trauma, (not a specific injury) on 10/24/13.</p>
9/23/2013	<p>Email from Kyle Hansen</p> <p>I will email you tomorrow everything that I have. Sorry I have been very busy.</p>	None
10/10/2013	<p>Email to Kyle Hansen</p> <p>The QME with Dr. Allems is getting near and I do not have the materials discussed in prior correspondence needed for this appointment.</p>	<p>10/10/2013</p> <p>Email from Kyle Hansen</p> <p>I need to review where we are with documents but will review early next week.</p>
10/16/2013	<p>Email to Kyle Hansen</p> <p>Relevancy explained to his September letter.</p>	None
10/24/2013	<p>Email to Kyle Hansen</p> <p>I am still anticipating the documents I requested.</p>	<p>11/20/2013</p> <p>Email from Kyle Hansen</p> <p>I received a huge box on Monday from Eddie. Copies will go out before Thanksgiving.</p>

<p>12/2/2013</p>	<p>Letter to AIMS, employer, and Stockwell Harris</p> <p>Hereby renew and expand upon prior request of 10/5/2009 from then-attorney Stein</p> <p>The Medical Provider Network within 25 miles of Lodi /</p> <p>Copy of entire medical file on all claimed injuries as far back as 2003 /</p> <p>A copy of all claim files /</p> <p>A copy of nurse case manager's notes /</p> <p>Any and all sub rosa videotapes, film or movies /</p> <p>A copy of all witness, employee, employer statements /</p> <p>Any documentation establishing continued contact with any treating doctor /</p> <p>A printout of all benefits paid /</p> <p>A copy of the wage statement /</p> <p>Documents to establish that any investigation was conducted in good faith /</p>	<p>12/30/2013</p> <p>Letter from Kyle Hansen</p> <p>Enclosing the requested time sheets. Training and Pesticide records are only required to be kept for two years so any records since 2011 are not available. Incorrectly states Tiffany is still represented on all but the 6/29/11 injury so can't discuss those claims directly with her. As to 6/29/11 injury all correspondence that is non-privileged has already been provided. Thus I am not sending you anymore. You have been provided with all medical reports and letters to doctors. I will not resend them. A benefit printout available upon request. A MPN list can be sent.</p>
<p>1/11/2014</p>	<p>Letter to Kyle Hansen</p> <p>Surveillance documents /</p> <p>Pre-employment medical examination /</p> <p>Dameron records from 1/26/05 /</p> <p>MSDS labels and spray records from 2000 – 2010 /</p> <p>Manager Stroh's memo from 4/1998 /</p> <p>Wastewater Handbook /</p> <p>Safety leaflet N-8, Pesticide Regulation/</p> <p>Training and education records /</p> <p>Wastewater training, safe handling practices records 2004 – 2001 /</p> <p>Injury and Illness Prevention Program (IIPP) 2004 – 2011 /</p> <p>Benefits printout /</p> <p>MPN list</p>	<p>1/29/2014</p> <p>Email from Kyle Hansen</p> <p>I continue to believe that the documentation that you requested back in December is not germane to those cases at this time. I have honestly lost track if you have all documents you need to present to Dr. Allems. Some, as I have told you, have been destroyed. I will provide a benefit printout. I believe there is no MPN list.</p>

3/12/2014	<p>Minutes of WCAB Hearing</p> <p>Comments: MSDS labels & dairy wastewater handbook to be produced</p>	<p>4/22/2014</p> <p>Email from Kyle Hansen</p> <p>I have your requested MSDS sheets. Will get them copied and sent out. Some but not all are received.</p>
4/10/2014	<p>DWC-CA form 10250.1</p> <p>Requesting a new PQME doctor due to a conflict of interest between Dr. Allems and the defense firm.</p>	<p>None</p>
4/14/2014	<p>Letter to employer, copied to Kyle Hansen</p> <p>Requesting specific missing time sheets and blue sheets [sick days]</p>	<p>4/16/2014</p> <p>Memo from Kyle Hansen</p> <p>Some additional time sheets provided and blue sheets provided back to 2009. District only has retention of blue sheets back to 2009.</p>
6/29/2014	<p>Letter from Sara Skolnik</p> <p>Please note I have taken over the handling of these cases. I am unsure if you have received the documents you requested or not. Please give me a call and let me know what you still need, if anything.</p>	
8/28/2014	<p>Letter from Sara Skolnik</p> <p>Enclosing a packet of materials and promising a response to the other material being requested. There is no MPN for your employer, simply send me a letter with physician's information.</p>	

Now being submitted in support of the replacement of Dr. Allems as the PQME please find these two pages:

1. COSIPA's Workers' Compensation General Meetings [two] in October 2013 listing the panel comprised of Dr. Allems and Eric Helphrey of Stockwell Harris;
2. Presenter credentials for the same, and their presentation on how to rebut presumptive cancer claims.

In summary, I believe that I am still missing the following documents solely from the correspondence referenced in the table above. Stockwell Harris should be able to acquire the following from their client, my former employer.

1. A copy of my entire employment file. I have been given part of my employment application but I am missing page 2, and maybe a page 3, the page with my signature;
2. A copy of my "blue sheets" [sick days] for 2004 – 2009;
3. A copy of my monthly vacation sheets;
4. Wastewater training, safe handling practices records 2004 – 2011;
5. Injury and Illness Prevention Program (IIPP) 2004 – 2011;
6. A benefits printout;
7. A summary of the union dues charged during the periods of my work comp injuries;
8. A list of the ERMA trainings from 2004 to 2011;
9. A copy of the pre-employment medical examinations performed by Dameron Occupational Health;
10. Dameron records for work-related visit on 1/26/05;
11. Copies of all District purchase orders for products delivered and applied at the White Slough facility between 2004 to 2011 (due to the defense representation that all chemical treatment records are only kept by the District for two years and products like Formalin were not reported to any agency);
12. A copy of manager Stroh's memo dated 6/3/98 titled "Employee wastewater handling information update";
13. A copy of the training binder titled "Agricultural and Municipal Waste Water Information";
14. A copy of the safety leaflet N-8, published by the CA Dept. of Pesticide Regulation;
15. Copies of Mosquito board agendas from 2005 to present;
16. A summary of the medical insurance charges for each of my workers compensation claims;
17. Copies of my training and education records from 2004 through 2011;
18. A copy of any nurse case manager's notes;
19. Any and all sub rosa videotapes, film or movies;
20. All surveillance documentation;
21. Documents to establish that any investigation was conducted in good faith;
22. A copy of all witness, employee, or employer statements;
23. Any documentation establishing continued contact with any treating doctor of the applicant;
24. A copy of the applicant's wage statement.

Sincerely,


Tiffany Anderson

PROOF OF SERVICE BY MAIL


I, Tiffany Anderson, certify that the following is true and correct:

I live in the city of Lodi and County of San Joaquin, California and am over the age of eighteen years.

On September 9, 2014, I served a copy of the attached Letter to Presiding Judge McGill and all of its attachments, by causing true copies thereof, enclosed in a sealed envelope with postage thereon fully prepaid, and delivered the same directly to a United States Post Office in Lodi, CA, addressed to the following party:

Attorney Sara Skolnik
Stockwell Harris
1545 River Park Dr., Ste. 330
Sacramento, CA 95815

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on 9/9/2014 at Lodi, CA.


Tiffany Anderson, Pro Per

PROOF OF SERVICE

STATE OF CALIFORNIA

COUNTY OF SAN JOAQUIN

I am in the County of San Joaquin, State of California. I am over the age of 18 years.

My residence is 1900 Lakeshore Drive , Lodi, CA 95240.

I served the foregoing document described as:

Letter dated January 5, 2016, on all parties in this action by placing a true
copy thereof enclosed in a sealed envelope with postage thereon fully prepaid in the United
States mailed at Lodi, California, addressed as follows:

Stockwell, Harris, Woolverton, Muehl
Sara Skolnik
1545 River Park Drive, Suite 330
Sacramento, CA 95815

Jackson Lewis
Mike Christian
400 Capital Mall # 1600
Sacramento, CA 95814

Christopher Eley
221 Tuxedo Ct., Suite E
Stockton, CA 95204

San Joaquin County Mosquito & Vector Control District
Board of Trustees President
To Be handed to all members at the next meeting
and to be heard in minutes
7759 S Airport Way
Stockton CA 95206

Judge Alvin Webber
Workers' Compensation Appeals Board
31 E. Channel Street, Room 344
Stockton, CA 95202

Ms. Nancy Urton
AIMS Insurance (Sacramento)
P.O. Box 269120
Sacramento, CA 95826-91202

Board of Supervisors
44 North San Joaquin Street
Sixth Floor Suite 627
Stockton, CA 95202

Division of Labor Standards Enforcement
2031 Howe Ave. Suite 100
Sacramento, CA 95825
State Case No. 35416-SFRCI; Anderson v Mosquito & Vector

Equal Employment Opportunity Commission
PO Box 36025
San Francisco, CA 94102
Charge No.: 556-2012-00422

I certify, under penalty of perjury, that the foregoing is true and correct.

Executed on January 5, 2016, at Lodi, California.

By: 

Tiffany Anderson