

Tiffany Anderson
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November 29, 2013

San Joaquin County Grand Jury
San Joaquin County Superior Court
222 E. Weber Avenue, Room 605
Stockton, CA 95202

Regarding: San Joaquin County Mosquito and Vector Control District,
2011/2012 Case No. 0311 and 2012-2013 Case No. 1112.

Dear Ladies and Gentlemen of the Grand Jury:

I have read the above-referenced reports and the Mosquito District's official responses thereto. As someone aware of these matters and as a county taxpayer, I wish to respond to the above reports as well. I have been an employee of the San Joaquin County Mosquito and Vector Control District (District) since 2004.

The efforts put forth by the Grand Jury are obvious and appreciated. I know that your time is valuable and wish to honor it. However there are issues that are still unresolved and information that needs to be corrected.

Attached to this letter is a document entitled "Issues and Evidence Table". It contains some remaining issues and examples of the evidence that I can provide. My general comments have been formatted to mirror the structure of the original Grand Jury reports and are provided below.

1.0 Sexual Harassment

I partially agree with the finding. The District's attempt to minimize the problem as one or two isolated events over the span of 20 years is false. Their response minimizes the cited incident and tries to give the impression that this behavior is rare. I disagree that sexual harassment was only committed once, by one employee – it was done by several employees and by our supervisors. The fact that trainings were so frequently scheduled speaks to the number of triggering events of harassment.

Some of those most in need of Sexual Harassment trainings were allowed to skip them. It does not surprise me that management could not produce any documentation of action taken, as they took none.

2.0 Hostile Work Environment and Management Retaliation

I disagree with the finding. After filing my complaints, I was reassigned to a new region, assigned to the most dangerous zone, and was denied supervisory assistance as retaliation. I have witnesses and records to prove that treating chemicals were withheld just from me; other employees were allowed to use these chemicals, regardless of the time of year and costs. The District's response is untrue on that point.

Co-workers ignored me, refused to work alongside me, gossiped about me even while I was present, and called me names. Supervisors berated and yelled at me. A live snake was put on the hood of my work truck. Despite hearing a co-worker repeatedly yell "ERMA" at me (referring to a confidential complaint I had filed), a supervisor declined to intervene. In my presence, my supervisor asked a property owner where I took my naps. Co-workers were told by management not to speak with me about the work being done in my own zone.

Efforts to go outside the District were intercepted and punished. For example, when I called the whistle-blower phone number (posted in the employee break room and also distributed to the employees), I was referred to the District's own in-house counsel. I asked for permission to address the entire Board of Trustees directly but was blocked by this same in-house attorney who undertook no true investigation due to his financial conflict of interest.

3.0 Violation of District Nepotism Policy #2230

I agree with this finding regarding Nepotism but the investigative focus should have clearly shifted to violations of the District's Policy #2023, Conflict of Interest. Personal relationships between supervisors and subordinates can be ruinous of workplace effectiveness and morale. I personally witnessed just such a supervisor-subordinate relationship at the District and both parties vehemently denied its existence. I was actually threatened with being beaten up by the female co-worker who didn't want me to work directly with my supervisor, her secret boyfriend.

For years management failed to resolve this actual conflict of interest as that supervisor-subordinate relationship continued. Management even reassigned supervisors to protect and promote this relationship. As a result the supervisors had to learn new regions, effectively taking supervisors out of the field operations for about six months as they learned their new regions. This began the decline of safety measures in field operations and team morale. Mosquito populations spiked.

A second couple in a supervisor-subordinate relationship did immediately disclose their relationship to management but rather than maintain them in separate job descriptions, management promoted her to the position of an assistant supervisor, despite her lack of experience and knowledge. As such, I've witnessed her supervise her own husband. This second couple, who did not like me, actually moved into the house next to me. The discomfort I was experiencing at work then became around the clock. These conflict of interest situations resulted in a hostile work environment.

4.0 Illegal Spraying at Mosquito Fish Hatchery at White Slough

I disagree with this finding. District management failed to comply with California Proposition 65. Proposition 65 requires that employers notify employees whenever a pesticide like Formalin is sprayed. Formalin is a known cancer-causing chemical. The District failed to post warnings and failed to take appropriate medical steps for those who might be exposed to this carcinogen. Characterizing Formalin spraying as "medical treatment" flies in the face of the fact that this chemical is dangerous to human beings. At the times that Formalin was sprayed, many employees were sickened with symptoms. I have records to show that 575 gallons of Formalin were applied to less than 5 acres of fish ponds. I suggest that this is a very high concentration. If the Formalin was not dangerous, then why did management only stop using it after the Grand Jury investigation in 2009? Further investigation into this matter is especially warranted.

As to Case No. 1112, I agree with all the findings and recommendations of the Grand Jury, with the following added information. Members of the District's Board of Trustees receive the added financial benefits of being personally shuttled to and from the monthly board meetings as well as being guests (at taxpayer expense) at management's regular retreats to tourist locales. These side benefits add up to thousands of dollars. I suggest that this financial conflict of interest has had a negative impact on the Board's ability to ask hard questions of the District's management. Board members should also be actively aware of the work that the District does, including ride-alongs with field technicians.

As you can see, several issues warrant further investigation. I have evidence to back up my assertions herein, but as I am currently in litigation with the District, I cannot be actively involved with your follow up.

I'd also like to both thank and apologize to the past Grand Juries for overloading them with information. My past presentations were too expansive and solely the product of my work-related duress.

Best regards,

A handwritten signature in dark ink, appearing to be 'T. Anderson', with a long horizontal line extending to the right.

Tiffany Anderson

Enclosure: "Issues and Evidence Table"

Copies:

Honorable David P. Warner, Presiding Judge
San Joaquin County Superior Court
222 E. Weber Avenue, Room 303
Stockton, CA 95202

San Joaquin County District Attorney
P.O. Box 990
Stockton, CA 95201-0990

Issues & Evidence Table

2012-2013 Grand Jury Case # 0311

Prepared: 11/29/2013

Issue/Finding	Complainant Response	Example of evidence to support claim
1.0 - Sexual Harassment	Disagree: Please see comments on Page 1	Available witness testimony
2.0 Hostile Work Environment - unfounded in Grand Jury report	Disagree: 1. I have documentation for over 50 incidents of harassment by my co-workers and various members of supervisors/management. 2. The Grand Jury found that sexual harassment did occur. The District's own policy states that sexual harassment constitutes a hostile work environment (Policy # 2230) 3. Although the district advised the Grand Jury I was denied chemicals because they were being saved for later in the year, they were readily given to others during that period.	<ul style="list-style-type: none"> ➤ Available witness testimony to support each of the responses. ➤ Documentation of hostile events, over a period of several months, e.g. the picture I have of a snake on top of my work truck left by a co-worker to scare and intimidate me ➤ Grand Jury findings that the District did not properly investigate the sexual harassment and that it was conducted by a Supervisor. Inaction provided an environment for the activity to continue ➤ Documentation of management retaliation against me for supporting the complaint
2.0 Management Retaliation- unfounded in Grand Jury report	Disagree: 1. Upon filing my whistle-blower complaint, I was immediately changed to a more difficult work region in which I had no experience. I was refused guidance and additional training when I asked for it. This created an unsafe work environment. 2. The district states I requested these work region changes, <u>which is untrue.</u> <u>Per the district's policy, the harasser is the one who is supposed to be relocated.</u> 3. From 2004-2008, my performance reviews were "Satisfactory". Once I filed complaints, these contained negative comments. 4. The district failed to keep my sexual harassment and other complaints confidential, as required by law.	<ul style="list-style-type: none"> ➤ Employee timesheets ➤ Correspondence with the district asking for additional help ➤ Copies of my annual reviews ➤ Documentation of supervisor telling me they "can't get involved" with employees harassing me ➤ District documentation of other employees being offered modified duty after an injury, which I was not offered. ➤ Documentation and witness testimony supporting my assertion of harassment conducted by fellow employees and supervisors, then condoned by higher management ➤ Letter dated November 19, 2013, advising that no modified duty is currently available to me, however the District's "retired" secretary is currently employed in her same position as a retired annuitant.

5. No longer offered overtime in my zone, a standard protocol for as long as I was employed there, 4 years

6. District refused to offer me modified duty when valid office work was available.

- For example, bringing in an outside worker to perform work for over one year that I could have done. Also a secretarial position became open after my third injury but was filled by an outside, new worker.

3.0 Nepotism-
unfounded in
Grand Jury
report

Refocus should
be towards
violations of the
District's Conflict
of Interest policy.

Agree:

1. The District had a Conflict of Interest policy at least as far back as 1998 and this should have applied to the two workplace couples that developed after 2004.

2. Job transfers were implemented for at least 5 employees solely as a result of the personal relationships tolerated by the District and board.

3. The District's practice has been that retiring managers are subsequently appointed to their Board. This results in at least a perceived Conflict of Interest, since the Board Member is now in a position to affect fellow friends and favored employees of the District.

- Promotion of Deanna Hopkins over candidates that were obviously more qualified than her.
- District records showing favored employees enjoyed extra perks as a result of their personal relationships with management (e.g. Disneyland trip, limousine to office Christmas party)
- District employment records showing a nephew of the manager was hired instead of offering the work to Tiffany.
- Transfers are reflected in employee timesheets, held by the District. If no Conflict of Interest or Hostile Work Environment, Harassment or Sexual Harassment existed, then why were the transfers necessary?

**4.0
Inappropriate
handling of
worker's
compensation
claims**, including
access to medical
care

1. Several times I was harassed or even flat out denied access to medical treatment when I asked my supervisors

2. Several times when seeing the Workers Compensation medical doctor, my injuries were minimized

3. Attempts were made by District management to obtain my medical records, in violation of HIPAA and state law

4. District management using petty cash funds to pay for my medical visits and spoke with the Workers Compensation doctor beforehand

- When I was rear-ended in my work truck, I was denied leave to go seek medical attention
- Witness testimony from my personal physician and orthopedic surgeon, documenting the lack of care given
- Kaiser medical records showing medical necessity for surgery and the surgery itself, plus exposures
- Personal documentation of events
- Witness testimony and documentation from District's claim administrator showing the District that a judge advised John Stroh that requesting my medical records was harassment, and to desist.