

**STATE  
COMPENSATION  
INSURANCE  
FUND**

January 26, 2021

Charles Thompson  
1630 Franklin Ct  
Crescent City CA 95531

Claim Number: 06501288  
Employee: Charles Thompson  
Date of Injury: 01/24/2020  
Employer: Pelican Bay State Prison  
Attn: Return To Work Office

**NOTICE OF DENIAL OF CLAIM FOR WORKERS' COMPENSATION BENEFITS  
PARTIAL DENIAL OF LIABILITY**

State Compensation Insurance Fund, the claims administrator for Pelican Bay State Prison Attn: Return To Work Office, is handling your workers' compensation claim. This notice is to advise you of the status of your workers' compensation claim for your injury of January 24, 2020.

Although we have accepted liability for your claim of injury to your Mental/Psyche injury, we are now denying liability for your claim of injury to Internal Organs (Digestive System) because QME Boris Zhalkovsy, M.D. report dated 1/11/21 does not provide medical evidence your digestive system is work related.

If you have any questions or need clarification regarding the content of this notice, please contact your attorney.

Effective April 19, 2004, the law requires your employer to authorize medical treatment for your claimed injury within one working day after your filing of a Workers' Compensation Claim Form (DWC-1), and to continue to provide treatment until your claim is accepted or rejected, up to a limit of \$10,000 in total. All treatment provided is subject to utilization review and application of evidence-based, peer-reviewed, and nationally recognized guidelines. All treatment provided must be within the State Fund MPN, if applicable. If you have filed a Workers' Compensation Claim Form with your employer, please send for consideration of payment, all bills for medical services provided between the date the completed claim form was given to your employer and the date your claim was denied unless you have already done so.

Additional information may be obtained from an Information and Assistance officer with the Division of Workers' Compensation, or on the Division's website: [www.dwc.ca.gov](http://www.dwc.ca.gov).

For more information, please refer to the publication "Workers' Compensation in California: A Guidebook for Injured Workers"

After You Get Hurt on the Job

<http://www.dir.ca.gov/InjuredWorkerGuidebook/Chapter2.pdf>

Resolving Problems with Medical Care & Medical Reports

<http://www.dir.ca.gov/InjuredWorkerGuidebook/Chapter4.pdf>

For More Information and Help

<http://www.dir.ca.gov/InjuredWorkerGuidebook/Chapter10.pdf>

and

[http://www.dir.ca.gov/InjuredWorkerGuidebook/FAQs\\_IandA.pdf](http://www.dir.ca.gov/InjuredWorkerGuidebook/FAQs_IandA.pdf)

and

<http://www.dir.ca.gov/InjuredWorkerGuidebook/FAQsAttorney.pdf>

A complete copy of the Guidebook may be obtained on the Division of Workers'



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Compensation's website at <http://www.dir.ca.gov/InjuredWorkerGuidebook/InjuredWorkerGuidebook.html> or by contacting an Information and Assistance officer of the Division of Workers' Compensation.

***The State of California, Division of Workers' Compensation, requires that you be given the following information:***

You have a right to disagree with decisions affecting your claim. If you have any questions about the information provided to you in this notice, please call me, Tami Harper at (707) 476-1117. You also have the right to be represented by an attorney of your choice. However, if you are represented by an attorney, you should call your attorney, not me, Tami Harper.

For information about the workers' compensation claims process and your rights and obligations, go to [www.dwc.ca.gov](http://www.dwc.ca.gov) or contact an information and assistance (I & A) officer of the state Division of Workers' Compensation. For recorded information and a list of offices, call (800) 736-7401.

The law limits the time period within which you may collect benefits. Should you disagree with any action taken by State Fund, in order to protect your rights, you must commence proceedings before the Workers' Compensation Appeals Board by filing an Application for Adjudication of Claim within one year of the date of your injury, or one year from the last furnishing of indemnity or medical treatment benefits by your employer or State Fund. If you do not do so, your right to benefits may be lost.

**Keep this notice. It contains important information about your workers' compensation benefits.**

Sincerely

***Vannyda S***

Vannyda S  
For Tami Harper, Adjuster of this claim  
Claims Adjuster  
(707) 476-1117  
Website: [statefundca.com](http://statefundca.com)

Enc:

cc: Faraz Mobassernia, 16000 Ventura Blvd Ste 1205, Encino, CA 91436  
Peter Brown, Imcs Group, Inc, 550 H St Ste 5n, Crescent City, CA 95531-3737

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CHARLES THOMPSON  
1630 FRANKLIN CT  
CRESCENT CITY CA 95531

## CHARLES THOMPSON

Charles Thompson got some good news last week. The State Compensation Insurance Fund, or SCIF, approved his claim for damages to his health as a result of harassment he's experienced at Pelican Bay State Prison over the 7 years. "Not an ounce of me is afraid of the Department of Corrections anymore," he said. "We really don't have the luxury of beating around the bush; we need to call it what it is. There is a systemic problem at Pelican Bay."

Charles grew up in Detroit, served in the Marines, and is currently pursuing a doctorate in educational leadership. An SEIU Local 1000 member, he works as an elementary school teacher at the Prison, currently assigned to Adult Basic Education, where he has taught the general population since 2014. In his decades of work as a State employee, he's never experienced a workplace with as severe issues as Pelican Bay. The culture of fear and intimidation that nurses and other staff have made a central call of their organizing efforts has weighed especially heavily on him. "I have four witnesses that heard management claim they would put me back in the classroom, and then try to find some reason to fire me, because they were upset with my union responsibilities and health requirements," he said. These issues mirror those felt by the healthcare professionals, who have been navigating understaffed and unsafe workplaces. "They come up with justifications to overwork me, then act like since they have the right to do it, they can keep the pressure up."

However, Charles, one of a handful of Black employees, has experienced a number of outrageous workplace incidents that stem from management's cultivation of a culture of fear in the workplace. "One manager vented to her old team, referring to me with racist language and threatening me with violence," he said. "When I was told the husband of one of the managers would physically threaten me, the prison assured me that he could not get on the grounds, since he didn't have a gate pass." Crescent City, where Pelican Bay is located, is a small, rural, and predominantly white community; as one of the few Black residents in the community, these threats against him do not stop at the boundaries of the workplace. "What's stopping this from spilling over outside the workplace? Myself and the only other African American employee in the education department are the targets of constant racism," he said. "Management claims that these incidents weren't meant to be taken seriously, but I don't have the luxury of not taking them seriously." The trauma and stress of dealing with this situation has damaged work and home relationships for Charles.

All this culminated in a recent incident where Charles was walked off the work site, on his birthday, by management. Management claimed that his mental health made him a threat to other employees. Thompson, however, suspects a different motive. "This is a continuation of the arcane, ableist, and racist system at CDCR that sidelines discussions of mental health in the work place," he said, "even as correctional officers, nurses, and other staff are at risk of serious impacts to their mental health, including suicide." These risks are not being mitigated by current approaches. "We get suicide prevention training once a year, but we're still subject to all the stigmas in the workplace."

Like many other employees, Charles has had enough. Turning to the union, he's been able to not only step up to defend himself in the workplace, but to help other employees who are struggling with the same oppressive management. "I pride myself on standing up for members and addressing grievances within minutes of hearing about them," he said. "Had it not been for the union and legal representation, these racist incidents would have cost me my job. When you call your union rep, you're getting the best that money can buy." The organizing at Pelican Bay, which has primarily focused on the risks posed to nurses by this culture of fear, is also taking up the struggle against a racist culture that employees refuse to accept. "We do not have any reason to be ashamed; this divide and conquer mentality from management has to be stopped, and the press and public must know what we are unified to prevent this from continuing."

The struggle for respect in the workplace is one that all the staff at Pelican Bay are experiencing on a daily basis. The solutions to these problems are not ready-made, but are developed by the union members uniting to build a workplace that they feel they are safe in, and they can provide the best care and services to their patients and students. This is a struggle that union members like Charles know will bear fruit only with the unity and power that comes through an organized workplace. "One day, I'm going to retire," he said, "I want to leave with this workplace trained to protect itself and fight for our rights."