



Advocates for
Injured/Ill Workers & Families
Human, Social & Economic Rights

INJURED WORKERS NATIONAL NETWORK - IWNN

info@iwnn.org

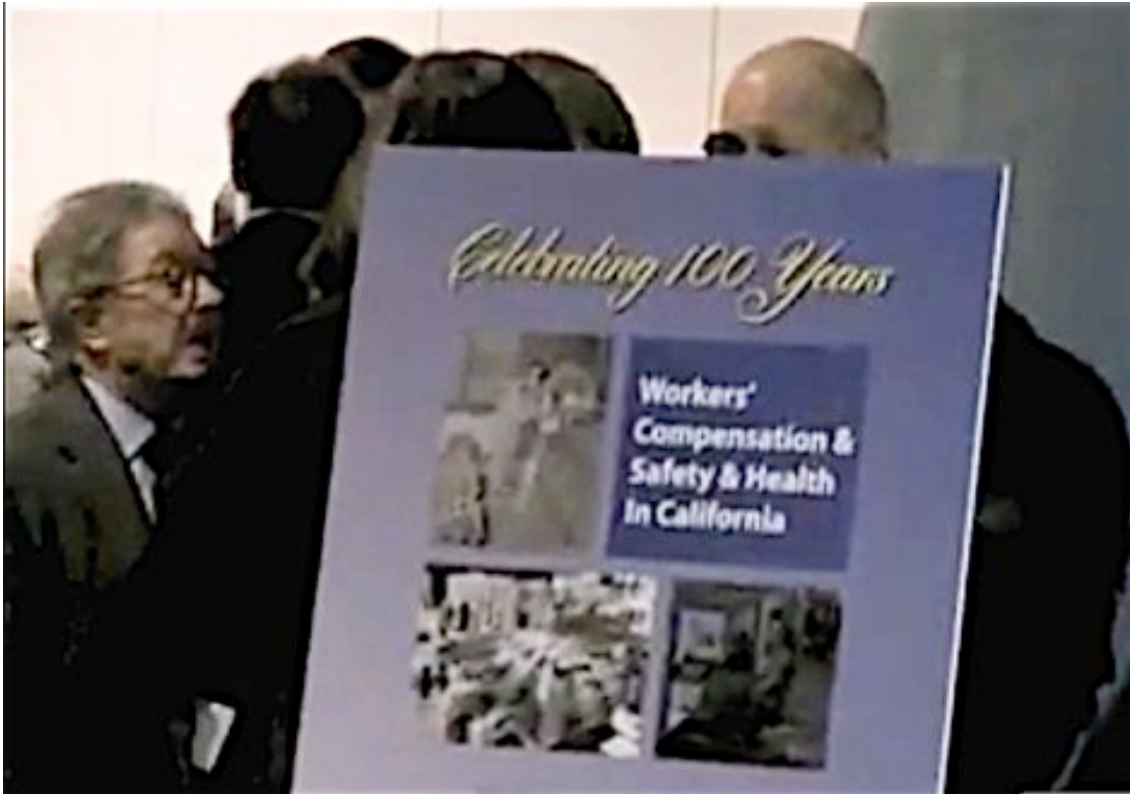
Supporting:

- ✓ 100% Medical Care
- ✓ Legal & Judicial Justice
- ✓ Mandated Occupational Safety & Health
- ✓ Complete Compensation
- ✓ Freedom of Speech
- ✓ Right to Return To Work
- ✓ Vocational Rehabilitation

Opposing:

- ✓ Retaliation Against Injured/Ill Workers & Their Families
- ✓ Cost Shifting of Liability by Workers Compensation Insurance Companies to Federal/State Programs -- Social Security/Medicare/Medicaid -- without investigations/Prosecution

Reporters Banned at California State Sponsored ~ 100th Anniversary Of Workers' Compensation & Safety & Health in California ~



At a California meeting for "Celebrating 100 Years" of Workers' Compensation & Health & Safety at the Oakland State Building on December 15, 2014, reporters were prevented from attending the state sponsored meeting. The meeting was funded by the insurance industry. Department of Industrial Relations DIR Director Christine Baker has been charged with terrorizing and bullying the employees of Cal-OSHA. [see **APPENDIX A** for the event agenda]

No reporters were allowed to attend the "private" meeting at the state building and the Highway Patrol was called by Baker to evict a reporter from KPFA who was in the foyer but the California Highway Patrol officer said the reporter had a right to be in the foyer. The Cal-Osha Report was also prevented from sending a reporter to the meeting. There are only 172 OSHA inspectors for 18.5 million workers in California.

Department of Industrial Relations DIR Director Christine Baker, who was appointed by California Governor Brown, is under attack by health and safety advocates such as; Garrett Brown as well as injured workers and their attorneys, for siding with insurance companies and employers.

The video footage, production of KPFA WorkWeek Radio & Labor Video Project; www.laborvideo.org can be viewed at <https://www.youtube.com/watch?v=0M6m8S1OoH0&spfreload=10> For your convenience, the video footage interviews have been transcribed (with photos) and can be read on the following pages.



Reporter from KPFA, Steve Zeltzer
&
Erica L. Monterroza: Department of Industrial Relations - Director of Communications



Reporter Steve Zeltzer: This is a public event. Isn't this in a public building?

Erica L. Monterroza: I mean, this is a private event and you were advised. This is a private event and we're not taping videos.

Reporter Steve Zeltzer: Isn't this in a public building?

Erica L. Monterroza: This is a private event.

Reporter Steve Zeltzer: Why are state staff working on this event?

Erica L. Monterroza: This is a private event Mr. Zeltzer and you were advised.



Reporter Steve Zeltzer: This is a public event. Isn't this in a public building?

Erica L. Monterroza: This is a private event Mr. Zeltzer.

Reporter Steve Zeltzer: This is a public event.

Erica L. Monterroza: No, it is not a public event and you were advised by email.



Reporter Steve Zeltzer: Why is the media being excluded?

Erica L. Monterroza: Because it's a private event Mr. Zeltzer.

Reporter Steve Zeltzer: And the media being excluded and ...

Erica L. Monterroza: And you were advised.

Thank you.



Reporter Steve Zeltzer: This is a public event. Isn't this in a public building?

Erica L. Monterroza: I'm ... I'm ... I'm asking you to honor the email that I sent to you. This is ... is a private event and you were advised.

Reporter Steve Zeltzer: Are insurance companies here?

Erica L. Monterroza: This is actually sponsored by private groups and i thank you very much for your understanding. This is a private event and you were advised.

Reporter Steve Zeltzer: This is a public building ...



Reporter from KPFA, Steve Zeltzer
&
Gail Bateson, California WorkSafe Director



Gail Bateson: I get it. It's by invitation only ... yep.

Reporter Steve **Zeltzer:** Are they going to be discussing problems with Workers Comp?

Gail Bateson: Well, they're celebrating three (3) different agencies today.

Reporter Steve **Zeltzer:** Are they having speakers and ...?

Gail Bateson: They're having people mostly from the agencies ... just ...

Reporter Steve **Zeltzer:** Are there any insurance companies here?

Gail Bateson: I don't know. We don't know who's on the list.

Reporter Steve **Zeltzer:** Are you aware that the press is being excluded?

Gail Bateson: I didn't know about the press. I know that ... but ...

Reporter Steve **Zeltzer:** They're saying it is a private event and the press is being excluded.

Gail Bateson: I did not know that but ...

Reporter Steve **Zeltzer:** What do you think about that?

Gail Bateson: Well, it seems like since it's an anniversary event; that there should be some representation of the press.



Reporter from KPFA, Steve Zeltzer
&
Art Carter, Occupational Health And Safety Appeals Board Chair



Art Carter: I'm one of the panelist. I'm with the Cal/OSHA Appeals board and I'm going to be talking, generally about how the board functions and so forth and then I'm also going to be talking about a kind of historical overview of Cal/OSHA in the early days when I was ...

Reporter Steve **Zeltzer:** What is the state of Cal/Osha today in California?

Art Carter: Well, You're going to be here ... you'll hear a lot of the presenters and so forth.

Reporter Steve **Zeltzer:** Do you think the media should be allowed to come to this event?

Art Carter - continued on next page

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~ Interview INTERRUPTED ~

by Erica L. Monterroza

Erica L. Monterroza: He's not allowed ... He's not invited.

Art Carter: Ok.

Erica L. Monterroza: It's a private event. I'm trying to get somebody to ...

Art Carter: Ok.

Erica L. Monterroza: Yeah.

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Reporter from KPFA, Steve Zeltzer &

Donald Marshall, Vice President Zenith Insurance, California Fraud Assessment Commission - FAC



Donald Marshall: Yeah, Can I help you?

Reporter Steve Zeltzer: yeah, i want to know, what do you think the state of workers comp is for the insurance industry in California?

Donald Marshall

I'm not in pos [ition], let me think about it and I'll get back to ya.



Reporter from KPFA, Steve Zeltzer
&
Lynn, State of California Employee



Reporter Steve **Zeltzer**: Are you a state employee?

Lynn: Yes.

Reporter Steve **Zeltzer**: Are you aware that this is a private event?

Lynn: Yes.

Reporter Steve **Zeltzer**: Do you think state employees should be serving private events?

Lynn: I'm not interested in answering that question.

Reporter Steve **Zeltzer**: Ok, Thanks.



Reporter from KPFA, Steve Zeltzer
&
Julius Young, Boxer And Gerson Lawyer - Workers Comp



Julius Young: About the conference? I think it's .. the design is just an overview of workers comp in California the last 100 years.

Reporter Steve **Zeltzer**: Do you think it's a critical issue for injured workers in California?

Julius Young: Of course it is. Of course workers comp is a critical issue.

Reporter Steve **Zeltzer**: What's happening with it?

Julius Young: AH.. It ...

Reporter Steve **Zeltzer**: Do you think there are problems with it?

Julius Young: Yeah I do.

Reporter Steve **Zeltzer**: What's the problems?

Julius Young: There's lots of them, but, you know the independent medical review is a big problem ... the way it's ...

There's a case that just went to the court of appeal where they're going to decide the constitutionality of it. So ...

Reporter Steve **Zeltzer**: Do you think it's unconstitutional. (IMR)

Julius Young: Well, I think there are questions about it - Stevens vs WCAB. It's just ... the Court of Appeal just decided to hear the case.

Reporter Steve **Zeltzer**: Why do you think it went to appeal?

Julius Young: It has to do with whether you can appeal ... the very limited grounds on appealing IMR grounds determination.

Reporter Steve **Zeltzer**: Does this have to do with anonymous doctors?

Julius Young: That could be a problem. Could be a problem. Anyway it's a question it deserves to be answered.

Reporter Steve **Zeltzer**: Do you think this meeting should be open to the public and the media?

Julius Young: You know what? I don't ... I wasn't involved in the planning of it so I don't know.

Reporter Steve **Zeltzer**: It's all state It's all state ... paid for by state ... state and ...

Julius Young: Maybe ... Maybe.

Julius Young - *continued on next page*



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~ Interview INTERRUPTED ~

by **Christine Baker** or **Erica L. Monterroza**

Julius Young: What's that?

Christine Baker or **Erica L. Monterroza:** I'm sorry that you're getting subjected because this is a private...

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Julius Young to Reporter Steve **Zeltzer:** Anyway, I'd better not ... I have to say hello to a couple of people here.



Reporter from KPFA, Steve Zeltzer

&

Christine Baker, Department of Industrial Relations - Director

Erica L. Monterroza: Department of Industrial Relations - Director of Communications

Highway Patrol Officer



Erica L. Monterroza to Reporter Steve Zeltzer:: You were advised ... you were advised by email.

Reporter Steve **Zeltzer**: This is a public event on state property.

Erica L. Monterroza to Reporter Steve Zeltzer: Sir, I already ... I already advised you that this is a private event.

Christine Baker to Highway Patrol Officer: This is a man who is a bully and keeps really being offensive.

Erica L. Monterroza to Highway Patrol Officer: This is a private event ... and so he was advised that he would not be invited.

Christine Baker to Highway Patrol Officer: This is not the first time that ...

Reporter Steve **Zeltzer**: This is a public event, it's on state property.

Erica L. Monterroza to Highway Patrol Officer: This is a private event that this person ...

Reporter Steve **Zeltzer**: This is on state property and a public event.

Erica L. Monterroza to Highway Patrol Officer: this is a private event by invitation only.

Highway Patrol Officer to Erica L. Monterroza: Okay.

Highway Patrol Officer to Reporter Steve Zeltzer: You can be here, you just can't go into the meeting.

Highway Patrol Officer to Christine Baker and Erica L. Monterroza: He can be here.

Christine Baker to Highway Patrol Officer: He's been abusive to me.

Highway Patrol Officer to Baker: I'll follow you.

Christine Baker to Highway Patrol Officer: Thank you.



Reporter from KPFA, Steve Zeltzer

&

Doug Bloch, On California Health & Workers Compensation Safety Board - Member 1BT 7 Political Director

Reporter Steve Zeltzer: What do you think is going to happen today as far as Cal/Osha?



Doug Bloch: Cal/OSHA ... I mean it's wonderful that it protects injured workers, or people that get hurt in violation of protective orders and safety orders and just need the oppor [tunity].

Reporter Steve Zeltzer: Do you think there is a problem with the lack of OSHA inspectors in California?

Doug Bloch: Yeah, I'm not really that up on the OSHA, I'm more into the workers compensation aspect of it, but ... I mean everybody in the state is understaffed it seems like and ...

Reporter Steve Zeltzer: Are you concerned about the cost shifting and injured workers not getting cared for and are being forced on social security?

Doug Bloch: Absolutely There's findings that Medicare is paying for what workers compensation should be paying for it, group health is paying for it. People are not filing workers compensation claims cuz they don't want to get involved in the system. They tell us IMR is working but it's not, it's just denying people the opportunity to heal and return to work. And that's all that I want to say.

Reporter Steve Zeltzer: There is a growth in the use of opiates by injured workers in California what do you think is the cause of the growth of opiates?

Doug Bloch: Oh, that's easy. They can't get more chiropractic treatment, they only get 24 chiropractic visits for the life of the claim. They don't get the physical therapy. It's all the alternative doctors have because they can't treat them. They can see patients, they just can't treat them because they don't authorize what they need to treat them ... so they give them opiates rather than what they need to cure and relieve them from the affects the injury.

Reporter Steve Zeltzer: Thats good for the drug companies?

Doug Bloch: Well, I don't know that it's necessarily good for the drug companies ... hadn't really thought about that.

Reporter Steve Zeltzer: Are your members affected by that?

Doug Bloch: I'm sorry I didn't ...

Reporter Steve Zeltzer: Did your members get affected by that?

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~Interview INTERRUPTED ~

by Erica L. Monterroza

[Inaudible] This is a private event.

Doug Bloch to Erica L. Monterroza: Okay

Erica L. Monterroza to Doug Bloch: [Inaudible] If you'll ...

Doug Bloch to Erica L. Monterroza: Okay, okay

Doug Bloch: I'm Sorry... OK, OK

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Reporter Steve Zeltzer continues interview with Doug Bloch: So, This is a private event and the media has been excluded from it. Do you think there's a problem with that since they're going to be talking about issues about injured workers?

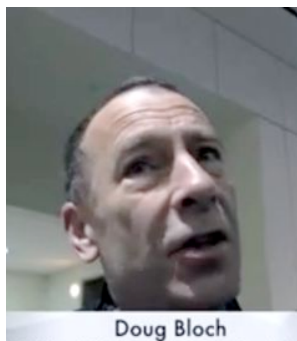
Doug Bloch: You know, I wasn't aware that media was excluded, so I mean that's other people's decision making. I mean, I'm all for freedom of speech, freedom of the press and access ... but, it is a private event.

Reporter Steve Zeltzer: In a state building? With State Funds?

Doug Bloch: Yeah

Reporter Steve Zeltzer: How can that be a private event?

Doug Bloch: Anyway, I do have to get



Reporter from KPFA, Steve **Zeltzer**

&

Shelly Kessler, San Mateo Labor Council, Member Commission On Health & Safety & Workers Compensation



Shelly Kessler: What I found out it is ... Because it's a, by invitation only private event, no decisions are being made here, they're not adjudicating any issues so it's a private event that's being done by invitation only.

Reporter Steve Zeltzer: [Inaudible] Their discussing business about these issues?

Shelly Kessler: That's what I was told. I'm just repeating to you what I was told.

Reporter Steve Zeltzer: So they're discussing business with regard to workers comp and Cal/OSHA?

Shelly Kessler: They're ...

Reporter Steve Zeltzer: Do you agree that it should be closed to the media?

Shelly Kessler: I think that these issues are important and I think the people should know about what people are discussing; In general because so many are impacted by it.

Reporter Steve Zeltzer: [Inaudible]

Shelly Kessler: [Shakes head]: Ah ... Steve, it's my second meeting I ...

Reporter Steve Zeltzer: It's in a state building, It's getting state funding. State officers are helping with this thing, it's state funding.

Shelly Kessler [shakes head]: Yep ... So

Reporter Steve Zeltzer: Do you think there is a problem with Cal/OSHA?

Shelly Kessler: Well, I think that we ... we need to, you know look at the problems in the field and see what we can do to address the health and safety on the job and I think that it needs more inspectors than ... it looks like there's a budget that's been applied to put more inspectors in the field to make sure people are safer on the job. So ...

Reporter Steve Zeltzer: How many inspectors are there is California?

Shelly Kessler: I don't know Steve.

Reporter Steve Zeltzer: Aren't you on the Commission? Shouldn't you know that?

Shelly Kessler: Yes Steve, and you know what? As you tape me let me just tell you, I've had two meetings I'm new at this and I also have a full time job plus. So I'm trying to learn as fast as I can of all the different levels of information that's being. So you ... so you can

Reporter Steve Zeltzer: [inaudible]

Shelly Kessler: I did not hear what you just said.

Reporter Steve Zeltzer: Have you got Garrett Brown's information?

Shelly Kessler: Garrett ... Garrett .. yes ... yes. I've gotten some information. But I ... but ...

Reporter Steve Zeltzer: [inaudible]

Shelly Kessler: And so these are things that I'm looking at and considering and trying to be aware of. And I can't say anything else to you Steve because I'm just trying the best I can to both represent workers before they get injured and do the process and I'm just still learning how it all works.





Reporter from KPFA, Steve Zeltzer
&

Tom Rankin, Past California AFL-CIO President & State Fund Compensation Board of Directors

Reporter Steve Zeltzer: Can I ask you a question?

Tom Rankin: No, You don't want to talk with me.



NOTE; Between the registration, with continental breakfast (scheduled between 8:00 - 9:00 a.m.), lunch (scheduled between 12:00 - 1:15 p.m.) and the reception (scheduled between 5:30 - 6:30 p.m.) the following were either moderators or scheduled speakers:

- **State of California Governor**
Jerry Brown
- **Board of the National Immigration Law Center**
Lilia Garcia-Brower, *Member*
- **Ca/OSHA**
Juliann Sum, *Chief*
- **California Applicants' Attorneys Association**
Julius Young
- **California Department of Insurance**
David Jones, *Commissioner*
Lilia Garcia-Brower, *Commissioner - Fraud Assessment Commission*

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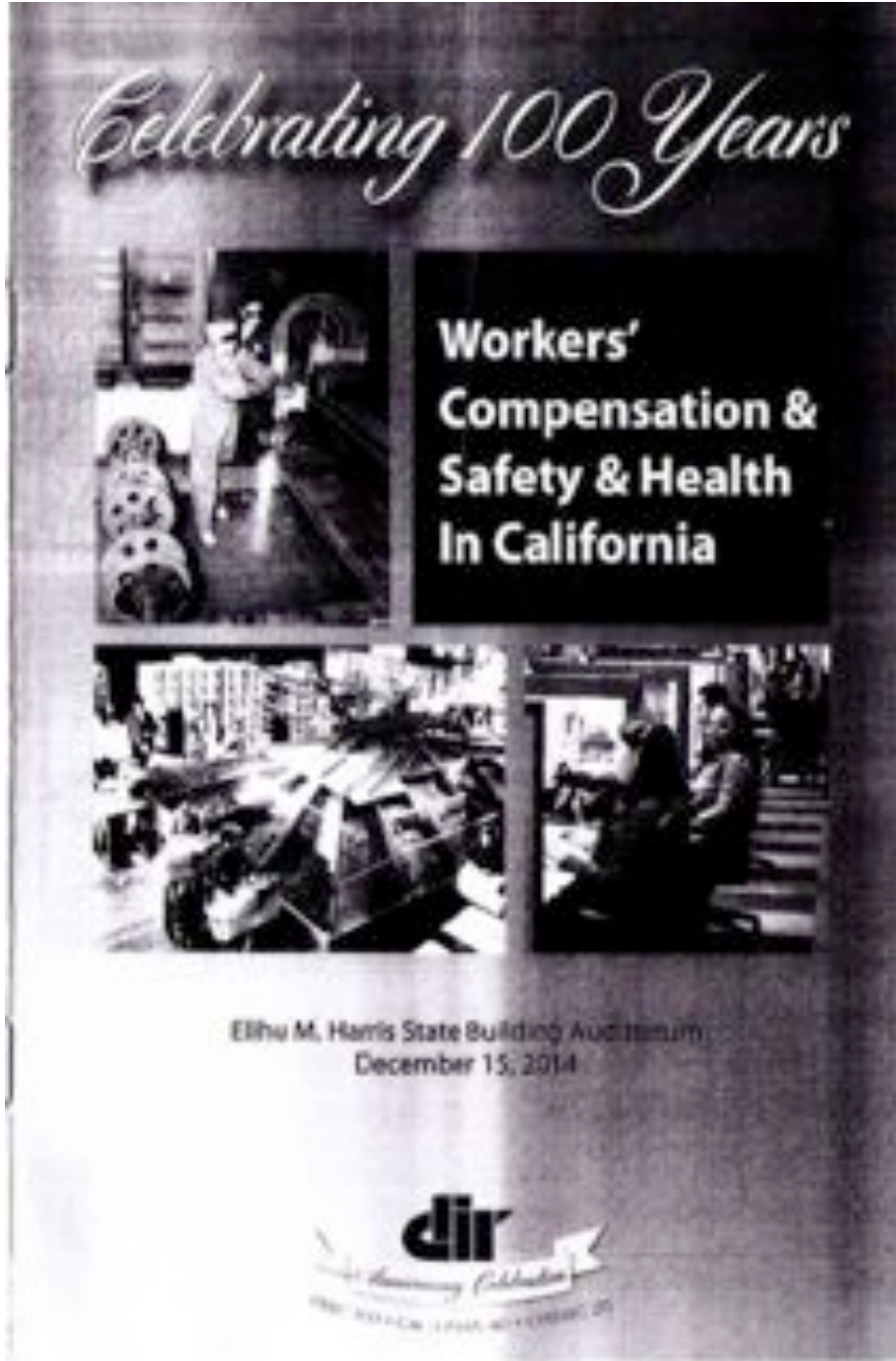
- **California Health, Safety & Workers Compensation (CHSWC)**
 Martin Brady, *Executive Director*
 Angie Wei, *2014 Chair*
 Tom Rankin, *Former Chair*
 Daniel Bagan, *Commissioner*
 Doug Bloch, *Commissioner*
 Christy Bouma, *Commissioner*
 Shelley Kessler, *Commissioner*
 Sean McNally, *Commissioner*
- **California Department of Workers; Compensation**
 Destie Overpeck, *Acting Administrative Director*
- **California Department of Workers' Compensation Appeals Board**
 Ronnie Caplane, *Chair*
- **California Labor Federation**
 Angie Wei, *Legislative Director*
 Tom Rankin, *Former President*
- **Capital Connection;**
 Christy Bouma, *President*
- **Central Labor Council AFL-CIO**
 Shelley Kessler, *San Mateo County*
- **Department of Industrial Relation (DIR)**
 Christine Baker, *Director*
 Glenn Shor, *Research & Policy Advisor, Office of the Director*
- **KBA Engineering**
 Sean McNally, *President*
- **Labor Workforce & Development Agency**
 David Lanier, *Labor Secretary*
- **Maintenance Cooperation trust Fund**
 Lilia Garcia-Brower
- **National Employment Law Project**
 Maurice Emsellem, *Program Director*
- **Occupational Safety & Health Appeals Board (OSHAB)**
 Art Carter, *Chair*
 Marley Hart, *Executive Officer*
- **Occupational Safety & Health Standards Board (OSHSB)**
 Laura Stock, *Member*
- **Schools Insurance Authority**
 Martin Brady, *Executive Director*
- **State Fund**
 Vernon Steiner, *President & CEO*
 Tom Rankin, *Member, Board of Directors*
- **Teamsters Joint Council 7;**
 Doug Bloch, *Political Director*
- **University of California**
 Linda Delp, *Director - Labor Occupational Safety & Health - Los Angeles*
 Laura Stock, *Director - Labor Occupational Health Program - Berkeley*

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APPENDIX A

Celebrating 100 Years - Workers' Compensation Health & Safety

~ PROGRAM FRONT COVER ~



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Celebrating 100 Years - Workers' Compensation Health & Safety

~ EVENT AGENDA ~

8:00 - 9:00 **Registration with Continental Breakfast**

9:00 - 9:30 **Welcome and Opening Remarks**

*The Honorable **Jerry Brown**, Governor, State of California (Invited)*

***David Lanier**, Labor Secretary, Labor and Workforce Development Agency*

9:30 - 10:10 How Did We Get Here? A History

"History of Workers' Compensation and Occupational Safety and Health in California"
Glenn Shor, Research and Policy Advisor, Office of the Director, DIR

10:10 - 10:15 A Perspective of Insurance Oversight

Dave Jones, Commissioner, California Department of Insurance

10:15 - 10:30 Break

10:30 - 11:30 Celebrating 100 Years of Workers' Compensation

MODERATOR:

Ronnie Caplane, Chair, Workers' Compensation Appeals Board

SPEAKERS:

Destie Overpeck, Acting Administrative Director, DWC

Vernon Steiner, President and CEO, State Fund

Julius Young, California Applicants' Attorneys Association

11:30 - 12:00 Keynote Speaker

Tom Rankin, Former President, California Labor Federation; Former Chair, CHSWC;
Member, Board of Directors, State Fund

12:00 - 1:15 Lunch

1:15 - 2:15 Celebrating 40 Years of Cal/OSHA

MODERATOR:

Linda Delp, Director, Labor Occupational Safety and Health, University of California,
Los Angeles

SPEAKERS:

Juliann Sum, Chief, Cal/OSHA

Art Carter, Chair, Occupational Safety and Health Appeals Board (OSHAB)

Marley Hart, Executive Officer, Occupational Safety and Health Standards Board
(OSHSB)

2:15 - 3:30 Celebrating 20 Years of CHSWC

MODERATOR:

Martin Brady, Executive Director, Schools Insurance Authority; Commissioner,
CHSWC

SPEAKERS:

Angie Wei, Legislative Director, California Labor Federation; 2014 Chair, CHSWC

Daniel Bagan, Regional Risk Manager, United Parcel Service; Commissioner CHSWC

Doug Bloch, Political Director, Teamsters Joint Council 7; Commissioner
CHSWC

Christy Bouma, President, Capital Connection; Commissioner, CHSWC

Shelly Kessler, San Mateo County, Central Labor Council AFL-CIO,
Commissioner, CHSWC

Sean McNally, President KBA Engineering; Commissioner, CHSWC

Kristen Schwenkmeyer, Gordon & Schwenkmeyer, Inc.; Commissioner, CHSWC

3:30 - 3:45 Break

3:45 - 4:45 The Changing Workforce and Workplace

MODERATOR:

Laura Stock, Director, Labor Occupational Health Program, University of California,
Berkeley; Member, OSHSB

SPEAKERS:

Maurice Emseilem, Program Director, National Employment Law Project

Lilia Garda-Brower, Maintenance Cooperation Trust Fund; Member, Board of the National Immigration Law Center; Commissioner, Fraud Assessment Commission

4:45 - 5:30 Closing Remarks: Vision for the Future

SPEAKERS:

David Lanier, Labor Secretary, Labor Workforce and Development Agency

Christine Baker, Director, DIR

Juliann Sum, Chief, Cal/OSHA

Destie Overpeck, Acting Administrative Director, DWC

5:30 - 6:30 Reception

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Celebrating 100 Years - **Workers' Compensation Health & Safety**

~ PROGRAM BACK COVER ~



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