ATTACHMENT A

RESPONDENTS' PETITION FOR RECONSIDERATION

To: Cheree Swedensky
Assistant to the Board
Executive office
CA Pers

From: Michael C. Hampton

P6: 3

TO: Cal-Pers Board

From: Michael C. Hampton

Ref: Petition for Reconsideration

Dear Cal-Pers board, I wish to start off by apologizing for not making my court appearance. I also wish to apologize for not getting my paperwork in on the last deadline. I'm now submitting my request for Petition for reconsideration. I have enclosed a document from my spinal surgeon David Jeffrey Moller from Kaiser. He states I'm unable to perform my duties as a correctional officer. He also advises that I need surgery to help my condition.

I would like to bring to your attention my duties as a correctional officer in a fire camp. CDCR does not list the job of a fire camp C/O on their functions statement. My duties were very different from a correctional office who works in a prison. First of all, I was required to work 24 hour shifts for days and weeks at a time. I would have to wear fire gear and hike with the inmates when the occasion called for it. I would have to sleep out in the wilderness on fires. I was around helicopters, air tankers, chain saws and heavy equipment on fires. I would breath in smoke from the fires constantly while assigned to fires. Do to working in these conditions I developed hearing loss as reported in my medical records.

As far as Doctor Xelller reports goes. He did report I lost 25% of motion in my neck. He also stated I did have pain with side to side bending. His review of the MRI did show I have "multilevel disk disease and facet arthropathy". Doctor Xeller opinion that I can perform the duties of a correctional is wrong. I'm unable to meet the requirements to work as a correctional officer. In fact, because of my pain I was unable to compete my range qualifications in April 2016. The chief deputy allowed me to stay employed as he knew I was going to retire at the end of the year. If he hadn't allowed me to stay, I would have been given a fitness for duty evaluation. Which I would not have been able to pass because of the pain I was experiencing. As I stated before CDCR does not include fire camp duties in their essential functions form.

Please take into consideration Doctor Moller's document that I'm unable to perform my duties. It is also in my medical file that I settled with Work comp on my disabilities. They agreed I was disabled and gave me a cash settlement. I have to take 14 pain meds a day to help with the pain. I lose feeling in my arms all day and have constant pain in my back and arms.

Thank you for your time and consideration in this matter

Michael Hampton <mikechampton@comcast.net>

To Michael Hampton <mikechampton@comcast.net>

5/16/2020 4:54 PM

Sent from my iPhone

4:25 PM

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DAVID JEFFREY MOLLER MD

May 5, 2020

To: MICHAEL HAMPTON

May 5, 2020

Michael C Hampton

[redacted]

To whom it may concern,

Michael C Hampton has a medical condition, with mild cord compression and neural foraminal narrowing causing cervical spondylotic radiculopathy. He is very symptomatic from the cervical radiculopathy and unable to perform his regular job duties. I have recommend Anterior Cervical Discectomy and Fusion 2-3 levels to surgical treat this condition.

Sincerely,

DAVID JEFFREY MOLLER MD

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