

1 **WORKERS' COMPENSATION APPEALS BOARD**
2 **STATE OF CALIFORNIA**

3
4 **JACQUELINE FINCH,**

5 *Applicant,*

6 vs.

7 **CHICOS; HARTFORD ACCIDENT &**
8 **INDEMNITY COMPANY, administered by**
9 **BROADSPIRE; DIR RETURN TO WORK**
10 **SUPPLEMENTAL PROGRAM,**

11 *Defendants.*

Case No. **ADJ10123459**
(Stockton District Office)

OPINION AND DECISION
AFTER RECONSIDERATION

12 We previously granted reconsideration to provide an opportunity to further study the legal and
13 factual issues raised by the Petition for Reconsideration filed by applicant Jacqueline Finch. This is our
14 Opinion and Decision After Reconsideration.

15 Applicant seeks reconsideration of the Findings and Order issued by the workers' compensation
16 administrative law judge (WCJ) on May 11, 2018. The WCJ found, in pertinent part, that no legitimate
17 Supplemental Job Displacement Benefit (SJDB) voucher issued and, therefore, applicant never became
18 eligible to participate in the Return to Work Supplemental Program (RTWSP).

19 Applicant contends that (1) she received a SJDB voucher and is therefore entitled to RTWSP
20 benefits, (2) the WCJ impermissibly considered the value of the SJDB voucher to deny her RTWSP
21 benefits, and (3) the WCJ erred in finding that the parties stipulated that applicant would receive a SJDB
22 voucher that had no inherent value.

23 We received an Answer from RTWSP. RTWSP contends that applicant received an invalid
24 SJDB voucher and, therefore, was not eligible for RTWSP benefits.

25 We received a Report and Recommendation on Petition for Reconsideration (WCJ's Report) from
26 the WCJ recommending that the Petition be denied.

27 We have considered the allegations of the Petition, Answer, and the contents of the WCJ's
Report. Based on our review of the record and, as discussed below, we adopt and incorporate the WCJ's

1 Report and affirm the Findings and Order.

2 Accordingly, we affirm the May 11, 2018 Findings and Order.

3 For the foregoing reasons,

4 **IT IS ORDERED** as the Decision After Reconsideration of the Workers' Compensation Appeals
5 Board, that the Findings and Order issued by the workers' compensation administrative law judge on
6 May 11, 2018 is **AFFIRMED**.

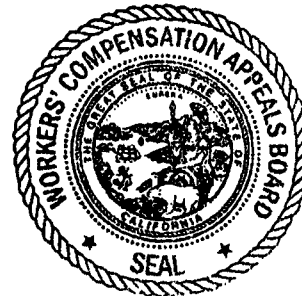
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8 **WORKERS' COMPENSATION APPEALS BOARD**

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11 /s/ MARGUERITE SWEENEY, COMMISSIONER

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13 **I CONCUR,**

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15 /s/ JOSÉ H. RAZO, COMMISSIONER

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18 /s/ KATHERINE ZALEWSKI, CHAIR



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21 **DATED AND FILED AT SAN FRANCISCO, CALIFORNIA**

22 **JUNE 17, 2020**

23 **SERVICE MADE ON THE ABOVE DATE ON THE PERSONS LISTED BELOW AT THEIR**
24 **ADDRESSES SHOWN ON THE CURRENT OFFICIAL ADDRESS RECORD.**

25 **JACQUELINE FINCH**
26 **LAW OFFICES OF JESSE L. ALEXANDER III**
OFFICE OF THE DIRECTOR – LEGAL UNIT

27 **LSM/bea**

FINCH, Jacqueline