

International Association of Firefighters Local 2067 P.O. Box 300 Norman, OK 73070

Norman Professional Firefighters

Butch Crawford, President

Dennis Mitchell, Secretary/Treasurer

DATE: October 2, 2009

TO: James Fullingim

FROM: Butch Crawford, President IAFF 2067

SUBJECT: Grievance (Violation of CBA and State Law)

The facts of these issues as known to the Union are that this Firefighter was sent home for a heart related disability that the City claims prevents him from working. The Firefighter was placed on sick leave instead of disability leave.

The Unions position is this Firefighter is not disabled as having no competent medical finding that he is, and if it turns out he is disabled from a heart condition, it should be injury leave. This would be in accordance with state law, pension and workers compensation. The CBA authorizes the same benefits as state law for "injuries" or "Diseases" incurred in the line of duty!

This grievance is forwarded to the Fire Chief on behalf of Tim Terril (Driver) as per Article 8 section 1 step 2 of the Collective Bargaining Agreement FYE-09-10.

This grievance is being filed on behalf of the above-mentioned Firefighter for being denied 'On the Job' accident leave pay and benefits in accordance with Oklahoma State Statues and the Collective Bargaining Contract.

The solution is a 'make whole' remedy restoring all leave and benefits used that relate to this Injury Leave issue and to compensate all back pay due in accordance with applicable State Laws and the CBA and return the Firefighter to active duty until a competent medical Doctor has examined him.

According to the Collective Bargaining Agreement you have 5 days (excluding Saturdays, Sundays, and Holidays) from receipt to render your decision. I will be happy to consult with you on this matter at your convenience.

Cc:

Gala Hicks, Human Relations Director
Jeff Bryant, City Attorney
Jim Moore, IAFF Counsel