




office memorandum

Date: November 10, 2009
To: Butch Crawford, President, IAFF 2067
From: Steve Lewis, City Manager 
Subject: IAFF Grievance Response – T. Terril

I have received and reviewed a grievance concerning Tim Terril's use of sick leave for a heart abnormality. In short, the grievance contends that Firefighter Terril should not have been placed on sick leave while obtaining a second opinion regarding a borderline enlarged heart discovered during a HAZMAT physical. The solution set forth in the grievance is a "make whole remedy" which requires restoration of all leave and benefits used while Firefighter Terril sought a second opinion, back pay, and return to active duty "until a competent medical Doctor has examined him."

The decision to place Firefighter Terril on sick leave while he obtained a second opinion regarding a borderline enlarged heart discovered during a HAZMAT physical was made on September 14, 2009. Firefighter Terril subsequently provided information from his personal physician which shows that he is fit for duty, and thus he has resumed his normal work duties with the City.

I have spoken with Chief Fullingim about the issues raised in the grievance and we are in agreement as to how it should be resolved. The sick leave that Firefighter Terril used while seeking an opinion from his personal physician will be converted to administrative leave. Because Firefighter Terril was paid during the time he sought a second opinion and has returned to work, the requests that he receive back pay and be returned to active duty are moot.

If you have any additional concerns, please feel free to contact me. If you believe that further action is warranted, please consult the City/IAFF CBA for any additional rights you may have.

cc: James Fullingim, Fire Chief
Gala Hicks, Director of Human Resources
Rickey J. Knighton II, Assistant City Attorney
Rebecca Frazier, Assistant City Attorney