

# Public Safety Labor News

Index

January - December 1994

DESCRIPTION	CASE CITATION	ISSUE
<b><i>The ADA</i></b>		
Court rules that retired Chicago firefighter may bring ADA claim.	<i>Bell v. Retirement Board</i> , 2 AD Cases 1425 (N.D.Ill. 1993)	March
Department of justice sues Illinois retirement system.	No case citation.	October
Failure of medical examination does not equate to disability.	<i>City of Pittsburgh v. Pennsylvania Human Relations Commission</i> , 2 AD Cases 1623 (Pa.Cmwlt. 1993)	December
ADA not applied retroactively.	<i>O'Bryant v. City of Midland</i> , 3 AD Cases 126 (W.D.Tx. 1993) aff'd 3 AD Cases 128 (5th Cir. 1993)	December
Personality disorder does not amount to mental condition.	<i>Roulette v. Illinois Human Rights Commission</i> , 2 AD Cases 1741 (Ill.App. 1993)	December
Petaluma sends Doobie Brother rolling down the highway.	No case citation.	May
<b><i>Attendance</i></b>		
Workers' compensation injury causes loss of perfect attendance bonus for firefighters.	<i>City of Warren, Ohio and International Association of Fire Fighters, Local 204</i> , LAIG 4792 (Fullmer, 1993)	February
<b><i>Blue Flu</i></b>		
Anaheim police stage blue flu.	No case citation.	May
<b><i>Call-Back Pay</i></b>		
Fire captains and chiefs not entitled to call-back pay for Hurricane Andrew.	<i>Metropolitan Dade County, Florida and Dade County Association of Fire Fighters, Local 1403</i> (Pitruzzello, 1993)	February
<b><i>Civil Lawsuits</i></b>		
Falsely accusing secret service agent of homosexuality not defamation.	<i>Buendorf v. National Public Radio, Inc.</i> , 882 F.Supp. 6 (D.D.C. 1993)	June
Police union president "public official" for purposes of defamation lawsuit.	<i>Stuart v. Porcello</i> , 603 N.Y.S.2d 597 (A.D. 1993)	October
<b><i>Civilianization</i></b>		
State patrol not allowed to decommission vehicle identification positions.	<i>Washington State Patrol Troopers Association and Washington State Patrol</i> (Gaunt, 1994)(unreported decision)	December
<b><i>Classification</i></b>		
Fire lieutenants not supervisors or managers.	<i>Village of Elk Grove Village v. Illinois State Labor Relations Board</i> , 613 N.E.2d 311 (Ill.App. 1993)	July
Sergeants not supervisors.	<i>County of McLeod v. Law Enforcement Labor Services</i> , 499 N.W.2d 518 (Minn.App. 1993)	August
<b><i>Clothing Allowance</i></b>		
City not required to pay clothing allowance for first 90 days of assignment.	<i>City of New Haven and American Federation of State, County and Municipal Employees, Local 530</i> , 100 LA 22 (Freedman, 1992)	May
<b><i>Collective Bargaining</i></b>		
City not allowed to bar union's industrial hygienist from police department.	<i>City of New Haven</i> , 16 NPER CT-25020 (Conn. SBLR 1993)	October
Police officers allowed to sleep on vacation.	<i>Village of Hales Corner and Wisconsin Professional Police Association</i> , 100 LA 789 (Krinsky, 1992)	March
Federal court refuses to interpret law barring Connecticut's special deputies from bargaining.	<i>Lajoie v. Connecticut State Board of Labor Relations</i> , 837 F.Supp. 34 (D.Conn. 1993)	October
Union discovers true meaning of proposal during oral argument before Supreme Court.	<i>La Crosse County v. Wisconsin Employment Relations Commission</i> , 508 N.W.2d 9 (Wis. 1993)	July
Arbitrator selects city's offer in police interest arbitration.	<i>City of West Bend and the Labor Association of Wisconsin</i> , 100 LA 1118 (Gill, 1993)	January

DESCRIPTION	CASE CITATION	ISSUE
San Antonio's park rangers are not policemen for bargaining purposes.	<i>City of San Antonio v. San Antonio Park Rangers Association</i> , 850 S.W.2d 189 (Tex.App. 1992)	January
<b>Compensation</b>		
Light-duty officers entitled to premium pay.	<i>City of Providence, Rhode Island and Providence Federation of Police, Lodge 3</i> , LAIG 4893 (Ellis, 1994)	September
<b>Composition Of Bargaining Unit</b>		
Decisions handed down on composition of fire, police bargaining units.	<i>City of Sunrise</i> , 16 NPER FL-24138 (Fla. PERC 1993); <i>Panama City-Bay County Regional Airport Authority</i> , 16 NPER FL-24137 (Fla. PERC 1993); and <i>Township of Pennsauken</i> , 16 NPER NJ-24191 (N.J. PERC Representation Director 1993)	February
<b>Contracts</b>		
Town's untimely reopener results in contract extension, cost-of-living raise for firefighters.	<i>Town of Hartford, Vermont and Hartford Career Fire Fighters, IAFF, Local 2905</i> , LAIG 4815 (Horowitz, 1993)	February
Staffing regulation in fire department has same binding effect as contract.	<i>City of Reading, Pennsylvania and International Association of Fire Fighters, Local 1803</i> , LAIG 4895 (Kasher, 1993)	August
<b>Court Time</b>		
Officers entitled to overtime pay during lunch hours at court.	<i>Howard County, Maryland and Howard County Police Officers Association, Local 86, IUPA</i> (Herbert Fishgold, 1989)(unreported decision)	February
<b>Disability</b>		
Department not allowed to restrict duties of firefighter with hepatitis.	<i>Roe v. District of Columbia</i> , 2 AD Cases 1632 (D.D.C. 1993)	November
Employer cannot claim that employee is both disabled and not disabled.	<i>Kohut v. Workmen's Compensation Appeal Board</i> , 621 A.2d 1101 (Pa.Cmwlt. 1993)	January
<b>Discipline</b>		
"Male masculinity" intimidation charge results in discipline for untruthfulness.	<i>City of Houston, Texas and Houston Police Patrolmen's Union</i> , LAIG 4848 (Sherman, 1993)	August
Fire department not allowed to eliminate board of inquiry.	<i>City of Henderson, Nevada and International Association of Fire Fighters, Local 1883</i> , LAIG 4898 (Kaufman, 1994)	October
City not allowed to place officer on probation.	<i>City of Seven Hills and Ohio Patrolmen's Benevolent Association</i> , 100 LA 1080 (Weisheit, 1993)	January
Frustrated fire inspector earns reprimand for angry exchange.	<i>Town of Windsor, Connecticut</i> , LAIG 4798 (Staley, 1993)	February
Three-day suspension for running car into post.	<i>Ramsey County, Minnesota Sheriff's Department and Minnesota Teamsters Public and Law Enforcement Union</i> , 100 LA 209 (Gallagher, 1992)	February
Fire code inspector properly discharged.	<i>Town of Southington, Connecticut</i> , 100 LA 67 (Halpern, 1992)	February
Discharge too harsh a penalty for insubordination.	<i>City of Stamford, Connecticut and Stamford Police Association</i> , LAIG 4797 (Pittocco, 1993)	February
Profanity not inconsistent with being a detective.	<i>Southern California Rapid Transit District and Transit Police Officers Association</i> , 100 LA 701 (Brisco, 1992)	March
"Jungle" comment earns written reprimand.	<i>City of Ansonia and International Brotherhood of Police Officers, Local 457</i> , 100 LA 123 (Stewart, 1992)	March
Arbitrator reverses officer's suspension for barnyard description of judge's decision.	<i>City of San Antonio, Texas and San Antonio Police Officers' Association</i> , LAIG 4814 (Wolitz, 1993)	April
Suspension for untruthfulness and divulging secrets reversed; personal use of village's computer merits reprimand.	<i>Village of Romeo and American Federation of State, County and Municipal Employees</i> , LAIG 4838 (Glendon, 1993)	April
Firefighter "digs own grave" with comments to ex-girlfriend.	<i>City of Duncanville, Texas</i> , 100 LA 795 (Allen, 1993)	April
Accident review board procedures criticized.	<i>City of Oklahoma City</i> , 100 LA 1183 (Woolf, 1993)	April
Officer indefinitely suspended for off-duty accident.	<i>City of Houston and Houston Police Patrolmen's Union</i> , LAIG 4834 (Ruiz, 1993)	April
Arbitrator reverses suspension of corrections officer who incited work stoppage.	<i>City of Folsom and Folsom Correctional Officers Association</i> , LAIG 4830 (Concepcion, 1993)	May
Officer injured on trip home can be disciplined, but cannot be forced to use sick leave.	<i>City of Philadelphia and Fraternal Order of Police, Lodge 5</i> , LAIG 4835 (Lang, 1993)	May
Arbitrator reverses reprimand for videotaping of gang initiation by detectives.	<i>King County and King County Police Officers' Association</i> , (Ennis, 1993)	May
Arbitrator reverses firing of officer who stopped council member's son.	Reported in <i>The Labor Beat</i> , published by Carroll, Burdick & McDonough (1st Quarter, 1994).	May
Arbitrator believes deputy more credible than inmate.	<i>Lane County, Oregon and Lane County Peace Officers' Association</i> (Edwards, 1993)(unreported decision)	June

DESCRIPTION	CASE CITATION	ISSUE
Suspensions not allowed for writing letter to editor.	<i>Michigan Department of Corrections and American Federation of State, County and Municipal Employees</i> , LAIG 4867 (Chiesa, 1993)	July
Firefighter who loses license pending criminal charges not subject to unpaid suspension.	<i>City of Reno, Nevada and International Association of Fire Fighters, Local 731</i> , LAIG 4878 (Bogue, 1993)	July
Discharge upheld for soliciting prostitution.	<i>El Paso County, Texas Sheriff's Department and El Paso County Deputy Sheriff's Association</i> , 93-2 ARB ¶3404 (Moore, 1993)	July
Bizarre Pennsylvania state police case comes to close.	<i>Pennsylvania State Police v. Pennsylvania State Troopers' Association</i> , 633 A.2d 1278 (Pa.Cmwlth. 1993)	August
Guilty plea plus sentence does not equal conviction.	<i>Michigan Department of Corrections and Michigan Corrections Association</i> , LAIG 4884 (Girolamo, 1993)	August
Policy of automatic discharge for untruthfulness upheld.	<i>City of Las Vegas, Nevada and Las Vegas Police Protective Association</i> , LAIG 4869 (Hardbeck, 1993)	September
No "early leave" policy for DWI unit.	<i>City of Houston, Texas</i> , LAIG 4891 (Morgan, 1993)	September
Arbitrator rejects "sex addict" defense but reinstates trooper who had sex with explorer scout.	<i>Washington State Patrol and Washington State Patrol Troopers Association</i> (Lankford, 1994)(unreported decision)	September
Two separate days of work without tie merits a single reprimand.	<i>Lake County, Illinois Sheriff's Department</i> , LAIG 4880 (Nathan, 1993)	September
Sergeant's order protecting officer involved in shooting cannot be basis for discipline; criticism of "white shirts" inappropriate.	<i>Younkers v. Prince George's County</i> , 733 A.2d 861 (Md. 1993)	October
Polygraph not reliable enough for termination decision.	<i>City of Plano, Texas</i> , LAIG 4888 (McKee, 1993)	October
"Slide time" results in discipline.	<i>Detroit, Michigan Police Department and Detroit Police Lieutenants and Sergeants Association</i> , LAIG 4900 (Knott, 1993)	October
Suggestion that lieutenant could "kiss my ass" does not amount to insubordination.	<i>City of Houston, Texas and C.L.E.A.T.</i> , LAIG 4851 (Barron, 1993)	October
Twenty-second absence from work not basis for discharge.	<i>Perry County v. PLRB</i> , 634 A.2d 808 (Pa.Cmwlth. 1993)	October
Denial of union representation leads to reversal of discharge.	<i>Delaware County and Delaware County Prison Employees</i> , LAIG 4897 (Aronin, 1993)	October
Paying gambling debts to inmates with cigarettes results in loss of corrections officer's job.	<i>Bowden v. Bayside State Prison</i> , 633 A.2d 577 (N.J. Super. A.D. 1993)	November
Playing cards with inmates basis for discharge.	<i>Nye County and Nye County Law Enforcement Association</i> , LAIG 4904 (Staudohar, 1993)	November
Troopers association allowed to review "administrative insights" into proposed discipline.	<i>Washington State Patrol Troopers Association v. State of Washington</i> , Decision 4710 (Wash. PERC Hearing Examiner 1994)	November
Suspension for throwing rock at another firefighter overturned.	<i>City of Chicago and Chicago Fire Fighters Union</i> , LAIG 4945 (Cox, 1994)	November
Firefighter's off-duty DWI offenses cost him his job.	<i>City of Chillicothe and American Federation of State, County and Municipal Employees</i> , LAIG 4942 (Duda, 1994)	November
Reinstatement ordered for officer accused of having sex on duty.	<i>Town of Silver City v. Garcia</i> , 857 P.2d 28 (N.M. 1993)	December
Evidence of illegal search "so thin that it requires culling with a strainer."	<i>City of Pittsburg and Pittsburg Police Officers Association</i> (Bridgewater, 1994), reported in <i>The Labor Beat</i> , published by Carroll, Burdick & McDonough (October, 1994).	December
Arbitrator holds deputy has straight penis; orders reinstatement with back pay.	<i>Washington County, Oregon and Washington County Police Officers' Association</i> (Tinning, 1994)(unreported decision)	October
Arbitrator reverses suspension for sexual comment.	<i>City of Spokane, Washington and Spokane Police Officers' Guild</i> (Gaunt, 1993)(unreported decision)	May
<b>Discrimination</b>		
Age discrimination exemption stalls in United States Senate.	No case citation.	July
Consolidated police agency not entitled to age discrimination exemption.	<i>Gately v. Massachusetts</i> , 62 FEP Cases 1033 (1st Cir. 1993)	April
State police promotional gender discrimination claims rejected.	<i>Vermont Public Safety Department</i> , 100 LA 370 (Toepfer, 1993)	April
<b>Drug Testing</b>		
Federal court upholds drug tests of cadets.	<i>Feliciano v. City of Cleveland</i> , 988 F.2d 649 (6th Cir. 1993)	January
City had reasonable suspicion to order drug test.	<i>City of Philadelphia, Pennsylvania and Fraternal Order of Police, Lodge 5</i> , LAIG 4817 (DiLauro, 1993)	February
City's drug test null and void.	<i>City of Galveston, Texas</i> , LAIG 4824 (Youngblood, 1993)	February
Involvement in drug deal constitutes reasonable suspicion for drug test.	<i>Rawlings v. Jersey City Police Department</i> , 8 IER Cases 1136 (N.J.S.Ct. 1993)	May
If urine test for drugs used, hair test must be allowed into evidence.	<i>Bass v. Florida Department of Law Enforcement</i> , 9 IER Cases 153 (Fla.App. 1993)	November
Hair length, personal problems lead to termination of firefighter.	<i>Browning v. City of Odessa, Texas</i> , 990 F.2d 842 (5th Cir. 1993)	January

DESCRIPTION	CASE CITATION	ISSUE
<b>Due Process</b>		
Eight days not enough to prepare for termination hearing.	<i>City of Mitchell v. Graves</i> , 612 N.E.2d 149 (Ind.App. 1993)	January
PERC has no special expertise on willfulness of off-duty violation.	<i>Crawley v. Department of Highway Safety and Motor Vehicles</i> , 616 So.2d 1061 (Fla.App. 1993)	January
Police chief wins back his job.	<i>Maxe v. Smith</i> , 823 F.Supp. 1321 (N.D.Miss. 1993)	June
Court upholds firing of police chief; rejects property and liberty right claims.	<i>Binkley v. City of Long Beach</i> , 20 Cal.Rptr.2d 903 (Cal.App. 1993)	July
Idaho state trooper has property right to job.	<i>Arzen v. State of Idaho</i> , 854 P.2d 242 (Idaho 1993)	August
Destruction of video tape violates officer's due process rights.	<i>DiCaprio v. Trzaskos</i> , 610 N.Y.S.2d 395 (A.D. 1994)	December
New York opts not to use exclusionary rule in discipline cases.	<i>Boyd v. Constantine</i> , 597 N.Y.S.2d 605 (Ct.App. 1993)	September
No due process right for disabled officer to return to job.	<i>Buttitta v. City of Chicago</i> , 9 F.3rd 1198 (7th Cir. 1993)	August
Federal court decides significant free speech, due process case.	<i>McDonald v. City of Freeport</i> , 8 IER Cases 1634 (S.D.Tex. 1993)	March
Firefighter's due process, free speech rights not linked; right to sue exists even if no due process violations.	<i>Sundstrom v. Village of Arlington Heights</i> , 826 F.Supp. 1143 (N.D.Ill 1993)	September
Marshal told to leave town.	<i>Mauke v. Town of Dune Acres</i> , 835 F.Supp. 468 (N.D.Ind. 1993)	September
<b>Equal Pay</b>		
Female deputy loses Equal Pay Act case.	<i>Irby v. Bittick</i> , 1 WH Cases2d 1137 (M.D.Ga. 1993)	August
<b>Fair Share System</b>		
Court approves of "fair share" system.	<i>Grunwald v. San Bernadino City Unified School District</i> , 994 F.2d 1370 (9th Cir. 1993)	June
Ohio court sets guidelines for unions affiliated with national organizations.	<i>Reese v. City of Columbus</i> , 826 F.Supp. 1115 (S.D.Ohio 1993)	September
<b>Firefighter's Rule</b>		
Shot officer not entitled to bring lawsuit.	<i>Orozco v. County of Yolo</i> , 814 F.Supp. 885 (E.D.Cal. 1993)	March
Firefighter's rule limited in New Hampshire.	<i>Gould v. George Brox, Inc.</i> , 623 A.2d 1325 (N.H. 1993)	January
Firefighter's rule narrowed.	<i>Gray v. Russell</i> , 853 S.W.2d 928 (Mo. 1993); <i>Donahue v. San Francisco Housing Authority</i> , 20 Cal.Rptr.2d 148 (Cal.App. 1993)	May
New Jersey repeals firefighter's rule.	No case citation.	August
<b>The FLSA</b>		
K-9 lawsuit yields \$300,000 jury verdict.	No case citation.	January
University police not covered by 7(k) exemption.	<i>Adams v. Pittsburgh State University</i> , 832 F.Supp. 371 (D.Kan. 1996)	March
Arbitrator decides meal period case in favor of new employees.	<i>City of Long Beach and Long Beach Police Officers Association</i> , 100 LA 267 (Brisco, 1992)	April
Canine officers entitled to pay for commuting.	<i>Graham v. City of Chicago</i> , 828 F.Supp. 576 (N.D. Ill. 1993); <i>Reich v. New York City Transit Authority</i> , 1 WH Cases2d 1297 (E.D.N.Y. 1993)	November
7(k) exemption not automatic.	<i>Maldonado v. Admin. De Correccion</i> , 1 WH Cases2d 913 (D.P.R. 1993)	May
Paramedic eligible for 7(k) exemption.	<i>Alexander v. Kansas City, Kansas</i> , 1 WH Cases2d 1117 (D.Kan. 1993)	September
<b>Freedom Of Association</b>		
Ban on sexual relationship with ex-felon struck down.	<i>Reuter v. Skipper</i> , 8 IER Cases 1356 (D.C. Or. 1993)	April
<b>Freedom Of Speech</b>		
Sheriff's association president files First Amendment lawsuit against Sheriff.	Reported in <i>The Labor Beat</i> , published by Carroll, Burdick & McDonough (1st Quarter, 1994).	August
Federal court decides significant free speech, due process case.	<i>McDonald v. City of Freeport</i> , 8 IER Cases 1634 (S.D.Tex. 1993)	March
Firefighter's due process, free speech rights not linked; right to sue exists even if no due process violations.	<i>Sundstrom v. Village of Arlington Heights</i> , 826 F.Supp. 1143 (N.D.Ill 1993)	September
Firefighters' safety, hiring comments to city council not protected speech.	<i>Shands v. City of Kennett</i> , 933 F.2d 1337 (8th Cir. 1993)	July
Off-duty telephone conversation about stolen lawnmower could be protected speech.	<i>Glass v. Dachel</i> , 2 F.3rd 733 (7th Cir. 1993)	August
Police Chief required to pay officer damages of \$82,760.	<i>Draghetti v. Chmielewski</i> , 626 N.E.2d 862 (Mass. 1994)	December
Officer's silence and dog's bark do not constitute protected speech.	<i>Mylett v. Mullican</i> , 992 F.2d 1347 (5th Cir. 1993)	June
Court upholds solicitation ban covering law enforcement organizations.	<i>Auburn Police Union v. Carpenter</i> , 8 F.3rd 886 (1st Cir. 1993)	August

DESCRIPTION	CASE CITATION	ISSUE
<b><i>Grievance Procedures</i></b>		
Retired employee required to use grievance procedure.	<i>Miller v. County of Broome</i> , 610 N.Y.S.2d 339 (A.D. 1994)	December
Union can grieve promotion to deputy chief.	<i>Borough of Naugatuck</i> , 100 LA 774 (Stewart, 1993)	April
<b><i>Grooming Codes</i></b>		
Border patrol agent allowed to grow beard.	<i>Immigration and Naturalization Service and American Federation of Government Employees</i> , 100 LA 1085 (Rezler, 1993)	March
Atlanta firefighters lost PFB case; must shave beards to keep jobs.	<i>Fitzpatrick v. City of Atlanta</i> , 2 AD Cases 1271 (11th Cir. 1993)	September
<b><i>Health Insurance</i></b>		
Firefighters' health insurance benefits grievance not arbitrable.	<i>Council Bluffs Association of Professional Fire Fighters v. City of Council Bluffs</i> , 497 N.W.2d 175 (IowaApp. 1992)	January
Prescription drug change does not violate contract.	<i>Platt County, Illinois Sheriff's Department</i> , 100 LA 478 (Nathan, 1992)	February
Insurance policy controls coverage, not promotional literature.	<i>City of Cleveland, Ohio and Cleveland Police Patrolmen's Association</i> , LAIG 4896 (Curry, 1993)	October
City not allowed to designate firefighter's doctor.	<i>City of York, Pennsylvania and IAFF</i> , LAIG 4953 (Wolf, 1994)	November
City has right to cancel insurance for vested-but-not-retired former firefighters.	<i>City of Miami and Miami Association of Firefighters</i> , LAIG 4954 (Crane, 1994)	November
Firefighter retirees required to pay increased portion of retiree medical insurance.	<i>Trochelman v. Village of Maywood</i> , 631 N.E.2d 334 (Ill.App. 1994)	December
<b><i>Hiring</i></b>		
County v. Sheriff; county wins.	<i>Wayne County v. Herrin</i> , 437 S.E.2d 793 (Ga.App. 1993)	October
<b><i>Holiday Pay</i></b>		
Officers entitled to time and one-half of time and one-half.	<i>City of Tacoma, Washington and Tacoma Police Union</i> , LAIG 4825 (Henner, 1993)	May
<b><i>Hours Of Work</i></b>		
Deputy entitled to call-back pay for prosecutor's phone call.	<i>County of Kalamazoo and Kalamazoo County Sheriff Deputies Association</i> (Roumell, 1993)(unreported decision)	January
Rounding of hours not allowed.	<i>Michigan Department of Corrections and Michigan Corrections Organization</i> , LAIG 4814 (Groty, 1993)	February
STAND unit hours of work struck down.	No case citation.	April
City not allowed to cancel firefighters' trade days.	<i>City of McKeesport and McKeesport City Firefighters</i> , LAIG 4934 (Stoltenberg, 1993)	November
<b><i>Improper Termination</i></b>		
Arbitrator cites sanctity of employee assistance program in reinstating fired officer.	<i>City of Allentown</i> , 100 LA 592 (DiLauro, 1992)	February
<b><i>Leave Benefits</i></b>		
Vacation accrual continues during workers' compensation leave.	<i>City of North Tonawanda, New York and North Tonawanda Police Benevolent Association</i> , LAIG 4936 (Markowitz, 1993)	November
<b><i>Licensing</i></b>		
City has right to enforce state firefighter licensing requirement.	<i>City of Reno, Nevada and Reno Firefighters' Association</i> , 93-2 ARB ¶3370 (Randall, 1992)	June
<b><i>Management Rights</i></b>		
Employer allowed to reserve positions for female deputies.	<i>Will County, Illinois Sheriff's Department and American Federation of State, County and Municipal Employees</i> , LAIG 4932 (Briggs, 1993)	December
<b><i>Off-Duty Employment</i></b>		
Basketball coaching interferes with detective's work responsibilities.	<i>XVI Oregon LLD 8</i> (March, 1994)	September
<b><i>Overtime</i></b>		
Arbitrator rejects sergeant's overtime grievance.	<i>Town of North Haven and American Federation of State, County &amp; Municipal Employees</i> , 100 LA 923 (Cain, 1993)	January
Rodney King verdict costs Kalamazoo overtime.	<i>City of Kalamazoo, Michigan and Kalamazoo Police Officers Association</i> , LAIG 4796 (Kahn, 1993)	February

DESCRIPTION	CASE CITATION	ISSUE
Arbitrator orders interest on past due overtime.	<i>City of Hamtramck, Michigan and Hamtramck Order of Police and Hamtramck Ranking Police Officers Association</i> , LAIG 4809 (Kanner, 1993)	March
Officers not entitled to overtime for St. Patrick's Day parade.	<i>Queen City Lodge #69, Fraternal Order of Police and City of Cincinnati, Ohio</i> , 93-2 ARB ¶3412 (Wilson, 1993)	June
Trooper, investigators and supervisors entitled overtime under state law.	<i>Welch v. Constantine</i> , 1 WH Cases2d 927 (N.Y.A.D. 1993)	June
San Antonio fiesta – two arbitrators, different results.	<i>City of San Antonio and San Antonio Police Officers' Association</i> , LAIG 4861 (Goodstein, 1993); <i>City of San Antonio, Texas and San Antonio Police Officers' Association</i> , LAIG 4862 (Weisbrod, 1993)	July
Employer not liable for voluntary overtime.	<i>Triborough Bridge and Tunnel Authority and TBTA Superior Officers Benevolent Association</i> , LAIG 4892 (Nicolau, 1993)	July
Officers entitled to overtime pay during lunch hours at court.	<i>Howard County, Maryland and Howard County Police Officers Association, Local 86, IUPA</i> (Fishgold, 1989)(unreported decision)	February
<b>Past Practice</b>		
Former chief's testimony helps FOP win case.	<i>City of Fort Thomas, Kentucky and Fraternal Order of Police</i> , LAIG 4912 (Duff, 1994)	November
<b>Pension &amp; Benefits</b>		
Retired firefighter allowed to participate in wellness plan.	<i>Town of East Hartford, Connecticut and IAFF, Local 1548</i> , 93-2 ARB ¶3388 (Orlando, 1993)	August
<b>Personnel Files</b>		
Personnel file protected against access by police officer's widow.	<i>Zarn v. City of New York</i> , 603 N.Y.S.2d 503 (A.D. 1993)	October
Employer not allowed to maintain non-duplicate personnel files.	<i>Town of Plymouth and Plymouth Police Brotherhood</i> , LAIG 4947 (Wooters, 1994)	November
Newspaper entitled to polygraph results on police applicants.	<i>State of Ohio v. City of Lorain</i> 9 IER Cases 443 (OhioApp. 1993)	November
<b>Politics</b>		
Fire Chief cannot order political materials removed from union bulletin board.	<i>Midwest City, Oklahoma Fire Department and International Association of Fire Fighters, Local 2066</i> , 100 LA 137 (Neas, 1992)	February
Statute can ban state employees from running for elective office.	<i>Fernandez v. State Personnel Board</i> , 852 P.2d 1223 (Ariz.App. 1992)	March
Police Chief loses fight to run for public office.	<i>Naccarati v. Wilkins Township, Pennsylvania</i> , 846 F.Supp. 405 (W.D.Pa. 1993)	December
<b>Promotions</b>		
City allowed to prorate leave accruals based upon date of promotion.	<i>City of Garden City and Command Officers Association of Michigan</i> , LAIG 4908 (Roumell, 1994)	November
City does not have right to institute promotional probationary period for firefighters.	<i>Village of Streamwood and International Association of Fire Fighters, Local 3022</i> , 94-1 ARB ¶4190 (Kossof, 1993)	December
<b>Property Rights</b>		
No property right in acting lieutenant's position.	<i>Ferros v. Georgia State Patrol</i> , 438 S.E.2d 163 (Ga.App. 1993)	September
Sick leave not a property right entitled to constitutional protection.	<i>Danese v. Knox</i> , 827 F.Supp. 185 (S.D.N.Y.)	September
<b>Right To Bear Arms</b>		
Employer cannot control whether deputies carry concealed firearms off duty.	<i>Orange County Employee's Association v. County of Orange</i> , 17 Cal.Rptr.2d 695 (Cal.App. 1993)	July
<b>Right To Privacy</b>		
Dispatcher had no expectation of privacy in personal phone calls.	<i>Hart v. Clearfield City, Davis County</i> , 815 F.Supp. 1544 (D.Utah 1993)	January
Seniority overrides couple's married status.	<i>Granite City Police Department and American Federation of State, County &amp; Municipal Employees, Locals 1347 &amp; 3405</i> , 100 LA 41 (Traynor, 1992)	March
IRS agents' names protected from discovery.	<i>Small v. IRS</i> , 820 F.Supp. 163 (D.N.J. 1992)	July
Convicted felon not entitled to personnel files of DEA agents.	<i>Beck v. Department of Justice</i> , 997 F.2d 1489 (D.C.Cir. 1993)	September
<b>Seniority</b>		
Firefighter loses seniority for time spent as fire inspector.	<i>City of Dearborn, Michigan and IAFF Local 412</i> , LAIG (Grinstead, 1993)	February

DESCRIPTION	CASE CITATION	ISSUE
Fire department not allowed to bypass senior employee for hazardous materials team assignment.	<i>City of Hialeah and International Association of Fire Fighters, Local 1102</i> , LAIG 4911 (Camp, 1994)	November
Employer allowed to reserve two positions on shift for EMT's.	<i>Town of South Hadley, Massachusetts and International Brotherhood of Police Officers</i> , LAIG 4938 (Grossman, 1993)	November
Seniority v. ADA; Seniority prevails.	<i>Clark County Sheriff's Dept.</i> , 102 LA 193 (Kindig, 1994)	November
<b>Shift Scheduling</b>		
Firefighter allowed to swap shifts to be away from work for two months.	<i>City of Norwich</i> , 100 LA 1013 (Stewart, 1993)	January
Arbitrator defines "operating needs"; overturns State Patrol's denial of shift trade.	<i>Washington State Patrol Troopers Association and Washington State Patrol</i> (Gaunt, 1994)(unreported decision)	April
<b>Sick Leave</b>		
Sick relatives must stay at home.	<i>Town of Farmington and IBPO</i> , 100 LA 295 (Cain, 1992)	March
Sick leave not allowed for attendance at workers' compensation hearing.	<i>Dutchess County, New York and Civil Service Employees Association</i> , LAIG 4819 (Rice, 1993)	April
Firefighter must use sick leave for stress debriefing.	<i>Town of Fairhaven and Fairhaven Firefighters Association</i> , LAIG 4868 (Kennedy, 1993)	July
<b>Smoking</b>		
City's ban on new-hire smoking struck down.	<i>Kurtz v. City of North Miami</i> , 8 IER Cases 1611 (Fla. Ct. App. 1993)	March
<b>Solicitation Of Funds</b>		
Court upholds solicitation ban covering law enforcement organizations.	<i>Auburn Police Union v. Carpenter</i> , 8 F.3rd 886 (1st Cir. 1993)	August
<b>Staffing Levels</b>		
Low staffing leads to OSHA violation.	<i>City of Canby, Oregon</i> , OR-OSHA No. D7110-129-93 (1993)	May
<b>Step Advancement</b>		
Time on workers' compensation injury counts towards step increase.	<i>City of Waverly, Iowa and International Brotherhood of Electrical Workers, Local 288</i> , LAIG 4808 (Talent, 1993)	May
<b>Termination</b>		
Demoted sergeant has no claim for "constructive discharge."	<i>Pethoud v. Peoria</i> , 8 IER Cases 882 (D.C.Ariz. 1993)	February
A Louisiana year consists of 366 days.	<i>Babers v. City of Shreveport</i> , 621 So.2d 88 (La.App. 1993)	June
<b>Training Requirements</b>		
Marshal told to leave town.	<i>Mauke v. Town of Dune Acres</i> , 835 F.Supp. 468 (N.D.Ind. 1993)	September
<b>Unfair Labor Practice</b>		
Borough's refusal to proceed to interest arbitration is unfair labor practice.	<i>Borough of Nazareth v. Pennsylvania Labor Relations Board</i> , 626 A.2d 493 (Pa. 1993)	October
<b>Union Matters</b>		
Internal union issues not within jurisdiction of state Employment Relations Commission.	<i>Moore v. FOP, Lodge 5-30</i> , 16 NPER FL-25032 (Fla. PERC General Counsel 1993)	September
<b>Vacations</b>		
Employer has right to return to strict enforcement of contract language.	<i>Township of Elizabeth, Pennsylvania and Teamsters Local 205</i> , LAIG 4803 (Duff, 1993)	April
County required to grant request for vacation time off.	<i>Dickinson County, Wisconsin and Wisconsin Professional Police Association</i> , LAIG 4853 (Poindexter, 1993)	August
<b>Wages</b>		
Deliberate overpayment to firefighter prevents city from recovering funds.	<i>City of Reno and International Association of Fire Fighters, Local 731</i> , LAIG 4836 (Silver, 1993)	April
<b>Workers' Compensation</b>		
Fire department must follow past practice in calculating workers' compensation pay.	<i>City of Lewiston and International Association of Fire Fighters, Local 785</i> , LAIG 4842 (Ellis, 1993)	May
Workers' compensation for injury suffered on way to work.	<i>Town of Arlington, Massachusetts and Arlington Patrolmen's Betterment Association</i> , LAIG 4847 (Shrage, 1993)	August
Employer cannot claim that employee is both disabled and not disabled.	<i>Kohut v. Workmen's Compensation Appeal Board</i> , 621 A.2d 1101 (Pa.Cmwlth. 1993)	January

DESCRIPTION	CASE CITATION	ISSUE
<i>Working Out Of Classification</i>		
County has right to order deputy to perform lieutenant's duties.	<i>Warren County, 94-1 ARB ¶4077 (Murphy, 1993)</i>	December