

Public Safety Labor News

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January - December 2001

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Arbitrator applies exclusionary rule to reverse discharge.	<i>Southeastern Pennsylvania Transportation Authority</i> , 28 LAIS 3077 (Strongin, 2000)	January

Court sets aside officer's termination, orders \$120,000 in back pay.	<i>Labor Law Advisory For Public Safety Employees</i> , Winter, 2000	February
Mayor and town council member cannot recover legal fees for politically motivated termination of officers.	<i>Kress v. La Villa</i> , 762 A.2d 682 (A.D.N.J. 2000)	March
Timeliness Of Grievance		
Filing appeal of termination with a merit system does not "toll" the statute of limitations for filing unfair labor practice complaint.	<i>County of Hudson</i> , 27 NJPER ¶32038 (N.J. PERC Dir. 2000)	May
Tuition Reimbursement		
Budget shortfall is a reasonable basis to deny officers' request for tuition reimbursement.	<i>City of Centralia, Washington</i> , 114 LA 929 (Smith, 2000)	February
Unfair Labor Practice		
Chief's aggressive statements are unfair labor practice even if union representative not, in fact, coerced by them.	<i>Dormont Police Association v. Dormont Borough</i> , 32 PPER ¶32119 (Pa. LRB 2001)	October
Transfer of officer to two-block foot patrol duty in retaliation for complaints to union.	<i>Fraternal Order of Police, Lodge No. 5 v. City of Philadelphia</i> , 32 PPER ¶32154 (Pa. LRB ALJ 2001)	December
Uniforms		
Ohio arbitrator denies request for a \$50 increase in uniform allowance.	<i>Tuscarawas County Sheriff</i> , 114 LA 307 (Feldman, 2000)	July
Court upholds firing of officer for wearing cross on uniform.	<i>Daniels v. City of Arlington, Texas</i> , 246 F.3d 500 (5th Cir. 2001)	October
Vehicles		
Firefighters allowed to take fire truck to sporting events.	<i>City of Pawhuska</i> , 115 LA 715 (Moore, 2001)	October
Wages		
Financial assistance board allowed to set wages for distressed firefighters in Connecticut city.	<i>Waterbury Firefighters Association, Local 1339 v. City of Waterbury</i> , 2001 WL 1249774 (Conn. 2001)	December
Whistleblower Protection		
Court orders promotion of whistleblowing Firefighter who could not "keep his mouth shut."	<i>Hovies v. City of Portland</i> , CV-00-432-ST (D.Or. 2000)(unreported decision; copies available from LRIS)	February
State trooper not entitled to "blue wall of silence."	<i>Diesel v. Town of Lewisboro</i> , 232 F.3d 92 (2nd Cir. 2000)	June
Chief entitled to reimbursement of legal fees after whistleblower lawsuit against him.	<i>City of Morton, Washington</i> , 115 LA 444 (Schwendiman, 2001)	July
Firefighter who was fired after reporting pornography use by other firefighters allowed to bring whistleblower lawsuit.	<i>Hufford v. McEnaney</i> , 249 F.3d 1142 (9th Cir. 2001)	October
Workers' Compensation		
Intoxicated off-duty officer entitled to workers' compensation benefits when shot in head.	<i>Curtis v. Village of Lynbrook</i> , 716 N.Y.S.2d 163 (N.Y.A.D. 2000)	March
Workers' compensation issues.	<i>Smith v. City of Jackson</i> , 792 So.2d 335 (Miss.App. 2001); <i>Dunlevy v. Seminole County Department of Public Safety</i> , 792 So.2d 592 (Fla.App. 2001); <i>Pounds v. Board of Trustees</i> , 749 P.2d 1227 (Or.App. 1988); <i>Ramos v. Town of Branford</i> , 778 A.2d 972 (Conn.App. 2001); <i>Bergin v. McCall</i> , 726 N.Y.S.2d 594 (A.D. 2001)	November