



office memorandum

Date: October 14, 2009
To: Butch Crawford, President IAFF 2067
From: Chief James Fullingim, Fire Chief
Subject: C. Copeland Grievance (Workers' Compensation)

I have received and reviewed a grievance concerning Chuck Copeland's use of sick leave for a heart abnormality. In short, the grievance contends that Firefighter Copeland's request for OJI leave and benefits was never granted and that Firefighter Copeland's absence due to his heart abnormality was charged as sick leave with his medical bills paid directly from the employee health insurance. The solution set forth in the grievance is a "make whole remedy" which requires restoration of all leave and benefits used while Firefighter Copeland was off work due to a heart abnormality.

Under the City/IAFF CBA Article 8, Section 1, Step 2, the deadline for filing a grievance concerning this decision was July 14, 2009. Because the grievance filed on behalf of Firefighter Copeland was not filed on or before July 14, 2009, it is untimely and must be denied.

Even if this grievance was submitted in a timely manner, however, it still must be denied. The City has neither approved nor denied Firefighter Copeland's OJI request. As such, the issues raised in this grievance are not yet ripe, meaning the concerns raised by the IAFF on Firefighter Copeland's behalf are not yet to the stage where they may be reviewed or resolved through this process. The City has not denied Firefighter Copeland any benefits.

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.