

FIREFIGHTERS SUE HUALAPAI VALLEY FIRE DISTRICT

PLAINTIFFS SEEK DAMAGES AND REINSTATEMENT

BY DAVE HAWKINS

THE STANDARD

A wrongful termination lawsuit has been filed against the Hualapai Valley Fire District (HVFD), each of its five Board members and Fire Chief Wayne Eder. The action was filed January 19 in U.S. District Court in Phoenix.

The suit filed by Washington D.C. lawyer Eric Hallstrom alleges that three defendants violated the Constitutional rights of plaintiffs Jeff Campbell, Oscar Lopez, Raymond Schnabel, Kamrin Dooley, Mike Carlson and Jeff Nyberg. It alleges that the terminations of each of the firefighters who were leaders or members of the United Professional Firefighters, Local 4191, was retaliatory and discriminatory.

The 27 page lawsuit alleges each of the fired firefighters were excellent professionals who suffered a backlash and loss of employment for their Union affiliation and for voicing concerns for public safety and improving management of the HVFD and services it provides. It argues that the plaintiff's rights of free speech and association have been trampled upon.

“It’s hard to believe that this kind of intimidation and violation of individual rights and freedoms can take place in this day and age,” said International Association of Fire Fighters (IAFF) Union President Harold Schaitberger. “I want to put the Hualapai Valley Fire District, its Fire Chief and its Board of Directors on notice that this International, and its 280,000 members, will bring the full force of the IAFF

to bear on this matter.”

Chief Eder and each of the Board members are named individually and in their official capacities as defendants. The suit seeks a declaratory judgment that the defendants have violated the plaintiff's Constitutional rights and that such practice and conduct must end.

The suit asks that each of the firefighters be reinstated and fully compensated for any loss in wages and benefits. It also asks for punitive damages and compensation for any court costs or legal fees incurred by the plaintiffs.

Portions of the lawsuit allege that Chief Eder and Board members Patricia Lewis and Edward Schrum conducted interviews and “interrogations” and made comments to discredit and disparage the Union. The Board members allegedly questioned the legitimacy of the Union and suggested firefighters were wasting the money they spent on Union dues.

“This is clearly a heavy-handed attempt to break the fire-fighter’s association and prevent it from speaking out on matters of legitimate public concern, such as the ability of the Hualapai Valley Fire District to adequately protect its citizens,” Schaitberger said. “The IAFF will remain involved in this matter until justice is done, and these and all other Hualapai Valley fire fighters are treated with the respect, dignity and legal protections they deserve.”

Hallstrom confirmed that his services and those of an assisting lawfirm in Phoenix have been retained by the IAFF. He said the lawsuit is a last resort after terminations followed plaintiff efforts in the interest of public safety and improvements in HVFD management and service.

“It’s not necessary for a Local to have an adversarial relationship with the management of a Department. It doesn’t have to be that way,” Hallstrom said in a Monday interview.

Deborah Herbert, a Mohave County Civil Division attorney who represents the HVFD on some matters, said Monday that each of the defendants had not yet been served the lawsuit. She said she advised them to refrain from comment until instructed by the lawyer(s) that will handle the matter through an insurance policy.

Chief Eder and Lewis did not respond to initial attempts inviting their response to the litigation.