

Public Safety Labor News

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Failure To Cooperate With City's Accommodation Efforts Dooms Firefighter's Religious Discrimination Claim	<i>Waqia v. City of Oakland</i> , 2007 WL 4183784 (Cal.App. 2007)	January
Houston Officer Loses Free Speech Lawsuit Against City	<i>Nixon v. City of Houston</i> , 511 F.3d 494 (5th Cir. 2007)	February

Police Officer Beauty Contestant Case Ends Badly For Officer	<i>Mory v. City of Chula Vista</i> , 2008 WL 360449 (S.D.Cal. 2008)	April
Arbitrator Reinstates Fire Captain Fired For Surreptitiously Tape-Recording On-Duty Conversations	<i>City of Toledo and International Association of Fire Fighters, Local 92</i> , (Alan Miles Ruben, 2008)	May
The Genetic Information Nondiscrimination Act		July
Disability Benefits Based On 'Pension Status,' Not Age	<i>Kentucky Retirement Systems v. Equal Employment Opportunity Commission</i> , 128 S.Ct. 2361 (2008)	August
Supreme Court Eliminates Discrimination Theory For Public Employees	<i>Engquist v. Oregon Department of Agriculture</i> , 128 S.Ct. 2146 (2008)	September
Jewish Officer Makes New Discrimination Law, But Does Not Recover Damages	<i>Cutler v. Dorn</i> , 955 A.2d 917 (N.J. 2008)	October
Statistics In Discrimination Cases Are Helpful Only If They Deal With Qualified Applicants	<i>Carney v. City of Denver</i> , 534 F.3d 1269 (10th Cir. 2008)	November
Surreptitiously Tape Recording Supervisors Basis For Termination	<i>Argyropoulos v. City of Alton</i> , 539 F.3d 724 (7th Cir. 2008)	November
Officer Fails To Prove That Traffic Is Subjectively Better Than Patrol	<i>Mach v. Will County Sheriff</i> , 2008 WL 2692018 (N.D.Ill. 2008)	November
Firefighter Applicants Lose Claim For Damages In Lawsuit Challenging Consent Decree	<i>Martinez v. City of St. Louis</i> , 539 F.3d 857 (8th Cir. 2008)	December
Fire Chief Comes To Regret 'More Bang For The Buck' Remark	<i>Town of Hull v. Massachusetts Commission Against Discrimination</i> , 893 N.E.2d 66 (Mass.App. 2008)	December
Dishonesty		
Officer Loses Claim That Indictment Was Illegal Retaliation	<i>Miller v. City of Canton</i> , 2008 WL 114362 (N.D.Ohio 2008)	April
Miami Officer's Conviction Results In Pension Forfeiture	<i>Hames v. City of Miami Firefighters' and Police Officers' Trust</i> , 980 So.2d 1112 (Fla.App. 2008)	June
Probationary Police Officer Has No Property Interest In The Job	<i>Walsh v. Suffolk County Police Department</i> , 2008 WL 1991118 (E.D.N.Y. 2008)	July
Court Should Not Become Involved In 'Merits Of Arbitration'	<i>County of Mercer v. Teamsters Local 250</i> , 946 A.2d 174 (Pa.Cmwlt. 2008)	July
Police Chief Should Not Have Been Decertified For Expunged Conviction	<i>Carl Hendricks v. Peace Officers Standards and Training Commission</i> , #07-1518-II (Tenn. Chanc. Ct. 2008)	September
Dress Code		
First Police 'Donning and Doffing' Decisions Arrive	<i>Martin v. City of Richmond</i> , 504 F. Supp.2d 766 (N.D.Cal. 2007); <i>Abbe v. City of San Diego</i> , 2007 WL 4146696 (S.D.Cal. 2007); <i>Lemmon v. City of San Leandro</i> , 538 F. Supp.2d 1200 (N.D.Cal. 2007)	February
DROP Plan		
Officer Who Agrees To Retire Has No Right To Participate In DROP Program	<i>Ikalina v. City of Pembroke Pines</i> , 972 So.2d 962 (Fla.App. 2007)	February
Drug Testing		
Arbitrator Can Find Just Cause For Discharge And Still Order Reinstatement	<i>Athens County Commissioners v. Ohio Patrolmen's Benevolent Association</i> , 2007 WL 4464626 (OhioApp. 2007)	February
Officer's Constitutional Rights Not Violated When Compelled To Take Breathalyzer	<i>Pennington v. Metropolitan Government of Nashville and Davidson County</i> , 511 F.3d 647 (6th Cir. 2008)	May
Merit Board Has Authority To Overturn Chief's Discharge Decision	<i>Louisville and Jefferson County, Metro Government v. Louisville Metro Police Merit Board</i> , 2008 WL 612337 (Ky.App. 2008)	June
No Reasonable Suspicion For Officer's Drug Test	<i>Richard v. Lafayette Fire and Police Civil Service Board</i> , 983 So.2d 195 (La.App.2008)	June

NYPD Must Bargain Over Drug Testing Method	<i>City of New York v. Patrolmen's Benevolent Association of City of New York, Inc.</i> , 865 N.Y.S.2d 206 (A.D. 2008)	December
Due Process		
Arbitrator's 'Late Hit' Requires Reversal Of Decision	<i>Fire Fighters Local No. 60, IAFF v. City of Scranton, Pennsylvania</i> , 937 A.2d 600 (Pa.Cmwlth. 2007)	February
Hurricane Katrina Excuses Need For Pre-Termination Hearings	<i>Reed v. Department of Police</i> , 967 So.2d 606 (La.App. 2007)	February
Fire Union Fails To Make Timely Demand To Negotiate Over Transfer Of Work	<i>South Placer Fire Administrative Officers Association</i> , PERB Decision No. 1944-M (Cal. PERB 2008)	April
Unable To Require Premium Copayment From Police Retirees, St. Louis Allowed To Reduce Healthcare Benefits	<i>St. Louis Police Officers' Association v. Board of Police Commissioners of the City of St. Louis</i> , 2007 WL 2915186 (Mo.App. 2007)	April
Police Chief Has No Property Right To The Job	<i>Miyler v. Village of East Galesburg</i> , 512 F.3d 896 (7th Cir. 2008)	April
In Connecticut, Challenges To Arbitrators' Awards Must Occur Within 30 Days	<i>Town of Bloomfield v. Connecticut Independent Police Union, Local 14</i> , 939 A.2d 561 (2008)	April
Arbitrator Reinstates Fire Captain Fired For Surreptitiously Tape-Recording On-Duty Conversations	<i>City of Toledo and International Association of Fire Fighters, Local 92</i> , (Alan Miles Ruben, 2008)	May
Delaware Supreme Court Defines 'Just Cause' For Police Chiefs	<i>Vann v. Town of Cheswold</i> , 945 A.2d 1118 (Del.Super. 2008)	May
Failure To Exhaust Grievance Procedure Bars Due Process Claims From Fire Chiefs	<i>Turinski v. Local 104, International Association of Fire Fighters</i> , 2008 WL 681691 (3d Cir. 2008)	June
Police Chief Cannot Be Sued For False Testimony In Arbitration Hearing	<i>Rolon v. Henneman</i> , 517 F.3d 140 (2d Cir. 2008)	June
No Reasonable Suspicion For Officer's Drug Test	<i>Richard v. Lafayette Fire and Police Civil Service Board</i> , 983 So.2d 195 (La.App. 2008)	June
Probationary Police Officer Has No Property Interest In The Job	<i>Walsh v. Suffolk County Police Department</i> , 2008 WL 1991118 (E.D.N.Y. 2008)	July
Officer Cannot Waive Hearing That Is Never Scheduled	<i>Town of Cheswold v. Rosario</i> , 945 A.2d 1168 (Del. 2008)	July
Reprimand For Having An Affair Does Not Amount To Due Process Violation	<i>Seegmiller v. LaVerkin City</i> , 528 F.3d 762 (10th Cir. 2008)	August
City Of Milwaukee Stares Down Court, Loses	<i>Milwaukee Police Association v. City of Milwaukee</i> , 757 N.W.2d 76 (Wis.App. 2008)	August
Conviction For Child Endangerment Automatically Results In Loss Of NY Officer's Job	<i>Feola v. Carroll</i> , 890 N.E.2d 219 (N.Y. 2008)	September
Small Claims Court Decision Bars Officer From Pursuing Concealed Weapon Lawsuit	<i>Bates v. City of San Jose</i> , 2008 WL 2694025 (N.D.Cal. 2008)	December
Employer Cannot Unilaterally Suspend Disability Payments To Officer	<i>Kempkes v. Downey</i> , 861 N.Y.S.2d 415 (N.Y.A.D. 2008)	December
Duty Of Fair Representation		
Duty of Fair Representation Not Owed To Retirees	<i>Hadley v. Multnomah County Deputy Sheriffs' Association</i> , Case No. FR-1-08 (Or. ERB 2008)	August
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City Of Milwaukee Stares Down Court, Loses	<i>Milwaukee Police Association v. City of Milwaukee</i> , 757 N.W.2d 76 (Wis.App. 2008)	August
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Employees Must 'Consent' To Join FLSA Cases	<i>Ketchum v. City of Vallejo</i> , 523 F. Supp.2d 1150 (E.D.Cal. 2007)	February

Court Sets Rules For Comp Time In Chicago Police Department	<i>Heitmann v. City of Chicago</i> , 2008 WL 506111 (N.D.Ill. 2008)	May
Federal Court Enjoins NYPD Investigations Of Sergeants Who Joined FLSA Overtime Case	<i>Mullins v. New York</i> , S.D.N.Y., No. 04 Civ. 2979 (SAS) (3/21/08)	May
Canine Officer Recovers \$42,000 In FLSA Lawsuit	<i>Letner v. City of Oliver Springs</i> , 545 F. Supp.2d 717 (E.D.Tenn. 2008)	May
State Legislatures Passing Laws That Impact The Workplace		July
Baltimore County FLSA Case Involving Off-Duty Work Headed To Trial	<i>Baltimore County FOP, Lodge 4 v. Baltimore County</i> , 565 F. Supp.2d 672 (D.Md. 2008)	September
Employer Took Necessary Steps To Establish FLSA's 7(k) Exemption	<i>Calvao v. Town of Framingham</i> , 2008 WL 2690358 (D.Mass. 2008)	September
'Repayment Of Training Costs' Agreement Can Violate FLSA	<i>City of Oakland, v. Hassey</i> , 78 Cal.Rptr.3d 621 (Cal.App. 2008)	September
Family And Medical Leave Act		
Inability To Speak In Public Does Not Justify Officer's FMLA Request	<i>Lundy v. Town of Brighton</i> , 521 F. Supp.2d 259 (W.D.N.Y. 2007)	January
Arguments Not Raised In Grievance Procedure Cannot Be Raised For First Time In Arbitration	<i>City of New Kensington</i> , 124 LA 458 (McDowell, 2007)	March
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State Legislatures Passing Laws That Impact The Workplace		July
Police Chief Can Be Individually Sued Under FMLA	<i>Rasic v. City of Northlake</i> , 563 F. Supp.2d 885 (N.D.Ill. 2008)	November
Sick Leave Use Cannot Be Conditioned On FLMA Status	<i>Town of Woodbury and Town of Woodbury PBA</i> , LAIG 6625 (Rinaldo, 2008)	December
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Employees Must 'Consent' To Join FLSA Cases	<i>Ketchum v. City of Vallejo</i> , 523 F. Supp.2d 1150 (E.D.Cal. 2007)	February
Miami Officer's Conviction Results In Pension Forfeiture	<i>Hames v. City of Miami Firefighters' and Police Officers' Trust</i> , 980 So.2d 1112 (Fla.App. 2008)	June
The Genetic Information Nondiscrimination Act		July
Probationary Police Officer Has No Property Interest In The Job	<i>Walsh v. Suffolk County Police Department</i> , 2008 WL 1991118 (E.D.N.Y. 2008)	July
Small Claims Court Decision Bars Officer From Pursuing Concealed Weapon Lawsuit	<i>Bates v. City of San Jose</i> , 2008 WL 2694025 (N.D.Cal. 2008)	December
74-Year Old Correctional Officer Wins Lawsuit Protesting Mandatory EKG	<i>Petzak v. Nevada Department of Corrections</i> , 2008 WL 4393901 (D.Nev. 2008)	December
Firearms		
Firearms Expert Can Be Censured By Peers	<i>Dougherty v. Haag</i> , 81 Cal.Rptr.3d 1 (Cal.App. 2008)	November
Firefighter's Rule		
Idaho Supreme Court Narrows 'Firefighter's Rule'	<i>Ruffing v. Ada County Paramedics</i> , 188 P.3d 885 (Idaho 2008)	September
Fitness For Duty		
Employer Had Right To Order Psychological Evaluation Of Firefighter	<i>Coffman v. Indianapolis Fire Department</i> , 2008 WL 169824 (S.D.Ind. 2008)	March
Fire Lieutenant Entitled To Compensation For Psychological Examination	<i>Town of Andover, Massachusetts</i> , LAIG 6570 (Altman, 2007)	May
Court Upholds Arbitrator's Opinion Ordering City To Return Officer To Patrol Duties	<i>City of New Haven v. AFSCME, Council 15, Local 530</i> , 943 A.2d 494 (Conn.App. 2008)	June
Psychologist's Opinion On Fitness Is Protected Speech In California	<i>Espinoza v. City of Imperial</i> , 2008 WL 2397430 (S.D.Cal. 2008)	September

Inability To Perform Firefighters' Job, Standing Alone, Is Not Enough To Establish ADA Claim	<i>Starkey v. City of Burnsville, Minn.</i> , 2008 WL 2788049 (D.Minn. 2008)	October
Freedom Of Association		
Court Upholds Religious, Union Discrimination Jury Verdict In Favor Of Officer	<i>Shrum v. City of Coweta</i> , 558 F. Supp.2d 1212 (E.D.Okla. 2008)	July
Freedom Of Information Act		
No Right To Access To Background Investigation	<i>Lee v. City of Missoula Police Department</i> , 187 P.3d 609 (Mont. 2008)	August
Freedom Of Speech		
Materials Endorsing Candidate Not Proper For Bulletin Board	<i>In re Hawaii Government Employees Association</i> , 170 P.3d 324 (Haw. 2007)	January
Speech By Police Union President May Be Protected Under First Amendment	<i>Shefcik v. Village of Calumet Park</i> , 532 F. Supp.2d 965 (N.D.Ill. 2007)	January
Houston Officer Loses Free Speech Lawsuit Against City	<i>Nixon v. City of Houston</i> , 511 F.3d 494 (5th Cir. 2007)	February
Corrections Officer's Web Postings Not Protected By First Amendment	<i>Curran v. Cousins</i> , 509 F.3d 36 (1st Cir. 2007)	February
State Law Banning PAC Deductions From Paychecks Is Unconstitutional	<i>Utah Education Association v. Shurtleff</i> , 512 F.3d 125 (10th Cir. 2008)	March
Employer Can Require Notice, But Not Permission, Before Employee Speaks To Press Or City Council	<i>Davis v. Phenix City, Alabama</i> , 2008 WL 401349 (M.D.Ala. 2008)	April
No Constitutional Protection For Union Speech Of Corrections Officers	<i>Bergeron v. Cabral</i> , 535 F. Supp.2d 204 (D.Mass. 2008)	April
Police Officer Beauty Contestant Case Ends Badly For Officer	<i>Mory v. City of Chula Vista</i> , 2008 WL 360449 (S.D.Cal. 2008)	April
FOP Not Entitled To Dues Deduction Where Not Certified As Bargaining Representative	<i>Laredo Fraternal Order of Police v. City of Laredo</i> , 2008 WL 678698 (S.D.Tex. 2008)	June
Officer Reporting Crime To Supervisor Not Protected By First Amendment	<i>Sillers v. City of Everman, Texas</i> , 2008 WL 2222236 (N.D.Tex. 2008)	July
Corrections Sergeant-Minister Suspended For Statements At Sentencing Hearing Of Parishioner	<i>Leek v. New Jersey Department of Corrections</i> , 2008 WL 2026428 (N.J.Super. 2008)	July
Court Upholds Religious, Union Discrimination Jury Verdict In Favor Of Officer	<i>Shrum v. City of Coweta</i> , 558 F. Supp.2d 1212 (E.D.Okla. 2008)	July
Police Sergeant Has Privacy Interest In Text Messages	<i>Quon v. Arch Wireless Operating Company, Inc.</i> , 529 F.3d 892 (9th Cir. 2008)	August
Five Years Too Long For Retaliation	<i>Giglio v. Derman</i> , 560 F. Supp.2d 163 (D.Conn. 2008)	August
A Crack In The <i>Garcetti</i> Wall	<i>Reilly v. City of Atlantic City</i> , 532 F.3d 216 (3d Cir. 2008)	September
Corrections Officers Win Free Speech Claim Based On Union Activities	<i>Davignon v. Hodgson</i> , 524 F.3d 91 (1st Cir. 2008)	September
Retaliation Ten years After The Fact Too Removed In Time	<i>Stout v. City of Wagoner</i> , 2008 WL 2565001 (E.D.Okla. 2008)	October
Police Chief Loses First Amendment Lawsuit	<i>Mantle v. City of County Club Hills</i> , 2008 WL 3853432 (E.D.Mo. 2008)	November
Employer Potentially Liable For Failing To Train Employees Not To Retaliate	<i>Savokinas v. Borough of Avoca</i> , 2008 WL 2622904 (M.D.Pa. 2008)	December
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Corrections Officers Win Free Speech Claim Based On Union Activities	<i>Davignon v. Hodgson</i> , 524 F.3d 91 (1st Cir. 2008)	September
Grievance Procedures		
Employer Required To Maintain Firefighters' Health Benefits Even Though Change Initiated By Insurance Company	<i>Town of Hampton and Hampton Professional Firefighters Association, Local 2664</i> , LAIG 6545 (Drachman, 2007)	January
Employer Cannot Deny Firefighter On-Duty Injury Pay Pending Resolution Of Workers' Compensation Dispute	<i>City of St. Joseph, Missouri and IAFF, Local 1670</i> , LAIG 6532 (Kerner, 2007)	February

Union Can Pursue Grievance Even On Behalf Of Unwilling Member	<i>City of Tacoma, Washington</i> , 124 LA 642 (Landau, 2007)	February
Arguments Not Raised In Grievance Procedure Cannot Be Raised For First Time In Arbitration	<i>City of New Kensington</i> , 124 LA 458 (McDowell, 2007)	March
Time To Object To Arbitration Is At Arbitration Hearing	<i>Howard University v. Metropolitan Campus Police Officer's Union</i> , 512 F.3d 716 (D.C.App. 2008)	March
Fire Union Fails To Make Timely Demand To Negotiate Over Transfer Of Work	<i>South Placer Fire Administrative Officers Association</i> , PERB Decision No. 1944-M (Cal. PERB 2008)	April
Fire Lieutenant Entitled To Compensation For Psychological Examination	<i>Town of Andover, Massachusetts</i> , LAIG 6570 (Altman, 2007)	May
County Not Allowed To Restrict Number Of Deputies Using Vacation	<i>County of Houghton, Michigan</i> , LAIG 6574 (Stratton, 2007)	May
Failure To Protest Change Results In New Past Practice	<i>Town of Framingham, Massachusetts</i> , LAIG 6580 (Altman, 2007)	May
Failure To Exhaust Grievance Procedure Bars Due Process Claims From Fire Chiefs	<i>Turinski v. Local 104, International Association of Fire Fighters</i> , 2008 WL 681691 (3d Cir. 2008)	June
Employer Not Free To Modify Past Practice Of Vacation Sell-Back	<i>Borough of Zelienople, Pennsylvania</i> , LAIG 6599 (Frankiewicz, 2008)	July
Temporary Firefighter Issue Appropriate For Arbitrator's Decision	<i>Town of Lakeville v. Local 3188, International Association of Fire Fighters</i> , 884 N.E.2d 550 (Mass.App. 2008)	August
Settlement Of Grievance In Police Department Does Not Bind Fire Department	<i>Charter Township of Clinton, Michigan and Local 1381, IAFF</i> , LAIG 6632 (Kerner, 2007)	October
Change In Pay Practices Violates Contract	<i>Town of Saugus, Massachusetts and Saugus Firefighters Union</i> , LAIG 6654 (Daly, 2008)	December
30-Year Past Practice Controls Payment Of Shift Differential	<i>Township of Newtown, Pennsylvania</i> , LAIG 6642 (Buchheit, 2008)	December
Healthcare/Insurance		
Employer Required To Maintain Firefighters' Health Benefits Even Though Change Initiated By Insurance Company	<i>Town of Hampton and Hampton Professional Firefighters Association, Local 2664</i> , LAIG 6545 (Drachman, 2007)	January
Deputy Cannot Accrue Vacation While On Disability	<i>Dutchess County Sheriff, New York</i> , LAIG 6544 (Selchick, 2007)	January
Employer Cannot Deny Firefighter On-Duty Injury Pay Pending Resolution Of Worker's Compensation Dispute	<i>City of St. Joseph, Missouri and IAFF, Local 1670</i> , LAIG 6532 (Kerner, 2007)	February
Court Ponders Without Deciding Whether Firefighter Entitled To Insurance Benefits As Result Of Chair Injury	<i>In re Claim for Benefits by Scott Sletten</i> , 742 N.W.2d 701 (Minn.App. 2007)	March
Terminated Officers Not Entitled To Retiree Health Care	<i>Tyson v. City of Fontana</i> , 2008 WL 171892 (Cal.App. 2008)	March
Unable To Require Premium Copayment From Police Retirees, St. Louis Allowed To Reduce Healthcare Benefits	<i>St. Louis Police Officers' Association v. Board of Police Commissioners of the City of St. Louis</i> , 2007 WL 2915186 (Mo.App. 2007)	April
New York Courts Conflict On Binding Arbitration Law	<i>Buffalo Professional Firefighters</i> , 850 N.Y.S.2d 744 (App.Div. 2008)	April
The Genetic Information Nondiscrimination Act		July
Arbitrator Allows 13-Year-Old Claim On Retiree Health Care To Be Arbitrated	<i>City of Wilkes-Barre, Pennsylvania</i> , LAIG 6600 (Skonier, 2007)	August
Officer Was Still 'Vehicle-Oriented' Even Though Out Of Police Car	<i>St. Paul Fire and Marine Ins. Co. v. Rhein</i> , 2008 WL 2928671 (E.D.Pa. 2008)	October
Firefighter Loses Claim For Heart-Lung Presumption But Wins Workers' Compensation Case	<i>Amos v. Ouachita Parish Police Jury</i> , 991 So.2d 102 (La.App. 2008)	October
Employer Must Overcome Heart-Lung Presumption By Specific Evidence	<i>Punsky v. Clay County Sheriff's Office</i> , 2008 WL 2787559 (Fla.App. 2008)	October

Officer's Injury Suffered In Bowling Tournament Not Work-Related	<i>Moi v. State Department of Public Safety</i> , 188 P.3d 753 (Haw.App. 2008)	October
St. Louis Loses Effort To Cut Retiree Health Insurance Benefits	<i>St. Louis Police Officers' Association v. Board of Police Commissioners of St. Louis</i> , 259 S.W.3d 526 (Mo. 2008)	October
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Employees Must 'Consent' To Join FLSA Cases	<i>Ketchum v. City of Vallejo</i> , 523 F. Supp.2d 1150 (E.D.Cal. 2007)	February
Firefighter Training Violates State Law	<i>Hogelin v. City of Columbus</i> , 741 N.W.2d 617 (Neb. 2007)	February
Union Can Pursue Grievance Even On Behalf Of Unwilling Member	<i>City of Tacoma, Washington</i> , 124 LA 642 (Landau, 2007)	February
Firefighter Waits Too Long To Challenge Appointment Of Fire Chief	<i>State ex rel Newell v. Jackson</i> , 886 N.E.2d 846 (Ohio 2008)	August
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White Officer Fails To Prove Termination Based On Race	<i>Henry v. Jones</i> , 507 F.3d 558 (7th Cir. 2007)	January
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Officer Loses Claim That Indictment Was Illegal Retaliation	<i>Miller v. City of Canton</i> , 2008 WL 114362 (N.D.Ohio 2008)	April
Officer's Constitutional Rights Not Violated When Compelled To Take Breathalyzer	<i>Pennington v. Metropolitan Government of Nashville and Davidson County</i> , 511 F.3d 647 (6th Cir. 2008)	May
Officer Not Similarly Situated To Partner For Race Discrimination Purposes	<i>Berry v. City of Pontiac</i> , 2008 WL 698937 (6th Cir. 2008)	June
Miami Officer's Conviction Results In Pension Forfeiture	<i>Hames v. City of Miami Firefighters' and Police Officers' Trust</i> , 980 So.2d 1112 (Fla.App. 2008)	June
Corrections Sergeant-Minister Suspended For Statements At Sentencing Hearing Of Parishioner	<i>Leek v. New Jersey Department of Corrections</i> , 2008 WL 2026428 (N.J.Super. 2008)	July
Officer Cannot Waive Hearing That Is Never Scheduled	<i>Town of Cheswold v. Rosario</i> , 945 A.2d 1168 (Del. 2008)	July
LAPD Officers Recover \$5,000,001 Each In Lawsuit Against City	<i>Harper v. City of Los Angeles</i> , 533 F.3d 1010 (9th Cir. 2008)	October
Job Duties		
Fighting Fires May Not Be Essential Function Of Planning And Research Job	<i>Chesak v. Orange County Government</i> , 2007 WL 4162942 (M.D.Fla. 2007)	February
Inability To Perform Firefighters' Job, Standing Alone, Is Not Enough To Establish ADA Claim	<i>Starkey v. City of Burnsville, Minn.</i> , 2008 WL 2788049 (D.Minn. 2008)	October
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Police Chief Has No Property Right To The Job	<i>Miylar v. Village of East Galesburg</i> , 512 F.3d 896 (7th Cir. 2008)	April
Commanders Given 'Stark Ultimatum' Did Not Voluntarily Resign	<i>District of Columbia Metropolitan Police Department v. Stanley</i> , 942 A.2d 1172 (D.C. 2008)	May
Under City Code, Disabled Officer Has No Vested Property Right To Retirement Benefits	<i>Tripp v. City of Winston-Salem</i> , 655 S.E.2d 890 (N.C.App. 2008)	June
Probationary Police Officer Has No Property Interest In The Job	<i>Walsh v. Suffolk County Police Department</i> , 2008 WL 1991118 (E.D.N.Y. 2008)	July
Just Cause		
Delaware Supreme Court Defines 'Just Cause' For Police Chiefs	<i>Vann v. Town of Cheswold</i> , 945 A.2d 1118 (Del.Super. 2008)	May
Court Should Not Become Involved In 'Merits Of Arbitration'	<i>County of Mercer v. Teamsters Local 250</i> , 946 A.2d 174 (Pa.Cmwlth. 2008)	July

Legal Representation & Indemnification		
No Right To Civil Defense In Sex Abuse Case	<i>Ayala v. California Department of Corrections and Rehabilitation</i> , 2008 WL 134109 (Cal.App 2008)	March
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Fact That Officer Has Resigned Does Not Relieve Employer Of Obligation To Defend Against Claims	<i>Richardson v. Louisville/Jefferson County Metro Government</i> , 260 S.W.3d 777 (Ky. 2008)	October
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Employer Had Right To Order Psychological Evaluation Of Firefighter	<i>Coffman v. Indianapolis Fire Department</i> , 2008 WL 169824 (S.D.Ind. 2008)	March
Fire Lieutenant Entitled To Compensation For Psychological Examination	<i>Town of Andover, Massachusetts</i> , LAIG 6570 (Altman, 2007)	May
Fire Chief Comes To Regret ‘More Bang For The Buck’ Remark	<i>Town of Hull v. Massachusetts Commission Against Discrimination</i> , 893 N.E.2d 66 (Mass.App. 2008)	December
74-Year Old Correctional Officer Wins Lawsuit Protesting Mandatory EKG	<i>Petzak v. Nevada Department of Corrections</i> , 2008 WL 4393901 (D.Nev. 2008)	December
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Settlement Of Grievance In Police Department Does Not Bind Fire Department	<i>Charter Township of Clinton, Michigan and Local 1381, IAFF</i> , LAIG 6632 (Kerner, 2007)	October
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Employees Must ‘Consent’ To Join FLSA Cases	<i>Ketchum v. City of Vallejo</i> , 523 F. Supp.2d 1150 (E.D.Cal. 2007)	February
Allowing Officers And Firefighters Right To Sue Employer For Injuries Does Not Violate State Constitution	<i>Locke v. City of Seattle</i> , 172 P.3d 705 (Wash. 2007)	March
Off-Duty Employment		
Baltimore County FLSA Case Involving Off-Duty Work Headed To Trial	<i>Baltimore County FOP, Lodge 4 v. Baltimore County</i> , 565 F. Supp.2d 672 (D.Md. 2008)	September
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Repeated Warnings And Suspensions Satisfy Progressive Discipline Obligation	<i>In the matter of Geraldine Sims</i> , 2007 WL 4165365 (N.J. Super A.D. 2007)	January
Employees Must ‘Consent’ To Join FLSA Cases	<i>Ketchum v. City of Vallejo</i> , 523 F. Supp.2d 1150 (E.D.Cal. 2007)	February
Court Sets Rules For Comp Time In Chicago Police Department	<i>Heitmann v. City of Chicago</i> , 2008 WL 506111 (N.D.Ill. 2008)	May
Federal Court Enjoins NYPD Investigations Of Sergeants Who Joined FLSA Overtime Case	<i>Mullins v. New York</i> , S.D.N.Y., No. 04 Civ. 2979 (SAS) (3/21/08)	May
Canine Officer Recovers \$42,000 In FLSA Lawsuit	<i>Letner v. City of Oliver Springs</i> , 545 F. Supp.2d 717 (E.D.Tenn. 2008)	May
Police Department Not Allowed To Change Comp Time Requests To Cash	<i>Village of Spring Valley</i> , LAIG 6645 (Edelman, 2008)	December
30-Year Past Practice Controls Payment Of Shift Differential	<i>Township of Newtown, Pennsylvania</i> , LAIG 6642 (Buchheit, 2008)	December
Probationary Employees		
Probationary Police Officer Has No Property Interest In The Job	<i>Walsh v. Suffolk County Police Department</i> , 2008 WL 1991118 (E.D.N.Y. 2008)	July
Firefighter Waits Too Long To Challenge Appointment Of Fire Chief	<i>State ex rel Newell v. Jackson</i> , 886 N.E.2d 846 (Ohio 2008)	August
Preferential Treatment		
Veteran’s Preferences Do Not Violate Law	<i>State of Kansas v. City of Leavenworth</i> , 172 P.3d 1154 (Kan. 2007)	March
USERRA Requires Equal Treatment, Not Preferential Treatment	<i>Crews v. City of Mount Vernon</i> , 2008 WL 2224898 (S.D.Ill. 2008)	August

Promotions		
Veteran's Preferences Do Not Violate Law	<i>State of Kansas v. City of Leavenworth</i> , 172 P.3d 1154 (Kan. 2007)	March
Order To Re-Promote Corrections Lieutenant Within Arbitrator's Authority	<i>State of Connecticut v. Connecticut State Employees Association</i> , 2008 WL 725181 (Conn. Sup. 2008)	June
Firefighter Waits Too Long To Challenge Appointment Of Fire Chief	<i>State ex rel Newell v. Jackson</i> , 886 N.E.2d 846 (Ohio 2008)	August
Sergeants Win Age Discrimination Case, Lose Most Of Their Damage Award	<i>City of Hollywood v. Hogan</i> , 986 So.2d 634 (Fla.App. 2008)	September
Police Chief Applicant Allowed To Go To Trial On Race Discrimination Claim	<i>Johnson v. City of Columbus</i> , 2008 WL 4603311 (N.D.Miss. 2008)	December
Korean Lieutenant Loses Discrimination Claim	<i>Jo v. District of Columbia</i> , 2008 WL 4705328 (D.D.C. 2008)	December
Public Policy		
Materials Endorsing Candidate Not Proper For Bulletin Board	<i>In re Hawaii Government Employees Association</i> , 170 P.3d 324 (Haw. 2007)	January
State Law Banning PAC Deductions From Paychecks Is Unconstitutional	<i>Utah Education Association v. Shurtleff</i> , 512 F.3d 125 (10th Cir. 2008)	March
Employer Can Require Notice, But Not Permission, Before Employee Speaks To Press Or City Council	<i>Davis v. Phenix City, Alabama</i> , 2008 WL 401349 (M.D.Ala. 2008)	April
Inviting Evangelical Christian Group To Mandatory Meetings Results In Attorney Fee Award	<i>Milwaukee Deputy Sheriff's Association v. Clarke</i> , 2008 WL 337335 (E.D.Wis. 2008)	April
In Connecticut, Challenges To Arbitrators' Awards Must Occur Within 30 Days	<i>Town of Bloomfield v. Connecticut Independent Police Union, Local 14</i> , 939 A.2d 561 (2008)	April
Police Chief Loses Lawsuit Challenging Creation Of Police Commissioner Position	<i>Overton v. Town of Southampton</i> , 857 N.Y.S.2d 214 (N.Y.A.D. 2008)	August
Racial Discrimination		
White Officer Fails To Prove Termination Based On Race	<i>Henry v. Jones</i> , 507 F.3d 558 (7th Cir. 2007)	January
Single Comment About Police Chief's Chinese Ancestry Not Enough To Establish Hostile Work Environment	<i>Lum v. Kauai County Council</i> , 2007 WL 3408003 (D.Haw. 2007)	January
Corrections Officer's Web Postings Not Protected By First Amendment	<i>Curran v. Cousins</i> 509 F.3d 36 (1st Cir. 2007)	February
Officer Loses Claim That Indictment Was Illegal Retaliation	<i>Miller v. City of Canton</i> , 2008 WL 114362 (N.D.Ohio 2008)	April
Officer Not Similarly Situated To Partner For Race Discrimination Purposes	<i>Berry v. City of Pontiac</i> , 2008 WL 698937 (6th Cir. 2008)	June
'Less Than Utopian' Working Conditions Not Necessarily Race Discrimination	<i>Sykes v. Pennsylvania State Police</i> , 2008 WL 901969 (3d Cir. 2008)	July
Detective Wins \$150,000 In Race Discrimination Claim	<i>Hall v. City of Clarksville</i> , 2008 WL 1986636 (6th Cir. 2008)	August
Firefighter Applicants Lose Claim For Damages In Lawsuit Challenging Consent Decree	<i>Martinez v. City of St. Louis</i> , 539 F.3d 857 (8th Cir. 2008)	December
Black Police Chief Wins Retaliation Lawsuit After Being Fired For Hiring White Assistant	<i>Tureaud v. Grambling State University</i> , 2008 WL 4411438 (5th Cir. 2008)	December
Police Chief Applicant Allowed To Go To Trial On Race Discrimination Claim	<i>Johnson v. City of Columbus</i> , 2008 WL 4603311 (N.D.Miss. 2008)	December
Korean Lieutenant Loses Discrimination Claim	<i>Jo v. District of Columbia</i> , 2008 WL 4705328 (D.D.C. 2008)	December
Retaliation		
Diabetic Firefighter Not Covered By Disability Law	<i>Gerow v. City of Saginaw</i> , 2008 WL 203690 (Mich.App. 2008)	March
No Constitutional Protection For Union Speech Of Corrections Officers	<i>Bergeron v. Cabral</i> , 535 F. Supp.2d 204 (D.Mass. 2008)	April

Officer Loses Claim That Indictment Was Illegal Retaliation	<i>Miller v. City of Canton</i> , 2008 WL 114362 (N.D.Ohio 2008)	April
Officer Loses Retaliation Complaint Against Police Association	<i>Cooper v. Dallas Police Association</i> , 2008 WL 2037265 (5th Cir. 2008)	August
Five Years Too Long For Retaliation	<i>Giglio v. Derman</i> , 560 F. Supp.2d 163 (D.Conn. 2008)	August
A Crack In The <i>Garcetti</i> Wall	<i>Reilly v. City of Atlantic City</i> , 532 F.3d 216 (3d Cir. 2008)	September
Corrections Officers Win Free Speech Claim Based On Union Activities	<i>Davignon v. Hodgson</i> , 524 F.3d 91 (1st Cir. 2008)	September
Retaliation Ten years After The Fact Too Removed In Time	<i>Stout v. City of Wagoner</i> , 2008 WL 2565001 (E.D.Okla. 2008)	October
Surreptitiously Tape Recording Supervisors Basis For Termination	<i>Argyropoulos v. City of Alton</i> , 539 F.3d 724 (7th Cir. 2008)	November
Police Chief Loses First Amendment Lawsuit	<i>Mantle v. City of County Club Hills</i> , 2008 WL 3853432 (E.D.Mo. 2008)	November
Employer Potentially Liable For Failing To Train Employees Not To Retaliate	<i>Savokinas v. Borough of Avoca</i> , 2008 WL 2622904 (M.D.Pa. 2008)	December
Firefighter's Union Organizing Constitutionally Protected	<i>Blangsted v. Snowmass-Wildcat Fire Protection District</i> , 2008 WL 4411440 (D.Colo. 2008)	December
Retirement/Pension		
If Mistaken Contract Lasts Long Enough, It Becomes Binding	<i>Millcreek Township, Pennsylvania</i> , LAIG 6530 (Minnich, 2007)	January
Diabetic Firefighter Not Covered By Disability Law	<i>Gerow v. City of Saginaw</i> , 2008 WL 203690 (Mich.App. 2008)	March
Court Ponders Without Deciding Whether Firefighter Entitled To Insurance Benefits As Result Of Chair Injury	<i>In re Claim for Benefits by Scott Sletten</i> , 742 N.W.2d 701 (Minn.App. 2007)	March
Terminated Officers Not Entitled To Retiree Health Care	<i>Tyson v. City of Fontana</i> , 2008 WL 171892 (Cal.App. 2008)	March
Unable To Require Premium Copayment From Police Retirees, St. Louis Allowed To Reduce Healthcare Benefits	<i>St. Louis Police Officers' Association v. Board of Police Commissioners of the City of St. Louis</i> , 2007 WL 2915186 (Mo.App. 2007)	April
Commanders Given 'Stark Ultimatum' Did Not Voluntarily Resign	<i>District of Columbia Metropolitan Police Department v. Stanley</i> , 942 A.2d 1172 (D.C. 2008)	May
Arbitrator Finds Word 'Retire' Ambiguous	<i>City of Shaker Heights, Ohio</i> , LAIG 6584 (Vana, 2007)	May
Retirement Lawsuit Is Eleven Years Too Late	<i>Cooke v. City of Culver City</i> , 2008 WL 683928 (Cal.App. 2008)	June
Failure To Exhaust Grievance Procedure Bars Due Process Claims From Fire Chiefs	<i>Turinski v. Local 104, International Association of Fire Fighters</i> , 2008 WL 681691 (3d Cir. 2008)	June
Under City Code, Disabled Officer Has No Vested Property Right To Retirement Benefits	<i>Tripp v. City of Winston-Salem</i> , 655 S.E.2d 890 (N.C.App. 2008)	June
Miami Officer's Conviction Results In Pension Forfeiture	<i>Hames v. City of Miami Firefighters' and Police Officers' Trust</i> , 980 So.2d 1112 (Fla.App. 2008)	June
Employer Allowed To Offset Disability Payments By Workers' Compensation Benefits	<i>Brown v. City of Los Angeles</i> , 521 F.3d 1238 (9th Cir. 2008)	July
Firefighters Lose Challenge To Repeal Of Pension Buy-Back Ordinances	<i>Delaney v. City of Wilkes-Barre</i> , 947 A.2d 854 (Pa.Cmwlth. 2008)	July
Duty of Fair Representation Not Owed To Retirees	<i>Hadley v. Multnomah County Deputy Sheriffs' Association</i> , Case No. FR-1-08 (Or. ERB 2008)	August
Officer's Surviving Spouse Not Entitled To Cost-Of-Living Increases	<i>Village of Roselle v. Roselle Police Pension Board</i> , 889 N.E.2d 665 (Ill.App. 2008)	August
Disability Benefits Based On 'Pension Status,' Not Age	<i>Kentucky Retirement Systems v. Equal Employment Opportunity Commission</i> , 128 S.Ct. 2361 (2008)	August

Settlement Of Grievance In Police Department Does Not Bind Fire Department	<i>Charter Township of Clinton, Michigan and Local 1381, IAFF</i> , LAIG 6632 (Kerner, 2007)	October
St. Louis Loses Effort To Cut Retiree Health Insurance Benefits	<i>St. Louis Police Officers' Association v. Board of Police Commissioners of St. Louis</i> , 259 S.W.3d 526 (Mo. 2008)	October
South Carolina Retirement Plan Not Allowed To Invest In Stock	<i>O'Brien v. South Carolina ORBIT</i> , 2008 WL 3821317 (S.C. 2008)	November
Disabled California Public Safety Officers Have Right To Cash Out Vacation Time	<i>Los Angeles County Professional Peace Officers' Association v. County of Los Angeles</i> , 80 Cal.Rptr.3d 572 (Cal.App. 2008)	November
Tennessee Cities Not Required To Include Vacation Payout In Retirement Calculations	<i>Amos v. Metropolitan Government of Nashville and Davidson County</i> , 259 S.W.3d 705 (Tenn. 2008)	November
Officer Forfeits Retirement Benefits With Federal Conviction	<i>Simcox v. City of Hollywood Police Officers' Retirement System</i> , 988 So.2d 731 (Fla.App. 2008)	November
Small Claims Court Decision Bars Officer From Pursuing Concealed Weapon Lawsuit	<i>Bates v. City of San Jose</i> , 2008 WL 2694025 (N.D.Cal. 2008)	December
Right To Privacy		
Names Of Employees Receiving Unsubstantiated Complaints Not Subject To Disclosure In Washington	<i>Bellevue John Does I-11 v. Bellevue School District No. 405</i> , 189 P.3d 139 (Wash. 2008)	October
Sexual Discrimination		
Failure To Provide Female Supervisors 'Rank-Specific' Locker Room Can Be Sexual Discrimination	<i>King v. City of Boston</i> , 883 N.E.3d 316 (Mass.App. 2008)	July
Sexual Harassment		
Failure To Cooperate With City's Accommodation Efforts Dooms Firefighter's Religious Discrimination Claim	<i>Waqia v. City of Oakland</i> , 2007 WL 4183784 (Cal.App. 2007)	January
Employer Had Right To Order Psychological Evaluation Of Firefighter	<i>Coffman v. Indianapolis Fire Department</i> , 2008 WL 169824 (S.D.Ind. 2008)	March
Staring Can Amount To Sexual Harassment	<i>Billings v. Town of Grafton</i> , 515 F.3d 39 (1st Cir. 2008)	May
Hugging, Comments On Perfume And Appearance, And Sexual Hand Gestures Do Not Amount To Harassment	<i>Hensman v. City of Riverview</i> , 2008 WL 821940 (E.D.Mich. 2008)	August
Sick Leave		
Inability To Speak In Public Does Not Justify Officer's FMLA Request	<i>Lundy v. Town of Brighton</i> , 521 F. Supp.2d 259 (W.D.N.Y. 2007)	January
Repeated Warnings And Suspensions Satisfy Progressive Discipline Obligation	<i>In the matter of Geraldine Sims</i> , 2007 WL 4165365 (N.J. Super A.D. 2007)	January
Arbitrator Finds Word 'Retire' Ambiguous	<i>City of Shaker Heights, Ohio</i> , LAIG 6584 (Vana, 2007)	May
Sick Leave Use Cannot Be Conditioned On FLMA Status	<i>Town of Woodbury and Town of Woodbury PBA</i> , LAIG 6625 (Rinaldo, 2008)	December
Staffing		
Firefighter Training Violates State Law	<i>Hogelin v. City of Columbus</i> , 741 N.W.2d 617 (Neb. 2007)	February
Arbitrator's 'Late Hit' Requires Reversal Of Decision	<i>Fire Fighters Local No. 60, IAFF v. City of Scranton, Pennsylvania</i> , 937 A.2d 600 (Pa.Cmwlth. 2007)	February
Union Can Pursue Grievance Even On Behalf Of Unwilling Member	<i>City of Tacoma, Washington</i> , 124 LA 642 (Landau, 2007)	February
Having Captains Rather Than Lieutenants Respond To Fires Violates Contract	<i>Union Township</i> , 124 LA 403 (Frockt, 2007)	March

Fire Union Fails To Make Timely Demand To Negotiate Over Transfer Of Work	<i>South Placer Fire Administrative Officers Association</i> , PERB Decision No. 1944-M (Cal. PERB 2008)	April
County Not Allowed To Restrict Number Of Deputies Using Vacation	<i>County of Houghton, Michigan</i> , LAIG 6574 (Stratton, 2007)	May
Court Upholds Arbitrator's Opinion Ordering City To Return Officer To Patrol Duties	<i>City of New Haven v. AFSCME, Council 15, Local 530</i> , 943 A.2d 494 (Conn.App. 2008)	June
Police Chief Loses Lawsuit Challenging Creation Of Police Commissioner Position	<i>Overton v. Town of Southampton</i> , 857 N.Y.S.2d 214 (N.Y.A.D. 2008)	August
Firefighter Waits Too Long To Challenge Appointment Of Fire Chief	<i>State ex rel Newell v. Jackson</i> , 886 N.E.2d 846 (Ohio 2008)	August
Fire Marshals Do Not Count Towards Minimum Staffing	<i>City of Allentown, Pennsylvania and IAFF, Local 302</i> , LAIG 6628 (O'Connell, 2008)	October
Termination		
White Officer Fails To Prove Termination Based On Race	<i>Henry v. Jones</i> , 507 F.3d 558 (7th Cir. 2007)	January
Repeated Warnings And Suspensions Satisfy Progressive Discipline Obligation	<i>In the matter of Geraldine Sims</i> , 2007 WL 4165365 (N.J. Super A.D. 2007)	January
Failure To Cooperate With City's Accommodation Efforts Dooms Firefighter's Religious Discrimination Claim	<i>Waqia v. City of Oakland</i> , 2007 WL 4183784 (Cal.App. 2007)	January
Houston Officer Loses Free Speech Lawsuit Against City	<i>Nixon v. City of Houston</i> , 511 F.3d 494 (5th Cir. 2007)	February
Arbitrator Can Find Just Cause For Discharge And Still Order Reinstatement	<i>Athens County Commissioners v. Ohio Patrolmen's Benevolent Association</i> , 2007 WL 4464626 (OhioApp. 2007)	February
Hurricane Katrina Excuses Need For Pre-Termination Hearings	<i>Reed v. Department of Police</i> , 967 So.2d 606 (La.App. 2007)	February
Discipline Case Involves Computer Access, No Contact Order, And Ex-Girlfriend	<i>Franklin County Sheriff's Office</i> , 124 LA 654 (Bell, 2007)	March
Police Chief Loses Whistleblowing Claim	<i>Grimes v. City of Tarkio</i> , 246 S.W.3d 533 (Mo.App. 2008)	March
Cities Not "Political Subdivisions" In The State Of Kentucky	<i>Baker v. McDaniel</i> , 2008 WL 215241 (E.D.Ky. 2008)	March
Terminated Officers Not Entitled To Retiree Health Care	<i>Tyson v. City of Fontana</i> , 2008 WL 171892 (Cal.App. 2008)	March
No Constitutional Protection For Union Speech Of Corrections Officers	<i>Bergeron v. Cabral</i> , 535 F. Supp.2d 204 (D.Mass. 2008)	April
Officer Loses Claim That Indictment Was Illegal Retaliation	<i>Miller v. City of Canton</i> , 2008 WL 114362 (N.D. Ohio 2008)	April
Police Chief Has No Property Right To The Job	<i>Miyler v. Village of East Galesburg</i> , 512 F.3d 896 (7th Cir. 2008)	April
In Connecticut, Challenges To Arbitrators' Awards Must Occur Within 30 Days	<i>Town of Bloomfield v. Connecticut Independent Police Union, Local 14</i> , 939 A.2d 561 (2008)	April
Arbitrator Reinstates Fire Captain Fired For Surreptitiously Tape-Recording On-Duty Conversations	<i>City of Toledo and International Association of Fire Fighters, Local 92</i> , (Alan Miles Ruben, 2008)	May
Delaware Supreme Court Defines 'Just Cause' For Police Chiefs	<i>Vann v. Town of Cheswold</i> , 945 A.2d 1118 (Del.Super. 2008)	May
Commanders Given 'Stark Ultimatum' Did Not Voluntarily Resign	<i>District of Columbia Metropolitan Police Department v. Stanley</i> , 942 A.2d 1172 (D.C. 2008)	May
Officer Not Similarly Situated To Partner For Race Discrimination Purposes	<i>Berry v. City of Pontiac</i> , 2008 WL 698937 (6th Cir. 2008)	June
Merit Board Has Authority To Overturn Chief's Discharge Decision	<i>Louisville and Jefferson County, Metro Government v. Louisville Metro Police Merit Board</i> , 2008 WL 612337 (Ky.App. 2008)	June

Court Refuses To Apply Exclusionary Rule In Disciplinary Case	<i>Slough v. Lucas County Sheriff</i> , 882 N.E.2d 952 (2008)	June
No Reasonable Suspicion For Officer's Drug Test	<i>Richard v. Lafayette Fire and Police Civil Service Board</i> , 983 So.2d 195 (La.App.2008)	June
Under City Code, Disabled Officer Has No Vested Property Right To Retirement Benefits	<i>Tripp v. City of Winston-Salem</i> , 655 S.E.2d 890 (N.C.App. 2008)	June
Court Should Not Become Involved In 'Merits Of Arbitration'	<i>County of Mercer v. Teamsters Local 250</i> , 946 A.2d 174 (Pa.Cmwlt. 2008)	July
City Of Milwaukee Stares Down Court, Loses	<i>Milwaukee Police Association v. City of Milwaukee</i> , 757 N.W.2d 76 (Wis.App. 2008)	August
Five Years Too Long For Retaliation	<i>Giglio v. Derman</i> , 560 F. Supp.2d 163 (D.Conn. 2008)	August
Police Chief Should Not Have Been Decertified For Expunged Conviction	<i>Carl Hendricks v. Peace Officers Standards and Training Commission</i> , #07-1518-II (Tenn. Chanc. Ct. 2008)	September
Conviction For Child Endangerment Automatically Results In Loss Of NY Officer's Job	<i>Feola v. Carroll</i> , 890 N.E.2d 219 (N.Y. 2008)	September
Arbitrator Has Authority To Consider Double Jeopardy And Due Process Arguments	<i>Raynor v. Florida State Lodge</i> , 987 So.2d 152 (Fla.App. 2008)	October
Surreptitiously Tape Recording Supervisors Basis For Termination	<i>Argyropoulos v. City of Alton</i> , 539 F.3d 724 (7th Cir. 2008)	November
Firefighter's Union Organizing Constitutionally Protected	<i>Blangsted v. Snowmass-Wildcat Fire Protection District</i> , 2008 WL 4411440 (D.Colo. 2008)	December
Black Police Chief Wins Retaliation Lawsuit After Being Fired For Hiring White Assistant	<i>Tureaud v. Grambling State University</i> , 2008 WL 4411438 (5th Cir. 2008)	December
Training		
Firefighter Training Violates State Law	<i>Hogelin v. City of Columbus</i> , 741 N.W.2d 617 (Neb. 2007)	February
Allowing Officers And Firefighters Right To Sue Employer For Injuries Does Not Violate State Constitution	<i>Locke v. City of Seattle</i> , 172 P.3d 705 (Wash. 2007)	March
'Repayment Of Training Costs' Agreement Can Violate FLSA	<i>City of Oakland, v. Hassey</i> , 78 Cal.Rptr.3d 621 (Cal.App. 2008)	September
Employer Potentially Liable For Failing To Train Employees Not To Retaliate	<i>Savokinas v. Borough of Avoca</i> , 2008 WL 2622904 (M.D.Pa. 2008)	December
Unfair Labor Practice		
Materials Endorsing Candidate Not Proper For Bulletin Board	<i>In re Hawaii Government Employees Association</i> , 170 P.3d 324 (Haw. 2007)	January
Fire Union Fails To Make Timely Demand To Negotiate Over Transfer Of Work	<i>South Placer Fire Administrative Officers Association</i> , PERB Decision No. 1944-M (Cal. PERB 2008)	April
Employer Acts Unlawfully In Changing Scope Of Civilian Oversight Of Police Department	<i>Seattle Police Officers Guild v. City of Seattle</i> , Decision 9957 (PECB 2008)	April
Firefighters Lose Challenge To Repeal Of Pension Buy-Back Ordinances	<i>Delaney v. City of Wilkes-Barre</i> , 947 A.2d 854 (Pa.Cmwlt. 2008)	July
Police Sergeant Has Privacy Interest In Text Messages	<i>Quon v. Arch Wireless Operating Company, Inc.</i> , 529 F.3d 892 (9th Cir. 2008)	August
Duty of Fair Representation Not Owed To Retirees	<i>Hadley v. Multnomah County Deputy Sheriffs' Association</i> , Case No. FR-1-08 (Or. ERB 2008)	August
Police Chief Loses Lawsuit Challenging Creation Of Police Commissioner Position	<i>Overton v. Town of Southampton</i> , 857 N.Y.S.2d 214 (N.Y.A.D. 2008)	August
No Right To Access To Background Investigation	<i>Lee v. City of Missoula Police Department</i> , 187 P.3d 609 (Mont. 2008)	August
Police Chief Should Not Have Been Decertified For Expunged Conviction	<i>Carl Hendricks v. Peace Officers Standards and Training Commission</i> , #07-1518-II (Tenn. Chanc. Ct. 2008)	September

Firefighters' Union Unable To Block Layoffs	<i>Pontiac Fire Fighters Union, Local 376 v. City of Pontiac</i> , 753 N.W.2d 595 (Mich. 2008)	October
LAPD Officers Recover \$5,000,001 Each In Lawsuit Against City	<i>Harper v. City of Los Angeles</i> , 533 F.3d 1010 (9th Cir. 2008)	October
Uniformed Services Employment and Reemployment Rights Act (USERRA)		
A Primer On USERRA		January
USERRA Requires Equal Treatment, Not Preferential Treatment	<i>Crews v. City of Mount Vernon</i> , 2008 WL 2224898 (S.D.Ill. 2008)	August
Uniforms		
First Police 'Donning and Doffing' Decisions Arrive	<i>Martin v. City of Richmond</i> , 504 F. Supp.2d 766 (N.D.Cal. 2007); <i>Abbe v. City of San Diego</i> , 2007 WL 4146696 (S.D.Cal. 2007); <i>Lemmon v. City of San Leandro</i> , 538 F. Supp.2d 1200 (N.D.Cal. 2007)	February
Union Activities		
Materials Endorsing Candidate Not Proper For Bulletin Board	<i>In re Hawaii Government Employees Association</i> , 170 P.3d 324 (Haw. 2007)	January
State Law Banning PAC Deductions From Paychecks is Unconstitutional	<i>Utah Education Association v. Shurtleff</i> , 512 F.3d 125 (10th Cir. 2008)	March
FOP Not Entitled To Dues Deduction Where Not Certified As Bargaining Representative	<i>Laredo Fraternal Order of Police v. City of Laredo</i> , 2008 WL 678698 (S.D.Tex. 2008)	June
'Shall' In Firefighter Contract Eliminates An Employer's Discretion	<i>City of Hamtramck</i> , LAIG 6596 (Lyons, 2007)	July
Court Upholds Religious, Union Discrimination Jury Verdict In Favor Of Officer	<i>Shrum v. City of Coweta</i> , 558 F. Supp.2d 1212 (E.D.Okla. 2008)	July
Officer Loses Retaliation Complaint Against Police Association	<i>Cooper v. Dallas Police Association</i> , 2008 WL 2037265 (5th Cir. 2008)	August
Firefighters' Union Unable To Block Layoffs	<i>Pontiac Fire Fighters Union, Local 376 v. City of Pontiac</i> , 753 N.W.2d 595 (Mich. 2008)	October
Vacation Time Trumps Union Leave	<i>City of Medford, Massachusetts and IAFF, Local 1032</i> , LAIG 6623 (Wooters, 2008)	November
Deputies' Union Loses Challenge To 'Anti-Huddling' Rule	<i>Association for Los Angeles Deputy Sheriffs v. County of Los Angeles</i> , 83 Cal. Rptr.3d 494 (Cal.App. 2008)	November
Firefighter's Union Organizing Constitutionally Protected	<i>Blangsted v. Snowmass-Wildcat Fire Protection District</i> , 2008 WL 4411440 (D.Colo. 2008)	December
Union Representation		
FOP Not Entitled To Dues Deduction Where Not Certified As Bargaining Representative	<i>Laredo Fraternal Order of Police v. City of Laredo</i> , 2008 WL 678698 (S.D.Tex. 2008)	June
Deputies' Union Loses Challenge To 'Anti-Huddling' Rule	<i>Association for Los Angeles Deputy Sheriffs v. County of Los Angeles</i> , 83 Cal. Rptr.3d 494 (Cal.App. 2008)	November
Firefighter's Union Organizing Constitutionally Protected	<i>Blangsted v. Snowmass-Wildcat Fire Protection District</i> , 2008 WL 4411440 (D.Colo. 2008)	December
Use of Force		
Court Upholds Arbitrator's Opinion Ordering City To Return Officer To Patrol Duties	<i>City of New Haven v. AFSCME, Council 15, Local 530</i> , 943 A.2d 494 (Conn.App. 2008)	June
Injured Officer's Only Remedy Against Employer Is Workers' Compensation	<i>Johnson v. District of Columbia</i> , 528 F.3d 969 (C.A.D.C. 2008)	September
Arbitrator Has Authority To Consider Double Jeopardy And Due Process Arguments	<i>Raynor v. Florida State Lodge</i> , 987 So.2d 152 (Fla.App. 2008)	October
Vacation		
Deputy Cannot Accrue Vacation While On Disability	<i>Dutchess County Sheriff, New York</i> , LAIG 6544 (Selchick, 2007)	January
County Not Allowed To Restrict Number Of Deputies Using Vacation	<i>County of Houghton, Michigan</i> , LAIG 6574 (Stratton, 2007)	May
Employer Not Free To Modify Past Practice Of Vacation Sell-Back	<i>Borough of Zelienople, Pennsylvania</i> , LAIG 6599 (Franckiewicz, 2008)	July

Fire Department Not Allowed To Restrict Vacation Slots	<i>City of Providence, Rhode Island and Providence Firefighters, Local 799</i> , LAIG 6631 (Grossman, 2007)	November
Police Department's Change In Vacation Practices Violates Contract	<i>Solebury Township, Pennsylvania</i> , LAIG 6634 (Skonier, 2007)	November
Vacation Time Trumps Union Leave	<i>City of Medford, Massachusetts and IAFF, Local 1032</i> , LAIG 6623 (Wooters, 2008)	November
Disabled California Public Safety Officers Have Right To Cash Out Vacation Time	<i>Los Angeles County Professional Peace Officers' Association v. County of Los Angeles</i> , 80 Cal.Rptr.3d 572 (Cal.App. 2008)	November
Wages		
Time To Object To Arbitration Is At Arbitration Hearing	<i>Howard University v. Metropolitan Campus Police Officer's Union</i> , 512 F.3d 716 (D.C.App. 2008)	March
No Constitutional Protection For Union Speech Of Corrections Officers	<i>Bergeron v. Cabral</i> , 535 F. Supp.2d 204 (D.Mass. 2008)	April
New York Courts Conflict On Binding Arbitration Law	<i>Buffalo Professional Firefighters</i> , 850 N.Y.S.2d 744 (App.Div. 2008)	April
Retirement Lawsuit Is Eleven Years Too Late	<i>Cooke v. City of Culver City</i> , 2008 WL 683928 (Cal.App. 2008)	June
State Legislatures Passing Laws That Impact The Workplace		July
No Entitlement To Shift Differential While On Temporary Disability	<i>Township of Newton, Pennsylvania</i> , LAIG 6592 (Buchheit, 2008)	July
Corrections Officers Win Free Speech Claim Based On Union Activities	<i>Davignon v. Hodgson</i> , 524 F.3d 91 (1st Cir. 2008)	September
30-Year Past Practice Controls Payment Of Shift Differential	<i>Township of Newtown, Pennsylvania</i> , LAIG 6642 (Buchheit, 2008)	December
Whistleblower Protection		
Police Chief Loses Whistleblowing Claim	<i>Grimes v. City of Tarkio</i> , 246 S.W.3d 533 (Mo.App. 2008)	March
Cities Not "Political Subdivisions" In The State Of Kentucky	<i>Baker v. McDaniel</i> , 2008 WL 215241 (E.D.Ky. 2008)	March
Officer Reporting Crime To Supervisor Not Protected By First Amendment	<i>Sillers v. City of Everman, Texas</i> , 2008 WL 222236 (N.D.Tex. 2008)	July
Workers' Compensation		
'Almost Impossible' To Rebut Heart-Lung Presumption	<i>Devall v. Baton Rouge Fire Department</i> , 979 So.2d 500 (La. App. 2007)	January
Employer Cannot Deny Firefighter On-Duty Injury Pay Pending Resolution Of Workers' Compensation Dispute	<i>City of St. Joseph, Missouri and IAFF, Local 1670</i> , LAIG 6532 (Kerner, 2007)	February
Firefighter Loses Hepatitis C Claim	<i>Murphy v. City of Grand Island</i> , 742 N.W.2d 506 (Neb. 2007)	March
Court Ponders Without Deciding Whether Firefighter Entitled To Insurance Benefits As Result Of Chair Injury	<i>In re Claim for Benefits by Scott Sletten</i> , 742 N.W.2d 701 (Minn.App. 2007)	March
Employer Allowed To Offset Disability Payments By Workers' Compensation Benefits	<i>Brown v. City of Los Angeles</i> , 521 F.3d 1238 (9th Cir. 2008)	July
Officer Wins Workers' Comp Claim For Off-Duty Shooting	<i>Lane v. Industrial Commission of Arizona</i> , 178 P.3d 516 (Ariz.App. 2008)	July
Hugging, Comments On Perfume And Appearance, And Sexual Hand Gestures Do Not Amount To Harassment	<i>Hensman v. City of Riverview</i> , 2008 WL 821940 (E.D.Mich. 2008)	August
Injured Officer's Only Remedy Against Employer Is Workers' Compensation	<i>Johnson v. District of Columbia</i> , 528 F.3d 969 (C.A.D.C. 2008)	September
Firefighter Loses Claim For Heart-Lung Presumption But Wins Workers' Compensation Case	<i>Amos v. Ouachita Parish Police Jury</i> , 991 So.2d 102 (La.App. 2008)	October

Employer Must Overcome Heart-Lung Presumption By Specific Evidence	<i>Punsky v. Clay County Sheriff's Office</i> , 2008 WL 2787559 (Fla.App. 2008)	October
Officer's Injury Suffered In Bowling Tournament Not Work-Related	<i>Moi v. State Department of Public Safety</i> , 188 P.3d 753 (Haw.App. 2008)	October
Officer Not Entitled To Workers' Comp Benefits When Attacked While Off Duty	<i>Smallwood v. District of Columbia Metropolitan Police Department</i> , 956 A.2d 705 (D.D. 2008)	December