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City Settles Firefighter Lawsuit

DANBURY - The city has agreed to pay out \$450,000 and hire two men as firefighters as part of a settlement reached in a three-year-old lawsuit.

The five men who filed the suit claimed they were passed over for positions in the city's fire department because of mistakes that were made in the city's civil service program when an eligibility list was created in 2005.

"In defending the litigation, the city of Danbury did discover that some administrative errors were made in compiling that list," a statement released Wednesday on the settlement said. The statement also noted that the city has "implemented appropriate changes to the civil service process" so the errors would not occur again.

For several years, the livelihood of dozens of city firefighters hung in the balance while the lawsuit was pending. Claims made as part of the suit, that any hiring done from the list created in 2005 were invalid, could have cost the firefighters their jobs.

The lawsuit claimed the city hired firefighters before the list was even voted on by the Civil Service Commission, that some firefighters were hired who ranked well below others on the list, and that some of those hired were related to city officials.

Fire Chief Geoff Herald, who joined the department as chief in 2007, said Wednesday that he's glad the lawsuit is over and the firefighters in the department "don't have the burden of having to worry about the outcome of the case."

Many of those firefighters who could have lost their jobs, he added, have been with the department for as much as five years and "are well established in their careers.

"That was always the most critical part," Herald said. "We didn't want to have our current firefighters worry about their jobs."

He added that including the additional two firefighters into



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the department shouldn't pose an issue as there are seven to 10 openings expected in the coming year.

According to the settlement, two plaintiffs -- Tim O'Hanlon and William Ratajack -- have been offered positions with the fire department.

While both applicants will be required to complete the same

testing and background checks as any other applicant with the department, if hired they will receive seniority and service credits back to 2005 for the purposes of pay grade, pension and vacation time. The seniority and service credits can not be used toward promotions or eligibility of overtime, according to the settlement agreement.

Elisabeth Maurer, a Ridgefield attorney who represented the plaintiffs in the case, declined to comment on the settlement except to say that when "people will be working together in the future, you want to preserve a good relationship."

City Council minority leader Thomas

Saadi said the settlement appears to be an appropriate resolution to the case.

"It's unfortunate that we've been put into this position because of mistakes that were made in the selection process," he said.

He added some of the money for the settlement will likely be paid by the city's insurance company, with the rest coming from the city's fund balance.

The Settlement

- Calls for a payment of \$450,000 to the five plaintiffs, two of whom will be offered positions with the city's fire department.
- The city admits that "administrative errors" were made when the civil service list was created in 2005.
- The lawsuit, filed in 2007, made several claims including that the city hired firefighters from the list before it was finalized.