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Arlington Professional Fire Fighters
and the Texas State Association of Fire Fighters

Lawsuit: City of Arlington Retaliation Against Firefighters Threatens Public Safety

*Firefighters sue fire chief and other city officials; restraining order sought;
Lawsuit: Will of Arlington voters ignored as city reduces fire station staffing*

ARLINGTON, Texas, Feb. 6, 2018 – The City of Arlington’s vehement refusal to adopt voter-approved civil service for firefighters violates state law and risks public safety, according to a lawsuit filed today by four Arlington firefighters and their professional association.

The lawsuit accuses the city of retaliating against firefighters in the aftermath of the May 2017 civil service election – which approved the Texas Legislature-endorsed regime for public servants – by reducing fire station staffing to below national fire safety standards.

The city also is accused of retaliating against firefighters after the civil service referendum by cancelling planned promotional interviews, eliminating long-standing wage, benefits and working conditions, and unilaterally reassigning nearly one-third of the firefighters in the department without explanation.

The lawsuit was filed by firefighters Edward Montague, Matthew Throne, Adrian Rojas, Joseph Markham, and the Arlington Professional Fire Fighters.

Defendants in the case are the City of Arlington; Arlington Fire Chief Don Crowson; Arlington Director of Human Resources and Civil Service Kari Jo Zika; and three members of the Arlington Civil Service Commission – Richmond Stoglin, Charles Clawson, and Pamela Roach.

The lawsuit alleges, “Immediately after the referendum, Fire Chief Crowson unilaterally lowered AFD’s minimum daily staffing from 84 personnel per shift to 75. This reduction means that AFD no longer has adequate staffing on certain apparatus to turn out the minimum emergency response required by the National Fire Protection Association. This retaliatory change not only endangers AFD’s personnel, but the City’s citizens who will no longer receive the level of fire protection to which they have grown accustomed and which has been determined to be safe.”

In May 2017, Arlington voters approved the implementation of Texas Local Government Code Chapter 143 which is intended to keep police and fire departments “free from political influence” in issues of hiring and promotional and disciplinary procedures. Before the 2017 election, the lawsuit asserts, the City of Arlington was the single largest city in the state that had not yet adopted Chapter 143.

The lawsuit also accuses Crowson of implementing “a hand-picked ‘stakeholder committee’ which he uses to bypass” the APFF and directly discuss labor issues with fire department employees.

The lawsuit seeks a restraining order from the court to bar the city defendants from conducting the promotional exam scheduled for Feb. 12, 2018, and from filling fire department vacancies utilizing any promotional eligibility list other than those nullified on Oct. 4, 2017.

Arlington Professional Fire Fighters President David Crow said, “Citizens of Arlington deserve to know that the city’s retaliation against firefighters after the referendum has reduced fire service coverage. Firefighters have attempted to work with the city for nearly a year, but the retaliation and fire station staffing reductions forced us to ask the court to make the city comply with state law. Despite these difficulties, Arlington firefighters are striving to provide the excellent service the citizens have come to respect.”

John Riddle, president of the Texas State Association of Fire Fighters, said, “The City of Arlington’s reputation in the fire service is at risk. Arlington firefighters are fighting for what’s right – fire station staffing in compliance with national safety standards and fairness in hiring and promotional and disciplinary procedures. It’s clear throughout the state that the city is ignoring the will of the Arlington voters.”

The case is “Edward Montague, et al., v. City of Arlington, et al.,” Cause No. 096-29772-18 in the 96th District Court of Tarrant County, Texas.

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