



INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS

## NEWS from Fire Fighters

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# Abusive Rockingham Fire Chief Continues Vendetta against Union Fire Fighters

## *Union President Fired after Visiting his Mother at Hospital*

Washington, DC – Rockingham Fire Chief Charles Gardner has fired Rockingham Fire Fighters IAFF Local 4702 President Robbie Barber, the second union member fired since Rockingham fire fighters formed Local 4702.

Attorneys representing Rockingham fire fighters filed the Fair Labor Standards Act lawsuit seeking unpaid wages in the federal district court for the Middle District of North Carolina on March 13. Since then, Chief Gardner has engaged in a pattern of retaliation and abuse against Rockingham Fire Fighters IAFF Local 4702.

Chief Gardner fired Barber for missing turn-in alarms on May 21 and May 22. Barber was off duty each time. On May 21 he was visiting his mother in the hospital. Turn-in alarms require fire fighters to respond either to a fire station or the scene of a fire, depending on the chief's orders, in case they are needed to assist in fire fighting. Historically, fire fighters are not terminated for failing to respond to turn-in alarms, especially fire fighters who are off duty. Local 4702 Treasurer Rodney Gandy was fired April 24, 2009, for allegedly failing to respond to a turn-in alarm while off duty.

“Chief Gardner shows us everyday just why Rockingham fire fighters felt compelled to form a union. They feel threatened by an unstable fire chief who seems less interested in keeping the residents of Rockingham safe than he is in terrorizing fire fighters,” said Larry Osborne, 12th District Vice President of the International Association of Fire Fighters.

If charges are brought against Chief Gardner and he's found guilty of illegally firing any fire fighter, the city of Rockingham could be liable for substantial damages.

“This is no longer just about protecting fire fighters from Chief Gardner. It's about protecting the city of Rockingham from him. Chief Gardner is not just a dangerous distraction, he is a liability,” Osborne said.

Chief Gardner has been a poster-child for illegal management since learning that fire fighters exercised their constitutional right in October 2008 to form a union.

“Firing anyone without cause is illegal and careless. Firing someone who's visiting their mother in the hospital is illogical and callous. Family is very important to North Carolinians, and Chief Gardner's conduct proves that he is driving a wedge not only between himself and fire fighters, but also between himself and the families of Rockingham fire fighters. In a family-friendly state, that is the wrong place to be,” said David Anders, president of the Professional Fire Fighters and Paramedics of North Carolina.

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Since the lawsuit was filed and the chief learned of the existence of Local 4702 and the names of those in the union, every union officer and a majority of the union members have been unfairly singled out for retaliatory discipline. Attorneys for Rockingham fire fighters have been given approval by the court to amend their complaint to include the following illegal acts of retaliation in the lawsuit:

- On March 24, the chief issued a written reprimand to Local 4702 member Mike Meginnis for allegedly being “disrespectful” to Captain Vic McCaskill;
- On April 6, the chief suspended Local 4702 Vice President Mike Williams for a week (a total of three 24-hr shifts) for allegedly asking a non-union fire fighter to join the union while at a fire station;
- On April 21, Local 4702 members Troy Sorrell, Gus Bellamy and Chuck Bowden left separate family gatherings to report to the station following a turn-in alarm, which requires fire fighters to respond to the fire station or the scene of a fire, depending on the chief’s orders, if they are needed to assist in fire fighting. Even though the chief said over the radio after the initial turn-in alarm that more personnel were not needed at the fire in question, he suspended each of these three fire fighters for one day and refused to pay those who responded to the station;
- Fire fighter Mike Meginnis was disciplined for failing to report to a turn-in alarm that occurred while he was being examined by a doctor. His pending suspension was dropped only after he submitted a note from a doctor;
- On April 24, Local 4702 President Robbie Barber was suspended for a week (three 24-hour shifts) and Treasurer Rodney Gandy was terminated, each for allegedly failing to respond to a turn-in alarm while off duty. Gandy was told by the chief that he was required to bring his radio into church with him. Gandy was also told that he could not take his wife to dinner anywhere more than 45 minutes from Rockingham because he needed to remain available to respond at any time for a turn-in alarm;
- On April 26, McKinnon was suspended for a week (three 24-hour shift days) for failing to respond to a turn-in alarm.

Chief Gardner also has denied the use of earned vacation leave and canceled vacation leave that had already been approved and scheduled since the suit was filed. He has failed to pay fire fighters for responding to off-duty turn-in alarms, even though they are entitled to receive pay when they respond. On January 21, 2009, Barber and fire fighters Richard O’Neil and Mike Williams heard Chief Gardner say “if the city fires me, I will come back to the fire department, shoot everyone and then go to the city hall and pick them off one by one, like ducks.”

Gardner’s history of illegal behavior is well documented. On October 9, 1997, the *Richmond County Daily Journal* ran a story entitled “Case against City Inspector Dismissed.” The story detailed an assault charge brought by a contractor against Chief Gardner, who at the time was serving as a building inspector for the city. According to the article, Gardner “hit him in the face three times, broke his glasses, and caused his nose to bleed, requiring medical attention.”

*The International Association of Fire Fighters, headquartered in Washington, DC, is the leading advocate in North America for the safety and training of fire fighters and paramedics. The IAFF represents more than 295,000 full-time professional fire fighters and paramedics who protect communities in every state in the United States and throughout Canada. More information is available at [www.iaff.org](http://www.iaff.org)*

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