

## **City to Terminate Firefighter Suffering from PTSD Friday**

A 16-year military veteran and father of four who has been on medical leave from the city's Fire Department since February 2010, has been notified that he will be terminated on Friday.

Litigation is ongoing between the City of Troy and firefighter Jeff Wright, who was diagnosed with post traumatic stress disorder. However, at least during part of the time Wright was collecting sick pay, he was also running a contracting business, which, according to one attorney, could be "problematic" to his case.

Wright, 36, was initially notified of the city's intent of termination over the winter. The latest letter was dated Aug. 10, he said.

"He just wants to continue his firefighting career," Kevin Luibrand, Wright's attorney, explained. "He had a difficult time overseas with significant combat missions. The effort to terminate Jeff is just because of the difficulty he has had in adjusting. That has been made clear."

The Troy resident, who was a drill sergeant and combat engineer in the Army and came from a "military family," was hired by the Fire Department in August 2007, he said.

During the five years he's been employed with the department, Wright said he's been bullied by Chief Tom Garrett and threatened with termination on multiple occasions for various reasons. Wright alleges Garrett tried to prevent him from doing his military duties on several occasions, and during union meetings said Wright was "faking" the PTSD.

Garrett has declined to comment because it's a personnel issue.

Wright is being treated for PTSD caused by traumatic experiences he encountered while protecting supply routes and both military and civilian convoys during a one-year tour in Iraq which began 2004, he said.

He supplemented his income from the fire department with jobs at the Troy Housing Authority through a painting company which he established in 2005.

"I was on light duty when I would once and a while work nights or just check on my crew and bring them food and drinks. Light duty against my will. I wasn't using sick leave and working," Wright said.

But months after Wright went on medical leave with the fire department — and continued to collect his full salary with vacation time pay and stipends — his painting and contracting company was still getting paid by the Troy Housing Authority for multiple jobs completed in 2010, according to documents obtained by The Record through the state's Freedom of Information Law.

The Done Wright business, owned by Wright, collected more than \$51,000 from the THA between 2005 and 2010, with \$2,795 in 2010, according to the documents. Wright was paid between \$450 and \$1,880 for jobs at THA properties including Kennedy Towers and Fallon Court, according to THA documents.

In 2010, checks were dispensed to Jeffrey Wright for \$875 in May, and \$920 in June, according to THA documents.

He said that he had substitutes who worked on the painting jobs if he was unable. The painting business closed in 2010.

Greg Rinckey, a practicing attorney since 1998 who specializes in military law and a partner at the law firm Tully Rinckey, said that while he has seen a number of cases with veterans losing their jobs, he usually did not see the veteran collecting money from another government agency while also on leave with pay. He called the situation “problematic” and said collecting extra money while on leave did “complicate” Wright’s case.

“I do not know all the facts in this case or what’s in his contract,” he noted.

Rinckey also mentioned that Wright’s case might fall under the federal Uniformed Services Employment and Reemployment Rights Act, in which an employer does have to make reasonable accommodations for an employee who is a veteran. In this case, Wright said he had been put on “light duty.” So, further accommodations might not be possible, Rinckey speculated.

“In another job, he might be put at a desk instead of in the field, but most jobs in the Fire Department are stressful to some extent. There may be no reasonable accommodations because of this,” Rinckey said.

According to state Civil Service Law, an employee must be able to perform after a period of time and a hearing is held to determine if the person is able to work after a year. If he or she is unable to do so, the law states the employee can be terminated until he or she is well enough to return to work.

And, though not mentioned in the termination letters, Wright’s checkered arrest history — including more than a dozen charges — could likely be taken into consideration during the litigation. He has arrests dating back to 1992 which range from third-degree assault and forcibly touching to second-degree harassment and disorderly conduct. There’s even a note about being ticketed for littering, according to documents obtained by The Record.

“The truth is most of the arrests were petty violations, not crimes, equivalent to a traffic ticket. All the other charges were dismissed except one assault charge, where there were circumstances that I explained to the city during the hiring process and they saw fit to hire me,” Wright stated. “The arrests hold no relevance to what’s going on now.”

It’s up to the city to determine whether or not to terminate Wright and that decision is still pending, said spokesman Mike Fraser.

One way or the other, Wright says he wants the process to be over so he can focus on his wife and family, including his sons who range in age from 7 months to 10 years old.

“I want to get on with my life. I know I have a long road ahead,” he said.