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June 9, 2014

Human Resources
City of South Bend

South Bend Board of Public Safety
227 W Jefferson Blvd
Suite 1309
South Bend, IN 46601

And
South Bend Common Council
227 West Jefferson Blvd.
Suite 400
South Bend, Indiana 46601

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OFFICE OF THE MAYOR
CITY OF SOUTH BEND

And

Janet Cadotte, Human Resources
227 West Jefferson Blvd.
Suite 1200
South Bend, Indiana 46601

And

Mark Neal, Deputy Mayor of South Bend
227 West Jefferson Blvd.
Suite 1400
South Bend, Indiana 46601

To Whom It May Concern:

Please allow this letter to serve as a formal complaint of discrimination and unfair treatment against the South Bend Chief of Police Ronald Teachman.

On March 17, 2014 Detective Sergeant Joseph Walker arrived at work at the SBPD, he was later summoned to the office of the Chief of Police by Ronald Teachman along with Division Chief Smith. During this meeting, Chief Teachman asked Sgt. Walker about the status of his physical health. Sgt. Walker had recently returned to active duty status due to an extended leave of absence pertaining to confidential medical reasons.

During this meeting, Chief Teachman made a request for Sgt. Walker to produce for him a medical release from his physician with information regarding his ability to return to work and resume his normal work schedule and responsibilities. Prior to returning to work Sgt. Walker was under the care of two separate doctors who supervise his personal medical care. Per the order of Chief Teachman, Sgt. Walker requested an official signed medical release document from his primary physicians. Sgt. Walker placed a request for his doctors to submit the medical releases directly to the Chief of Police. Each signed medical releases stated that he was clear to return to work with light duty restriction. Both medical releases were faxed directly to the Chief of Police by the physicians.

After receiving the medical release from Sgt. Walker's medical doctors, the Chief of Police requested another meeting with Sgt. Walker and his Division Chief several days later. During the second meeting, Chief Teachman ordered Sgt. Walker to undergo a medical examination to obtain a separate medical clearance from a different physician, a physician now chosen by the City of South Bend. Per this request, it was obvious that Chief Teachman, for some unknown reason was not content with the legitimate medical releases which were provided to him by the physicians that were actually in charge of Sgt. Walker's medical care and who are familiar with his past and immediate medical history.

For fear of employment retaliation, Sgt. Walker obeyed each order given to him by Chief Teachman. Sgt. Walker completed the medical evaluation given to him by the physician which was chosen by the City of South Bend. After completing the medical examination, the third physician who was unfamiliar with Sgt. Walker's medical history also cleared him to return to work but on a restricted basis. The third physician also placed Sgt. Walker on light duty in lieu of a full medical release which was similar to the recommended evaluations from the first two doctors.

Chief Teachman communicated that his reason for the order to submit to an additional physical examination was a result of "looking out for the best interest of the City." By this statement, it was clear that Chief Teachman was not interested in the well-being of Sgt. Walker although Sgt. Walker has put his life on the line for over twenty-seven years as a police officer serving the City of South Bend. The only the interest for Chief Teachman was that of the City of south Bend.

After receipt and review of the third medical release from the physician chosen by the city of South Bend, Chief Teachman was once again not pleased with the recommendation from the third physician. Chief Teachman told Sgt. Walker, "You are either fit for duty or not."

Approximately one week later, Sgt. Walker was met with hostile treatment and ordered again by Chief Teachman to submit to another physical examination by a second physician chosen by the City of South Bend. Again, for fear of employment retaliation, Sgt. Walker submitted to yet another medical evaluation. After completing the second physical examination, suspiciously Sgt. Walker was told by the second doctor that he was not fit for duty. Sgt. Walker did not receive any written documentation form the second physician explaining her reason for grading his physical ability as unfit for duty. The second physician also told Sgt. Walker, "There is no such thing as light duty."

Several days after receiving the doctor's recommendation that he so eagerly desired, Chief Teachman then informed Sgt. Walker that he was formally relieved of duty due to him being evaluated as "un-fit for duty by a medical doctor." Sgt. Walker was then ordered to surrender his department issued vehicle and was subsequently sent home by Chief Teachman. Sgt. Walker was not informed if this relief from duty would be paid

leave or not. Sgt. Walker was told by Chief Teachman that he could not resume his work duties on a restricted basis because "There was no such thing as light duty."

The decision to allow an employee to return to light duty is made by the employee's doctor. If a physician indicates that the employee is unable to fulfill his usual duties but is able to fulfill light duties, the physician may release the employee for light duty work until he is fully able to perform his usual duties. Three of four doctors that examined Sgt. Walker found him fit for duty but with restrictions.

These unjust and unfair actions by Chief Teachman created a very stressful home and work environment for Sgt. Walker. For eight straight days, Sgt. Walker remained at home without any contact or clarification from the office of the Chief of Police. Sgt. Walker had no idea if he would return to the job he loved for so long. Sgt. Walker did not know if he would continue to have the financial means to provide for his family.

During this relief from duty, Sgt. Walker called the office of the Chief of Police and requested written documentation from Chief Teachman which described the justification for removing him from duty. In addition, Sgt. Walker also requested written documentation from Chief Teachman describing the reason for the refusal to place him on light duty per the written recommendations from three licensed physicians. Sgt. Walker also requested written documentation from Chief Teachman to describe why he stated that light duty did not exist within the SBPD.

Sec 460.03 of the SBPD Duty Manual states:

Return to Duty Policy

The purpose of this policy is threefold. First it will enable the Police Chief or his designee to accomplish special assignments within the Police Department. **Two, it will help the officer who is not able to return to full-time duty to contribute to the Police Department.** Finally, it will help the Police Department save money and minimize cost.

Sec 460.04 of the SBPD Duty Manual states:

Full Duty Limitations

All officers except those on temporary **light duty** assignments pursuant to 460.03 of the Duty Manual shall be physically able to perform the essential job functions of a police officer (Sec 216.00).

Chief Teachman informed Sgt. Walker that he would not submit to him any written documentation as to why he relieved him of duty as a police officer and ordered him to surrender his assigned vehicle. Chief Teachman also refused to provide Sgt. Walker with a written document stating the justification as to why he refused to place him on light duty. Chief Teachman also refused to provide Sgt. Walker a written document stating why the SBPD did not have a light duty policy.

It should be noted that during the time that Sgt. Walker was denied a light duty assignment, more importantly why he was told by the Chief of Police that light duty

assignments did not exist; there were several white police officers assigned to light duty work that was physically less demanding than normal job duties. One particular white officers was assigned light duty even though his physical limitations were not due to an occupational injury or illness.

Workplace discrimination occurs when employers treat employees unfairly because of various issues, including race. This act of discrimination displayed by Chief Teachman toward Sgt. Walker is an accurate illustration of disparate treatment towards African Americans. Especially African American men. Sgt. Walker was singled out and treated less favorably than white officers similarly in the same situation. This intent and subsequent actions toward Sgt. Walker were motivated by Chief Teachman's discriminatory intent.

This act of discrimination displayed by Chief Teachman toward Sgt. Walker went far beyond workplace discrimination, it crossed into the realm of pure hatred. These acts displayed against Sgt. Walker by Chief Teachman violated the Title VII of the Civil Rights Act of 1964.

As tax paying citizens of this community and as employees of the City of South Bend, we are requesting a full and exhaustive investigation into this matter of unfair treatment, workplace discrimination and racial discrimination.

Respectfully submitted;

