



Fire Department/Emergency Management Agency

Christopher E. James, Fire Chief/EMA Director

September 14, 2020

Dear Mayor and Commissioners,

Please accept this letter in response to James Rouse Kelly's (Mr. Kelly) exit letter dated September 7, 2020 and directed to the Augusta-Richmond County Commissioners.

First, let me state that Mr. Kelly's allegation of discrimination, including a hostile working environment, are entirely unfounded and the vast majority of the representations made by Mr. Kelly are false. As can be seen below, I or no one on the department discriminated against Mr. Kelly, and he was not subjected to a hostile work environment. Mr. Kelly was treated the same or better than individuals similarly situated to him. In his letter, Mr. Kelly identifies himself as a 30-year-old African-American male, but then alleges I discriminated against him based on his "lifestyle choices." However, besides talking about his children, Mr. Kelly never discussed or revealed any "lifestyle choices" to me. Additionally, even if he had or knowing of any alleged "lifestyle choices," they would not have affect my impression of Mr. Kelly or how I treated him. The only thing relevant to me was Mr. Kelly's abilities and performance in his position.

Mr. Kelly was a valued member of the Augusta Fire Department staff through September 1, 2020. Mr. Kelly was hired as the EMS Coordinator. At the time of his hire, the EMS Coordinator position reported to the Training Chief position, which reported to the Deputy Chief of Technical Services, which reported to me as the Fire Chief. This is the same structure that existed when the position was filled by Mr. Kelly's predecessor. Upon filling the position, Mr. Kelly began requesting that his title be changed to Chief instead of Coordinator because he felt it would help him earn the respect of the firefighters. At his behest, that process began in the first quarter of 2019.

In the beginning of April, 2019, Mr. Kelly came into Fire Administration in order to assist in completing an investigation into an EMS issue. Contrary to Mr. Kelly's letter, he came to the office in uniform and with a goatee. At the completion of the investigation that day, I told Mr. Kelly that, before I was willing to give him the title of chief, he needed to show me that he could act like a chief and look like a chief, which included following the Fire Department grooming policy. At that point, Mr. Kelly stated that he was wearing the goatee for his father's funeral that day. Not previously realizing that his father's funeral was that day, I told Mr. Kelly to go be with his family. Mr. Kelly was not given a letter of warning for this incident by me or at my request and the Fire Department has no record of any such letter of warning.

Mr. Kelly's title was officially changed to EMS Chief on June 14, 2019. Along with this title change, the reporting structure was changed so that the EMS Chief position reported directly to the Deputy Chief of Technical Services and became a contemporary of the Training Chief position rather than a subordinate. Contrary to Mr. Kelly's assertions, Mr. Kelly was specifically assigned an administrative assistant to assist him with EMS billing and medical logistics. Mr. Kelly had additional resources available to him that he failed to use efficiently or effectively. Mr. Kelly was given an office once one became available and, in order to accomplish this, I had to temporarily place the new Training Chief in a fire station rather than being at Fire Administration.

In July, 2020, Mr. Kelly asked about applying for the Deputy Chief of Operations position vacated by the retirement of Chief Taylor as a way of getting himself a raise. It is in that context that I informed Mr. Kelly of the additional certifications and experience that he would need in order to be eligible for that position. It is unfortunate that there are not more avenues for giving valued employees raises within our government but I am required to operate within the policies and procedures that have been provided.

On September 2, 2020, Mr. Kelly did not appear for work but instead emailed the attached letter of resignation to the Deputy Chief of Technical Services. It is clear on its face that Mr. Kelly did not provide any notice of his intent to resign and instead attempts to demand vacation time for what would be his notice period. That is not notice. The position that Mr. Kelly held is an important position within the Department and the way Mr. Kelly chose to leave placed the

Department in an unfortunate situation trying to determine the status of Mr. Kelly's responsibilities without any assistance from Mr. Kelly. As of the afternoon of September 4, Mr. Kelly had not returned any of the calls that had been made in attempts to reach him. As a result of these circumstances, it was appropriate and necessary to accept Mr. Kelly's resignation effective immediately so that the Department could take steps in order to move forward without him.


As can be seen from his own admissions, Mr. Kelly did not follow policy in providing notice of resignation, in requesting vacation leave, or in exit interview protocol. It is only after the Department needed to accept his resignation effective immediately that these allegations came forward. Interestingly, there was a policy, process, and procedure for Mr. Kelly to report these alleged, perceived discriminatory acts while he was employed, which he chose not to follow.

During his employment not once does Mr. Kelly allege that he was treated differently than someone without his "lifestyle choice,".

I hope this provides some clarity in regards to Mr. Kelly's exit letter. Please review the attached Highlights of Facts. Also attached is a copy of Mr. Kelly's resignation letter, the Department's letter accepting his resignation, and text messages exchanged from James Kelly to me suggesting no feelings of hostility.

I will certainly answer any questions or concerns you have regarding this matter.

Respectfully,



Christopher E. James, Fire Chief/EMA Director