

Bond Case Briefs

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EMPLOYMENT - OKLAHOMA

King v. Berryhill Fire Protection Dist.

Supreme Court of Oklahoma - September 24, 2013 - P.3d - 2013 OK 76

Employee brought action against fire protection district alleging that he was wrongfully terminated for attempted to stop a training exercise.

The Supreme Court of Oklahoma held that evidence was sufficient to support finding that employee was terminated in retaliation for opposition to unlawful and unsafe training exercise.

Plaintiff King was a paid firefighter for the Berryhill Fire Protection District and worked under the supervision of Fire Chief Downing. Chief Downing wanted to remove structures from real property he owned and had received an estimate for the demolition of structures on his property in the amount of \$10,000. Rather than paying to have the structures demolished, Chief Downing began planning a live burn training exercise on the property even though gasoline tank batteries were located on nearby property on three sides of his property, trains operated on tracks on the immediate east side of his property, electrical lines were near the structures, and there was a large tree that could have caught fire. Further, there was no water immediately available at the proposed burn site. At trial, witnesses for both parties testified that the property was not an appropriate site for such a drill.