




# Office memorandum

**Date:** November 10, 2009  
**To:** Butch Crawford, President, IAFF 2067  
**From:** Steve Lewis, City Manager   
**Subject:** IAFF Grievance Response – R. Lukinbill

---

I have received and reviewed a grievance concerning Ryan Leroy Lukinbill's use of sick leave for cancer treatment. In short, the grievance contends that Firefighter Lukinbill's request for OJI leave and benefits was never granted and that Firefighter Lukinbill's absence due to cancer was charged as sick leave with his medical bills paid directly from the employee health insurance. The solution set forth in the grievance is a "make whole remedy" which requires restoration of all leave and benefits used while Firefighter Lukinbill was off work due to cancer treatment.

To resolve this grievance, I have decided that Firefighter Lukinbill's sick leave will be converted to injury leave or wages in lieu; additionally, Firefighter Lukinbill's treatment will be paid from the Workers' Compensation fund. Any past medical bills covered under the health insurance will also be reimbursed through the Workers' Compensation fund. The above-mentioned changes arise after months of detailed review concerning Firefighter Lukinbill's condition and in no way equate to an admission by the City: (1) that Firefighter Lukinbill is disabled; (2) that the statutory presumption set forth in 11 O.S. § 49-110 applies; (3) an admission that Firefighter Lukinbill's cancer is job related; or (4) an admission of any liability. Because such a directive effectively grants the relief requested in your grievance, I consider it resolved.

If you have any additional concerns, please feel free to contact me. If you believe that further action is warranted, please consult the City/IAFF CBA for any additional rights you may have.

cc: James Fullingim, Fire Chief  
Gala Hicks, Director of Human Resources  
Rickey J. Knighton II, Assistant City Attorney  
Rebecca Frazier, Assistant City Attorney