

## Arbitration win puts SHA employee back on his feet

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Life has been a roller-coaster ride for Jerome Foster. One day he's celebrated as a hero for rescuing an elderly lady from her burning apartment building; the next day he gets unjustly terminated from his job at the Seattle Housing Authority (SHA), evicted from his apartment, and forced to live on the streets.

Good thing Foster has a union contract backing him up, and competent Union representatives who care, or maybe Foster, a single dad, would still be living out of his car.

Jerome Foster's story goes back to 2007 when he went to work as a Resident Manager for the SHA. Foster was provided an apartment as a part of his job and put in charge of the upkeep of a low-income West Seattle apartment complex bordering on White Center.

Foster's new job started with a scare. He got a call from a tenant saying that a fire had broken out in the apartment complex. When he went to investigate, he saw smoke billowing up everywhere. Foster called 911. Then he remembered the frail 90-year-old lady who lived in one of the units, and rushed over, with a fellow resident, to see if she was okay. "When we got there, she was completely disoriented," he said. "We got her out of the building to safety. She was pretty shaken."

The two men were praised by fire fighters on the scene and treated like heroes at their apartment complex. But strangely, instead of being congratulated by his employer, Foster faced criticism. Apparently, he had called the wrong supervisor to report the incident. "I couldn't believe it. It was a panicky moment and I thought I had done everything right."

In 2008, shortly before Christmas, Foster received some more bad news. At a meeting with his manager to discuss the progress of his to-do list, Foster had complained about not having adequate supplies to do his job. After the meeting, he was fired for what management alleged to be "gross insubordination." Foster was kicked out of his apartment, and within a few months, he was living in his car.

"When I lost my job, I felt numb. It felt like my whole world came crashing down. I blew through all of my savings and drifted from one person's couch to the next. On the days that I didn't have a place to stay, I slept in my car," he said.

Stricken by his predicament and shocked at his employer's actions, Foster called his Union. With the help of Local 117 Business Representative, Matthew A. House, he filed a grievance, arguing that his employer's actions had violated the 'just cause' provision of his collective bargaining agreement. Foster's grievance also asserted that the SHA did not conduct a proper investigation and that the punishment was excessive.

That started a process that lasted nearly a year and a half. A series of grievance meetings ensued followed by three arbitration hearings. Foster was represented throughout the process by Business Representative, Matthew House, and Local 117 Staff Attorney, James V. Smith II.

The arbitrator who heard the case ultimately ruled in Foster's favor. She said that Foster's employer did not give him a clear order, did not conduct a thorough investigation, and that Foster's behavior did not warrant gross insubordination. Foster was reinstated with back pay and benefits. He returned to work on May 24, 2010, after being out of work for over 17 months. SHA's argument that the grievance was untimely was denied.

To say that Foster is grateful to his Union is an understatement. "These guys literally saved my life," he said. "Who else was going to take my case and look at the facts? These guys fought for me like no one has ever fought for me before."

In a letter of appreciation to his Union, Foster wrote:

"This communication comes as a result of the outstanding job that was done on my behalf by two of your Local 117 employees, Matthew House and James [V.] Smith. These two gentlemen handled my case timely, professionally and without prejudice. They worked tirelessly to gain the correct results in this matter. I would like to offer my highest level of gratitude for taking the time to look into the facts that ultimately saved my job and basically helped rebuild my life. The fairness and integrity that they showed was impeccable....It is the people like Matt and James that make America's workplace better for all of us."