

**CITY OF MANSFIELD  
NOTICE OF PRE-DISCIPLINARY CONFERENCE  
IAFF**

Employee's Name: David Compton Employee #: 1385  
Position: Captain Crew: B

Allegations have been made against you which, if substantiated by evidence, could constitute grounds for discipline up to and including termination. Those allegations involve:

Alleged Violation: Careless Failure to observe rules Group I Example 9  
willfully derelicting Group II Example 10

Date/Time of Alleged Violation: various times in 2021, 2022, 2023

Place Alleged Violation Occurred: Fire Station 1

Summary of Allegation(s): see attached

(Attach additional sheets if necessary)

Individually and collectively the alleged violation(s) could constitute just cause for discipline. All pertinent information is attached.

A predisciplinary conference has been scheduled for 9:30 a.m. on Friday July 28, 2023 before Op. Sup. Steve Brown at HR Conference Rm. 8th Fl.  
At this conference the allegations and evidence will be explained to you and you will be afforded an opportunity to present your response to any and all such allegations. You may be represented at this conference.

If you are unable to attend on the above date, or if you wish to respond in writing in lieu of a conference, please call Hilary Passerson at (414) 255-9695 immediately.

If you wish to waive your right to this conference, sign the attached waiver in front of a witness, who must also sign and date same, and send it to HR@ci.mansfield.oh.us

Moran May 7/21/23  
Signature/Date

cc: Employee Chief IAFF  
S/S Director Asst. Chief HR Director

**CAPT. DAVID COMPTON – Pre-Disciplinary Conference [July 2023]  
Summary of Allegations**

**Group I Negligent, Careless Failure to Observe Rules:** Fire Division Rules & Regulations state that a captain serves as a designated company officer. Rule 306.01 states “company officers shall have command of their companies ... shall preserve order and discipline and enforce the rules and regulations of the ... department ...and the personal habits of the members are clean and wholesome.” Also, Rule 306.10 states “company officers shall see that probationary members receive proper explanations and instructions of the duties required of them”. You were at all times relevant the company officer of “B” Crew at Station 1. An extensive administrative investigation has revealed that on numerous occasions during 2021, 2022 and 2023, you failed to ‘preserve order and discipline” of your crew at all times and that you participated in and allowed a culture which did not allow FF Hockenberry to receive “proper explanations and instructions,” all of which amounted to a negligent and careless failure to observe rules.

**Group II – Willfully Demeaning Conduct:** An extensive administrative investigation has revealed that on numerous occasions during 2021, 2022 and 2023, your conduct toward FF Hockenberry and other firefighters was of an intimidating, menacing, demeaning or frightening nature which is prohibited by the City’s zero tolerance Violence in the Workplace Policy as set forth in Section 7.11 of the City’s Policy and Procedure Manual.

Such conduct also constitutes inefficiency, failure of good behavior and conduct unbecoming an employee as set forth in Section 6.2 of the CBA.

CITY OF MANSFIELD  
NOTICE OF DISCIPLINARY ORDER  
IAFF

Employee's Name: David Compton Employee #: 1385  
Position: Captain Crew: B

PART ONE: TO BE COMPLETED BY THE FIRE CHIEF OR DESIGNEE

As a result of the pre-disciplinary conference held on 8 2 20 23  
concerning the alleged offense of Failure to observe rules Group 1  
willfully disobey Group 2 it is my decision that you  
(Check one)  are guilty  are not guilty of specifically (describe violation):  
you were officer in charge regardless of quoting movie quotes  
and so on. FF Hochberg felt balked and demeaned. Seems  
that this being first offense for both would my recommendation  
is as follows

(Attach additional sheets if necessary)

It is therefore my decision/recommendation (cross out one) that you:

- not be disciplined
- be given an oral counseling (form attached)
- Group 1  be given a written reprimand (form attached)
- Group 2  be suspended for 1 working days without pay
- be reduced from \_\_\_\_\_ to \_\_\_\_\_
- be terminated from employment

8.15.23  
Date

[Signature]  
Signature

**CITY OF MANSFIELD  
NOTICE OF PRE-DISCIPLINARY CONFERENCE  
IAFF**

Employee's Name: David Compton Employee #: 1385  
Position: Captain Crew: B  
Allegations have been made against you which, if substantiated by evidence, could constitute grounds for discipline up to and including termination. Those allegations involve:  
Alleged Violation: Complete Failure to observe rules with willful disregard Group I Example 9  
Date/Time of Alleged Violation: various times in 2021, 2022, 2023  
Place Alleged Violation Occurred: Fire Station 1  
Summary of Allegation(s): SEE ATTACHED

(Attach additional sheets if necessary)

Individually and collectively the alleged violation(s) could constitute just cause for discipline. All pertinent information is attached.

A predisciplinary conference has been scheduled for 9:30 a.m. on Friday July 28 2023 before Op. Supt. Steve Brown at HR Conference Rm. 8th Fl.  
At this conference the allegations and evidence will be explained to you and you will be afforded an opportunity to present your response to any and all such allegations. You may be represented at this conference.

If you are unable to attend on the above date, or if you wish to respond in writing in lieu of a conference, please call Hilary Anderson at (44) 755-9195 immediately.

If you wish to waive your right to this conference, sign the attached waiver in front of a witness, who must also sign and date same, and send it to HR at Mansfield, Ohio

Morgan 7/21/23  
*(Signature)*

cc: Employee                      Chief                      IAFF  
     S/S Director                Asst Chief              HR Director

PART TWO: TO BE COMPLETED BY SERVICE/SAFETY

Upon full review of the facts in this matter, it is my decision to: (check one)

uphold the recommendation of \_\_\_\_\_, 20\_\_\_\_. (See below)

amend the recommendation of August 15, 2023, and rather than the action recommended, it is my decision that you:

not be disciplined

be given an oral counseling (form attached)

be given a written reprimand (form attached)

be suspended for 10 working <sup>shifts</sup> ~~days~~ without pay, effective 9/15/23 (see attached written order)  
to \_\_\_\_\_ effective \_\_\_\_\_  
be reduced from \_\_\_\_\_

1/1

be terminated from employment, effective 1/1

Check if applicable  This suspension/~~reduction~~ (cross out one) is a corrective measure intended to help you improve your performance. It will not be considered for progressive disciplinary purposes after 24 months, if no intervening discipline occurs. Further violations may result in progressive disciplinary action.

David L. Perry 9/1/23  
Director's Signature/Date

I hereby acknowledge receipt of this disciplinary order. My signature does not imply agreement or disagreement.

Employee's Signature/Date

cc: Employee Chief LAFF  
S/S Director Asst. Chief HR Director



# City of Mansfield

## Tim Theaker, Mayor

30 N. Diamond Street - Mansfield, OH 44902 - (419)755-9628 Fax-(419) 525-0146

**David L. Remy, Interim Safety Service Director**

**DATE:** September 1, 2023  
**TO:** Captain Dave Compton  
**FROM:** Interim Safety Service Director  
**RE:** Careless Failure to Observe Rules/Willfully Demeaning Disciplinary Action

Having reviewed the investigatory documentation regarding the above referenced disciplinary charges as well as the Hearing transcripts and the Hearing Officer's recommendation, dated July 15, 2023, it is my finding that said recommendation is modified based upon the following determination.

The underlying nexus of the charges against you are numerous sexual harassment situations, many of which occurred on duty, on station by a firefighter as a member of a fire company under your direct control a majority of the time. Sexual harassment is a serious matter and it has been determined that such did take place on multiple occasions over a period of more than two years. Based upon the investigation that was conducted, it is my finding that you were aware of the verbal harassment, that you personally used verbal and demeaning language toward the subjected individual and you were careless in carrying out the duties of captain during the entire period in question. I also find that such conduct was serious and warrants deviation from straight progressive discipline.

Consequently, it is my order that you are suspended three (3) working days/shifts for your careless failure to observe rules and suspended seven (7) working day/shifts for the willfully demeaning charge. Both suspensions are without pay and are to run consecutively to each other effective with your next scheduled crew working day. Additionally, you are ordered to undergo a management skills curriculum as established by the City.

Respectfully,

David L. Remy  
Interim Safety Service Director

Cc: Chief Strickling; HRD May; Payroll Dir. Depinet; IAFF Local 266 President Shafley

IN THE MATTER OF THE LABOR ARBITRATION BETWEEN:

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CITY OF MANSFIELD, OHIO  
EMPLOYER

AND

INTERNATIONAL ASSOCIATION OF FIREFIGHTERS LOCAL UNION 266  
LABOR ORGANIZATION

FMCS No. 240124-02942  
*Grievance filed September 11, 2023 (David Compton)*

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AWARD

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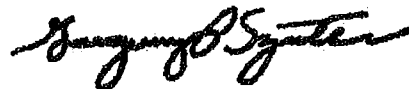
I, The undersigned Arbitrator, having been designated in accordance with the arbitration agreement entered into between the above named parties, and having been duly sworn, and having heard the allegations and proofs of the parties, hereby AWARD as follows:

On the merits of the Grievance filed September 11, 2023, the Arbitrator finds the grievance is denied in part sustained and part. The Employer has not proven it had just cause to suspend Grievant for a Group 1 violation. The Employer has not proven it had just cause to suspend Grievant for a Group 2 violation. The Employer proved that it had substantive just cause to find a Group 1 violation that Grievant failed as a supervisor to preserve order and discipline as set out in the decision but the remedy of suspension was not proportional. Therefore, the penalty is revised and awarded is as follows:

1. The 10 days of suspension of Grievant as of are rescinded.
2. Grievant shall be given a written reprimand for the incident of failing as a supervisor to preserve order and discipline as set forth in decision.
3. Grievant shall be provided with full back pay, benefits and seniority for time lost due to the suspensions, the order to attend a management skills curriculum is rescinded, and the record of suspensions is to be expunged from the Employer's records to the extent consistent with public records law.
4. There being no prevailing party, the Agreement makes the expenses and compensation of the Arbitrator payable equally by the parties.
5. The Arbitrator does not retain jurisdiction. Any dispute over the implementation of the award will only be considered by this Arbitrator after joint submission of the parties.

The foregoing is in full settlement of all disputes presented in the hearing of this matter.

MADE AND ENTERED THIS SEPTEMBER 9, 2024  
AT CLEVELAND, OHIO



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GREGORY P. SZUTER, ARBITRATOR

