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Home > East Lansing's Environmental Whistleblower Sues for Wrongful Termination

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## East Lansing's Environmental Whistleblower Sues for Wrongful Termination <sup>[1]</sup>

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**By:**

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Troy Williams believes he has been left with no choice. The City of East Lansing has fired him from the job that was the primary source of income for his family. That has left him without the medical insurance that covered him, his wife, and their high-school-age son.

Williams tells ELi, "This is crazy. . . . The City put us in a financial bind and also put us through

the mental stress of my not having a career anymore, a career we had planned out for our retirement and medical. They took it all away.?

He's worried that if he doesn't act to defend himself and his family legally, other Michigan cities will treat other environmental whistleblowers as badly as he says East Lansing has treated him.

So, Williams has now filed a wrongful termination suit against the City of East Lansing in Ingham County Circuit Court. He says he was fired in retaliation for his repetitive reporting of health and safety violations [2] at the City's wastewater treatment plant.

ELi broke the story [3] at the start of this year that Williams had been fired by the City on December 31, 2018.

The City has stated as the reason for firing him that managers can't find a job to accommodate two disabilities Williams developed from his job as a pump mechanic at the plant. Those include a torn bicep in his left arm and asbestosis in his lungs. The former requires that he not lift heavy objects with his left arm, and the latter that he not be exposed to more breathable toxins.

Williams says both limitations arose from health and safety violations at the plant ? that, in effect, he wouldn't have developed these health problems if the plant had been following regulations.

His arm injury occurred because he and another worker were lifting a heavy object manually instead of using a small crane that had not been properly inspected according to a mandated schedule, according to Williams.

His lung damage came from asbestos exposure that is believed to have occurred during the seven years City managers knew about asbestos problems [4] and failed to follow worker-protection laws.

Williams' attorney, Manda Danieleski, tells ELi she will show evidence that the City could, in fact, offer Williams work that accommodates his two work-related restrictions. She points out that Williams has a commercial driver's license as well as numerous skills ? he could drive a truck, read meters, do basic office work, and more.

But, she says, the City just wants him gone. Williams has a long history of calling in the Michigan Occupational Safety and Health Administration (MIOSHA) and the Michigan Department of Environmental Quality (DEQ), and that, say Williams and Danieleski, left him the position of being harassed at work and ultimately fired.

According to Danieleski and Williams, workplace retaliation against Williams started in early 2014, shortly after Williams reported the cover-up of a major mercury spill at the plant [5], and continued even after the City fired Williams.

Williams tried to get unemployment benefits after his termination, but these have been held up because somehow the unemployment office had recorded the reason for his termination as chronic unexcused absenteeism ? conduct that disqualifies a person for benefits.

East Lansing's Director of Human Resources Shelli Neumann has told ELi <sup>[6]</sup> she doesn't know how the unemployment office got that information, and that it's not accurate.

But Danieleski says the unemployment office "doesn't come to their own conclusions," suggesting the City must have been responsible for providing the wrong information that stopped Williams from getting his benefits.

Danieleski tells ELi the City is also holding up his worker's compensation case by insisting he sign paperwork saying he voluntarily resigned and waiving all of his rights to claims against the City. Danieleski says Williams is "unwilling to waive these claims, and so here we are."

She tells ELi, "I am sure they would like us to sweep it all under the rug, but we're not going to do that," adding, "These are important cases to pursue. It is important to protect injured employees and whistleblowers."

According to Danieleski, the financial impact on Williams and his family of the City's treatment of him has been "huge," and she says she will show that by calling on expert labor economists. The suit calls for Williams to be paid "damages in excess of \$25,000.00 . . . together with all Court costs and attorney fees that are allowed."

The City is being defended in the case by Thomas Fleury of Keller Thoma, a firm based in Southfield, Michigan, that specializes in employment law. Fleury did not respond to two requests for comment.

The City's initial response to the lawsuit contains the standard defenses in these cases: that the plaintiff did not file his case in time; that he has not exhausted other remedies; and that the plaintiff is not accorded the rights he claims under State law.

The City asks that the case be dismissed and that Williams be ordered to pay the City's costs and attorney fees in the case.

The case has been assigned to Judge Wanda M. Stokes of the Ingham County Circuit Court. (See the filings here <sup>[7]</sup>.)

Williams tells ELi that he will now be releasing more of the photos and videos he has from the plant, showing large hazardous spills at the Red Cedar River, unmanaged asbestos contamination where workers like him were ordered to labor without protection, and the former Director of Public Works climbing in and out of a dumpster into which workers had discarded mercury-contaminated materials.

In doing so, he no longer has to fear losing his job.

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[3] <https://eastlansinginfo.org/content/city-fires-health-and-safety-whistleblower>

[4] <https://eastlansinginfo.org/content/lawsuit-contends-city-workers-unjustly-exposed-asbestos-risk>

[5] <https://eastlansinginfo.org/content/mercurial-trail-part-2-spill-spreads>

[6] <https://eastlansinginfo.org/content/fired-east-lansing-whistleblower-keeps-pushing>

[7] [https://eastlansinginfo.org/sites/default/files/troy\\_williams\\_v\\_city\\_of\\_east\\_lansing\\_wrongful\\_termination\\_filings\\_march\\_2017.pdf](https://eastlansinginfo.org/sites/default/files/troy_williams_v_city_of_east_lansing_wrongful_termination_filings_march_2017.pdf)

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[9] <https://eastlansinginfo.org/publicworks>

[10] <https://eastlansinginfo.org/government>

[11] <https://eastlansinginfo.org/finance>