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OCT 23 2024

CITY CLERK OFFICE

## Ethics Complaint Form

Name of person filing complaint: International Association of Firefighters Local 135

Phone: 316.263.6651 Email: ted@iaff135.com

Address: 428 North St Francis

Who is the complaint about? Name: Lily Wu

Position: Mayor

Which part of the Code of Ethics (items a – r) on pages 3-7 in the Code of Ethics do you allege was violated by this City official?

Wichita Ordinance Title 2. Administration and personnel, Chapter 2.04 – City Counsel, section 2.04.100, which strictly prohibits such communications and instructions by individual members of the Council.

Wichita Ordinance Chapter 2.07 - Code of Ethics, section 2.07.30(b) which states city officials conduct themselves so as to maintain public confidence in the City and its officials

Wichita Ordinance Chapter 2.07 - Code of Ethics, section 2.07.30(q) which states city officials must refrain from patronage and do not interfere with or express improper interest in the City hiring process.

Describe what happened. Include all the facts to the best of your knowledge that support your claim that the ordinance was violated. Be specific as to how and why you believe these actions violated the Code of Ethics.

*This ethics complaint is made on behalf of the IAFF Local 135 membership/bargaining unit as a whole, as well as the citizens of the Wichita community.*

I. *Factual Background. see attached*

Date(s) alleged violation(s) took place: September 16, 2024

Date(s) you became aware of the facts on which the alleged violation(s) is/are based: September 16, 2024

Please provide names of witnesses (if any): Ted Bush, President IAFF Local 135, Chief Tammy Snow, WFD

Please attach copies of any documents (if any) that you have to support this allegation.

PLEASE SEE ATTACHED FOR FULL BACKGROUND AND ALLEGATION



**Attestation:**

*I declare that to the best of my knowledge and belief, the allegations in this complaint are true.*

Complainant:

President Ted Bush, IAFF Local 135

Type/Print Name:

A handwritten signature in blue ink, appearing to read 'Ted Bush', written over a horizontal line.

Signature

On this date October 23 2024, Ted Bush personally appeared before me as the signer of the above complaint, and they were duly sworn or affirmed that the statements made in this complaint are true to the best of their knowledge and belief.

A handwritten signature in blue ink, appearing to read 'Sara Oliver', written over a horizontal line.

Notary Public

My Commission Expires: 5/9/28

(Seal)



To: Members of the Wichita Ethics Board and City Manager Layton

From: IAFF Local 135

Date: October 21, 2024

Subject: Ethics Complaint regard Mayor Lily Wu and Wichita Ordinance, Title 2. Administration and Personnel, Chapter 2.04 City Council, Section 2.04.100.

Dear Member of the Ethics Board,

This ethics complaint is made on behalf of the IAFF Local 135 membership/bargaining unit as a whole, as well as the citizens of the Wichita community.

I. Factual Background.

During a meeting with Chief Snow, the IAFF Local 135 President, Ted Bush, was informed by Chief Snow that Mayor Lily Wu came to her individually, and outside of any public City Council meeting or actions and informed her that Chief Snow must lay off forty-five (45) employees within the Wichita Fire Department before the end of 2025, and that she did not have any choice in the matter.

The Fire Chief communicated to President Bush that the meeting was solely at the discretion of Mayor Wu. President Bush was not informed if this was a scheduled meeting or just showed up in her office for this impromptu communication, where the Mayor informed her, again completely by herself and purporting to be able to make these orders based solely upon her authority as Mayor, that she must slash her department personnel by forty-five (45) employees – even though the recent Levrum study, procured by the City of Wichita, indicated that department is over one hundred (100) members short at the current level.

As communicated by Chief Snow, Mayor Wu visited her office and informed her of the above and told her she did not care how she did, but that she must reduce personnel by the forty-five (45) positions. Chief Snow agreed to enact the layoffs but did advise her of the extreme negative impact it would have on the Wichita Fire Department and the City of Wichita.

Pursuant to Wichita Ordinance Title 2. Administration and personnel, Chapter 2.04 – City Counsel, section 2.04.100, which strictly prohibits such communications and instructions by individual members of the Council. Specifically, the ordinance states:

“No instructions or directions shall be given by individual council members to department heads or to other city employees who shall refer such instructions immediately to the city manager, who, in turn, shall bring such improper actions to the attention of the entire council for such action as may be appropriate in each individual case.” (Ord. No. 47-858, section 17, 3-28-08).

The communication by Mayor Wu to Chief Snow clearly violated the ordinance above, attempted to inflict undue influence and/or coercion by a single member of City Council over a Department Head, and more specifically over how the Department Head is running her department, which is strictly prohibited by the ordinance is improper and unethical.



2. Resolution of this complaint shall include the following:

- Complete investigation into the actions of the Mayor in trying to individually induce, influence, or coerce Department Heads control and administration of their departments outside of the City Council as a whole.
- Retraction of any instructions or actions by Mayor Wu to Chief Snow until proper procedures, meetings, and investigations are completed.
- Due to the massive impact on the Wichita Fire Department by the improper request, the Union requests that prior to any terminations of employment of any unit members, that the City is required to meet and confer in good faith, as such matters are mandatory subjects of negotiation as dictated by PEERA.
- Letter of apology to Chief Snow and the Union from Mayor Wu for the inappropriate manner in which her instructions to fire forty-five (45) Wichita Fire Department personnel at her own solitary instruction were made to the Wichita Fire Department head.
- Immediate discontinuance of any inappropriate direct and singular communications by Mayor Wu to individual department heads or Wichita employees.
- Assurance and promise from the City of Wichita that they will not make further cuts to Fire Department personnel that will place Wichita Firefighters and the Wichita Community at an extreme risk of harm to property, health, and life.

Respectfully Submitted,



Ted Bush President  
IAFF Local 135