

Former West Covina fire chief awarded \$4.1 million in wrongful termination suit

A former West Covina fire chief who sued the city for wrongful termination was awarded \$4.1 million Friday, May 5, by a Los Angeles County jury.

Larry Whithorn, a nearly 30-year veteran of the West Covina Fire Department, argued he was fired in April 2019 due to age discrimination and retaliation for reporting a hostile work environment caused by a city commissioner who “was harassing him, disparaging his name, verbally assaulting him and campaigning to get rid of him,” according to the suit.

Whithorn was represented by attorneys Anna Olevsky, John David and Anthony Nguyen.

“Mr. Whithorn is feeling vindicated,” Olevsky said in an interview. “The way in which they treated him was simply egregious misconduct and, thankfully, he was able to share his story with a jury of his peers, and they understood that he was credible and that he truly did suffer emotional and economical damages. And, fortunately, they awarded him accordingly for that suffering.”

Whithorn’s termination “derailed his career” and his family life, Olevsky said.

“Today, we see a little piece of justice,” she said.

In a statement, West Covina City Attorney Thomas Duarte indicated the court battle may not yet be over.

“We respect the judicial process and the jury’s role in it, but we also respectfully disagree with the verdict that was reached,” Duarte stated. “We intend to file post-trial motions to address certain issues with the court and will appeal this matter if necessary.”

Reached by phone, Duarte declined to answer additional questions about the case.

Whithorn joined the West Covina Fire Department as a firefighter/paramedic in 1991 and was promoted to fire chief in 2014. The chief alleged he began experiencing harassment after he spent roughly eight months on medical leave in 2017, according to the lawsuit.

City officials allegedly painted Whithorn as an “absentee” fire chief and “he experienced backlash from many, including individuals in a supervisory and higher position, for taking time off,” the lawsuit states.

That same year, the West Covina Firefighters Association issued a vote of no confidence against Whithorn for allegedly threatening to demote union members or to change their schedules and duties for picketing City Hall.

Whithorn, who took additional time off in 2018 to care for his sick father, argued he was targeted for his absences by a new City Council and other city officials, according to the lawsuit. Councilman Tony Wu and Planning Commissioner Glenn Kennedy allegedly started vocally pushing for Whithorn’s firing more than a year before the fire chief received his actual termination letter, the lawsuit states.

Once Wu became part of the council majority in November 2018, Whithorn said he was asked repeatedly by certain councilmembers and the city’s human resources director when he would be retiring. When Whithorn complained of a hostile work environment, he was reassured that only the city manager could fire him.

Then-City Manager Chris Freeland, Human Resources Director Edward Macias and Finance Director Marcie Medina all resigned suddenly in March 2019. Within a month, Freeland’s replacement, David Carmany, met with Whithorn and asked him to step down, too.

In the lawsuit, Whithorn’s attorneys accused Carmany of “chastising his performance, berating Whithorn in front of his co-workers and direct reports and in private and refusing to work with Whithorn,” the lawsuit states.

Whithorn declined to sign the resignation letter and was terminated three days later. His attorneys alleged he was not given the appropriate notice or a proper chance to appeal.

Carmany, at the time, said the city was seeking new leadership to “establish bold new goals for improved community service.”

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