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**D.O.T. Discriminating Against People With Diabetes****DOCKET NUMBER FMCSA-2001-9800 - 29**

I have worked as a fireman for the California Department of Forestry and Fire Protection - Riverside County Fire Department in Southern California for about 24 years. In about 1984 or 85, I was diagnosed with insulin-dependent diabetes. At this time, I started to educate myself with information provided through the American Diabetes Association and the Certified Diabetes Instructor registered nurse at my medical group. I learned how to properly maintain my diabetes with a good, healthy diet and how to administer insulin to manage and control my diabetes.

I didn't tell anyone at my work about my diabetes because I was concerned about losing my job and being discriminated against. I needed to work to support my family.

I was promoted to Fire Apparatus Engineer and attended classes at the California Department of Forestry training center after I graduated. I served in many different capacities in the fire service from a fireman on an engine company, a truck company, and other safety positions. I also served as a Limited Term Fire Captain.

In 1999, I advised the California Department of Forestry that I was an insulin-dependent diabetic. Well, this is where I started having problems with the fire department. The first action they took was to remove me from active duty in my station because they claimed that I couldn't do my job nor could I drive a fire engine because I had diabetes. I was re-assigned to light duty at the Ben Clark Training Center, and basically was reduced down to duties that were demeaning to my 24 years of service. I did basically menial tasks, delivering mail, and janitor-type work. They kept me there for about a year, then, on March 31, 2000, I received a letter stating that the department didn't have a position for me and they were going to put me off on my sick leave because of a non-work related medical condition - Diabetes. This is blatant discrimination, because the department clearly has no understanding of Diabetes.

During the time I've had diabetes, I haven't had any episodes related to low blood sugar, or any other reason, to give the department any reason to be concerned about my ability to perform my duties.

I feel if a person can perform the duties required by their position, there should be no reason he or she shouldn't have that position.

My question to the Department of Transportation is in the BIG PICTURE of diabetes what does the 3-year rule suppose to do with a person who has diabetes for 3 years to a person who is training for his commercial drivers license. They both have diabetes. This rule makes no sense!

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DEPT OF TRANSPORTATION

**If a person doesn't get a job because he or she has diabetes, hasn't the employer just broken the law and discriminated against this person? Shouldn't the employer should be fined or reprimanded in some way because of this discrimination?**

**Also, the Department of Forestry and Fire Protection contacted the California Department of Motor Vehicles to see if there was a problem with me, a diabetic, having a commercial license to drive fire engines and other equipment. I was requested by the California Department of Motor Vehicles to attend a hearing regarding the status my commercial drivers' license. I provided information the judge with the information he requested, and after the hearing he concluded that his decision was that there was no problem with me being a diabetic and having a commercial drivers' license. He said to me, "IT'S NOT AGAINST THE LAW TO HAVE DIABETES."**

**If you have any questions please contact me by phone at (909) 780-0629 or by mail at 15761 Ridgeway Avenue, Riverside, CA 92508. E-mail [chas8888@aol.com](mailto:chas8888@aol.com).**

**Thank You,**

**Charles H.S. Lord  
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