

Soldier wins his battle over lost job

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JAFFREY – A local soldier has won a federal lawsuit against his former employer after being demoted and then fired from his job when he returned from a tour of duty in Iraq.

Sgt. Stephen Fryer, a member of the Massachusetts Army National Guard unit based in Gardner, Mass., was awarded \$445,000 by a federal jury in U.S. District Court in Boston this week.

Last February, Fryer, through his attorneys Jon Meyer of Manchester and Nancy Richards-Stower of Merrimack, filed suit against his former employer, A.S.A.P. Fire and Safety Corp. of Tyngsborough, Mass.

According to the suit, Fryer received orders for deployment to Iraq in February 2007 and shipped out in May.

When he returned the following May, A.S.A.P. Fire and Safety owners Joseph Sheedy and Brian Cote refused to reinstate him as required by the Uniformed Services Employment and Reemployment Rights Act and Massachusetts Anti-Discrimination statutes.



A.S.A.P eventually rehired Fryer in July 2008, but he was given a demoted position. In October, after requesting reinstatement to his pre-deployment position, Fryer was fired.

FRYER Fryer sued, and on Monday, a federal jury found in favor of Fryer and awarded him more than \$445,000 in compensation from A.S.A.P., including more than \$43,000 in lost wages and more than \$400,000 in damages. Fryer's attorneys will be seeking further compensation to cover legal fees and other costs associated with the trial.

"This lawsuit was not just for me and my family, but for all members of the armed services and their families," Fryer said in a written statement. "When soldiers come home from fighting in the Middle East, they should not have to fight their employers to get their jobs back."

But A.S.A.P. owner Joseph Sheedy said his company plans to appeal the verdict, stating that Fryer's termination in October was a "good business decision, not retaliation."

"There was no ill-will behind our decision. We fired Stephen because he wasn't showing up to work," he said. "I have 30 employees and I look out for every one of them. I hope I get a chance to vindicate myself."

Fryer's victory, though welcome, was bittersweet however, according to attorney Nancy Richards-Stower. When he returned from court in Boston on Monday afternoon, he found orders for another deployment waiting for him at home.

"He's going to be boots on the ground in Afghanistan this summer," Richards-Stower said.