

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

JAMES ADAM ZEIGLER,

Plaintiff,

v.

CHATHAM COUNTY, GEORGIA,
d/b/a CHATHAM COUNTY FIRE
DEPARTMENT,

Defendant.

Civil Action No. _____

COMPLAINT WITH JURY DEMAND

Plaintiff James Adam Zeigler (“Plaintiff” or “Mr. Zeigler”), by and through undersigned counsel, files this Complaint against Defendant Chatham County, Georgia, doing business as the Chatham County Fire Department (“Defendant” or “Chatham County”), for violations of the Fair Labor Standards Act (“FLSA”), 29 U.S.C. §§ 201 *et seq.* Plaintiff seeks unpaid overtime wages, liquidated damages, declaratory and injunctive relief, prejudgment interest, costs, and reasonable attorneys’ fees. In support, Plaintiff alleges as follows:

INTRODUCTION

1. This action arises from Chatham County’s failure to properly calculate and timely pay overtime compensation to Plaintiff, a Fire Lieutenant on a 24-on/48-off, 56-hour schedule, under a purported Section 7(k) work period.

2. Defendant’s practices include: shifting hours across 27-day work periods to “smooth” paychecks; delaying overtime by processing payroll before the close of the 27-day period and pushing payment into later checks; and miscalculating overtime through mixed coding and offsets (including use of “OT .5,” “OT 1.5,” “OT STR,” and negative REGULAR hours).

JURISDICTION AND VENUE

3. This Court has federal question jurisdiction under 28 U.S.C. § 1331 and 29 U.S.C. § 216(b).

4. Venue is proper in this District under 28 U.S.C. § 1391(b) because Defendant resides in this District and a substantial part of the events or omissions giving rise to the claims occurred in this District.

PARTIES

5. Plaintiff Adam Zeigler is a resident of Georgia and worked for the Chatham County Fire Department in this District during the relevant period.

6. Plaintiff is an “employee” under 29 U.S.C. § 203(e)(1).

7. Plaintiff is a firefighter within the meaning of 29 U.S.C. § 203(y) and 29 C.F.R. § 553.210, subject to the partial exemption of 29 U.S.C. § 207(k) if lawfully adopted and consistently applied.

8. Defendant Chatham County, Georgia is a county governmental entity and “public agency” under 29 U.S.C. § 203(x). It may be served through the

Chatham County Attorney or as otherwise provided by law.

9. At all relevant times, Defendant was an “employer” within 29 U.S.C. § 203(d) and an enterprise engaged in commerce within 29 U.S.C. § 203(s)(1)(C).

7. Under § 207(k), Defendant must pay overtime at one-and-one-half times the regular rate for hours worked in excess of the applicable maximum hours standard for the adopted work period and must timely pay overtime no later than the next regular payday for the work period in which such overtime was earned. See 29 U.S.C. § 207; 29 C.F.R. §§ 778.106, 553.201–.230.

8. All overtime must be computed based on the “regular rate,” which includes all remuneration not lawfully excludable under 29 U.S.C. § 207(e) and 29 C.F.R. Part 778.

FACTS

A. Plaintiff’s Position, Schedule, and Pay Structure.

11. Plaintiff was originally hired by Southside Community’s Fire Protection d/b/a Chatham Fire in or about March 2006.

12. Effective on or about July 1, 2024, Defendant Chatham County assumed control of the fire department, and Plaintiff became an employee of Defendant.

13. As a Fire Lieutenant, Plaintiff’s primary duties included responding to fire, rescue, and medical calls; incident command at emergency scenes; performing

pre-incident planning and inspections; maintaining equipment and stations; and completing required documentation and reports.

14. Plaintiff worked a 24-hours-on/48-hours-off schedule (7:00 a.m. to 7:00 a.m.), averaging approximately 56 hours per week.

15. Defendant's Human Resources materials and communications state that for 56-hour personnel Defendant adopted a 27-day § 7(k) work period with the following pay scheme:

- Salary covers straight time up to 204 hours per 27-day work period;
- "Scheduled" overtime paid at 0.5x for hours 204–216; and
- 1.5x for hours over 216.

16. Defendant designated overtime as "Exception Pay" and represented it would be paid on the paycheck following the close of the 27-day work period. HR materials reference "payperiod vs. pay advice date," a "27-day lookback," and "smoothing" (described as "2 full checks and 1 short check vs. smooth out pay 112 hours").

B. Payroll Timing, Hour-Shifting, and Coding/Offsets.

17. Plaintiff's paystubs reflect frequent "retro reg/OT" and manual adjustments, mixed overtime coding ("OT .5," "OT 1.5," and "OT STR"), and negative regular hours on some checks.

18. Defendant sometimes "shifted hours" across pay periods to balance

checks.

19. Defendant's payroll was sometimes processed before the close of the 27-day work period, pushing end-of-period overtime into later checks rather than paying it by the next regular payday for the work period in which it was earned.

20. Defendant's use of mixed codes and negative regular hours functioned as offsets that reduced straight-time due and/or delayed or diluted overtime compensation.

21. Defendant also failed at times to include all remuneration in the regular rate, including but not limited to EMT pay.

22. Defendant was aware of the FLSA's requirements, adopted a § 7(k) structure, and issued written policies addressing the 27-day work period, exception pay timing, and smoothing.

23. Despite this knowledge, Defendant engaged in practices that shifted hours across work periods, delayed payment beyond the "next regular payday" for the work period, used offsets, and imposed a mandatory advance/recoupment plan. Such conduct was willful and/or in reckless disregard of the FLSA.

C. Protected Activity and Retaliation.

24. Plaintiff engaged in protected activity under the Fair Labor Standards Act by, among other things:

- Making internal complaints to management and/or Human Resources

about unpaid, underpaid, and/or incorrect wages and requesting payment of earned wages; and

- Emailing HR to question directives restricting employees from contacting HR about pay discrepancies and to report pay issues.

25. Shortly after Plaintiff's protected activity, Chief Vickers and other decision makers for Defendant took adverse actions against Plaintiff, including:

- Issuing a verbal warning for taking brief rest/naps during 24-hour shifts, a long-standing and common practice among firefighters and command staff during designated downtime;
- Issuing a written warning for "insubordination" tied to a purported delay in confirming attendance for a March Officer Academy class—an issue unrelated to performance or pay and historically not grounds for discipline of this severity;
- Announcing or initiating a separate "investigation" into Plaintiff;
- Reprimanding Plaintiff for contacting HR regarding pay discrepancies and directing him that "you can't do that" and that contacting HR "doesn't need to happen," and instructing him to "just do what you're told".

26. The close temporal proximity between Plaintiff's wage complaints and the adverse actions, Defendant's explicit directive discouraging or prohibiting HR

contact about pay, sudden departures from established practices (including naps during downtime), and the pretextual nature of the stated reasons demonstrate that Plaintiff's protected activity was a motivating factor in Defendant's decision to discipline and terminate (or attempt to terminate) Plaintiff in violation of 29 U.S.C. § 215(a)(3).

D. Damages.

27. As a direct and proximate result of Defendant's pay practices, Plaintiff suffered unpaid straight time and overtime, underpaid overtime due to an unlawfully calculated regular rate, and late-paid wages, together with liquidated damages and interest.

28. As a direct and proximate result of Defendant's retaliation, Plaintiff suffered lost wages and/or benefits and is entitled to legal and equitable relief, including reinstatement or front pay, back pay, liquidated damages for retaliation, and reasonable attorneys' fees and costs under 29 U.S.C. § 216(b).

COUNT I
FLSA OVERTIME VIOLATIONS

29. Plaintiff realleges and incorporates by reference the foregoing paragraphs as if fully set forth herein.

30. Defendant is an employer covered by the FLSA.

31. Plaintiff is a covered employee.

32. Defendant adopted, or purported to adopt, a 27-day § 7(k) work period.

33. Defendant failed to pay Plaintiff all overtime due at one-and-one-half times the regular rate for hours worked in excess of the applicable § 7(k) maximum.

34. Defendant's practices resulted in unpaid and/or untimely overtime.

35. Defendant's violations were willful within the meaning of 29 U.S.C. § 255(a).

36. Defendant's violations were willful and/or in reckless disregard of the FLSA, warranting a three-year limitations period under 29 U.S.C. § 255(a).

37. Defendant cannot meet its burden to show good faith and reasonable grounds; therefore, liquidated damages are mandatory. 29 U.S.C. § 216(b).

38. Plaintiff is entitled to unpaid overtime, liquidated damages, interest, costs, and attorneys' fees under 29 U.S.C. § 216(b).

COUNT II
FAIR LABOR STANDARDS ACT VIOLATIONS
RETALIATION

39. Plaintiff realleges and incorporates by reference the foregoing paragraphs as if fully set forth herein.

40. Plaintiff engaged in protected activity under the Fair Labor Standards Act by, among other things making complaints to management and/or Human Resources about unpaid, underpaid, and/or incorrect wages

41. Shortly after Plaintiff's protected activity, Defendant took adverse actions against Plaintiff as outlined above.

42. The temporal proximity between Plaintiff's wage complaints and the adverse actions, Defendants' explicit directive discouraging or prohibiting wage complaints to HR, the departure from established practices, and the pretextual nature of the stated reasons demonstrate that Plaintiff's protected activity was a motivating factor in Defendants' decision to discipline Plaintiff, in violation of 29 U.S.C. § 215(a)(3).

43. As a direct and proximate result of Defendants' retaliation, Plaintiff suffered damages, including but not limited to lost wages and benefits, emotional distress and humiliation (to the extent recoverable for FLSA retaliation in this jurisdiction), and other pecuniary and non-pecuniary losses. Plaintiff is entitled to all legal and equitable relief available under 29 U.S.C. § 216(b), including reinstatement or front pay in lieu of reinstatement, back pay, liquidated damages for retaliation, prejudgment interest where applicable, and reasonable attorneys' fees and costs.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff demands a trial by jury and requests that this Court grant the following relief against Defendant:

- A. An award of compensation for unpaid overtime wages to Plaintiff;
- B. An award of all liquidated damages for unpaid wages to Plaintiff;
- C. An award back pay, reinstatement or front pay in lieu of reinstatement,

and liquidated damages;

- D. An award of costs and expenses of this action together with reasonable attorneys' and expert fees to Plaintiff; and
- E. Such other and further relief as this Court deems just and proper

Respectfully submitted this March 2, 2026.

HALL & LAMPROS, LLP

/s/ Gordon Van Remmen

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Attorneys for Plaintiffs

Plaintiff's counsel certifies that this complaint is in 14-point Times New Roman font.

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

JAMES ADAM ZEIGLER

(b) County of Residence of First Listed Plaintiff EFFINGHAM (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number) HALL & LAMPROS, LLP 300 Galleria Pkwy, Suite 300, Atlanta, GA 30339 404-876-8100

DEFENDANTS

CHATHAM COUNTY, GEORGIA d/b/a CHATHAM COUNTY FIRE DEPARTMENT

County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
2 U.S. Government Defendant
3 Federal Question (U.S. Government Not a Party)
4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

Table with columns for Plaintiff (PTF) and Defendant (DEF) citizenship: Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation.

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Large table with categories: CONTRACT, REAL PROPERTY, CIVIL RIGHTS, TORTS, PRISONER PETITIONS, LABOR, IMMIGRATION, FORFEITURE/PENALTY, SOCIAL SECURITY, FEDERAL TAX SUITS, BANKRUPTCY, OTHER STATUTES.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
2 Removed from State Court
3 Remanded from Appellate Court
4 Reinstated or Reopened
5 Transferred from Another District (specify)
6 Multidistrict Litigation - Transfer
8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): FLSA 29 U.S.C. §§ 201 et. seq.
Brief description of cause: Violation of FLSA

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE DOCKET NUMBER

DATE SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
 United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
 Original Proceedings. (1) Cases which originate in the United States district courts.
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.