

## NOTICE OF INDEFINITE SUSPENSION WITHOUT PAY

Engineer Emmett Guzman  
San Antonio Fire Department  
315 S. Santa Rosa  
San Antonio, Texas 78207

Fire Fighters' and Police Officers' Civil  
Service Commission  
111 Soledad, Suite 123  
San Antonio, Texas 78205

Commissioners and Eng. Guzman:

Under and by the virtue of the authority vested in me by Chapter 143, Municipal Civil Service, Subtitle A, Title 5, V.T.C.A. Local Government Code, I do hereby indefinitely suspend Engineer Emmett Guzman from the San Antonio Fire Department without pay. Said suspension shall be effective on the 25 day March, 2016.

Engineer Guzman has violated Subsection C of Rule XIII of the City of San Antonio Fire Fighters and Police Officers Civil Service Commission Rules which were adopted on February 23, 1998, by the Fire and Police Civil Service Commission as the Civil Service Rules for the Fire and Police Departments of the City of San Antonio. The particular civil service rules violated by Engineer Guzman and which are grounds for suspension are as follows:

Rule XIII, Subsection C(12): Violation of an applicable fire or police department rule, or special order.

The Rules and Regulations of the San Antonio Fire Department which Engineer Guzman has violated were those approved by the Firemen's and Policemen's Civil Service Commission on February 10, 2003, to be effective March 7, 2003. The particular rules thereof which Engineer Guzman has violated are as follows:

Rule XIII, Subsection C(12): Violation of an applicable fire or police department rule, or special order.

### 2.02 ABIDE BY LAWS AND DEPARTMENTAL ORDERS:

- B. ORDERS, RULES, REGULATIONS, DIRECTIVES, POLICIES AND PROCEDURES: Members shall abide by the Rules and Regulations, Departmental roles and responsibilities, administrative orders, directives, policies and procedures of the San Antonio Fire Department.

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CITY OF SAN ANTONIO  
FIRE DEPARTMENT  
MAR 23 2016

- 3.01 CONDUCT AND BEHAVIOR: Members, whether on-duty or off-duty, shall be governed by the ordinary and reasonable rules of good conduct and behavior, and shall not commit any act tending to bring reproach or discredit on themselves or the Department.
- 4.01 INSUBORDINATION: Members shall not engage in acts of insubordination. Defying the authority of any supervisory officer by obvious disrespect, disputing his orders, or failure or deliberate refusal to obey any lawful order given by him shall be deemed insubordination.
- 7.01 OBEY LAWFUL ORDERS: Members shall obey all lawful orders and directions given by supervisory officers and shall comply with instructions given by the dispatcher. Such obedience shall be prompt and willing.

The acts committed by Engineer Guzman which violated the aforementioned Civil Service Rules and Fire Department Rules are as follows:

On or about January 25, 2016, Engineer Emmett Guzman was ordered, pursuant to Article 29 of the Collective Bargaining Agreement, to submit to a random drug test to be screened for the presence of illegal drugs and controlled substances. After receiving the order, Engineer Guzman informed his supervisor, Lieutenant Briones, that he did not feel well and was going off sick. He left his duty assignment without complying with the order to provide a urine sample.

Engineer Guzman was insubordinate on January 25, 2016 when he failed to provide a valid urine specimen on that date under the procedure agreed to under the terms of the Collective Bargaining Agreement.

Engineer Guzman's violation of the cited rules is the basis for these charges and the reason for his indefinite suspension.

An original of this disciplinary suspension order is being filed with the Fire Fighters' and Police Officers' Civil Service Commission.

  
\_\_\_\_\_  
Fire Chief Charles N. Hood

3/23/16  
Date

1124  
Time

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## NOTICE OF RIGHT OF APPEAL

I hereby acknowledge receipt of a copy of the foregoing indefinite suspension without pay and further acknowledge that I have been notified that I have ten days to file a written appeal of this suspension with the Fire Fighters' and Police Officers' Civil Service Commission for hearing before the Commission or an independent third party hearing examiner. I also understand that if I appeal to the hearing examiner, I waive all rights of appeal to a District Court, except as provided by subsection (j) of Section 143.057 of Title 5, V.T.C.A. Local Government Code.

  
\_\_\_\_\_  
Engineer Emmett Guzman

3/23/16  
Date

11:24  
Time

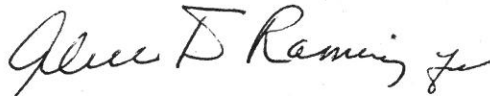
WITNESSED BY:

  
\_\_\_\_\_  
Signature

23 March 2016  
Date

1124  
Time

FILED on this the 23 day of March, 2016, with the  
Fire Fighters' and Police Officers' Civil Service Commission.

  
\_\_\_\_\_  
Director, Fire Fighters' and Police  
Officers' Civil Service Commission

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