

Reduced to 2 days - 10-17-14



Susan Pamerleau  
Sheriff  
Bexar County, Texas

2014 SEP 23 PM 8:43

Approved [Signature]  
Date 9-4-14

**NOTICE OF PROPOSED SUSPENSION**

**EMPLOYEE:** SERT Deputy Gabriel Maldonado #3174; Second Detail – Main Jail

**DATE:** 18 August, 2014

You are hereby notified that the Bexar County Sheriff's Office proposes to suspend you without pay for a total of 5 days from the position of Detention Officer for violation of the following subsection(s) of Paragraph 9.02 of the Rules of the Bexar County Sheriff's Civil Service Commission:

**C. Insubordination – Unwilling to submit to authority**

**P. Conduct which has proven to be detrimental or has an adverse effect on the department**

And violation of the Bexar County Sheriff's Manual of Policy and Procedures, Detention Manual of Policy and Procedures subsection(s)

**4.07 HOURS OF DUTY**

**5.03 OBEDIENCE**

**The specific reason(s) for this action:** On Friday August 15<sup>th</sup>, 2014, I contacted you at approximately 2218 hours or someone in Unit CA that stated they were you and I told you that I have to Force you to stay this evening even though it is not officially your Mandatory Overtime day. I asked you if you would prefer another Unit and you chose to go to Unit AB. You stated that, "Lt. Paquel said she spoke with me on the phone. I never spoke with her. I was never assigned to a Unit and I never told her I was going to the assigned Unit." The reason for this was due to the lack of available staff on the scheduled MOT list to fill every critical vacancy on the 3<sup>rd</sup> Detail Main Jail Roster. You left Unit CA and did not report to Unit AB. Due to you leaving your post before being properly relieved 2<sup>nd</sup> Detail Deputy Guerra, Carlos #2987 who had worked the previous day Mandatory Overtime was forced to stay Mandatory Overtime in your place.

**Corrective Action Required:** In the future even on days that are not your officially scheduled Mandatory Overtime day all staff must be prepared to make emergency arrangements if they encounter exigent circumstances that prevent them from departing at their normally scheduled time. If you feel that you are being unduly or unfairly singled out for additional duty it is your right to grieve through your Chain of Command. Be mindful that Section 5.02 Performance of Duties in the County Sheriff's Office Manual of Policy and Procedure states, in part; An employee shall not: 1. Display reluctance on their part to properly perform their duty; 3. Fail to assume the necessary responsibility; or 4. Fail to exercise diligence, proper demeanor, intelligence, and interest in the pursuit of their duties. Be advised that persistence in this type of behavior which resulted in this Letter of Counseling may result in additional progressive disciplinary action to include termination from the Bexar county Sheriff's Office.

**Report:** E-Mail correspondence to Chief Reyes on 15 August 2014

**Previous corrective action:** None

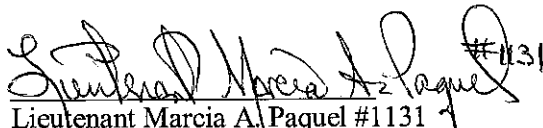
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**Notice of Proposed Suspension**  
**SERT Deputy Gabriel Maldonado #3174**

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You are advised that you may respond to this Notice of Proposed Suspension to the undersigned, in writing, to explain or countervail said specific charges. Your written response, if submitted, must be received and time stamped no later than the fifth 5<sup>th</sup> business day following receipt of this document. If you have any questions on your Civil Service Rules and rights, you may call the Director, Civil Service Commission, Mr. Adam Leos at 335-0728.

  
Lieutenant Marcia A. Paquel #1131  
Assistant Shift Commander/3<sup>rd</sup> Detail Main Jail

The Foregoing Document was served upon SERT Deputy Gabriel Maldonado #3174 on \_\_\_\_\_, 2014 at \_\_\_\_\_ hrs. by:

LT. Larry Beard #4211  
Printed Name/Badge of Server

  
Signature of Server

I acknowledge receipt of this Document:

  
Signature of Employee

**Distribution:**

Original: 1) Personnel File

Copy: 2) Employee

3) Section File