

NOTICE OF SEVEN-DAY SUSPENSION WITHOUT PAY

Battalion Chief Robert Westbrook
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 Battalion Chief Robert Westbrook:

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 suspend Battalion Chief Robert Westbrook from the San Antonio Fire Department without pay for a period of seven days. Said suspension shall be served on consecutive calendar days beginning on the 21 day of July, 2017.

Battalion Chief Westbrook 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 Battalion Chief Westbrook 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 Battalion Chief Westbrook 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 Battalion Chief Westbrook has violated are as follows:

2.02 ABIDE BY LAWS AND DEPARTMENTAL ORDERS:

- B. ORDERS: Members shall abide by the laws of the Rules and Regulations, Departmental roles and responsibilities, administrative orders, directives, policies and procedures of the San Antonio Fire Department.

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3.08 WORKING RELATIONSHIPS: Members shall abstain from performing any acts or making any statements, oral or written, which are directed at their coworkers that may tend to destroy the morale, good order, and working relationships with such coworkers.

6.03 REQUIREMENT TO TAKE ACTION: On-duty Members are required to take prompt and effective action conforming to all rules and regulations, administrative orders, directives, policies, and procedures of the Department.

The acts committed by Battalion Chief Westbrook which violated the aforementioned Civil Service Rules and Fire Department Rules are as follows:

On or about April 28, 2017, a call was made for a structure fire at 5400 Rittiman Plaza. The first unit on the scene was AP38, led by Lieutenant KC Tabrizi. As the first unit on the scene, Lt Tabrizi established command. BC Westbrook arrived on the scene shortly thereafter, but failed to request a CAN report and failed to take over command or provide any meaningful support, despite being the first arriving Battalion Chief on the fire scene. Lt. Tabrizi retained command of the entire Rittiman Fire incident including conducting a post incident discussion without BC Westbrook's input. At FS 38, immediately upon return from the Rittiman Plaza fire scene, BC Westbrook ordered Platform crew members who had just returned from the fire scene and Engine crew members who had just returned from participating in the Battle of Flowers parade to conduct physical training in Level II heat.

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Battalion Chief Westbrook's violation of the cited rules is the basis for these charges and the reason for his seven-day suspension without pay.

In determining the appropriate punishment to assess herein, please be advised that consideration was given to Battalion Chief Westbrook's disciplinary record.

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

Date

7/19/17

Time

0841

NOTICE OF RIGHT OF APPEAL

I hereby acknowledge receipt of a copy of the foregoing seven day 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.


Battalion Chief Robert Westbrook

7/19/2017
Date

08:42
Time


WITNESSED BY:


Signature

7/19/17
Date

08:42
Time

FILED on this the 19 day of July, 2017, with the
Fire Fighters' and Police Officers' Civil Service Commission.


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

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