



Bexar County Sheriff's Office

Javier Salazar, Sheriff



AGREED ORDER AND ENACTMENT OF SUSPENSION

EMPLOYEE: Deputy Charles Garza, Badge #1923, Employee # [REDACTED]

DATE: September 15, 2017

This is a reduced action ordered by Deputy Chief Laura M. Balditt, Adult Detention Bureau. You have consented to this reduced action and agreed to waive further grievance and appeal procedures.

You are hereby notified that the Bexar County Sheriff's Office is suspending you without pay for Five (5) days for violation of the following Subsection(s) of Section 9.02 of the Rules for the Bexar County Sheriff's Civil Service Commission:

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

In addition to the following violations of the Bexar County Sheriff's Office Manual of Policy and Procedure:

5.01 General Discharge of Duties

5.02 Performance of Duties

The specific reason(s) for this action: On Wednesday, July 19, 2017 you were assigned to and took responsibilities for the Booking Court In Desk on 2nd Detail. On the above date you processed paperwork for the release of Inmate [REDACTED] with a hold for court ordered program, Mentally Impaired Offender Facility (MIOF). You presented the paperwork to the Release In Officer as a release. As a result you contributed to the erroneous release of [REDACTED] which is a violation of Bexar County Policy and Civil Service Rules.

The corrective action required: When you work the court desk you are required to ensure that paperwork you receive from courts do not have any holds or sentenced to court ordered programs before processing begins for release. In the future, you are directed to look at all paperwork that is included in a court ordered release. You will adhere to all Civil Service Commission and Bexar County Sheriff's Office Policy/Procedure, specifically 5.02 Performance of Duties in the Manual of Policy and Procedure for the Bexar County Sheriff's Office. The aforementioned policy states in part "An employee shall not display reluctance on their part to properly perform their duty." Be advised that repetition of the action (or lack of action) which resulted in this Order of Suspension, may result in more serious disciplinary action, which may include dismissal from the Sheriff's Office.

On September 7, 2017 you were served with a Notice of Proposed Suspension for ten (10) days, for the violations cited above. You requested a hearing, accordingly a grievance hearing was held on September 12, 2017 in my office.

AGREED ORDER OF SUSPENSION (5 DAYS)
Deputy Charles Garza

PAGE 2

Present at the hearing were the following:

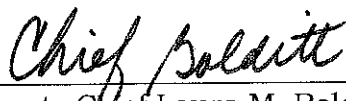
Deputy Chief Laura M. Balditt, Adult Detention Bureau
Laura Martinez, HR Technician
Deputy Charles Garza, Grievant
Morris Munoz, CLEAT Attorney

After hearing your case, I offered to reduce the Order of Suspension (10 days) to an Agreed Order and Enactment of Suspension Five (5) days. You have accepted the action therefore I am issuing this Agreed Order and Enactment of Suspension (5). Be advised that by agreeing to this reduced action you are also agreeing to waive further grievance and appeals procedures regarding this issue.

Accordingly, you will SERVE your Suspension in accordance with the 8 hour working schedule, which is currently in effect. *Be advised that pursuant to Civil Service Rule 5.53, you may opt to forfeit leave up to a total of five (5) days, or the equivalent to forty hours, in one calendar year.* If you choose to forfeit your accumulated leave you must complete the specific information requested on the document titled Request to Forfeit Leave in Lieu of Suspension.

<u>September 25, 26, 27, 28, 29</u>		<u>5</u> DAYS @ 8.0 hours
MONTH	DAYS	YEAR
		Total: <u>40</u> HOURS

I have read the above. I fully understand my rights of grievance and appeal in disciplinary issues as outlined under Civil Service Rules. I wish to waive further grievance and appeal procedures regarding this issue and agree to accept the Reduced Action as outlined above.



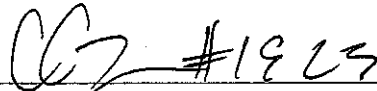
Deputy Chief Laura M. Balditt
Adult Detention Bureau

AGREED ORDER OF SUSPENSION (5 DAYS)
Deputy Charles Garza

PAGE 3

The foregoing document was sent via facsimile to Morris Munoz, CLEAT Attorney on 9-20, 2017. Please acknowledge receipt of said document and return by fax to (210) 335-5083.

Agreed and Accepted:

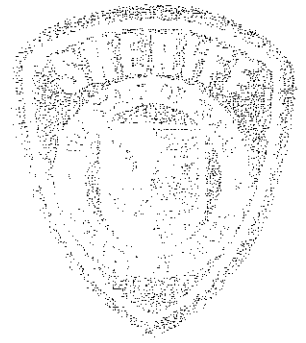

Signature of Representative

- 1) Original- Personnel File 2) Employee 3) Shift Commander 4) Employee Disciplinary Technician



Bexar County Sheriff's Office

Javier Salazar, Sheriff



REQUEST TO FORFEIT LEAVE IN LIEU OF SUSPENSION

EMPLOYEE: Deputy Charles Garza, Badge #1923
DATE: September 15, 2017

Bexar County Civil Service Rule 5.53 states that the employee may forfeit up to a total of five days Annual or Compensatory time per calendar year. Pursuant to the aforementioned rule, I, Deputy Charles Garza am requesting that 5 day(s) of my accumulated leave be applied towards my five (5) day suspension.

I understand the application of my leave toward the Order of Suspension is voluntary on my part and I will be required to work on the dates I choose to forfeit. I further understand and agree that in choosing to use this option, I will be forfeiting and waiving my right to appeal this suspension to the Civil Service Commission.

Please designate which SPECIFIC type of leave you wish to forfeit your leave from:

September 25, 26, 27, 28, 29 2017 hrs @ 8.0 hrs each day VAC COMP HOL
Month day(s) year

Dist. 1) Original – Personnel File 2) Shift Commander 3) Employee Disciplinary Technician 4) Employee

The Foregoing Document was served upon **Deputy Charles Garza** on 9/21 2017 by:

LT. N. CARTWRIGHT 721
Printed Name/Badge of Server

LT. N. Cartwright 721
Signature of Server

Agreed and Accepted by Employee:

[Signature] #1923
Signature of Employee