

NOTICE OF FIVE-DAY SUSPENSION WITHOUT PAY

CITY OF

SAN ANTONIO HR

FEB6 '18 2:14PM

Fire Fighter Anthony Salazar
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 Fire Fighter Anthony Salazar:

Under and by virtue of the authority vested in me by Chapter 143, Municipal Civil Service, Subtitle A, Title 5, V.T.C.A. Local Government Code and in accordance with the Release and Settlement Agreement dated May 18, 2017, I do hereby suspend Fire Fighter Anthony Salazar from the San Antonio Fire Department without pay for a period of five days. Said suspension shall be served on consecutive days beginning on the 12 day of February, 2018.

Fire Fighter Salazar has violated the terms of the above referenced settlement agreement, attached hereto. The specific terms violated by Fire Fighter Salazar which are grounds for suspension are as follows:

SECTION 7. On or about January 11, 2017, Fire Fighter Salazar was arrested by the San Antonio Police Department for driving while intoxicated. Fire Fighter Salazar shall provide written notice to the Fire Chief of any hearing or proceeding, and the outcome of the hearing or proceeding, conducted in connection with the aforementioned criminal incident. Said notification must be provided within 10 business days after the hearing or proceeding. Additionally, Fire Fighter Salazar shall provide written notice to the Fire Chief of any resolution, and the nature of the resolution, of any criminal prosecution pursued against him in connection with the aforementioned incident. Said notification must be provided within 10 business days after the resolution of the criminal prosecution. Fire Fighter Salazar agrees to the imposition of a five-day suspension without pay for any instance in which he fails to comply with this section. Fire Fighter Salazar waives his right to appeal the imposition of discipline issued pursuant to this section and agrees that he will not file an appeal of any disciplinary action so taken.

The acts committed by Fire Fighter Salazar which violated the aforementioned agreement and terms are as follows:


On May 18, 2017, Fire Fighter Salazar entered into a settlement agreement based upon his January 11, 2017 arrest for driving while intoxicated. The circumstances of his arrest are detailed as follows:

On or about January 11, 2017 at approximately 5:15 a.m., while off duty and slumped over in the driver's seat of a running motor vehicle parked in the Shell gas station on FM471 and Galm Road, Fire Fighter Salazar was intoxicated. Fire Fighter Salazar admitted that he drank 4 to 5 12 ounce beers. Fire Fighter Salazar failed the Field Sobriety Test. Fire Fighter Salazar was arrested and charged for driving while intoxicated. His actions tended to bring reproach upon himself and the SAFD.

On September 12, 2017, Fire Fighter Salazar notified Chief Yvette Granato that he had a court date scheduled for October 18, 2017 relating to his January 11, 2017 arrest for Driving While Intoxicated. He failed to notify the department about the outcome of the court appearance within 10 business days as is required under the following terms of his settlement and release. When this was brought to his attention, Fire Fighter Salazar indicated in an email dated November 8, 2017 that "[i]t was [his] mistake for not sending an update for the reschedule of the court date."

Fire Fighter Salazar's violation of the cited provisions is the basis for these charges and the reason for his five-day suspension without pay.

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

2/6/18
Date

1039
Time

NOTICE OF RIGHT OF APPEAL

CITY OF

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I hereby acknowledge receipt of a copy of the foregoing five 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 on the limited question of whether or not this violation occurred 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.


Fire Fighter Anthony Salazar

2/6/18
Date

10:39
Time

WITNESSED BY:


Signature

2/6/18
Date

10:39
Time

FILED on this the 6th day of Feb., 2018, with the Fire Fighters' and Police Officers' Civil Service Commission.


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