

LEGAL ADVISOR'S OFFICE
FEB 12 2018
SAN ANTONIO POLICE DEPARTMENT

Officer Onesimo D. Sifuentes, Jr., #1597
San Antonio Police Department
San Antonio, Texas

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

FEB12 '18 11:15AM

CITY OF

SAN ANTONIO HR

AGREED SUSPENSION

Commissioners and Officer Onesimo D. Sifuentes, Jr.:

WHEREAS, Officer Onesimo D. Sifuentes, Jr., pursuant to Article XXVIII, Section 2 of the Collective Bargaining Agreement by and between the City of San Antonio and the San Antonio Police Officers' Association, was served on December 2, 2017, with a one-day contemplated suspension; and

WHEREAS, pursuant to said contract, Officer Sifuentes was given an opportunity to rebut those charges being brought against him to Police Chief William P. McManus; and

WHEREAS, said opportunity was exercised by Officer Sifuentes; and

WHEREAS, Officer Sifuentes and Chief McManus have agreed that the discipline in this matter shall be a one-day suspension held in abeyance for a period of one (1) year; **NOW THEREFORE**:

The undersigned parties hereby enter into this suspension agreement wherein it is provided that Officer Sifuentes shall be suspended without pay from the San Antonio Police Department for a period of one day. The one-day suspension of Officer Sifuentes shall be held in abeyance for a period of one year, after which time the suspension will be vacated. Officer Sifuentes shall serve the suspension if he is involved in another negligent accident within twelve months of October 28, 2017. Officer Sifuentes waives any rights to appeal this Agreed Suspension and agrees no administrative or judicial body shall have power to review this Agreed Suspension or alter the terms of this agreement.

Officer Sifuentes has violated Subsection C of Rule XIII of the City of San Antonio Fire Fighters' and Police Officers' Civil Service Commission Rules, said rules having been adopted on February 23, 1998, and thereafter from time to time amended, by the Fire Fighters' and Police Officers' 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 Officer Sifuentes and grounds for suspension are as follows:

- (12) Violation of an applicable fire or police department rule or special order.

The Rules and Regulations and Procedures of the San Antonio Police Department which Officer Sifuentes has violated are as follows:

RULE 3.18 - CITY EQUIPMENT/PROPERTY (C) SAFE OPERATION OF VEHICLES: City vehicles will be operated in a safe manner and in compliance with all traffic laws.

The factual basis for the instant disciplinary suspension is as follows:

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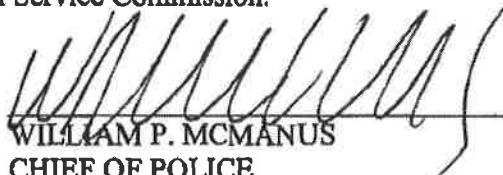
SAN ANTONIO HR

On or about October 28, 2017, at approximately 5:54 p.m., while on duty and operating a city-owned vehicle in the 4500 block of Rittiman Road, Officer Onesimo D. Sifuentes, Jr. was involved in a crash which was ruled chargeable by the Accident Advisory Action Board.

The level of this suspension is based upon Officer Sifuentes' cumulative point total for this accident and other chargeable accidents within the twenty-four month period prior to this accident as per Procedure 303.17 of the San Antonio Police Department General Manual.

A copy of the instant disciplinary suspension order is being filed with the Fire Fighters' and Police Officers' Civil Service Commission.

AGREED TO BY:


WILLIAM P. MCMANUS
CHIEF OF POLICE
SAN ANTONIO POLICE DEPARTMENT

FEB 8 2018

DATE


OFFICER ONESIMO D. SIFUENTES, JR.,
#1597
SAN ANTONIO POLICE DEPARTMENT

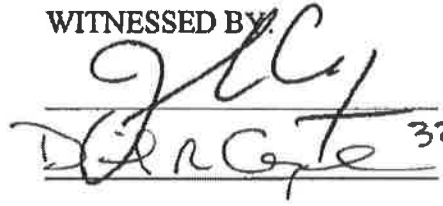
2/11/2018
DATE TIME

I hereby acknowledge receipt of the original of the foregoing Agreed Suspension. I acknowledge having received notification that I have fifteen days from the date of receipt of the instant suspension during which to file a written appeal of this suspension with the Personnel Director of the City of San Antonio requesting either arbitration or the hearing of my appeal by the Fire Fighters' and Police Officers' Civil Service Commission. I acknowledge that I have been informed that if I appeal to a hearing examiner/arbitrator, I waive all rights to appeal to a district court except as provided by subsection 143.057(j) of the Texas Local Government Code. I also acknowledge that I have been informed that my right to appeal the decision of a hearing examiner/arbitrator to district court pursuant to section 143.057 of the Texas Local Government Code may have been modified by the provisions of article 28 of the current Collective Bargaining Agreement by and between the City of San Antonio and the San Antonio Police Officers' Association. I further acknowledge that in light of my entry into this Agreed Suspension, I shall have no right to appeal said suspension nor will any administrative or judicial

body have power to review same or alter its terms. I do hereby waive any and all rights to appeal said suspension and no administrative or judicial body shall have power to review same or alter its terms.


OFFICER ONESIMO D. SIFUENTES, JR., #1597
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:


TIME: 1725 DATE: 2/11/18
3251
TIME: ~~1725~~ DATE: 2/11/18

FILED on this the 12 day of February, 2018, with the Fire Fighters' and Police Officers' Civil Service Commission.


DIRECTOR, FIRE FIGHTERS' AND POLICE OFFICERS' CIVIL SERVICE COMMISSION

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CITY OF

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