

Officer Benjamin I. Jass, #1634
San Antonio Police Department
San Antonio, Texas

CITY OF

SAN ANTONIO HR

MAR29 '18 11:20AM

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

AGREED SUSPENSION

Commissioners and Officer Benjamin I. Jass

WHEREAS, Officer Benjamin I. Jass, 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 March 8, 2018, with a one-day contemplated suspension; and

WHEREAS, pursuant to said contract, Officer Jass 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 Jass; and

WHEREAS, Officer Jass and Chief McManus have agreed that the discipline in this matter shall be a one-day suspension without pay; **NOW THEREFORE**:

The undersigned parties hereby enter into this suspension agreement wherein it is provided that Officer Jass shall be suspended without pay from the San Antonio Police Department for a period of one day, commencing on April 12, 2018, and ending on April 12, 2018. Should Officer Jass not be involved in a chargeable traffic accident in the year following February 10, 2018, upon application by Officer Jass within two weeks of such date, and approval by the Chief of Police, one day's pay and benefits will be returned to Officer Jass. Officer Jass 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 Jass 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 Jass 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 Jass has violated are as follows:

LEGAL ADVISOR'S OFFICE

MAR 28 2018

SAN ANTONIO POLICE DEPARTMENT


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:

On or about February 10, 2018, at approximately 4:20 p.m., while on duty and operating a city-owned vehicle in the 1100 block of N.E. Loop 410 access road, Officer Benjamin I. Jass negligently struck a vehicle.

The level of this suspension is based upon Officer Jass's 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.

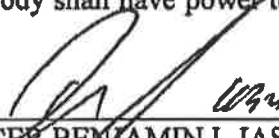
A copy of the instant disciplinary suspension order is being filed with the Fire Fighters' and Police Officers' Civil Service Commission.

AGREED TO BY:  MAR 23 2018
 WILLIAM P. MCMANUS DATE
 CHIEF OF POLICE
 SAN ANTONIO POLICE DEPARTMENT

 3/23/18 021
 OFFICER BENJAMIN I. JASS, #1634 DATE TIME
 SAN ANTONIO POLICE DEPARTMENT

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 BENJAMIN I. JASS, #1634
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:

A. Carr #3334 TIME: 0835 DATE: 3-28-18
Field Acc #3084 TIME: 0835 DATE: 3-28-18

FILED on this the 29th day of March, 2018, with the Fire Fighters' and Police Officers' Civil Service Commission.


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

CITY OF
SAN ANTONIO HR
MAR29 '18 11:21AM

CITY OF SAN ANTONIO
NOTICE OF SUSPENSION


CITY OF
SAN ANTONIO HR
MAR29 '18 11:21AM

OFFICER MUST SIGN THIS FORM EVEN IF FORFEITING TIME

EMPLOYEE NAME: Officer Benjamin I. Jass, #1634

UNIT OF ASSIGNMENT: TCB

JOB CLASS NO. AND DEPARTMENT: 0600 Police

SAP NUMBER	TRANS DATE			BEGIN DATE			END DATE		
	MO	DA	YR	MO	DA	YR	MO	DA	YR
	03	22	18	04	12	18	04	12	18

NARRATIVE REMARKS: Agreed One-Day Suspension

AUTHORITY: Written Order of the Chief of Police


EMPLOYEE 1634

DEPARTMENT HEAD

3/22/18
DATE
MAR 23 2018
DATE

LEGAL ADVISOR'S OFFICE
MAR 28 2018
SAN ANTONIO POLICE DEPARTMENT

LEAVE FORFEITURE FOR SUSPENSION REQUEST

CITY OF
SAN ANTONIO HR
MAR29 '18 11:21AM

To: Chief of Police

From: Benjamin Jass

1634

Badge Number

Date: 3-28-18

Copies to: Accounting, Budget and Personnel, Pension Board, File

TYPE OR PRINT ONLY- Use Ink

I, Benjamin Jass #1634, hereby agree to the 1 day disciplinary

(Print Name)

suspension received on 4-12-18 and request to forfeit leave time in lieu of serving the disciplinary suspension.

Type of leave forfeited: Vacation
 Compensatory Time
 Holiday
 Bonus Day



Officer's Signature

3-28-18

Date

Request Denied/Approved.



Chief of Police

Date

The Chief of Police is not prohibited from denying this request.