

Officer Jay A. Stultz, #0822
San Antonio Police Department
San Antonio, Texas

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

AGREED SUSPENSION

Gentlemen and Officer Jay A. Stultz:

WHEREAS, Officer Jay A. Stultz, pursuant to Article XXVII, 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 April 3, 2018, with a one-day contemplated suspension; and

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

WHEREAS, Officer Stultz 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 Stultz shall be suspended without pay from the San Antonio Police Department for a period of one day. The one-day suspension of Officer Stultz shall be held in abeyance for a period of one year, after which time the suspension will be vacated. Officer Stultz shall serve the suspension if he is involved in another chargeable traffic accident within one year of January 6, 2018. Officer Stultz 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 Stultz 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 Stultz 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 Stultz has violated are as follows:

LEGAL ADVISOR'S OFFICE

APR 17 2018

SAN ANTONIO POLICE DEPARTMENT

CITY OF

SAN ANTONIO HR
APR20 '18 10:17AM

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.

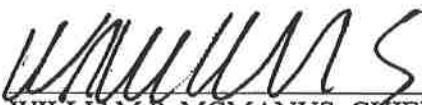
The factual basis for the instant disciplinary suspension is as follows:

On or about January 6, 2018, at approximately 8:35 p.m., while on duty and operating a city-owned vehicle in the 9300 block of S. Presa Street, Officer Jay A. Stultz negligently struck a concrete curb island.

The level of this suspension is based upon Officer Stultz's cumulative point total for this accident and other chargeable accidents within the twenty-four month period prior to this accident as per Procedure 303.16 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

APR 12 2018

DATE



OFFICER JAY A. STULTZ, #0822
SAN ANTONIO POLICE DEPARTMENT

04-16-18 0609

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

NOTICE OF RIGHT OF APPEAL

I hereby acknowledge receipt of a copy of the foregoing indefinite 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.


Fire Engineer Austin Cain

4-26-2018
Date

10:49
Time

WITNESSED BY:


Signature

4-26-2018
Date

10:49
Time

FILED on this the 26th day of April, 2018, with the
Fire Fighters' and Police Officers' Civil Service Commission.


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