

Officer Abdiel I. Munoz, #0756
San Antonio Police Department
San Antonio, Texas

CITY OF

SAN ANTONIO HR
APR 11 '18 10:45AM

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

AGREED SUSPENSION

Commissioners and Officer Abdiel I. Munoz:

WHEREAS, Officer Abdiel I. Munoz, 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 2, 2018, with a ten-day contemplated suspension; and

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

WHEREAS, Officer Munoz and Chief McManus have agreed to reduce the discipline in this matter to a seven-day suspension without pay; **NOW THEREFORE**:

The undersigned parties hereby enter into this suspension agreement wherein it is provided that Officer Munoz shall be suspended without pay from the San Antonio Police Department for a period of seven days, commencing on May 1, 2018, and ending on May 7, 2018. Officer Munoz 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 Munoz 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 Munoz 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 Munoz has violated are as follows:

RULE 3.06 - RELATIONSHIPS WITH CO-WORKERS: Members shall conduct themselves in such a manner so as to bring about the greatest courtesy or understanding and cooperation among the various units of the Department. **(E) SUPPORT IN TIME OF DANGER:** Members shall act together and protect one another in a time of danger or under circumstances where danger might reasonably be impending.

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

On or about December 2, 2017, SAPD officers asked for additional officers to assist them on a call. Officers were heard running/struggling

LEGAL ADVISOR'S OFFICE

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SAN ANTONIO POLICE DEPARTMENT

over the police radio and were "Toned Out" as officers in trouble. Officer Abdiel I. Munoz failed to timely respond for the call for assistance - despite only being approximately four (4) blocks away.

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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
WILLIAM P. MCMANUS
CHIEF OF POLICE
SAN ANTONIO POLICE DEPARTMENT

APR 4 2018
DATE

Abdiel I. Munoz
OFFICER ABDIEL I. MUNOZ, #0756
SAN ANTONIO POLICE DEPARTMENT

4/5/18 1725
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 this 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.

Abdiel I. Munoz
OFFICER ABDIEL I. MUNOZ, #0756
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:

[Signature] 406 TIME: 5:21 pm DATE: 4-5-18
[Signature] 306 TIME: 5:21 pm DATE: 4-5-18

FILED on this the 11th day of April, 2018, with the Fire Fighters' and Police Officers' Civil Service Commission.

[Signature]
DIRECTOR, FIRE FIGHTERS' AND POLICE OFFICERS' CIVIL SERVICE COMMISSION