

Officer Alexander R. Herrera, #0632
San Antonio Police Department
San Antonio, Texas

CITY OF
SAN ANTONIO HR
JUN29 '18 10:14AM

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

AGREED SUSPENSION

Commissioners and Officer Alexander R. Herrera:

WHEREAS, Officer Alexander R. Herrera, 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 May 24, 2018, with a one-day contemplated suspension; and

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

WHEREAS, Officer Herrera and his captain, John Saucedo, have agreed and Chief McManus has approved of settling this matter with a one-day suspension without pay; **NOW THEREFORE**:

The undersigned parties hereby enter into this suspension agreement wherein it is provided that Officer Herrera shall be suspended without pay from the San Antonio Police Department for a period of one day, commencing on June 19, 2018, and ending on June 19, 2018. Officer Herrera 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 Herrera 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 Herrera 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 Herrera has violated are as follows:

PROCEDURE 917 - FIESTA AND SPECIAL EVENT ASSIGNMENTS (.04) FIESTA EVENTS (C) ATTENDANCE REQUIREMENTS (1) Officers committing to Fiesta event assignment(s) and failing to report for duty are carried as "unauthorized absence from duty".

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

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

On or about April 22, 2018, Officer Alexander R. Herrera failed to report for his scheduled Fiesta assignment.

CITY OF

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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: [Signature] 6-14-18
WILLIAM P. McMANUS DATE
CHIEF OF POLICE
SAN ANTONIO POLICE DEPARTMENT

[Signature] #632 6/20/18 2235
OFFICER ALEXANDER R. HERRERA, #0632 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.

[Signature] #632
OFFICER ALEXANDER R. HERRERA, #0632
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:

[Signature] #3320 TIME: 2239 DATE: 6-20-18

[Signature] #3170 TIME: 2238 DATE: 20 Jun 18

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

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

CITY OF SAN ANTONIO
NOTICE OF SUSPENSION

CITY OF


SAN ANTONIO HR
JUN29 '18 10:14AM

OFFICER MUST SIGN THIS FORM EVEN IF FORFEITING TIME

EMPLOYEE NAME: Officer Alexander R. Herrera, #0632

UNIT OF ASSIGNMENT: WPC

JOB CLASS NO. AND DEPARTMENT: 0600 Police

| SAP NUMBER | TRANS DATE | | | BEGIN DATE | | | END DATE | | |
|---|------------|----|----|------------|----|----|----------|----|----|
| | MO | DA | YR | MO | DA | YR | MO | DA | YR |
|  | 06 | 13 | 18 | 06 | 19 | 18 | 06 | 19 | 18 |

NARRATIVE REMARKS: Agreed One-Day Suspension

AUTHORITY: Written Order of the Chief of Police

Alex R Herrera #632
EMPLOYEE

6/20/18
DATE

[Signature]
DEPARTMENT HEAD

6-14-18
DATE

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