

Officer Samuel Cortez, #0122
San Antonio Police Department
San Antonio, Texas

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

CITY OF
SAN ANTONIO HR
JUN12 '18 9:51AM

AGREED SUSPENSION

Commissioners and Officer Samuel Cortez:

WHEREAS, Officer Samuel Cortez, 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 23, 2018, with a one-day contemplated suspension; and

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

WHEREAS, Officer Cortez and his captain, Tracy Powers, 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 Cortez shall be suspended without pay from the San Antonio Police Department for a period of one day, commencing on June 17, 2018, and ending on June 17, 2018. Officer Cortez 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 Cortez 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 Cortez 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 Cortez 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 11 2018
SAN ANTONIO POLICE DEPARTMENT

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

On or about April 19, 2018, Officer Samuel Cortez was absent for his scheduled Fiesta assignment.

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

06/04/18
DATE



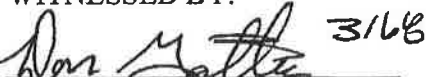
OFFICER SAMUEL CORTEZ, #0122
SAN ANTONIO POLICE DEPARTMENT

06/06/18 1340
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 SAMUEL CORTEZ, #0122
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:


Don Yatta 3/68
SA-4012

TIME: 1340

DATE: 06-06-18

TIME: 1340

DATE: 6-6-18

FILED on this the 12th day of June, 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
JUN 12 '18 9:52AM

**CITY OF SAN ANTONIO
NOTICE OF SUSPENSION**


CITY OF
SAN ANTONIO HR
JUN12 '18 9:52AM

OFFICER MUST SIGN THIS FORM EVEN IF FORFEITING TIME

EMPLOYEE NAME: Officer Samuel Cortez, #0122


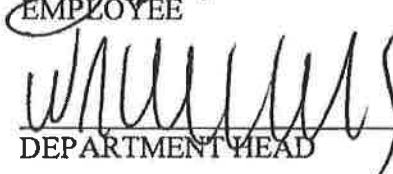
UNIT OF ASSIGNMENT: PPB

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	01	18	06	17	18	06	17	18

NARRATIVE REMARKS: Agreed One-Day Suspension

AUTHORITY: Written Order of the Chief of Police


EMPLOYEE

DEPARTMENT HEAD

06/06/18
DATE

06/04/18
DATE

LEGAL ADVISOR'S OFFICE
JUN 11 2018
SAN ANTONIO POLICE DEPARTMENT