

LEGAL ADVISOR'S OFFICE

NOV 30 2017

SAN ANTONIO POLICE DEPARTMENT

Officer Hilario Flores, #1410
San Antonio Police Department
San Antonio, Texas

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

DEC 4 '17 9:25AM

CITY OF

SAN ANTONIO HR

AGREED SUSPENSION

Commissioners and Officer Hilario Flores:

WHEREAS, Officer Hilario Flores, 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 November 14, 2017, with a one-day contemplated suspension; and

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

WHEREAS, Officer Flores and his captain, Vidal Resendez, 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 Flores shall be suspended without pay from the San Antonio Police Department for a period of one day, commencing on December 9, 2017, and ending on December 9, 2017. Officer Flores 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 Flores 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 Flores 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 Flores has violated are as follows:

RULE 4.16 - ABSENCE FROM ASSIGNMENT: Members shall not leave their beats or assigned areas except in the line-of-duty, upon authorization of a supervisor, or at the end of a scheduled tour-of-duty.

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

Officer Hilario Flores was on the worksheets for October 21, 2017. Sergeant Tobias remembered that Officer Flores had mentioned he was going out of town beforehand. Sergeant Tobias looked at the red book and saw Officer Flores was not listed nor approved in the red book to be off on October 21, 2017. Sergeant Tobias called Officer Flores and he did not answer. Officer Flores texted Sergeant Tobias, and Sergeant Tobias responded by asking him if he was coming in to work. Officer Flores said he thought he was in the red book. Sergeant Tobias advised him that he was not and sent him a picture of the red book page in question. Officer Flores called in sick to the service agent at 1:00 p.m. on October 21, 2017.

DEC4 '17 9:56AM

CITY OF

SAN ANTONIO HR

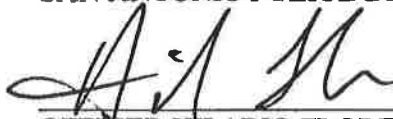
A copy of the instant disciplinary suspension order is being filed with the Fire Fighters' and Police Officers' Civil Service Commission.

AGREED TO BY:



WILLIAM P. MCMANUS
CHIEF OF POLICE
SAN ANTONIO POLICE DEPARTMENT

NOV 29 2017
DATE

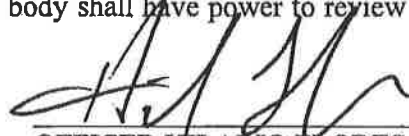


OFFICER HILARIO FLORES, #1410
SAN ANTONIO POLICE DEPARTMENT

11-29-17 1857
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.

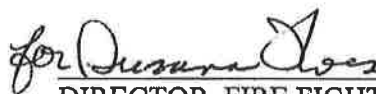


OFFICER HILARIO FLORES, #1410
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:

[Signature] 3/29 TIME: 1857 DATE: 11-29-17
[Signature] TIME: 1857 DATE: 11-29-17

FILED on this the 4 day of December, 2017, with the Fire Fighters' and Police Officers' Civil Service Commission.



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

DEC4 '17 9:56AM

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