

Officer Neil Rocha, #0336
San Antonio Police Department
San Antonio, Texas

CITY OF
SAN ANTONIO HR
NOV 7 '18 10:33AM

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

AGREED SUSPENSION

Commissioners and Officer Neil Rocha:

WHEREAS, Officer Neil Rocha, 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 July 31, 2018, with a ten-day contemplated suspension; and

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

WHEREAS, Officer Rocha and Chief McManus have agreed that the discipline in this matter shall be a ten-day suspension without pay; **NOW THEREFORE**:

The undersigned parties hereby enter into this suspension agreement wherein it is provided that Officer Rocha shall be suspended without pay from the San Antonio Police Department for a period of ten days, commencing on December 12, 2018, and ending on December 21, 2018. Officer Rocha 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 Rocha 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 Rocha 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 Rocha has violated are as follows:

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 June 8, 2018, at approximately 9:02 a.m., while on duty and operating a city-owned vehicle at the intersection of S.E. Military Drive and Kennedy Hill, Officer Neil Rocha negligently struck a vehicle.

LEGAL ADVISOR'S OFFICE
NOV 06 2018
SAN ANTONIO POLICE DEPARTMENT

The level of this suspension is based upon Officer Rocha's cumulative point total for this accident and other chargeable accidents within the twenty-four month period prior to this accident as per Procedure 303.17 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

NOV 02 2018
DATE

 0336
OFFICER NEIL ROCHA, #0336
SAN ANTONIO POLICE DEPARTMENT

11/5/18 0810
DATE TIME

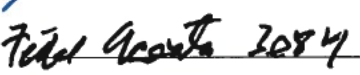
I hereby acknowledge receipt of the original of the foregoing Agreed Suspension. I acknowledge having received notification that I have fifteen days from the date of receipt of this suspension during which to file a written appeal of this suspension with the Personnel Director of the City of San Antonio 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.

 0336
OFFICER NEIL ROCHA, #0336
SAN ANTONIO POLICE DEPARTMENT

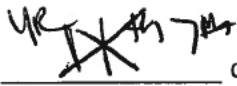
WITNESSED BY:


 3049 TIME: 0810

DATE: 11/05/18

 3084 TIME: 0812

DATE: 11.5.18

FILED on this the  7th day of Nov., 2018, with the Fire Fighters' and Police Officers' Civil Service Commission.


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

CITY OF SAN ANTONIO
NOTICE OF SUSPENSION

CITY OF

SAN ANTONIO HR


NOV 18 10:33AM

OFFICER MUST SIGN THIS FORM EVEN IF FORFEITING TIME

EMPLOYEE NAME: Officer Neil Rocha, #0336

UNIT OF ASSIGNMENT: TCB

JOB CLASS NO. AND DEPARTMENT: 0600 Police

SAP NUMBER	TRANS DATE			BEGIN DATE			END DATE		
	MO	DA	YR	MO	DA	YR	MO	DA	YR
	11	02	18	12	12	18	12	21	18

NARRATIVE REMARKS: Agreed Ten-Day Suspension

AUTHORITY: Written Order of the Chief of Police

Neil Rocha 0336
EMPLOYEE
[Signature]
DEPARTMENT HEAD

11/5/18
DATE
NOV 02 2018
DATE

LEGAL ADVISOR'S OFFICE
NOV 06 2018
SAN ANTONIO POLICE DEPARTMENT