

Officer Joseph W. Wilson, #1128
San Antonio Police Department
San Antonio, Texas

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

CITY OF

SAN ANTONIO, TEXAS

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AGREED SUSPENSION

BY: _____

Commissioners and Officer Joseph W. Wilson:

WHEREAS, Officer Joseph W. Wilson, 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 16, 2019, with a one-day contemplated suspension; and

WHEREAS, Officer Wilson 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 Wilson shall be suspended without pay from the San Antonio Police Department for a period of one day, commencing on July 15, 2019, and ending on July 15, 2019. Officer Wilson 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 Wilson 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 Wilson 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 Wilson 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".

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

On April 12, 2019, during the second round of Fiesta assignment implementation, Officer Joseph W. Wilson was assigned a Fiesta Market Square assignment for April 19, 2019 at 6:00 p.m. Officer Wilson last checked the Police Officer Fiesta Scheduling (POFS) system on April 12, 2019 prior to 2:00 p.m., when his tour ended, but did not recheck the system. The notice in the bulletin stated the system update to POFS

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would occur prior to the end of the business day, April 12, 2019. The assignment was updated after Officer Wilson checked it last and he missed the 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:

WPM
WILLIAM P. MCMANUS
CHIEF OF POLICE
SAN ANTONIO POLICE DEPARTMENT

DATE

Joe Wilson
OFFICER JOSEPH W. WILSON, #1128
SAN ANTONIO POLICE DEPARTMENT

06-25-19 1648
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.

Joe Wilson
OFFICER JOSEPH W. WILSON, #1128
SAN ANTONIO POLICE DEPARTMENT

WITNESSED BY:

[Signature] 4086 TIME: 1048
[Signature] #5233 TIME: 1048

DATE: 6-25-19

DATE: 6-25-19

FILED on this the 28th day of June, 2019, with the Fire Fighters' and Police Officers' Civil Service Commission.

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