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City of Laredo, Texas  
Internal Audit Division



Special Assignment:  
Appeals, Grievances, and Civil Service Cases  
City of Laredo Audit Report

December 3, 2021

## EXECUTIVE SUMMARY

As per the City Council directive given July 26, 2021, the Internal Audit Division was instructed to investigate the Appeals, Grievances, and Civil Service Cases heard by the City’s Municipal Civil Service Commission for Classified Employees and Municipal Civil Service for Firefighters and Police Officers in the last four (4) years. We worked alongside the Human Resources Office regarding these cases to report to the City Council the number, type, result, and voting records of Commissioners of all disciplinary actions for the Municipal Civil Service for Classified Employees.

The scope of this audit consisted in reviewing and reporting the Appeals and Grievances from 04-11-2018 to the latest case opened on 07-08-2021. The audit consisted of twenty (20) appeal cases (Exhibit 1) and nine (9) grievance cases (Exhibit 2) with the following summarizing the results of request:

### EXHIBIT 1 - APPEAL CASES - BY DATE OPENED

#	Case No.	Date Opened	Appeal or Grievance	Commissioners				Final Letter Date	Outcome
				PRESENT	FOR	AGAINST	ABSTAIN		
1	A18-01	4/11/2018	Appeal	5	3	2	N/A	5/31/2018	Affirm
2	A18-02	6/29/2018	Appeal	6	N/A	N/A	N/A	Withdrawn	N/A
3	A18-03	7/2/2018	Appeal	N/A	N/A	N/A	N/A	Withdrawn	N/A
4	A18-04	7/5/2018	Appeal	6	5	N/A	1	10/4/2018	Modify
5	A19-01	2/8/2019	Appeal	N/A	N/A	N/A	N/A	Withdrawn	N/A
6	A19-02	3/18/2019	Appeal	3	N/A	N/A	N/A	Withdrawn	N/A
7	A19-03	7/19/2019	Appeal	5	4	N/A	N/A	9/5/2019	Modify
8	A19-04	8/23/2019	Appeal	6	5	N/A	N/A	10/23/2019	Affirm
9	A19-05	9/24/2019	Appeal	6	5	N/A	N/A	12/2/2019	Modify
10	A19-06	10/1/2019	Appeal	7	7	N/A	N/A	12/16/2019	Modify
11	A19-07	10/3/2019	Appeal	7	4	1	2	1/28/2020	Modify
12	A19-08	10/21/2019	Appeal	7	7	N/A	N/A	3/5/2020	Affirm
13	A19-09	11/5/2019	Appeal	7	6	N/A	1	12/28/2020	Affirm
14	A20-01	1/31/2020	Appeal	7	5	N/A	2	9/8/2020	Affirm
15	A20-02	9/10/2020	Appeal	5	3	2	N/A	12/16/2020	Affirm
16	A20-03	11/30/2020	Appeal	6	6	N/A	N/A	1/26/2021	Modify
17	A21-01	1/22/2021	Appeal	6	4	1	1	4/13/2021	Affirm
18	A21-02	2/11/2021	Appeal	8	8	N/A	N/A	4/16/2021	Affirm
19	A21-03	7/8/2021	Appeal	9	6	1	1	8/20/2021	Affirm
20	A21-04	7/8/2021	Appeal	7	4	2	1	9/20/2021	Affirm

### EXHIBIT 2 - GRIEVANCE CASES - BY DATE OPENED

#	Case No.	Date Opened	Appeal or Grievance	Commissioners				Final Letter Date	Outcome
				PRESENT	FOR	AGAINST	ABSTAIN		
1	G18-01	07-12-2018	Grievance	6	5	N/A	N/A	2/27/2019	Affirm
	G19-01			Case # was not used					
2	G19-02	10-09-2019	Grievance	6	5	N/A	N/A	12/2/2019	Modify
3	G19-03	11-12-2019	Grievance	7	7	N/A	N/A	7/15/2020	Affirm
4	G19-04	12-06-2019	Grievance	8	8	N/A	N/A	6/30/2020	Affirm
5	G19-05	12-03-2019	Grievance	7	4	3	N/A	8/6/2020	Modify
6	G19-06	11-12-2019	Grievance	8	8	N/A	N/A	8/17/2020	Affirm
7	G20-01	06-15-2020	Grievance	7	5	2	N/A	10/19/2020	Affirm
8	G20-02	12-02-2020	Grievance	N/A	N/A	N/A	N/A	Withdrawn	N/A
9	G20-03	12-04-2020	Grievance	6	4	1	1	4/9/2021	Affirm

Affirm – Upheld City’s Decision  
 Modify – Modified City’s Decision  
 N/A – Not Applicable

The audit also consisted in reviewing eight (8) Police and Fire Civil Service cases that had been opened and closed, withdrawn, or had administrative hearings during the four-year period. Municipal Civil Service cases for Firefighters and Police Officers are not subject to the same rules as Appeals and Grievances for Municipal Civil Service for Classified Employees; Police and Fire Civil Service cases are heard by a three-member commission (Exhibit 3).

While no findings were noted during the course of the audit, we do have the following recommendations:

**Municipal Civil Service for Classified Employees:**

1. Although not mandatory in the policies and procedures, we recommend all case files have a copy of the Notice of Civil Service Commission Meeting Date form in their respective folders for complete documentation.

**Municipal Civil Service for Firefighters and Police Officers:**

2. Submittal of notices or letters is not expressly stated in writing; we recommend Human Resources give timeline to Police and Fire Departments for guidance of documentation submittal.
3. The City abides by Texas statute regarding the Civil Service process for firefighters and police officers. However, there are no written guidelines or procedures by the City to follow. As such, certain cases have inconsistent documentation. We recommend Human Resources to draw up administrative guidelines or a checklist in order to streamline process for such documentation.

*Please keep in mind that the above is only a summary, and more detailed results can be found in the ensuing audit report.*

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**City of Laredo  
Internal Audit Division**

**Special Assignment:  
Appeal, Grievance, and Civil Service Cases – City of Laredo**

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## **BACKGROUND**

As per the City Council directive given July 26, 2021, the Internal Audit Division was instructed to investigate the Appeals, Grievances, and Civil Service Cases heard by the City's Municipal Civil Service Commission for Classified Employees and Municipal Civil Service for Firefighters and Police Officers in the last four (4) years. We worked alongside the Human Resources Office regarding these cases to report to the City Council the number, type, result, and voting records of Commissioners of all disciplinary actions.

### **Timelines:**

#### **Municipal Civil Service for Classified Employees:**

- The first appointed Civil Service Ad Hoc Committee was formed in July 2007.
- On September 21, 2009, at a City Council meeting, Mayor Pro Tempore Mike Garza mentioned that the committee has an ordinance that they would like to submit to City Council.
- January 11, 2010, there was a Special City Council meeting held. The City Council instructed to approve Civil Service for Non-Uniform Employees ordinance as requested by City Attorney; Draft ordinance and brought back for approval.
- On February 16, 2010, the City of Laredo adopted Ordinance No. 2010-0-17 establishing a Civil Service Commission for City employees as per the requirements of the Laredo City Charter 12.03.
- On July 05, 2011, the Civil Service Commission for City Employees, amending Ordinance No. 2010-017 with Ordinance No. 2011-0-095; adding language to Section 2. Creation of Commission, Sections 2(A), 2(B), 2(C), 2(C)(i), and 2(D) to provide workable contingency plans for varying employee elections resulting as they may occur so as to ensure a fully composed special trial board as needed for employee grievance dispositions.
- On February 06, 2017, Ordinance 2017-O-020 Amending Chapter 2 (Administration), Article II (Departments, Officers, and Employees), Division 5 (Civil Service) to add and remove language from the Municipal Civil Service Rules and Regulations for City employees not covered by a Collective Bargaining Agreement; as recommended by the Municipal Civil Service Commission to improve the existing disciplinary procedures and appeal, and grievance process for classified City employees; repealing conflicting ordinances providing that this ordinance is cumulative; providing a severability clause and an effective date.

#### **Municipal Civil Service for Firefighters and Police Officers:**

- Texas Local Government Code was redone on September 1, 1987, and Chapters 143 and 174 were created. Before this date, Texas Local Government Code refer Civil Service in 1269.

## AUDIT SCOPE AND METHODOLOGY

This audit is an investigation regarding the cases and report the number, type, result, and voting records of Commissioners of all disciplinary actions appealed to and heard by the Municipal Civil Service Commission for Classified Employees and Municipal Civil Service for Firefighters and Police Officers in the last four (4) years. In order to achieve the audit objectives, we:

- Conducted interviews with the respective departments
- Human Resources Department – Copy of each folder of Appeal, Grievance, and Civil Services Cases. All the open, closed, and withdrawn cases.
  - The audit consisted of:
    - **Municipal Civil Service for Classified Employees**
      - Sixteen (16) Appeal Cases (open and closed)
      - Four (4) Appeals Cases (withdrawn)
      - Eight (8) Grievance Cases (open and closed)
      - One (1) Grievance Case (withdrawn)
    - **Municipal Civil Service for Firefighters and Police Officers**
      - One (1) hearing Civil Service Case (open and closed)
      - Five (5) Civil Service Cases (withdrawn)
      - Two (2) Civil Service Listening Case (Administrative)
- Obtained the most recent Municipal Civil Service Rules and Regulations of the City of Laredo;
- Obtained a City of Laredo Municipal Civil Service Rules and Regulations Training 2021. (Human Resources Department)
- Obtained a City of Laredo Municipal Civil Service Commission Rules and Procedures Training. (City Attorney's Department)
- Obtained the Ordinances No. 2010-O-17, No. 2011-O-095, and No. 2017-O-020.
- Obtained the Texas Local Government Code, Chapters 143 and 174

The audit was conducted from July 2021 to October 2021 in accordance with generally accepted government auditing standards requiring that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our audit results and conclusions based on our audit objectives.

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## **AUDIT RESULTS & RECOMMENDATIONS**

No findings were found when conducting this audit. For Council requests, **Exhibits 1, 2, and 3** are attached to denote the number, type, result, and voting records of Commissioners of all disciplinary actions appealed to and heard by the Municipal Civil Service Commission for Classified Employees and Municipal Civil Service for Firefighters and Police Officers in the last 4 years.

### **HUMAN RESOURCES DEPARTMENT**

We do note the following minor observations for both Municipal Civil Service processes:

#### ***Municipal Civil Service for Classified Employees:***

##### **Observation #1**

Nine (9) cases out of the 29 reviewed did not contain a copy of Notice of Civil Service Commission Meeting Date form in their respective folders.

##### **Recommendation**

Although not mandatory in the policies and procedures, we recommend all case files have a copy of the Notice of Civil Service Commission Meeting Date form in their respective folders for complete documentation.

#### ***Municipal Civil Service for Firefighters and Police Officers:***

##### **Observation #2**

The Police Department took thirty-three (33) business days to submit a revised letter of suspension for one case when normal business practice is either same day or one day after the agreement has been concluded. In previous cases, the Police Department submitted the revised letter to the Civil Service Commission office on the same day or the following day.

##### **Recommendation**

Submittal of notices or letters is not expressly stated; we recommend Human Resources give Police and Fire Departments guidelines to submittal of documentation.

##### **Observation #3**

The City abides with Texas statute regarding the Civil Service process for firefighters and police officers. However, there are no written guidelines or procedures by the City to follow. As such, certain cases have inconsistent documentation.

##### **Recommendation**

We recommend Human Resources to draw up administrative guidelines such as the ones for Municipal Civil Service Commission in order to streamline process for such documentation, or have a checklist of all documentation necessary for the files.

## **APPENDIX A – STAFF ACKNOWLEDGEMENT**

Tina O. Rodriguez, Internal Auditor

Elia Y. Rodriguez, Auditor II



## **APPENDIX B – MUNICIPAL CIVIL SERVICE RULES AND REGULATIONS OF THE CITY OF LAREDO**

### **RULE I GENERAL PROVISION**

#### **Section 1.1 Purpose**

It is the purpose of these rules to give effect to the purpose and requirement of Ordinance 2010-O-17, Ordinance 2011-O-095, and Section 12.03 of the Charter of the City of Laredo, as amended, by establishing procedures for handling personnel actions.

#### **Section 1.2 Positions Covered By Rules**

These rules shall apply to all employees as stated in the City Classified Service, except as otherwise stated in a collective bargaining agreement or when prohibited by other law.

### **RULE II CIVIL SERVICE COMMISSION**

#### **Section 2.1 Members of Commission**

The Municipal Civil Service Commission shall consist of eleven (11) members. Members of the Commission must be appointed by the City Council, nine (9) members (one nominated by each Council Member and Mayor) and two (2) members nominated by City employees and may be confirmed for appointment by City Council. The term of office of each member of such Commission shall be for two (2) years or until a successor is appointed. No member shall serve more than a cumulative total period of 8 years; five (5) Commission members shall constitute a quorum for Commissioner meetings and/or hearings.

### **RULE IX APPEALS**

#### **Section 9.1 Appeal Procedure**

- A.** Within ten (10) working days after the receipt of such Disciplinary Action Form/Termination Letter, a classified employee may appeal in writing to the Commission for reconsideration of any adverse action taken against him or her. An adverse action is any action taken against a classified employee to terminate, suspend, or reduce his or her class or pay. Failure, without good cause, to meet the time limit for initial filing constitutes a forfeiture of the right to appeal the adverse action.
- B.** Once the employee submits the “Request for Appeal” form to the Human Resources Department, the Human Resources Director/designee shall coordinate a hearing before the Commission. Each party must submit to the Human Resources Department twelve (12) copies of any documentation it wishes the Commission to consider within ten (10) business days of the employee submitting the “Request for Appeal” form to the Human Resources Department.
- C.** A commission member shall immediately recuse himself or herself from participating in any matter within the jurisdiction the commission which creates or the appearance of a conflict of interest. A conflict of interest exists when there is a personal or financial relationship that could influence or be perceived to influence the decision of a commission member.
- D.** When an employee or representative is notified by the Human Resources Director/designee, of a specific date, time, and place for a hearing, failure without good cause, of the employee to report or notify the Commission of employee’s inability to attend the hearing may constitute forfeiture of the employee’s right to appeal.
- E.** The Commission may request further investigation of which it might deem proper.
- F.** The Commission shall render its final decision in writing. A copy of the final decision by the Commission on the case will be given to the employee, respective Department Director, Human Resources Director, and City Manager.
- G.** The appeal hearing shall be undertaken pursuant to the procedures outlined in Exhibit A which is incorporated by reference and made a part of these rules.

**H.** The right of appeal and all other rights related thereto will not be waived or forfeited if “good cause” by the employee is established for the failure to comply with the time limits or duties set under this section.

**I.** An employee and witness may testify in their predominant language, which shall be translated into English during the hearing.

**J.** An employee may be represented at the appeal hearing by a representative of his or her choosing. The representative may be an attorney, union or association representative, non-employee or other employee. The employee’s representative may file the appeal on behalf of the employee.

**K.** The City shall have the burden of proof, under a preponderance of the evidence standard, in an appeal of a disciplinary action.

**L.** The Commission shall make a decision by either: (A) affirming; (B) reversing; (C) modifying; or (D) dismissing the appeal. Where the disciplinary action is reversed or modified, the Commission may reinstate the employee.

**M.** A Commission member may respectfully dissent from the majority decision and briefly state the reasons therefore in the Commissioner’s final decision letter.

## **RULE X GRIEVANCES**

### **Section 10.1 Definitions**

**A.** A grievance is a written complaint made by an employee.

**B.** An employment practice not subject to appeal that addresses a violation, misapplication, or misinterpretation of the statutes, policies, rules, or written agreements applicable to the employee regarding classification, compensation, terms and conditions of employment, employment status, discrimination, harassment, favoritism, or any action, policy, or practice constituting a substantial detriment to or interference with the effective job performance of the employee, or the health and safety of the employee.

### **Section 10.2 Grievance Requirements**

**A.** A grievance may be filed at any time concerning an employment practice or condition that is of a continuing nature.

**B.** Failure to meet the time limit for initial filing constitutes a forfeiture of the right to grieve that occurrence or condition. However, the right to file a grievance within the time limits set under this section shall not be waived or forfeited if “good cause” is established for failure to comply with the time limits. Upon a showing of “good cause” the time limit shall be enlarged and the grievance considered timely filed.

### **Section 10.3 Grievance Procedure**

**A.** The grieving employee or its representative must first present his or her “Notification of Grievance” form to the immediate supervisor unless the grievance concerns the immediate supervisor or there is no immediate supervisor, in which case it shall be presented to the Department Director.

**B.** The immediate supervisor must inform the employee or its representative in writing, of his/her decision within five (5) working days after the grievance is received. The supervisor must make a written notation of the grievance and of his/her decision for the record. If the immediate supervisor does not render a decision within five (5) working days, the grievance shall be deemed to be denied, and the employee may then proceed beyond the immediate supervisor with the grievance.

**C.** In all instances where the employee chooses to pursue his or her grievance beyond the immediate supervisor, the grieving employee must, in the written grievance, specify the remedy sought.

- D.** If the initial grievance presentation to the supervisor fails to settle the grievance, the employee may proceed with a written grievance to the Department Director within five (5) working days after receiving the immediate supervisor's decision.
- E.** The Department Director must review the grievance within five (5) working days and render a decision in writing to the grieving employee. If the Department Director does not render a decision within five (5) working days, the grievance shall be deemed to be denied, and the employee may then proceed beyond the department director with the grievance.
- F.** If the grievance to the Department Director fails to be resolved to the employee's satisfaction, the employee may, within five (5) working days of receipt of the decision, submit his/her grievance to the Human Resources Director/designee.
- G.** Once the employee submits the completed "Notification of Grievance" form to the Human Resources Department, the Human Resources Director/designee shall coordinate a hearing before the Commission. Each party must submit to the Human Resources department twelve (12) copies of any documentation it wishes the Commission to consider within ten (10) business days of the employee submitting the "Notification of Grievance" form to the Human Resources Department.
- H.** A commission member shall immediately recuse himself or herself from participating in any matter within the jurisdiction the commission which creates or the appearance of a conflict of interest. A conflict of interest exists when there is a personal or financial relationship that could influence or be perceived to influence the decision of a commission member.
- I.** When an employee or representative is notified by the Human Resources Director/designee of a specific date, time, and place for a hearing, failure without good cause, of the employee to report or notify the Commission of employee's inability to attend the hearing may constitute forfeiture of the employee's right to appeal.
- J.** The grieving employee and the Department Director or their representatives may fully present their positions to the Commission at the grievance hearing in an attempt to resolve the grievance issue. The employee and the City may support their respective position on the grievance through witnesses and other documentary evidence. See Exhibit B, for hearing procedures.
- K.** The Commission shall render its final decision in writing. A copy of the final decision shall be given to the employee, respective Department Director, Human Resources Director, and the City Manager.
- L.** The Commission shall sustain a grievance, in whole or in part, if the employee proves to their satisfaction, by a preponderance of the evidence that the grievance is justified and must be resolved and remedied. The decision shall state "sustained" or "denied", either in whole or in part. The reasons therefore shall be expressly stated in its decision and/or order.
- M.** A grievance hearing before the Commission will be held according to the procedures set out in Exhibit B, attached hereto.

**Firefighters and Police Officers Municipal Civil Service  
APPENDIX C – TEXAS LOCAL GOVERNMENT CODE**

**Chapter 143. Municipal Civil Service for Firefighters and Police Officers**

**143.001 Purpose**

(a) The purpose of this chapter is to secure efficient fire and police departments composed of capable personnel who are free from political influence and who have permanent employment tenure as public servants.

**143.006 Implementation: Commission**

(b) The commission consists of three members appointed by the municipality's chief executive and confirmed by the governing body of the municipality. Members serve staggered three-year terms with the term of one member expiring each year. If a vacancy occurs or if an appointee fails to qualify within 10 days after the date appointment, the chief executive shall appoint a person to serve for the remainder of the unexpired term in the same manner as the original appointment.

**143.010 Commission Appeal Procedure**

(a) Except as otherwise provided by this chapter, if a fire fighter or police officer wants to appeal to the commission from an action for which an appeal or review is provided by this chapter, the fire fighter or police officer need only file an appeal with the commission within 10 days after the date the action occurred.

(b) The appeal must include the basis for the appeal and request for a commission hearing. The appeal must also contain a statement denying the truth of the charge as made, a statement taking exception to the legal sufficiency of the charge, a statement alleging that the recommended action does not fit the offense or alleged offense, or combination of these statements.

(c) In each hearing, appeal, or review of any kind in which the commission performs an adjudicatory function, the affected fire fighter or police officer is entitled to be represented by counsel or a person the fire fighter or police officer chooses. Each commission proceeding shall be held in public.

(d) The commission may issue subpoenas and subpoenas duces tecum for the attendance of witnesses and for the production of documentary material.

(e) The affected fire fighter or police officer may request the commission to subpoena any books, records, documents, papers, accounts, or witnesses that the fire fighter or police officer considers pertinent to the case. The fire fighter or police officer must make the request before the 10<sup>th</sup> day before the date the commission hearing will be held.

(f) Witnesses may be placed under the rule at the commission hearing.

(g) The commission shall conduct the hearing fairly and impartially as prescribed by this chapter and shall render a just and fair decision. The commission may consider only the evidence submitted at the hearing.

(h) The commission shall maintain a public record of each proceeding with copies available at cost.

**143.011 Decision and Records**

(a) Each concurring commission member shall sign a decision issued by the commission.

(b) The commission shall keep records of each hearing or case that comes before the commission.

(c) Each rule, opinion, directive, decision, or order issued by the commission must be written and constitutes a public record that the commission shall retain on file.

### **143.052 Disciplinary Suspensions**

(b) The head of the fire or police department may suspend a fire fighter or police officer under the department head's supervision or jurisdiction for the violation of a civil service rule. The suspension may be for a reasonable period not to exceed 15 calendar days or for an indefinite period. An indefinite suspension is equivalent to dismissal from the department.

(c) If the department head suspends a fire fighter or police officer, the department head shall, within 120 hours after the hour of suspension, file a written statement with the commission giving the reasons for the suspension. The department head shall immediately deliver a copy of the statement in person to the suspended fire fighter or police officer.

(g) If offered by the department head, the fire fighter or police officer may agree in writing to voluntarily accept, with no right of appeal, a suspension of 16 to 90 calendar days for the violation of a civil service rule. The fire fighter or police officer must accept the offer within five working days after the date the offer is made. If the person refuses the offer and want to appeal to the commission, the person must file a written appeal with the commission within 15 days after date the person receives the copy of the written statement of suspension.

### **143.053 Appeal of Disciplinary Suspensions**

(b) If a suspended fire fighter or police officer appeals the suspension to the commission, the commission shall hold a hearing and render a decision in writing within 30 days after the date it receives notice of appeal. The suspended person and the commission may agree to postpone the hearing for a definite period.

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**EXHIBIT 1**

**MUNICIPAL CIVIL SERVICE COMMISSION FOR CLASSIFIED EMPLOYEES - APPEAL CASES - BY DATE OPENED**

#	Case No.	Employee No. Job Title Department	Date Opened Appeal or Grievance	Appeal or Grievance	Issue	Hearing Date and Closing Date	Commissioners PRESENT (Agenda)	Commissioners FOR (Final Letter or Agenda)	Commissioners AGAINST (Final Letter or Agenda)	Commissioners ABSTAIN (Final Letter or Agenda)	Notice - Final Decision of the Municipal Civil Service Commission	Notice of Civil Service Commission Meeting Date	Agenda - Date	Final Letter Date
1	A18-01	7918 Airport Security Officer Airport	04-11-2018	Appeal	Termination	05-31-2018 and 05-31-2018	<b>(5) Commissioners</b> •Jose Salvador Tellez (Chair) •Patty San Miguel •Jerry Perez •Ana I. Saenz •Scott Roberts	<b>(3) Commissioners</b> •Jose Salvador Tellez (Chair) •Patty San Miguel •Jerry Perez	<b>(2) Commissioners</b> •Ana I. Saenz •Scott Roberts	Not Applicable	<b>Specific recommendations:</b> To provide staff and Director's training in regards to City Ordinances when it comes to sick leave and assure they don't modify that in any way. If possible whenever they are having concerns about individuals being out that they notify staff ahead of time of when there is going to be inspections, reviews, and so forth. Mention to employees that we discourage the use of sick leave but you cannot prohibit if it's in violation of City Ordinance. As well as using leave in general as pretext for suspicion of investigating employees for written warnings, suspensions, or termination request. <b>Findings of facts that support decision:</b> Employee did not provide a rebuttal regarding termination <b>Accordingly, it is finally DECIDED by the Municipal Civil Service Commission to: <u>Affirm</u></b>	YES 05-22-2018	YES 05-31-2018 3:00PM (City Hall - 1st Floor, Council Chambers)	YES 05-31-2018
2	A18-02	1981 Utility Systems Crew Leader Utilities	06-29-2018	<b>(WITHDRAW)</b> Appeal	Suspension	08-16-2018 and 08-16-2018	<b>(6) Commissioners</b> •Jose Salvador Tellez (Chair) •Alma Martinez •Ana I Saenz •Efrain Sanchez •Jerry Perez •Scott Roberts	Not Applicable	Not Applicable	Not Applicable	<b>On August 16, 2018 at Municipal Civil Service Commission Meeting:</b> The Commissioner Tellez provided Employee No. 1981 the opportunity to voluntary withdraw his appeal prior to starting prior to starting the testimony hearing. After discussion between the Commission and the employee, employee decided to withdraw his appeal. <b>Notice of Withdrawal of Appeal:</b> I, Employee No. 1981 hereby voluntarily withdraw my appeal submitted on June 29, 2018 to the Municipal Civil Service Commission effective August 16, 2018. <b>Motion: <u>None</u></b>	YES 08-07-2018	YES 08-16-2018 10:00AM (City Hall - 1st Floor, Council Chambers)	Not Applicable
3	A18-03	8863 Kennel Worker Animal Care Services	07-02-2018	<b>(WITHDRAW)</b> Appeal	Termination	Employee Withdrew Appeal by Email on 07-10-2018	Not Applicable	Not Applicable	Not Applicable	Not Applicable	<b>Email received on July 10, 2018:</b> Employee No. 8863- I have officially decided to drop the appeal against City of Laredo Animal Control based on Personal and Financial Reasons. I have accepted termination and will consulting the supervisor, Cesar Garza for an exit interview. <b>Motion: <u>None</u></b>	Not Applicable	Not Applicable	Not Applicable
4	A18-04	7211 Utility Systems Mechanic Utilities/Water Distribution	07-05-2018	Appeal	2-Day Suspension	10-24-2018 and 10-24-2018	<b>(6) Commissioners</b> •Jose Salvador Tellez (Chair) •Alma Martinez •Ana I. Saenz •Efrain Sanchez •Jerry Perez •Scott Roberts	<b>(5) Commissioners</b> •Alma Martinez •Ana I. Saenz •Efrain Sanchez •Jerry Perez •Scott Roberts	Not Applicable	<b>(1) Commissioner</b> •Jose Salvador Tellez (Chair)	<b>Specific recommendations:</b> Modify disciplinary action from a suspension to a written warning, and payback employee for the 2 days previously suspended (June 28, 20218 & June 29, 2018) <b>Findings of facts that support decision:</b> Testimony of witnesses and no policies on safety <b>Reasons for decision:</b> Lack of notification of suspension <b>Accordingly, it is finally DECIDED by the Municipal Civil Service Commission to: <u>Modify</u></b>	YES 10-16-2018	YES 10-24-2018 5:30PM (City Hall - 1st Floor, Council Chambers)	YES 10-04-2018

**EXHIBIT 1**

**MUNICIPAL CIVIL SERVICE COMMISSION FOR CLASSIFIED EMPLOYEES - APPEAL CASES - BY DATE OPENED**

#	Case No.	Employee No. Job Title Department	Date Opened Appeal or Grievance	Appeal or Grievance	Issue	Hearing Date and Closing Date	Commissioners PRESENT (Agenda)	Commissioners FOR (Final Letter or Agenda)	Commissioners AGAINST (Final Letter or Agenda)	Commissioners ABSTAIN (Final Letter or Agenda)	Notice - Final Decision of the Municipal Civil Service Commission	Notice of Civil Service Commission Meeting Date	Agenda - Date	Final Letter Date
5	A19-01	3960 Airport Security Manager Airport	02-08-2019	(WITHDRAW) Appeal	Termination	Employee Withdrew Appeal letter on 03-13-2019	Not Applicable	Not Applicable	Not Applicable	Not Applicable	<b>On March 13, 2019 Employee No. 3960 provided a letter:</b> Please discontinue my civil service appeal regarding my employment with the City of Laredo. I no longer wish to appeal. Thank you for your attention. Employee Signature. <b>Motion: None</b>	Not Applicable	Not Applicable	Not Applicable
6	A19-02	9137 Airport Security Officer Supervisor Airport	03-18-2019	(WITHDRAW) Appeal	Termination	05-22-2019 No Quorum Reschedule Next Meeting in two (2) weeks  12-05-2019 email from Assistant Airport Director	(3) Commissioners •Martha Victoria Valdez •Daniel Rigal •Ana I Saenz	Not Applicable	Not Applicable	Not Applicable	<b>No written Statement from Employee No. 9137 stating that she withdraw her Appeal (No Letter or Email is in the folder).</b> <b>An email from the Assistant Airport Director was received on 12-05-2019 stating:</b> We need to prepare final payment of hours, enter the lump sums on executime, exit form (pink), and finalize the correction to payroll for Employee No. 9137. Let's review in the morning the steps. I think it's too late for this Friday's, but let's prepare and submit in the afternoon for upcoming pay period. Rosy (HR) and Carol (HR), I discussed today with Alyssa (Lawyer), Legal and we are ok to finalize exit process and pay any accruals for the Employee No. 9137. <b>Motion: None</b>	YES 05-13-2019	Not Applicable	Not Applicable
7	A19-03	8126 Route Specialist II Solid Waste	07-19-2019	Appeal	3-Day Suspension	09-04-2019 and 09-04-2019	(5) Commissioners •Jose Salvador Tellez (Chair) •Ana I. Saenz •Efrain Sanchez •Scott Roberts •Daniel Rigal	(4) Commissioners •Efrain Sanchez •Daniel Rigal •Ana I Saenz •Scott Roberts	Not Applicable	Not Applicable	<b>Specific recommendations:</b> Modify suspension from 3 day suspension to a 2 day suspension without pay; Document possible disciplinary to inform employees of disciplinary actions; certified driver trainer; additional trainings health and safety to work with PD regarding solid waste accidents. <b>Findings of facts that support decision:</b> None <b>Reasons for decision:</b> Extenuating Circumstances <b>Accordingly, it is finally DECIDED by the Municipal Civil Service Commission to: <u>Modify</u></b>	YES 08-26-2019	YES 09-04-2019 5:30PM (City Hall - 1st Floor, Council Chambers)	YES 09-05-2019
8	A19-04	5806 911 Mapping and Database Maintenance Specialist IST/911	08-23-2019	Appeal	Termination	10-23-2019 and 10-23-2019	(6) Commissioners •Efrain Sanchez •Patty San Miguel (Secretary) •Daniel Rigal •Ana I Saenz •Scott Roberts •Jose Salvador Tellez (Chair)	(5) Commissioners •Efrain Sanchez •Patty San Miguel (Secretary) •Daniel Rigal •Ana I Saenz •Scott Roberts	Not Applicable	Not Applicable	<b>Specific recommendations:</b> None <b>Findings of facts that support decision:</b> None <b>Reasons for decision:</b> None <b>Accordingly, it is finally DECIDED by the Municipal Civil Service Commission to: <u>Affirm</u></b>	YES 10-14-2019	YES 10-23-2019 5:30PM (City Hall - 1st Floor, Council Chambers)	YES 10-23-2019

**EXHIBIT 1**

**MUNICIPAL CIVIL SERVICE COMMISSION FOR CLASSIFIED EMPLOYEES - APPEAL CASES - BY DATE OPENED**

#	Case No.	Employee No. Job Title Department	Date Opened Appeal or Grievance	Appeal or Grievance	Issue	Hearing Date and Closing Date	Commissioners PRESENT (Agenda)	Commissioners FOR (Final Letter or Agenda)	Commissioners AGAINST (Final Letter or Agenda)	Commissioners ABSTAIN (Final Letter or Agenda)	Notice - Final Decision of the Municipal Civil Service Commission	Notice of Civil Service Commission Meeting Date	Agenda - Date	Final Letter Date
9	A19-05	8564 Property Codes Inspector II Community Development/ Code	09-24-2019	Appeal	3-Day Suspension	11-22-2019 and 11-22-2019	<b>(6) Commissioners</b> •Scott Roberts (Appointed Chair) •Ana I. Saenz •Efrain Sanchez •Juan J Avila (Step out at 5:55pm) •Daniel Rigal •Joe Barron	<b>(5) Commissioners</b> •Scott Roberts (Appointed Chair) •Efrain Sanchez •Daniel Rigal •Ana I Saenz •Joe Barron	Not Applicable	Not Applicable	<b>Specific recommendations:</b> Reduce suspension to one (1) day. Apply 4 hours of sick leave, allow Employee to obtain medical excuse by December 10, 2019. <b>Findings of facts that support decision:</b> Employee is under medical care 2. Breakdown of communication between employee and supervisor(s) to address the employees leaving early. <b>Reasons for decision:</b> Department inconsistencies with communication, protocol, and policies. <b>Accordingly, it is finally DECIDED by the Municipal Civil Service Commission to: <u>Modify</u></b>	YES 11-13-2019 <hr/> YES 10-30-2019	YES 11-22-2019 3:00PM (City Hall - 1st Floor, Council Chambers) <hr/> Meeting 11-07-2019 5:30PM No Quorum Rescheduled 11-22-2019	YES 12-02-2019
10	A19-06	6639 Communication Tech Police/911	10-01-2019	Appeal	Termination	12-10-2019 and 12-10-2019	<b>(7) Commissioners</b> •Jose Salvador Tellez (Chair) •Efrain Sanchez •Daniel Rigal •Ana Saenz •Scott Roberts (Appointed Secretary) •Juan J. Avila •Joe Barron	<b>(7) Commissioners</b> •Jose Salvador Tellez (Chair) •Efrain Sanchez •Daniel Rigal •Ana Saenz •Scott Roberts •Juan J. Avila •Joe Barron	Not Applicable	Not Applicable	<b>Specific recommendations:</b> Reinstatement with 3 day suspension <b>Findings of facts that support decision:</b> Lack of written department protocols, procedures, and/or practices to responses and process of handling emergency calls. Lack of training, suspension, and procedures to process emergency calls outside of jurisdiction. <b>Reasons for decision:</b> Lack of evidence to show the employee failed to perform job duties. <b>Accordingly, it is finally DECIDED by the Municipal Civil Service Commission to : Reverse and Modify</b> <b>Service Commission to : <u>Modify</u></b>	YES 12-02-2019	YES 12-10-2019 5:30PM (City Hall - 1st Floor, Council Chambers)	YES 12-16-2019



**EXHIBIT 1**

**MUNICIPAL CIVIL SERVICE COMMISSION FOR CLASSIFIED EMPLOYEES - APPEAL CASES - BY DATE OPENED**

#	Case No.	Employee No. Job Title Department	Date Opened Appeal or Grievance	Appeal or Grievance	Issue	Hearing Date and Closing Date	Commissioners PRESENT (Agenda)	Commissioners FOR (Final Letter or Agenda)	Commissioners AGAINST (Final Letter or Agenda)	Commissioners ABSTAIN (Final Letter or Agenda)	Notice - Final Decision of the Municipal Civil Service Commission	Notice of Civil Service Commission Meeting Date	Agenda - Date	Final Letter Date
11	A19-07	4546 Electrical Inspector I Building	10-03-2019	Appeal	Termination	01-28-2020 and 01-28-2020	<b>(7) Commissioners</b> •Patty San Miguel •Ana I Saenz •Juan J. Avila •Daniel Rigal (Appointed Sec) •Efrain Sanchez •Scott Roberts (Appointed Chair) •Jose Salvador Tellez	<b>(4) Commissioners</b> •Patty San Miguel •Ana I Saenz •Juan J. Avila •Efrain Sanchez	<b>(1) Commissioner</b> •Daniel Rigal (Appointed Sec)	<b>(2) Commissioners</b> •Scott Roberts (Appointed Chair) <b>Reason:</b> Appointed chair for the hearing and there was a quorum present. Abstain from the final vote unless there was a need to break a tie vote of the remaining commissioners •Jose Salvador Tellez <b>Reason:</b> Abstained regarding the vote to modify the disciplinary action and reinstate Employee with regard to the assessment of the disciplinary action Mr. Tellez would like the record to reflect he abstained from voting since he abstained when voting on the modification of the disciplinary action.	<b>Specific recommendations:</b> Reinstate job with a 30 calendar day suspension; back pay all other time employee was off of work after 30 day suspension <b>Findings of facts that support decision:</b> Lack of fact witness testimony, lack of documented evidence sufficient to warrant employee termination <b>Reasons for decision:</b> Lack of clear departmental and inter-departmental communication, timelines of events leading to the decision to terminate <b>Accordingly, it is finally DECIDED by the Municipal Civil Service Commission to: Blank</b> <b>Service Commission to: <u>Modify</u></b>	YES 01-17-2020	YES 01-28-2020 5:30PM (City Hall - 1st Floor, Council Chambers)	YES 01-28-2020
12	A19-08	3320 Administrative Assistant I Public Works	10-21-2019	Appeal	Termination	03-05-2020 and 03-05-2020	<b>(7) Commissioners</b> •Scott Roberts (Appointed Chair) •Daniel Rigal •Ana I Saenz (Appointed Secretary) •Jesus Martinez •Juan Carlos Sanchez •Juan J. Avila •Joe Barron	<b>(7) Commissioners</b> •Daniel Rigal •Ana I. Saenz •Jesus Martinez •Juan Carlos Sanchez •Scott Roberts •Juan J. Avila •Joe Barron	Not Applicable	Not Applicable	<b>Specific recommendations:</b> Employee's action to refuse going in vehicle to undergo testing is in violation of City Policy <b>Findings of facts that support decision:</b> Based on provided testimony, employee failed to agree to undergo testing as is the requirement when an employee is suspected of being under the influence of alcohol <b>Reasons for decision:</b> None <b>Accordingly, it is finally DECIDED by the Municipal Civil Service Commission to: <u>Affirm</u></b>	YES 02-14-2020 Meeting 02-25-2020 Employee asked for continuance  YES 02-25-2020	YES 03-04-2020 5:30PM (City Hall - 1st Floor, Council Chambers)	YES 03-05-2020
13	A19-09	7542 Communications Tech Supervisor Police/911	11-05-2019	Appeal	Termination	03-11-2020 due to Ethics meeting needed Reschedule to 12-17-2020 and 12-17-2020	<b>(7) Commissioners</b> •Jose Salvador Tellez (Chair/Secretary) •Juan Jose Avila •Joe Barron •Jesus Martinez •Daniel Rigal •Anna I. Saenz •Juan Carlos Sanchez	<b>(6) Commissioners</b> •Juan Jose Avila •Joe Barron •Jesus Martinez •Daniel Rigal •Anna I. Saenz •Juan Carlos Sanchez	Not Applicable	<b>(1) Commissioner</b> •Jose Salvador Tellez (Chair/Secretary)	<b>Specific recommendations:</b> None <b>Findings of facts that support decision:</b> None <b>Reasons for decision:</b> None <b>Accordingly, it is finally DECIDED by the Municipal Civil Service Commission to: <u>Affirm</u></b>	YES 03-02-2020  12-16-2020 email to employee 12- 15-2020 email to Commissioners	YES 12-17-2020 5:30PM (Virtual WebEx Meeting)	YES 12-28-2020

**EXHIBIT 1**

**MUNICIPAL CIVIL SERVICE COMMISSION FOR CLASSIFIED EMPLOYEES - APPEAL CASES - BY DATE OPENED**

#	Case No.	Employee No. Job Title Department	Date Opened Appeal or Grievance	Appeal or Grievance	Issue	Hearing Date and Closing Date	Commissioners PRESENT (Agenda)	Commissioners FOR (Final Letter or Agenda)	Commissioners AGAINST (Final Letter or Agenda)	Commissioners ABSTAIN (Final Letter or Agenda)	Notice - Final Decision of the Municipal Civil Service Commission	Notice of Civil Service Commission Meeting Date	Agenda - Date	Final Letter Date
14	A20-01	4997 Solid Waste Supervisor Solid Waste/Sanitation	01-31-2020	Appeal	Termination	08-27-2020 and 08-27-2020	<b>(7) Commissioners</b> •Joe Barron •Jesus Martinez •Daniel Rigal •Scott Roberts •Juan Carlos Sanchez •Jose Salvador Tellez (Chair/Secretary) •Patty San Miguel	<b>(5) Commissioners</b> •Joe Barron •Jesus Martinez •Daniel Rigal •Scott Roberts •Juan Carlos Sanchez	Not Applicable	<b>(2) Commissioners</b> •Jose Salvador Tellez (Chair/Secretary) •Patty San Miguel	Specific recommendations: None Findings of facts that support decision: None Reasons for decision: None Accordingly, it is finally <b>DECIDED</b> by the Municipal Civil Service Commission to: <b>Affirm</b>	YES 08-18-2020 email to Employee	YES 08-27-2020 5:30PM (Virtual Zoom Meeting)	YES 09-08-2020
15	A20-02	2721 Utility System Crew Leader Utilities	09-10-2020	Appeal	Termination	Hearing(s) 12-03-2020 Rescheduled (due to Wrong Web link) 12-08-2020 and 12-08-2020	<b>(5) Commissioners</b> •Daniel Rigal (Appointed Chair/Secretary) •Juan Jose Avila •Ana I. Saenz •Patty San Miguel •Juan Carlos Sanchez	<b>(3) Commissioners</b> •Ana I. Saenz •Patty San Miguel •Juan Carlos Sanchez	<b>(2) Commissioners</b> •Daniel Rigal (Appointed Chair/Secretary) •Juan Jose Avila	Not Applicable	Specific recommendations: None Findings of facts that support decision: Majority Ruled Reasons for decision: Majority Ruled Accordingly, it is finally <b>DECIDED</b> by the Municipal Civil Service Commission to: <b>Affirm</b>	<b>NO LETTER OR EMAILS</b>	YES 12-08-2020 1:00PM (Virtual WebEx Meeting)	YES 12-16-2020
16	A20-03	7872 Welder Fleet Management	11-30-2020	Appeal	Termination	01-21-2021 and 01-21-2021	<b>(6) Commissioners</b> •Jose Salvador Tellez (Chair/Secretary) •Juan Jose Avila •Joe Barron •Jesus Martinez •Ana I. Saenz •Patty San Miguel	<b>(6) Commissioners</b> •Jose Salvador Tellez (Chair/Secretary) •Juan Jose Avila •Joe Barron •Jesus Martinez •Ana I. Saenz •Patty San Miguel	Not Applicable	Not Applicable	Specific recommendations: Reinstate the employee, two (2) week suspension without pay and back pay. Findings of facts that support decision: None Reasons for decision: None Accordingly, it is finally <b>DECIDED</b> by the Municipal Civil Service Commission to : <b>Reverse</b> Service Commission to: <b>Modify</b>	<b>NO LETTER OR EMAILS</b>  YES 01-15-2021 email to Commissioners	YES 01-21-2021 5:30PM (Virtual WebEx Meeting)	YES 01-26-2021
17	A21-01	7190 Network Specialist IST	01-22-2021	Appeal	Suspension	03-24-2021 Reschedule to 04-09-2021 and 04-09-2021	<b>(6) Commissioners</b> •Jose Salvador Tellez (Chair/Secretary) •Elizabeth Cantu •Jesus Martinez •Daniel Rigal •Ana I. Saenz •Juan Carlos Sanchez	<b>(4) Commissioners</b> •Jesus Martinez •Daniel Rigal •Ana I. Saenz •Juan Carlos Sanchez	<b>(1) Commissioner</b> •Elizabeth Cantu	<b>(1) Commissioner</b> •Jose Salvador Tellez (Chair/Secretary)	Specific recommendations: None Findings of facts that support decision: None Reasons for decision: None Accordingly, it is finally <b>DECIDED</b> by the Municipal Civil Service Commission to: <b>Affirm Suspension</b>	YES 04-06-2021	YES 04-09-2021 5:30PM (Virtual WebEx Meeting)	YES 04-13-2021

**EXHIBIT 1**

**MUNICIPAL CIVIL SERVICE COMMISSION FOR CLASSIFIED EMPLOYEES - APPEAL CASES - BY DATE OPENED**

#	Case No.	Employee No. Job Title Department	Date Opened Appeal or Grievance	Appeal or Grievance	Issue	Hearing Date and Closing Date	Commissioners PRESENT (Agenda)	Commissioners FOR (Final Letter or Agenda)	Commissioners AGAINST (Final Letter or Agenda)	Commissioners ABSTAIN (Final Letter or Agenda)	Notice - Final Decision of the Municipal Civil Service Commission	Notice of Civil Service Commission Meeting Date	Agenda - Date	Final Letter Date
18	A21-02	7190 Network Specialist IST	02-11-2021	Appeal	Termination	03-24-2021 Reschedule to 04-14-2021 and 04-14-2021	(8) Commissioners •Jose Salvador Tellez (Chair/Secretary) •Juan Jose Avila •Joe Barron •Elizabeth Cantu •Daniel Rigal •Ana I. Saenz •Juan Carlos Sanchez •Patty San Miguel	(8) Commissioners •Jose Salvador Tellez (Chair/Secretary) •Juan Jose Avila •Patty San Miguel •Joe Barron •Elizabeth Cantu •Daniel Rigal •Ana I. Saenz •Juan Carlos Sanchez	Not Applicable	Not Applicable	Specific recommendations: None Findings of facts that support decision: None Reasons for decision: None Accordingly, it is finally DECIDED by the Municipal Civil Service Commission to: <u>Dismiss Appeal and Affirm Termination</u>	YES 04-12-2021	YES 04-14-2021 5:30PM (Virtual WebEx Meeting)	YES 04-16-2021
19	A21-03	2238 Water Treatment Superintendent Utilities	07-08-2021	Appeal	Termination	08-09-2021 Reschedule to 08-18-2021 and 08-18-2021	(9) Commissioners •Jose Salvador Tellez (Chair) •Douglas Alford •Joe Barron (Secretary) •(Elizabeth Cantu Left at 10:42pm) •Marcos Cabello •Jesus Martinez •Daniel Rigal •Ana I. Saenz •Juan Carlos Sanchez	(6) Commissioners •Jesus Martinez •Daniel Rigal •Joe Barron •Marcos Cabello •Ana I. Saenz •Juan Carlos Sanchez	(1) Commissioner •Douglas Alford	(1) Commissioner •Jose Salvador Tellez (Chair)	Specific recommendations: None Findings of facts that support decision: None Reasons for decision: None Accordingly, it is finally DECIDED by the Municipal Civil Service Commission to: <u>Affirm Termination</u>	<b>NO LETTER OR EMAIL TO EMPLOYEE</b>  08-04-2021 email to Commissioners	YES 08-18-2021 5:30PM (City Hall - 1st Floor, Council Chambers)	YES 08-20-2021
20	A21-04	3679 Plant Operations Supervisor Utilities	07-08-2021	Appeal	Termination	08-18-2021 Reschedule to 09-10-2021 and 09-10-2021	(7) Commissioners •Jose Salvador Tellez (Chair) •Douglas Alford •Joe Barron (Secretary) •Jesus Martinez •Daniel Rigal •Ana I. Saenz •Juan Carlos Sanchez	(4) Commissioners •Joe Barron (Secretary) •Jesus Martinez •Daniel Rigal •Juan Carlos Sanchez	(2) Commissioner •Douglas Alford •Ana I. Saenz	(1) Commissioner •Jose Salvador Tellez (Chair)	Specific recommendations: None Findings of facts that support decision: Job performance does not comply to job description which refers to state agencies re: levels of water quality. Reasons for decision: Testimony of Employee was not credible regarding why he did not make certain decisions. Accordingly, it is finally DECIDED by the Municipal Civil Service Commission to: <u>Affirm</u>	<b>NO LETTER OR EMAILS TO EMPLOYEE</b>	YES 09-10-2021 5:30PM (City Hall - 1st Floor, Council Chambers)	YES 09-20-2021

**EXHIBIT 2**

**MUNICIPAL CIVIL SERVICE COMMISSION FOR CLASSIFIED EMPLOYEES - GRIEVANCE CASES - BY DATE OPENED**

#	Case No.	Employee No. Job Title Department	Date Opened Appeal or Grievance	Appeal or Grievance	Issue	Hearing Date and Closing Date	Commissioners PRESENT (Agenda)	Commissioners FOR (Final Letter or Agenda)	Commissioners AGAINST (Final Letter or Agenda)	Commissioners ABSTAIN (Final Letter or Agenda)	Notice - Final Decision of the Municipal Civil Service Commission	Notice of Civil Service Commission Meeting Date	Agenda - Date	Final Letter Date
1	G18-01	3562 Administrative Secretary Police	07-12-2018	Grievance	Reassignment	02-27-2019 and 02-27-2019	<b>(6) Commissioners</b> •Jose Salvador Tellez (Chair) •Ana I. Saenz •Efrain Sanchez •Juan Lazaro Ramirez •Scott Roberts •Patty San Miguel (recuse herself from this hearing)	<b>(5) Commissioners</b> (Jose Salvador Tellez (Chair) •Ana I. Saenz •Efrain Sanchez •Juan Lazaro Ramirez •Scott Roberts	Not Applicable	Not Applicable	<b>Specific recommendations:</b> None. <b>Findings of facts that support decision:</b> There was no proof that the lateral move did not affect her pay or status. <b>Reasons for decision:</b> Employee was treated fairly; her supervisors considered her personal issues, and they re-assigned employee to a position of equal pay, therefore employee did not suffer any monetary loss, or loss of grade in actuality. <b>Accordingly, it is finally DECIDED by the Municipal Civil Service Commission to:</b> Deny in Whole <b>Service Commission to:</b> <u>Affirm</u>	YES 02-15-2019	YES 02-27-2019 5:30PM (City Hall - 1st Floor, Council Chambers)	YES 02-27-2019
G19-01 NO CASE ASSIGNED														
2	G19-02	8564 Property Codes Inspector II Community Development/ Code	10-09-2019	Grievance	Employment Practice/ Condition	11-22-2019 and 11-22-2019	<b>(6) Commissioners</b> •Scott Roberts (Appointed Chair) •Ana I. Saenz •Efrain Sanchez •Juan J Avila •Daniel Rigal •Joe Barron	<b>(5) Commissioners</b> (Appointed Chair) •Scott Roberts •Efrain Sanchez •Daniel Rigal •Ana I Saenz •Joe Barron	Not Applicable	Not Applicable	<b>Specific recommendations:</b> establish protocols and consequences following established written policy and procedures. Recommends Human Resources Department and Community Department to seek out opportunities for management. Supervisory training for employee that supervise employees. <b>Findings of facts that support decision:</b> None <b>Reasons for decision:</b> Deny- management supervisor and training protocol; Sustain - Fair employment treatment practice and no direct or indirect retaliation. <b>Accordingly, it is finally DECIDED by the Municipal Civil Service Commission to :</b> Sustain in Part; Deny in Part <b>Service Commission to:</b> <u>Modify</u>	YES 11-13-2019  YES 10-30-2019	YES 11-22-2019 3:00PM (City Hall - 1st Floor, Council Chambers)  Meeting 11-07-2019 5:30PM No Quorum Rescheduled 11-22-2019	YES 12-02-2019
3	G19-03	6769 Licensed Vocational Nurse II Human Resources	11-12-2019	Grievance	Employment Practice/ Condition	07-09-2020 and 07-09-2020	<b>(7) Commissioners</b> •Jose Salvador Tellez (Chair) •Juan Jose Avila •Joe Barron •Jesus Martinez •Anna I. Saenz •Juan Carlos Sanchez •Patty San Miguel	<b>(7) Commissioners</b> (Chair) •Jose Salvador Tellez (Chair) •Juan Jose Avila •Joe Barron •Jesus Martinez •Anna I. Saenz •Juan Carlos Sanchez •Patty San Miguel	Not Applicable	Not Applicable	<b>Specific recommendations:</b> None <b>Findings of facts that support decision:</b> Consensus of commission was, grievance was frivolous. <b>Reasons for decision:</b> Same <b>Accordingly, it is finally DECIDED by the Municipal Civil Service Commission to:</b> Deny Appeal <b>Service Commission to:</b> <u>Affirm</u>	<b>NO LETTER OR EMAILS</b>	YES 07-09-2020 5:30PM (Virtual WebEx Meeting)	YES 07-15-2020

**EXHIBIT 2**

**MUNICIPAL CIVIL SERVICE COMMISSION FOR CLASSIFIED EMPLOYEES - GRIEVANCE CASES - BY DATE OPENED**

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4	G19-04	3430 Building Plans Examiner I Building	12-06-2019	Grievance	Written Warning	06-24-2020 and 06-24-2020	(8) Commissioners •Jose Salvador Tellez (Chair) •Joe Barron •Jesus Martinez •Daniel Rigal (via Zoom) •Scott Roberts (Appointed Secretary) •Ana I. Saenz (via Zoom) •Juan Carlos Sanchez •Patty San Miguel (via Zoom)	(8) Commissioners •Jose Salvador Tellez (Chair) •Joe Barron •Jesus Martinez •Daniel Rigal (via Zoom) •Scott Roberts (Appointed Secretary) •Ana I. Saenz (via Zoom) •Juan Carlos Sanchez •Patty San Miguel (via Zoom)	Not Applicable	Not Applicable	Specific recommendations: None Findings of facts that support decision: Evidence Presented Reasons for decision: Same Accordingly, it is finally DECIDED by the Municipal Civil Service Commission to: Deny Appeal Service Commission to: <b>Affirm</b>	NO LETTER OR EMAILS	YES 06-24-2020 5:30PM (City Hall - 1st Floor, Council Chambers/ Via Zoom)	YES 06-30-2020
5	G19-05	2238 Utilities Superintendent Utilities	12-03-2019	Grievance	Written Warning	07-28-2020 and 07-28-2020	(7) Commissioners •Jose Salvador Tellez (Chair) •Juan Jose Avila •Joe Barron •Jesus Martinez •Patty San Miguel •Ana I. Saenz •Juan Carlos Sanchez	(4) Commissioners •Juan Jose Avila •Joe Barron •Jesus Martinez •Patty San Miguel	(3) Commissioners •Jose Salvador Tellez (Chair) •Ana I. Saenz •Juan Carlos Sanchez	Not Applicable	Specific recommendations: Written warning changed to a verbal warning by recommendation of majority of the commission Findings of facts that support decision: None Reasons for decision: None Accordingly, it is finally DECIDED by the Municipal Civil Service Commission to: Sustain (in part) Service Commission to: <b>Modify</b>	NO LETTER OR EMAILS	YES 07-28-2020 5:30PM (Virtual Zoom Meeting)	YES 08-06-2020
6	G19-06	6769 Licensed Vocational Nurse II Human Resources	11-12-2019	Grievance	Written Warning	08-06-2020 and 08-06-2020	(8) Commissioners •Jose Salvador Tellez (Chair/Secretary) •Joe Barron •Jesus Martinez •Daniel Rigal •Scott Roberts •Ana I. Saenz •Juan Carlos Sanchez •Patty San Miguel	(8) Commissioners •Jose Salvador Tellez (Chair/Secretary) •Joe Barron •Jesus Martinez •Daniel Rigal •Scott Roberts •Ana I. Saenz •Juan Carlos Sanchez •Patty San Miguel	Not Applicable	Not Applicable	Specific recommendations: An action plan be developed to include language in the City's Drugs and Alcohol Policy that is reflective of what type of test should be used for the City and the staffing agencies. The commission also recommends, Employee be given rehabilitation training (in class room setting) to be able to distinguish the different types of drug and alcohol testing and results. Findings of facts that support decision: None Reasons for decision: Same Accordingly, it is finally DECIDED by the Municipal Civil Service Commission to : <b>Deny</b>	NO LETTER OR EMAILS	YES 08-06-2020 5:30PM (Virtual Zoom Meeting)	YES 08-17-2020
7	G20-01	3562 Administrative Secretary Police	06-15-2020	Grievance	Employment Practice/ Condition	10-07-2020 and 10-07-2020	(7) Commissioners •Jose Salvador Tellez (Chair/Secretary) •Juan Jose Avila •Jesus Martinez •Daniel Rigal •Scott Roberts •Patty San Miguel •Juan Carlos Sanchez	(5) Commissioners •Jose Salvador Tellez (Chair/Secretary) •Patty San Miguel •Daniel Rigal •Jesus Martinez •Juan Carlos Sanchez	(2) Commissioners •Juan Jose Avila •Scott Roberts	Not Applicable	Specific recommendations: None Findings of facts that support decision: Evidence Presented Reasons for decision: Same Accordingly, it is finally DECIDED by the Municipal Civil Service Commission to : Deny Appeal Service Commission to: <b>Affirm</b>	NO LETTER OR EMAILS	YES 10-07-2020 5:30PM (Virtual WebEx Meeting)	YES 10-19-2020

**EXHIBIT 2**

**MUNICIPAL CIVIL SERVICE COMMISSION FOR CLASSIFIED EMPLOYEES - GRIEVANCE CASES - BY DATE OPENED**

#	Case No.	Employee No. Job Title Department	Date Opened Appeal or Grievance	Appeal or Grievance	Issue	Hearing Date and Closing Date	Commissioners PRESENT (Agenda)	Commissioners FOR (Final Letter or Agenda)	Commissioners AGAINST (Final Letter or Agenda)	Commissioners ABSTAIN (Final Letter or Agenda)	Notice - Final Decision of the Municipal Civil Service Commission	Notice of Civil Service Commission Meeting Date	Agenda - Date	Final Letter Date
8	G20-02	9447 Building Inspector Building	12-02-2020	(WITHDRAW) Grievance	Written Warning	Employee Withdrew Grievance by Email on 01-15-2021	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Email received on January 15, 2021: Employee No. 9447: Hello Miss Nora (HR) I have decided to not continue as for terms of health and familiar wellness. After all your support I thank you by a lot.	YES 01-12-2021 Email to Employee	Not Applicable	Not Applicable
	G20-03 A21-01 A21-02	7190 Network Specialist IST	12-04-2020 01-22-2021 02-11-2021	(3) Cases Grievance Appeal Appeal	Written Warning Suspension Termination	03-24-2021 reschedule to hear Grievance 12-04-2020 on 04-01-2021 Appeal 01-22-2021 and Appeal 02-11-2021 to be reschedule	(9) Commissioners •Jose Salvador Tellez (Chair/Secretary) •Juan Jose Avila •Joe Barron •Elizabeth Cantu •Jesus Martinez •Daniel Rigal •Ana I. Saenz •(Patty San Miguel Excused at 8:31pm) •Juan Carlos Sanchez	(8) Commissioners •Jose Salvador Tellez (Chair/Secretary) •Juan Jose Avila •Joe Barron •Elizabeth Cantu •Jesus Martinez •Daniel Rigal •Ana I. Saenz •Juan Carlos Sanchez	Not Applicable	Not Applicable	Specific recommendations: None Findings of facts that support decision: None Reasons for decision: None Accordingly, it is finally DECIDED by the Municipal Civil Service Commission to : <u>None</u>	YES 03-09-2021 and 03-19-2021 email to Commissioners 03-22-2021 email to Commissioners	YES 03-24-2021 5:30PM (Virtual WebEx Meeting)	Not Applicable
9	G20-03	7190 Network Specialist IST	12-04-2020	Grievance	Written Warning	03-24-2021 Reschedule to 04-01-2021 and 04-01-2021	(6) Commissioners •Jose Salvador Tellez (Chair/Secretary) •Juan Jose Avila •Joe Barron •Jesus Martinez •Daniel Rigal •Juan Carlos Sanchez	(4) Commissioners •Daniel Rigal •Joe Barron •Jesus Martinez •Juan Carlos Sanchez	(1) Commissioner •Juan Jose Avila	(1) Commissioner •Jose Salvador Tellez (Chair/Secretary)	Specific recommendations: None Findings of facts that support decision: None Reasons for decision: None Accordingly, it is finally DECIDED by the Municipal Civil Service Commission to: Deny Appeal Service Commission to: <u>Affirm</u>	YES 03-25-2021  03-29-2021 email to Commissioners email 03-26-2021 email to employee	YES 04-01-2021 5:30PM (Virtual WebEx Meeting)	YES 04-09-2021

**EXHIBIT 3  
FIREFIGHTERS & POICE OFFICERS MUNICIPAL CIVIL SERVICE CASES BY DATE OPENED**

#	Employee No. Job Title Department	Date Opened CLEAT Email Letter Date	Listening or Hearing	Issue	Commissioners FOR (Final Letter)	Notice -Purpose of the meeting Service Commission	Notice Meeting of The Civil Service Commission Date	Hearing Meeting to be Held Date	CLEAT Requests by email	Final Order of the Fire Fighters' and Police Officers' Civil Service Commission Letter Date	Employee Withdraws Appeal
1	NONE	NONE	Listening	Administrative	NONE	Re: Request to Hire 16 Police Cadets. <b>Approved</b>	YES 12-17-2020	NONE	NONE	NONE	NONE
2	NONE	NONE	Listening	Administrative	NONE	To elect Chairman and a Vice-Chairman for the Commission in accordance with Chapter 143 Municipal Civil Service 143.006 ( e) of the Texas Local Government Code	YES 05-06-2021	05-12-2021 9:30am	NONE	NONE	NONE
3	8514 Patrol Officer Police	YES 10-08-2020	Appeal	Three (3) Day Suspension	NONE	To hear the appeal of, Employee No. 8514, regards to his (3) three day suspension order date October 5, 2020.	YES 10-28-2020	11-04-2020 09:45am Laredo City Hall Council Chambers	YES 10-24-2020 Request to Postpone Hearing on 12-09-2020	NONE	NONE
						To hear the appeal of, Employee No. 8514, regards to his (3) three day suspension order date October 5, 2020.	YES 11-19-2020	12-02-2020 09:45am Laredo City Hall Council Chambers	NONE	NONE	NONE
						To hear the appeal of, Employee No. 8514, regards to his (3) three day suspension order date October 5, 2020.	YES 11-24-2020 AMENDED	12-02-2020 09:45am Laredo City Hall Council Chambers	YES 11-23-2020 Request to Postpone Hearing on 02-10-2021	NONE	NONE
						To hear the appeal of, Employee No. 8514, regards to his (3) three day suspension order date October 5, 2020.	YES 01-20-2021 AMENDED	01-27-2021 09:45am Laredo City Hall Council Chambers Reschedule 05-19-2021	NONE	NONE	May 11, 2021 Chief of Police Department submitted a revised letter of suspension to the Civil Service Commission. This letter is a result of a final settlement agreement and should not be appealable. May 12, 2021, CLEAT organization emailed stating Employee No. 8514 withdraws his appeal to the Civil Services Commission. Both parties resolved the appeal pertaining to his 3 day suspension with the substitution of the new agreed to letter between the parties.
4	4599 Police Sergeant Police	YES 10-09-2020	Appeal	Three (3) Day Suspension	NONE	To hear the appeal of, Employee No. 4599, in regards to his (3) three day suspension order dated October 5, 2020.	YES 10-28-2020	11-04-2020 09:45am Laredo City Hall Council Chambers	YES 10-29-2020 Request to Postpone Hearing on 01-27-2021	NONE	NONE
						To hear the appeal of, Employee No. 4599, in regards to his (3) three day suspension order dated October 5, 2020.	YES 01-12-2021	01-27-2021 09:45am Laredo City Hall Council Chambers	YES 01-11-2021 Subpoena Request for Hearing on 01-27-2021	NONE	NONE

**EXHIBIT 3  
FIREFIGHTERS & POICE OFFICERS MUNICIPAL CIVIL SERVICE CASES BY DATE OPENED**

#	Employee No. Job Title Department	Date Opened CLEAT Email Letter Date	Listening or Hearing	Issue	Commissioners FOR (Final Letter)	Notice -Purpose of the meeting Service Commission	Notice Meeting of The Civil Service Commission Date	Hearing Meeting to be Held Date	CLEAT Requests by email	Final Order of the Fire Fighters' and Police Officers' Civil Service Commission Letter Date	Employee Withdraws Appeal
					NONE	To hear the appeal of, Employee No. 4599, in regards to his (3) three day suspension order dated October 5, 2020.	YES 01-20-2021 AMENDED	01-27-2021 09:45am Laredo City Hall Council Chambers Reschedule 04-28-2021 move to 05-05-2021	NONE	NONE	NONE
					NONE	To hear the appeal of, Employee No. 4599, in regards to his (3) three day suspension order dated October 5, 2020.	YES 04-19-2021	04-28-2021 09:45am Laredo City Hall Council Chambers	YES 04-16-2021 Subpoena Request for Hearing on 04-28-2021	NONE	NONE
					<b>(3) Commissioners</b> Raul P. Garcia, Jr (Vice-Chairman) Gilberto L. Navarro (Commissioner) Fernando Quiroga (Commissioner)	To hear the appeal of, Employee No. 4599, in regards to his (3) three day suspension order dated October 5, 2020.	YES 04-30-2021	05-05-2021 09:45am Laredo City Hall Council Chambers	NONE	YES 05-05-2021 Accordingly, it is finally ORDERED by the Commission that: Employee No. 4599 shall be suspended without pay as a classified employee of the Police Department of the City of Laredo, for a three (3) day period, effective the date of the order to that effect by Police Chief Claudio Trevino, Jr.	NONE
5	2010 Police Sergeant Police	YES 10-09-2020	Appeal	Four (4) Day Suspension	NONE	To hear the appeal of, Employee No. 2010, in regards to his (4) four day suspension ordered October 5, 2020	YES 10-28-2020	11-04-2020 09:45am Laredo City Hall Council Chambers	YES 10-29-2020 Request to Postpone Hearing on 02-03-2021	NONE	NONE
					NONE	To hear the appeal of, Employee No. 2010, in regards to his (4) four day suspension ordered October 5, 2020	YES 01-20-2021 AMENDED	01-27-2021 09:45am Laredo City Hall Council Chambers Reschedule 05-05-2021 move to 05-12-2021	NONE	NONE	NONE
					NONE	To hear the appeal of, Employee No. 2010, in regards to his (4) four day suspension ordered October 5, 2020	YES 05-07-2021	05-12-2021 09:45am Laredo City Hall Council Chambers	YES 04-23-2021 Subpoena Request for Meeting on 05-05/12-2021	NONE	May 11, 2021 Chief of Police Department submitted a revised letter of suspension to the Civil Service Commission. This letter is a result of a final settlement agreement and should not be appealable. May 12, 2021, Employee No. 2010, Accepted, signed and agreed to education based discipline as a disciplinary alternative.



**EXHIBIT 3  
FIREFIGHTERS & POICE OFFICERS MUNICIPAL CIVIL SERVICE CASES BY DATE OPENED**

#	Employee No. Job Title Department	Date Opened CLEAT Email Letter Date	Listening or Hearing	Issue	Commissioners FOR (Final Letter)	Notice -Purpose of the meeting Service Commission	Notice Meeting of The Civil Service Commission Date	Hearing Meeting to be Held Date	CLEAT Requests by email	Final Order of the Fire Fighters' and Police Officers' Civil Service Commission Letter Date	Employee Withdraws Appeal
6	1295 Police Lieutenant Police	YES 10-09-2020	Appeal	Three (3) Day Suspension	NONE	To hear the appeal of, Employee No. 1295, in regards to his (3) three day suspension ordered October 6, 2020	YES 10-28-2020	11-04-2020 09:45am Laredo City Hall Council Chambers	YES 10-29-2020 Request to Postpone Hearing on 02-10-2021	NONE	NONE
					NONE	To hear the appeal of, Employee No. 1295, in regards to his (3) three day suspension ordered October 6, 2020	YES 01-20-2021 AMENDED	01-27-2021 09:45am Laredo City Hall Council Chambers	NONE	NONE	NONE
					NONE	To hear the appeal of, Employee No. 1295, in regards to his (3) three day suspension ordered October 6, 2020	YES 05-20-2021	05-26-2021 09:45am Laredo City Hall Council Chambers	NONE	NONE	May 26, 2021 Chief of Police Department submitted a revised letter of suspension to the Civil Service Commission. This letter is a result of a final settlement agreement and should not be appealable. May 26, 2021, Employee No. 1295, Accepted, signed and agreed to education based discipline as a disciplinary alternative.
7	1295 Police Lieutenant Police	YES 10-09-2020	Appeal	Five (5) Day Suspension	NONE	To hear the appeal of, Employee No. 1295, in regards to his (5) five day suspension ordered October 1, 2020	YES 10-28-2020	11-04-2020 09:45am Laredo City Hall Council Chambers	YES 10-29-2020 Request to Postpone Hearing on 02-10-2021	NONE	NONE
					NONE	To hear the appeal of, Employee No. 1295, in regards to his (5) five day suspension ordered October 1, 2020	YES 01-20-2021 AMENDED	01-27-2021 09:45am Laredo City Hall Council Chambers	NONE	NONE	NONE

**EXHIBIT 3  
FIREFIGHTERS & POICE OFFICERS MUNICIPAL CIVIL SERVICE CASES BY DATE OPENED**

#	Employee No. Job Title Department	Date Opened CLEAT Email Letter Date	Listening or Hearing	Issue	Commissioners FOR (Final Letter)	Notice -Purpose of the meeting Service Commission	Notice Meeting of The Civil Service Commission Date	Hearing Meeting to be Held Date	CLEAT Requests by email	Final Order of the Fire Fighters' and Police Officers' Civil Service Commission Letter Date	Employee Withdraws Appeal
					NONE	To hear the appeal of, Employee No. 1295, in regards to his (5) five day suspension ordered October 1, 2020	YES 05-20-2021	05-26-2021 09:45am Laredo City Hall Council Chambers	NONE	NONE	May 26, 2021 Chief of Police Department submitted a revised letter of suspension to the Civil Service Commission. This letter is a result of a final settlement agreement and should not be appealable. May 26, 2021, Employee No. 1295, Accepted, signed and agreed to education based discipline as a disciplinary alternative.
8	9683 Patrol Officer Police	YES 04-22-2021	Hearing Appeal	Four (4) Day Suspension	<b>(3) Commissioners</b> Raul P. Garcia, Jr (Vice-Chairman) Gilberto L. Navarro (Commissioner) Fernando Quiroga (Commissioner)	To hear the appeal of , Employee No. 9683, in regards to his (4) four day suspension order dated April 15, 2021. NOTES: Rescheduled: Agreed by all (3) three Commissioners to June 16, 2021 @ 9:45am	YES 04-30-2021	05-05-2021 09:45am Laredo City Hall Council Chambers	NONE	NONE	NONE
					NONE	To hear the appeal of , Employee No. 9683, in regards to his (4) four day suspension order dated April 15, 2021.	YES 06-07-2021	06-16-2021 9:45am Laredo City Hall Council Chambers	NONE	NONE	<b>July 30, 2021</b> Chief of Police Department submitted a revised letter of suspension to the Civil Service Commission. This letter is a result of a final settlement agreement and should not be appealable. June 15, 2021, Employee 9683, Accepted, signed and agreed to education based discipline as a disciplinary alternative.

**CITY OF LAREDO**  
**HUMAN RESOURCES DEPARTMENT**  
**MEMORANDUM**

**TO:** Tina O. Rodriguez  
Internal Auditor

**FROM:** Cesar R. Garza CRG  
Civil Service & Retirement Business Partner

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**THRU:** Zaida J. Gonzalez  
Acting Human Resources Director

**DATE:** December 2, 2021

**SUBJECT: REVISED CIVIL SERVICE REPORT**

Please see responses to your report:

The City abides with Texas statute regarding the Civil Service process for firefighters and police officers. However, there are no written guidelines or procedures by the City to follow. (Please see attached City of Laredo Local Fire & Police Civil Service Rules. The Fire & Police Commission does have local written guidelines that have been challenged in the Federal and State courts)

**Observation #2**

The Police Department took thirty-three (33) business days to submit a revised letter of suspension for one case when normal business practice is either same day or one day after the agreement has been concluded. In previous cases the Police Department submitted the revised letter to the Civil Service Commission office on the same day or the following day. (The Fire & Police Civil Service Commission does not have jurisdiction on revised suspension letters issued by the Chief of Police. Revised suspension agreements are issues between the Chief of Police, the City's Legal Department, the Laredo Police Officers Association Attorney and the suspended Police Officer. The Commission has jurisdiction only if the suspended Police Officer appeals the revised suspension letter)

**Observation #3**

The City abides with Texas statute regarding the Civil Service process for firefighters and police officers. However, there are no written guidelines or procedures by the City to follow. As such, cases are missing copies of notices, emails and letters sent to employees. (The word missing is misleading since the Fire & Police Commission is not required by the Texas Local Government code to send copies of notices, emails and letters to employees (Firefighters and Police Officers). Please see attached City of Laredo Local Fire & Police Civil Service Rules).

In addition, please see the added language below:

143.006 Implementation: Commission

(f) The governing body of the municipality shall provide to the commission adequate and suitable office space in which to conduct business. (My current office space is the commission's office space).

143.089 Personnel File

(a) The director or the director's designee shall maintain a personnel file on each fire fighter and police officer. (a separate file is maintained by the Fire & Police Commission for fire fighters and police officers in addition to the Human Resources file).

If you need further clarification on the above information, please feel free to call our office at (956) 791-7411.

xc: Monica C. Flores, Employee Relations Administrator



# CITY OF LAREDO

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## FIRE FIGHTERS' AND POLICE OFFICERS' CIVIL SERVICE COMMISSION



### Civil Service Rules

#### COMMISSIONERS

Oscar H. Garza, Jr.

Vidal Cantu, Jr.

Rogelio Rios, Jr.

#### Director

Cesar R. Garza

2010

**RULES OF PROCEDURE**

**FORTHE**

**FIRE FIGHTER'S AND POLICE OFFICER'S**

**C M L SERVICE COMMISSION**

**OF**

**LAREDO, TEXAS**

**DEFINITIONS**

**"Chief Executive" means the City Manager of the City of Laredo, Texas**

**"Civil Service Law" means Chapter 143, Municipal Civil Service, of the Local Government Code, Vernon's Annotated Texas Statutes, as amended.**

**"Classified Service" means the members of the Laredo Fire Department and/or the Laredo Police Department as defined in that certain ordinance enacted by the City Council of Laredo, Texas on the 20th day of July, 1971, provided that the Chief or head of the Fire Department and the Chief or head of the Police Department, all probationary firefighters and police officers and all civilians of either department shall not be included in the classified service.**

**"Commission" means the Fire Fighter's and Police Officer's Civil Service Commission of the City of Laredo, Texas.**

**"Department Head" means the chief or head of the Fire Department and/or the chief or head of the Police Department**

"Director" means the Director of the Fire Fighter's and Police Officer's Civil Service Commission.

## RULE 1 GENERAL PROVISIONS

- SECTION A**     Local Rules. All the rules contained herewith are enacted as the Commission Rules as authorized by Section 143.008 of the Local Government Code, Vernon's Civil Statutes. All the rules contained herewith shall be followed and obeyed by the Commission, Department heads, fire fighters, police officers and all concerned persons.
- SECTION B**     Waiving of Civil Service Rights. Neither public officer nor any administrative employee acting for a public officer shall be permitted to require a candidate for employment to sign any document whereby such candidate waives any right or rights accruing to him under the Civil Service Law or these rules. No public officer shall require an employee to waive any rights accruing to such employee under these laws and rules.
- SECTION C**     General. Any Fire Department or Police Department rules and regulations are cumulative to the provisions of these rules.

## RULE 2 GROUNDS FOR REMOVAL, SUSPENSION OR DEMOTION

The following are declared to be grounds for removal, suspension, or demotion of an employee in the classified service, as the circumstances may require:

- (1) Conviction of a felony or other crime involving moral turpitude.
- (2) Violation of a provision of the City Charter of the City of Laredo, Texas
- (3) Act of Incompetence.
- (4) Neglect of duty.
- (5) Discourtesy to the public or to a fellow employee while the fire fighter or police officer is in the line of duty.
- (6) Act of employee showing lack of good moral character.
- (7) Use of intoxicants while on duty, or intoxication while on or off duty.
- (8) Conduct prejudicial to good order.
- (9) Refusal or neglect to pay just debts.
- (10) Absence without leave.
- (11) Shirking duty or cowardice at a fire, if applicable.

- (12) Violation of a rule or special order of the Fire Department or Police Department, as applicable.

**RULE 3 MEETINGS OF COMMISSION**

- SECTION A** **Meetings.** A meeting of the Commission may be held as required. In the event a meeting is postponed for any reason, the director shall notify all members of the Commission of the date to which such meeting has been postponed.
- SECTION B** **Record of Proceedings.** The Director of the Civil Service Commission shall act as secretary to the Commission and shall keep a record of all proceedings of the Commission. The Commission shall maintain a permanent record of all proceedings with copies available at cost. Such copies will be provided only in their entirety of said meeting. The cost of said proceedings is herewith defined as the direct cost of the Commission to have said proceedings reduced to a written or audio copy of the requested proceedings.
- SECTION C** **Meetings to be Public.** The meetings of the Commission shall be open to the public.
- SECTION D** **Committee of the Whole.** The Commission may meet as a Committee of the Whole in which no official action can be taken other than to report its recommendations, if any, to the Commission at the next regular or special meeting of the Commission when such matters may be duly acted upon.
- SECTION E** **Notice of Meetings.** Notice of all meetings of the Commission or of the Committee of the Whole shall be given by the Director to the members of the Commission.
- SECTION F** **Amendments of Rules.** The Commission may, by majority vote, make amendments to these Rules at any regular meeting of the Commission, and put same into effect by complying with Section 143.008 of the Local Government Code, Vernon's Civil Statutes.



## RULE 4 APPLICATIONS

**SECTION A** Application. An applicant for appointment to the classified service in the Fire Department or Police Department must meet the provisions of Chapter 143, Municipal Civil Service, of the Local Government Code, Chapter 415, Commission on Law Enforcement Officer Standards and Education or Chapter 416, Commission on Fire Protection Personnel Standards and Education of the Government Code, as applicable, and the "City of Laredo Civil Service Commission Minimum Standards for Police" or the "Minimum Qualifications for Applicants wishing to take Entrance Level Examination for the Position of Fire Fighter with the Laredo Fire Department", as applicable.

**SECTION B** Physical and Psychological Requirements. An applicant must be in sound physical condition and free from any physical defects. An applicant must additionally be examined by a licensed clinical psychologist or psychiatrist to determine whether he or she has the psychological disposition to be a police officer or firefighter, as applicable.

**SECTION C** Disqualification of Applicants. No person shall be eligible to take the examination for nor be eligible for appointment to the classified service who:

- (1) Has been convicted or stands charged by indictment with an offense of the grade of felony or an offense involving moral turpitude.
- (2) Is a member of an organization which advocates the overthrow of the United States Government or the Government of the State of Texas by force or violence.
- (3) Has been discharged from any branch of the armed services of the United States under conditions other than honorable.
- (4) Has been previously discharged from service in the classified service or has resigned to prevent suspension or the filing of charges.
- (5) Is deceitful, or misrepresents or omits a material fact in his application, examination, or appointment.
- (6) Shows evidence of use of illegal drugs or excessive use of alcohol, drugs or intoxicating substances.
- (7) Does not meet the requirements of Rule 4, Section A, herein.

**SECTION D** Preparation of Application. The Director shall develop and prepare application forms for the classified service and distribute them without charge on request of persons wishing to make application. The Director or the Commission shall not be required to accept applications until notice of an examination has been posted in accordance with these rules.

**SECTION E** Applications not to be returned. An application shall remain on file with the Director and under no circumstances shall it be returned to the applicant, except for correction by the applicant.

## RULE 5 EXAMINATIONS

**SECTION A** Conduct of Examination. The conduct of every examination shall be under the direction of the Commission, or its authorized representative, free from the presence, participation or influence of any other person other than persons authorized by the Commission to attend the examination.

**SECTION B** Eligible Promotional Candidates who are on Active Military Duty. The following rules and regulations apply to eligible promotional candidates who are on active military duty outside of this state or in a location that is not within reasonable geographic proximity to the location where the examination is being administered. Such candidates are entitled to take the examination outside of the presence of and at a different time than the other candidates and may allow taking an examination that is not identical to the examination administered to the other candidates.

- (1) Candidates will be notified of the upcoming test and must there file a letter of intention to take the promotional examination with the Civil Service Director or Designee on the date or before the original written examination is administered. Candidates who file letters after the date of the original examination are no longer eligible to take the examination:
- (2) The promotional examination will be administered to eligible candidates on or before 60 days from the date of the original written promotional examination was administered.
- (3) Candidates, who pass the examination, will be added to the original written examination eligibility list by amending the list at a later date.
- (4) Candidates, who take the written examination at a later date than when the original examination was administered, will be allowed

five (5) business days to review and file a letter of appeal with the Commission in compliance with Section 143.034 of the Texas Local Government Code.

- (5) Candidates, who take the written examination outside of this state or a different geographic location, will have the examination administered by a designated testing proctor assigned by the military.

*These rules and regulations of the Commission were adopted and published in compliance with the requirements of Section 143.008 of the Texas Local Government Code approved effective on February 16, 2006.*

- SECTION C** Unfair Practices. An applicant who in a promotional examination uses or attempts to use any unfair or deceitful means to pass such examination shall be informed by the examiner witnessing the act that the applicant's actions will be reported to the Commission with a recommendation that he be excluded from further consideration. The examiner shall subsequently make such report.
- SECTION D** Grading Procedure. All grading of entrance examination papers shall be done before names of examinees are revealed. Grades for entrance examination shall be in accordance with Fire Department or Police Department standard, as applicable, to insure the best qualified eligible's possible. A passing grade is required before an applicant for a beginning position in the classified service is placed on the eligibility list.
- SECTION E** Postponement or Cancellation of Examination. The Commission may, at its discretion, cancel an examination or postpone an examination to a later date.
- SECTION F** Letters of Recommendation. No letters of recommendation or endorsements, other than those required by these rules, shall be considered in rating any competitor.
- SECTION G** Showing of Examination papers. The examination of a competitor shall not be exhibited except to the competitor, the chief executive, department head, or other person authorized by the Commission.
- SECTION H** Questions to be Kept Secret. The questions to be propounded on the written examination shall be kept secret and if it be ascertained by the Commission or department head that a contestant has procured any portion of the examination prior to giving the examination, such contestant shall not be permitted to take the examination. If it is ascertained after the examination is given that one of the contestants

taking the examination has procured any part of the examination prior to taking the examination, the Commission shall strike his name from the applicable eligibility list. The provisions of this Section shall apply to both entrance examinations and promotional examinations.

SECTION I Examination Question Appeals

In order to appeal an examination question, the qualified applicant must identify the question and state the specific reason that the question is being appealed. The appellant must include a written statement that:

- (1) The answer designated as correct is contrary to the segment of the source cited as basis for the question;
- (2) The wrong answer is designated as correct; or
- (3) The answer designated as correct was not the best answer provided in the source.
- (4) Include any and all arguments to be presented to the Commission in written form.

The following reason shall not be a valid basis for an appeal;

- (1) Personal disagreement with the keyed answer.
- (2) Another text or document provides another or different answer.
- (3) The question reference information is incorrect.

The Commission will employ the following guidelines when evaluating an appeal.

- (1) If the question is a direct or modified quote of the source and is essentially the same, an appeal will be dismissed and not considered valid.
- (2) Common usage of words and phrases will be utilized in the consideration of all appeals.
- (3) The Director of Civil Service is directed to evaluate all appeals of examination questions to determine that they are in compliance with this Rule. If a purported appeal is not in compliance with this Rule. ***The Commission shall reject the appeal as invalid, Amended on 3/20/12***

SECTION J Tie Scores.

- (1) In an entrance examination the tie scores shall be broken by raw score first (without Veteran's Points) and by date of application second.
- (2) In promotional examinations, the first tie breaker shall be based on raw score (without Veteran's Points). The second tie breaker

shall be the time in rank at the present rank. The third tie breaker shall be the time the examination was submitted to the official timekeeper for the examination.

#### RULE 6 ELIGIBLE LISTS

- SECTION A Life of Eligibility List. In no event shall an eligibility list be effective for a period to exceed one (1) year from the date of examination. At the expiration of this one (1) year period, and if there is an existing vacancy in the classified service which is to be filled, a new examination shall be given and a new eligibility list prepared.
- SECTION B Removal from List. An applicant's name shall be removed from a list of eligible whenever he/she no longer meets a qualification required or is disqualified.
- SECTION C Declining Appointment. The name of a person declining appointment shall be stricken from the eligible list unless declination is due to temporary inability, physical or otherwise, which must be satisfactorily explained by the applicant to remain in the list.

#### RULE 7 CERTIFICATION AND APPOINTMENT FOR BEGINNING POSITIONS

- SECTION A Notice of Appointment. A notice of the appointment of a person shall be given to such person at his last known address.
- SECTION B Failure to Accept Appointment. Failure of an appointee to report to the appropriate Department Head within the time limit stated on the notice sent to the appointee shall be cause for removal of his name from the list of eligible's.
- SECTION C Cause for Dismissal. During the first year of employment, known as the probationary period, it shall be the duty of the department head to discharge an employee whose appointment was not regular, or not made in compliance with the provisions of the Civil Service law or these rules, or is found incompetent or unqualified to perform the duties of the position to which he was appointed and hence is employed in violation of the Civil Service law; and the Department Head shall eliminate any such employee from the payroll.

RULE B APPEALS

In order for a member of the classified service to appeal to the Commission, under Section 143.010 of the Local Government Code, V.C.S. the member shall file the appeal in the office of the City of Laredo, Personnel Department.

RULE 9 SAVINGS CLAUSE

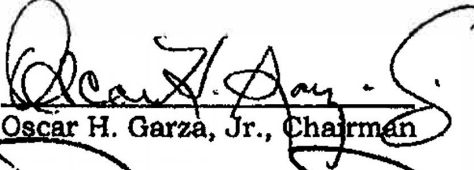
**SECTION A**     General Provision. The provisions of these rules are declared to be severable and if any rule, section, sentence, clause, phrase, or word in these rules shall for any reason be held to be Invalid or unconstitutional, such decision shall not affect the validity of the remaining rules, sections, sentences, clauses, phrases, and words of these rules, but they shall remain in effect it being the legislative intent of the Commission that these rules shall stand notwithstanding the invalidity of any part.

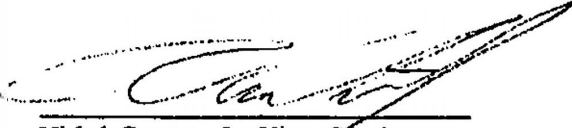
**SECTIONS**     Repeal of Prior Rule. These rules and regulations repeal and replace prior rules of the Commission as of the date of adoption.

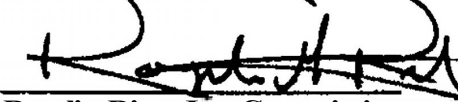
**SECTION C**     Publication of Rules. These rules and regulations of the Commission shall be published in compliance with the requirements of Section 143.008 of the Local Government Code, V.C. S.

SIGNED THIS 31 DAY OF Feb. 2010.

CIVIL SERVICE COMMISSION

  
Oscar H. Garza, Jr., Chairman

  
Vidal Cantu, Jr. Vice-Chairman

  
Rogelio Rios, Jr., Commissioner

  
Cesar R. Garza, Director