



a memorandum from the

Glendale Police Department

Integrity • Courage • Excellence • Respect • Compassion • Dedication

DATE: June 29th, 2018
TO: Matthew Schneider, Police Officer #12251
FROM: Rich LeVander, Assistant Chief of Police *RL*
SUBJECT: **WRITTEN REPRIMAND**

This memo is an official Written Reprimand. The purpose of this Written Reprimand is to inform you of deficiencies in your work performance and to establish my expectations for improving your performance. An Administrative Investigation, #2017-055, was conducted and the allegation(s) against you was sustained. This disciplinary action is based on your violation of City of Glendale Human Resources Policies and Procedures and Glendale Police Department General Orders. Specifically, findings of an internal administrative investigation substantiated that you engaged in behavior that was identified as acts of prohibited workplace harassment which led to a hostile work environment. Additionally, findings of the investigation concluded that you engaged in unprofessional and unbecoming conduct that undermined the success of the Gateway Neighborhood Response Squad (NRS) by not complying with your leadership's orders and vision. Your conduct negatively impacted your working relationship with current and past squad members and the cohesiveness of the NRS squad. Your actions constitute major performance deficiencies in violation of City policy.

BACKGROUND

An officer assigned to the NRS squad brought forth a complaint which outlined several concerns with the Gateway Neighborhood Response Squad. Specifically, the complaint alleged that a female officer was experiencing a Hostile Work Environment and Workplace Harassment, and then further identified yourself as the main source of conflict within the Unit. An internal investigation was conducted into this matter. Investigative findings substantiated allegations of unbecoming conduct in the workplace and workplace harassment in which you were identified as contributing to the dysfunction within the Unit:

- The inquiry did identify concerns with your behavior with members of the squad as it relates to conduct which created and intimidating, hostile, or offensive work environment.
- The inquiry did identify concerns with a specific interaction that escalated to physical contact between you and the reporting co-worker on the squad, which resulted in prohibited harassment. This incident, which could have resulted in a physical injury, was not fully investigated at the time of occurrence, nor properly documented.

During the course of this investigation several witnesses brought forth examples of accounts in which they believed you displayed verbal or physical conduct that had the purpose or effect of unreasonably interfering with their work performance. Witnesses described instances of you being insubordinate, bullying, and making inappropriate comments to others routinely. This conduct led to intra-squad fighting and low morale. Additionally, the investigation substantiation that your persistent refuse to support the community policing focus resulted in further division and lack of teamwork among NRS.

Officer Schneider, you engaged in harassing behavior by repeated statements that you refused to ride with certain members of the squad, that often you wouldn't respond to Officers on the squad about work matters, in some cases you seemed to be specifically acting in opposition of what was necessary to accomplish the work mission at hand. Additionally, there was a significant event that occurred in approximately March 2016, that had come to be referred to as the "Chair Incident". While the incident was not fully investigated at the time as it should have been, there were witnesses that were present at the time it occurred. The incident was significant enough that it was discussed at length and had clearly impacted those who had witnessed it happen, as well as the involved officers individually, and the squad as a whole. Physical conduct that has the purpose or effect of creating an intimidating, hostile or offensive working environment constitutes prohibited harassment. Based on the evidence of this investigation, the finding on the allegation of Workplace Harassment is **SUSTAINED**.

PREVIOUS DISCIPLINARY ACTIONS

None

POLICY VIOLATION

Your actions/performance are in violation of the following **City of Glendale Human Resources Policies & Procedures:**

No. 504 – Employee Conduct

Employees shall at all times conduct themselves in a way that reflects favorably on the public they serve. The City upholds, promotes, and demands the highest standards of ethics from all of its employees. Employees should maintain the utmost standards of personal integrity, truthfulness, honesty, and fairness in carrying out their public duties, avoid any improprieties in their roles as public employees, and never use their City position or power for improper personal gain. All employees are expected to respect and comply with all federal, state, and local laws, including all municipal policies, rules, regulations, directives, and procedures.

No. 503 – Workplace Harassment:

I. PURPOSE

The City of Glendale prohibits conduct which creates an intimidating, hostile, or offensive work environment and is committed to providing an environment free of harassment and violence.

II. PROCESS

A. Prohibited Harassment

1. Prohibited Acts

- a. Each employee has a responsibility to maintain a workplace free from harassment. Prohibited harassment includes, but is not limited to, intimidation or persistent abuse of another, whether physically, verbally or in writing.
- b. Employees who are determined to have harassed another person, in violation of the City's policy and procedure, while pursuing a City activity, through City employment, or using City authority shall be subject to disciplinary action. Employees who are determined to have vindictively and intentionally made a false complaint of prohibited harassment shall be subject to disciplinary action.
- c. It is forbidden to retaliate against a person for filing a prohibited harassment charge. Employees found to be retaliating against another employee shall be subject to disciplinary action.

No. 513 – Disciplinary System, Section II.E.2 Major Deficiencies

These are acts that involve questions of trust or honesty, constitute a threat to the orderly City operations or pose a threat to the health, welfare or safety of employees or other individuals.

- Continued incidents of minor insubordination
 - Disorderly conduct causing disruption of work unit or task
- Conduct unbecoming of a City employee
 - Abusive attitude, language or rude, demeaning, or disparaging conduct toward employees
- Unauthorized physical restraint or contact, or verbal or physical attack upon another employee, contractor or any other person or the attempt to do so, while on duty, or during the scheduled work day

SUMMARY

Your conduct is unbecoming of a City of Glendale employee and has not been in keeping with the high standards of performance that have been established for this Department. Your behavior is inconsistent with the manner in which the Department expects its officers to perform. Your actions were in violation of City of Glendale Human Resources Policies and Procedures and Glendale Police Department General Orders.

You are further notified that immediate and sustained improvement in your job performance is expected. Your failure to adhere to the direction provided in this memo or other performance deficiencies will not be tolerated and will result in further disciplinary action, up to and including termination.

EMPLOYEE ASSISTANCE PROGRAM

I would like to make you aware that the City's Employee Assistance Program (EAP) is available to you through EAP Preferred. I have attached a brochure for your information. This program provides professional support services designed to help people cope with a variety of personal and work-related issues. They offer confidential services and are available 24 hours a day. I would advise you to take advantage of this resource should you find the need to do so.

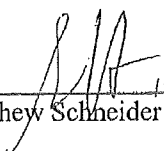
DUE PROCESS

In accordance with Glendale Police Department General Order 22.160, you may exercise the right to have this Written Reprimand reviewed by the Board of Inquiry or you may request a hearing with the Chief of Police. If you decide to have the matter heard by the Board of Inquiry you must submit a written statement to the Chief formally requesting the hearing. This statement must outline the basis for the appeal. Should you decide to exercise one of the above-mentioned options, please notify Claire Hueg, Management Aide to the Chief of Police, at 623-930-3059 within ten [10] calendar days from receipt of this Written Reprimand. Failure to request a hearing before the Board of Inquiry or a meeting with the Chief of Police by this deadline forfeits your right to exercise either option.

This disciplinary action is not appealable to the Personnel Board and is not grievable under the City's grievance procedure. You may respond in writing to this disciplinary action and your response will become a part of this action.

This disciplinary action may be removed from your personnel file if sustained performance/behavior improvement has been observed for one (1) year after this action. The Professional Standards Unit will retain this document per State Retention Laws and the Memorandum of Understanding. The purging of this disciplinary document is not automatic. After one year, it is your responsibility to request, in writing to your supervisor, the removal of this discipline from your personnel file.

Acknowledgement of Receipt:


Matthew Schneider

June 29th, 2018

Served by:

 9286

6/29/18

Brandon Blanco, Police Commander

June 29th, 2018

Attachments:

1. Administrative Investigation DI2017-055
2. City of Glendale Human Resources Policies and Procedures #504
3. City of Glendale Human Resources Policies and Procedures #513
4. City of Glendale Human Resources Policies and Procedures #503