

MAY 20 2008



a memorandum from the

Glendale Police Department

Integrity • Courage • Excellence • Respect • Compassion • Dedication

Personnel File

DATE: May 1, 2008
TO: Matthew Schneider, Police Officer #12251
FROM: Steve Conrad, Chief of Police *SC*
SUBJECT: NOTICE OF SUSPENSION WITHOUT PAY FOR ONE WORK DAY
(8 HOURS)

This memorandum serves as a Notice of Suspension without pay for one work day (8 hours) from your position as a Police Officer with the City of Glendale. This action is based on your violation of City of Glendale Human Resources Policies and Procedures and Glendale Police Department General Orders. The Glendale Police Department conducted Administrative Investigation 2008-013 into allegations that you failed to follow a direct order given to you by a supervisor which resulted in injury to a fellow employee. The finding of this investigation sustained the allegations made against you. Your misconduct constitutes major performance deficiencies and gross negligence in the performance of your job responsibilities.

On March 25, 2008, you were served with a Notice of Intent to Suspend without Pay for one work day (8 hours) and given an opportunity to respond to me by April 2, 2008. You did not respond to me by that date; therefore, I have decided to move forward to suspend you without pay for one work day (8 hours). For additional information regarding the specifics of this disciplinary action, please refer to Attachments 1-6, which were provided to you with your Notice of Intent to Suspend.

BACKGROUND

On January 23, 2008, Sgt. McCauslin observed you opening and closing your pocket knife while you were sitting at your desk. He told you to put the knife away, which you failed to do. A short time later, another officer who was unaware of your knife walked by and hit you in the chest in such a way as to get your attention. Since you still had your knife out when the officer did this, he hit the knife blade with his hand, cutting his hand severely.

The Glendale Police Department conducted an Administrative Investigation [2008-013]. You were interviewed and admitted that Sgt. McCauslin had told you to put the knife away but you did not follow his direction as you thought he was, "...messing around." The investigation found that had you put the knife away as directed, this accident would not have occurred. It was determined that you violated General Order 22.053, Orders and Directives and General Order 22.040, Unbecoming Conduct. You failed to follow a direct order given to you by a supervisor, resulting in a serious, disabling injury to another Glendale Police Department employee. Your actions clearly impact the efficient operation of the Department. Your conduct in this incident demonstrates a serious lack of judgment and is unbecoming of a Glendale police officer. You clearly violated policy.

You have displayed conduct that not only causes the public to lose trust in the employees of the Glendale Police Department, but also affects the day-to-day operations of this organization, as well as the morale of its employees. Therefore, the allegations against you are sustained.

PREVIOUS DISCIPLINARY ACTIONS

On November 26, 2005, you were investigated for Unbecoming Conduct, Administrative Investigation 2005-208. As a result of this investigation, you received a **Letter of Counsel**.

VIOLATIONS

Your conduct demonstrates major performance deficiencies and is in violation of the following **City of Glendale Human Resources Policies and 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. 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.

- Major Insubordination
 - Disobedience or refusal to obey a reasonable order or direction
 - Neglect or carelessness resulting in injury or damage
- Conduct unbecoming of a City employee
 - On or off duty conduct which may bring discredit to employees of the City
- Negligence or careless job performance
- Unauthorized display or discharge of firearms, deadly weapons, dangerous instruments, or harmful weapons while on duty or while on the work site, at any time.

Your conduct is also in violation of the following **Glendale Police Department General Orders**:

22.053.D Orders and Directives

Failure to obey a direct and lawful order constitutes insubordination.

22.040.A Unbecoming Conduct

Unbecoming conduct is any conduct that adversely affects either the public confidence in the ability of the Department to provide necessary services to the community, or the morale and/or efficient operation of the Department.

SUMMARY

Your actions described in this Notice are not in keeping with the image and high standards of performance expected of City employees. You failed to obey a supervisor's direct order to put away a pocket knife and your actions resulted in a serious, disabling injury to another employee. Your behavior and judgment are inconsistent with the manner in which the Department expects its officers to perform.

Your actions constitute major performance deficiencies in violation of City of Glendale Human Resources Policies and Procedures and Police Department General Orders. As a result of your disregard for Department and City rules and regulations, I am moving forward to suspend you without pay for one work day (8 hours). You will serve your suspension on May 9, 2008.

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.

DUE PROCESS

You are hereby notified that Human Resources Policies and Procedures 513.F.2.f., gives you ten (10) calendar days from receipt of this letter in which to file a written Notice of Appeal of this action to the City Personnel Board. This Notice should be directed to Alma Carmicle, Human Resources Director, 5850 West Glendale Avenue, Glendale, Arizona 85301. Failure to file a written Notice of Appeal by 5:00 p.m. on 5-26-08 waives all procedural due process rights and terminates the right to a hearing relative to your suspension.

Acknowledgement of Receipt:

Matthew Schneider 5-6-08
Matthew Schneider, Police Officer #12251 Date Received

Served by:

St J Dalkom 4165 5.6.08
Supervisor name and serial number Date Served

Received & Approved
By Employee Relations

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Glendale Police Department


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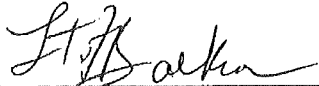
DATE: May 12, 2008
TO: Matthew Schneider, Police Officer #12251
FROM: Steve Conrad, Chief of Police
SUBJECT: ADDENDUM TO NOTICE OF SUSPENSION WITHOUT PAY FOR
ONE WORKDAY (8 HOURS)

This memo is an addendum to the Notice of Suspension you were served on May 6, 2008. The Notice you were served incorrectly lists the appeal deadline date as May 20th by 5:00 p.m. The correct appeal deadline date should be listed as May 16, 2008 by 5:00 p.m.

Acknowledgement of Receipt:

 #12251
Matthew Schneider, Police Officer #12251
Date Received 5-13-08

Served by:

 4165
Supervisor name and serial number
Date Served 5-13-08