SACRAMENTO FIRE DEPARTMENT

RAY S. JONES
FIRE CHIEF

CITY OF SACRAMENTO
CALIFORNIA

5770 FREEPORT BLVD
SUITE 200
SACRAMENTO, CA
95822

PH 916-808-1300
FAX 916-808-1629

July 31, 2008

Mark O. Ramirez

Dear Mr. Ramirez:

This letter is to inform you of our intent to terminate you from your position as a Fire Captain and from City service. This action is based on the following facts:

1. On June 12, 2008, you were dispatched to the Humboldt Fire Incident in Butte County as a strike team engine company captain. Upon arrival, your strike team was immediately assigned to firefighting activities. After your initial attack response, in the afternoon of June 13, 2008, your strike team was sent to Red Bluff, California to rest after an extended time period on the fire line. At that time you and the entire strike team were in an off-shift status, but remained in paid on-duty status subject to response at any time.

2. At approximately 6:30 p.m. that same evening while returning to the hotel from dinner, you entered a convenience store and purchased a six-pack of beer while on-duty and dressed in your Class-B City of Sacramento Fire Department uniform. Further, you did so while in the company of a subordinate employee (Firefighter) also wearing a City of Sacramento Fire Department class-B uniform.

3. After the purchase of the beer mentioned above, along with the Firefighter mentioned above, you took that beer to the hotel room of two of your assigned Firefighters. You and three subordinate Firefighters consumed a can of beer each while on-duty in the hotel room. Additionally, you were offered an alcoholic beverage by one of the Firefighters.

4. As a company officer and supervisor, you not only participated in that inappropriate behavior, but you took no action to stop the inappropriate behavior, and you failed to report the behavior to another Captain, your supervisor, or the Department.

5. On June 15, 2008, your strike team left the fire line assignment and was sent to Yuba City, California where you stayed in a hotel. At approximately 7:30 p.m. that evening while returning to the hotel from dinner, you were present and witnessed a City of Sacramento Fire Department Firefighter purchase beer while on-duty and dressed in his Class-B City of Sacramento Fire Department uniform.

6. As a company officer and supervisor, you took no action to stop the inappropriate behavior mentioned above, and you failed to report the behavior to his Captain, your supervisor, or the Department.

7. On June 16, 2008 at approximately 12:30 p.m. while at the Humboldt Fire Incident Base you were called to meet with Strike Team Leader, Battalion Chief Glass. In that meeting you were advised a complaint had been received about drinking on a City of Sacramento Strike Team. You were directed to find out if any members of your team had taken part in any drinking.

8. Approximately ten (10) minutes later, you approached Battalion Chiefs Glass and Wiedenhoeft with Firefighters LeClaire and Viramontes. In your admission to the Battalion Chiefs, you intentionally minimalized your actions and involvement in the acts mentioned above.

9. On June 16, 2008 after the meeting mentioned in #5 and #6 above, you were issued a direct order "not to talk about or discuss this issue further or with others. On June 25, 2008, you were interviewed as part of a fact-finding. In that interview you admitted to discussing elements of this case with Firefighters Viramontes and LeClaire, in violation of the direct order given earlier.

10. On June 25, 2008 you were interviewed as part of a fact-finding. In that interview, you were ordered to cooperate with the investigation. You were also ordered to be truthful in all of your statements and answer all questions fully and honestly. You were also warned that failure to answer said questions fully and truthfully would subject you to disciplinary action up to and including termination. You were insubordinate and untruthful with this investigation when you were asked if Firefighters LeClaire or Viramontes had consumed any other alcoholic beverage besides beer. You stated "No" despite the fact in the hotel room of those firefighters on June 13, 2008 you were offered a drink containing vodka.

11. Further, your actions described above placed the Department's ability to staff a strike team in jeopardy pursuant to rules mandated by the State of California Office of Emergency Services.

12. As a Captain in the Fire Department, you are held to a higher standard of conduct and you are responsible for setting an example of appropriate behavior. As an Officer, you shall lead others in an effective manner and be responsible for the welfare of your subordinates at work. The events cited above show that you have failed to meet these responsibilities of the position.

Your actions constituted inefficiency; neglect of duty; insubordination; dishonesty; consuming and/or possession of an open container of an alcoholic beverage while on duty; willful disobedience of a lawful rule, order or direction; and caused impairment, disruption, and discredit to your employment and the public service and is cause for disciplinary action pursuant to Rule 12.2 (c), (d), (e), (f), (g) (p), and (w) of the Rules and Regulations of the Civil Service Board.

Your actions in this matter are a violation of the City's Zero Tolerance Policy on Drugs and Alcohol dated April 20, 1998 which states in part:

> "This is to reaffirm that the City of Sacramento has a zero tolerance policy on drugs and alcohol in the workplace. Zero tolerance means that all employees are prohibited from possessing, using, or being under the influence of prohibited drugs or alcohol while on duty, on City property, in City equipment, in the employee's vehicle, on their person, or in the work place...."

Your actions in this matter are also a violation of the Sacramento Fire Department Rules and Regulations, Standards of Conduct which states;

All Members Shall:

1. Follow the Manual of Operations and written directives of the Sacramento Fire Department and the City of Sacramento.
2. Use their training and capabilities to protect the public at all times.
3. Conduct themselves in a manner that reflects credit on the Department and the City.
7. Be concerned and protective of the public's and each member's welfare.
16. Perform such duties as may be required of them by their ranking officers.

Your actions in this matter are a violation of the Sacramento Fire Department Manual of Operations, Section I – Subject 13 which states;

1. All members of the Department are prohibited from possessing, using or being under the influence of alcohol while on duty.
5. Members shall not possess, store or transport alcohol, non prescription controlled drugs or illegal controlled substances or drugs on their person, on City property, in City vehicles, in personal storage areas on City property, in privately owned vehicles parked on city property or in the workplace.
6. Any member with knowledge of another member violating this policy shall report the information to the Department.

Your actions in this matter are a violation of the Sacramento Fire Department Captains Duty Guide which states:

DEPARTMENTAL RESPONSIBILITIES

- Adhere to and abide by the Rules and Regulations of the Sacramento Fire Department
- Be guided by and enforce the policies laid out in the Manual of Operations, the Civil Service Rules and Regulations, and the City Charter
- Be guided by any Memorandums, Directives, or Standing Operating Guidelines issued by the staff of the Sacramento Fire Department
- Be the Department's representative when at the scene of an emergency incident, when dealing with the public at these incidents and non-emergency situations and in the performance of other assigned duties
- Be a role model for your Company members, encouraging and guiding their personal and professional growth
- Maintain your Company and equipment to ensure quick, efficient and professional responses to emergencies

Your actions in this matter are also a violation of the Sacramento Fire Department Strike Team Deployment Manual which states:

Code of Conduct for Strike Teams

A. No alcohol or drugs will be transported or consumed at any time. Remember you are being paid "Portal to Portal".

All written materials, reports, and documents upon which this action will be based are available for your review. If you wish to see them or obtain copies, please contact Edward Takach, Labor Relations Officer, at (916) 808-5424.

You have a right to respond to this letter either orally or in writing. If you chose to respond in writing, you have until August 11, 2008 to respond. If you wish to respond orally, you may meet with Leo Baustian, Deputy Fire Chief, at 1:00 pm on August 11, 2008 at 5770 Freeport Blvd, Suite 200, Sacramento, CA.
95822.

IF YOU DO NOT RESPOND EITHER ORALLY OR IN WRITING BY THE DATE AND TIME SCHEDULED, YOU WILL HAVE WAIVED THE RIGHT TO RESPOND.

Your response, if any, will be considered prior to the imposition of the proposed discipline.

Sincerely,

Ray Jones, Fire Chief

APPROVED:

Dee Contreras
Director of Labor Relations

APPROVED:

Ray Kerridge
City Manager

cc: Labor Relations
Personnel Services
Human Resources Administration
Fire Department Human Resources

Received by:_____

Date Received:_____

Delivered by:_____

SACRAMENTO FIRE DEPARTMENT

RAY S. JONES
FIRE CHIEF

CITY OF SACRAMENTO
CALIFORNIA

5770 FREEPORT BLVD
SUITE 200
SACRAMENTO, CA
95822

PH 916-808-1300
FAX 916-808-1629

October 20, 2008

Mark O. Ramirez

Dear Mr. Ramirez:

This letter is to inform you that you are hereby demoted from Fire Captain, Step 5, to Firefighter, Step 5, effective with the pay period beginning September 27, 2008. This action is based on the following facts:

1. On June 12, 2008, you were dispatched to the Humboldt Fire Incident in Butte County as a strike team engine company captain. Upon arrival, your strike team was immediately assigned to firefighting activities. After your initial attack response, in the afternoon of June 13, 2008, your strike team was sent to Red Bluff, California to rest after an extended time period on the fire line. At that time you and the entire strike team were in an off-shift status, but remained in paid on-duty status subject to response at any time.

2. At approximately 6:30 p.m. that same evening while returning to the hotel from dinner, you entered a convenience store and purchased a six-pack of beer while on-duty and dressed in your Class-B City of Sacramento Fire Department uniform. Further, you did so while in the company of a subordinate employee (Firefighter) also wearing a City of Sacramento Fire Department class-B uniform.

3. After the purchase of the beer mentioned above, along with the Firefighter mentioned above, you took that beer to the hotel room of two of your assigned Firefighters. You and three subordinate Firefighters consumed a can of beer each while on-duty in the hotel room. Additionally, you were offered an alcoholic beverage by one of the Firefighters.

4. As a company officer and supervisor, you not only participated in that inappropriate behavior, but you took no action to stop the inappropriate behavior, and you failed to report the behavior to another Captain, your supervisor, or the Department.

5. On June 15, 2008, your strike team left the fire line assignment and was sent to Yuba City, California where you stayed in a hotel. At approximately 7:30 p.m. that evening while returning to the hotel from dinner, you were present and witnessed a City of Sacramento Fire Department Firefighter purchase beer while on-duty and dressed in his Class-B City of Sacramento Fire Department uniform.

6. As a company officer and supervisor, you took no action to stop the inappropriate behavior mentioned above, and you failed to report the behavior to his Captain, your supervisor, or the Department.

7. On June 16, 2008 at approximately 12:30 p.m. while at the Humboldt Fire Incident Base you were called to meet with Strike Team Leader, Battalion Chief Glass. In that meeting you were advised a complaint had been received about drinking on a City of Sacramento Strike Team. You were directed to find out if any members of your team had taken part in any drinking.

8. Approximately ten (10) minutes later, you approached Battalion Chiefs Glass and Wiedenhoeft with Firefighters LeClaire and Viramontes. In your admission to the Battalion Chiefs, you intentionally minimalized your actions and involvement in the acts mentioned above.

9. On June 16, 2008 after the meeting mentioned in #5 and #6 above, you were issued a direct order "not to talk about or discuss this issue further or with others. On June 25, 2008, you were interviewed as part of a fact-finding. In that interview you admitted to discussing elements of this case with Firefighters Viramontes and LeClaire, in violation of the direct order given earlier.

10. On June 25, 2008 you were interviewed as part of a fact-finding. In that interview, you were ordered to cooperate with the investigation. You were also ordered to be truthful in all of your statements and answer all questions fully and honestly. You were also warned that failure to answer said questions fully and truthfully would subject you to disciplinary action up to and including termination. You were insubordinate and untruthful with this investigation when you were asked if Firefighters LeClaire or Viramontes had consumed any other alcoholic beverage besides beer. You stated "No" despite the fact in the hotel room of those firefighters on June 13, 2008 you were offered a drink containing vodka.

11. Further, your actions described above placed the Department's ability to staff a strike team in jeopardy pursuant to rules mandated by the State of California Office of Emergency Services.

12. As a Captain in the Fire Department, you are held to a higher standard of conduct and you are responsible for setting an example of appropriate behavior. As an Officer, you shall lead others in an effective manner and be responsible for the welfare of your subordinates at work. The events cited above show that you have failed to meet these responsibilities of the position.

Your actions constituted inefficiency; neglect of duty; insubordination; dishonesty; consuming and/or possession of an open container of an alcoholic beverage while on duty; willful disobedience of a lawful rule, order or direction; and caused impairment, disruption, and discredit to your employment and the public service and is cause for disciplinary action pursuant to Rule 12.2 (c), (d), (e), (f), (g) (p), and (w) of the Rules and Regulations of the Civil Service Board.

Your actions in this matter are a violation of the City's Zero Tolerance Policy on Drugs and Alcohol dated April 20, 1998 which states in part:

> "This is to reaffirm that the City of Sacramento has a zero tolerance policy on drugs and alcohol in the workplace. Zero tolerance means that all employees are prohibited from possessing, using, or being under the influence of prohibited drugs or alcohol while on duty, on City property, in City equipment, in the employee's vehicle, on their person, or in the work place...."

Your actions in this matter are also a violation of the Sacramento Fire Department Rules and Regulations, Standards of Conduct which states;

All Members Shall:

1. Follow the Manual of Operations and written directives of the Sacramento Fire Department and the City of Sacramento.
2. Use their training and capabilities to protect the public at all times.
3. Conduct themselves in a manner that reflects credit on the Department and the City.
7. Be concerned and protective of the public's and each member's welfare.
16. Perform such duties as may be required of them by their ranking officers.

Your actions in this matter are a violation of the Sacramento Fire Department Manual of Operations, Section I – Subject 13 which states;

1. All members of the Department are prohibited from possessing, using or being under the influence of alcohol while on duty.
5. Members shall not possess, store or transport alcohol, non prescription controlled drugs or illegal controlled substances or drugs on their person, on City property, in City vehicles, in personal storage areas on City property, in privately owned vehicles parked on city property or in the workplace.
6. Any member with knowledge of another member violating this policy shall report the information to the Department.

Your actions in this matter are a violation of the Sacramento Fire Department Captains Duty Guide which states:

DEPARTMENTAL RESPONSIBILITIES

- Adhere to and abide by the Rules and Regulations of the Sacramento Fire Department
- Be guided by and enforce the policies laid out in the Manual of Operations, the Civil Service Rules and Regulations, and the City Charter
- Be guided by any Memorandums, Directives, or Standing Operating Guidelines issued by the staff of the Sacramento Fire Department
- Be the Department's representative when at the scene of an emergency incident, when dealing with the public at these incidents and non-emergency situations and in the performance of other assigned duties
- Be a role model for your Company members, encouraging and guiding their personal and professional growth
- Maintain your Company and equipment to ensure quick, efficient and professional

responses to emergencies

Your actions in this matter are also a violation of the Sacramento Fire Department Strike Team Deployment Manual which states:

Code of Conduct for Strike Teams

A. No alcohol or drugs will be transported or consumed at any time. Remember you are being paid "Portal to Portal".

Further, continuation of the above acts or other misconduct on your part sill subject you to further disciplinary action, up to and including termination.

A copy of this letter will be placed in your personnel file.

Sincerely,

Ray Jones, Fire Chief

APPROVED:

for Dee Contreras

Dee Contreras
Director of Labor Relations

cc: Labor Relations
Personnel Services
Human Resources Administration
Fire Department Human Resources

Received by:
Date Received: 8/4/08
Delivered by:

SACRAMENTO FIRE DEPARTMENT

RAY S. JONES
FIRE CHIEF

CITY OF SACRAMENTO
CALIFORNIA

5770 FREEPORT BLVD
SUITE 200
SACRAMENTO, CA
95822

PH 916-808-1501
FAX 916-808-1629

August 4, 2008

Santino Viramontes

Dear Mr. Viramontes:

This letter is to inform you of our intent to terminate you from your position as a Firefighter and from City service. This action is based on the following facts:

1. On June 12, 2008, you were dispatched to the Humboldt Fire Incident in Butte County as a Strike Team Engine Company Firefighter. Upon arrival your strike team was immediately assigned to firefighting activities. After your initial attack response, in the afternoon of June 13, 2008, your strike team was sent to Red Bluff, California to rest after an extended time period on the fire line. During this rest period, you were in an off-shift status, but remained in paid on-duty status subject to response at any time.

2. Later that evening, while on-duty you left your hotel room and went to a nearby convenience store where you purchased two (2) bottles of vodka. Upon your return to your hotel room, you and your roommate, another City of Sacramento Firefighter also on-duty, consumed an alcoholic beverage that contained vodka.

3. After the drink mentioned in #2 above, a third City of Sacramento Firefighter and a City of Sacramento Fire Captain came to your hotel room with a six-pack of beer provided by the Fire Captain. All four (4) of you then each consumed a beer while on-duty in your hotel room. Additionally, you offered an alcoholic beverage to the Fire Captain, and prepared and provided an alcoholic beverage to the third Firefighter.

4. After the third Firefighter and the Fire Captain left your room as mentioned in #3 above, you and your roommate consumed another alcoholic beverage. Further, at one point in the evening you left your hotel room for ice and made contact with a female Fire Captain from another agency. While on-duty, you invited that female Fire Captain to your room for a drink.

5. On June 15, 2008, your strike team left the fire line assignment and was sent to Yuba City where you stayed in a motel with the same roommate mentioned above. At approximately 6:00 p.m. while on-duty in your motel room, you and your roommate consumed an alcoholic beverage containing vodka prior to leaving for dinner.

6. At approximately 7:30 p.m. that same evening while returning to the motel from dinner, you entered a convenience store while on-duty dressed in your City of Sacramento Fire Department Class-B uniform with your roommate and Fire Captain mentioned in #3 above. While in the convenience store, your roommate purchased a six-pack of beer.

7. At approximately 9:30 p.m. that evening, while on duty in your hotel room, you and your roommate consumed another alcoholic beverage containing vodka and another beer. Further, you later left your hotel room with two (2) beers concealed under a towel and went to the hotel room of the female Fire Captain mentioned above and again offered her a beer.

8. On June 16, 2008 at approximately 12:45 p.m., you approached Battalion Chiefs Glass and Wiedenhoeft with Fire Captain Ramirez and Firefighter LeClaire regarding a complaint that had been received about drinking on a City of Sacramento Strike Team. In your admission to the Battalion Chiefs, you intentionally minimalized your actions and involvement in the acts mentioned above.

9. On June 23, 2008, you were interviewed as part of a fact-finding. In that interview, you were ordered to cooperate with the investigation. You were also ordered to be truthful in all of your statements and answer all questions fully and honestly. You were also warned that failure to answer said questions fully and truthfully would subject you to disciplinary action up to and including termination. You were insubordinate and untruthful with this investigation when you made the following statements:

    a. You were not sure if you were being paid the entire time you were assigned to the strike team.
    b. You believed your strike team was off duty because two of your apparatus were out of service the evening of Sunday June 15, 2008 in Yuba City due to mechanical issues.
    c. "...there was definitely other people at the hotel drinking. Not in our group, but there was people walking up and down with cases of beer." When asked if they were firefighters and you stated "Yeah...firefighters from other agencies..."
    d. When you were evasive about the purchase beer on June 15, 2008.
    e. That on the evening of June 13, 2008 you did not know where the alcohol in the beverage you consumed came from.
    f. That on the evening of June 15, 2008 you did not consume an alcoholic beverage prior to going down to the pool.
    g. That on the evening of June 15, 2008 that you did not know what the alcoholic beverage was, "that you didn't make it."
    h. That you were only directed to write about beer when you submitted an F-68 related to this incident.

10. Additionally, during the fact finding interview on June 23, 2008, you admitted to discussing elements of this case with Captain Ramirez, despite the fact you were issued a direct order on June 16, 2008 not to talk about or discuss this issue further or with others.

11. Further, your actions described above placed the Department's ability to staff a strike team in jeopardy pursuant to rules mandated by the State of California Office of Emergency Services.

Your actions constituted inefficiency; neglect of duty; insubordination; dishonesty; consuming and/or possession of an open container of an alcoholic beverage while on duty; willful disobedience of a lawful rule, order or direction; and caused impairment, disruption, and discredit to your employment and the public service and is cause for disciplinary action pursuant to Rule 12.2 (c), (d), (e), (f), (g), (p), and (w) of the Rules and Regulations of the Civil Service Board.

Your actions in this matter are a violation of the City's Zero Tolerance Policy on Drugs and Alcohol dated April 20, 1998 which states in part:

> "This is to reaffirm that the City of Sacramento has a zero tolerance policy on drugs and alcohol in the workplace. Zero tolerance means that all employees are prohibited from possessing, using, or being under the influence of prohibited drugs or alcohol while on duty, on City property, in City equipment, in the employee's vehicle, on their person, or in the work place...."

Your actions in this matter are also a violation of the Sacramento Fire Department Rules and Regulations, Standards of Conduct which states;

All Members Shall:

1. Follow the Manual of Operations and written directives of the Sacramento Fire Department and the City of Sacramento.
2. Use their training and capabilities to protect the public at all times.
3. Conduct themselves in a manner that reflects credit on the Department and the City.
7. Be concerned and protective of the public's and each member's welfare.
16. Perform such duties as may be required of them by their ranking officers.

Your actions in this matter are a violation of the Sacramento Fire Department Manual of Operations, Section I–Subject 13 which states;

1. All members of the Department are prohibited from possessing, using or being under the influence of alcohol while on duty.
5. Members shall not possess, store or transport alcohol, non prescription controlled drugs or illegal controlled substances or drugs on their person, on City property, in City vehicles, in personal storage areas on City property, in privately owned vehicles parked on city property or in the workplace.
6. Any member with knowledge of another member violating this policy shall report the information to the Department.

Your actions in this matter are also a violation of the Sacramento Fire Department Strike Team Deployment Manual which states:

Code of Conduct for Strike Teams

A. No alcohol or drugs will be transported or consumed at any time. Remember you are being paid "Portal to Portal".

Additionally, on February 7, 1998 you were disciplined for the equivalent of a two hundred and forty (240) hour suspension for inappropriate actions and facial gestures with an unconscious female patient, and for failure to answer truthfully in a fact-finding investigation.

All written materials, reports, and documents upon which this action will be based are available for your review. If you wish to see them or obtain copies, please contact Edward Takach, Labor Relations Officer, at (916) 808-5424.

You have a right to respond to this letter either orally or in writing. If you chose to respond in writing, you have until August 11, 2008 to respond. If you wish to respond orally, you may meet with Leo Baustian, Deputy Fire Chief, at 11:00 am on August 11, 2008 at 5770 Freeport Blvd, Suite 200, Sacramento, CA 95822.

IF YOU DO NOT RESPOND EITHER ORALLY OR IN WRITING BY THE DATE AND TIME SCHEDULED, YOU WILL HAVE WAIVED THE RIGHT TO RESPOND.

Your response, if any, will be considered prior to the imposition of the proposed discipline.

Sincerely,

Ray Jones, Fire Chief

APPROVED:

Dee Contreras
Director of Labor Relations

APPROVED:

Ray Kerridge
City Manager

cc: Labor Relations
Personnel Services
Human Resources Administration
Fire Department Human Resources

eived by: S
Date Received: 10/29/08
Delivered by:

SACRAMENTO FIRE DEPARTMENT

RAY S. JONES
FIRE CHIEF

CITY OF SACRAMENTO
CALIFORNIA

5770 FREEPORT BLVD
SUITE 200
SACRAMENTO, CA
95822

PH 916-808-1300
FAX 916-808-1629

October 20, 2008

Santino Viramontes

Dear Mr. Viramontes:

This letter is to inform you that your salary as a Firefighter is hereby reduced from Step 5 to Step 4 for sixty-six (66) bi-weekly pay periods (33 months) effective with the pay period beginning on September 27, 2008. This action is based on the following facts:

1. On June 12, 2008, you were dispatched to the Humboldt Fire Incident in Butte County as a Strike Team Engine Company Firefighter. Upon arrival your strike team was immediately assigned to firefighting activities. After your initial attack response, in the afternoon of June 13, 2008, your strike team was sent to Red Bluff, California to rest after an extended time period on the fire line. During this rest period, you were in an off-shift status, but remained in paid on-duty status subject to response at any time.

2. Later that evening, while on-duty you left your hotel room and went to a nearby convenience store where you purchased two (2) bottles of vodka. Upon your return to your hotel room, you and your roommate, another City of Sacramento Firefighter also on-duty, consumed an alcoholic beverage that contained vodka.

3. After the drink mentioned in #2 above, a third City of Sacramento Firefighter and a City of Sacramento Fire Captain came to your hotel room with a six-pack of beer provided by the Fire Captain. All four (4) of you then each consumed a beer while on-duty in your hotel room. Additionally, you offered an alcoholic beverage to the Fire Captain, and prepared and provided an alcoholic beverage to the third Firefighter.

4. After the third Firefighter and the Fire Captain left your room as mentioned in #3 above, you and your roommate consumed another alcoholic beverage. Further, at one point in the evening you left your hotel room for ice and made contact with a female Fire Captain from another agency. While on-duty, you invited that female Fire Captain to your room for a drink.

5. On June 15, 2008, your strike team left the fire line assignment and was sent to Yuba City where you stayed in a motel with the same roommate mentioned above. At approximately 6:00 p.m. while on-duty in your motel room, you and your roommate

consumed and alcoholic beverage containing vodka prior to leaving for dinner.

6. At approximately 7:30 p.m. that same evening while returning to the motel from dinner, you entered a convenience store while on-duty dressed in your City of Sacramento Fire Department Class-B uniform with your roommate and Fire Captain mentioned in #3 above. While in the convenience store, your roommate purchased a six-pack of beer.

7. At approximately 9:30 p.m. that evening, while on duty in your hotel room, you and your roommate consumed another alcoholic beverage containing vodka and another beer. Further, you later left your hotel room with two (2) beers concealed under a towel and went to the hotel room of the female Fire Captain mentioned above and again offered her a beer.

8. On June 16, 2008 at approximately 12:45 p.m., you approached Battalion Chiefs Glass and Wiedenhoeft with Fire Captain Ramirez and Firefighter LeClaire regarding a complaint that had been received about drinking on a City of Sacramento Strike Team. In your admission to the Battalion Chiefs, you intentionally minimalized your actions and involvement in the acts mentioned above.

9. On June 23, 2008, you were interviewed as part of a fact-finding. In that interview, you were ordered to cooperate with the investigation. You were also ordered to be truthful in all of your statements and answer all questions fully and honestly. You were also warned that failure to answer said questions fully and truthfully would subject you to disciplinary action up to and including termination. You were insubordinate and untruthful with this investigation when you made the following statements:

   a. You were not sure if you were being paid the entire time you were assigned to the strike team.
   b. You believed your strike team was off duty because two of your apparatus were out of service the evening of Sunday June 15, 2008 in Yuba City due to mechanical issues.
   c. "...there was definitely other people at the hotel drinking. Not in our group, but there was people walking up and down with cases of beer." When asked if they were firefighters and you stated "Yeah...firefighters from other agencies..."
   d. When you were evasive about the purchase beer on June 15, 2008.
   e. That on the evening of June 13, 2008 you did not know where the alcohol in the beverage you consumed came from.
   f. That on the evening of June 15, 2008 you did not consume an alcoholic beverage prior to going down to the pool.
   g. That on the evening of June 15, 2008 that you did not know what the alcoholic beverage was, "that you didn't make it."
   h. That you were only directed to write about beer when you submitted an F-68 related to this incident.

10. Additionally, during the fact finding interview on June 23, 2008, you admitted to discussing elements of this case with Captain Ramirez, despite the fact you were issued a direct order on June 16, 2008 not to talk about or discuss this issue further or with others.

11. Further, your actions described above placed the Department's ability to staff a strike team in jeopardy pursuant to rules mandated by the State of California Office of Emergency Services.

Your actions constituted inefficiency; neglect of duty; insubordination; dishonesty; consuming and/or possession of an open container of an alcoholic beverage while on duty; willful disobedience of a lawful rule, order or direction; and caused impairment, disruption, and discredit to your employment and the public service and is cause for disciplinary action pursuant to Rule 12.2 (c), (d), (e), (f), (g), (p), and (w) of the Rules and Regulations of the Civil Service Board.

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Your actions in this matter are also a violation of the Sacramento Fire Department Rules and Regulations, Standards of Conduct which states;

All Members Shall:

1. Follow the Manual of Operations and written directives of the Sacramento Fire Department and the City of Sacramento.
2. Use their training and capabilities to protect the public at all times.
3. Conduct themselves in a manner that reflects credit on the Department and the City.
7. Be concerned and protective of the public's and each member's welfare.
16. Perform such duties as may be required of them by their ranking officers.

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6. Any member with knowledge of another member violating this policy shall report the

information to the Department.

Your actions in this matter are also a violation of the Sacramento Fire Department Strike Team Deployment Manual which states:

Code of Conduct for Strike Teams

A. No alcohol or drugs will be transported or consumed at any time. Remember you are being paid "Portal to Portal".

Further, continuation of the above acts or other misconduct on your part will subject you to further disciplinary action, up to and including termination.

Additionally, on February 7, 1998 you were disciplined for the equivalent of a two hundred and forty (240) hour suspension for inappropriate actions and facial gestures with an unconscious female patient, and for failure to answer truthfully in a fact-finding investigation.

A copy of this letter will be placed in your personnel file.

Sincerely,

Ray Jones, Fire Chief

APPROVED:

Dee Contreras
Director of Labor Relations

cc: Labor Relations
Personnel Services
Human Resources Administration
Fire Department Human Resources

Received by:
Date Received: 8/1/08
Delivered by:

SACRAMENTO FIRE DEPARTMENT

RAY S. JONES
FIRE CHIEF

CITY OF SACRAMENTO
CALIFORNIA

5770 FREEPORT BLVD
SUITE 200
SACRAMENTO, CA
95822

PH 916-808-1300
FAX 916-808-1629

August 1, 2008

Arthur M. LeClaire

Dear Mr. LeClaire:

This letter is to inform you of our intent to terminate you from your position as a Firefighter/Paramedic and from City service. This action is based on the following facts:

1. On June 12, 2008, you were dispatched to the Humboldt Fire Incident in Butte County as a Strike Team Engine Company Firefighter. Upon arrival, your strike team was immediately assigned to firefighter activities. After your initial attack response, in the afternoon of June 13, 2008, your strike team was sent to Red Bluff, California to rest after an extended time period on the fire line. During this rest period you were in an off-shift status, but remained in paid on-duty status subject to response at any time.

2. On June 13, 2008 at approximately 6:00 p.m., your roommate, another City of Sacramento Firefighter, returned to the motel room with two (2) bottles of vodka. You and the other firefighter then consumed an alcoholic beverage in your motel room.

3. At approximately 7:00 p.m. that same date a company officer and a third firefighter came to your room with a six-pack of beer. The four (4) of you each then consumed a beer provided by your company officer. Immediately after that beer, you and your roommate then consumed another alcoholic beverage with the vodka in your hotel room. These acts occurred despite the fact you were in an on-duty status.

4. Additionally, you took no action to stop the inappropriate behavior mentioned above, and you failed to report this behavior to your supervisor or the Department.

5. At approximately 6:00 a.m. on June 14, 2008, your strike team left Red Bluff to return to a fire line assignment. You transported one of the unopened bottles of vodka in the City of Sacramento fire apparatus in violation of Department and City policy.

6. On June 15, 2008, your strike team left the fire line assignment and was sent to Yuba City, California where you stayed in a motel with the same roommate mentioned above. At approximately 6:00 p.m. while on-duty in your motel room, you and your roommate consumed an alcoholic beverage (vodka) prior to leaving for dinner.

7. At approximately 7:30 p.m. that same evening while returning to the motel from dinner, you entered a convenience store and purchased a six-pack of beer while on-duty and dressed in your Class-B City of Sacramento Fire Department uniform.

8. At approximately 9:30 p.m. that same evening upon returning to your room, you and your roommate consumed another alcoholic beverage (vodka) and also consumed a beer. These acts occurred in clear violation of Department and City policy, despite the fact you were on-duty.

9. On June 16, 2008 at approximately 12:45 p.m., you approached Battalion Chiefs Glass and Wiedenhoeft with Fire Captain Ramirez and Firefighter Viramontes regarding a complaint that had been received about drinking on a City of Sacramento Strike Team. In your admission to the Battalion Chiefs, you intentionally minimalized your actions and involvement in the acts mentioned above.

10. On June 23, 2008, you were interviewed as part of a fact-finding. In that interview, you were ordered to cooperate with the investigation. You were also ordered to be truthful in all of your statements and answer all questions fully and honestly. You were also warned that failure to answer said questions fully and truthfully would subject you to disciplinary action up to and including termination. You were insubordinate and untruthful with this investigation when you made the following statements:

    a. You stated that you were not sure if you were being paid the entire time you were assigned to the strike team.
    b. You were questioned about the events of the evening of Sunday June 15, 2008, you stated "We had already been told we were not going back out, because both of the rigs were broken."

11. Additionally, during the fact finding interview on June 23, 2008, you admitted to discussing elements of this case with Captain Ramirez and Firefighter Viramontes, despite the fact you were issued a direct order on June 16, 2008 not to talk about or discuss this issue further or with others.

12. Further, your actions described above placed the Department's ability to staff a strike team in jeopardy pursuant to rules mandated by the State of California Office of Emergency Services.

Your actions constituted inefficiency; neglect of duty; insubordination; dishonesty; consuming and/or possession of an open container of an alcoholic beverage while on duty; willful disobedience of a lawful rule, order or direction; and caused impairment, disruption, and discredit to your employment and the public service and is cause for disciplinary action pursuant to Rule 12.2 (c), (d), (e), (f), (g), (p), and (w) of the Rules and Regulations of the Civil Service Board.

Your actions in this matter are a violation of the City's Zero Tolerance Policy on Drugs and Alcohol dated April 20, 1998 which states in part:

> "This is to reaffirm that the City of Sacramento has a zero tolerance policy on drugs and alcohol in the workplace. Zero tolerance means that all employees are prohibited from possessing, using, or being under the influence of prohibited drugs or alcohol while on duty, on City property, in City equipment, in the employee's vehicle, on their person, or in the work place...."

Your actions in this matter are also a violation of the Sacramento Fire Department Rules and Regulations, Standards of Conduct which states;

All Members Shall:

1. Follow the Manual of Operations and written directives of the Sacramento Fire Department and the City of Sacramento.
2. Use their training and capabilities to protect the public at all times.
3. Conduct themselves in a manner that reflects credit on the Department and the City.
7. Be concerned and protective of the public's and each member's welfare.
16. Perform such duties as may be required of them by their ranking officers.

Your actions in this matter are a violation of the Sacramento Fire Department Manual of Operations, Section I–Subject 13 which states;

1. All members of the Department are prohibited from possessing, using or being under the influence of alcohol while on duty.
5. Members shall not possess, store or transport alcohol, non prescription controlled drugs or illegal controlled substances or drugs on their person, on City property, in City vehicles, in personal storage areas on City property, in privately owned vehicles parked on city property or in the workplace.
6. Any member with knowledge of another member violating this policy shall report the information to the Department.

Your actions in this matter are also a violation of the Sacramento Fire Department Strike Team Deployment Manual which states:

Code of Conduct for Strike Teams

A. No alcohol or drugs will be transported or consumed at any time. Remember you are being paid "Portal to Portal".

All written materials, reports, and documents upon which this action will be based are available for your review. If you wish to see them or obtain copies, please contact Edward Takach, Labor Relations Officer, at (916) 808-5424.

You have a right to respond to this letter either orally or in writing. If you chose to respond in writing, you have until August 11, 2008 to respond. If you wish to respond orally, you may meet with Leo Baustian, Deputy Fire Chief, at 10:00 am on August 11, 2008 at 5770 Freeport Blvd, Suite 200, Sacramento, CA.
95822.

IF YOU DO NOT RESPOND EITHER ORALLY OR IN WRITING BY THE DATE AND TIME SCHEDULED, YOU WILL HAVE WAIVED THE RIGHT TO RESPOND.

Your response, if any, will be considered prior to the imposition of the proposed discipline.

Sincerely,

Ray Jones, Fire Chief

APPROVED:

Dee Contreras
Director of Labor Relations

APPROVED:

Ray Kerridge
City Manager

cc: Labor Relations
Personnel Services
Human Resources Administration
Fire Department Human Resources

Received by:
Date Received: 10/29/08
Delivered by:

SACRAMENTO FIRE DEPARTMENT

RAY S. JONES
FIRE CHIEF

CITY OF SACRAMENTO
CALIFORNIA

5770 FREEPORT BLVD
SUITE 200
SACRAMENTO, CA
95822

PH 916-808-1300
FAX 916-808-1629

October 20, 2008

Arthur M. LeClaire

Dear Mr. LeClaire:

This letter is to inform you that your salary as a Firefighter/Paramedic is hereby reduced from Step 5 to Step 4 for forty-four (44) bi-weekly pay periods (22 months) effective with the pay period beginning on September 27, 2008. This action is based on the following facts:

1. On June 12, 2008, you were dispatched to the Humboldt Fire Incident in Butte County as a Strike Team Engine Company Firefighter. Upon arrival, your strike team was immediately assigned to firefighter activities. After your initial attack response, in the afternoon of June 13, 2008, your strike team was sent to Red Bluff, California to rest after an extended time period on the fire line. During this rest period you were in an off-shift status, but remained in paid on-duty status subject to response at any time.

2. On June 13, 2008 at approximately 6:00 p.m., your roommate, another City of Sacramento Firefighter, returned to the motel room with two (2) bottles of vodka. You and the other firefighter then consumed an alcoholic beverage in your motel room.

3. At approximately 7:00 p.m. that same date a company officer and a third firefighter came to your room with a six-pack of beer. The four (4) of you each then consumed a beer provided by your company officer. Immediately after that beer, you and your roommate then consumed another alcoholic beverage with the vodka in your hotel room. These acts occurred despite the fact you were in an on-duty status.

4. Additionally, you took no action to stop the inappropriate behavior mentioned above, and you failed to report this behavior to your supervisor or the Department.

5. At approximately 6:00 a.m. on June 14, 2008, your strike team left Red Bluff to return to a fire line assignment. You transported one of the unopened bottles of vodka in the City of Sacramento fire apparatus in violation of Department and City policy.

6. On June 15, 2008, your strike team left the fire line assignment and was sent to Yuba City, California where you stayed in a motel with the same roommate mentioned above. At approximately 6:00 p.m. while on-duty in your motel room, you and your roommate consumed an alcoholic beverage (vodka) prior to leaving for dinner.

7. At approximately 7:30 p.m. that same evening while returning to the motel from dinner, you entered a convenience store and purchased a six-pack of beer while on-duty and dressed in your Class-B City of Sacramento Fire Department uniform.

8. At approximately 9:30 p.m. that same evening upon returning to your room, you and your roommate consumed another alcoholic beverage (vodka) and also consumed a beer. These acts occurred in clear violation of Department and City policy, despite the fact you were on-duty.

9. On June 16, 2008 at approximately 12:45 p.m., you approached Battalion Chiefs Glass and Wiedenhoeft with Fire Captain Ramirez and Firefighter Viramontes regarding a complaint that had been received about drinking on a City of Sacramento Strike Team. In your admission to the Battalion Chiefs, you intentionally minimalized your actions and involvement in the acts mentioned above.

10. On June 23, 2008, you were interviewed as part of a fact-finding. In that interview, you were ordered to cooperate with the investigation. You were also ordered to be truthful in all of your statements and answer all questions fully and honestly. You were also warned that failure to answer said questions fully and truthfully would subject you to disciplinary action up to and including termination. You were insubordinate and untruthful with this investigation when you made the following statements:

    a. You stated that you were not sure if you were being paid the entire time you were assigned to the strike team.
    b. You were questioned about the events of the evening of Sunday June 15, 2008, you stated "We had already been told we were not going back out, because both of the rigs were broken."

11. Additionally, during the fact finding interview on June 23, 2008, you admitted to discussing elements of this case with Captain Ramirez and Firefighter Viramontes, despite the fact you were issued a direct order on June 16, 2008 not to talk about or discuss this issue further or with others.

12. Further, your actions described above placed the Department's ability to staff a strike team in jeopardy pursuant to rules mandated by the State of California Office of Emergency Services.

Your actions constituted inefficiency; neglect of duty; insubordination; dishonesty; consuming and/or possession of an open container of an alcoholic beverage while on duty; willful disobedience of a lawful rule, order or direction; and caused impairment, disruption, and discredit to your employment and the public service and is cause for disciplinary action pursuant to Rule 12.2 (c), (d), (e), (f), (g), (p), and (w) of the Rules and Regulations of the Civil Service Board.

Your actions in this matter are a violation of the City's Zero Tolerance Policy on Drugs and Alcohol dated April 20, 1998 which states in part:

> "This is to reaffirm that the City of Sacramento has a zero tolerance policy on drugs and alcohol in the workplace. Zero tolerance means that all employees are prohibited from possessing, using, or being under the influence of prohibited drugs or alcohol while on duty, on City property, in City equipment, in the employee's vehicle, on their person, or in the work place...."

Your actions in this matter are also a violation of the Sacramento Fire Department Rules and Regulations, Standards of Conduct which states;

All Members Shall:

1. Follow the Manual of Operations and written directives of the Sacramento Fire Department and the City of Sacramento.
2. Use their training and capabilities to protect the public at all times.
3. Conduct themselves in a manner that reflects credit on the Department and the City.
7. Be concerned and protective of the public's and each member's welfare.
16. Perform such duties as may be required of them by their ranking officers.

Your actions in this matter are a violation of the Sacramento Fire Department Manual of Operations, Section I–Subject 13 which states;

1. All members of the Department are prohibited from possessing, using or being under the influence of alcohol while on duty.
5. Members shall not possess, store or transport alcohol, non prescription controlled drugs or illegal controlled substances or drugs on their person, on City property, in City vehicles, in personal storage areas on City property, in privately owned vehicles parked on city property or in the workplace.
6. Any member with knowledge of another member violating this policy shall report the information to the Department.

Your actions in this matter are also a violation of the Sacramento Fire Department Strike Team Deployment Manual which states:

Code of Conduct for Strike Teams

A. No alcohol or drugs will be transported or consumed at any time. Remember you are being paid "Portal to Portal".

Further, continuation of the above acts or other misconduct on your part will subject you to further disciplinary action, up to and including termination.

A copy of this letter will be placed in your personnel file.

Sincerely,

Ray Jones, Fire Chief

APPROVED:

for Dee Contreras

Dee Contreras
Director of Labor Relations

cc: Labor Relations
Personnel Services
Human Resources Administration
Fire Department Human Resources

Received by: [illegible]
Date Received: 8/1/08
Delivered by: [illegible]

SACRAMENTO FIRE DEPARTMENT

RAY S. JONES
FIRE CHIEF

CITY OF SACRAMENTO
CALIFORNIA

5770 FREEPORT BLVD
SUITE 265
SACRAMENTO, CA
95822

PH 916-808-1300
FAX 916-808-1029

August1, 2008

Nathaniel J. Green

Dear Mr. Green:

This letter is to inform you of our intent to terminate you from your position as a Firefighter/Paramedic and from City service. This action is based on the following facts:

1. On June 12, 2008, you were dispatched to the Humboldt Fire Incident in Butte County as a Strike Team Engine Company Firefighter. Upon arrival, your strike team was immediately assigned to firefighter activities. After your initial attack response, in the afternoon of June 13, 2008, your strike team was sent to Red Bluff, California to rest after an extended time period on the fire line. During this rest period you were in an off-shift status, but remained in paid on-duty status subject to response at any time.

2. On June 13, 2008 at approximately 7:00 p.m., while walking back to your motel with your company officer after dinner, you both entered a nearby convenience store. Despite the fact you both were on-duty and in uniform, your company officer purchased beer.

3. After the purchase of beer mentioned above, you and your company officer proceeded to the motel room of two other City of Sacramento Firefighters. Despite the fact you were still on-duty, you, your company officer and the two other Firefighters consumed beer and an alcoholic beverage while on-duty in a hotel room in Red Bluff, California.

4. Additionally, you took no action to stop the inappropriate behavior mentioned above, and you failed to report this behavior to another supervisor or the Department.

5. Further, your actions described above placed the Department's ability to staff a strike team in jeopardy pursuant to rules mandated by the State of California Office of Emergency Services.

Your actions constituted inefficiency; neglect of duty; consuming and/or possession of an open container of an alcoholic beverage while on duty; willful disobedience of a lawful rule, order or direction; and caused impairment, disruption, and discredit to your employment and the public service and is cause for disciplinary action pursuant to Rule 12.2 (c), (d), (g), (p), and (w) of the Rules and Regulations of the Civil Service Board.
Your actions in this matter are a violation of the City's Zero Tolerance Policy on Drugs and Alcohol dated April 20, 1998 which states in part:

> "This is to reaffirm that the City of Sacramento has a zero tolerance policy on drugs and alcohol in the workplace. Zero tolerance means that all employees are prohibited from possessing, using, or being under the influence of prohibited drugs or alcohol while on duty, on City property, in City equipment, in the employee's vehicle, on their person, or in the work place...."

Your actions in this matter are also a violation of the Sacramento Fire Department Rules and Regulations, Standards of Conduct which states;

> All Members Shall:
> 1. Follow the Manual of Operations and written directives of the Sacramento Fire Department and the City of Sacramento.
> 2. Use their training and capabilities to protect the public at all times.
> 3. Conduct themselves in a manner that reflects credit on the Department and the City.
> 7. Be concerned and protective of the public's and each member's welfare.
> 16. Perform such duties as may be required of them by their ranking officers.

Your actions in this matter are a violation of the Sacramento Fire Department Manual of Operations, Section I – Subject 13 which states;

1. All members of the Department are prohibited from possessing, using or being under the influence of alcohol while on duty.
5. Members shall not possess, store or transport alcohol, non prescription controlled drugs or illegal controlled substances or drugs on their person, on City property, in City vehicles, in personal storage areas on City property, in privately owned vehicles parked on city property or in the workplace.
6. Any member with knowledge of another member violating this policy shall report the information to the Department.

Your actions in this matter are also a violation of the Sacramento Fire Department Strike Team Deployment Manual which states:

Code of Conduct for Strike Teams

A. No alcohol or drugs will be transported or consumed at any time. Remember you are being paid "Portal to Portal".

All written materials, reports, and documents upon which this action will be based are available for your review. If you wish to see them or obtain copies, please contact Edward Takach, Labor Relations Officer, at (916) 808-5424.

You have a right to respond to this letter either orally or in writing. If you chose to respond in writing, you have until August 11, 2008 to respond. If you wish to respond orally, you may meet with Leo Baustian, Deputy Fire Chief, at 2:00 pm on August 11, 2008 at 5770 Freeport Blvd, Suite 200, Sacramento, CA.
95822.

IF YOU DO NOT RESPOND EITHER ORALLY OR IN WRITING BY THE DATE AND TIME SCHEDULED, YOU WILL HAVE WAIVED THE RIGHT TO RESPOND.

Your response, if any, will be considered prior to the imposition of the proposed discipline.

Sincerely,

Ray Jones, Fire Chief

APPROVED:

Dee Contreras
Director of Labor Relations

APPROVED:

Ray Kerridge
City Manager

cc: Labor Relations
Personnel Services
Human Resources Administration
Fire Department Human Resources

Received by:
Date Received: 10/20/08
Delivered by:

SACRAMENTO FIRE DEPARTMENT

RAY S. JONES
FIRE CHIEF

CITY OF SACRAMENTO
CALIFORNIA

5770 FREEPORT BLVD
SUITE 200
SACRAMENTO, CA
95822

PH 916-808-1500
FAX 916-808-1629

October 20, 2008

Nathaniel J. Green

Dear Mr. Green:

This letter is to inform you that your salary as a Firefighter/Paramedic is hereby reduced from Step 5 to Step 4 for thirteen (13) bi-weekly pay periods (6 months) effective with the pay period beginning on September 27, 2008. This action is based on the following facts:

1. On June 12, 2008, you were dispatched to the Humboldt Fire Incident in Butte County as a Strike Team Engine Company Firefighter. Upon arrival, your strike team was immediately assigned to firefighter activities. After your initial attack response, in the afternoon of June 13, 2008, your strike team was sent to Red Bluff, California to rest after an extended time period on the fire line. During this rest period you were in an off-shift status, but remained in paid on-duty status subject to response at any time.

2. On June 13, 2008 at approximately 7:00 p.m., while walking back to your motel with your company officer after dinner, you both entered a nearby convenience store. Despite the fact you both were on-duty and in uniform, your company officer purchased beer.

3. After the purchase of beer mentioned above, you and your company officer proceeded to the motel room of two other City of Sacramento Firefighters. Despite the fact you were still on-duty, you, your company officer and the two other Firefighters consumed beer and an alcoholic beverage while on-duty in a hotel room in Red Bluff, California.

4. Additionally, you took no action to stop the inappropriate behavior mentioned above, and you failed to report this behavior to another supervisor or the Department.

5. Further, your actions described above placed the Department's ability to staff a strike team in jeopardy pursuant to rules mandated by the State of California Office of Emergency Services.

Your actions constituted inefficiency; neglect of duty; consuming and/or possession of an open container of an alcoholic beverage while on duty; willful disobedience of a lawful rule, order or direction; and caused impairment, disruption, and discredit to your employment and the public service and is cause for disciplinary action pursuant to Rule 12.2 (c), (d), (g), (p), and (w) of the Rules and Regulations of the Civil Service Board.
Your actions in this matter are a violation of the City's Zero Tolerance Policy on Drugs and Alcohol dated April 20, 1998 which states in part:

> "This is to reaffirm that the City of Sacramento has a zero tolerance policy on drugs and alcohol in the workplace. Zero tolerance means that all employees are prohibited from possessing, using, or being under the influence of prohibited drugs or alcohol while on duty, on City property, in City equipment, in the employee's vehicle, on their person, or in the work place...."

Your actions in this matter are also a violation of the Sacramento Fire Department Rules and Regulations, Standards of Conduct which states;

All Members Shall:

1. Follow the Manual of Operations and written directives of the Sacramento Fire Department and the City of Sacramento.
2. Use their training and capabilities to protect the public at all times.
3. Conduct themselves in a manner that reflects credit on the Department and the City.
7. Be concerned and protective of the public's and each member's welfare.
16. Perform such duties as may be required of them by their ranking officers.

Your actions in this matter are a violation of the Sacramento Fire Department Manual of Operations, Section I – Subject 13 which states;

1. All members of the Department are prohibited from possessing, using or being under the influence of alcohol while on duty.
5. Members shall not possess, store or transport alcohol, non prescription controlled drugs or illegal controlled substances or drugs on their person, on City property, in City vehicles, in personal storage areas on City property, in privately owned vehicles parked on city property or in the workplace.
6. Any member with knowledge of another member violating this policy shall report the information to the Department.

Your actions in this matter are also a violation of the Sacramento Fire Department Strike Team Deployment Manual which states:

Code of Conduct for Strike Teams

A. No alcohol or drugs will be transported or consumed at any time. Remember you

are being paid "Portal to Portal".

Further, continuation of the above acts or other misconduct on your part will subject you to disciplinary action, up to and including termination.

A copy of this letter will be placed in your personnel file.

Sincerely,

Ray Jones, Fire Chief

APPROVED:

for Dee Contreras
Dee Contreras
Director of Labor Relations

cc: Labor Relations
Personnel Services
Human Resources Administration
Fire Department Human Resources

SACRAMENTO FIRE DEPARTMENT

RAY S. JONES
FIRE CHIEF

CITY OF SACRAMENTO
CALIFORNIA

5770 FREEPORT BLVD
SUITE 200
SACRAMENTO, CA
95822

PH 916-808-1300
FAX 916-808-1629

August 28, 2008

Craig L. Pack

Dear Mr. Pack:

This letter is to inform you of our intent to suspend you without pay for two (2) days (16 hours) from your position as a Senior Fire Prevention Officer and from City service. This action is based on the following facts:

1. On March 18, 2008 at approximately 6:30 p.m., while off-duty and in uniform approximately an hour and a half (1.5 hrs) after the end of your assigned shift, you drove your assigned City vehicle to the Arco Arena complex where you entered the parking lot.

2. After parking your vehicle, you then entered the Arco Arena Facility where you remained for approximately one hour. Further, your entry into the complex and facility was not related to any official City business, and you did so without authorization or approval of your supervisor.

3. You utilized your Fire Department badge and uniform to avoid paying to enter the parking area and to avoid paying the entry fee to the main Arco Arena facility. As a Senior Fire Prevention Officer, you knew or should have known your actions were inappropriate and a violation of Department policy and the policy related to the use of City vehicles.

4. On April 22, 2008 you were interviewed as part of a fact-finding. In that interview you admitted you were at Arco Arena for personal reasons, and stated that you drove to and entered Arco Arena in order to provide money to your daughter, who was inside watching a basketball game.

As a Senior Fire Prevention Officer in the Fire Department, you are held to a higher standard of conduct and you are responsible for setting an example of appropriate behavior. The event cited above shows that you have failed to meet the responsibilities of the position.

Your actions constituted willful disobedience of a lawful rule, order or direction; unauthorized possession or use of City or public property; and caused impairment, disruption, and discredit to your employment and the public service and is cause for disciplinary action pursuant to Rule 12.2 (p), (s) and (w) of the Rules and Regulations of the Civil Service Board.

Your actions in this matter are in violation of the City of Sacramento General Services Policy Directive 90-1, Section 6.1, page 3 which states:

> City owned vehicles shall be used for official City business only and shall be operated in a manner consistent with all safety and legal requirements of the City and State. Employees violating this provision are subject to disciplinary action.

Your actions in this matter are a violation of the Sacramento Fire Department Manual of Operations Section I-Subject 5 which states;

III. Wearing of the Uniform:
   A. Wearing the uniform while off duty shall be prohibited with the following exceptions:
      1. To and from work.
      2. Special assignment as directed by a Chief Officer.
      3. Non Fire Department activities with approval of a Chief Officer.
      4. Official Fire Department activities.

Your actions in this matter are a violation of the Sacramento Fire Department Rules and Regulations, Standards of Conduct which states;

All Members Shall:
1. Follow the Manual of Operations and written directives of the Sacramento Fire Department and the City of Sacramento.
3. Conduct themselves in a manner that reflects credit on the Department and the City.

Your actions in this matter are also a violation of the Sacramento Fire Department Rules and Regulations, Firefighters' Ethics which states;

- I will not use my position to secure privileges or exemptions for others or myself.

Further, continuation of the above acts or other misconduct on your part will subject you to further disciplinary action, up to and including termination.

All written materials, reports, and documents upon which this action will be based are available for your review. If you wish to see them or obtain copies, please contact Edward Takach, Labor Relations Officer, at (916) 808-5424.

You have a right to respond to this letter either orally or in writing. If you chose to respond in writing, you have until September 12, 2008 to respond. If you wish to respond orally, you may meet with Leo Baustian, Deputy Fire Chief, at 9:00 am on September 12, 2008 at 5770 Freeport Blvd, Suite 200, Sacramento, CA, 95822.

IF YOU DO NOT RESPOND EITHER ORALLY OR IN WRITING BY THE DATE AND TIME SCHEDULED, YOU WILL HAVE WAIVED THE RIGHT TO RESPOND.

Your response, if any, will be considered prior to the imposition of the proposed discipline.

Sincerely,

Alton R. McMillon, Assistant Chief
Human Resources Division

APPROVED:

Ray Jones
Fire Chief

APPROVED:

Dee Contreras
Director of Labor Relations

cc: Labor Relations
Personnel Services
Human Resources Administration

Received by: Craig Pack
Date Received: 12/1/08
Delivered by: G. HENSLEE B/C

SACRAMENTO FIRE DEPARTMENT

RAY S. JONES
FIRE CHIEF

CITY OF SACRAMENTO
CALIFORNIA

5770 FREEPORT BLVD
SUITE 200
SACRAMENTO, CA
95822

PH 916-808-1500
FAX 916-808-1629

October 22, 2008

Craig L. Pack

Dear Mr. Pack:

This letter is to inform you that you are hereby reprimanded in your position of Senior Fire Prevention Officer with the City of Sacramento. This action is based on the following facts:

1. On March 18, 2008 at approximately 6:30 p.m., while off-duty and in uniform approximately an hour and a half (1.5 hrs) after the end of your assigned shift, you drove your assigned City vehicle to the Arco Arena complex where you entered the parking lot.

2. After parking your vehicle, you then entered the Arco Arena Facility where you remained for approximately one hour. Further, your entry into the complex and facility was not related to any official City business, and you did so without authorization or approval of your supervisor.

3. You utilized your Fire Department badge and uniform to avoid paying to enter the parking area and to avoid paying the entry fee to the main Arco Arena facility. As a Senior Fire Prevention Officer, you knew or should have known your actions were inappropriate and a violation of Department policy and the policy related to the use of City vehicles.

4. On April 22, 2008 you were interviewed as part of a fact-finding. In that interview you admitted you were at Arco Arena for personal reasons, and stated that you drove to and entered Arco Arena in order to provide money to your daughter, who was inside watching a basketball game.

As a Senior Fire Prevention Officer in the Fire Department, you are held to a higher standard of conduct and you are responsible for setting an example of appropriate behavior. The event cited above shows that you have failed to meet the responsibilities of the position.

Your actions constituted willful disobedience of a lawful rule, order or direction; unauthorized possession or use of City or public property; and caused impairment, disruption, and discredit to your employment and the public service and is cause for disciplinary action pursuant to Rule 12.2 (p), (s) and (w) of the Rules and Regulations of the Civil Service Board.

Your actions in this matter are in violation of the City of Sacramento General Services Policy Directive 90-1, Section 6.1, page 3 which states:

> City owned vehicles shall be used for official City business only and shall be operated in a manner consistent with all safety and legal requirements of the City and State. Employees violating this provision are subject to disciplinary action.

Your actions in this matter are a violation of the Sacramento Fire Department Manual of Operations Section I-Subject 5 which states;

III. Wearing of the Uniform:
   A. Wearing the uniform while off duty shall be prohibited with the following exceptions:
      1. To and from work.
      2. Special assignment as directed by a Chief Officer.
      3. Non Fire Department activities with approval of a Chief Officer.
      4. Official Fire Department activities.

Your actions in this matter are a violation of the Sacramento Fire Department Rules and Regulations, Standards of Conduct which states;

All Members Shall:
1. Follow the Manual of Operations and written directives of the Sacramento Fire Department and the City of Sacramento.
3. Conduct themselves in a manner that reflects credit on the Department and the City.

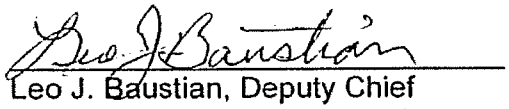
Your actions in this matter are also a violation of the Sacramento Fire Department Rules and Regulations, Firefighters' Ethics which states;

- I will not use my position to secure privileges or exemptions for others or myself.

Further, continuation of the above acts or other misconduct on your part will subject you to further disciplinary action, up to and including termination.

A copy of this letter will be placed in your official personnel file. This letter will be withdrawn from your official personnel file eighteen (18) months from the date of issue provided there has not been additional formal discipline imposed during the eighteen (18) month period.

Sincerely,



Leo J. Baustian, Deputy Chief
Administrative Services Division

cc: Labor Relations
Personnel Services
Human Resources Administration