

Disciplines of Classified Employees
January 1, 2013 through December 31, 2013

Classification	Department	Conduct	Discipline Implemented		Appealed	Disposition
			Type	Length		
Electrician	Public Works	Employee engaged in conduct in violation of the City's Code of Ethics, Personal Use of City Equipment, and Outside Employment Policies.	Dismissal	Not Applicable	Yes	Employee voluntarily resigned.
Maintenance Worker I	Department of Transportation	Employee failed to satisfactorily perform the duties of the position. In addition, employee violated the City's Code of Ethics Policy by being dishonest during an administrative interview.	Dismissal	Not Applicable	Yes	Civil Service Commission overturned the dismissal. Employee received a five month suspension.
Public Safety Radio Dispatcher	Police Department	Employee violated the Police Duty Manual and City's Code of Ethics Policy by engaging in inappropriate conduct.	Suspension	80 Hours	Yes	Employee withdrew appeal.
Youth Outreach Worker I	Parks, Recreation & Neighborhood Services	Employee engaged in conduct in violation of the City's Substance Abuse Program and Policy, and Federal DOT Drug and Alcohol Testing Program policies.	Dismissal	Not Applicable	Yes	Civil Service Commission overturned the dismissal. Employee will be returned to an appropriate position but will not receive back pay from the date of termination to reassignment.
Police Officer	Police Department	Employee engaged in conduct that adversely reflected upon the Department.	Suspension	20 hours	No	
Associate Engineering Tech	Public Works	Employee violated the City's Code of Ethics Policy by being absent without prior approval and was dishonest about their workday activities.	Dismissal	Not Applicable	No	Signed Settlement Agreement to resign in lieu.
Animal Services Officer	Public Works	Employee was discourteous to a volunteer and negligent in performing job duties.	Suspension	40 hours	No	
Senior Office Specialist	Planning, Building, and Code Enforcement	Employee violated the City's Use of Email, Internet Services, and Other Electronic Media Policy. Employee was also dishonest during an administrative interview, in violation of the City's Code of Ethics Policy.	Dismissal	Not Applicable	No	Signed Settlement Agreement to resign in lieu.
Police Officer	Police	Employee violated the Police Duty Manual by engaging in inappropriate conduct and released criminal offense record information.	Suspension	20 hours	No	Signed settlement agreement to reduce to a 10 hour suspension.

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Senior Account Clerk	Finance	Employee failed to satisfactorily perform the duties of their position.	Demotion	Not Applicable	No	
Police Sergeant	Police Department	Employee was involved in a vehicle accident while driving a City vehicle on standby duty and failed to immediately report the incident to their supervisor. Prior to the accident the employee had consumed alcohol.	Suspension	80 Hours	No	Signed settlement agreement to reduce to a 40 hour suspension and other terms.
Police Officer	Police Department	Employee violated the secondary employment policy, failed to remain in compliance with Continuous Professional Training (CPT), violated a direct order, failed to properly report sick leave, repeatedly failed to obey the regulations of the San Jose Police Department, and engaged in conduct which adversely reflected upon the Department.	Dismissal	Not Applicable	Yes	Employee retired from City service and signed a settlement agreement including withdrawal of appeal.
Police Officer	Police Department	Employee engaged in conduct that adversely reflected upon the department.	Suspension	20 Hours	No	
Administration Officer	Fire Department	Employee failed to satisfactorily perform the duties of their position.	Dismissal	Not Applicable	Yes	Level of discipline upheld by CSC.
Police Officer	Police Department	Employee engaged in conduct that adversely reflected upon the department.	Dismissal	Not Applicable	Yes	Level of discipline upheld by an arbitrator.
Police Officer	Police Department	Employee misreported number of hours worked.	Dismissal	Not Applicable	Yes	Level of discipline upheld by an arbitrator.
Maintenance Assistant	Department of Transportation	Employee failed to meet the requirements of their position.	Dismissal	Not Applicable	Yes	Settlement agreement reached after discipline was implemented. Employee returned to work and received an unpaid leave of absence.
Police Officer	Police Department	Employee accessed confidential information from a criminal database and provided it to an unauthorized receiver.	Suspension	20 Hours	No	

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Public Safety Communications Specialist	Police Department	Employee reported to work under the influence of alcohol on two occasions.	Suspension	80 Hours	No	Signed settlement agreement to reduce to a 20 hour suspension.
Office Specialist II	Airport	Employee displayed a trend of unexcused tardiness and absence.	Step Reduction	2.5% for thirteen Pay Periods	No	Signed settlement agreement to reduce to a 2.5% step reduction for four pay periods.
Heavy Diesel Equipment Operator/Mechanic	Environmental Services	Employee used City computers and City internet for personal use and viewed sexually explicit material while at work.	Dismissal	Not applicable	Yes	Settlement agreement reached after discipline was implemented. Employee resigned in lieu of termination.
Engineering Technician II	Department of Transportation	Employee engaged in conduct in violation of the City's Code of Ethics and Discrimination and Harassment policies.	Dismissal	Not applicable	No	Signed settlement agreement to reduce to a 5% step reduction for ten pay periods.
Maintenance Assistant	Parks, Recreation & Neighborhood Services	Employee engaged in conduct in violation of the City's Use of City and Personal Vehicles and Code of Ethics Policies.	Dismissal	Not applicable	No	Signed settlement agreement to resign in lieu.
Police Officer	Police Department	Employee was under the influence of alcohol in a public place while off duty. Police later responded to employee's home and found a weapon not properly secured and employee was not cooperative with police.	Dismissal	Not applicable	No	Signed settlement agreement to reduce to a 160 hour suspension.
Police Officer	Police Department	Employee engaged in conduct in violation of the Police Duty Manual by engaging in inappropriate conduct related to work for an outside employer and prepared a crime report that failed to include all pertinent information.	Dismissal	Not applicable	No	Signed settlement agreement to reduce to a 120 hour suspension.
Police Officer	Police Department	Employee reported for work with a detectable odor of alcohol and blood alcohol content.	Dismissal	Not applicable	No	Signed settlement agreement to reduce to a 160 hour suspension.
Electrician	Environmental Services	Employee engaged in conduct in violation of the City's Code of Ethics and Workplace Violence Policies.	Dismissal	Not applicable	Yes	CSC appeal pending scheduling.
Street Sweeper Operator	Department of Transportation	Employee was involved in three preventable accidents while operating a City vehicle.	Dismissal	Not applicable	No	Signed settlement agreement to resign in lieu.

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Gardener	Parks, Recreation & Neighborhood Services	Employee engaged in conduct in violation of the City's Code of Ethics and Discrimination and Harassment policies.	Dismissal	Not applicable	Yes	Settlement agreement reached after discipline was implemented. Employee received a suspension of approximately three months.
Police Officer	Police Department	Employee engaged in conduct in violation of the Police Duty Manual while off-duty, including conduct unbecoming an Officer.	Dismissal	Not applicable	No	Signed settlement agreement to reduce to a 160 hour suspension.
-	City Manager's Office	Employee was dishonest about having remote access and violated the remote access policy by performing work without prior approval.	Suspension	40 Hours	No	Signed settlement agreement to reduce to a 24 hour suspension.
Crime and Intelligence Analyst	Police	Employee engaged in conduct in violation of the City's Code of Ethics and Discrimination and Harassment Policies.	Suspension	16 Hours	No	Signed settlement agreement to reduce to an 8 hour suspension.
Police Officer	Police	Employee violated the Police Duty Manual by driving under the influence.	Suspension	60 Hours	No	Signed settlement agreement to reduce to a 40 hour suspension.
Animal Services Officer	Public Works	Employee engaged in conduct in violation of the City's Code of Ethics Policy and the Animal Care and Service Division Manual. Employee was also dishonest during an administrative interview, in violation of the City's Code of Ethics Policy.	Dismissal	Not Applicable	No	Signed Settlement Agreement to resign in lieu.
Sr. Parking Traffic Control Officer	Department of Transportation	Employee engaged in conduct in violation of Departmental Policy and the California Vehicle Code. Employee was also dishonest during an administrative interview, in violation of the City's Code of Ethics Policy.	Dismissal	Not Applicable	No	Signed Settlement Agreement to demote to prior classification.
Parking and Traffic Control Officer	Department of Transportation	Employee engaged in conduct in violation of Departmental Policy and the City's Code of Ethics Policy.	Dismissal	Not Applicable	No	Signed settlement agreement to reduce to a two step salary reduction for six pay periods.
Maintenance Worker I	Department of Transportation	Employee was a no call, no show.	Dismissal	Not Applicable	No	Employee resigned prior to receiving a notice of discipline.