



City of Cleveland  
Justin M. Bibb, Mayor

Department of Public Safety  
Karrie D. Howard, Director  
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August 11, 2022

**Bi-lingual Communications Specialist Sonia Alvarez #31**  
**C/o Bureau of Communications and Property Control**  
**4501 Chester Avenue**  
**Cleveland, Ohio 44103**

**Re: SR2022-0264, DBI2022-0058, DBI2022-0062**

Bi-lingual Communications Specialist Alvarez #31:

Please be advised in accordance with Article 31 of the collective bargaining agreement between the City of Cleveland and the Cleveland Police Patrolmen's Association Civilian Personnel, a pre-disciplinary hearing has been scheduled to determine whether you violated the following provisions of the Manual of Rules, Department of Public Safety and the Rules of the Civil Service Commission of the City of Cleveland.

#### **STATEMENT OF POLICY**

**In part:** The Manual of Rules sets forth the conduct and behavior to be followed by officers and employees. Any violation of these rules shall be a basis for disciplinary action. Disciplinary action includes, but is not limited to, verbal and written reprimands and the preferring of Divisional charges which can result in suspension, loss of pay, demotion or termination. The rules and standards contained in this manual shall apply whether the officer or employee is on or off duty. Where a conflict exists between a Rule and a General Police Order, the Rule provision shall be adhered to.

#### **SPECIFICATIONS**

**Specification #1:** (SR2022-0264) During the First Quarter 2022 sick review, you, Bi-lingual Communications Specialist Sonia Alvarez #31, used ninety-six (96) hours of undocumented sick time and displayed a pattern of sick use that preceded or followed scheduled vacation days or compensatory time, in violation of General Police Order 1.3.06. (*Group I Violation*)

**Specification #2** (DBI2022-0058) On or about May 26, 2022, you, Bi-lingual Communications Specialist Sonia Alvarez #31, were insubordinate when you failed to complete a Form-1 as ordered by Lieutenant Andrew Desatnik and failed to report for duty after given the opportunity to complete the Form-1 during your tour of duty, in violation of Manual of Rules 2.02, 2.06, 2.07, 10.01, and General Police Order 1.3.06. (*Group III Violation*)

**Specification #3** (DBI2022-0058) You, Bi-lingual Communications Specialist Sonia Alvarez #31, failed to report for duty and were Absent Without Leave (AWOL) from on or about June 1, 2022, through June 14, 2022 (explicitly: June 1, 2022, June 4, 2022, June 6, 2022, June 9, 2022 and June 14, 2022), in violation of Manual of Rules 2.02, 2.06, 2.07, and 10.01. (*Group III Violation*)

**Specification #4:** (DBI2022-0062) On or about June 18, 2022, you, Bi-lingual Communications Specialist Sonia Alvarez #31, were 5 hours and 27 minutes late for duty, in violation of Manual of Rules: 2.02, 2.03, 2.04, 2.14, 10.01, 10.02 Civil Service Commission Rule 9.10 Tenure and the City of Cleveland Human Resources Policies and Procedures: Workplace Policies (*Group II Violation*)

**Specification #5:** (DBI2022-0062) On or about June 20, 2022, you, Bi-lingual Communications Specialist Sonia Alvarez #31, were 1 hour and 51 minutes late for duty, in violation of Manual of Rules: 2.02, 2.03, 2.04, 2.14, 10.01, 10.02 Civil Service Commission Rule 9.10 Tenure and the City of Cleveland Human Resources Policies and Procedures: Workplace Policies (*Group I Violation*)

**Specification #6:** (DBI2022-0062) On or about June 23, 2022, you, Bi-lingual Communications Specialist Sonia Alvarez #31, were 11 minutes late for duty, in violation of Manual of Rules: 2.02, 2.03, 2.04, 2.14, 10.01, 10.02 Civil Service Commission Rule 9.10 Tenure and the City of Cleveland Human Resources Policies and Procedures: Workplace Policies (*Group I Violation*)

These specifications are in violation of the rules and procedures of the Division of Police, Department of Public Safety.

### **RULES, POLICIES AND PROCEDURES**

#### **General Police Order 1.3.06: Sick Leave Review** (revised: 3/14/13)

**POLICY:** Through sick leave, the Division of Police accommodates employees who cannot report to work due:

- An actual sickness or injury
- Confinement by reason of a contagious disease
- Visit to a doctor or dentist for medical or dental care
- Serious illness of a member or member's immediate family (emergency).

Sick leave shall be monitored on a quarterly basis wherein every month constituting that quarter is evaluated in the context of the preceding two months. Employees abusing sick leave are subject to progressive disciplinary action.

#### **PROCEDURES:**

- I. Sick Leave Abuse is identified by observation of a single instance of abuse or by a pattern that indicates abuse.
- B. Sick Leave Abuse indicated by a pattern of sick leave usage
  2. A pattern of abuse is any of the following that occur repetitively or in combination:
    - a. Use of sick leave on Fridays, Saturdays, Sundays or days that precede or follow scheduled vacation days, holidays, personal holidays, furloughs, or compensatory time.
    - b. Use of sick leave after being denied compensatory time off, personal holidays, family day, etc.

- d. Any other pattern of sick leave use that indicates abuse.

**II. Quarterly Review**

- A. Members who have used 40 or more hours of sick leave in a rolling three month period shall be reviewed for sick leave abuse.

**Manual of Rules for the Conduct and Discipline of Employees of the Cleveland Division of Police**

**II. ADMINISTRATIVE COMPLIANCE**

- 2.02: Personnel shall not willfully disobey any rules, General Police Orders or directives of the Division of Police, or any lawful orders, written or oral, issued to them by a superior officer of the Division of Police.
- 2.03: Personnel shall perform all duties required by rules, General Police Orders, directives, or orders of the Division of Police.
- 2.04: Personnel shall study all rules, General Police Orders and directives pertaining to their duties, and shall be held accountable for any action contrary to these instructions.
- 2.06: Personnel shall not be insubordinate to a superior officer. Insubordination includes, but is not limited to, any language, action or inaction directed toward a superior officer that is disrespectful, mutinous, insolent or abusive.
- 2.07: Personnel shall give immediate obedience to all lawful orders of a superior officer. When a conflict is apparent, it shall be the duty of the personnel knowing of such conflict to so apprise the superior issuing the latest order.
- 2.14 The following are additional grounds for disciplining personnel, including removal, in addition to the grounds stated in Civil Service Commission rule 9.10
  - a. Incompetence
  - b. Gross neglect of duty.
  - e. Failure to obey orders given by proper authority.
  - f. Any other reasonable and just cause.

**X. SCHEDULE AND DUTY HOURS**

- 10.01: Personnel shall work such hours as assigned, report promptly for duty at the time and place assigned, and shall not be absent from duty without permission from their superior officer.
- 10.02: Personnel shall receive a superior officer's approval for any deviation from an assigned vacation class schedule, furlough or duty hours.



**Civil Service Commission Rule 9.10: Tenure:**

The tenure of every officer or employee in the classified service shall be protected during good behavior and efficient service. No such officer or employee shall be discharged, suspended, or demoted for political, racial or religious reasons, or for refusing to contribute to any political fund, or refusal to render political service. But any officer or employee in the classified service may be discharged, suspended, or reduced in rank for any one or more of the following causes:

1. Neglect of duty
2. Absence from duty without leave
3. Incompetence or inefficient performance of duties

**City of Cleveland Human Resources Policies and Procedures: Workplace Policies**

**Attendance Policy (C-3)**

- II. For purposes of this policy, standards that apply to "attendance" include and are contained in the following categories:
- A. Absence Without Leave (A.W.O.L)
  - B. Sick/Absence Abuse Control
  - C. Time and Attendance/Kronos Guidelines
  - D. Tardiness Control III. ABSENCE WITHOUT LEAVE (A.W.O.L.)

**HEARING INFORMATION**

The pre-disciplinary hearing is scheduled for **Friday, August 19, 2022 at 1000 hours** in the **Cleveland Public Auditorium (Room LL09)**. Should you desire union representation, it is your responsibility to notify your union of this hearing. All members shall have an opportunity to testify. All testimony provided during the hearing shall be given the same weight as sworn testimony; therefore, your statements can and may be used against you at the hearing or at a later date.

**Any documentation that could explain any of the above allegations shall be forwarded to the Case Preparation Unit a minimum of 48 hours prior to the scheduled hearing. Any new or additional evidence brought to the hearing will result in the hearing to be suspended and the matter shall be returned to the Internal Affairs Unit or the Police Review Board for consideration, as appropriate. In addition, it is also your responsibility to bring the documentation to this scheduled hearing. If you are to have witnesses appear on your behalf, a Form-1 listing their names must be provided to The Case Preparation Unit via email (CasePrep@clevelandohio.gov) a minimum of 48 hours prior to the scheduled hearing. It is your responsibility to notify said witnesses of the date and time of the hearing.**

In addition, it is your sole responsibility to ensure the attendance of any witnesses appearing on your behalf. Prior permission for any Division member's attendance **MUST** be obtained from the Case Preparation Unit. Any witnesses that will appear are to be in full uniform of the day. No overtime shall accrue as a result of their attendance. In accordance with General Police Order 1.1.12: Sworn Officers Uniform Regulations, you are to appear in the **uniform of the day, have your badge, and city issued identification card with you. Failure to attend as ordered may subject you to additional disciplinary charges. You shall PERSONALLY contact the Case Preparation Unit (216-623-5022) IMMEDIATELY if there are any conflicts that would cause your lack of attendance to the scheduled hearing.**

THESE CHARGES MAY BE AMENDED AT A LATER DATE

Sincerely,

A handwritten signature in black ink, appearing to read "Karrie D. Howard". The signature is fluid and cursive, with the first name "Karrie" being more prominent.

Karrie D. Howard, Chief Director  
Department of Public Safety

KDH:dad:bpc:cld:la

cc: Dornat A. Drummond, Chief, Cleveland Division of Police  
Jakimah R. Dye, Assistant Director, Department of Public Safety  
George Coulter, Assistant Director, Department of Public Safety  
Daniel Fay, Deputy Chief, Administrative Operations  
Brian Carney, Commander, Bureau of Compliance  
Carla Ellis, Commander, Bureau of Communications and Property Control  
Brian McEntee, Captain, Bureau of Communications and Property Control  
Felipe Davila, Administrative Chief Dispatcher, Bureau of Communications and Property Control  
Christopher Viland, Superintendent, Internal Affairs Unit  
Jeffrey Follmer, President, Cleveland Police Patrolmen's Association  
Paul Patton, Chief Human Resources Officer  
William Menzalora, Chief Assistant Director of Law  
Amanda Boutton, Assistant Director of Law  
Michael Pike, Assistant Director of Law  
Richard Rosenthal, Member, Monitoring Team  
Michael Evanovich, Investigator, Department of Justice  
Hassan Aden, Federal Monitoring Team