



City of Cleveland  
Justin M. Bibb, Mayor

Department of Public Safety  
Dornat (Wayne) A. Drummond, Interim Chief  
FBI NA #230  
Division of Police  
1300 Ontario Street, Suite 929  
Cleveland, Ohio 44113  
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Pre-Disciplinary Hearing

May 31, 2022

**Patrol Officer Cassandra Nickel #229**  
**C/o Third District Headquarters**  
**4501 Chester Avenue**  
**Cleveland, Ohio 44103**

**Re: SR2022-0263**

Patrol Officer Nickel #229:

Please be advised, in accordance with Article 28 of the collective bargaining agreement between the City of Cleveland and the Cleveland Police Patrolmen's Association, 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.

### **SPECIFICATION**

**Specification #1:** (SR2022-0263) During the Fourth Quarter 2021 sick review, you, Patrol Officer Cassandra Nickel #229, used sixty (60) 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*)

This specification is 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.

### **HEARING INFORMATION**

The pre-disciplinary hearing is scheduled for **Monday, June 27, 2022, at 1000 hours** in the **Academy Unit**. Should you desire union representation, it is your responsibility to notify your union of this hearing. All officers 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.**

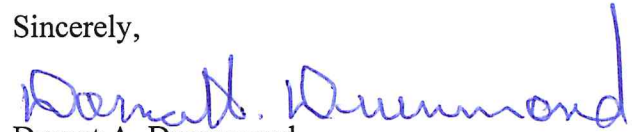
**If you are to have witnesses appear on your behalf, a Form-1 listing their names must be provided to the Case Preparation Unit via email (CasePrep@clevelandohio.gov) a minimum of 48 hours prior to the scheduled hearing.** It is your responsibility to notify said witnesses of the date and time of the 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: Uniform and Clothing Regulations, you are to appear in **"CLASS A" UNIFORM** and have your badge, city issued service weapon, and 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.

**THIS WILL BE YOUR TOUR OF DUTY**

**THESE CHARGES MAY BE AMENDED AT A LATER DATE**

Sincerely,



Dornat A. Drummond  
Interim Chief of Police

DAD:bpc:cld:kfs

cc: Sammy Morris, Acting Deputy Chief, Field Operations  
Brian Carney, Commander, Bureau of Compliance  
Dorothy Todd, Commander, Third District  
Robert Simon, Captain, Internal Affairs Unit  
Melissa Dawson, Sergeant, Officer-in-Charge, Employee Assistance Unit  
Jeffrey Follmer, President, Cleveland Police Patrolmen's Association  
Hassan Aden, Federal Monitoring Team