

**AGENDA ITEM #4 -HEARING: FIRE DRIVER SID DELEON IV
HEARING OF APPEAL
PERSONNEL ACTION: 24 HOURS SUSPENSION
FEBRUARY 12, 1999**

Appellant is employed by the Kenner Fire Department as a permanent fire driver.

By written communication dated February 12, 1999, he was notified that he was being suspended for 24 hours. Specifically, for failing to comply with Department weight standards. by exceeding the acceptable weight limit.

Appellant filed a timely appeal within fifteen days of receipt of the written reason for the disciplinary action. A public hearing was held at 5:30 p.m. on December 18, 2000. Fire Chief Mike Zito was present with Attorney Regina Wedig. Fire Driver DeLeon was present without counsel.

The following witnesses testified:

Fire Chief Mike Zito
Fire Driver Jimmy Gutierrez
Fire Driver Sid DeLeon

**KENNER FIRE DEPARTMENT EXHIBITS
REGARDING FIRE DRIVER GUTTIERREZ**

1. Department weight control requirements pages 1 – 6, dated November 1995.
- 2A. Gutierrez interview sheet
 - Personnel action – probational appointment
 - Personnel action – permanent appointment
- B. DeLeon interview sheet
 - Personnel action – probational appointment
 - Personnel action – permanent appointment
3. May 1, 1998 memo from Chief Zito
4. June 2, 1998 memo from Chief Zito
5. Official KFC weight-in card on Gutierrez (3 pages)
6. July 2, 1998 letter to Gutierrez
7. September 17, 1998 letter to Gutierrez
8. October 20, 1998 letter to Gutierrez (letter of warning)
9. January 6, 1999 personnel action form on Gutierrez (written reprimand)
10. January 14, 1999 letter to Gutierrez
11. KFD/103 dated February 2, 1999 to Gutierrez
12. May 6, 1999 personnel action form on Gutierrez (12 hours suspension)
13. KFD/103 dated June 17, 1999
14. Dr. Alan N. Yager certificate regarding Gutierrez dated June 16, 1999
15. Personnel action form dated June 29, 1999, letter dated July 29, 1999 in globo
16. Letter dated July 19, 1999 to Gutierrez from Zito
17. Dr. Yager letter dated August 30, 1999
18. September 7, 1999 letter to Gutierrez
19. KFD body fat percentage dated September 28 and 29, 1999 in globo
20. September 29, 1999 letter to Gutierrez
21. Body fat percentage dated October 6, 1999
22. Hearing of Appeal form dated June 13, 1999
23. April 5, 2000 letter

**KENNER FIRE DEPARTMENT EXHIBITS
REGARDING FIRE DRIVER DELEON**

24. Official KFD weigh-in card
25. Letter dated June 14, 1998 to DeLeon