

OCT 14 2024

BEFORE THE CIVIL SERVICE COMMISSION  
FOR THE CITY OF EL PASO, TEXAS

IN RE:

ANTONIO VENEGAS

)  
)  
)  
)  
)

DOCKET NUMBER 24-ESD-04PP

**DISMISSAL ORDER**


On October 1, 2024, the Disciplinary Appeal of Antonio Venegas was assigned to this Hearing Officer. This Hearing Officer had numerous discussions with Mr. Venegas, by telephone and e mail, and held a 30 minute conference call on October 8, 2024 with Mr. Venegas and Assistant City Attorney Jason Lempke. Mr. Venegas sent an e mail on October 12, 2024, indicating that since he could not obtain representation, he wanted to dismiss his appeal. This Hearing Officer immediately called Mr. Venegas to confirm his request for dismissal. He confirmed that he knew he could represent himself, but he did not want to and wanted to dismiss his appeal. His e mail request for dismissal is attached to this Order as Exhibit A.

As a result of the request by ANTONIO VENEGAS that he wants to dismiss his appeals, the following order is entered.

IT IS ORDERED THAT:

The Civil Service Appeal of Antonio Venegas is hereby dismissed at Mr. Venegas's request.

Signed this 12th day of October, 2024.

  
\_\_\_\_\_  
PATRICIA L. PALAFOX,  
HEARING OFFICER



# Department of Human Resources

**MAYOR**  
Oscar Leeser

October 01, 2024

**CITY COUNCIL**

Antonio Venegas  
11484 Nettie Rose  
El Paso TX 79936

**District 1**  
Brian Kennedy

Dear Mr. Venegas:

**District 2**  
Dr. Josh Acevedo

**REFERENCE: TERMINATION- ANTONIO VENEGAS- CSC CASE NO.24-ESD-04PP**

**District 3**  
Cassandra Hernandez

Your case has been assigned to Hearing Officer Patricia Palafox, (Telephone 915-474-4073). If you have any questions regarding your hearing, please contact the Hearing Officer.

**District 4**  
Joe Molinar

**District 5**  
Isabel Salcido

Either party may request the hearing be recorded.  
If you have any questions, please call Symone Menchaca at 915-212-1242.

**District 6**  
Art Fierro

**District 7**  
Henry Rivera

**District 8**  
Chris Canales

Sincerely,

**INTERIM CITY  
MANAGER**  
Cary Westin

Mary Wiggins  
Chief Human Resources Officer  
Civil Service Commission Secretary

CC: Nicholas Ybarra, Environmental Services Director  
Karla Mora, Environmental Services HR Manager  
Claudia Cancellare, HR Employee Relations  
Cecy Mungaray, HR Employee Relations  
Jason Lempke, Assistant City Attorney  
Patricia Palafox, CS Commission Hearing Officer  
Employee File

**Mary Wiggins PHR, SHRM-CP – Chief Human Resources Officer**  
Department of Human Resources | 300 N. Campbell | El Paso, TX 79901  
O: (915) 212-0045 | Email: WigginsML@elpasotexas.gov



DELIVERING EXCEPTIONAL SERVICES



# Department of Human Resources

91 7199 9991 7033 0722 9630

**MAYOR**  
Oscar Leeser

October 01, 2024

**CITY COUNCIL**

Patricia Palafox  
766 A Espada  
El Paso, TX 79912

**District 1**  
Brian Kennedy

Dear Ms. Palafox:

**District 2**  
Dr. Josh Acevedo

**REFERENCE: TERMINATION APPEAL CASE**

**District 3**  
Cassandra Hernandez

The Civil Service Commission has assigned the case listed below to you. I have enclosed a copy of the appeal letter and the appropriate documents. Please contact the named employee and Assistant City Attorney, Jason Lempke, 915-212-1232, [LempkeJJ@elpasotexas.gov](mailto:LempkeJJ@elpasotexas.gov), to schedule a hearing. This appeal was timely filed.

**District 4**  
Joe Molinar

NAME: Antonio Venegas  
DEPT: Environmental Services Department  
TYPE: Termination Appeal  
DOCKET NO. CSC Case 24-ESD-04PP  
EMPLOYEE REP: None

**District 5**  
Isabel Salcido

**District 6**  
Art Fierro

**District 7**  
Henry Rivera

Either party may request the hearing be recorded. If you have any questions, please call Symone Menchaca at 915-212-1242.

**District 8**  
Chris Canales

**INTERIM CITY  
MANAGER**  
Cary Westin

Sincerely,

Mary Wiggins  
Chief Human Resources Officer  
Civil Service Commission Secretary

CC: Nicholas Ybarra, Environmental Services Director  
Karla Mora, Environmental Services HR Manager  
Claudia Cancellare, HR Employee Relations  
Cecy Mungaray, HR Employee Relations  
Jason Lempke, Assistant City Attorney  
Patricia Palafox, CS Commission Hearing Officer  
Employee File

**Mary Wiggins PHR, SHRM-CP – Chief Human Resources Officer**  
Department of Human Resources | 300 N. Campbell | El Paso, TX 79901  
O: (915) 212-0045 | Email: [WigginsML@elpasotexas.gov](mailto:WigginsML@elpasotexas.gov)



DELIVERING EXCEPTIONAL SERVICES

TERMINATION APPEAL FORM

Date: 10-1-2024



Civil Service Commission Secretary  
300 North Campbell  
El Paso, Texas 79901

To the Honorable Civil Service Commission:

I, Antonio Venegas, of the ESD

Department, under the provisions of 6.13-4, hereby appeal my Department Head's order to  
TERMINATE me on 9-27-2024.

Additional comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: [Handwritten Signature]

(Please Print)  
Name: Antonio Venegas  
Address: 11484 Nettie Rose -> Nettie Rose  
City/State/Zip: EL PASO TX 79936  
Telephone: 915-479-8146  
Employee ID #: 024867 Last 4 of SS#: 5283

Do you have an attorney or personal representative? Yes  No

If yes, Please give name and address:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

tonyvenegasdodgers@gmail.com



CITY OF EL PASO, TEXAS  
**NOTICE OF SEPARATION**



Name: Antonio Venegas  
Position: Solid Waste Lead Service Worker

Last 4 #'s of SS #: 5283  
Employee ID #: 024867

Date: 09/26/2024

Address: 11484 Nettie Rose  
El Paso, TX 79936

From: Environmental Services  
Subject: Termination of Employment

**THIS IS TO NOTIFY YOU THAT YOUR EMPLOYMENT WITH THE CITY OF EL PASO IS HEREBY TERMINATED EFFECTIVE: September 26, 2024.**

THE FOLLOWING ARE THE STATUTORY REASONS OR GROUNDS AND SPECIFICATIONS OF FACTS WHICH HAVE NECESSITATED THIS ACTION:

**CHARGES:**

YOU HAVE VIOLATED THE FOLLOWING CITY OF EL PASO CIVIL SERVICE COMMISSION CHARTER PROVISIONS, ORDINANCES, RULES AND REGULATIONS:

**CITY CHARTER – ARTICLE VI – Civil Service**

**SECTION 6.13-2. DISCIPLINARY ACTION; REDUCTION**

A regular employee may be discharged, suspended or reduced in rank or position as provided in the Charter or further defined in the Rules.

**SECTION 6.13-3. CAUSES OF SUSPENSION, REDUCTION OR DISCHARGE**

The following, which may be further defined in the Rules, may constitute causes for discharge, suspension or reduction in grade of regular employees:

- G. Dishonesty, theft, violation of law, or violation of policies relating to the handling or procurement of property, or negligence in care or misuse of City property;
- J. Inducing or assisting another to commit an unlawful act;
- M. Violates the City's Ethics Ordinance;
- P. For just cause.

I HAVE RECEIVED A COPY OF THIS NOTICE

AK Venegas  
Employee's Signature

Date: 9/26/2024

BY CERTIFIED MAIL NUMBER: \_\_\_\_\_

[Signature]  
DEPARTMENT HEAD

**COPY RECEIVED AND FILED**

HUMAN RESOURCES

BY: \_\_\_\_\_  
DIRECTOR

**DISTRIBUTION: Original – Human Resources Department; Copy – Department**





CITY OF EL PASO, TEXAS  
**NOTICE OF SEPARATION**

**RECEIVED**  
OCT 01 2024  
CIVIL SERVICE  
COMMISSION

Name: Antonio Venegas	Last 4 #'s of SS #: 5283	Date: 09/26/2024
Position: Solid Waste Lead Service Worker	Employee ID #: 024867	

**CIVIL SERVICE COMMISSION RULES AND REGULATIONS**

**RULE 8. SUSPENSION, REDUCTION, DISCHARGE**

**Section 1. Causes of Suspension, Reduction or Discharge**

The following may constitute causes for discharge, suspension or reduction of regular employees: That an officer or employee in the Civil Service:

- g. Is dishonest, commits theft, violates a law, or violates policies relating to the handling or procurement of property, or negligent in care or misuse of City property; or (Amended 7/31/07, 3/6/12, 9/17/13)
- j. Has induced, or has attempted to induce an officer or employee in the service of the City to commit an unlawful act or to act in violation of any lawful departmental or official regulation or order; or has taken any fee, gift, or other valuable thing in the course of his work or in connection with it, for his personal use from any person, when such fee, gift or other valuable thing is given in the hope or expectation of receiving a favor or better treatment than accorded other persons; or (Amended 8/25/09)
- m. Violates the City's Ethics Ordinance; or (Amended 07/31/07)
- p. For just cause. (Added 7/21/07)

**Section 2. Disciplinary Notice**

Disciplinary actions in the nature of a discharge, involuntary reduction, or suspension taken against a regular employee, other than at the end of a probationary period, will not become effective until the Department Head has first served upon such employee a written notice of discipline. The notice must contain one or more statutory reasons or grounds for discipline, together with such specifications of fact as will enable the employee to make an explanation and place him fairly upon his defense. The specifications of fact shall be of sufficient specificity so as to preclude the possibility of disciplinary action for the same act or omission in the future. Nothing contained herein shall prohibit the Department Head from using an employee's prior acts or omissions resulting in discipline in determining future disciplinary action against the employee. An employee may be disciplined for other acts or omissions not specified in the notice even if such acts arise from the same incident or event. A Department Head may not unilaterally reduce the discipline given once notice of discipline has been provided to the employee, without the employee's consent. A copy of such notice of discipline, together with the employee's explanation, if any, will be filed with the Human Resources Director. (Amended 06/24/03, 7/31/07, 8/25/09)

**Section 3. Notice of Proposed Disciplinary Action, Procedure and Limitation of Action**

- a. When disciplinary action in the nature of a five (5) day suspension or greater, a reduction, or discharge is being contemplated by the Department Head, the employee must be served with a notice of proposed disciplinary action which shall conform with the notice requirements set forth in Section 2 and Section 3 (b) of this Rule. In addition to the notice of proposed disciplinary action, the employee shall be furnished with the written materials and tangible things in the possession of the Department Head that form the factual and evidentiary basis for the proposed disciplinary action. No matter may be withheld from the employee that is inconsistent with the theory of discipline or that could tend to mitigate the contemplated sanction. (Amended 8/25/09)
- b. Within ten (10) days of receipt of the notice of proposed disciplinary action, the employee may request a conference with the Department Head. Within five (5) working days of receipt of the employee's response, the Department Head shall meet with the employee, provided further that this period may be extended with the mutual consent of the

EMPLOYEE'S INITIALS AV



CITY OF EL PASO, TEXAS  
**NOTICE OF SEPARATION**



Name: Antonio Venegas  
Position: Solid Waste Lead Service Worker

Last 4 #'s of SS #: 5283  
Employee ID #: 024867

Date: 09/26/2024  
CIVIL SERVICE COMMISSION

Department Head and the employee. No witnesses may be called to testify as part of the employee's explanation or response. During the conference, the employee, their representative, and the Department Head shall engage in discussions with a view toward reaching a consensus and agreement relative to the proposed disciplinary action. No part of the discussions that take place during the conference may be offered into evidence at any subsequent hearing, except for the limited purpose of determining compliance or non-compliance with the provisions of this Rule as provided in paragraph "f" and for impeachment purposes. In the event such a consensus is reached, the execution by the employee of documents finalizing the settlement agreement shall constitute a waiver of the employee's right to appeal to the Commission, and the employee shall be so advised in plain language. (Amended 09/09/03, 01/06/04, 8/25/09; 1/20/15)

- c. Respecting discharge, those departments currently using a pre-termination hearing shall not be required to have a conference as contemplated hereinabove provided that the time between notification and hearing shall be at least five (5) days and further provided that there shall be no change to current practices regarding violations of applicable federal laws. (Amended 09/09/03, 01/06/04, 08/25/09)
- d. The employee is entitled to have a representative of their choice assist them in the preparation and presentation of their response, provided further that in the event the representative is an employee of the City, he shall use vacation leave or personal days for such time as may be required for the representative to attend the conference. If the employee does not have any accrued vacation or personal days, the employee will be placed on unpaid administrative leave for such time as may be required for the representative to attend the conference. The employee must provide his Department Head with two days notice of the request to take the above leave. The Department Head may disapprove the request if the leave significantly interferes with the operational needs of the department. (Amended 09/09/03, 01/06/04, 08/25/09)
- e. A proposed written notice of disciplinary action must be served on an employee within 120 calendar days from the date Human Resources is made aware of the occurrence of the incident giving rise to the discipline, provided however that this period of limitation shall be tolled if an investigation is being conducted by a law enforcement authority into criminal charges against the employee arising out of the same incident. Once a Department Head receives notice from the employee that charges have been preferred, through an indictment or information, or that the criminal investigation has been concluded without the preferral of charges, then the time period will resume running. (Amended 09/09/03, 01/06/04, 8/25/09, 09/19/17)
- f. Any issue of non-compliance with these provisions will be considered by the hearing officer and/ or Commission upon the appeal of the disciplinary action. (Amended 01/06/04)
- g. Excluding Section 3 (e), in computing any time periods set forth in this Rule, Saturdays, Sundays, and City Holidays shall not be included. (Amended 01/06/04, 09/19/17)
- h. Nothing in the Rule shall prevent suspension of the employee from service without pay in appropriate circumstances. (Amended 01/06/04)
- i. A copy of this rule shall be attached to each notice of proposed disciplinary action. (Passed 1/6/04)

**Section 4. Resignation Before Appeal Decision**

The acceptance by Department Head of the resignation of a person discharged before final action on the part of the Commission will be considered a withdrawal of the charges and the separation of the employee concerned will be recorded as a resignation and the preceding will be dismissed without judgment. (Amended 7/31/07)

**Section 5. Disqualification for Reappointment**

Any employee who is dismissed for cause or who resigns while not in good standing will be disqualified from taking a Civil Service examination for two years thereafter. His name will be removed from all eligible lists, unless, in the judgment of the

EMPLOYEE'S INITIALS AV





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COMMISSION

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Position: Solid Waste Lead Service Worker

Last 4 #'s of SS #: 5283  
Employee ID #: 024867

Date: 09/26/2024

Commission the cause of his dismissal or resignation under charges will not affect the possibility of his or her usefulness in some other position. (Amended 8/25/09)

**Section 6. Non-Certification of Suspended Persons**

The names of persons suspended will not be certified from eligible lists during the period of suspension.

**Section 7. Election to Forfeit Annual Leave**

Regular employees suspended for not more than ten (10) working days may elect to forfeit annual leave for a period equal to the suspension, or to the extent of the employee's annual leave balance, subject to approval of the Department Head. The election provided for herein, shall work a waiver of the employee's right to appeal the disciplinary action to the Commission, and the employee shall be so advised in plain English on a suitable form upon which the election shall be made, as developed by the Human Resources Director and appended to the notice of suspension. The Department Head shall not unreasonably withhold approval of the employee's election. (Added 05/11/04, Amended 7/31/07)

**Section 8. Formal Counseling**

Formal Counseling is not within the type of disciplinary action specified in Section 6.13-2 of the Charter which may be appealed to the Civil Service Commission. A formal counseling is issued by the Department Head and considered a written counseling to address employee workplace conduct. Employees receiving a formal counseling shall have the right to place responses to the formal counseling into their personnel files which shall remain in the file so long as the formal counseling to which the response relates remains in the file.

Included in, or in conjunction with, the formal counseling document, the Department Head must provide the employee with written notice of the reasons for the formal counseling, with sufficient explanation to place the employee fairly upon his defense.

Upon an employee's request, formal counselings shall be removed from an employee's personnel file after the expiration of twelve (12) months from the date of the last formal counseling, provided the employee has not received any disciplinary action during the twelve (12) month time period between the request and the last-received formal counseling. Formal counselings meeting the criteria above shall not be considered against the employee for purposes of determining progressive discipline or performance evaluations, regardless of whether or not the employee requested removal of the formal counselings. (Added 8/25/09) (Amended 11/2/10, 3/6/12, 1/20/15, 11/15/16)

**RULE 11, DEPARTMENTAL RULES**

**Section 1.** Any department head shall have the right to promulgate rules and regulations regarding the operation of his department, and the conduct of the employee therein, subject to the consent and approval of the City Manager, provided that such rules do not conflict with the Civil Service Charter or the Rules promulgated thereunder. (Amended 07/11/06)

**Section 2.** Large departments having various sub departments may, in their rules, have rules and regulations pertaining to said sub departments in addition to general rules and regulations regarding the department. (Amended 7/31/07)

**Section 3.** The Human Resources Director may promulgate, rules, regulations and policies and procedures, that apply to all or some city departments, as may be specified by the Director, regarding any requirements applicable to the employees of such departments, subject to the consent and approval of the City Manager, provided that such rules, regulations, or policies and procedures do not conflict with the Civil Service Charter or the Rules promulgated hereunder. (Added 3/6/12)

**Section 4.** Any Department Head may, as provided in the Charter, suspend, discharge or demote any employee for insubordination, for failure to comply with departmental rules and regulations, for failure to comply with the Rules of the Commission or for failure to obey any lawful order of a superior officer. (Amended 07/11/06)

EMPLOYEE'S INITIALS AV





CITY OF EL PASO, TEXAS  
**NOTICE OF SEPARATION**

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OCT 01 2024

Name: Antonio Venegas  
Position: Solid Waste Lead Service Worker

Last 4 #'s of SS #: 5283  
Employee ID #: 024867

Date: 09/26/2024  
**CITY SERVICE COMMISSION**

**Section 5.** The Human Resources Director is authorized to maintain a comprehensive manual of safety procedures and driver safety standards of all employees. Each employee shall receive a link to a copy of the manual. (Added 3/6/12)

**DEPARTMENT OF ENVIRONMENTAL SERVICES RULES AND REGULATIONS**

**IV. PERSONAL AND PROFESSIONAL CONDUCT**

**E. Gifts and Gratuities:** Employees shall not accept any gift or gratuity from anyone whom the Department does business with or from the public. A complete copy of the City Ethics Ordinance can be found on the City website or requested from the Administrative Office, (Title 2, Chapter 2.92, Ordinance 015293 – 2002, and Ordinance 017112 – 2009).

**L. Salvaging and Scavenging:** Salvaging and scavenging items is prohibited. This includes taking materials from any city facility. If you fail to adhere to this policy, the employee will be subject to disciplinary action up to and including termination.

- First offense will result in a 10 day suspension
- Second offense will result in termination

**FY24 Standard Operating Procedures: Clean El Paso Citizen Collection Stations**

**IX. Scavenging, Gifts and Gratuities**

- Scavenging by employees or by customers is prohibited. Scavenging is a violation of policy and will result in termination.
- City employees may not accept gifts and/or gratuities from anyone the Department does business with or from the public.

**CITY OF EL PASO – EMPLOYEE HANDBOOK (January 2016)**

**ACCEPTANCE OF GIFTS**

In accordance with the City's Ethics Ordinance, City employees and/or members of their immediate family may not solicit or accept any business-related gift, service, payment, favor, entertainment or other thing of value from anyone, either inside or outside the City.

**EMPLOYEE CONDUCT**

All successful organizations have certain rules which employees must follow. You are expected to become acquainted with the performance criteria for your particular job and with all rules, procedures and standards of conduct established by your department and by the City, as summarized in this handbook. Further, your conduct away from work must not adversely affect the City, its reputation, operational success, or relationship with its employees, customers or citizens.

If you do not fulfill the responsibilities set out by such performance standards, rules, procedures and standards of conduct, you may be subject to disciplinary action, the severity of which will depend upon the circumstances. Disciplinary action will be taken when an investigation of the facts shows that the conduct warrants such a result.

People work together best in an atmosphere where they are valued as individuals and recognized as key members of a team. It is important that each member of our team understand what is expected. It is impossible to write policies and procedures covering every situation. Be sure you understand what is expected of you, and what you can expect from the City. If you have any question, discuss it with your immediate supervisor. Understanding is the key to teamwork.

The following are some examples of employee conduct that are not permitted and that may result in disciplinary action up to and including termination of employment:

- Conduct that you have been informed is unacceptable.

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- Failure to meet or maintain work performance standards.
- Dishonesty or the unauthorized possession, removal or use of City or another employee's property, including records and confidential information.
- Violation of City ordinances, policies or rules.

This list is not all inclusive.

It is our practice to ensure that violations of policies or principles of acceptable employee conduct are appropriately addressed with consistent disciplinary action. The following types of corrective or disciplinary action may be taken:

- Verbal counseling
- Formal counseling
- Suspension
- Demotion
- Termination

**EL PASO CITY CODE, ORDINANCE NO. 019139, TITLE 2, CHAPTER 2.92 – ETHICS**

**Article II. - Standards of Conduct**

**2.92.030 - General provisions.**

**A. Officers or employees:**

1. Shall not use their official positions improperly to secure unwarranted privileges or exemptions for themselves, relatives, or others. This provision does not preclude officers or employees from acting in any manner consistent with their official duties or from zealously providing public services to anyone who is entitled to them;
7. Shall not utilize city resources or by omission allow city resources to be utilized for personal benefit or the personal benefit of any other person or entity, except to the extent that the benefit received is strictly incidental to the performance of official duties, or to the extent that the person is entitled by law to obtain public services from the city;

**2.92.040 – Gifts.**

- A. An officer or employee shall not solicit, accept, or agree to accept for themselves or a relative, the following:
2. Any gift that might reasonably tend to influence them to act improperly in the discharge of official duties, or reasonably tend to improperly reward official conduct; or
11. Items received that are of nominal value (less than ten dollars).

**CITY OF EL PASO'S MISSION, VISION AND VALUES**

**Mission:** Deliver exceptional services to support a high quality of life and place for our community.

**Vision:** Develop a vibrant regional economy, safe and beautiful neighborhoods and exceptional recreational, cultural and educational opportunities powered by a high performing government.

**Values:**

- Integrity – Trusted to do the right thing.*
- Respect – Recognize the value and dignity of all individuals.*
- Excellence – Perfect effort.*
- Accountability – Passionate and determined.*
- People – Our teams are problem-solvers and collaborate with our customers.*

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COMMISSION

Name: Antonio Venegas	Last 4 #'s of SS #: 5283	Date: 09/26/2024
Position: Solid Waste Lead Service Worker	Employee ID #: 024867	

**CITY OF EL PASO – DISCIPLINARY POLICY AND MATRIX (May 30, 2015)**

**I. POLICY:**

The City of El Paso is committed to a goal of high performance by all employees in order to fulfill its mission of outstanding customer service to the citizens of our community. The purpose of this policy and matrix is to provide City leaders and supervisors with a guideline and reference for corrective and disciplinary action. The City of El Paso Human Resources Department accepts and investigates all allegations of employee misconduct and imposes corrective and progressive disciplinary action in a timely and consistent manner, as appropriate. This policy outlines the procedure for investigating allegations of employee misconduct, issuing corrective action, and applying the Matrix to impose discipline.

**II. PROCEDURES:**

**A. Basis for Discipline**

1. Employees are subject to discipline for violations of the law, City Charter provisions that constitute cause for discipline, Civil Service Commission Rules and Regulations, City policies, Departmental policies and procedures and verbal or written directives from supervisory personnel.
2. Failure to report a violation of anything listed under II-(A) is considered a basis for discipline.
3. All disciplinary actions taken under this policy are subject to, and shall be consistent with, applicable federal and state law, local ordinances, administrative directives, El Paso City Charter, and Civil Service Commission Rules and Regulations.

**B. Information Gathering and Processing**

1. It is the duty of all supervisory employees to assist those who express the desire to report allegations of misconduct against any City employee. The informant need not be the aggrieved party, but may be anyone who witnessed or otherwise became aware of an incident of misconduct. Information regarding allegations of misconduct must be immediately reported to the Department Head and/or the Human Resources Director.
2. Employees are required to provide a statement or answer questions during administrative investigations. Employees who withhold information, thwart, impede or fail to cooperate with administrative investigations will be considered insubordinate and subject to disciplinary action up to and including termination. Upon conclusion of the administrative investigation, the DHRM or Human Resources Director, or designee, will advise the Department Head of any findings from the investigation and recommend disciplinary or corrective action as appropriate. However, it is the Department Head's responsibility to make the final determination and defend the discipline to be administered as a result of any review.

**IV. DISCIPLINARY MATRIX**

The attached disciplinary matrix provides supervisory personnel and Department Heads with the parameters of discipline that shall be imposed on an employee when an infraction occurs that violates the law, a Civil Service rule, policy, or regulation of the department. The purpose of the matrix is to provide notice to employees of the types of conduct that will result in disciplinary action and to serve as a deterrent of such conduct so as to promote efficiency of service by ensuring high standards of City service and maintaining public confidence in the City of El Paso.

The matrix is intended for use as a guide to selecting an appropriate level of discipline for the actionable misconduct. **This matrix does not substitute for supervisory judgment and does not dictate discipline.** Rather, this matrix provides a framework within which supervisors exercise judgment on a case-by-case basis within the parameters provided. The final determination for discipline at the minimum level or higher rests with the Department Head as defined in Civil Service Rule 8 and Rule 11, or as defined in the Civil Service Rules and Regulations.

EMPLOYEE'S INITIALS

*AV*





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Date: 09/26/2024

Name: Antonio Venegas  
Position: Solid Waste Lead Service Worker

Last 4 #'s of SS #: 5283  
Employee ID #: 024867

Date: 09/26/2024

The offenses listed under each level are not intended to be an exhaustive listing. No attempt has been made to list every possible cause for disciplinary or adverse action. The fact that specific misconduct is not listed as an offense does not mean discipline cannot be imposed. Supervisors should evaluate misconduct not listed to the offenses listed and use a form of discipline that most closely coincides with a comparable, listed offense.

The following are the categories of discipline:

D. **Termination:** A termination is separation of employment and must be completed on an appropriate Notice of Separation form with effective date for dismissal in accordance with Civil Service Commission Rules. The Notice of Separation must:

1. Identify which State or Federal laws, rules, policies, and/or regulations were violated,
2. Contain narrative specifications (charges) and
3. Include a record of previous discipline, if any. The Notice of Separation must always be reviewed by the City Attorney's Office before being issued to the employee by the Department Head.

**V. APPLICATION OF THE DISCIPLINARY MATRIX**

A. The application of progressive discipline is designed to take into account any instance of corrective action or previous discipline. The Department Head shall choose the appropriate disciplinary action at the appropriate level for each offense.

1. A Department Head has a choice of severity of disciplinary action beginning from the floor for the specific type of offense, at the appropriate level. When significant mitigating or aggravating circumstances exist, the discipline range may be expanded upon in either direction. For example, if the matrix indicates a 10-day suspension, the Department Head may determine that a less severe consequence is more appropriate based on mitigating factors. Likewise, the discipline could be greater than a 10-day suspension if there are significant aggravating factors. Whenever prior violations are used to support a more severe discipline, those offenses shall be cited in the notice of Discipline. When a series of offenses have been committed and action could not have been taken on each before another was committed, a more severe discipline maybe assessed for the combined offenses rather than what would be appropriate for any single offense.
2. The Department Head in accordance with CSC Rule 11 retains the right to promulgate rules and regulations regarding the operation of his or her department. Similarly, situations may arise that are not written in a rule or policy; in such a circumstance, an appropriate level of discipline will be imposed. Nothing in this policy shall prohibit a Department Head from departing from utilizing a higher form of discipline, to include termination, if the circumstances warrant such action.
3. These disciplinary guidelines are standard recommendations and not meant to be an all-inclusive list of possible infractions. The Human Resources Director retains the right to modify, or amend this policy and matrix as needed without advance notice.

**City of El Paso Disciplinary Matrix (May 30, 2018)**

*Level 3 Violation: Misappropriation – 1<sup>st</sup> offense: 10 Day Suspension*

**Date Received by Human Resources: May 31, 2024**

**120<sup>th</sup> Day Deadline, pursuant to CSC Rule 8 Section 3(e): September 28, 2024**

EMPLOYEE'S INITIALS AV





CITY OF EL PASO, TEXAS  
**NOTICE OF SEPARATION**



Name: Antonio Venegas  
Position: Solid Waste Lead Service Worker

Last 4 #'s of SS #: 5283  
Employee ID #: 024867

**SPECIFICATIONS:**

Environmental Services (ESD) management was reviewing video footage on May 31, 2024 from the Citizen Collection Site (CCS) at 1034 Pendale. During the review for an unrelated incident, you were seen on May 25, 2024 salvaging items for a member of the public, a former CoEP employee, in exchange for a pack of soda. At 2:34 PM, the customer pulls up to the entrance and gives you a pack of soda. At 2:40 PM, the customer returns and you begin taking items out of the entry shack to give to the customer and he puts them into the back of his truck. These items include a propane gas can, a microwave, two blowers, a string trimmer, and a lawn mower bagger. At 2:43 PM, the customer moves to another area and is there from 2:43PM until approximately 3:17 PM. During this time frame, you are seen assisting him load two additional unknown items and a lawn mower. At no time is the customer seen completing the paperwork required to procure items from the CCS. The supervisor for the CCS confirmed that there is no paperwork on file for this interaction.

You were violating the no scavenging/salvaging policies outlined in the Environmental Services Department General Rules and Regulations and the Clean El Paso Citizen Collection Stations Standard Operating Procedures, and the gifts and gratuities sections of the Environmental Services Department General Rules and Regulations, Clean El Paso Citizen Collection Stations Standard Operating Procedures, City of El Paso Employee Handbook, and the City of El Paso Ethics Ordinance. Your actions were unethical and construed as misappropriation. When you do not follow the policies and procedures, you take advantage of the public, the department, and the City of El Paso. Your actions also are not becoming of an employee in a lead and/or supervisory position. You were not setting a good example to your subordinates, illustrating that salvaging/scavenging in the exchange for gifts and/or gratuities is acceptable.

**Your disciplinary history reflects the following:**

You have no previous discipline.

The incident described above constitutes Misappropriation, a Level 3 offense on the City of El Paso Disciplinary Matrix which warrants a ten (10) day suspension. The City of El Paso Disciplinary Matrix provides that a more severe discipline may be assessed for a combination of offenses rather than what would be appropriate for a single offense. The Environmental Services Department considers the severity of the combination of salvaging/scavenging, accepting gifts and gratuities for the items, and being a poor role model to your subordinates by engaging in these practices to be significant aggravating circumstances that warrant termination. Based on the above specifications, the City of El Paso Environmental Services Department has determined that your employment is hereby **terminated**.

You have **thirty (30) days** from the date you receive **this notice** to appeal this action to the Civil Service Commission. The City reserves the right to amend these charges and/or specifications at a later date.

EMPLOYEE'S INITIALS

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# Environmental Services Department

**MAYOR**  
Oscar Leaser

**To:** Antonio Venegas (024867), Solid Waste Lead Service Worker  
**From:** Karla Mora, Departmental HR Manager *KM*  
**Date:** September 19, 2024  
**Subject:** Acknowledgement

**CITY COUNCIL**

**District 1**  
Brian Kennedy

Please be advised that a pre-termination hearing is hereby set for you on September 26, 2024, at 2:00 PM. The hearing will be held in the Environmental Services Department Administrative Offices Pecan Room located at 7968 San Paulo Dr.

**District 2**  
Dr. Josh Acevedo

Enclosed is a Proposed Notice of Separation addressed to you along with documentation supporting the separation.

**District 3**  
Cassandra Hernandez

The hearing is not a formal proceeding. You will be permitted to present any explanation you may wish to Nicholas Ybarra, Environmental Services Director, concerning the charges and specifications provided to you. You may present evidence on your behalf and a representative may accompany you if you so desire. Everything that you present at the hearing will be considered before a final determination on your employment is made.

**District 4**  
Joe Molinar

The below is to acknowledge your receipt of the following documents regarding the Proposed Notice of Separation provided to you on September 19, 2024.

**District 5**  
Isabel Salcido

- Proposed Notice of Separation (9 pages)
- Backup Documents (16 pages)
- Acknowledgement of Rules (2 pages)
- Videos (on included USB Drive)
- Disciplinary Policy and Matrix (6 pages)

**District 6**  
Art Fierro

**District 7**  
Henry Rivera

**District 8**  
Chris Canales

**CITY MANAGER**  
Dionne Mack

I am acknowledging receipt of the above documents.

*[Handwritten Signature]*  
\_\_\_\_\_  
Signature

*9/19/2024*  
\_\_\_\_\_  
Date

**Karla Mora – Dept. HR Manager**  
Streets and Maintenance | MSC, 7969 San Paulo | El Paso, TX 79907  
O: (915) 212-8020 | Email: morakk@elpasotexas.gov





CITY OF EL PASO, TEXAS  
**PROPOSED NOTICE OF SEPARATION**

UCL U I 2024  
CIVIL SERVICE COMMISSION

Name: Antonio Venegas  
Position: Solid Waste Lead Service Worker

Last 4 #'s of SS #: 5283  
Employee ID #: 024867

Date: 09/19/2024

Address: 11484 Nettie Rose  
El Paso, TX 79936

From: Environmental Services  
Subject: Termination of Employment

THIS IS TO NOTIFY YOU THAT YOUR EMPLOYMENT WITH THE CITY OF EL PASO IS HEREBY **TERMINATED EFFECTIVE:** \_\_\_\_\_.

THE FOLLOWING ARE THE STATUTORY REASONS OR GROUNDS AND SPECIFICATIONS OF FACTS WHICH HAVE NECESSITATED THIS ACTION:

**CHARGES:**

YOU HAVE VIOLATED THE FOLLOWING CITY OF EL PASO CIVIL SERVICE COMMISSION CHARTER PROVISIONS, ORDINANCES, RULES AND REGULATIONS:

**CITY CHARTER – ARTICLE VI – Civil Service**

**SECTION 6.13-2, DISCIPLINARY ACTION; REDUCTION**

A regular employee may be discharged, suspended or reduced in rank or position as provided in the Charter or further defined in the Rules.

**SECTION 6.13-3, CAUSES OF SUSPENSION, REDUCTION OR DISCHARGE**

The following, which may be further defined in the Rules, may constitute causes for discharge, suspension or reduction in grade of regular employees:

- G. Dishonesty, theft, violation of law, or violation of policies relating to the handling or procurement of property, or negligence in care or misuse of City property;
- J. Inducing or assisting another to commit an unlawful act;
- M. Violates the City's Ethics Ordinance;
- P. For just cause.

I HAVE RECEIVED A COPY OF THIS NOTICE

Antonio Venegas  
Employee's Signature

Date: 9/19/2024

BY CERTIFIED MAIL NUMBER: \_\_\_\_\_

Phillip Yuen  
DEPARTMENT HEAD

**COPY RECEIVED AND FILED**

**HUMAN RESOURCES**

BY: \_\_\_\_\_  
DIRECTOR

**DISTRIBUTION: Original – Human Resources Department; Copy – Department**





CITY OF EL PASO, TEXAS  
**PROPOSED NOTICE OF SEPARATION**



Name: Antonio Venegas  
Position: Solid Waste Lead Service Worker

Last 4 #'s of SS #: 5283  
Employee ID #: 024867

**CIVIL SERVICE COMMISSION RULES AND REGULATIONS**

**RULE 8, SUSPENSION, REDUCTION, DISCHARGE**

**Section 1. Causes of Suspension, Reduction or Discharge**

The following may constitute causes for discharge, suspension or reduction of regular employees: That an officer or employee in the Civil Service:

- g. Is dishonest, commits theft, violates a law, or violates policies relating to the handling or procurement of property, or negligent in care or misuse of City property; or (Amended 7/31/07, 3/6/12, 9/17/13)
- j. Has induced, or has attempted to induce an officer or employee in the service of the City to commit an unlawful act or to act in violation of any lawful departmental or official regulation or order; or has taken any fee, gift, or other valuable thing in the course of his work or in connection with it, for his personal use from any person, when such fee, gift or other valuable thing is given in the hope or expectation of receiving a favor or better treatment than accorded other persons; or (Amended 8/25/09)
- m. Violates the City's Ethics Ordinance; or (Amended 07/31/07)
- p. For just cause. (Added 7/21/07)

**Section 2. Disciplinary Notice**

Disciplinary actions in the nature of a discharge, involuntary reduction, or suspension taken against a regular employee, other than at the end of a probationary period, will not become effective until the Department Head has first served upon such employee a written notice of discipline. The notice must contain one or more statutory reasons or grounds for discipline, together with such specifications of fact as will enable the employee to make an explanation and place him fairly upon his defense. The specifications of fact shall be of sufficient specificity so as to preclude the possibility of disciplinary action for the same act or omission in the future. Nothing contained herein shall prohibit the Department Head from using an employee's prior acts or omissions resulting in discipline in determining future disciplinary action against the employee. An employee may be disciplined for other acts or omissions not specified in the notice even if such acts arise from the same incident or event. A Department Head may not unilaterally reduce the discipline given once notice of discipline has been provided to the employee, without the employee's consent. A copy of such notice of discipline, together with the employee's explanation, if any, will be filed with the Human Resources Director. (Amended 06/24/03, 7/31/07, 8/25/09)

**Section 3. Notice of Proposed Disciplinary Action, Procedure and Limitation of Action**

- a. When disciplinary action in the nature of a five (5) day suspension or greater, a reduction, or discharge is being contemplated by the Department Head, the employee must be served with a notice of proposed disciplinary action which shall conform with the notice requirements set forth in Section 2 and Section 3 (b) of this Rule. In addition to the notice of proposed disciplinary action, the employee shall be furnished with the written materials and tangible things in the possession of the Department Head that form the factual and evidentiary basis for the proposed disciplinary action. No matter may be withheld from the employee that is inconsistent with the theory of discipline or that could tend to mitigate the contemplated sanction. (Amended 8/25/09)
- b. Within ten (10) days of receipt of the notice of proposed disciplinary action, the employee may request a conference with the Department Head. Within five (5) working days of receipt of the employee's response, the Department Head shall meet with the employee, provided further that this period may be extended with the mutual consent of the

EMPLOYEE'S INITIALS

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CITY OF EL PASO, TEXAS  
**PROPOSED NOTICE OF SEPARATION**



Name: Antonio Venegas  
Position: Solid Waste Lead Service Worker

Last 4 #'s of SS #: 5283  
Employee ID #: 024867

Department Head and the employee. No witnesses may be called to testify as part of the employee's explanation or response. During the conference, the employee, their representative, and the Department Head shall engage in discussions with a view toward reaching a consensus and agreement relative to the proposed disciplinary action. No part of the discussions that take place during the conference may be offered into evidence at any subsequent hearing, except for the limited purpose of determining compliance or non-compliance with the provisions of this Rule as provided in paragraph "f" and for impeachment purposes. In the event such a consensus is reached, the execution by the employee of documents finalizing the settlement agreement shall constitute a waiver of the employee's right to appeal to the Commission, and the employee shall be so advised in plain language. (Amended 09/09/03, 01/06/04, 8/25/09; 1/20/15)

- c. Respecting discharge, those departments currently using a pre-termination hearing shall not be required to have a conference as contemplated hereinabove provided that the time between notification and hearing shall be at least five (5) days and further provided that there shall be no change to current practices regarding violations of applicable federal laws. (Amended 09/09/03, 01/06/04, 08/25/09)
- d. The employee is entitled to have a representative of their choice assist them in the preparation and presentation of their response, provided further that in the event the representative is an employee of the City, he shall use vacation leave or personal days for such time as may be required for the representative to attend the conference. If the employee does not have any accrued vacation or personal days, the employee will be placed on unpaid administrative leave for such time as may be required for the representative to attend the conference. The employee must provide his Department Head with two days notice of the request to take the above leave. The Department Head may disapprove the request if the leave significantly interferes with the operational needs of the department. (Amended 09/09/03, 01/06/04, 08/25/09)
- e. A proposed written notice of disciplinary action must be served on an employee within 120 calendar days from the date Human Resources is made aware of the occurrence of the incident giving rise to the discipline, provided however that this period of limitation shall be tolled if an investigation is being conducted by a law enforcement authority into criminal charges against the employee arising out of the same incident. Once a Department Head receives notice from the employee that charges have been preferred, through an indictment or information, or that the criminal investigation has been concluded without the preferral of charges, then the time period will resume running. (Amended 09/09/03, 01/06/04, 8/25/09, 09/19/17)
- f. Any issue of non-compliance with these provisions will be considered by the hearing officer and/ or Commission upon the appeal of the disciplinary action. (Amended 01/06/04)
- g. Excluding Section 3 (e), in computing any time periods set forth in this Rule, Saturdays, Sundays, and City Holidays shall not be included. (Amended 01/06/04, 09/19/17)
- h. Nothing in the Rule shall prevent suspension of the employee from service without pay in appropriate circumstances. (Amended 01/06/04)
- i. A copy of this rule shall be attached to each notice of proposed disciplinary action. (Passed 1/6/04)

**Section 4. Resignation Before Appeal Decision**

The acceptance by Department Head of the resignation of a person discharged before final action on the part of the Commission will be considered a withdrawal of the charges and the separation of the employee concerned will be recorded as a resignation and the preceding will be dismissed without judgment. (Amended 7/31/07)

**Section 5. Disqualification for Reappointment**

Any employee who is dismissed for cause or who resigns while not in good standing will be disqualified from taking a Civil Service examination for two years thereafter. His name will be removed from all eligible lists, unless, in the judgment of the

EMPLOYEE'S INITIALS

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# PROPOSED NOTICE OF SEPARATION

RECEIVED  
OCT 01 2024  
CIVIL SERVICE  
COMMISSION

Name: Antonio Venegas

Last 4 #'s of SS #: 5283

Date: 09/19/2024

Position: Solid Waste Lead Service Worker

Employee ID #: 024867

Commission the cause of his dismissal or resignation under charges will not affect the possibility of his or her usefulness in some other position. (Amended 8/25/09)

**Section 6. Non-Certification of Suspended Persons**

The names of persons suspended will not be certified from eligible lists during the period of suspension.

**Section 7. Election to Forfeit Annual Leave**

Regular employees suspended for not more than ten (10) working days may elect to forfeit annual leave for a period equal to the suspension, or to the extent of the employee's annual leave balance, subject to approval of the Department Head. The election provided for herein, shall work a waiver of the employee's right to appeal the disciplinary action to the Commission, and the employee shall be so advised in plain English on a suitable form upon which the election shall be made, as developed by the Human Resources Director and appended to the notice of suspension. The Department Head shall not unreasonably withhold approval of the employee's election. (Added 05/11/04, Amended 7/31/07)

**Section 8. Formal Counseling**

Formal Counseling is not within the type of disciplinary action specified in Section 6.13-2 of the Charter which may be appealed to the Civil Service Commission. A formal counseling is issued by the Department Head and considered a written counseling to address employee workplace conduct. Employees receiving a formal counseling shall have the right to place responses to the formal counseling into their personnel files which shall remain in the file so long as the formal counseling to which the response relates remains in the file.

Included in, or in conjunction with, the formal counseling document, the Department Head must provide the employee with written notice of the reasons for the formal counseling, with sufficient explanation to place the employee fairly upon his defense.

Upon an employee's request, formal counselings shall be removed from an employee's personnel file after the expiration of twelve (12) months from the date of the last formal counseling, provided the employee has not received any disciplinary action during the twelve (12) month time period between the request and the last-received formal counseling. Formal counselings meeting the criteria above shall not be considered against the employee for purposes of determining progressive discipline or performance evaluations, regardless of whether or not the employee requested removal of the formal counselings. (Added 8/25/09) (Amended 11/2/10, 3/6/12, 1/20/15, 11/15/16)

**RULE 11. DEPARTMENTAL RULES**

**Section 1.** Any department head shall have the right to promulgate rules and regulations regarding the operation of his department, and the conduct of the employee therein, subject to the consent and approval of the City Manager, provided that such rules do not conflict with the Civil Service Charter or the Rules promulgated thereunder. (Amended 07/11/06)

**Section 2.** Large departments having various sub departments may, in their rules, have rules and regulations pertaining to said sub departments in addition to general rules and regulations regarding the department. (Amended 7/31/07)

**Section 3.** The Human Resources Director may promulgate, rules, regulations and policies and procedures, that apply to all or some city departments, as may be specified by the Director, regarding any requirements applicable to the employees of such departments, subject to the consent and approval of the City Manager, provided that such rules, regulations, or policies and procedures do not conflict with the Civil Service Charter or the Rules promulgated hereunder. (Added 3/6/12)

**Section 4.** Any Department Head may, as provided in the Charter, suspend, discharge or demote any employee for insubordination, for failure to comply with departmental rules and regulations, for failure to comply with the Rules of the Commission or for failure to obey any lawful order of a superior officer. (Amended 07/11/06)

EMPLOYEE'S INITIALS

AV





PROPOSED NOTICE OF SEPARATION

RECEIVED

OCT 01 2024

CIVIL SERVICE COMMISSION

Name: Antonio Venegas

Last 4 #'s of SS #: 5283

Date: 09/19/2024

Position: Solid Waste Lead Service Worker

Employee ID #: 024867

Section 5. The Human Resources Director is authorized to maintain a comprehensive manual of safety procedures and driver safety standards of all employees. Each employee shall receive a link to a copy of the manual. (Added 3/6/12)

DEPARTMENT OF ENVIRONMENTAL SERVICES RULES AND REGULATIONS

IV. PERSONAL AND PROFESSIONAL CONDUCT

E. Gifts and Gratuities: Employees shall not accept any gift or gratuity from anyone whom the Department does business with or from the public. A complete copy of the City Ethics Ordinance can be found on the City website or requested from the Administrative Office, (Title 2, Chapter 2.92, Ordinance 015293 – 2002, and Ordinance 017112 – 2009).

L. Salvaging and Scavenging: Salvaging and scavenging items is prohibited. This includes taking materials from any city facility. If you fail to adhere to this policy, the employee will be subject to disciplinary action up to and including termination.

- First offense will result in a 10 day suspension
• Second offense will result in termination

FY24 Standard Operating Procedures: Clean El Paso Citizen Collection Stations

IX. Scavenging, Gifts and Gratuities

- A. Scavenging by employees or by customers is prohibited. Scavenging is a violation of policy and will result in termination.
B. City employees may not accept gifts and/or gratuities from anyone the Department does business with or from the public.

CITY OF EL PASO – EMPLOYEE HANDBOOK (January 2016)

ACCEPTANCE OF GIFTS

In accordance with the City's Ethics Ordinance, City employees and/or members of their immediate family may not solicit or accept any business-related gift, service, payment, favor, entertainment or other thing of value from anyone, either inside or outside the City.

EMPLOYEE CONDUCT

All successful organizations have certain rules which employees must follow. You are expected to become acquainted with the performance criteria for your particular job and with all rules, procedures and standards of conduct established by your department and by the City, as summarized in this handbook. Further, your conduct away from work must not adversely affect the City, its reputation, operational success, or relationship with its employees, customers or citizens.

If you do not fulfill the responsibilities set out by such performance standards, rules, procedures and standards of conduct, you may be subject to disciplinary action, the severity of which will depend upon the circumstances. Disciplinary action will be taken when an investigation of the facts shows that the conduct warrants such a result.

People work together best in an atmosphere where they are valued as individuals and recognized as key members of a team. It is important that each member of our team understand what is expected. It is impossible to write policies and procedures covering every situation. Be sure you understand what is expected of you, and what you can expect from the City. If you have any question, discuss it with your immediate supervisor. Understanding is the key to teamwork.

The following are some examples of employee conduct that are not permitted and that may result in disciplinary action up to and including termination of employment:

- Conduct that you have been informed is unacceptable.

EMPLOYEE'S INITIALS

Handwritten initials



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CIVIL SERVICE COMMISSION

Name: Antonio Venegas

Last 4 #'s of SS #: 5283

Date: 09/19/2024

Position: Solid Waste Lead Service Worker

Employee ID #: 024867

- Failure to meet or maintain work performance standards.
- Dishonesty or the unauthorized possession, removal or use of City or another employee's property, including records and confidential information.
- Violation of City ordinances, policies or rules.

This list is not all inclusive.

It is our practice to ensure that violations of policies or principles of acceptable employee conduct are appropriately addressed with consistent disciplinary action. The following types of corrective or disciplinary action may be taken:

- Verbal counseling
- Formal counseling
- Suspension
- Demotion
- Termination

**EL PASO CITY CODE, ORDINANCE NO. 019139, TITLE 2, CHAPTER 2.92 – ETHICS**

**Article II. - Standards of Conduct**

**2.92.030 - General provisions.**

A. Officers or employees:

1. Shall not use their official positions improperly to secure unwarranted privileges or exemptions for themselves, relatives, or others. This provision does not preclude officers or employees from acting in any manner consistent with their official duties or from zealously providing public services to anyone who is entitled to them;
7. Shall not utilize city resources or by omission allow city resources to be utilized for personal benefit or the personal benefit of any other person or entity, except to the extent that the benefit received is strictly incidental to the performance of official duties, or to the extent that the person is entitled by law to obtain public services from the city;

**2.92.040 – Gifts.**

- A. An officer or employee shall not solicit, accept, or agree to accept for themselves or a relative, the following:
2. Any gift that might reasonably tend to influence them to act improperly in the discharge of official duties, or reasonably tend to improperly reward official conduct; or
11. Items received that are of nominal value (less than ten dollars).

**CITY OF EL PASO'S MISSION, VISION AND VALUES**

**Mission:** Deliver exceptional services to support a high quality of life and place for our community.

**Vision:** Develop a vibrant regional economy, safe and beautiful neighborhoods and exceptional recreational, cultural and educational opportunities powered by a high performing government.

- Values:**
- Integrity – Trusted to do the right thing.*
  - Respect – Recognize the value and dignity of all individuals.*
  - Excellence – Perfect effort.*
  - Accountability – Passionate and determined.*
  - People – Our teams are problem-solvers and collaborate with our customers.*

EMPLOYEE'S INITIALS





PROPOSED NOTICE OF SEPARATION

RECEIVED

OCT 01 2024

CIVIL SERVICE COMMISSION

Date: 09/19/2024

Name: Antonio Venegas

Last 4 #'s of SS #: 5283

Position: Solid Waste Lead Service Worker

Employee ID #: 024867

CITY OF EL PASO – DISCIPLINARY POLICY AND MATRIX (May 30, 2015)

I. POLICY:

The City of El Paso is committed to a goal of high performance by all employees in order to fulfill its mission of outstanding customer service to the citizens of our community. The purpose of this policy and matrix is to provide City leaders and supervisors with a guideline and reference for corrective and disciplinary action. The City of El Paso Human Resources Department accepts and investigates all allegations of employee misconduct and imposes corrective and progressive disciplinary action in a timely and consistent manner, as appropriate. This policy outlines the procedure for investigating allegations of employee misconduct, issuing corrective action, and applying the Matrix to impose discipline.

II. PROCEDURES:

A. Basis for Discipline

1. Employees are subject to discipline for violations of the law, City Charter provisions that constitute cause for discipline, Civil Service Commission Rules and Regulations, City policies, Departmental policies and procedures and verbal or written directives from supervisory personnel.
2. Failure to report a violation of anything listed under II-(A) is considered a basis for discipline.
3. All disciplinary actions taken under this policy are subject to, and shall be consistent with, applicable federal and state law, local ordinances, administrative directives, El Paso City Charter, and Civil Service Commission Rules and Regulations.

B. Information Gathering and Processing

1. It is the duty of all supervisory employees to assist those who express the desire to report allegations of misconduct against any City employee. The informant need not be the aggrieved party, but may be anyone who witnessed or otherwise became aware of an incident of misconduct. Information regarding allegations of misconduct must be immediately reported to the Department Head and/or the Human Resources Director.
2. Employees are required to provide a statement or answer questions during administrative investigations. Employees who withhold information, thwart, impede or fail to cooperate with administrative investigations will be considered insubordinate and subject to disciplinary action up to and including termination. Upon conclusion of the administrative investigation, the DHRM or Human Resources Director, or designee, will advise the Department Head of any findings from the investigation and recommend disciplinary or corrective action as appropriate. However, it is the Department Head's responsibility to make the final determination and defend the discipline to be administered as a result of any review.

IV. DISCIPLINARY MATRIX

The attached disciplinary matrix provides supervisory personnel and Department Heads with the parameters of discipline that shall be imposed on an employee when an infraction occurs that violates the law, a Civil Service rule, policy, or regulation of the department. The purpose of the matrix is to provide notice to employees of the types of conduct that will result in disciplinary action and to serve as a deterrent of such conduct so as to promote efficiency of service by ensuring high standards of City service and maintaining public confidence in the City of El Paso.

The matrix is intended for use as a guide to selecting an appropriate level of discipline for the actionable misconduct. **This matrix does not substitute for supervisory judgment and does not dictate discipline.** Rather, this matrix provides a framework within which supervisors exercise judgment on a case-by-case basis within the parameters provided. The final determination for discipline at the minimum level or higher rests with the Department Head as defined in Civil Service Rule 8 and Rule 11, or as defined in the Civil Service Rules and Regulations.

EMPLOYEE'S INITIALS

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PROPOSED NOTICE OF SEPARATION

RECEIVED  
OCT 01 2024  
CIVIL SERVICE  
COMMISSION

Name: Antonio Venegas  
Position: Solid Waste Lead Service Worker

Last 4 #'s of SS #: 5283  
Employee ID #: 024867

Date: 09/19/2024

The offenses listed under each level are not intended to be an exhaustive listing. No attempt has been made to list every possible cause for disciplinary or adverse action. The fact that specific misconduct is not listed as an offense does not mean discipline cannot be imposed. Supervisors should evaluate misconduct not listed to the offenses listed and use a form of discipline that most closely coincides with a comparable, listed offense.

The following are the categories of discipline:

D. **Termination:** A termination is separation of employment and must be completed on an appropriate Notice of Separation form with effective date for dismissal in accordance with Civil Service Commission Rules. The Notice of Separation must:

1. Identify which State or Federal laws, rules, policies, and/or regulations were violated,
2. Contain narrative specifications (charges) and
3. Include a record of previous discipline, if any. The Notice of Separation must always be reviewed by the City Attorney's Office before being issued to the employee by the Department Head.

**V. APPLICATION OF THE DISCIPLINARY MATRIX**

A. The application of progressive discipline is designed to take into account any instance of corrective action or previous discipline. The Department Head shall choose the appropriate disciplinary action at the appropriate level for each offense.

1. A Department Head has a choice of severity of disciplinary action beginning from the floor for the specific type of offense, at the appropriate level. When significant mitigating or aggravating circumstances exist, the discipline range may be expanded upon in either direction. For example, if the matrix indicates a 10-day suspension, the Department Head may determine that a less severe consequence is more appropriate based on mitigating factors. Likewise, the discipline could be greater than a 10-day suspension if there are significant aggravating factors. Whenever prior violations are used to support a more severe discipline, those offenses shall be cited in the notice of Discipline. When a series of offenses have been committed and action could not have been taken on each before another was committed, a more severe discipline maybe assessed for the combined offenses rather than what would be appropriate for any single offense.
2. The Department Head in accordance with CSC Rule 11 retains the right to promulgate rules and regulations regarding the operation of his or her department. Similarly, situations may arise that are not written in a rule or policy; in such a circumstance, an appropriate level of discipline will be imposed. Nothing in this policy shall prohibit a Department Head from departing from utilizing a higher form of discipline, to include termination, if the circumstances warrant such action.
3. These disciplinary guidelines are standard recommendations and not meant to be an all-inclusive list of possible infractions. The Human Resources Director retains the right to modify, or amend this policy and matrix as needed without advance notice.

**City of El Paso Disciplinary Matrix (May 30, 2018)**

*Level 3 Violation: Misappropriation – 1<sup>st</sup> offense: 10 Day Suspension*

**Date Received by Human Resources: May 31, 2024**

**120<sup>th</sup> Day Deadline, pursuant to CSC Rule 8 Section 3(e): September 28, 2024**

EMPLOYEE'S INITIALS





CITY OF EL PASO, TEXAS

PROPOSED NOTICE OF SEPARATION

RECEIVED  
OCT 01 2024  
CIVIL SERVICE  
COMMISSION

Name: Antonio Venegas	Last 4 #'s of SS #: 5283	Date: 09/19/2024
Position: Solid Waste Lead Service Worker	Employee ID #: 024867	

**SPECIFICATIONS:**

Environmental Services (ESD) management was reviewing video footage on May 31, 2024 from the Citizen Collection Site (CCS) at 1034 Pendale. During the review for an unrelated incident, you were seen on May 25, 2024 salvaging items for a member of the public, a former CoEP employee, in exchange for a pack of soda. At 2:34 PM, the customer pulls up to the entrance and gives you a pack of soda. At 2:40 PM, the customer returns and you begin taking items out of the entry shack to give to the customer and he puts them into the back of his truck. These items include a propane gas can, a microwave, two blowers, a string trimmer, and a lawn mower bagger. At 2:43 PM, the customer moves to another area and is there from 2:43PM until approximately 3:17 PM. During this time frame, you are seen assisting him load two additional unknown items and a lawn mower. At no time is the customer seen completing the paperwork required to procure items from the CCS. The supervisor for the CCS confirmed that there is no paperwork on file for this interaction.

You were violating the no scavenging/salvaging policies outlined in the Environmental Services Department General Rules and Regulations and the Clean El Paso Citizen Collection Stations Standard Operating Procedures, and the gifts and gratuities sections of the Environmental Services Department General Rules and Regulations, Clean El Paso Citizen Collection Stations Standard Operating Procedures, City of El Paso Employee Handbook, and the City of El Paso Ethics Ordinance. Your actions were unethical and construed as misappropriation. When you do not follow the policies and procedures, you take advantage of the public, the department, and the City of El Paso. Your actions also are not becoming of an employee in a lead and/or supervisory position. You were not setting a good example to your subordinates, illustrating that salvaging/scavenging in the exchange for gifts and/or gratuities is acceptable.

**Your disciplinary history reflects the following:**

You have no previous discipline.

The incident described above constitutes Misappropriation, a Level 3 offense on the City of El Paso Disciplinary Matrix which warrants a ten (10) day suspension. The City of El Paso Disciplinary Matrix provides that a more severe discipline may be assessed for a combination of offenses rather than what would be appropriate for a single offense. The Environmental Services Department considers the severity of the combination of salvaging/scavenging, accepting gifts and gratuities for the items, and being a poor role model to your subordinates by engaging in these practices to be significant aggravating circumstances that warrant termination. Based on the above specifications, the City of El Paso Environmental Services Department has determined that your employment is hereby **terminated**.

You have **thirty (30) days** from the date you receive the **final notice** to appeal this action to the Civil Service Commission. The City reserves the right to amend these charges and/or specifications at a later date.

EMPLOYEE'S INITIALS TV





Human Resources Department

Mayor  
Oscar Leeser

City Council

District 1  
Peter Svarzbein

District 2  
Larry Romero

District 3  
Emma Acosta

District 4  
Carl L. Robinson

District 5  
Dr. Michiel R. Noe

District 6  
Claudia Ordaz

District 7  
Lily Limón

District 8  
Cortney C Niland

City Manager  
Tommy Gonzalez

I hereby acknowledge receipt of the following documents/items:

I am aware that the City of El Paso Safety Manual is located online at the City's website. I am also aware that if I do not have access to a computer, my department can provide a copy for me.

Pension Book

Orientation Notice

Employee Probation/FMLA letter

Military Leave Policy

AV I have been instructed to go to the Insurance and Benefits office to pick up my benefits packet.

ANTONIO VENGAS 35-5203  
Print name Last 6 of your ss#

Ant Vengas 3/20/17  
Signature Date

Linda Ball Thomas, IPMA-CP, PHR – Human Resources Director  
City #1 | 300 North Campbell | El Paso, Texas 79901 | (915) 212-0045

"Delivering Outstanding Services"

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ENVIRONMENTAL SERVICES DEPARTMENT

I ACKNOWLEDGE RECEIPT OF THE DEPARTMENT OF ENVIRONMENTAL SERVICES RULES & REGULATIONS AND THE CITY OF EL PASO SAFETY MANUAL.

ANY VIOLATION OF ANY KIND WILL BE SUBJECT TO DISCIPLINARY ACTION.

ANTONIO VENEZAS  
Print Name (Employee)

024867  
Kronos ID#

Antonio Venegas  
Signature (Employee)

3/23/17  
Date

Carol Cepeda  
Witness



**ESD INCIDENT REPORT**

**NAME:** Jesus Yamaguchi      **DATE:** 9/6/24    **TIME:** 2:19pm

**NAME(S) INVOLVED & KRONOS ID#:** CCS Pendale Staff

**NATURE OF INCIDENT:** Scavangling

**ADDRESS/LOCATION:** 1034 Pendale

**(CHECK ONE ONLY)**

**FOR INFORMATION**     

**FOR REVIEW**     

**DIVISION MANAGER:** Joe Amador

***Give a brief description of incident and be specific with details, names, witnesses, locations, agencies, times, etc.:***

I had received a complaint early in the morning of May 31<sup>st</sup> telling me that the customer was denied entry to CCS-Pendale. Customer wanted to know why she was denied entry if she only had recyclables. I went to check the cameras to verify if what the customer was telling me was the truth that she only had recyclables.

I was looking at the camera system on May 31<sup>st</sup> for footage from May 25<sup>th</sup> for the specific make and model that the customer provided when I stumbled upon the scavenging of former/retired employee. Mr. Antonio Venegas gave former employee Arturo Gonzalez I believe is his last name. I saw a microwave, propane tanks, weed eaters, blowers, lawnmower and other items that I couldn't identify due to the cameras not reaching out that far to make the items out.

[Redacted area]





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**ESD INCIDENT REPORT**

**NAME:** Joe Amador      **DATE:** 3/31/2024      **TIME:** 3:01PM

**NAME(S) INVOLVED & KRONOS ID#:** Antonio Venegas & Alex De Alderte

**NATURE OF INCIDENT:** Salvaging/Scavenging

**ADDRESS/LOCATION:** 1034 Pendale

**(CHECK ONE ONLY)**

**FOR INFORMATION**       **FOR REVIEW**

**DIVISION MANAGER:** Joe Amador

***Give a brief description of incident and be specific with details, names, witnesses, locations, agencies, times, etc.:***

On Friday 5/31/2024 Mr. Yamaguchi called me in to his office to show me the video from 1034 Pendale CCS on which Mr. Yamaguchi witnessed Mr. Venegas accepting a twelve pack of sodas, in return for holding some items for a customer that was a former employee of the CCS. Employees are not allowed to hold any items for customer or for themselves. This is a first come first choice to the public. Mr. Venegas also fail to following the 5 items per month rule and did not have the customer sign for the items. [REDACTED]

[REDACTED] Both of these incidents happen on Saturday May 25, 2024 around 2:40pm.

**Signature:** [Signature]      **Date:** 3-31-24  
**Title:** SWOM      **Division/Section:** CEP



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**ESD INCIDENT REPORT**

NAME: Antonio Venegas DATE: 6/5/2024 TIME:

NAME(S) INVOLVED & KRONOS ID#: 024867

NATURE OF INCIDENT:

ADDRESS/LOCATION:

(CHECK ONE ONLY)

FOR INFORMATION

FOR REVIEW

DIVISION MANAGER: Joe Amador

Give a brief description of incident and be specific with details, names, witnesses, locations, agencies, times, etc.:

I GAVE Customer items just to help them out  
I DO NOT HOLD IN FOR CUSTOMER. IT JUST  
HAPPENED TO HAVE THESE ITEMS ON HAND. CUSTOMER  
GAVE ME A TRUCK FULL OF SOAPS BECAUSE THEY APPRECIATE  
FOR WHAT WE DO.

Signature: [Signature] Date: 6/5/2024

Title: Lead Worker Division/Section: Per Sale

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**Fulmer, Jennifer K.**

---

**From:** Estala, Guillermo  
**Sent:** Thursday, September 5, 2024 1:09 PM  
**To:** Fulmer, Jennifer K.; Yamaguchi, Jesus J.; Ybarra, Nicholas N.  
**Cc:** Mora, Karla K.  
**Subject:** Re: CCS SOP

1. All new employees are given a sop during orientation
2. Since it is not in the sop employees go by what the public goes by which is to have a water bill paying for environmental services and a ID matching the water bill address and name of customer.
3. Employee must bring a water bill and ID during their own time (not on city time) and sign off for it on a sheet we have at all the sites stating what they did take .(for records)
4. Employees are allowed 5 items per month.

---

**From:** Fulmer, Jennifer K. <FulmerJK@elpasotexas.gov>  
**Sent:** Wednesday, September 4, 2024 2:18 PM  
**To:** Estala, Guillermo <GuillermoE@elpasotexas.gov>; Yamaguchi, Jesus J. <YamaguchiJ@elpasotexas.gov>; Ybarra, Nicholas N. <YbarraNN@elpasotexas.gov>  
**Cc:** Mora, Karla K. <MoraKK@elpasotexas.gov>  
**Subject:** CCS SOP

Hello,

Can you all please answer the following questions regarding the operating procedures at the Citizen Collection Sites:

1. Are new employees given access to the CCS SOP?
2. Since it isn't included in the SOP, how are employees informed of the proper procedures for taking items from the CCS?
3. What are the proper procedures for an employee to take an item from the CCS?
4. How many items are they allowed to take?

Please let me know if you have any questions.

*Thank you,*

Jennifer Fulmer | Sr. Human Resources Analyst  
(915) 212-6157  
MSC Human Resources |City of El Paso



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**Fulmer, Jennifer K.**

**From:** Yamaguchi, Jesus J.  
**Sent:** Friday, September 6, 2024 1:40 PM  
**To:** Fulmer, Jennifer K.  
**Cc:** Mora, Karla K.  
**Subject:** RE: CCS SOP

Here are my answers. Thank you

---

**From:** Fulmer, Jennifer K. <FulmerJK@elpasotexas.gov>  
**Sent:** Wednesday, September 4, 2024 2:19 PM  
**To:** Estala, Guillermo <GuillermoE@elpasotexas.gov>; Yamaguchi, Jesus J. <YamaguchiJ@elpasotexas.gov>; Ybarra, Nicholas N. <YbarraNN@elpasotexas.gov>  
**Cc:** Mora, Karla K. <MoraKK@elpasotexas.gov>  
**Subject:** CCS SOP

Hello,

Can you all please answer the following questions regarding the operating procedures at the Citizen Collection Sites:

1. Are new employees given access to the CCS SOP? On top of the new employee orientation, Clean El Paso goes over procedures and policies with the new employees, and they can provide a copy of the SOP if requested. Also, every time there are changes to the SOP, they provide those changes to every employee in that section.
2. Since it isn't included in the SOP, how are employees informed of the proper procedures for taking items from the CCS? All employees at the CCS's are verbally given instructions on the process of taking items that customers drop off. We recently, made the changes that all employees need to be on their own time to be able to get items. They are no longer allowed to take items at the end of their work shift.
3. What are the proper procedures for an employee to take an item from the CCS? Employees have to be on their day off to be able to take items from the country store.
4. How many items are they allowed to take? 5

Please let me know if you have any questions.

Thank you,

Jennifer Fulmer | Sr. Human Resources Analyst  
(915) 212-6157  
MSC Human Resources |City of El Paso

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**Fulmer, Jennifer K.**

---

**From:** Ybarra, Nicholas N.  
**Sent:** Friday, September 6, 2024 9:36 AM  
**To:** Fulmer, Jennifer K.; Estala, Guillermo; Yamaguchi, Jesus J.  
**Cc:** Mora, Karla K.  
**Subject:** RE: CCS SOP  
**Attachments:** CCS Paint Reuse Request Form.docx; COMMUNITY TOOL SHEDS.docx; Building Material Reuse REQUEST FORM 2017.docx; HHW Reuse REQUEST FORM 2014.docx

Jennifer,

For the questions below. Employees are allowed to take items from the CCS country store on certain conditions. They are not allowed to hide or store items where the public can not see them. It is on a first come first serve basis at the sites. They need to sign the same forms that are provided to the public which are attached to this email. They must wait until after work hours or on their day off to request items. I am unsure how supervisors present these conditions to the employees.

Nicholas N. Ybarra, PE, CFM  
Director  
7968 San Paulo Dr.  
El Paso, TX 79907  
(915) 212-6025 - Office  
(915) 283-8520 - Cell  
(915) 212-6100 - Fax

---

**From:** Fulmer, Jennifer K. <FulmerJK@elpasotexas.gov>  
**Sent:** Thursday, September 5, 2024 1:13 PM  
**To:** Estala, Guillermo <GuillermoE@elpasotexas.gov>; Yamaguchi, Jesus J. <YamaguchiJ@elpasotexas.gov>; Ybarra, Nicholas N. <YbarraNN@elpasotexas.gov>  
**Cc:** Mora, Karla K. <MoraKK@elpasotexas.gov>  
**Subject:** RE: CCS SOP

Thank you – so after they clock out, they can take any items they'd like to take? Do they have to sign anything? Are they told this condition verbally when they start working there?

Thank you,

Jennifer Fulmer | Sr. Human Resources Analyst  
(915) 212-6157  
MSC Human Resources |City of El Paso

---

**From:** Estala, Guillermo <GuillermoE@elpasotexas.gov>  
**Sent:** Thursday, September 5, 2024 12:40 PM  
**To:** Fulmer, Jennifer K. <FulmerJK@elpasotexas.gov>; Yamaguchi, Jesus J. <YamaguchiJ@elpasotexas.gov>; Ybarra, Nicholas N. <YbarraNN@elpasotexas.gov>  
**Cc:** Mora, Karla K. <MoraKK@elpasotexas.gov>  
**Subject:** Re: CCS SOP

Good Morning,

RECEIVED

OCT 01 2024

CIVIL SERVICE  
COMMISSION

**Fulmer, Jennifer K.**

---

**From:** Estala, Guillermo  
**Sent:** Wednesday, September 11, 2024 12:23 PM  
**To:** Fulmer, Jennifer K.; Yamaguchi, Jesus J.  
**Cc:** Mora, Karla K.  
**Subject:** Re: CCS Incident - Venegas

No reports on record

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---

**From:** Fulmer, Jennifer K. <FulmerJK@elpasotexas.gov>  
**Sent:** Tuesday, September 10, 2024 10:07:00 AM  
**To:** Estala, Guillermo <GuillermoE@elpasotexas.gov>; Yamaguchi, Jesus J. <YamaguchiJ@elpasotexas.gov>  
**Cc:** Mora, Karla K. <MoraKK@elpasotexas.gov>  
**Subject:** RE: CCS Incident - Venegas

I would just see what you have for the Pendale location for May 25<sup>th</sup> and we will go from there.

*Thank you,*

Jennifer Fulmer | Sr. Human Resources Analyst  
(915) 212-6157  
MSC Human Resources | City of El Paso

---

**From:** Estala, Guillermo <GuillermoE@elpasotexas.gov>  
**Sent:** Tuesday, September 10, 2024 10:01 AM  
**To:** Fulmer, Jennifer K. <FulmerJK@elpasotexas.gov>; Yamaguchi, Jesus J. <YamaguchiJ@elpasotexas.gov>  
**Cc:** Mora, Karla K. <MoraKK@elpasotexas.gov>  
**Subject:** Re: CCS Incident - Venegas

Good Morning,

All filled out paperwork is picked up weekly and brought back to 701 pendale . I will look into our records for paperwork filed but do to the investigation on Tony Venegas am I allowed to ask him if any was filled out.

---

**From:** Fulmer, Jennifer K. <FulmerJK@elpasotexas.gov>  
**Sent:** Tuesday, September 10, 2024 8:55 AM  
**To:** Yamaguchi, Jesus J. <YamaguchiJ@elpasotexas.gov>; Estala, Guillermo <GuillermoE@elpasotexas.gov>  
**Cc:** Mora, Karla K. <MoraKK@elpasotexas.gov>  
**Subject:** RE: CCS Incident - Venegas

Good morning Mr. Estala,

Following up on the email below – is the paperwork filed on location for when customers take items at the CCS? We are looking to see if a customer signed for about 8 items on May 25<sup>th</sup> between approximately 2:30 – 3:30 at Pendale.

*Thank you,*

Jennifer Fulmer | Sr. Human Resources Analyst





**From:** Fulmer, Jennifer K. <[FulmerJK@elpasotexas.gov](mailto:FulmerJK@elpasotexas.gov)>  
**Sent:** Friday, September 6, 2024 3:39:26 PM  
**To:** Yamaguchi, Jesus J. <[YamaguchiJ@elpasotexas.gov](mailto:YamaguchiJ@elpasotexas.gov)>; Estala, Guillermo <[GuillermoE@elpasotexas.gov](mailto:GuillermoE@elpasotexas.gov)>  
**Cc:** Mora, Karla K. <[MoraKK@elpasotexas.gov](mailto:MoraKK@elpasotexas.gov)>  
**Subject:** CCS Incident - Venegas

Good afternoon,

How would I find out if the person who received materials from Mr. Venegas on May 25<sup>th</sup> signed the appropriate paperwork required to take those items? It occurred between 2:34 and about 3:20 PM.

Thank you,  
Jennifer Fulmer | Sr. Human Resources Analyst  
(915) 212-6157  
MSC Human Resources |City of El Paso



**BUILDING MATERIAL REPURPOSE PROGRAM  
ENVIRONMENTAL SERVICES (915) 212-6000**

Date: \_\_\_\_\_ Environmental Services Employee: \_\_\_\_\_

Requesting Party: \_\_\_\_\_

Address: \_\_\_\_\_ Phone # \_\_\_\_\_

Items requesting: (Limit 10 items per visit)

- |  |   |
|--|---|
| <input type="checkbox"/> Sheet rock/Plywood                    | <input type="checkbox"/> Roofing shingles/Trimming          |
| <input type="checkbox"/> Cabinets/Paneling/Lumber/Wood fencing | <input type="checkbox"/> Sinks/Toilets                      |
| <input type="checkbox"/> Doors and Windows/Chain link fence    | <input type="checkbox"/> Bicycles/Lawnmowers/Lawn furniture |
| <input type="checkbox"/> Plumbing/PVC Pipes                    | <input type="checkbox"/> Washers/Dryers/BBQ grills          |
| <input type="checkbox"/> Tile/Linoleum/Insulation/Ceiling Tile | <input type="checkbox"/> Truck: Full / Half (circle one)    |

OTHER: \_\_\_\_\_

Please describe how the items will be utilized for non-commercial purposes: \_\_\_\_\_

The City of El Paso's Building Material Repurpose Program is offering products for reuse, free of charge. The City of El Paso stresses that it **CANNOT GUARANTEE** the integrity, safety, usability, or effectiveness of the items that are taken. The requesting party agrees to use the items in conformance with applicable laws, and in a manner that protects public health and the environment. The requesting party also agrees to properly dispose of any items in accordance with City of El Paso authorized guidelines and return, without delay, all unused material to the City of El Paso.

By signing this waiver form, the recipient is indicating they understand and agree to abide by the following provisions:

- Reuse materials/items are accepted "AS IS".
- The ESD Country Store cannot guarantee the quality of the materials/items or that it can be used without risk.
- The ESD Country Store cannot guarantee the integrity of the materials/items.
- The recipient releases the City of El Paso's ESD Country Store of all personal and property injury claims should the materials/items prove to be defective in any way.
- The recipient agrees to use the materials/items as intended.
- The recipient agrees not to sell the materials/items.
- The recipient agrees to take only what they need.
- The recipient agrees to return unused or faulty items to the reuse program for proper disposal.
- The recipient is 18 years of age or older.



**HHW REUSE PROGRAM  
ENVIRONMENTAL SERVICES (915) 212-6000**

Date: \_\_\_\_\_ Environmental Services Employee: \_\_\_\_\_

Requesting Party: \_\_\_\_\_

Address: \_\_\_\_\_ Phone #: \_\_\_\_\_

Items requesting: (Limit 3 per customer)

- |   |   |
|---|---|
| <input type="checkbox"/> Automotive products (WD-40, carburetor fluid, brake fluid) | <input type="checkbox"/> Wood preservative              |
| <input type="checkbox"/> Cleaning products (Pledge, bleach cleaner, toilet cleaner) | <input type="checkbox"/> Adhesives (Glue, putty, caulk) |
| <input type="checkbox"/> Pool chemicals   | <input type="checkbox"/> Pesticides                     |
| <input type="checkbox"/> Fertilizers  | <input type="checkbox"/> Propane tanks (camping size)   |
|   | <input type="checkbox"/> Paint thinners                 |

OTHER: \_\_\_\_\_

Please describe how the items will be utilized for non-commercial purposes: \_\_\_\_\_  
\_\_\_\_\_

The City of El Paso's Household Hazardous Waste (HHW) Reuse Program is offering products for reuse, free of charge. The City of El Paso stresses that it **CANNOT GUARANTEE** the integrity, safety, usability, or effectiveness of the products that are taken. The requesting party agrees to use the items in conformance with applicable laws, and in a manner that protects public health and the environment. The requesting party also agrees to properly dispose of any items in accordance with City of El Paso authorized guidelines and return, without delay, all unused material in original containers to the City of El Paso.

By signing this waiver form, the recipient is indicating they understand and agree to abide by the following provisions:

- Reuse materials are accepted "AS IS".
- The HHW Facility cannot guarantee the quality of the product or that it can be used without risk.
- The HHW Facility cannot guarantee that what the label reads is what is inside the container.
- The HHW Facility cannot guarantee the integrity of the container.
- The recipient releases the City of El Paso's HHW Facility of all personal and property injury claims should the product or the product's containers prove to be defective in any way.
- The recipient agrees to use the product as intended and according to the directions on the label.
- The recipient agrees not to sell the products.
- The recipient agrees to take only what they need.
- The recipient agrees to return unused or faulty products to the reuse program for proper disposal.
- The recipient is 18 years of age or older.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_





ENVIRONMENTAL SERVICES DEPARTMENT

COMMUNITY TOOL SHEDS

ENVIRONMENTAL SERVICES (915) 212-6000



Toolshed Location: \_\_\_\_\_ Environmental Services Employee: \_\_\_\_\_  
Organization Name: \_\_\_\_\_ Representative's Name: \_\_\_\_\_  
Address: \_\_\_\_\_ Phone # \_\_\_\_\_  
Driver's License # \_\_\_\_\_ State Issued \_\_\_\_\_  
Location of Project \_\_\_\_\_ # of Volunteers \_\_\_\_\_

***If you have a minimum of 20 volunteers participating in your clean-up call Environmental Services to pre-arrange a trash pick-up by calling 212-6000.***

DATE CHECKED OUT \_\_\_\_\_ DATE RETURNED \_\_\_\_\_

**Tools may be checked out for up to 5 days only! You must recheck out tools if they are needed past the 5 days. Tools NOT returned will result in being turned over to the El Paso Police Department.**

- |  |  |
|--|--|
| <input type="checkbox"/> SQUARE SHOVEL | <input type="checkbox"/> SHEARS          |
| <input type="checkbox"/> SPADE SHOVEL  | <input type="checkbox"/> HAND SPADE      |
| <input type="checkbox"/> LEAF RAKE     | <input type="checkbox"/> DUST PAN        |
| <input type="checkbox"/> HAND TILLER   | <input type="checkbox"/> PUSH BROOMS     |
| <input type="checkbox"/> HOES          | <input type="checkbox"/> DUEL CULTIVATOR |
| <input type="checkbox"/> TINE RAKE     | <input type="checkbox"/> OTHER _____     |

I hereby, for myself, my family, heirs, executors, and administrators, waive and release any and all claims and damages I may have against the City of El Paso's Environmental Services, representatives, successors, and assigns for any and all injuries which may be suffered by me or my family in connection with my and/or child's participation in the checking out of tools. I also grant full permission to City of El Paso's Environmental Services members to use any photographs and video recordings taken at clean up or beautification sites.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

FY24



# Standard Operating Procedures

## Clean El Paso Citizen Collection Stations



### Our Mission

To provide waste management and environmental protection for a better quality of life in El Paso.

Reviewed by:		Date:
Approved by:		Date:



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C. Daily duties include a 5-minute warm-up walk twice around the facility and stretching exercises.

D. SWSWs are not allowed to operate any equipment requiring a Class A or Class B license outside the facilities.



E. At the beginning of each day:

- Stand up meeting; receive instructions from SWOA or SWDS.
- Have proper City-issued Personal Protective Equipment (PPE) on hand.

F. Perform duties necessary to carry out operations, which include:

- Attend the entrance gate and screen customers' loads.
- Direct customers to the designated trash unloading areas.
- At 10:00 AM, Stand Down for ten (10) minutes.
- Certified SWSWs receive HHW. Store HHW in designated storage area.
- Safely operate the bobcat, glass crusher, or other equipment.
- Keep the CCS clean and free from potential hazards.
- Maintain the proper required documentation. Turn it in to your Supervisor.
- Keep the E-waste area clean.
- Keep the mulch container full.
- Other duties as assigned.

### **III. Solid Waste Service Lead Worker**

A. Your shift starts at 7:45 AM and ends at 4:15 PM, Tuesday through Saturday. Holidays, days with bad weather, and other make-up days may require schedule changes.

B. You are required to take a 30-minute lunch between 10:00 AM and 12:00 PM, or as determined by your Supervisor.

C. Daily duties include a 5-minute warm-up walk twice around the facility and stretching exercises.

D. At the beginning of each day:

- Stand up meeting; receive instructions from SWOA or SWDS.
- Have proper City-issued Personal Protective Equipment (PPE) on hand.

E. Perform duties necessary to carry out operations, which include:



- Operate the equipment safely; be aware of customers unloading.

G. At the end of the day:

- Perform a Post-trip inspection on the unit assigned to you. Document and report any defects.
- Turn in any required documentation for the day to your Supervisor.

## V. Solid Waste Operations Assistant

A. Your shift starts at 7:45 AM and ends at 4:15 PM, Tuesday through Saturday. Holidays, days with bad weather, and other make-up days may require schedule changes.

B. You are required to take a 30-minute lunch between 10:00 AM and 12:00 PM, or as determined by your Supervisor.

C. Daily duties include a 5-minute warm-up walk twice around the facility and stretching exercises.

D. At the beginning of each day:

- Stand up meeting; give instructions to EO and SWSW/SWLSW.
- Have proper City-issued Personal Protective Equipment (PPE) on hand.
- Perform a pre-trip inspection of your assigned unit. Document and inform your Supervisor of any defects.
- Check with the Fleet department on the status of any units in the shop
- Depart to the Delta Transfer Station.

E. At the Delta Transfer Station:

- Perform a pre-trip inspection on the tractor-trailer. Document the inspection and any issues.
- Back the tractor-trailer into the loading bay. Engage the air brakes and chock the tires.
- Inspect and make sure the trailer hooks are properly engaged before loading the trailer.
- Daily 10-minute Safety Stand Downs occur at 10:00 AM.
- Safely operate the bobcat, roll-off, or compactor as needed.
- Assist the SWDS with planning, coordinating, and scheduling work activities as needed.
- Verify that daily documentation is in compliance and properly filled out.



- B. Ensure the use of the following Personal Protective Equipment (PPE):
- Reflective vest/ attire
  - Safety glasses
  - Work gloves
  - Steel toe boots
- Reflective vest/ attire must be worn at all times when outside the cab of the truck and on premises.
- C. Replacement PPE is provided on an exchange basis only. You must present the old item before a new one will be issued.
- D. Lost, damaged or stolen PPE will be replaced only if an incident report for property damage is initiated and approved by the Solid Waste Operations Coordinator/ Manager (SWOC/SWOM). Abuse or neglect of PPE are reasons for initiating an incident report and disciplinary action.
- E. Be aware of customers unloading. Never compact when customers are unloading.
- F. Use the boom and claw from the Grab-A-Haul to crush debris, not compact it.
- G. When operating a Grab-a-Haul, never pick up debris from the front of the unit.
- H. Pay attention to your surroundings when exiting your unit. Use three points of contact when exiting a stake bed truck or forklift.
- I. Always use a guide when backing up a unit.
- J. Follow all applicable state and federal traffic laws. Obey posted speed limit and safety signs.
- K. Make sure your driver's license is current and in good standing. Immediately inform your Supervisor of any changes.
- L. Secure all loads when traveling on any roadway.
- M. Drivers are responsible for keeping the truck cab clean and maintained.
- N. If you cause property damage, always call your Supervisor/ Lead immediately.
- O. If you have an accident or injury, call your Supervisor/ Lead immediately.





## ADMINISTRATIVE POLICIES AND PROCEDURES

Policy: City of El Paso Discipline Policy and Matrix  
Creation Date: April 6, 2011  
Revision Date: May 2, 2013; May 30, 2015  
Prepared By: HR Department  
Approved By: City Manager  
Legal Review: Elizabeth Ruhmann

### **POLICY: CITY OF EL PASO DISCIPLINE POLICY AND MATRIX**

#### **I. POLICY:**

The City of El Paso is committed to a goal of high performance by all employees in order to fulfill its mission of outstanding customer service to the citizens of our community. The purpose of this policy and matrix is to provide City leaders and supervisors with a guideline and reference for corrective and disciplinary action. The City of El Paso Human Resources Department accepts and investigates all allegations of employee misconduct and imposes corrective and progressive disciplinary action in a timely and consistent manner, as appropriate. This policy outlines the procedure for investigating allegations of employee misconduct, issuing corrective action, and applying the Matrix to impose discipline.

#### **II. PROCEDURES:**

##### **A. Basis for Discipline**

1. Employees are subject to discipline for violations of the law, City Charter provisions that constitute cause for discipline, Civil Service Commission Rules and Regulations, City policies, Departmental policies and procedures and verbal or written directives from supervisory personnel.
2. Failure to report a violation of anything listed under II-(A) is considered a basis for discipline.



4. Employees interviewed during administrative investigations are prohibited from communicating the nature or details of the Investigation, either directly or indirectly, with anyone besides an Attorney for the City, the DHRM, the Human Resources Director or designee, or the employee's supervisor or Department Head. Nothing in this policy would prevent an employee from discussing the investigation with their attorney or representative if they have such representation.

### III. CORRECTIVE ACTION

The following types of corrective action may be issued to an employee prior to utilizing the disciplinary matrix.

- A. Counseling: A verbal counseling may be provided by supervisory personnel to the employee informing the employee of the infraction or problem, corrective measures or what is expected of the employee, and consequences of continued infractions. The verbal counseling is an opportunity to discuss work-related problems in private with the employee. The supervisor should administer the verbal counseling. If a supervisor requests assistance with issuing a verbal counseling, the Human Resources Director or designee, or the DHRM, will provide further assistance or guidance.

### IV. DISCIPLINARY MATRIX

The attached disciplinary matrix provides supervisory personnel and Department Heads with the parameters of discipline that shall be imposed on an employee when an infraction occurs that violates the law, a Civil Service rule, policy, or regulation of the department. The purpose of the matrix is to provide notice to employees of the types of conduct that will result in disciplinary action and to serve as a deterrent of such conduct so as to promote efficiency of service by ensuring high standards of City service and maintaining public confidence in the City of El Paso.

The matrix is intended for use as a guide to selecting an appropriate level of discipline for actionable misconduct. This matrix does not substitute for supervisory judgment and does not dictate discipline. Rather, this matrix provides a framework within which supervisors exercise judgment on a case-by-case basis within the parameters provided. The final determination for discipline at the minimum level or higher rests with the Department Head as defined in Civil Service Rule 8 and Rule 11, or as defined in the Civil Service Rules and Regulations.

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1. identify which State or Federal laws, rules, policies, and/or regulations were violated,
2. contain narrative specifications (charges), and
3. include a record of previous discipline, if any. The Notice of Demotion shall be issued by the Department Head and must always be reviewed by the City Attorney's Office before being administered to the employee.

D. Termination: A termination is separation of employment and must be completed on an appropriate Notice of Separation form with effective date for dismissal in accordance with Civil Service Commission Rules. The Notice of Separation must:

1. Identify which State or Federal laws, rules, policies, and/or regulations were violated,
2. contain narrative specifications (charges), and
3. include a record of previous discipline, if any. The Notice of Separation must always be reviewed by the City Attorney's Office before being issued to the employee by the Department Head.

#### V. APPLICATION OF THE DISCIPLINARY MATRIX

- A. The application of progressive discipline is designed to take into account any instance of corrective action or previous discipline. The Department Head shall choose the appropriate disciplinary action at the appropriate level for each offense.
1. A Department Head has a choice of severity of disciplinary action beginning from the floor for the specific type of offense, at the appropriate level. When significant mitigating or aggravating circumstances exist, the discipline range may be expanded upon in either direction. For example, if the matrix indicates a 10-day suspension, the Department Head may determine that a less severe consequence is more appropriate based on mitigating factors. Likewise, the discipline could be greater than a 10-day suspension if there are significant aggravating factors. Whenever



# CITY OF EL PASO DISCIPLINARY MATRIX

05-30-18

**OFFENSE  
(CAUSE OF ACTION)**

**1<sup>ST</sup> OFFENSE  
PENALTY**

**2<sup>ND</sup> OFFENSE  
PENALTY**

**3<sup>RD</sup> OFFENSE  
PENALTY**

**4<sup>TH</sup> OFFENSE  
PENALTY**

LEVEL 1 VIOLATIONS	1 <sup>ST</sup> OFFENSE PENALTY	2 <sup>ND</sup> OFFENSE PENALTY	3 <sup>RD</sup> OFFENSE PENALTY	4 <sup>TH</sup> OFFENSE PENALTY
AWOL/Failure to report for mandatory overtime/callback	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Being offensive in conduct or language	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Creating Employee Dissension	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Dress Code/Uniform Policy violation ***	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Driving on behalf of the City without current Defensive Driving Certification (DDC)	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Failure to attend scheduled training	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Failure to report driver license revocation/suspension	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Failure to enforce City/Department Rules	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Failure to report a violation of policy	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Failure to follow City/Department Rules or Policies	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Misuse of City resources	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
At fault motor vehicle/equipment accident/incident resulting in minor property damage/injury	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Inappropriate use of the City's e-mail or Internet	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION
Time and Attendance Violations/Unauthorized Overtime	FORMAL COUNSELING	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/TERMINATION

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# CITY OF EL PASO DISCIPLINARY MATRIX

05-30-18

**OFFENSE  
(CAUSE OF ACTION)**

**1<sup>ST</sup> OFFENSE  
PENALTY**

**2<sup>ND</sup> OFFENSE  
PENALTY**

**3<sup>RD</sup> OFFENSE  
PENALTY**

**4<sup>TH</sup> OFFENSE  
PENALTY**

OFFENSE (CAUSE OF ACTION)	1 <sup>ST</sup> OFFENSE PENALTY	2 <sup>ND</sup> OFFENSE PENALTY	3 <sup>RD</sup> OFFENSE PENALTY	4 <sup>TH</sup> OFFENSE PENALTY
<b>LEVEL 2 VIOLATIONS</b>				
Dishonesty	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/ TERMINATION	
Disobeying a Direct Order (Insubordination)	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/ TERMINATION	
Not available when on-call	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/ TERMINATION	
Retaliation	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/ TERMINATION	
Moderate at fault motor vehicle/equipment accident/incident resulting in moderate property damage/injury	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/ TERMINATION	
Inefficient performance	3 DAY SUSPENSION	10 DAY SUSPENSION	DEMOTION/ TERMINATION	





# CITY OF EL PASO DISCIPLINARY MATRIX

05-30-18

**OFFENSE  
(CAUSE OF ACTION)**

**1<sup>ST</sup> OFFENSE  
PENALTY**

**2<sup>ND</sup> OFFENSE  
PENALTY**

**3<sup>RD</sup> OFFENSE  
PENALTY**

**4<sup>TH</sup> OFFENSE  
PENALTY**

<b>LEVEL 4 VIOLATIONS</b>	<b>1<sup>ST</sup> OFFENSE PENALTY</b>	<b>2<sup>ND</sup> OFFENSE PENALTY</b>	<b>3<sup>RD</sup> OFFENSE PENALTY</b>	<b>4<sup>TH</sup> OFFENSE PENALTY</b>
At fault motor vehicle/equipment accident/incident resulting in serious injury or death.	TERMINATION			
AWOL (3consecutive days)	TERMINATION			
Felony Conviction affecting job related duties	TERMINATION			
Violation of a departmental policy that mandates termination ****	TERMINATION			
Loss of required License/Certificate where required in Job Description	TERMINATION			
Sexual Harassment- Assault	TERMINATION			
On Duty use/consumption/distribution of alcohol or illegal substances	TERMINATION			
Positive test for alcohol or illegal substances/Refusal to submit to testing	TERMINATION			
Accessing/distributing/displaying pornography **	TERMINATION			
PIP – Unsuccessful completion of a Performance Improvement Plan – Incompetency or negligence of performance of duties – Recurrent inefficient performance	TERMINATION			

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