



**Department of
Social Services**

Human Resources
Administration

Department of
Homeless Services

W-2-581
04/18

Office of Human Capital
Management

September 11, 2018

Steven Banks
Commissioner

CONFIDENTIAL

VIA FIRST CLASS & CERTIFIED RETURNED RECEIPT MAIL

Molly Murphy
DSS First Deputy
Commissioner

Melina Cardona


Matthew Brune
Chief Operating Officer

Re: ODA Case Tracking Nos. 1105078-02 and 1105078-03

Mark L. Neal, Esq.
Executive Deputy
Commissioner

Dear Ms. Cardona:

150 Greenwich Street
New York, NY 10007

929 221 5667

During a pre-trial conference at the Office of Administrative Trials and Hearings (OATH) held on September 4, 2018, a Stipulation of Settlement was entered into between you, your attorney, and this agency in settlement of the charges identified by ODA Case Tracking Nos. 1105078-02 and 1105078-03 (see attached).

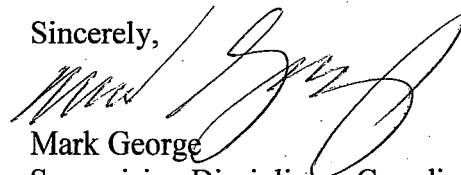
As per the Stipulation of Settlement, you agreed to a twenty-five (25) day penalty to be apportioned as follows:

1. Twenty (20) calendar day suspension already served (10 day immediate suspension served from 4/26/18 – 5/9/18, and 10 day immediate suspension served from 8/14/18 – 8/27/18);
2. A five (5) day suspension shall be held in abeyance for a period of nine (9) months (from 9/4/18 – 6/4/19). If, during this period, you commit misconduct in violation of the same DHS policies charged herein, specifically DHS police policies regarding (a) use of excessive force, (b) being courteous and professional in contact with clients and other staff, (c) threatening and/or intimidating a member of the public, and (d) failure to report an arrest within seventy-two (72) hours, the incidents will be reviewed by the Office of Disciplinary Affairs (ODA) at a Step I/Informal Conference. If you are found to have engaged in any of the above incidents of misconduct during the time period during the indicated, the penalty held in abeyance will be implemented. The abeyance period will be tolled by any leaves of absences over five (5) days or any disciplinary suspensions.

3. This penalty will be considered twenty-five (25) days for progressive discipline regardless of whether the penalty held in abeyance is triggered.
4. As part of this settlement agreement, you agreed to waive your rights to an administrative hearing/proceeding at OATH or arbitration to contest the instant charge (tracking numbers 1105078-02 and 1105078-03).

We remind you that you are expected to conform to departmental regulations and standards of conduct so that further disciplinary action against you will not be necessary. If you have any questions concerning this matter, please contact your union representative.

Sincerely,



Mark George
Supervising Disciplinary Coordinator
Office of Disciplinary Affairs

Enclosure

cc: Bert M. Oberlander, Esq.
Gonzalez & Oberlander, LLP
18 East 41st Street, 6th Floor
New York, New York 10017

MB/mg