

EXHIBIT 'A'

RE: Melina Cardona **EIN:** 1105078

TITLE: Special Officer

RC: DHS Security

LOCATION: [REDACTED]

ADDRESS OF RECORD: [REDACTED]

SPECIFICATION I:

On or about October 14, 2018, while working your scheduled 2:00 pm to 10:00 pm shift at Access Control, you recovered one medium zip lock baggie containing alleged marijuana from a DHS shelter client. You failed to immediately report the incident to your supervisor, Sergeant [REDACTED], as required. **Your behavior and actions violated rules contained in roman numerals I, II, III, VIII, and IX below.**

SPECIFICATION II:

Despite being conferenced previously on your responsibility as a Special Officer to perform an overtime assignment as directed if you are mandated, you refused to work a mandated overtime shift on or about November 1, 2018, when you were served paperwork by Sergeant [REDACTED], which was mandating you to work the 10:30 pm to 6:00 am shift as overtime. Upon receiving this assignment, you stated to Sergeant [REDACTED] while laughing, "Write me up or give me a CD (Command Discipline) whatever. I'm not staying." **Your behavior and actions violated rules contained in roman numerals I through VII, IX, and X below.**

SPECIFICATION III:

Despite being conferenced previously on your responsibility as a Special Officer to perform an overtime assignment as directed if you are mandated, you refused to work mandated overtime shift on or about November 9, 2018, when you were served paperwork by Sergeant [REDACTED], which was mandating you to work the 10:30 pm to 6:00 am shift as overtime. You stated to Sergeant [REDACTED], "You better write me up then; I'm not staying." **Your behavior and actions violated rules contained in roman numerals I through VII, IX, and X below.**

SPECIFICATION IV:

On or about November 25, 2018, at approximately 11:00 pm, Sergeant [REDACTED] observed and recovered your eight point hat which contains your cap device with your badge number on it, as well as your activity log, from an FJC security guard. These items were in a lower level desk in the facility, rather than being on your person and properly safeguarded, as is required. **Your behavior and actions violated rules contained in roman numerals I through III, IX, and XII – XVI, below.**

SPECIFICATION V:

Despite being previously conferenced on or about October 12, 2018, and on or about November 4, 2018, by your supervisor, Sergeant [REDACTED], on your responsibility as a Special Officer to submit your timesheets every Friday at the end of your tour, on or about Sunday, December 2, 2018, you failed to submit your timesheet for the week ending December 1, 2018, which was

discovered in draft status by Sergeant [REDACTED]. **Your behavior and actions violated rules contained in roman numerals I through VII, and IX below.**

SPECIFICATION VI:

Despite being advised by your supervisor, Sergeant [REDACTED], at roll call on Monday, December 10, 2018, to remain on your assigned post, at 5:02 pm, you left your assigned post and were observed by Sergeant [REDACTED] entering the facility through the employee hallway on the first floor without prior authorization from Sergeant [REDACTED]. **Your behavior and actions violated rules contained in roman numerals I through VII, IX, and X, below.**

Your behavior and actions, described above, violated the following DHS rules:

- I:** You violated the DHS Code of Conduct, Chapter I, Section 1.1, which states: “Employees shall comply with all of the provisions of this Code of Conduct.”
- II:** You violated the DHS Code of Conduct, Chapter I, *Standards of Conduct*, Section 1.2, which provides in relevant part that, “Employees are not to conduct themselves in a manner prejudicial to good order and discipline. Conduct prejudicial to good order and discipline includes, but is not limited to: (e) Engaging in conduct disruptive to the operations of the Department.”
- III:** You violated the DHS Code of Conduct, Chapter I, *Standards of Conduct*, Section 1.2, which provides in relevant part that, “Employees are not to conduct themselves in a manner prejudicial to good order and discipline. Conduct prejudicial to good order and discipline includes, but is not limited to: (j) Any conduct that would reflect poorly on the Department or tend to bring the City or the Department into disrepute.”
- IV:** You violated the DHS Code of Conduct, Chapter 4, *Performance of Duties*, Section 4.1, which provides that “Employees are expected to carry out all work assignments given to them by their Supervisor as accurately and efficiently as possible.”
- V:** You violated the DHS Code of Conduct, Chapter 4, *Performance of Duties*, Section 4.2, which provides that “If an employee is unable to carry out an assignment for any reason or within the prescribed time period, he or she shall promptly notify his or her supervisor and provide specific reasons for the inability to do so.”
- VI:** You violated the DHS Code of Conduct, Chapter 4, *Performance of Duties*, Section 4.3, which provides that “Employees shall obey all work orders and other directives of their supervisors. Each employee is advised that all of their Supervisor’s work orders and other directives must be obeyed immediately.”
- VII:** You violated the DHS Peace Officer Guide Procedure 101-01, *Duties and Responsibilities*, which states in relevant part “Do not leave post until you have been relieved or otherwise directed.”
- VIII:** You violated the Department’s Peace Officer Guide, Procedure 105-03, *General Regulation. Performance on Duty*, # 9, which requires all Peace Officers to, “Immediately

report to his/her supervisor anything of an irregular or offensive nature, anything likely to cause public inconvenience, disruption of service or any dangerous conditions.”

- IX:** You violated the DHS Peace Officer Guide Procedure 105-04, *General Regulation. Prohibited Conduct*, which prohibits in relevant part “Engaging in conduct prejudicial to good order, efficiency or discipline of the agency.”
- X:** You violated the NYC Department of Homeless Services Peace Officer Guide Procedure 104-07, *Overtime*, # 2, which states, “Employees mandated to perform overtime work are required to perform overtime assignment as directed.”
- XI:** You violated the Department’s Code of Conduct, Chapter 5, Section 5.3, which states “Employees shall accurately, and in a timely manner, record and submit for their supervisor’s approval their working hours using CityTime (or any other timekeeping system that modifies or replaces CityTime in whole or in part)”.
- XII:** You violated the Department’s Code of Conduct, Chapter 4, Section 4.6, which states in relevant part, “Identification cards (ID) and/or badges must be properly safeguarded against loss or theft both on and off the job. Loss or theft of IDs and/or badges must be reported in writing to the employee’s supervisor immediately upon discovery of such loss or theft.”
- XIII:** You violated the NYC Department of Homeless Services Peace Officer Guide Procedure 105-03, #19, which states, “Maintain Department property issued or assigned for use in a serviceable condition.”
- XIV:** You violated the NYC Department of Homeless Services Peace Officer Guide Procedure 106-01, #10, which states, “While performing duty in public (indoors or outdoors) in uniform, wear regulation seasonal hat, shirt, trousers and required equipment.”
- XV:** You violated the NYC Department of Homeless Services Peace Officer Guide Procedure 105-05, #5(b), which states, “Caps must be worn when assigned to fixed posts, patrol or details.”
- XVI:** You violated the NYC Department of Homeless Services Peace Officer Guide Procedure 114-05, which states in relevant part, “Uniformed Member of Service shall safeguard against the loss or theft of department property.”

02/13/19