



OFFICE OF POLICE OVERSIGHT

NOTICE OF COMPLAINT

November 4, 2022

ICMS #: 2022-0993

On October 31, 2022, the OPO received an online complaint.

The complainant alleges: I submitted leave on [REDACTED] for 1-hour PCU from [REDACTED] [REDACTED], which were approved for the following days: [REDACTED] On [REDACTED] [REDACTED], after our shift show-up, I had a personal conversation with SGT [REDACTED] and CPL [REDACTED] [REDACTED] about the leave requests I submitted on [REDACTED] being denied. I submitted the following leave dates, all for 1-hour PCU from [REDACTED] that were denied: [REDACTED]

[REDACTED] I was informed by SGT [REDACTED] the 1-hour PCU leave requests were denied due to staffing shortages and not being able to have me unavailable for 1 hour. SGT [REDACTED] said this was his decision, however, SGT [REDACTED] said he already cleared his decision with LT [REDACTED] I submitted PCU for 1-hour from [REDACTED] on [REDACTED] for [REDACTED] and [REDACTED]. Since SGT [REDACTED] informed me [REDACTED] about my 1-hour PCU leave requests being denied, I asked SGT [REDACTED] if these leave requests were also denied. SGT [REDACTED] responded with, "Is this request also for working out during our normal shift hours?" to which I responded, yes Sir. SGT [REDACTED] responded with, "Yes, it is being denied." Leave I have submitted is not putting me in a deficit, I have earned every hour of leave through my dedicated service to the Department. After 8 years of continuous service, I have accumulated many hours of various leave types. The notion of me being unavailable for one hour, in SGT [REDACTED] words, "Would cause the shift to be understaffed and less safe on the streets" I believe is disingenuous. When I first arrived at the shift over 1 year ago, SGT [REDACTED] encouraged all of us to utilize 1 hour out of the day to exercise, and that was in addition to taking a 40-minute lunch. My recommendation was to either take the exercise time or lunch time but not double dip, which is what I did. At times, I would see SGT [REDACTED] in the gym exercising and he would make the comment, "I don't know why more people do not take advantage of this." Initially, our exercising privilege was taken away for having "Shift Conflict", not for staffing purposes. I removed the privilege aspect of exercising on duty by utilizing my personal compensation hours, which I gained through working Patrol overtime with other shifts, and I am giving up anywhere from \$60-\$80 an hour to exercise. Our sister shift the [REDACTED] can exercise on duty for free. I believe my



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leadership is grasping for any reason to deny me the opportunity to exercise on duty. Why leadership would not want a fit Cop, I have no idea. As a Disabled Veteran, I exercise for mental and physical health reasons. 1. Date on which you had actual or constructive knowledge of the event giving rise to this grievance. [REDACTED] 2. Describe the resolution that you are seeking. I am not sure anymore. 3. Describe the specific attempts that you have made to resolve this issue with your immediate and next level supervisors. Conversation with SGT [REDACTED] and CPL [REDACTED] Since SGT [REDACTED] said he cleared his decision with LT [REDACTED] I did not see the use of requesting a meeting with LT [REDACTED] 4. Describe your supervisors' response(s). Read my statement please. 5. Explain the reasons for your dissatisfaction with the response(s) of your supervisor(s). Read my statement please. 6. Include any additional information that you believe is relevant to your grievance. Read my statement please. I have submitted a Grievance and IA complaint for being preemptively denied the use of Flex Time, which our sister shift the [REDACTED] are able to use. I have submitted a Grievance and IA complaint for unfair and unequal treatment. I have submitted a Grievance and IA complaint for being denied leave because leadership made a rule on leave requests, without verifying with the HR Department to ensure they were not violating any labor laws, on limiting the number of hours you can take a month and can only submit leave 2 months in advance. Keep in mind we have an officer on our shift who will have taken approximately 1,170 hours of vacation by the end of this year. And now I am submitting a Grievance and IA complaint for this incident. I believe my leadership is now complicit with Workplace Harassment.

This notice of complaint is a request for Internal Affairs to initiate an investigation to determine if the employee conduct is within compliance of APD policy, Civil Service Rules, and Municipal Civil Service Rules.