

INVESTIGATION REPORT

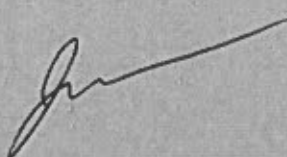
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11.13.23
Monday

CONFIDENTIAL AND NOTICE OF RESTRICTED USE

This Investigation Report was prepared in anticipation of litigation. Access to and use of this report and file is **RESTRICTED** to the City of Odessa and its representatives who must have access to the files to discharge their official duties. The file and its content must be safeguarded.

Prepared by: 
Charles Hurst
Human Resources Director

11/13/23
Date

Concur w/HR ?
Legal.


INVESTIGATION REPORT

BACKGROUND

On October 6, 2023 two Wastewater Collection department employees filed a grievance regarding working conditions in their department. Within the grievance was an allegation of physical violence, use of a taser on another employee, on the part of Dusty Alford. The City Manager was promptly advised and an investigation opened. The investigation was assigned to HR Manager C. Ramos.

APPLICABLE LAWS/POLICIES & PROCEDURES:

City Personnel policy 6.101

INTERVIEWS

Attached

FACTS

Mr. Alford did bring a handheld taser into the workplace and did use the taser on at least one other employee without that employee's consent. He also threatened other employees with the device. Multiple supervisors were aware that he was in possession of the instrument.

FINDINGS

The investigation (attached) revealed a workplace that is inadequately supervised with an overly permissive atmosphere with regard to verbal and physical abuse. Multiple supervisors evaded the interviewer's questions or concealed information from her.

RECOMMENDATIONS

I recommend termination of employment for Mr. Alford. I further recommend that Mr. Niles modify the behavior of the supervisory staff, beginning with Antonio Madrid, through the use of disciplinary measures or termination as he deems appropriate.

Legal Department Review and Recommendation:

Concur X DCT
Do not concur _____ (justification attached _____ Y or _____ N)

Legal: Route to City Manager

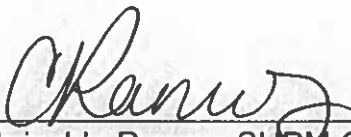
City Mgr: Please return to Human Resources Director after review

INVESTIGATION REPORT

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Prepared by:



Chriselda Ramos, SHRM-CP
Human Resources Manager

10/12/23
Date

INVESTIGATION REPORT

BACKGROUND

On Friday, October 6, 2023, Raul and Saul came into HR to file a grievance on the Utilities Department. Both Raul and Saul brought forth information about Dusty Alford bringing a taser to work and harassing Saul with the taser. According to both parties, Dusty tased Michael and Joe while the supervisors were aware that he had a weapon. Both Saul and Raul stated that Dusty is very aggressive with Michael and Joe and have seen him wrestle with them and try to choke them out. It was stated by Saul, that Dusty is the main reason why he gave his resignation and feels threatened to come to work on a daily basis, especially if he was on their crew for the day.

APPLICABLE LAWS/POLICIES & PROCEDURES:

- *Policy 6.101 Disciplinary Actions (L) Disturbance (1) fighting or boisterous conduct.*
- *Policy 6.101 Disciplinary Actions (L) Disturbance (2) Deliberately causing physical injury to another employee or citizen.*
- *Policy 6.101 Disciplinary Actions (J) Insubordination (1) willful failure or refusal to follow the specific orders or instructions of a supervisor or higher authority.*
- *Policy 6.101 Disciplinary Actions (O) Failure to Report a Violation failure to report to the proper authority any known violation described in Subparagraphs (F), (G),(H), (I), (K), (L), or (M).*

INTERVIEWS

- **Raul Navarrete** – Friday afternoon, after Raul's initial discussion with Kathryn Miller, I asked Raul to come back in and discuss some of the details in the grievance he brought forth against his department. Raul stated that multiple people witnessed Dusty with the taser, and they all told him to stay away from them because no one wanted to be tased. Raul stated that Dusty is a very aggressive person and he has witnessed him wrestling with his crewmember. Raul also stated he witnessed Dusty "playing around" with Saul, stating that he was going to tase him, and Dusty mentioned that Michael and Joe had let him taze them. Raul stated that many of the supervisors were aware that Dusty had a taser, and they did nothing to address the issue. When I asked which supervisors knew of the situation, Raul said Elo Diaz, Rudy Payen, and Ruben Guzman. Raul stated he had not been tased and did not witness anyone be tased, but he had witnessed Dusty threatening to tase Saul. Raul said Dusty is not only a bully to the crew members but also to the admin team. He repeatedly calls Rachel Deleon a "witch" in Spanish and is very rude to her when speaking to her. I asked Raul if he has ever confronted Dusty on how he talks to people, and Raul stated he was told to let the supervisors handle it. Raul then chose to file a grievance against Dusty and the supervisors in the department for not taking control of the situation and allowing Dusty to continue harassing people in this manner.

- **Saul Trujillo** – Saul came in after his initial conversation with Kathryn. Saul stated that “Today” is his last day (Friday, October 6), and he felt he needed to let someone know about the incidents that occurred throughout his time with the City. Saul stated that a big factor in his leaving the City is the harassment he endured from Dusty Alford. Dusty had previously harassed him by always wanting to wrestle or fight. Saul said he would tell Dusty to leave him alone, and Dusty would respond with name-calling or state that he had previously fought/wrestled with Michael or Joe. Saul stated that on Monday, October 2, 2023, Dusty brought in a taser and again started harassing Saul. Saul stated that Dusty was walking around where he was and pushing the clicker like he was going to tase Saul all day. Saul stated that he told Dusty not to tase him and that Dusty again told him Joe and Michael let him tase them. Saul stated that the whole day made him super uncomfortable, and he was afraid that Dusty would bring it up again and treat someone else the same. Saul stated that Dusty never did tase him, nor did he witness Dusty tase anyone else, but he chose to file a grievance against Dusty for harassing him and threatening to tase him.
- **Kevin Niles** – I spoke with Utilities Director Kevin Niles on Friday afternoon and let him know the situation of the taser. I told him who had the taser and who was said to have been tased. I asked for his help in bringing the individuals mentioned during their interviews into HR to receive their information.
- **Michael Pena** – I called Michael to come into HR late Friday afternoon. Michael was one person stated to be tased by Dusty. I told Michael it had been brought to HR that he had been tased. I asked him to confirm this allegation, and he said that Dusty had tased him while driving. I asked if he was okay and if he would like to file a police report. Michael stated he did not want to file a report. Michael stated that Dusty is always playing around and always wants to wrestle or joke around. So when he brought the taser, Michael didn't think anything of the situation. While driving, Michael stated Dusty kept getting close to him with the taser, and Michael would tell him to cut it out or not touch him with the taser. After a while, Dusty put the taser on Michael's leg and tased it. I asked Michael if anyone was around to witness the tasing or if he knew of anyone else getting tased, and Michael stated no to both questions. I asked Michael if anything else occurred with Dusty that he wanted us to be aware of, and Michael stated no. At this time, I requested Michael to put the situation in writing and to state he did not want to press charges nor complete a police report on the issue.
- **Joe Rosas** – I spoke with Joe on Monday morning. Joe stated he had not seen the taser and did not witness Michael get tased. I asked if Dusty had ever been aggressive or tried to fight him or others around him. Joe stated that Dusty and Michael joke around but are never aggressive towards each other, and he had not seen people wrestle or fight at work. I confirmed once more that Joe had not been tased by Dusty, and Joe once again stated he was not tased, nor was he aware of the taser on the property.
- **Eloy Diaz** – Eloy came into HR on Monday morning. The discussion with Eloy was based on the initial reports. When I asked Eloy if he knew that the employee brought a Taser, Eloy stated that he did not see it directly, but Raul told him about it on Friday,

and Eloy directed Raul and Saul to HR to report the incident. Though he is a supervisor, Eloy stated Rudy Payen is the one who supervises this particular crew, and Eloy did not see Dusty that day. Eloy mentioned other scenarios in which Dusty was aggressive and went too far. For instance, Saul and Dusty were in the shop when Saul made a joke, Dusty got upset and was banging chairs and flipped a table. Eloy told me he confronted Dusty on the issue and stated it was not okay for Dusty to get that upset. Dusty got upset at Eloy and lashed out verbally. I asked Eloy why it was okay for Dusty to address people in such a manner, and Eloy stated he had tried to write up employees, but Tony Madrid continued to tell Eloy to throw away the write-up and just start fresh. When asked if he would like to file a grievance on the issues he discussed with me, Eloy stated no because he has two more years and plans to retire; he didn't want to cause issues like the last time he was employed with the City.

- **Rudy Payen** – Rudy came into the HR office Monday morning. When asked if he was aware of Dusty bringing in a taser, Rudy stated that he was aware and that Dusty was showing it off to the team. Rudy stated he was unaware Dusty tased Michael and harassed Saul with the taser. Rudy stated that when he noticed Dusty had the taser, he told him he needed to put it up and remove it from city property. According to Rudy, Ruben Guzman and Casey Corbell were also aware of the taser, and Ruben was playing around with it for a second. When I asked if Rudy knew about Dusty harassing his team with the taser, Rudy stated he was not always with the crew and that he was unaware of the issue. He also stated that he didn't think Dusty having a taser was a big deal because Dusty is always messing around and playing. He didn't think he was going to tase anyone with it. When I asked why he didn't write up Dusty for breaking policy or not addressing the issue, he stated, "Well, I told him to put it up, and he didn't listen, I guess." I asked Rudy who was in his crew, and he stated he supervises all the crews but works mainly with Dusty, Joe, and Michael. Rudy was unaware if Joe was with the crew that day, but if he was, he would have ridden with Michael and Dusty. Rudy mentioned that sometimes, Saul would come in and help out. But as of early last week, the crew didn't want Saul on their crew, and he didn't know what the reasoning was. Rudy stated he had witnessed Dusty wrestling and throwing water and mud at Saul, but Saul was also throwing it back, so he didn't say anything other than, "I don't want to see y'all fighting later." I asked if he felt that Dusty was acting as a crew leader at this time, and Rudy stated yes. At this time, I discussed proper protocols with Rudy and stated if in the event a subordinate does not follow directions, he will need to use policy procedures and write up the employees. I asked if he had any grievances to file, and Rudy stated no, concluding our conversation.
- **Ruben Guzman** – Ruben came to interview at HR Friday afternoon. When asked if he was aware of Dusty bringing in a taser, Ruben said he was aware that Dusty brought in a taser to the lounge but stated he did not pick up or play with the taser. Ruben stated there are cameras for the parking lot but is unaware of any cameras in the lounge area or conference room. Ruben also stated that Rudy, Michael, and Joe were present while Dusty was showing him the taser. Ruben stated he did not think it would be a big deal for Dusty to have the taser. According to Ruben, Dusty was the

only one who was playing around with the taser. Ruben stated that Dusty jokes around with the crew, but he has never seen him be a bully. Ruben stated that Saul used to work with Dusty, but suddenly, Dusty asked Ruben not to put Saul on his crew. Ruben was unaware of what had happened to cause the situation. Ruben stated he has never been dared nor heard of anyone daring someone to go through each other's backpack. Ruben stated he could see it happening because they play around a lot. Ruben was aware that Dusty brought fireworks (Pops) around the 4th of July. Ruben considered the group "a group of kids" playing around with the fireworks. Ruben stated he is a supervisor, but for the most part, Rudy chooses to supervise Dusty, Michael, and Joe.

- **Tony Madrid** – Tony Madrid came into the office to discuss the investigation into his department. Tony stated he was unaware that Dusty brought in a taser, but "someone" told him. Tony would not state who. Tony says his office is a little farther from the break area where the group normally hangs around. Tony stated Saul was happy to get a job in Midland but didn't think Dusty caused any issues. According to Tony, Saul was going to Midland to do similar work that he previously did in the Parks Department. Tony stated that the guys like to stay within their crews, but he is not opposed to moving employees to areas where he needs help. Tony stated he had seen the guys hug each other but couldn't recall any horseplaying. Tony was unaware of the group's popping fireworks and unaware that his supervisors knew of the fireworks. Tony stated that he speaks with his supervisors every morning, but they discuss task-oriented issues. Tony has not received grievance complaints or issues within his department in some time, but if he did receive complaints, he would make a copy and send it to HR. Tony stated that Rachel jumps on the group or yells at them to get their work done, validating how Dusty treats Rachel. Tony stated that the guys are lazy, and though he understands there should be a policy or procedure in place, he hasn't thought of implementing a process to remove the issues between them. When discussing the backpack dares, Tony chuckled and said that is the first he's ever heard of the issue. Tony wanted to clarify if it was against the law for Dusty to have a taser, I clarified it was not against the law, but it was a policy not to have weapons on city property. This ended the investigation interview.
- **Casey Corbell** – Casey came into the office on Tuesday morning. When asked if Casey knew Dusty had a taser, Casey stated he knew he had a taser but paused for a bit when asked if he had seen it and said he didn't remember. When I readdressed the question in a different way, Casey stated Dusty did show it to him, but it was at the end of the day, and he told him he shouldn't have it on the property. Casey stated he was unaware of Dusty harassing someone with the taser. Casey was unaware that Dusty tased Michael. When asked if Dusty name calls or horseplay, Dusty stated, "To be in this line of work, the guys need to have a sense of humor." Casey stated he did not consider a taser a weapon. According to Casey, no one brought any type of issues up about Dusty to him. Casey said he had heard Dusty state, "I will give you money to take something" but didn't take it seriously, nor did he think they would do it. Casey stated he was unaware that there were fireworks on the property. Casey stated he wasn't concerned about the taser, which is why he didn't say anything to Tony. Casey

also stated he was unaware of the issues with Dusty and Saul because Saul was a good employee. He also stated that the horseplay does get a bit out of hand, and he feels bad that this led to Saul leaving. This ended our conversation.

- **Dusty Alford** – Dusty came in Tuesday morning. When asked if Dusty brought a taser to the office, Dusty stated, "No, he had it in his truck." When I disclosed the number of people who saw it in the office, the story changed to "Well, I took it inside and showed Ruben and Rudy, Rudy told me to put it away, so I took it to my truck." Dusty stated he tased Michael before Rudy told him to put the taser away. When I asked Dusty about showing the taser to Casey, Dusty stated he did not recall ever showing the taser to Casey. When asked if Dusty had tased someone, he stated Yes, he tased Michael, and Michael would not have had a chance to tell him not to tase him because he did it without Michael knowing he had it. I asked if he was aware that his tasing Michael was assault, and he stated, "Yes, but they were playing around, so he didn't think about it." I asked Dusty if he had shown the taser to Saul, Joe, or any other individual, and he stated that no one else was around. When asked if Dusty brought fireworks to work, he said no very quickly and that the small white pops thrown on the ground were not fireworks, but he had those. Rudy told him to put them away. When asked about daring people to go through people's items or hide them, he stated he has never dared nor told anyone to hide or go through anyone's personal property. I asked Dusty if he and his coworkers horseplay or wrestle, and he questioned my definition of wrestling. I asked are you physically putting your hands on someone in a joking manner? At this time, Dusty chose to demonstrate how he and his coworkers played around and pushed Kathryn Miller in the shoulder. I stated to Dusty that I do not like physical touch, so I would be upset if he pushed me in such a way. Kathryn then stated she also does not like to be physically touched and asked Dusty to refrain from placing his hands on her again. When asked if anyone had pushed or shoved him, he stated he is too tall for anyone to do it to him (at this time, Dusty thought I was only referencing choking), but after clarification, he recalled his statement and said they all push and shove each other. Dusty stated he had not slammed his fist on the table or shoved chairs. He also could not recall the last time he had an altercation with anyone at the office. Dusty stated he thought he had a good relationship with Saul until Saul called him out and said he did not like how he managed a situation. Dusty stated that when he told him this, he started to request Saul not be on his crew. Dusty stated he felt some tension between himself, Saul, and Raul. So, he took it upon himself to discuss the issue with Raul. Dusty stated there is tension in the office, and it feels like everyone hates their job. He also stated that there is no comradery, and the supervisors do not help the situation. When asked how Dusty would have handled the situation of someone being tased, Dusty stated he would have gone to the employee and talked to them. I asked Dusty if an employee brought this situation to him and what he would expect to happen to the employee. Dusty stated he would recommend a write-up and probationary period for the employee. At this time, I ended the interview.

- **Joe Rosas** – I brought Joe Rosas back to rediscuss what he had witnessed. I asked Joe if he would like to revise his statement because three witnesses recalled Joe being with Dusty as he showed them the taser. Joe again stated that he had never seen the taser but was aware that Dusty had one. This concluded the interview.

FACTS

- Dusty Alford brought a taser onto the City property.
- Dusty Alford brought fireworks (snap and pops) onto City Property.
- Dusty Alford and Michael Pena do horseplay and joke around while on shift.
- Dusty Alford tased Michael Pena without Michael's permission.
- Supervisors Rudy Payen, Ruben Guzman, and Casey Corbell all witnessed the taser in Dusty's possession on the property.
- Supervisors did not bring the situation to Tony Madrid.
- Supervisors did not confirm or watch Dusty put the taser back in his personal vehicle before removing their selves from the situation.
- Rudy Payen directly supervises Dusty Alford, Michael Pena, and Joe Rosas's crew.
- Dusty shoved Kathryn Miller without permission to demonstrate how he and his coworkers play around.
- While completing the investigation Supervisor Rudy Payen chose to retire immediately, ending employment on October 11.

FINDINGS

- The environment in the Utilities – Field Operations Department is extremely unprofessional.
- The crews are allowed to horseplay and joke around without any repercussions.
- The crews are treated with a “Boys will be boys” mentality and the supervisors condone the immature behaviors.
- Supervisors have witnessed and ignored bullying behavior within their departments and have not addressed the issues with their supervisors.
- Tony Madrid – The department manager is unaware of the issues within his department and relies heavily on his supervisors to handle all situations, even those that should be brought to his attention.
- Dusty has been allowed to bully and joke around within the department long enough for him to feel comfortable bringing a weapon and fireworks to the office. He believes that his supervisors would not receive any repercussions.
- Dusty did bring fireworks and a taser onto city property. He also felt comfortable enough to show his supervisors the items. In conclusion, the department lacks supervision and authority. As a group, the department has presented itself unprofessionally and should undergo multiple changes to address the issues brought forth.

CONCLUSION

- *Policy 6.101 Disciplinary Actions (L) Disturbance (1) fighting or boisterous conduct - **Validated.***
- *Policy 6.101 Disciplinary Actions (L) Disturbance (2) Deliberately causing physical injury to another employee or citizen. - Policy 6.101 Disciplinary Actions (L) Disturbance (1) fighting or boisterous conduct – **Validated.***
- *Policy 6.101 Disciplinary Actions (J) Insubordination (1) willful failure or refusal to follow the specific orders or instructions of a supervisor or higher authority. – **Validated***
- *Policy 6.101 Disciplinary Actions (O) Failure to Report a Violation failure to report to the proper authority any known violation described in Subparagraphs (F), (G),(H), (I), (K), (L), or (M). – **Validated.***

RECOMMENDATIONS

- Disciplinary actions should be brought to Dusty Alford, Supervisors Rudy Payen, Ruben Guzman, Casey Corbell.

**City of Odessa
Employee Counseling Report**

Employee: Dusty Alford	Job Title: Utilities Field Crew Leader	
Division: Utilities	Date: 1/8/2024	Supervisor: Antonio Madrid
Type of Action		
<input type="checkbox"/> Awareness Warning	<input type="checkbox"/> Job Probation: Start Date:	End Date:
<input type="checkbox"/> Written Warning	<input type="checkbox"/> Decision Making Leave (DML): Start Date:	End Date:
<input type="checkbox"/> Follow-Up Review	<input type="checkbox"/> Suspension w/o Pay: Start Date:	End Date:
<input checked="" type="checkbox"/> Termination		

DESCRIPTION OF PROBLEM/VIOLATION: (Include date, time, place, specific details. Attach additional documentation/reports if pertinent).

On October 6, 2023 two Wastewater Collection department employees filed a grievance regarding working conditions in their department. Within the grievance was an allegation of physical violence, use of a taser on another employee on part of Dusty Alford. Mr. Alford did bring a handheld taser into the workplace and did use the taser on at least one other employee. He also threatened to use the taser on another employee.

RULE OR POLICY VIOLATED:

Policy 6.101 (L) Disturbance is exemplified by, but is not limited to, the following violations: (1) fighting or boisterous conduct; (2) deliberately causing physical injury to another employee or citizen; (3) intimidation; (4) unnecessary disruption of the work area; (5) use of profane, abusive, threatening, or loud and boisterous language; (6) spreading of false reports; or (7) other disruption of the harmonious relations among employees or between employees and the public.

EXPECTED IMPROVEMENT: (Clear, direct factual)

Per Human Resources Termination is required.

NEXT ACTION: N/A

EMPLOYEE'S COMMENTS: (As written by Employee – Additional pages as required)

EMPLOYEE SIGNATURE

I acknowledge that the above counseling form has been discussed with me and agree with the report.

Daisy A. [Signature] 1/5/24 [Signature] 1-8-24
EMPLOYEE SIGNATURE DATE SUPERVISOR SIGNATURE DATE
[Signature] 1/8/2024

I acknowledge that the above counseling form has been discussed with me. I disagree with the report, and I know I can refer to the City's policies and procedures manual to find out about my rights.

EMPLOYEE SIGNATURE DATE SUPERVISOR SIGNATURE DATE

Distribution: Original to Human Resources
Copy to Employee and Supervisor

**City of Odessa
Employee Counseling Report**

Employee: Antonio Madrid	Job Title: Utilities Field Operations Manager
Division: Utilities	Date: 1/8/2024
Supervisor: Kevin Niles	
Type of Action	
<input checked="" type="checkbox"/> Awareness Warning <input type="checkbox"/> Written Warning <input type="checkbox"/> Follow-Up Review <input type="checkbox"/> Termination	<input type="checkbox"/> Job Probation: Start Date: _____ End Date: _____ <input type="checkbox"/> Decision Making Leave (DML): Start Date: _____ End Date: _____ <input type="checkbox"/> Suspension w/o Pay: Start Date: _____ End Date: _____

DESCRIPTION OF PROBLEM/VIOLATION: (Include date, time, place, specific details. Attach additional documentation/reports if pertinent).

Supervising a workplace that is inadequately supervised with overly permissive atmosphere with regard to verbal and physical abuse. Allowing workplace distributions and not promoting a safe and secure workplace free from harassment and physical abuse.

RULE OR POLICY VIOLATED:

Policy 6.101 (L) Disturbance is exemplified by, but is not limited to, the following violations: (1) fighting or boisterous conduct; (2) deliberately causing physical injury to another employee or citizen; (3) intimidation; (4) unnecessary disruption of the work area; (5) use of profane, abusive, threatening, or loud and boisterous language; (6) spreading of false reports; or (7) other disruption of the harmonious relations among employees or between employees and the public.

EXPECTED IMPROVEMENT: (Clear, direct factual)

Continue promoting a positive workplace environment free from abuse and harassment. Be a leader that leads by example and continue to be engaged with the team. Work with the team on making sure policies are followed and everyone feels safe while at work.

NEXT ACTION: *Written Warning*

EMPLOYEE'S COMMENTS: (As written by Employee – Additional pages as required)

EMPLOYEE SIGNATURE

I acknowledge that the above counseling form has been discussed with me and agree with the report.

[Handwritten Signature] *1-10-24* *[Handwritten Signature]* *1-11-24*
EMPLOYEE SIGNATURE DATE SUPERVISOR SIGNATURE DATE

I acknowledge that the above counseling form has been discussed with me. I disagree with the report, and I know I can refer to the City's policies and procedures manual to find out about my rights.

EMPLOYEE SIGNATURE DATE SUPERVISOR SIGNATURE DATE

Distribution: Original to Human Resources
Copy to Employee and Supervisor

**City of Odessa
Employee Counseling Report**

Employee: Eloy Diaz		Job Title: Utilities Field Supervisor	
Division: Utilities	Date: 1/8/2024	Supervisor: Antonio Madrid	
Type of Action			
<input checked="" type="checkbox"/> Awareness Warning	<input type="checkbox"/> Job Probation: Start Date:	End Date:	
<input type="checkbox"/> Written Warning	<input type="checkbox"/> Decision Making Leave (DML): Start Date:	End Date:	
<input type="checkbox"/> Follow-Up Review	<input type="checkbox"/> Suspension w/o Pay: Start Date:	End Date:	
<input type="checkbox"/> Termination			

DESCRIPTION OF PROBLEM/VIOLATION: (Include date, time, place, specific details. Attach additional documentation/reports if pertinent).

Supervising a workplace that is inadequately supervised with overly permissive atmosphere with regard to verbal and physical abuse. Allowing workplace distributions and not promoting a safe and secure workplace free from harassment and physical abuse.

RULE OR POLICY VIOLATED:

Policy 6.101 (L) Disturbance is exemplified by, but is not limited to, the following violations: (1) fighting or boisterous conduct; (2) deliberately causing physical injury to another employee or citizen; (3) intimidation; (4) unnecessary disruption of the work area; (5) use of profane, abusive, threatening, or loud and boisterous language; (6) spreading of false reports; or (7) other disruption of the harmonious relations among employees or between employees and the public.

EXPECTED IMPROVEMENT: (Clear, direct factual)

Continue promoting a positive workplace environment free from abuse and harassment. Be a leader that leads by example and continue to be engaged with the team. Work with the team on making sure policies are followed and everyone feels safe while at work.

NEXT ACTION: *Written Warning*

EMPLOYEE'S COMMENTS: (As written by Employee – Additional pages as required)

None

EMPLOYEE SIGNATURE

I acknowledge that the above counseling form has been discussed with me and agree with the report.

Eloy De... 01-11-2024 *[Signature]* 1-11-24
EMPLOYEE SIGNATURE DATE SUPERVISOR SIGNATURE DATE

[Signature] 1-11-24
DATE

I acknowledge that the above counseling form has been discussed with me. I disagree with the report, and I know I can refer to the City's policies and procedures manual to find out about my rights.

EMPLOYEE SIGNATURE DATE SUPERVISOR SIGNATURE DATE

Distribution: Original to Human Resources
Copy to Employee and Supervisor

**City of Odessa
Employee Counseling Report**

Employee: Casey Corbell		Job Title: Utilities Field Supervisor	
Division: Utilities	Date: 1/8/2024	Supervisor: Antonio Madrid	
Type of Action			
<input checked="" type="checkbox"/> Awareness Warning	<input type="checkbox"/> Job Probation: Start Date:	End Date:	
<input type="checkbox"/> Written Warning	<input type="checkbox"/> Decision Making Leave (DML): Start Date:	End Date:	
<input type="checkbox"/> Follow-Up Review	<input type="checkbox"/> Suspension w/o Pay: Start Date:	End Date:	
<input type="checkbox"/> Termination			

DESCRIPTION OF PROBLEM/VIOLATION: (Include date, time, place, specific details. Attach additional documentation/reports if pertinent).

Supervising a workplace that is inadequately supervised with overly permissive atmosphere with regard to verbal and physical abuse. Allowing workplace distributions and not promoting a safe and secure workplace free from harassment and physical abuse.

RULE OR POLICY VIOLATED:

Policy 6.101 (L) Disturbance is exemplified by, but is not limited to, the following violations: (1) fighting or boisterous conduct; (2) deliberately causing physical injury to another employee or citizen; (3) intimidation; (4) unnecessary disruption of the work area; (5) use of profane, abusive, threatening, or loud and boisterous language; (6) spreading of false reports; or (7) other disruption of the harmonious relations among employees or between employees and the public.

EXPECTED IMPROVEMENT: (Clear, direct factual)

Continue promoting a positive workplace environment free from abuse and harassment. Be a leader that leads by example and continue to be engaged with the team. Work with the team on making sure policies are followed and everyone feels safe while at work.

NEXT ACTION: *Written Warning*

EMPLOYEE'S COMMENTS: (As written by Employee – Additional pages as required)

EMPLOYEE SIGNATURE

I acknowledge that the above counseling form has been discussed with me and agree with the report.

	<i>1-11-24</i>		<i>1-11-24</i>
EMPLOYEE SIGNATURE	DATE	SUPERVISOR SIGNATURE	DATE

I acknowledge that the above counseling form has been discussed with me. I disagree with the report, and I know I can refer to the City's policies and procedures manual to find out about my rights.

_____	_____	_____	_____
EMPLOYEE SIGNATURE	DATE	SUPERVISOR SIGNATURE	DATE

Distribution: Original to Human Resources
 Copy to Employee and Supervisor

**City of Odessa
Employee Counseling Report**

Employee: Ruben Guzman	Job Title: Utilities Field Supervisor
Division: Utilities	Date: 1/8/2024
Supervisor: Antonio Madrid	
Type of Action <input checked="checked" type="checkbox"/> Awareness Warning <input type="checkbox"/> Written Warning <input type="checkbox"/> Follow-Up Review <input type="checkbox"/> Termination	
<input type="checkbox"/> Job Probation: Start Date: _____ End Date: _____ <input type="checkbox"/> Decision Making Leave (DML): Start Date: _____ End Date: _____ <input type="checkbox"/> Suspension w/o Pay: Start Date: _____ End Date: _____	

DESCRIPTION OF PROBLEM/VIOLATION: (Include date, time, place, specific details. Attach additional documentation/reports if pertinent).

Supervising a workplace that is inadequately supervised with overly permissive atmosphere with regard to verbal and physical abuse. Allowing workplace distributions and not promoting a safe and secure workplace free from harassment and physical abuse.

RULE OR POLICY VIOLATED:

Policy 6.101 (L) Disturbance is exemplified by, but is not limited to, the following violations: (1) fighting or boisterous conduct; (2) deliberately causing physical injury to another employee or citizen; (3) intimidation; (4) unnecessary disruption of the work area; (5) use of profane, abusive, threatening, or loud and boisterous language; (6) spreading of false reports; or (7) other disruption of the harmonious relations among employees or between employees and the public.

EXPECTED IMPROVEMENT: (Clear, direct factual)




Continue promoting a positive workplace environment free from abuse and harassment. Be a leader that leads by example and continue to be engaged with the team. Work with the team on making sure policies are followed and everyone feels safe while at work.

NEXT ACTION: *Written Warning*

EMPLOYEE'S COMMENTS: *(As written by Employee – Additional pages as required)*

EMPLOYEE SIGNATURE

I acknowledge that the above counseling form has been discussed with me and agree with the report.

 1-10-24  1-10-24
EMPLOYEE SIGNATURE DATE SUPERVISOR SIGNATURE DATE
 1-11-24
SUPERVISOR SIGNATURE DATE

I acknowledge that the above counseling form has been discussed with me. I disagree with the report, and I know I can refer to the City's policies and procedures manual to find out about my rights.

EMPLOYEE SIGNATURE DATE SUPERVISOR SIGNATURE DATE

Distribution: Original to Human Resources
Copy to Employee and Supervisor