



CITY OF NEW ORLEANS
DEPARTMENT OF HUMAN SERVICES
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Mitchell J. Landrieu
Mayor

Seung Hong
Director

May 20, 2011

Dear Mr. Rowley:

On Friday, May 13, 2011 a pre-termination hearing was held to determine your future with the Youth Study Center. At the hearing, you were allowed the opportunity to respond to the grounds outlined below.

On Sunday, May 8, 2011, you were observed by Chris Hynes, Maintenance Engineer, sleeping on duty while youth were out of their rooms watching TV. On Thursday, May 12, 2011, you met with Ms. Mills and me regarding the above incidents. You were shown the picture of you sleeping. You admitted to me and Ms. Mills the person in the picture was you and that you were asleep. You stated to us "yea that is me; yea it is what it is."

On Monday, May 09, 2011 on or around 8:30 PM, I heard you state to a youth "I will knock the fuck out of you; I do not play that shit." I told you that I heard you make the statement to the youth. You admitted to Ms. Mills and me that you did make that statement because you were frustrated, and that you later went to the youth's room and apologized.

Both of these actions are in clear violations of Detention Center Policy and Practice and Employee Work Rules (Rules of Conduct (12, 18, & 68 and Dereliction of Duty (g)).

During the Pre-Termination hearing you were asked: Did you threaten a youth or use profanity? You admitted to using profanity, and you stated you often use it as a way to "reach the youth." You stated again that you did apologize to the youth who you spoke profanity to. You were also asked: Were you sleeping on the job during the day of relevance? You admitted you were the person in the chair in the pictures, but you did not respond to the allegation of whether you were sleeping or not. You stated that there is no "yes" or "no" answer in the world. Therefore, you cannot say whether you were sleeping or not.

By sleeping on the job your actions created a major safety and security breach that put yourself, the youth on that unit, and the Detention Center to a significant safety and security risk. You also know that verbally abusing a youth and verbalizing physical harm to a youth is unacceptable professional conduct.

Effective Friday, May 20, 2011, you are terminated from your employ with the City. The basis of the disciplinary action is that you were found to have slept on duty. A separate basis for termination is also present, as you were found to have used profane and abusive language towards a youth, and you are terminated for this offense as well.

Rules of Conduct (12, 18, & 68)

12. No employee shall willfully or negligently treat a youth in a cruel or inhuman manner, nor shall profane or abusive language be used in dealing with a youth; Staff will not use threats or intimidation toward youth or others while at the worksite. *An Employee who treats a youth in a cruel or inhuman manner, use profane or abusive language, use threats or intimidation toward youth or others will be disciplined at a minimum suspension without pay and may be up to and including termination from the Detention Center.

18. Devote full time, attention and effort to their duties during assigned hours of duty.

68. While on duty, staff will be fully alert and attentive. Sleeping while on duty is strictly prohibited. Any employee who sleeps during their assigned work hours or shift will be discipline at a minimum suspension with out pay and/or termination from the Detention Center.

Dereliction of Duty

Dereliction of duty by any employee is prohibited and shall be grounds for disciplinary action, including dismissal.

g. neglect of duty or substandard performance

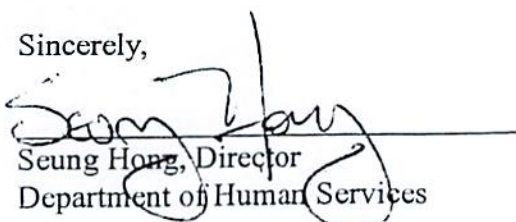
In December 2008, you were suspended 3 days for verbal abuse of to youth. It was stated in that disciplinary letter, "Any further incidents of this nature will result in recommendation for immediate termination.

This action was taken pursuant to Rule 9.1.1.: When an employee in the classified service is unable or unwilling to perform the duties of his/her position in a satisfactory manner, or has committed any act to the prejudice of the service, or has omitted to perform any act it was his/her duty to perform, or otherwise has become subject to corrective action, the appointing authority shall take action warranted by the circumstances to maintain the standards of effective service. The action may include one or more of the following:

- (a) termination from the service.
- (b) involuntary retirement.
- (c) reduction in pay within the pay grade for the employee's classification, subject to the provisions of Rule IV, Section 3.
- (d) demotion to any position of a lower classification that the employee is deemed by the Appointing Authority and the Director to be competent to fill, accompanied by a reduction in pay which is within the pay grade range for the lower classification, subject to the provisions of Rule IV, Section 3.
- (e) suspension without pay not exceeding one hundred twenty (120) calendar days.
- (f) fine.

You may have the right as a civil service employee to appeal this disciplinary action within 30 days from the date of this letter.

Sincerely,


Seung Hong, Director
Department of Human Services

original
copy was read & received on
Friday May 20, 2011
