

**CHAPTER 13**  
**STIPULATED ADVERSE ACTION PROCESS**  
**REVISED JUNE 2024**  
**TABLE OF CONTENTS**

|   |      |
|---|------|
| <u>INTRODUCTION</u> .....   | 13-3 |
| <u>POLICY</u> .....   | 13-3 |
| Commander Responsibility.....   | 13-3 |
| Employee Responsibility.....  | 13-3 |
| <u>INITIATION OF A STIPULATED ADVERSE ACTION</u> .....  | 13-4 |
| <u>COMPLETION OF THE CHP 7S, STIPULATED ADVERSE ACTION</u> .....                                      | 13-4 |
| Factual Summary.....  | 13-4 |
| Applicable Policy.....  | 13-4 |
| Prior Progressive Discipline.....   | 13-4 |
| Mitigating Factors.....   | 13-4 |
| Aggravating Factors.....  | 13-5 |
| Penalty.....  | 13-5 |
| Administrative Violations.....  | 13-5 |
| Admission of Misconduct and Waiver of Appeals.....  | 13-5 |
| <u>TIMEFRAMES FOR SUBMISSION</u> .....  | 13-5 |
| Command.....  | 13-5 |
| Division.....   | 13-5 |
| Office of the Commissioner.....   | 13-6 |
| Office of Internal Affairs.....   | 13-6 |
| <u>SERVICE OF THE CHP 7S, STIPULATED ADVERSE ACTION, AND NOTICE</u><br><u>OF ADVERSE ACTION</u> ..... | 13-6 |
| Division.....   | 13-6 |
| Command.....  | 13-6 |
| Employee.....   | 13-6 |
| <u>DEPARTMENTAL CONVERSION TO/FROM THE STIPULATED ADVERSE</u><br><u>ACTION PROCESS</u> .....          | 13-7 |
| <br><u>ANNEX</u>  |      |
| <br><u>A</u> – CHP 7S, STIPULATED ADVERSE ACTION.....   | 13-9 |

THIS PAGE INTENTIONALLY LEFT BLANK

## CHAPTER 13

### STIPULATED ADVERSE ACTION PROCESS

1. INTRODUCTION. The purpose of the Stipulated Adverse Action Process (SAAP) is to expeditiously resolve employee discipline issues when employees accept responsibility for their misconduct. This will prevent unnecessary delays and mitigate the negative impact on departmental employees resulting from prolonged investigative processes. The SAAP also minimizes disruptions to command operations while permitting the Department to take timely corrective action to address acts of employee misconduct.

2. POLICY. The SAAP may be used when an employee is the subject of an Adverse Action and the facts are straightforward and undisputed (e.g., negligent discharge, at-fault patrol vehicle crash). The SAAP shall not be used when the circumstances involve one (1) or more allegations of serious misconduct, as defined in Section 13510.8 of the California Penal Code, without direct approval from the Commissioner or Deputy Commissioner.

a. Commander Responsibility. The Area commander should be reasonably confident no new, relevant information or facts would be revealed by conducting a full administrative investigation.

b. Employee Responsibility. It shall be the responsibility of the departmental employee to be forthcoming with all information concerning the incident(s) at issue. This policy is intended for cases wherein the employee accepts responsibility for the alleged misconduct, and is willing to waive all appeal rights, as outlined in Section 3304 of the California Government Code (GC).

Utilization of the SAAP is at the sole discretion of the Department. If information develops at any time during the SAAP, prior to the service of the Notice of Adverse Action (NOAA) (which may suggest the SAAP is not the appropriate process for the investigation), the Department may move forward with the standard Adverse Action investigation as outlined in this manual. It is incumbent upon the commander to understand the facts, as well as the potential mitigating or aggravating circumstances, before requesting approval to use the SAAP.

Documentation for the SAAP is designed to be brief, with an expense of minimal resources.

### 3. INITIATION OF A STIPULATED ADVERSE ACTION.

- a. When a commander becomes aware of alleged misconduct, notification protocol shall be followed in accordance with Chapter 1, Introduction and Notifications; Paragraph 6., of this manual.
- b. When the Area commander believes the facts are straightforward and undisputed, the employee is willing to accept full responsibility for the act(s) or omission(s), and the commander is reasonably confident no new relevant information or facts would be revealed by conducting a full administrative investigation, the commander may consult with the Division commander to ascertain the appropriateness of utilizing the SAAP. Upon approval of the Division commander, with concurrence of the appropriate Assistant Commissioner, the Area commander shall initiate a preliminary investigation. Administrative interrogations may not be necessary in these investigations, as the facts will already be known and undisputed.
- c. The Office of Internal Affairs (OIA) advisory program will be available to assist the command with preparation of the CHP 7S, Stipulated Adverse Action.

### 4. COMPLETION OF THE CHP 7S, STIPULATED ADVERSE ACTION. The CHP 7S (refer to Annex A) serves as the investigative documentation, as well as the employee's waiver, for the SAAP. The command assigned to conduct the investigation will initially complete the form's header and the following sections:

- a. Factual Summary. Used to document the incident(s) and relevant facts which form the basis for an allegation(s) of misconduct.
- b. Applicable Policy. Identifies any/all relevant departmental policies which provide directives and/or recommendations relevant to the circumstance(s).
- c. Prior Progressive Discipline. This section is to be completed if there is relevant progressive discipline in the employee's personnel file. Guidelines provided in Chapter 7, Investigation Documentation, Paragraph 4., of this manual, should be followed when determining if progressive discipline should be included on the CHP 7S. For all progressive discipline listed, a brief summary should be included.
- d. Mitigating Factors. May be used to document any relevant mitigating factors the Area commander believes applicable to the incident(s). A summary of the employee's performance appraisals or commendations may also be included when appropriate.

- e. Aggravating Factors. May be used to document any relevant aggravating factors the Area commander believes may influence the severity of the misconduct, such as the overall impact to the command
- f. Penalty. This section will include the appropriate penalty as determined by the hiring authority or appropriate designee. The OIA may be consulted for comparable penalties related to the misconduct.
- g. Administrative Violations. To be completed by the OIA and documents the relevant authoritative sections of the GC which pertain to the documented misconduct.
- h. Admission of Misconduct and Waiver of Appeals. Contains approved language which shall not be altered. The language states the employee has read, understands, and agrees with the content of the CHP 7S in its entirety. The employee acknowledges they have had sufficient opportunity to confer with, and seek advice from, individuals inside and outside of the Department, and their admissions and waivers are made freely, voluntarily, and without coercion, undue pressure, or reservation. As part of the SAAP, the employee agrees to waive all of the following:
  - (1) The right to appeal to the State Personnel Board as outlined in GC Section 19575, and/or departmental policy.
  - (2) The right to make a pre-disciplinary hearing response to a departmental representative pursuant to Title 2, California Code of Regulations 52.6; and/or GC Section 19590 (b); and/or departmental policy.
  - (3) Any claims in federal or state court, or any other administrative forum that may arise out of the matter.

## 5. TIMEFRAMES FOR SUBMISSION.

- a. Command. Once approval for the SAAP has been given, the Area commander has 10 business days to draft and submit the CHP 7S to Division for review. Submission of the CHP 7S should be made electronically, via e-mail.
- b. Division. Upon receipt of the CHP 7S, the Division commander has ten business days to review and submit the CHP 7S to the Office of the Commissioner via the appropriate Assistant Commissioner. Submission of the CHP 7S should be made electronically, via e-mail.
- c. Office of the Commissioner. Within 10 business days of receipt, the Commissioner, or their designee, will review the facts and determine the

appropriate final penalty. Once the CHP 7S is approved by the Office of the Commissioner, the CHP 7S will be forwarded to the OIA for preparation of the NOAA.

d. Office of Internal Affairs. The OIA will have five (5) business days to complete the NOAA and forward it electronically, via e-mail, along with the CHP 7S, to the appropriate Division for service. Directions for the service of both the CHP 7S and NOAA will be provided to the affected Division and command at the time of transmittal from the OIA.

## 6. SERVICE OF THE CHP 7S, STIPULATED ADVERSE ACTION, AND NOTICE OF ADVERSE ACTION.

a. Division. Once the Division commander receives the CHP 7S and the NOAA from the OIA, both documents shall be immediately forwarded to the appropriate command for service. The Division commander or designee will contact the appropriate Area commander to coordinate service of the documents.

b. Command. After the Area commander is notified by the Division commander or designee that the CHP 7S and NOAA have been approved and transmitted for service, the Area commander shall serve the CHP 7S to the affected employee as soon as possible. The Area commander shall ensure the employee has access to a representative from the employee's bargaining unit for consultation. The employee shall be provided a reasonable deadline from the Area commander, not to exceed five (5) business days, to review the CHP 7S and decide whether to agree to the stipulated terms. Absent reasonable mitigating factors, if the employee fails to return the CHP 7S within the timeframes specified, the standard administrative investigation process will proceed forward.

c. Employee. The employee shall decide whether to agree with the terms of the CHP 7S within five (5) business days.

(1) Employee Agreement. If the employee agrees to the terms and conditions of the CHP 7S, initials as required, and signs the document as requested, the employee shall present the signed CHP 7S to the Area commander or designee. The Area commander or designee will then provide the employee with the completed NOAA. It is critical the Area commander or designee coordinate the service of the NOAA with the OIA to ensure the effective dates on the NOAA are completed properly, in accordance with Chapter 8, Review, Approval, and Closing Documentation, of this manual. The terms of the stipulated agreement shall not be binding on the Department until the employee

is served with the NOAA. The employee does not waive the right to request the use of leave credits to satisfy an assessed penalty by completing the CHP 7S, as outlined in Chapter 9, Predisciplinary Hearings, Leave Credits, and Appeals, of this manual.

(2) Employee Disagreement. In the event the employee disagrees with, refuses to sign, and/or fails to return the CHP 7S within five (5) business days, the Area commander shall immediately notify the Division commander and the OIA. The Division commander shall make notification to the appropriate Assistant Commissioner. The standard administrative investigation process will then be followed to conclusion in accordance with this manual.

7. DEPARTMENTAL CONVERSION TO/FROM THE STIPULATED ADVERSE ACTION PROCESS. If, at any time during the SAAP, it is determined the misconduct does not rise to the level of Adverse Action, the investigation shall be completed as a miscellaneous investigation in accordance with this manual. Conversely, if a full investigation is initiated and it is later determined the SAAP is appropriate, a commander may convert the investigation to the SAAP after consulting with the appropriate Division and Assistant Commissioner.

THIS PAGE INTENTIONALLY LEFT BLANK

## ANNEX A

### CHP 7S, STIPULATED ADVERSE ACTION

|  |                          |                     |                        |              |   |   |                |   |   |   |  |
|--|--------------------------|---------------------|------------------------|--------------|---|---|----------------|---|---|---|--|
| STATE OF CALIFORNIA<br>DEPARTMENT OF CALIFORNIA HIGHWAY PATROL   |                          |                     |                        | <b>Print</b> |   |   |                |   |   |   |  |
| <b>STIPULATED ADVERSE ACTION</b>   |                          |                     |                        |              |   |   |                |   |   |   |  |
| CHP 7S (New 8-23) OPI 031  |                          |                     |                        |              |   |   |                |   |   |   |  |
| DIVISION   | INCIDENT DATE (OR RANGE) | DIVISION AWARE DATE | CONTROL NUMBER         |              |   |   |                |   |   |   |  |
| Valley   | 03/02/2023               | 03/02/2023          | I -                    | 2            | 0 | 1 | 2              | 3 | 1 | 9 |  |
| EMPLOYEE'S NAME (LAST, FIRST, M.I.)  | ID NUMBER                | LOCATION NUMBER     | RANK / CLASSIFICATION  |              |   |   |                |   |   |   |  |
| Tiffée, Joshua H.  | 19240                    | 250                 | Officer                |              |   |   |                |   |   |   |  |
| <b>TO BE COMPLETED BY THE INVESTIGATING COMMAND</b>  |                          |                     |                        |              |   |   |                |   |   |   |  |
| <b>FACTUAL SUMMARY</b>   |                          |                     |                        |              |   |   |                |   |   |   |  |
| <p>On March 2, 2023, at approximately 1440 hours, you notified the Sacramento Communications Center you had been involved in an on-duty crash on Interstate 80, west of Madison Avenue. Sergeant Brian Moore, ID 16050, responded to the scene. Upon arriving at the scene, you informed Sergeant Moore there had been no injuries in the collision. Sergeant Moore assigned Officer Matthew Dufort, ID 17360, to complete a crash investigation. The following is a Factual Summary of the crash:</p> <ul style="list-style-type: none"> <li>• At approximately 1436 hours, you were on-duty and driving patrol vehicle 1234567.</li> <li>• You were traveling westbound on Interstate 80, west of Madison Avenue at approximately 75 miles per hour in the number two (2) lane.</li> <li>• You received a text from your spouse which caused you to retrieve your cellphone from the left chest pocket of your uniform. However, as you retrieved your cellphone, you dropped it into the driver-side floorboard of your patrol vehicle.</li> <li>• You reached down to retrieve your cellphone, momentarily taking your eyes off the road ahead.</li> <li>• Traffic ahead of you stopped, but because you were no longer maintaining a high visual horizon you were not aware.</li> <li>• As you looked back up to the road, you observed a green Toyota Camry stopped in the number two (2) lane ahead of you.</li> <li>• You applied the brakes of your patrol vehicle, but you were unable to stop, and the front of your patrol vehicle collided with the rear of the Toyota Camry.</li> <li>• You exited your patrol vehicle, ensured there were no injuries to the occupants of the Toyota Camry, and made notification to the Sacramento Communications Center using your departmental radio.</li> <li>• You directed the driver of the Toyota Camry to drive to the right shoulder of the roadway before doing the same with your patrol vehicle.</li> <li>• The collision caused moderate damage to both your patrol vehicle and to the Toyota Camry.</li> </ul> |                          |                     |                        |              |   |   |                |   |   |   |  |
| <b>APPLICABLE POLICY</b>   |                          |                     |                        |              |   |   |                |   |   |   |  |
| <p>Your actions, as described in the Factual Summary, were in violation of policy contained in Highway Patrol Manual 10.6, Occupational Safety Manual, Chapter 1, General Philosophy, Roles and Responsibilities which states in part, "All employees are personally responsible for their own safety, the safety of coworkers, and: Performing all their duties in a safe manner."</p> <p>Your actions were also contrary to the recommendations made in Highway Patrol Guide 70.14, Enforcement Driving Guide, Chapter 5, Collision Avoidance, which states in part, "Defensive driving is driving in a manner that avoids collisions at all times regardless of who has the right-of-way, whether in normal conditions, Code 3 response, or while engaged in pursuit operations."</p>   |                          |                     |                        |              |   |   |                |   |   |   |  |
| <b>PRIOR PROGRESSIVE DISCIPLINE</b>  |                          |                     |                        |              |   |   |                |   |   |   |  |
| <p>On or about February 2, 2021, you were given a Memorandum of Direction for being involved in a preventable traffic collision on January 15, 2021.</p>   |                          |                     |                        |              |   |   |                |   |   |   |  |
| <b>MITIGATING FACTORS</b>  |                          |                     |                        |              |   |   |                |   |   |   |  |
| N/A  |                          |                     |                        |              |   |   |                |   |   |   |  |
| <b>AGGRAVATING FACTORS</b>   |                          |                     |                        |              |   |   |                |   |   |   |  |
| N/A  |                          |                     |                        |              |   |   |                |   |   |   |  |
| <b>TO BE COMPLETED BY THE COMMISSIONER OR DESIGNEE</b>   |                          |                     |                        |              |   |   |                |   |   |   |  |
| <b>PENALTY</b>   |                          |                     |                        |              |   |   |                |   |   |   |  |
| <p>If proven or admitted, the Commissioner's Office has determined the appropriate penalty in this matter is a <b>THREE (3) DAY SUSPENSION</b>.</p> <p>Please note, other factors not discussed in this Stipulated Adverse Action may affect this determination if such factors are discovered at a future date.</p>   |                          |                     |                        |              |   |   |                |   |   |   |  |
| <hr/> <hr/>  |                          |                     |                        |              |   |   |                |   |   |   |  |
| Page 1 of 3  |                          |                     | CONTINUED ON NEXT PAGE |              |   |   | Chp7S_0823.pdf |   |   |   |  |

# ANNEX A

## CHP 7S, STIPULATED ADVERSE ACTION (*continued*)

| STATE OF CALIFORNIA<br>DEPARTMENT OF CALIFORNIA HIGHWAY PATROL  |   | <b>Print</b>   |  |   |  |  |     |     |
|---|---|--|--|---|--|--|-----|-----|
| <b>STIPULATED ADVERSE ACTION</b>  |   |  |  |   |  |  |     |     |
| CHP 7S (New 8-23) OPI 031   |   |  |  |   |  |  |     |     |
| <b>EMPLOYEE'S NAME (LAST, FIRST, M.I.)</b>  | <b>I.D. NUMBER</b>  | <b>CONTROL NUMBER</b>  |  |   |  |  |     |     |
| Tiffie, Joshua H.   | 19240   | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Division Code</th> <th style="text-align: left;">Year</th> <th style="text-align: left;">Seq. No.</th> </tr> <tr> <td>I - 2 0 1</td> <td>2 3</td> <td>1 9</td> </tr> </table>  | Division Code  | Year  | Seq. No.   | I - 2 0 1  | 2 3 | 1 9 |
| Division Code   | Year  | Seq. No.   |  |   |  |  |     |     |
| I - 2 0 1   | 2 3   | 1 9  |  |   |  |  |     |     |
| <b>ADMINISTRATIVE VIOLATIONS (GOVERNMENT CODE § 19572) TO BE COMPLETED BY THE OFFICE OF INTERNAL AFFAIRS</b>  |   |  |  |   |  |  |     |     |
| <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; vertical-align: top;"> <input type="checkbox"/> (A) Fraud in securing employment.<br/> <input type="checkbox"/> (B) Incompetency.<br/> <input type="checkbox"/> (C) Inefficiency.<br/> <input checked="" type="checkbox"/> (D) Inexcusable neglect of duty.<br/> <input type="checkbox"/> (E) Insubordination.<br/> <input type="checkbox"/> (F) Dishonesty.                 </td> <td style="width: 25%; vertical-align: top;"> <input type="checkbox"/> (G) Drunkenness on duty.<br/> <input type="checkbox"/> (H) Intemperance.<br/> <input type="checkbox"/> (I) Addiction to controlled substances.<br/> <input type="checkbox"/> (J) Absence without leave.<br/> <input type="checkbox"/> (K) Conviction of a felony or a misdemeanor (moral turpitude).<br/> <input type="checkbox"/> (L) Immorality.                 </td> <td style="width: 25%; vertical-align: top;"> <input type="checkbox"/> (M) Discourteous treatment of public or other employees.<br/> <input type="checkbox"/> (N) Improper political activity.<br/> <input type="checkbox"/> (O) Willful disobedience.<br/> <input type="checkbox"/> (P) Misuse of state property.<br/> <input type="checkbox"/> (R) Violation of GC Section 19990.<br/> <input type="checkbox"/> (S) Refusal to take/subscribe any oath required by employment.                 </td> <td style="width: 25%; vertical-align: top;"> <input checked="" type="checkbox"/> (T) Other failure of good behavior.<br/> <input type="checkbox"/> (U) Negligent behavior at a state hospital.<br/> <input type="checkbox"/> (V) Unauthorized use of training or target practice material.<br/> <input type="checkbox"/> (W) Unlawful discrimination.<br/> <input type="checkbox"/> (X) Unlawful retaliation.                 </td> </tr> </table> |   |  | <input type="checkbox"/> (A) Fraud in securing employment.<br><input type="checkbox"/> (B) Incompetency.<br><input type="checkbox"/> (C) Inefficiency.<br><input checked="" type="checkbox"/> (D) Inexcusable neglect of duty.<br><input type="checkbox"/> (E) Insubordination.<br><input type="checkbox"/> (F) Dishonesty.                              | <input type="checkbox"/> (G) Drunkenness on duty.<br><input type="checkbox"/> (H) Intemperance.<br><input type="checkbox"/> (I) Addiction to controlled substances.<br><input type="checkbox"/> (J) Absence without leave.<br><input type="checkbox"/> (K) Conviction of a felony or a misdemeanor (moral turpitude).<br><input type="checkbox"/> (L) Immorality. | <input type="checkbox"/> (M) Discourteous treatment of public or other employees.<br><input type="checkbox"/> (N) Improper political activity.<br><input type="checkbox"/> (O) Willful disobedience.<br><input type="checkbox"/> (P) Misuse of state property.<br><input type="checkbox"/> (R) Violation of GC Section 19990.<br><input type="checkbox"/> (S) Refusal to take/subscribe any oath required by employment. | <input checked="" type="checkbox"/> (T) Other failure of good behavior.<br><input type="checkbox"/> (U) Negligent behavior at a state hospital.<br><input type="checkbox"/> (V) Unauthorized use of training or target practice material.<br><input type="checkbox"/> (W) Unlawful discrimination.<br><input type="checkbox"/> (X) Unlawful retaliation. |     |     |
| <input type="checkbox"/> (A) Fraud in securing employment.<br><input type="checkbox"/> (B) Incompetency.<br><input type="checkbox"/> (C) Inefficiency.<br><input checked="" type="checkbox"/> (D) Inexcusable neglect of duty.<br><input type="checkbox"/> (E) Insubordination.<br><input type="checkbox"/> (F) Dishonesty.   | <input type="checkbox"/> (G) Drunkenness on duty.<br><input type="checkbox"/> (H) Intemperance.<br><input type="checkbox"/> (I) Addiction to controlled substances.<br><input type="checkbox"/> (J) Absence without leave.<br><input type="checkbox"/> (K) Conviction of a felony or a misdemeanor (moral turpitude).<br><input type="checkbox"/> (L) Immorality. | <input type="checkbox"/> (M) Discourteous treatment of public or other employees.<br><input type="checkbox"/> (N) Improper political activity.<br><input type="checkbox"/> (O) Willful disobedience.<br><input type="checkbox"/> (P) Misuse of state property.<br><input type="checkbox"/> (R) Violation of GC Section 19990.<br><input type="checkbox"/> (S) Refusal to take/subscribe any oath required by employment. | <input checked="" type="checkbox"/> (T) Other failure of good behavior.<br><input type="checkbox"/> (U) Negligent behavior at a state hospital.<br><input type="checkbox"/> (V) Unauthorized use of training or target practice material.<br><input type="checkbox"/> (W) Unlawful discrimination.<br><input type="checkbox"/> (X) Unlawful retaliation. |   |  |  |     |     |
|   |   |  |  |   |  |  |     |     |
| Page 2 of 3   | CONTINUED ON NEXT PAGE  | Chp7S_0823.pdf   |  |   |  |  |     |     |

## ANNEX A

### CHP 7S, STIPULATED ADVERSE ACTION (*continued*)

| STATE OF CALIFORNIA<br>DEPARTMENT OF CALIFORNIA HIGHWAY PATROL   |   | <a href="#">Print</a> |
|--|---|-----------------------|
| <b>STIPULATED ADVERSE ACTION</b><br>CHP 7S (New 8-23) OPI 031  |   |                       |
| EMPLOYEE INITIALS  | ADMISSION OF MISCONDUCT AND WAIVER OF APPEALS   |                       |
| JT   | I have read and understand all portions of this Stipulated Adverse Action and understand no supporting documents will be included with this form or the Notice of Adverse Action.   |                       |
| JT   | I have had sufficient opportunity to confer and seek advice from individuals inside or outside of the Department, such as representatives from my employee labor organization or attorneys.   |                       |
| JT   | This Admission and Waiver of Appeals is being made entirely of my own free will. I have not been subjected to any coercion or undue pressure in making this decision. I fully understand this Admission and Waiver of Appeals is irrevocable and final upon my signature. |                       |
| JT   | I hereby waive any and all rights to a predisciplinary hearing in this matter as outlined in California Code of Regulations Section 52.6 or California Government Code Section 19590 (b), and/or Departmental Policy.   |                       |
| JT   | I hereby waive any and all rights to an appeal through the State Personnel Board in this matter as outlined in California Government Code Section 19575, and/or Departmental Policy, or any other administrative forum that may arise out of this matter.                 |                       |
| <p><i>I hereby admit all portions of this Stipulated Adverse Action are true and correct, including the factual depiction of events contained in the Factual Summary. I further admit that my actions constituted a violation of the laws and/or policies specified in the Applicable Policies section. I waive any and all rights to appeal in this matter, and further waive any claims in federal or state court or any other administrative forum that may arise out of this matter.</i></p> |   |                       |
| EMPLOYEE'S NAME  | EMPLOYEE'S SIGNATURE  | DATE                  |
| Tiffie, Joshua H.  |   | 03/17/2023            |
| REPRESENTATIVE'S NAME  | REPRESENTATIVE'S SIGNATURE  | DATE                  |
| Mason, Perry   |   | 03/17/2023            |
| COMMANDER'S NAME   | COMMANDER'S SIGNATURE   | DATE                  |
| Richard Phillips   |   | 03/17/2023            |
| REQUEST TO USE LEAVE CREDITS   |   |                       |
| <p>I request that the <u>  3  </u> <input checked="" type="checkbox"/> -working-day suspension or <u>      </u> <input type="checkbox"/> -month step reduction assessed in my recent Adverse Action be satisfied through the use of my accumulated leave credits. I request this penalty be offset by deducting the following credit hours:</p>  |   |                       |
| <u>          </u>  | Vacation  |                       |
| <u>  3.00  </u>  | Annual Leave  |                       |
| <u>          </u>  | Compensated Time Off  |                       |
| <u>          </u>  | Personal Leave Program  |                       |
| <u>  3.00  </u>  | <b>TOTAL</b>  |                       |
| <p>I agree that this request to utilize leave credits in no way changes, amends, or supersedes the waiver I have made regarding the use of the Stipulated Adverse Action Process arising out of this matter. I make this request freely and voluntarily, and understand that it is subject to approval of the Commissioner of the California Highway Patrol, or their designee.</p>  |   |                       |
| EMPLOYEE'S SIGNATURE   | EMPLOYEE'S PRINTED NAME   | DATE                  |
|  | Tiffie, Joshua H.   | 03/17/2023            |
| REPRESENTATIVE'S SIGNATURE   | REPRESENTATIVE'S PRINTED NAME   | DATE                  |
|  | Mason, Perry  | 03/17/2023            |
| <p><b><i>I have verified the employee has sufficient leave credits to satisfy this request.</i></b></p>  |   |                       |
| AREA COMMANDER'S SIGNATURE   |   | DATE                  |
|  |   | 03/17/2023            |
| COMMENTS   |   |                       |
| N/A  |   |                       |
| ROUTE THROUGH CHANNELS FOR SIGNATURE, AS OUTLINED IN HPM 10.2, CH. 13, AND FORWARD TO OFFICE OF INTERNAL AFFAIRS FOR PROCESSING  |   |                       |
| Page 3 of 3  | Chp7S_0823.pdf  |                       |

THIS PAGE INTENTIONALLY LEFT BLANK