

SECOND JUDICIAL DISTRICT COURT  
COUNTY OF BERNALILLO  
STATE OF NEW MEXICO

ENDORSED  
FILED IN MY OFFICE THIS

AUG 24 2006

*Quantita M. Devan*  
CLERK DISTRICT COURT

JOHNNY AGUILAR,  
ANTHONY P. CHAVEZ,  
YVONNE DOUGHERTY,  
GREG MONTOYA,  
VIRGINIA RAMIREZ,  
JOHN SANCHEZ,  
and  
OTHER SIMILARLY SITUATED  
CITY EMPLOYEES,

CV 2006 06834

Plaintiffs,

vs.

CITY OF ALBUQUERQUE,  
and  
MAYOR MARTIN CHÁVEZ,

Defendants.

CLASS ACTION COMPLAINT  
FOR DECLARATORY AND INJUNCTIVE RELIEF

Plaintiffs are City employees who present the following Class Action Complaint for relief from enforcement of the City's new "STOP" Ordinance against City employees who drive City vehicles as part of their work. This Complaint results from the City of Albuquerque's promulgation, application, and enforcement of the Safe Traffic Operations Program (STOP) Ordinance against City employees driving City vehicles, stating as grounds:

**Parties and Jurisdiction:**

1. The City has enacted a “Safe Traffic Operations Program” (hereinafter, “STOP”) Ordinance, No. O-05-96, authorizing surveillance cameras to photograph vehicles throughout the City of Albuquerque and establishing fines and penalties for alleged traffic light, turn signal, and speed violations.

2. Plaintiffs Johnny Aguilar, Anthony Chavez, Yvonne Dougherty, Virginia Ramirez, and John Sanchez are City bus and van drivers who have received notice of alleged violations of the City’s STOP Ordinance and who have been advised that the City has “docked” their pay for the amount of the prescribed “fine” for the alleged violations.

3. With only one exception Plaintiffs have not been informed of their right to a hearing or any other opportunity to contest the charges against them. None of the Plaintiffs have conceded or admitted violations of the Ordinance.

4. The City of Albuquerque is a home-rule municipality, located in Bernalillo County, New Mexico. Martin Chávez is the Mayor of the City of Albuquerque.

5. This case is brought pursuant to the laws and constitution of the United States, including but not limited to 42 U.S.C. Sec. 1983; the laws and constitution of the State of New Mexico; and the New Mexico Declaratory Judgment Act, Sections 44-6-1 to 44-6-15, NMSA.

## **Factual and Legal Background**

6. The Albuquerque City Council passed the STOP Ordinance on March 7, 2005; the Ordinance became effective on April 6, 2005. The Albuquerque STOP Ordinance was thereafter amended to eliminate a mandatory Fifty Dollar “hearing fee,” and to permit the “nomination” of someone other than the registered owner as the alleged violator in addition to the photographed motor vehicle. A second amendment increased the fine for speeding and allowed movement of speed enforcement vans from school zones to anywhere within the City limits.

7. Martin Chávez, the Mayor of the City of Albuquerque, initiated and advanced the notion of applying and enforcing a nuisance ordinance declaring the offending vehicle, rather than the driver, to be a “public nuisance” subject to abatement by charging of substantial fines and penalties against the vehicle’s registered owner.

8. As the Mayor of Albuquerque, Martin Chávez was aware of and nonetheless supported the invidious application of the STOP Ordinance against City employees, and he bears full responsibility for the attendant denial of employees’ constitutional and legal rights, particularly as they arise from the City’s failure to allow a hearing and the seizures of wages of City employees without a hearing.

9. The STOP Ordinance purports to be a nuisance abatement law; it identifies the motor vehicle as the alleged ordinance violator and nuisance, subjecting the registered owner of the vehicle to fines and penalties.

10. In this case, the motor vehicles purportedly committing the violation of the Ordinance (and unreasonably deemed to be “public nuisances”) are owned and operated by the City of Albuquerque. The City is the registered owner of such vehicles and as such is liable under the STOP Ordinance for payment of the STOP Ordinance fine.

11. City supervisors are failing to provide notices of alleged infractions or entitlement to hearings, but are simply notifying drivers that the amount of the alleged “fine” has been or will be deducted from their pay checks.

12. Only one of the Plaintiffs, Anthony P. Chavez, has received a “Notice of Violation” falsely advising him that he is “the registered owner(s) of the vehicle described in this Notice” and stating that “a hearing must be scheduled or payment received by August 29, 2006.” The other five named Plaintiffs have received “Dock Pay Request” forms signed and approved by Transit Department management taking \$100.00 from the employees’ pay. The forms received by Plaintiffs are attached hereto as EXHIBIT 1.

13. Four of the “Dock Pay Request” forms state that the “Employee needs a deduct for a Red Light Violation.” The fifth such “Request” states, “Employee was cited for running a red light in City vehicle.” The pay of all six Plaintiffs has apparently been “docked” and \$100.00 has been taken from each of them without their consent.

14. Pursuant to Rule 1-023, N.M. R. Civ. Proc., Plaintiffs seek to represent a class of other City driver-employees who have been accused and/or convicted of STOP Ordinance violations and who have been denied hearings or other rights to due process.

## **COUNT I**

### **Violation of New Mexico Common Law**

15. Each and every preceding allegation is incorporated herein.

16. “A public nuisance consists of knowingly creating, performing, or maintaining anything affecting any number of citizens without lawful authority which is either (A) injurious to public health, safety, morals or welfare; or (B) interferes with the exercise and enjoyment of public rights.”

17. The STOP Ordinance violates New Mexico law by declaring the subject vehicle to be public nuisances even though the vehicles are not, in fact public nuisances under the common law or common sense.

18. With respect to Plaintiffs, the City’s application of the STOP Ordinance against City employees driving City vehicles further violates the law and common sense by irrationally declaring City vehicles, in particular City buses and vans, garbage trucks, police cars, and so on, to be “public nuisances.”

## **COUNT II**

### **Violations of the United States Constitution**

19. The Fourteenth Amendment to the United States Constitution provides the right to due process of law.

20. By charging and convicting Plaintiffs for alleged violations of a City Ordinance without affording the right to a hearing, the City violates Plaintiffs’ right to due process of law.

21. By “docking” Plaintiffs’ wages without affording the right to a hearing, the City further violates Plaintiffs’ right to procedural and substantive due process.

### **COUNT III**

#### **Violations of the New Mexico Constitution**

22. Each and every preceding allegation is incorporated herein.

23. The New Mexico Constitution provides for both due process of law, Article II, Section 18, and municipal home rule. Article X, Section 6.

#### **Section 14**

24. Article II, Section 14 of the New Mexico Constitution provides, in part, the right “to be confronted with the witnesses against him,” the right to have “compulsory process to compel the attendance of necessary witnesses,” and the right to “a speedy public trial by an impartial jury.”

25. By charging and punishing City employees accused of traffic offense misdemeanors as defined by Sections 66-7-105 or 66-7-301(A)(1) of the New Mexico State Motor Vehicle Code without a hearing under the STOP Ordinance, the City of Albuquerque violates Article II, Sec. 14 of the New Mexico Constitution.

#### **Section 18**

26. Article II, Section 18 of the New Mexico Constitution provides that “(n)o person shall be deprived of . . . property without due process of law; nor shall any person be denied equal protection of the laws.”

27. By denying its employees the right to a hearing, the City absolutely violates Plaintiffs' rights to due process guaranteed by Article II, Sec. 18, of the New Mexico Constitution.

28. By taking money from Plaintiffs' and other City employees' pay without affording them the right to a hearing, the City violates their constitutional right to due process of law.

29. The New Mexico Constitution affords broader and more complete protections than the Constitution of the United States; *bona fide* separate, adequate, and independent state grounds exist for enjoining the STOP Ordinance pursuant to the aforementioned provisions of the New Mexico Constitution.

#### **COUNT IV**

##### **Lack of Jurisdiction**

30. Each and every preceding allegation is incorporated herein.

31. The City of Albuquerque lacks jurisdiction to enforce the STOP Ordinance; only the Metropolitan Court has jurisdiction over "offenses and complaints pursuant to ordinances of the county and of a municipality located within the county." Section 34-8A-3, NMSA.

32. Section 35-15-1, NMSA, provides that "actions to enforce any ordinance of any municipality shall be brought in the name of the municipality as plaintiff" and that "plaintiff or defendant may appeal to the district court from the judgment of any municipal court within fifteen days . . ."

33. Pursuant to Sec. 34-8A-5, NMSA, there is a right to a trial in the Metropolitan Court when charged with either a criminal or civil infraction. In addition, Plaintiffs and other classified City employees who are members of City bargaining units have a right to representation by their union and the right to contest any allegation and disciplinary action against the employee.

## **COUNT V**

### **Violations of the State Traffic Code**

34. Each and every preceding allegation is incorporated herein.

35. The New Mexico Motor Vehicle Code provides that “to do any act forbidden or fail to perform any act required in Article 7 of Chapter 66, NMSA 1978” is a misdemeanor . . . unless the violation is declared a felony. “(N)o local authority shall enact or enforce any ordinance, rule or regulation in conflict with” the Motor Vehicle Code “unless expressly authorized” therein. Section 66-7-8, NMSA.

36. The New Mexico Motor Vehicle Code provides that “No person shall be arrested for violating the Motor Vehicle Code or other law relating to motor vehicles punishable as a misdemeanor except by a commissioned, salaried peace officer who, at the time of arrest, is wearing a uniform clearly indicating his official status.” Sec. 66-8-124, NMSA.

37. Both State statutes and the City Code require that police officers bring and enforce violations of state motor vehicle statutes and the municipal traffic code before the Metropolitan Court rather by arbitrary City departmental administrative action.

## COUNT VI

### Violations of the City's Ordinances

38. Each and every preceding allegation is incorporated herein.

39. Section 1-1-98 of the City's Code of Ordinances provides for the issuance of citations and states the procedure for "issuance of ordinance violation and citation" includes the preparation of a "written notice to appear in Court" when the Mayor or his agent have "probable cause to believe that a person has violated any ordinance of the city punishable by fine and/or imprisonment."

40. The City's Code of Ordinances, Sec. 8-1-1-1 provides that "it is a petty misdemeanor for any person to do any act forbidden or fail to perform an act required in this Traffic Code.

41. The City's Code of Ordinances, Sec. 8-1-3-7 states that "all citations issued under this Traffic Code shall be issued by a uniformed on-duty police officer" and that "no form of complaint other than a citation shall be used."

42. The City's Code of Ordinances, Sec. 8-1-3-17 states that "an appeal de novo from the Municipal Court may be taken by filing with the District Court a notice of appeal and by posting an appeal bond within 15 days after judgment and sentence are rendered by the Municipal court.

43. Section 30-8-8, N.M.S.A., provides that abatement of a public nuisance will take place in the district court.

44. The City's Merit System Ordinance, Sections 3-1-1, et seq., sets out rules for disciplining City employees for alleged work-related misconduct; the Merit System Ordinance does not address or allow the fining, seizing, docking or garnishing of wages as a disciplinary action, either with or without a hearing.

45. As applied to the Plaintiffs in this case, the City's STOP Ordinance conflicts with and violates the City's other ordinances so as to limit City employees' alleged STOP Ordinance violators' rights.

## **COUNT VII**

### **Declaratory Judgment**

46. Each and every preceding allegation is incorporated herein.

47. The City's promulgation, application, and enforcement of its STOP Ordinance against its own employees creates a variety of issues and concerns which require determination and clarification by the Court.

48. Included in the issues that are ripe for a declaratory judgment are the issues of violations of constitutional rights, jurisdiction, and alleged violations of the State's Motor Vehicle Code and the City's Code of Ordinances. These are disputed matters of law that are of substantial concern to Plaintiffs and the public.

49. The New Mexico Declaratory Judgment Act, Sec. 44-6-1 to 44-6-15, NMSA, permits the court "to settle and to afford relief from uncertainty and insecurity

with respect to rights, status and other legal relations, and is to be liberally construed and administered.” Sec. 44-6-14, NMSA.

50. This is a matter of substantial public importance; the controversy involves the rights and legal relations of the parties seeking declaratory relief; the interests of the parties are real and adverse, and the issues are ripe for judicial determination.

## **COUNT VIII**

### **Class Action**

51. Each and every preceding allegation is incorporated herein.

52. Plaintiffs bring this action pursuant to Rule 1-023 of New Mexico Rules of Civil Procedure on behalf of all other persons similarly situated.

53. The class that Plaintiffs seek to represent in this action consists of all City employees who have been or will be threatened with or have suffered or will suffer loss of pay because of alleged violations of the City’s STOP Ordinance.

54. The class is so numerous that joinder of all members of the class is impractical; there are questions of law and fact common to the class, including, but not limited to, whether Plaintiffs and other class members are entitled to certain process, hearings and rights and to be free of violations of their rights, actions against them without jurisdiction, and actions that are in violation of law.

55. The claims of the Plaintiff are typical of the claims of the class and the Plaintiffs and their counsel will adequately represent and protect the interests of the class.

56. The City has acted or refused to act and will continue to act or refuse to act on grounds generally applicable to the class, thereby making injunctive and declaratory relief appropriate with respect to the class as a whole.

57. Separate actions by individual members of the class on common issues would create a risk of inconsistent adjudication with respect to individual members of the class and would risk establishing incompatible standards of conduct for Defendants.

58. Questions of law and fact common to the members of the class predominate over any questions affecting only an individual member or members, and a class action is superior to other available methods for the fair and efficient adjudication of the controversy in this case.

59. Defendants' violations of Plaintiffs' and similarly situated employees' rights, as alleged in this Complaint, have been ongoing and continuous in nature in that Plaintiffs and prospective class members are entitled to rights which have been denied and/or compromised by Defendant.

## **COUNT IX**

### **Injunctive Relief**

60. Each and every preceding allegation is incorporated herein.

61. Defendants have promulgated, enacted, and enforced the City's STOP Ordinance against City employees without regard for the legal and jurisdictional consider-

ations set out herein which preclude both the Ordinance and its abusive application to City employees involved in work-related activities.

62. Defendants have a mandatory, non-discretionary duty to comply with the United States and New Mexico Constitution, the State's laws, and the City's Ordinances.

63. Plaintiffs are beneficially interested and have interests in common with the public in ensuring the orderly, constitutional and lawful operation of City vehicles, the State's Motor Vehicle laws, and the City's Traffic Codes, as well as preventing and eliminating violations of constitutional and legal rights.

64. The City has a mandatory, non-discretionary duty to enforce speeding, red light, and turn arrow laws through the existing traffic laws and regulations which require hearings in the Metropolitan Court and to refrain from denying the rights of public employees by taking wages without notice or a hearing.

65. Without issuance of an injunctive order and/or a Writ of Mandamus Defendant will continue to refuse or delay compliance with the law and will continue to violate, deny and compromise Plaintiffs' rights and interests.

66. Plaintiffs have a likelihood of success on the merits, they are suffering irreparable injury because of the City's failure to comply with the law and constitutional requirements, and they have no other plain, speedy, or effective remedy outside of this lawsuit.

## **PRAYER FOR RELIEF**

**WHEREFORE**, Petitioners pray they be awarded compensatory, declaratory, and injunctive relief requiring Defendants to:

A.) Declare the acts and omissions of Defendants described herein, and particularly the application and enforcement of the Ordinance against City employees driving City vehicles, to be illegal and unconstitutional.

B.) Reimburse the full amount of the fine(s) collected by the City for alleged violations of the STOP Ordinance as well as any other costs incurred as a result of the matters addressed herein.

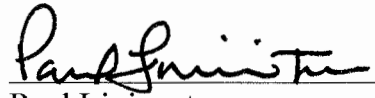
C.) Rescind any disciplinary action taken without notice or the right to a hearing, including but not limited to the accrual of “points” against the employees’ City Operator Permits, resulting from alleged violations of the STOP Ordinance by City employees driving City vehicles.

D.) Enjoin Defendants’ illegal and unconstitutional conduct and require adherence to principles and rules contained in the Federal and State Constitution, State laws, and City Ordinances;

E.) Pay to Plaintiffs any damages proximately resulting from Defendants’ unlawful conduct and violations of legal or constitutional rights, together with costs, including reasonable attorneys’ fees.

F.) Award such other and further relief as the court deems just and equitable.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul Livingston", written over a horizontal line.

Paul Livingston

Attorney for Plaintiffs

P.O. Box 250

Placitas, NM 87043

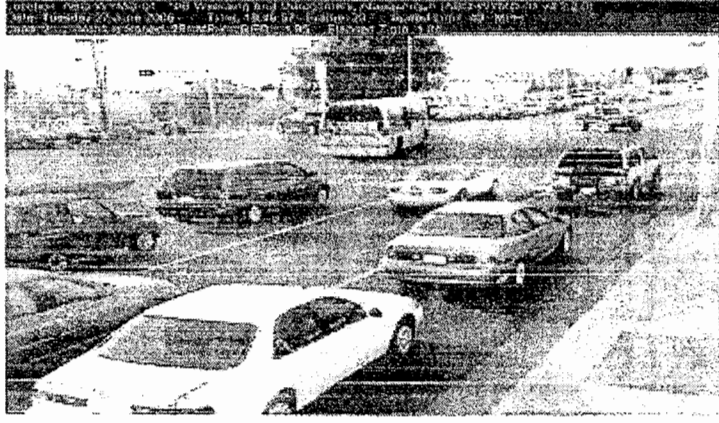
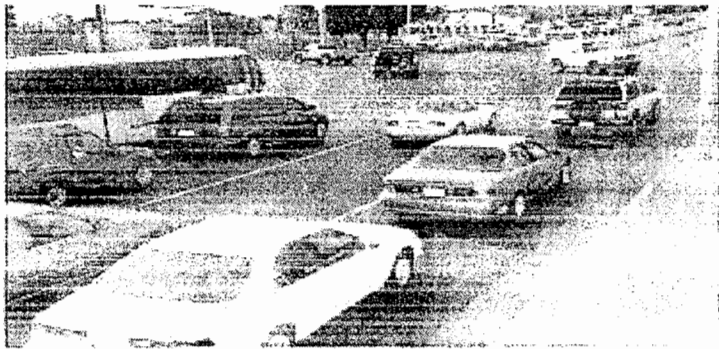
(505) 771-4000



# NOTICE OF VIOLATION RED LIGHT

**NOTICE NUMBER: AR06027804**

DATE OF VIOLATION		TIME OF VIOLATION	
June 27, 2006		06:46 PM	
Name (FIRST, MIDDLE, LAST)			
CITY OF ALBUQUERQUE			
ADDRESS			
PO BOX 1293			
CITY	STATE	ZIP CODE	
ALBUQUERQUE	NM	87103	
VEH LIC NO: G20458	STATE: NM	VEH. YEAR: 1989	
VEH. MAKE:	BODY STYLE: Bus		
REGISTERED OWNER			
CITY OF ALBUQUERQUE			
ADDRESS			
PO BOX 1293			
CITY	STATE	ZIP CODE	
ALBUQUERQUE	NM	87103	
PLEASE NOTE THAT RECORDED IMAGES CONSTITUTE EVIDENCE OF A VIOLATION OF CITY ORDINANCE O-0-145, SAFE TRAFFIC OPERATIONS PROGRAM. FAILURE TO STOP AT RED LIGHT			
LOCATION OF VIOLATION: Wyoming Blvd & Montgomery Blvd NB			
THIS NOTICE OF VIOLATION IS BEING ISSUED TO YOU BY THE UNDERSIGNED POLICE OFFICER.			
		<i>Dennis Schipper</i>	
06/30/2006		2840	
DATE ISSUED	SIGNATURE, ALBUQUERQUE POLICE OFFICER	ID NO.	



Transit Bus Maint  
Veh # 5229

Failure to pay this fine on time will lead to serious legal consequences including the loss of your vehicle and the assessment of additional fines and monies due. A second or subsequent STOP violation within two years from the date of this STOP Fine will lead to increasing fines and penalties including loss of the subject vehicle. After you have received this STOP Fine, it is a criminal violation to sell, transfer or otherwise convey title to the subject motor vehicle to another person unless all applicable STOP Fines are paid.

As the registered owner(s) of the vehicle described in this Notice, the City holds you responsible for paying this Fine.

No points will be assessed to your driving record and no record of this violation will be sent to your insurance company or the Division of Motor Vehicles.

A hearing must be scheduled or payment received by: 08/29/2006.

**Fine Schedule - Read Carefully:**

1. First violation: \$100.00 fine. Failure to pay within 20 days: \$200 Default fine PLUS \$100.00 STOP Fine = \$300.00.
2. Second violation within two (2) years shall result in a \$250.00 fine. Failure to pay within 20 days: \$500 Default fine PLUS \$250.00 STOP Fine = \$750.00.
3. Third violation within two (2) years shall result in a \$500.00 fine. Failure to pay within 20 days: \$1,000 Default fine PLUS \$500.00 STOP Fine = \$1,500.00.

**General Information:**

4. You MAY request to speak with the Issuing Officer. See Section 1 on the reverse side of this Notice.
5. To CONTEST this STOP Fine you MUST request a Hearing. See Section 3, Option B on the reverse side of this Notice.
6. A \$100.00 administrative fee will be assessed for rejected or declined payments.
7. You may view the video of the violation at [www.photonotice.com](http://www.photonotice.com). Enter City Code: ABQ Computers are available for use for a nominal fee at Albuquerque public libraries.

**PAYMENT INSTRUCTIONS:** No Contest Payment of STOP Fine (To be completed by the person to whom this Notice was issued). Please complete the mail-in coupon C on page 2. By signing you acknowledge that you are waiving your right to a hearing.

\* You may pay by cashier's check or money order payable to: "Photo STOP", mailed with the payment coupon to: Photo STOP Albuquerque P.O. Box 76842 Cleveland, OH 44101-6500. Do not mail cash. To avoid Default, please write the Notice number and vehicle license plate number on your check or money order.

\* You may pay by credit card over the internet at : [www.photonotice.com](http://www.photonotice.com). Enter City Code: ABQ

Exhibit 1

### DOCK PAY REQUEST

EMPLOYEE NAME Aguilar, Johnny DATE 6/09/06

EMPLOYEE ID NUMBER 000012378 DEPT. NAME Transit

Reason for Request: Employee needs a deduct for a Red Light Violation. See attached memo.

2006 JUN 20 PM 3:42

WAS PAID

SHOULD HAVE BEEN PAID

DIFFERENCE

Red Light Violation

-\$100.00

TOTAL TO BE DOCKED \$100.00

TO BE DOCKED AT \$ 100.00 PER PAY PERIOD.

*Johnny Refused to Sign*

*[Handwritten Signature]*

6-15-06

Employee Signature *or* Date  
(Supervisor Signature if Employee Refused to Sign)

*[Handwritten Signature]*

6/09/06

724-3147

Timekeeper Signature

Date

Phone No.

*[Handwritten Signature]*

6-20-06

Approved By

Date

# DOCK PAY REQUEST

EMPLOYEE NAME Yvonne Dougherty DATE 4/13/06

EMPLOYEE ID NUMBER 000021620 DEPT. NAME Transit

OVER PAYMENT OCCURRED ON PPE 4/14/06

Reason for request: Employee was cited for running a red light in City vehicle. See attachments...

<u>WAS PAID</u>	<u>SHOULD HAVE BEEN PAID</u>	<u>DIFFERENCE</u>
-----------------	------------------------------	-------------------

TOTAL TO BE DOCKED \$100.00

TO BE DOCKED AT \$ 100.00 PER PAY PERIOD.

Yvonne Dougherty 4-21-06  
EMPLOYEE SIGNATURE DATE

Rosemary Arce 4/13/06 724-3148  
TIMEKEEPER SIGNATURE DATE PHONE NUMBER

Kenneth [Signature] 4-26-06  
APPROVED BY DATE PHONE NUMBER

Note: A dock pay request will be submitted to the main payroll office only when an agreement has been made between the department and the employee, to dock the pay over a period of time. Otherwise, an adjustment will be made by the timekeeper in the pay period in which the error is found. In order for this transaction to occur by the next available pay period, it must be submitted to the main payroll office by 5:00 PM Friday of non payroll week.

*Back*

JV: 35AHBRGP  
 STATUS: PROCESS  
 EFFECT: 03/31/06

SEE NOTES

TYPE: AH USER DEFINED AD HOC JV  
 DEPT: 25 FINANCE AND ADMIN SERVIC  
 USER: RMN THOMAS TORRES

---LINE	DC-ACTIVITY-ACCT	AMOUNT	OFFSET DEBIT/CREDIT ENTRIES	DP-ACTIVITY-ACCT	AMOUNT-DC
000					
001	C 3395000 521000	100.00	OK 5723033 526329		100.00

TOP 1	TOTAL DEBITS:	.00	OFFSET CREDITS:	.00
	TOTAL CREDITS:	100.00	OFFSET DEBITS:	100.00

MOD  
 Enter PF1---PF2---PF3---PF4---PF5---PF6---PF7---PF8---PF9---PF10---PF11---PF12---  
 CPA FLIP LONG NOTES AUDIT RFRSH COPY DEL DATE STAT ... EXIT

*Camera citation*

*employee - Yvonne Dougherty*

*Vera-*

*We need to find out how this employee wants to reimburse us for this charge. If she wants to dock her pay then I would say for sure no more than 4 pay periods (<sup>25<sup>th</sup></sup> per). There is a dock pay form that I believe her supervisor v. she signs. Let the supv. handle this. The account and activity to be used for the dock is 5723033/526329. Let me know if you have questions. You may want to have supervisor give her a copy of admin list. See attached.*

*Thanks  
Nisha*

COPY

### DOCK PAY REQUEST

EMPLOYEE NAME Montoya, Greg DATE 7/20/06

EMPLOYEE ID NUMBER 000015002 DEPT. NAME Transit

Reason for Request: Employee needs a deduct for a Red Light Violation. See attached memo.

<u>WAS PAID</u>	<u>SHOULD HAVE BEEN PAID</u>	<u>DIFFERENCE</u>
	Red Light Violation	-\$100.00

TOTAL TO BE DOCKED \$100.00

TO BE DOCKED AT \$ 100.00 PER PAY PERIOD.

\_\_\_\_\_  
 Employee Signature or Date  
 (Supervisor Signature if Employee Refused to Sign)  
*Mica Lewelly* 7/20/06 724-3147  
 Timekeeper Signature Date Phone No.

\_\_\_\_\_  
Approved By Date



Victor G.  
Vega/Transit/CABQ  
07/19/2006 01:46 PM

To Mila C. Downey/Transit/CABQ@COA  
cc  
bcc  
Subject GREG MONTOYA

GREG MONTOYA GOT A RED LIGHT VIOLATION ON 06/12/2006 NEED TO DEDUCT ONE HUNDRED DOLLERS FROM HIS PAY.

ID #000015002

### DOCK PAY REQUEST

EMPLOYEE NAME Ramirez, Virginia DATE 6/09/06

EMPLOYEE ID NUMBER 000020591 DEPT. NAME Transit

Reason for Request: Employee needs a deduct for a Red Light Violation. See attached memo.

<u>WAS PAID</u>	<u>SHOULD HAVE BEEN PAID</u>	<u>DIFFERENCE</u>
	Red Light Violation	-\$100.00

TOTAL TO BE DOCKED \$100.00

TO BE DOCKED AT \$ 100.00 PER PAY PERIOD.

Employee Refused to sign 6-27-06 Andy  
Employee Signature or Date mark

Mila Dowkey 6/09/06 724-3147  
(Supervisor Signature if Employee Refused to Sign) Date Phone No.  
Timekeeper Signature

[Signature] 7-6-06  
Approved By Date

### DOCK PAY REQUEST

EMPLOYEE NAME Sanchez, John DATE 6/09/06

EMPLOYEE ID NUMBER 000003572 DEPT. NAME Transit

Reason for Request: Employee needs a deduct for a Red Light Violation. See attached memo.

<u>WAS PAID</u>	<u>SHOULD HAVE BEEN PAID</u>	<u>DIFFERENCE</u>
	Red Light Violation	-\$100.00

2006 JUN 20 PM 3:42

TOTAL TO BE DOCKED \$100.00

TO BE DOCKED AT \$ 25.00 PER PAY PERIOD.

[Signature] \_\_\_\_\_ Date 6-13-06  
Employee Signature or (Supervisor Signature if Employee Refused to Sign)

Mela Dewney \_\_\_\_\_ Date 6/09/06 Phone No. 724-3147  
Timekeeper Signature

[Signature] \_\_\_\_\_ Date 6-20-06  
Approved By