



PIMA COUNTY

HUMAN RESOURCES
150 West Congress, 4th Floor
Tucson, Arizona 85701
(520) 724-8028

Cathy Bohland, Director

April 29, 2022

APPEAL HEARING NOTICE

APPELLANT

Benjamin Rothacker
[REDACTED]

RESPONDENT

Pima County Sheriff's Department
1750 E. Benson Highway
Tucson, Arizona 85714

Pursuant to A.R.S. § 38-431.02, and in accordance with the Rules of the Pima County Merit System Commission, notice is hereby given to the Members of the Commission and to the public that a Hearing has been scheduled before a Quorum in the Appeal of **Benjamin Rothacker v. Pima County Sheriff's Department**. The date and time set is:

DATES OF HEARING: June 10, 2022
TIME OF HEARING: 9:00 a.m.
PLACE OF HEARING: Human Resources' Training Room
150 West Congress, 4th Floor
Tucson, AZ 85701

The Hearing shall be held pursuant to Merit System Rule 14. A copy of the Appeal Hearing Guidelines has been provided to the Appellant for information and guidance of the Appellant and Respondent. Parties may represent themselves, or be represented by legal counsel, or by a third party representative, except as prohibited by law.

Persons with a disability may request reasonable accommodation, such as a sign language interpreter, by contacting the ADA Coordinator at Pima County Human Resources at 724-8028. Requests should be made as soon as possible in order to permit time in which to make arrangements for the requested accommodation.

Participation During COVID-19

Access will be limited and compliance to the following conditions are required:

- Anyone exhibiting COVID-19 or influenza-like symptoms will not be admitted to the hearing.
- It is recommended that all persons entering a County facility wear a mask as follows:
 1. In common areas, lobbies and elevators
 2. In areas where proper physical distancing is not possible (less than 6 feet)
 3. In areas where there is not a protective barrier.
- Unvaccinated individuals who need to participate in the hearing will do so virtually. Contact Trina Bergen at 520-724-2719 for more information.

Questions regarding this meeting can be directed to Cathy Bohland, Pima County Human Resources Director, by calling (520) 724-2732. Copies of the agenda may be obtained by contacting Trina Bergen at (520) 724-2719 or at www.pima.gov/hr/commissions.html.

Witnesses and documents should be presented by both sides at the time of the hearing. It is the responsibility of both the Appellant and Respondent to notify their witness(es) of the hearing and to make the necessary arrangements for their attendance. Copies of any and all correspondence submitted to the Commission must also be provided to the opposing party.

REQUIREMENT: Completed subpoena(s) for witness(es) to appear at this hearing and/or the production of any books, papers, or any other evidence relating to any hearing or investigation to be available for this hearing, must be received by Human Resources in accordance with the established subpoena procedure as set forth in the Appeal Hearing Guidelines.

IMPORTANT TO NOTE: A pre-hearing conference shall occur after the parties have exchanged discovery, but not less than two (2) business days before the hearing. Failure by either party to appear for this conference, in the absence of good cause, may result in the exclusion of evidence, the cancellation of the hearing by the hearing officer or commission, and/or granting of other relief by the Commission, including the dismissal or granting of the appeal.

At the conclusion of the Appeal Hearing, a decision will be made in Open Session.

THE EVIDENTIARY PROCEEDINGS WILL BE DIGITALLY RECORDED AND AVAILABLE FOR REVIEW UPON REQUEST.

Sincerely,



Cathy Bohland, Director
Human Resources Department

Notification of Appeal Hearing

*Via Regular U.S. Mail and
Certified Mail/Return Receipt Requested*

- c: All Commission Members
- Donna Aversa, Counsel for the Commission
- Jason Parrish, Deputy Director, Human Resources Department
- Laureen Pew, Pima County Attorney's Office
- Chris Nanos, Sheriff, Pima County Sheriff's Department

Appeal File