



POLICY AND PROCEDURE MEMO

NO. 2.018
DATE: 3/27/2014

SUBJECT: DISCLOSURE OF ARRESTS
AND CONVICTIONS BY CURRENT EMPLOYEES

D. W. Fitzgerald

CITY MANAGER

I. PROCEDURE

1. ARREST

Employees arrested or charged by summons to appear in court for crimes covered by this policy, (all felonies; misdemeanors involving violence and theft; or any offense requiring one to register as a sex offender) or for a crime/violation that is otherwise job related (e.g., a DUI or DWI if driving is a job requirement), have a duty to notify their supervisor and Human Resources within five days of the arrest or receipt of the summons. Any employee arrested under circumstances involving an alleged violation of a criminal drug or alcohol beverage related statute in the workplace, during working hours, or in a City vehicle must notify his or her immediate supervisor and Human Resources within five days of the arrest. While an arrest is not a conviction, the City Manager will determine any potential actions or consequences of the arrest on a case by case basis. Nothing herein shall be construed to prohibit the City from pursuing disciplinary action pending outcome of any criminal proceedings.

2. CONVICTION

Employees have a duty to immediately report a criminal conviction covered under this policy (all felonies; job related crimes; misdemeanors involving violence and/or theft; or any offense requiring one to register as a sex offender); or for a crime/violation that is otherwise job related (e.g., a DUI or DWI if driving is a job requirement), to their supervisor and Human Resources within five days of the conviction. Any employee convicted under circumstances involving an alleged violation of a criminal drug or alcohol beverage related statute in the workplace, during working hours, or in a City vehicle must notify his or her immediate supervisor and Human Resources within five days of the conviction.

A conviction means a finding of guilt (including a plea of nolo contendere), referral of charges to a court sponsored diversion program or drug court (where an acknowledgment of guilt/responsibility is required), or the imposition of a sentence by a judge or jury in any federal, state or local court that has not otherwise been annulled. The employee can add a written statement pertaining to the conviction when filing the report of the conviction. Depending upon the



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seriousness of the underlying offense, a conviction can result in discipline up to and including termination of employment.

- END OF PROCEDURE -