

## **3354:1—43-02.1 Criminally Charged Employees Procedure**

### **A. Procedure Statement**

All employees are obligated to report criminal charges and convictions which occur during their time of employment with the College to their immediate supervisor and the Office of Human Resources, Employee and Labor Relations.

Employees charged with a crime may be placed on paid administrative leave of absence during which time the College's Office of Human Resources will investigate the charges and/or conviction. Following the completion of the investigation, the employee may be subject to a pre-disciplinary due process meeting (DPM) for violations of College policies and procedures, if applicable, regardless of whether the misconduct occurred on or off-duty.

### **B. Felony Charges**

An employee charged with a felony shall be suspended with pay pending the conclusion of the College's investigation into the criminal charges. The investigation by the Office of Human Resources shall determine if the charge(s) affects the employee's job duties, public or students.

1) Following the investigation, if the Office of Human Resources determines the felony charge(s) does not affect the employee's job duties, public or students, it may permit the employee to continue working in either a limited or regular capacity pending the adjudication of the criminal charges.

2) Following the investigation, if the Office of Human Resources determines the felony charge(s) does affect the employee's job duties, public, or students, it will convene a DPM to determine if the employee also violated College policies and procedures and any appropriate disciplinary action.

### **C. Misdemeanor Charges**

An employee charged with a misdemeanor shall continue working in a regular or limited capacity without suspension. If the Office of Human Resources' investigation determines that the criminal charges relate to or affect their job duties, public or students, it will convene a DPM to determine if the employee violated College policies and procedures and any appropriate disciplinary action.

**D. College Corrective Action** Following the DPM, the College does not need to wait until the adjudication of the criminal charge(s) by the court to take appropriate administrative sanctions. The College reserves the right to amend any administrative charges.

Effective Date: September 1, 2023

Amplifies: 3354:1-43-02