



VII. SEPARATIONS OF EMPLOYMENT

D. SUSPENSION FOR VIOLATION OF LAW

Any employee who is arrested for a violation of law (in any jurisdiction, at any time), including traffic violations which cover reckless driving, vehicular homicide or driving under the influence of intoxicating liquor or drugs, shall notify his/her supervisor of the arrest before reporting to work for his/her next scheduled shift or any extra duty work. Failure to do so may result in disciplinary action. Based upon the recommendation of the Department Director and the Human Resources Manager, the City Manager will determine whether the employee will be suspended without pay until such time as judgment is rendered by the court. Suspension without pay will occur for any arrests occurring on or off the job that are plainly related to the job duties, qualifications or essential functions of the job and are of such nature that to continue employment would impair carrying out the City's responsibility to its citizens or to other City employees or if not related to job duties would place the City's image in an unfavorable light. Regardless of the decision of the court, the City will determine if disciplinary action is warranted under the City's policies and procedures for actions that occurred which are job related.

In Addition, the following actions shall be taken:

- Conviction of a Felony
The employee shall be terminated.

- Charged with a Felony and a Diversion Program is Approved
Continued employment or reinstatement if suspended.

- Conviction of a Misdemeanor
Continued employment or reinstatement if suspended is at the discretion of the City Manager. No back pay, accumulated leave, retirement contributions or other privileges shall be given upon reinstatement.

- Found Not Guilty and Released by the Court
The employee will continue employment or reinstated if suspended with back pay and privileges. Back pay will be for regular wages only and accumulated sick and vacation leave will be credited.



- **Charges Dropped**

The employee will continue employment or be reinstated if suspended with back pay and privileges. Back pay shall be on regular wages only and accumulated sick and vacation leave will be credited.