	POLICY AND PROCEDURE
	SUBJECT: REPORTING ARRESTS AND CONVICTIONS

DATE: JANUARY 19, 2021

NUMBER: HR 21-01

1. PURPOSE

The City of Riviera Beach is dedicated to providing a safe environment for employees, residents and visitors by ensuring employees are fit for the positions they hold. In order to better promote safety and security and mitigate potential risk, City employees are required to disclose any offense of which they have been arrested, charged or convicted. This policy is intended to promote fair and consistent application of employee performance standards within the City.

2. SCOPE

This policy applies to all City employees.

3. POLICY STATEMENT

- A. Any City employee who is arrested or is charged with a criminal offense, including a traffic violation, shall self-report in writing, with the appropriate documentation of any arrests, charges or convictions, to his or her supervisor within 72 hours of the arrest, charge or conviction. The supervisor shall forward a copy of the documentation from the employee regarding the arrests, charges or convictions to Human Resources within twenty-four (24) hours of receipt of the information.
- B. An employee’s failure to self-report as required under this policy may result in appropriate disciplinary action, including the termination of employment in accordance with this policy or the appropriate collective bargaining agreement.
- C. A report made under this policy is in addition to and does not replace the requirement to notify your supervisor if you are unable to return to work.

4. CITY EMPLOYEES DRIVING CITY OWNED VEHICLES

City employees who operate a City owned vehicle during the performance of their regular duties and who plead nolo contendere or who are found guilty of committing any of the criminal offenses listed below will be subject to disciplinary action up to and including suspension and termination. Such offenses consist of:

- A. Driving under the influence of alcoholic beverages, chemical substances or controlled substances, or with unlawful blood alcohol levels.
- B. Leaving the scene of an accident where there was an injury and/or property damage exceeding five hundred dollars (\$500.00).
- C. Reckless driving resulting in an accident.
- D. Fleeing or attempting to elude a police officer.
- E. Driving under suspension.

5. ASSESSING DISCLOSED ARRESTS AND CONVICTIONS

- A. Human Resources will consider the information provided by the employee and conduct a review of the disclosure and make an individualized assessment, consistent with business necessity, considering:
 - a. the incident report, indictment, conviction, or plea agreement related to the conviction,
 - b. the nature and gravity of the offense,
 - c. the timeliness and accuracy of the disclosure, and
 - d. the relevancy of the arrest, charge, or conviction to the employee's job responsibilities.
- B. The City Manager, the City Attorney, or their designees, may be consulted as needed.
- C. A Background Check may be conducted, if warranted.
- D. A felony charge and/or conviction is not a bar to continued employment with the City.
- E. A determination will be made regarding suitability for continued employment with the City, in collaboration with the employee's department leadership, the City Manager, the City Attorney, or their designees, as appropriate.
- F. Pending a determination regarding continued employment, temporary measures may be implemented (such as work location).
- G. An individual who reports a felony charge and/or conviction will be notified of the determination regarding continued employment in a timely manner after the review is complete and submitted to the City Manager for final decision-making.

Departmental Sponsor:

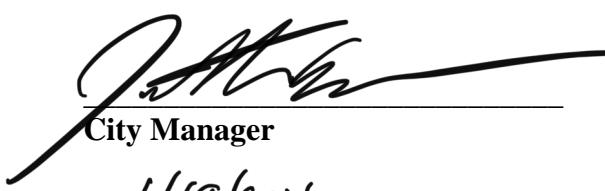
HUMAN RESOURCES

Policy Review Date:

References:

Departments Affected:

All department heads and employees.



City Manager

1/19/2021

Date

Eureka L. Young

Interim Human Resources Director

01/19/2021

Date

