

CITY OF DENTON

POLICY/ADMINISTRATIVE PROCEDURE/ADMINISTRATIVE DIRECTIVE

SECTION: GENERAL POLICIES AND PROCEDURES/DIRECTIVES	REFERENCE NUMBER: 108.01
SUBJECT: STANDARDS OF CONDUCT FOR EMPLOYEES	INITIAL EFFECTIVE DATE: 01/07/2008
TITLE: EMPLOYEE DUTY TO NOTIFY EMPLOYER OF ARRESTS, CHARGES OR CONVICTIONS	LAST REVISION DATE:

ADMINISTRATIVE DIRECTIVE:

Employees of the City of Denton have a duty to report to their supervisors certain actions that occur outside their work hours and while on personal business which may negatively impact their ability to perform their job duties. Employees may be subject to discipline, up to and including dismissal, for failure to comply with notification requirements in two City of Denton Policies: the Disciplinary Actions Policy (no. 109.01) and the Comprehensive Driving Policy (no. 409.05). If there is any language in this directive that conflicts with the language in the Disciplinary Actions Policy (no. 109.01) or the Comprehensive Driving Policy (no. 409.05), the language in the Disciplinary Actions and the Comprehensive Driving policies will be assumed to be the controlling language.

ADMINISTRATIVE PROCEDURES:

A. NOTIFICATION REQUIREMENTS: DISCIPLINARY ACTIONS POLICY (109.01)

The Disciplinary Actions policy states, in part:

“Employees may be disciplined up to and including discharge for conduct which occurs outside regularly scheduled working hours if such conduct affects the employee's ability to work for the City or if it places the City Council, City Administration or the City's reputation in a negative light. An example that might be considered negative light is a conviction for an offense that jeopardizes citizen trust or confidence in an employee's ability to perform his/her job duties and responsibilities. **Pursuant to such policy, an employee may also be disciplined for failing to report an arrest or conviction for an offense that could jeopardize citizen trust or confidence in the employee's ability to perform his/her job duties and responsibilities.**”
(Emphasis added).

It is a supervisor's duty to communicate with employees the type of “off the job” behavior which would be considered covered by this section of the policy. If the employee has any questions about the necessity of reporting an arrest, the employee should contact Human Resources and notify the Director of Human Resources or designee of the arrest. A supervisor who is advised by an employee of an arrest should immediately report the notification to his/her director and to the Human Resources department.

POLICY/ADMINISTRATIVE PROCEDURE/ADMINISTRATIVE DIRECTIVE (Continued)

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B. NOTIFICATION REQUIREMENTS: COMPREHENSIVE DRIVING POLICY (409.05)

The Comprehensive Driving Policy states, in part:

“Employees shall self-disclose, without the necessity of an inquiry, any loss or limitation in driver's license status and any and all arrests, charges, or convictions for DWI, DUI, Involuntary (vehicular) Manslaughter, or Reckless Driving, whether such incidents arose out of work-related driving or not. Employees shall make such self-disclosure to his/her supervisor, Human Resources or Risk Management at the earliest opportunity and shall not operate any City vehicle/equipment or their personal vehicle to conduct City business until cleared to do so by Human Resources. Employees who fail to make such required self-disclosure at the earliest opportunity shall be subject to disciplinary action up to and including dismissal.”

In addition, the Comprehensive Driving Policy states that “The requirements for self-disclosure . . . do not in any way affect the requirements of holders of a Commercial Driver’s license from notifying the City within 30 days of any conviction, in any jurisdiction, for a traffic violation (except parking) regardless of the type of vehicle being operated or the suspension, revocation or cancellation of license.”

C. CONSEQUENCES: FAILING TO COMPLY WITH NOTIFICATION REQUIREMENTS

Employees who fail to comply with the notification requirements identified above may be disciplined, pursuant to the disciplinary actions policy, up to and including dismissal. Employees who are dismissed for failing to follow notification procedures may also be deemed ineligible for rehire with the City of Denton.