

TITLE: LAYOFF OF EMPLOYEES CHARGED WITH A FELONY

EFFECTIVE DATE: November 28, 1992

REVISION EFFECTIVE DATE: April 25, 2006

1.0 GENERAL

1.1 Civil Service Rule IX, Section 6(d) provides that any employee who has been formally charged with a felony may be laid off without pay pending court trial determination. This document spells out the City's policy on the implementation of that rule and the procedure to be followed after the City learns that an employee has been formally charged with a felony.

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2.0 DEPARTMENTS/DIVISIONS AFFECTED

This policy shall apply to all City divisions and departments.

3.0 REFERENCES

Civil Service Rule IX, Section 6(d)

4.0 DEFINITIONS

None

5.0 POLICY

- 5.1 It is the policy of the City of Spokane that an employee who has been formally charged with a felony will be laid off pending court trial determination only if the alleged crime is so heinous as to offend the sensibilities of a reasonable person, there is a job connection, the City's public relations would be adversely affected by retaining the employee on the job, or the employee's presence on the job would be a disruptive factor in the work force.

6.0 PROCEDURE

- 6.1 When it comes to the City's attention that an employee has been formally charged with a felony, the Human Resources Department shall verify that charge with the appropriate prosecutor's office.
- 6.2 If the charge is verified, the Human Resources Department shall convene an ad-hoc committee composed of the employee's department head or designee, one person from the Human Resources Department, and (if the employee is in a bargaining unit) one person from the bargaining unit. The ad-hoc committee shall review the charge and determine whether it would be a violation of this policy to retain the employee in the job pending court trial determination. The employee, if not incarcerated, may make a presentation at the meeting of the ad-hoc committee if the employee desires. The committee shall reduce its recommendation in writing and submit them to the Human Resources Director, Deputy Mayor and the affected employee.
- 6.3 The Human Resources Director shall provide information on the charge and the ad-hoc committee's recommendations to the Deputy Mayor who will make the decision as to whether to lay the employee off pending court trial determination.
- 6.4 The Human Resources Director and Deputy Mayor may temporarily reassign an employee to other duties if it would be in the best interest of the City pending court trial determination.

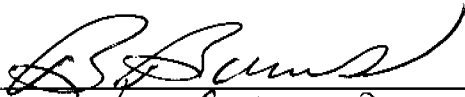
7.0 RESPONSIBILITIES

The Human Resources Department shall administer this policy.

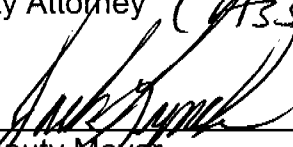
8.0 APPENDICES

None

APPROVED BY:



City Attorney (Asst)



Deputy Mayor



Director

4/10/06

Date