

## LCCS POLICY 400

### Required Employee Notification Regarding Criminal Offenses

<b>Original Issue Date:</b>	4/17/2007
<b>Revision Dates:</b>	8/14/2009, 8/8/2011, 12/6/2013
<b>Revision Number:</b>	3
<b>Current Effective Date:</b>	12/6/2013, Reviewed 7/23/21 - No Changes
<b>Board Approval Date:</b>	8/9/2006
<b>Obsolete/Combined Date:</b>	
<b>Reason for Obsoleting/Combining:</b>	
<b>See new Policy #:</b>	

<b>Scope:</b>	All Employees
<b>Responsibility:</b>	All Staff, Human Resources Department
<b>Purpose:</b>	To maintain current Human Resources records and protect clients from exposure to persons with criminal backgrounds.
<b>Legal Cite:</b>	OAC 5101:2-5-09; 5101:2-5-13(e), ORC Section 4511, ORC Chapter 2900

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#### **POLICY STATEMENT**

Employees shall notify the Agency within twenty-four hours of any charge and/or conviction of any criminal offense that is brought against them.

#### **DEFINITIONS**

Twenty-four hours: Twenty-four (24) clock hours

Traffic Offense: Any violation of Ohio Revised Code Section 4511 including: DUI: Operating Vehicle Under the Influence of Alcohol or Drugs-OVI; ORC 4511.19 or a violation of 4511.191- Implied Consent.

Criminal Offense: Any violation of Ohio Revised Code Chapter 2900

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#### **PROCEDURE - including required timeframes and documentation**

Employees must notify LCCS of any criminal charge(s) brought against them within twenty-four (24) hours of its occurrence, including DUI/Implied Consent if driving is a condition of employment, but not other traffic offenses unless reporting of off-duty traffic offenses is required by an employee's specific work assignment.

Employees must notify her/his immediate supervisor and the Human Resources department. Notification needs to follow the chain-of-command and after-hours/weekend protocol.

When the twenty-four (24) hour notification period includes weekend, holiday or leave time, the employee is to have LCCS Security connect her/him to her/his supervisor, if necessary. If the employee's immediate supervisor is not available, the employee is to follow her/his normal chain-of-command until a direct contact is made.

If the charge(s) results in a conviction or plea of guilty, the employee will notify LCCS, in the same manner described above, within twenty-four (24) hours of the conviction/plea. Failure to notify LCCS of any conviction or plea of guilty to any criminal offense could result in discipline.

Failure to notify LCCS within twenty-four (24) hours of any charge relating to the crimes listed in Rule 5101:2-5-09 of the Administrative Code, will result in immediate dismissal from the Agency.

Conviction of any of the crimes listed in Rule 5101:2-5-09 of the Administrative Code while in the employ of LCCS, with the exception of a conviction under either ORC Section 4511.19 or 4511.191, will result in immediate dismissal from employment with the Agency.

If driving is a condition of employment, a conviction of ORC Sections 4511.19 or 4511.191 may result in termination at the discretion of the Executive Director. Such decisions shall be based on the discretion of the Agency, the ability of the Agency to allow an employee to be assigned other temporary duties for any time period where his or her driver's license is suspended, or other factors such as the employee's previous record of discipline.

This policy will be provided to and reviewed with all employees and with new employees as part of New Employee Orientation.

**This policy will be reviewed with all staff/employees every six months.**

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## **CASE PRACTICE GUIDES**

Criminal offense is a violation of any municipal, state or federal code. This includes, but is not limited to, any offense defined in Chapter 29 of the Ohio Revised Code.

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## **RELATED POLICIES and FORMS**

OAC 5101:2-5-09 Appendix A  
ORC Section 4511.19  
ORC Section 4511.191