

ORIGINAL

ORDINANCE NO. 2007-025

**COMMISSIONERS OF DELAWARE COUNTY
CHARACTER STANDARDS FOR COUNTY EMPLOYEES**

WHEREAS, Delaware County is committed to providing its citizens with qualified staff who possess good character and standards.

IT IS THEREFORE ORDAINED that:

1. Whenever an employee is cited for an infraction while on duty or arrested for any misdemeanor or felony while on duty, the employee shall report this matter, in writing, to his/her elected official or department head within twenty-four (24) hours of the arrest or citation. Failure to report shall be considered a violation of the personnel policies subject to disciplinary actions up to and including termination. Citations for moving traffic violations or arrests for misdemeanors or felonies which occur during an employee's off-duty hours shall be reported to the elected official or department head in writing within five (5) calendar days of receiving the citation or the arrest.
2. Unauthorized time away from work shall be subject to the County's attendance and wage policies. Time spent under arrest or in jail is not considered a valid excuse for missing work.
3. An employee who is cited for an infraction or arrested for any misdemeanor or felony, whether the citation or arrest happened while the employee was on duty or not, may be suspended without pay pending an administrative investigation and/or the disposition of any charges filed against the employee. The investigation will be used to determine if the accused employee is in violation of the personnel policies and to determine if disciplinary action is warranted, up to and including termination. The determination as to whether an employee is suspended shall be based upon the nature and circumstance of the alleged offense and the impact the charges may have on the employee's ability to adequately perform his/her job duties and/or remain in compliance with the County's personnel policies.
4. It is the responsibility of any employee with pending criminal charges to provide to his/her elected official/department head written documentation such as a court record of the disposition of the charges within five (5) calendar days after receiving notification. Failure to do so will be considered a violation of this policy and may subject the employee to discipline, up to and including termination.
5. If the employee is on a leave of absence pending administrative investigation and/or the disposition of any charges, and the employee is not found to have been in violation of the personnel policies, he/she shall be returned from suspension.
6. Factors to be used in determining appropriate discipline, which may range from no disciplinary action up to termination of employment, will include the employee's assigned

duties and responsibilities, the nature of the offense, sentences imposed, other convictions/infractions, relevant provisions of Indiana statutes, licensing requirements, risk of recidivism, reasonable inferences about problems with self control, propensity for violence, honesty, and damage to the reputation of the employee, the employee's department, and/or Delaware County government.

7. Any employee found guilty, admitting guilt, or pleading no contest or *nolo contendere* of/to a felony will be subject to immediate dismissal.

8. Upon passage, the provisions of this ordinance will be included in the personnel policies of Delaware County.

Dated this 15 day of October, 2007.

DELAWARE COUNTY COMMISSIONERS

By: _____

John H. Brooke, President

By: _____

Larry Bledsoe, Vice President

By: _____

Tom Bennington, Member

ATTEST:

Judy Rust, Delaware County Auditor