

Reporting Criminal Charges

All Employee

Background

The Division is determined to maintain the best employees possible.

Procedures

1. Reporting Criminal Charges

- 1.1 No later than two working days after having been charged with a criminal offence, any person referenced in this administrative procedure is to Inform orally, and subsequently in writing, the Director of Education of all charges laid.
- 1.2 A submission outlining relevant circumstances may be attached by the employee to the written information.
- 1.3 Upon receipt of the information, the Superintendent of Human Resources or designate is to investigate the circumstances.
- 1.4 Failure to disclose charges, provide a written statement, or submission of inaccurate, false, or misleading statements, constitutes grounds for disciplinary action, up to and including termination of employment, in accordance with the provisions of the employee's contract of employment, or refusal of permission to act as a volunteer for school sponsored activities.
- 1.5 Subject to the provisions of *The Education Act, 1995* and the provisions of the relevant collective agreement, or contract of employment, employees may be transferred, reassigned, or be terminated even if the employee is in compliance with the provisions of the procedures of this policy.
- 1.6 Any action taken with respect to an employee is to be conveyed to the employee in writing, a copy of which is to be placed in the employee's personnel file.
- 1.7 Any appeal of the decision is to be made in accordance with the provisions of the employee's collective agreement, conditions of employment or within fifteen days of notification of the decision. If, at the conclusion of all proceedings, a criminal records check confirms no conviction(s) resulting from the incident giving rise to the original charge(s), any documentation which has been placed in the employee's personnel file related to the charge(s) for which discipline has not been effected is, at the request of the employee, to be removed and destroyed.

Reference: Sections 85, 87, 108, 109, 110, 174, 175 Education Act
Human Rights Code