

Suspension for Criminal Complaint

All employees of the County College of Morris (“College”) must report all criminal charges filed against them to the Vice President of Human Resources and Labor Relations or their designee within three (3) business days following the criminal charge. This information will be kept strictly confidential, and will not be reported to the employee’s supervisor unless it is deemed necessary for public/institutional safety, or if the charge will impact the individual’s terms of employment. Within seven (7) business days, the employee must also provide to the College, official written documentation that describes the offense(s) in question (e.g. a written citation of the charge).

An initial review of the charge(s) shall be conducted by the Vice President of Human Resources and Labor Relations. The conduct leading to the charge(s) will be investigated and considered. The employee will have an opportunity to explain the circumstances giving rise to the charge(s). The Vice President of Human Resources and Labor Relations has the discretion as to whether the charge(s) warrant review by the Review Committee, or are at a “report only” level, at which point, documentation will be placed in the employee’s file.

Responsibility for determining any necessary employment action is assigned to the following Review Committee which includes: the Vice President of Human Resources and Labor Relations, the Associate Director of Human Resources, and the appropriate Dean/Vice President to whom the employee in question reports, and any other designee deemed appropriate by the Vice President of Human Resources and Labor Relations.

The Review Committee will consider the following when reviewing conduct related to criminal charges and convictions:

- The nature and gravity of the conduct;
- Whether the conduct poses an unacceptable safety risk to the college, its students, its employees, visitors, and/or property;
- Whether the conduct makes the employee unfit for their job;
- Whether the conduct materially interferes with the performance of the employee’s job duties;
- Whether the conduct is part of an ongoing and sustained pattern of illegal conduct;
- Potential damage to the College’s reputation and/or violation of the public trust; and
- Any extenuating circumstances provided by the employee or otherwise known to the College.

If the Review Committee determines that the criminal complaint filed against an employee of the College is of such nature that the continued employment of the accused would expose the college, its personnel, students, or property to peril, then the Review Committee with the authorization of the President and the Chairman of the Board of Trustees, shall place the accused on paid administrative leave pending the outcome of the charges. The suspension shall be reported to the Board of Trustees forthwith.

Written notice of suspension shall be given personally to the employee or mailed regular mail to the employee's last known place of abode, such notice shall advise of the reason for the suspension, that the Board of Trustees will, within thirty (30) days, determine whether to continue the suspension, and advise of the right of the employee to request an appearance before the Board of Trustees to seek restoration to employment or modification of the terms of suspension.

Within thirty days from the date of suspension, the Board of Trustees shall take such action for the continuance of the suspension or restoration of the employee as it shall deem proper. Written notice of the action of the Board of Trustees with regard to the suspension shall be given personally to the employee or mailed regular mail to the employee's last known place of abode.

Failure to report charges or dispositions of charges or to cooperate with College authorities in regards to a reportable matter under this Policy may subject the employee to appropriate disciplinary action, up to and including termination.