

# Arrest of a Staff Member

LAST REVISED ON 08/2007

**This policy applies to:** All staff

## I. Policy

In the event of the arrest of a staff member for an offense which does not involve a violation of University policy, the University's action will be guided by the principle that the individual is presumed innocent unless found guilty by the court. Actions as outlined below may be necessary during the time a case is pending court action.

## II. Guidelines

**A.** The individual will be subject to disciplinary action according to standard University procedure, regardless of any court action, if the offense constitutes a violation of University policy or regulations.

**B.** If the nature of the alleged offense is related to the individual's University duties or implies a potential threat to the security of University students, staff, patients, or property, the University will take appropriate action while court action is pending (e.g., a University driver arrested for driving while intoxicated, or a Medical Center staff member arrested for a drug offense).

1. A rearrangement of job responsibilities pending determination of the case may be required and will be used when possible.
2. If such reassignment cannot be arranged, a short-term absence or University leave of absence without pay ([Policy #357 \(https://www.rochester.edu/policies/policy/leave-of-absence/\)](https://www.rochester.edu/policies/policy/leave-of-absence/)) (subject to regular eligibility criteria) or termination may be appropriate.

- a. Unused accumulated vacation and PTO, if applicable must be exhausted before a short-term absence or leave of absence becomes effective.

**C.** Absence as in B. 2 and 2 a. above (subject to regular eligibility criteria) may also be granted to a staff member who is held by authorities or, who for any other reason related to the case, is unable to resume his or her University duties prior to the trial.

### **III. Procedure**

To ensure consistent application of this policy, the department head involved should consult with the Offices of Human Resources at the Medical Center or River Campus before any action is taken.

**See also:**

- [#154 Corrective Discipline \(https://www.rochester.edu/policies/policy/corrective-discipline/\)](https://www.rochester.edu/policies/policy/corrective-discipline/)
- [#171 Drug-Free Workplace \(Controlled Substance Policy\) \(https://www.rochester.edu/policies/policy/drug-free-workplace/\)](https://www.rochester.edu/policies/policy/drug-free-workplace/)
- [#357 Leaves of Absence \(https://www.rochester.edu/policies/policy/leave-of-absence/\)](https://www.rochester.edu/policies/policy/leave-of-absence/)

#### **ABOUT THIS POLICY**

**Policy Applies To**

Staff

**Policy Number**

351

**Policy Group**

Human Resources

**Issuing Authority**

Human Resources

**Responsible Officer**

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**POLICY KEYWORDS**

**Conduct (<https://www.rochester.edu/policies/all/?filter%5Btopics%5D=346>)**