**Policy on Arrests and Criminal Charges**

**Duty to Report Criminal Charges**

Any current employee who is arrested, is the subject of a warrant, or charged with a crime (other than a minor traffic offense[[1]](#footnote-1)) shall report such incident to the Office of Legal Affairs within 72 hours of the employee becoming aware of such charge, warrant, or, in the case of an arrest, release from incarceration. Failure to report as required under this policy may result in appropriate disciplinary action, including termination of employment. A report made under this policy is in addition to and does not replace the requirement to notify your supervisor if you are unable to return to work.

To make a report, employees or their representative should fill out an initial report here: <https://legal.uga.edu/forms/report-arrest>. Upon receipt, an attorney will review the report and follow up with the employee for additional information. Reports may also be made by calling the Office of Legal Affairs at (706) 542-0006 during University business hours.

Employees must provide a copy of documentation (*e.g.,* citations and incident report) outlining the charges as soon as available. Documents may be emailed to legal@uga.edu, faxed to (706) 542-3248, or delivered to the Office of Legal Affairs.

The Office of Legal Affairs will consider the information provided by the employee and any other relevant facts and circumstances that are available, including, but not limited to, an incident report. In consultation with the supervisor/administrator and University Human Resources, the Office of Legal Affairs shall make a determination on what, if any, action should be taken regarding the employee’s employment status until resolution of the criminal matter. The University may take employment action while the charges are pending or prior to receipt of an employee’s report, if such action is in the best interests of the University based upon receipt of additional information or upon on a totality of circumstances. An employee may also be subject to employment action for violations of University policies and procedures or reasons independent of this policy (*e.g.* failure to report to work, even if the failure to report is due to incarceration).

**Duty to Report Disposition of a Criminal Case**

Any current employee shall notify the Office of Legal Affairs within 24 hours of the outcome of a criminal case, whether there was a conviction, first offender plea, reduction to a lesser charge, dismissal of the charges, nolo contendere, nolle prosequi, etc. Employees are required to report outcomes of criminal cases occurring during employment even if the underlying crime occurred prior to employment. Failure to report the outcome of a criminal case as required under this policy may result in appropriate disciplinary action, including termination of employment.

The Office of Legal Affairs will consider the information provided by the employee and any other relevant facts and circumstances that are available. In consultation with the supervisor/administrator and University Human Resources, the Office of Legal Affairs shall make a determination on what, if any, action should be taken regarding the employee’s employment status. An employee may also be subject to employment action for violations of University policies and procedures or reasons independent of this policy (*e.g.,* inability to perform essential duties as a result of conviction or probation restrictions, such as loss of driver’s license, etc.).

Policy Revised: August 24, 2022

1. All employees and volunteers who drive vehicles on University business, regardless of the frequency or location of driving are subject to the [University’s Motor Vehicle Use Policy](https://policies.uga.edu/Parking-Transportation-and-Vehicles/Vehicles-for-University-Business/Motor-Vehicle-Use/), which requires reporting of certain offenses, including any license revocation, restriction, or suspension [<https://policies.uga.edu/pdf/motor_vehicle_use.pdf>]. [↑](#footnote-ref-1)