



CITY OF PROVIDENCE

3.6 ARREST NOTIFICATION POLICY

Purpose

The purpose of this policy is to outline the procedures and responsibilities related to the notification of an employee's arrest, and to ensure the City of Providence complies with legal and regulatory requirements while maintaining a safe, secure, and productive workplace.

Scope

This policy applies to all full-time, part-time, temporary, and contract employees of the City of Providence.

Nothing in this policy shall supersede, modify, or diminish any rights, benefits, or obligations contained within applicable collective bargaining agreements (CBAs) or laws. In the event of a conflict, between this policy and a CBA, the CBA shall prevail for covered employees. For all other employees not covered by a CBA, this policy shall govern.

Policy

The City of Providence expects employees to conduct themselves in accordance with applicable laws and regulations, both during working hours and outside of work. In the event that an employee is arrested or charged with any felony or misdemeanor by any federal, state, or local law enforcement authorities (including those outside the State of Rhode Island), it is the responsibility of the employee to promptly inform the City to ensure proper handling of the situation.

1. Employee Responsibility to Notify

A. **Notification Requirement**

Employees must notify their direct supervisor or the Department of People and Culture (DPC) within 24 hours if they are arrested (or as soon as reasonably possible), charged or convicted with any felony or misdemeanor by any federal, state, or local law enforcement authorities (including those outside the State of Rhode Island).

B. **Content of Notification**

The employee should provide the following information:

1. The nature of the offense and arrest.
2. The date and location of the arrest.
3. Whether the employee was released on bond or remains incarcerated.
4. Any impact this arrest may have on their work schedule, responsibilities, or ability to report to work.

C. Failure to provide timely notification under this policy will result in disciplinary action, up to and including termination, regardless of the outcome of the criminal matter.

D. Notification is not required if the employee is arrested and released without being charged.

2. City's Response to Arrest Notification

A. **Initial Assessment**

Upon receiving notification of an employee's arrest, the Department of People and Culture (DPC) will review the circumstances and assess whether the arrest is likely to impact the employee's ability to perform their duties, the City's reputation, or the workplace environment.

B. **Temporary Suspension**



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Depending on the nature of the offense, the employee may be temporarily placed on administrative leave with or without pay, pending further investigation or a final resolution of the matter. Administrative leave decisions will be made based on the seriousness of the offense and its potential impact on the City of Providence.

C. **Confidentiality**

All information regarding an employee's arrest will be treated as confidential and disclosed only to those who have a legitimate business need to know.

3. **Grounds for Disciplinary Action**

A. **Immediate Termination**

If the employee's actions or the nature of the offense is deemed to significantly undermine requirements of their position or pose a liability to the City having a nexus to their position and nature of the job in service to the City, the City may take immediate disciplinary action, including termination.

B. **Disciplinary Action Process**

For offenses that do not require immediate termination, the City may proceed with a disciplinary process, which could include warnings, suspension, or other corrective actions based on the nature and severity of the charge, the employee's role, and any relevant City policies or guidelines.

C. **Ongoing Evaluation**

The City reserves the right to continue monitoring the legal situation and may take additional action based on the outcome of criminal proceedings or investigations.

Related Information:

This policy is intended to comply with all applicable local, state, and federal laws, including anti-discrimination laws, privacy regulations, and other relevant legal requirements. If any part of this policy conflicts with any law or regulation, the City will comply with the law, and the policy will be amended as necessary.

Related Policies:

Discipline Policy
Code of Conduct
Workplace Theft and Misappropriation
Attendance Notification Policy
Criminal Background Disqualification

Other Related Information:

[Local 1033 Collective Bargaining Agreement](#)