


<b>Administrative Procedure Reporting Criminal Charges</b>	
	<b>Department:</b> Corporate Services
	<b>Approved by:</b> Leadership Council
	<b>Date Approved:</b> March 18, 2024
	<b>Revision Date(s):</b>
	<b>Review Date:</b>
	<b>External References</b> <ul style="list-style-type: none"> <li>• <i>The Education Act, 1995</i></li> <li>• <i>Controlled Drugs and Substances Act</i></li> <li>• <i>Criminal Code of Canada</i></li> <li>• <i>Criminal Records Act</i></li> <li>• <i>Foods and Drugs Act</i></li> <li>• <i>Narcotics Control Regulations</i></li> <li>• <i>Criminal Records Regulations</i></li> </ul>
<b>Internal References</b> <ul style="list-style-type: none"> <li>• Criminal Record and Vulnerable Sector Check AP</li> </ul>	

**Purpose**

- This administrative procedure establishes guidelines and steps for employees and volunteers of Saskatchewan Distance Learning Centre (Sask DLC) to report any criminal charges brought against them.

**Scope**

- This administrative procedure applies to all employees and volunteers engaged with Sask DLC. It covers the reporting and handling of criminal charges filed against employees or volunteers during their employment or volunteer activity with Sask DLC.

**Policy Statement**

- Sask DLC is dedicated to maintaining a secure and respectful environment for its students, staff, volunteers, and stakeholders. Any criminal charges filed against employees or volunteers must be immediately and transparently reported to ensure that appropriate measures are taken in compliance with legal regulations and Sask DLC values.

**Procedures:**

1. Employees
  - a. After being charged with an offence, the employee must inform their immediate supervisor. The charges must be reported orally and in writing within 48 hours after being charged.
  - b. A submission outlining relevant circumstances may be attached to the written information.

- c. After receiving the information, the Director of Human Resources or a designated individual must investigate the circumstances taking into consideration matters such as:
  - i. the nature and particulars of the criminal conviction;
  - ii. the repetitive patterns of the criminal conviction;
  - iii. the age of the individual when the events in question occurred;
  - iv. any extenuating circumstances as provided by the applicant;
  - v. the time that has elapsed between the conviction and the employment application, and the activities of the individual during the interim period;
  - vi. the rehabilitative measures undertaken by the individual since the conviction and the commitment the individual has to rehabilitation and to refraining from criminal activities; and,
  - vii. the relationship of the conviction to the position for which the person is applying.
- d. Upon completion of the review process, the Director of Human Resources will furnish a recommendation to the Chief Executive Officer (CEO). The CEO will then make the ultimate decision, and the Director of Human Resources will convey the decision in written form to the concerned individual.
- e. Failure to disclose charges, provide a written statement, or submit inaccurate, false, or misleading statements may lead to disciplinary action, up to and including termination of employment.
- f. Subject to the provisions of *The Education Act, 1995*, and the provisions of the relevant collective agreement or employment contract, Sask DLC may transfer, reassign, or terminate the employment of an employee who has reported or disclosed criminal charges.
- g. Any action taken by Sask DLC 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.
- h. 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 a charge has not been laid, is at the request of the employee, to be removed and destroyed.

## 2. Volunteers

- a. After being charged with an offence, volunteers must contact the campus principal(s) to withdraw their services. The campus principal(s) will ensure the volunteer is removed from the volunteer list.
- b. Failure to disclose charges constitutes grounds for refusal of permission to act as a volunteer for campus-sponsored activities.