



Leave Policy - Civil Leave

Responsible Official: Chief Operating Officer

Responsible Office: Human Resources

Policy Purpose

This policy specifies the parameters related to Civil Leave.

Policy Statement

An Employee, except for those individuals with contracts of less than six (6) months, shall be granted Civil Leave when, in obedience to a subpoena or direction by proper authority, the Employee appears as a witness for the Federal Government, the State of Tennessee, or a political subdivision of the State, or when it is necessary to attend any court in connection with official duties or to serve on a jury in any State or Federal Court.

I. Work Schedule and Civil Leave.

- A. An Employee shall be excused from returning to employment for any scheduled workday when the responsibility for jury duty or service as a witness as permitted in this policy exceeds three (3) hours. An Employee serving less than three (3) hours on a scheduled workday shall return to work for the remainder of the workday. Travel time is not to be included in determining whether jury duty service has exceeded three (3) hours.
- B. An Employee who is scheduled to work a night shift or who works during the hours preceding the court's workday shall also be excused from employment for the shift immediately preceding the first day of service. After the first day of service, when the responsibility for jury duty or service as a witness as permitted in this policy exceeds three (3) hours, the Employee shall be excused from the next scheduled work period occurring within twenty-four (24) hours of the day of jury service. Any question concerning the application of the provisions of this paragraph to a particular work shift or shifts shall be conclusively resolved by the trial judge of the court to which an Employee has been summoned.

## II. Documentation.

An Employee's direct supervisor may require a statement from the court that includes dates and times of the Employee's service.

## III. Compensation Related to Civil Leave.

An Employee shall retain all compensation or fees received as a witness or juror in accordance with this policy. An Employee shall also receive their regular institutional pay for time served on civil leave and time spent traveling to and from court made at the regular rate of pay. However, such compensation shall not exceed the total of their regularly scheduled daily pay. Travel expenses (mileage) and parking fees will not be paid by the university.

The university shall charge an Employee annual leave, compensatory time if available, or leave without pay for involvement in personal litigation or for serving as a witness in private litigation.

Authority: T.C.A. § 22-4-106

### **Defined Terms**

*A defined term has a special meaning within the context of this policy.*

**Civil Leave:** Leave for the specific purpose of responding to a court order or subpoena from the federal government, the State of Tennessee, or a political subdivision of the State, or when necessary to attend court in connection with official duties or serve on a jury in any State or Federal Court.

**Employee :** Anyone employed by the university in any capacity except for personnel classified as graduate assistant or student worker.

### **Policy History**

Effective Date: June 14, 2021

Revision Date:

Previous: PPP-19 Civil Leave

### **Procedure (s)**

N/A

### **Procedure History**

Effective Date:

Revision Date:

**Related Form(s)**

N/A

**Scope and Applicability**

Primary: Human Resources