



Department: Human Resources
Policy Number: HUM-A006
Effective Date: 4/26/05

ADMINISTRATIVE POLICY

The online version of this policy is official.
Therefore, all printed versions of this
document are unofficial copies.

LEGAL LEAVE(S) OF ABSENCE

It is the policy of the Clarksville-Montgomery County School System (CMCSS) that eligible employees will be granted a leave of absence as required by law for the purpose of fulfilling any legal responsibility (e.g., jury duty, appearance as a witness in a legal proceeding, etc.).

Jury Duty Service

Employees shall, on the next day they work after receiving a summons to report for jury duty, provide the summons to their immediate supervisor. CMCSS will excuse from work each day any employee whose juror service exceeds three (3) hours. Employees serving jury duty three (3) hours or less a day are expected to return to work.

While performing jury duty an employee receives regular pay during the absence. The employee may retain any compensation received from the court.

Appearance as a Witness in Legal Proceeding

Employees shall provide reasonable advanced notice to their immediate supervisor of any need to leave to be a witness in a legal proceeding. Employees are expected to return to work each day or a portion of the day that they are not called as a witness.

If the employee is subpoenaed in a matter as a witness for CMCSS or in a matter which directly relates to his/her employment in an official or records custodian capacity, the employee will receive his/her regular pay during the absence. In addition, the employee may retain any compensation received related to his/her service as a witness.

If the employee is subpoenaed as a witness in a matter not officially related to his/her employment with CMCSS, the employee will not be paid during the absence and must use personal or vacation leave or take leave without pay.

The deciding factor utilized to determine if the employee should be paid is whether the employee's attendance in Court benefits CMCSS or is officially connected to his/her employment. If so, the employee will be paid. If not, the employee will be required to take personal leave or be absent without pay. If this issue is in question, the Chief Human Resources Officer or his/her designee will make the final determination.

Associated Documents: Tennessee Code Annotated Section 22-4-106

Revision History:

| <u>Date:</u> | <u>Rev.</u> | <u>Description of Revision:</u> |
|--------------|-------------|---|
| 4/26/05 | | Initial Release |
| 7/09/08 | A | Add responsibility to first paragraph and clarify employment with CMCSS |

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| | | In fifth paragraph. |
| 4/8/13 | B | Update logo, Effective Date, and hyperlink |
| 7/14/14 | C | Added wording regarding Jury Duty Service and Appearance as a Witness in Legal Proceeding; corrected TCA Code reference |
| 11/16/15 | D | Changed wording of last paragraph for clarification. |
| 8/28/17 | E | Changes under appearance as a witness in legal proceeding. HUM-P006 removed from implementing procedures. |

***** End of Policy *****