



Department: Human Resources  
Policy Number: HUM-A006  
Effective Date: 7/09/08

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.).

Employees are required to provide reasonable advance notice of any need for such leave and are expected to return to work each day or portion of the day that they are not selected for jury duty or called as a witness.

While performing jury duty an employee receives regular pay during the absence. Pursuant to T.C.A. Section 22-4-108, the employee may retain any compensation received from the court.

If the employee is subpoenaed in a matter as a witness for the School System or in a matter which directly relates to his/her employment in an official or records custodian capacity, the employee receives regular pay during the absence. Pursuant to T.C.A. Section 22-4-108, the employee may retain any compensation received from the court.

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 but must use personal or annual leave or take leave without pay.

The test simply stated is “does the employee’s attendance in Court benefit the School System, or is it officially connected to employment?” If so, the employee should be paid. If not, the employee should be required to take personal leave or be absent without pay.

Associated Documents: Tennessee Code Annotated Section 22-4-108

Implementing Procedures: [HUM-P006](#) Leave of Absence Request

**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 In fifth paragraph. |

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