



LEAVE PLAN

606.11 – COURT LEAVE

- 1. Policy Purpose:** To provide a policy regarding the use of court leave.

Policy Coverage: This policy applies to all non-represented (non-exempt and exempt), full-time and part-time employees of the East Fork Fire Protection District.

Adopted Date: 06/18/2019

Revised Date: N/A

Policy #: 606.11

***The procedure established in this policy will be superseded and have no effect when covered by a similar or conflicting provision in a Collective Bargaining. For detailed information, please refer to your Collective Bargaining Agreement. ***

- 2. Policy:**

The District will grant court leave to allow employees to serve as juror or a witness in a court proceeding provided that the employee is not a party to the action. Employees shall provide to their immediate supervisors or Division Heads relevant documents verifying the need for court leave as the need becomes known.

Employees will not serve as expert witnesses unless specifically authorized by the District Fire Chief or his or her designee or as required by a court of competent jurisdiction.

A. Compensation

Subject to the following conditions, eligible employees shall receive their regular base rate of pay for those hours spent in court and traveling to and from court when such time occurs during employee's regularly scheduled work days and hours.

1. The employee's compensation for court and travel time is limited to that which occurs during the employee's regularly scheduled hours of work.
2. If an employee is summoned for jury duty or subpoenaed to be a witness on his or her regular workday, he or she will receive full pay but must relinquish to the District any compensation received for jury duty or as witness fees for any workdays or hours that were missed.

3. If an employee is required outside of the employee's regular work shift/schedule to give testimony or a statement concerning observations made or knowledge acquired during the course of his or her employment at a deposition by subpoena or for an interview at the direction of the courts or at the direction of the District Fire Chief, the employee will be paid overtime for the time required for such an appearance. A two (2) hour minimum payment of overtime will be made for such appearances. The employee will notify his or her immediate supervisor or Division Head immediately upon receiving notice that court action requires the employee's attendance for such a purpose.
4. If an employee appears on his/her regular workday in any court or before any grand jury as a party to an action arising out of his/her employment or as a witness to observations made or knowledge acquired in the course of his or her employment, the employee will receive full pay and time off from his or her regular workday, but will relinquish any witness fee to the District. However, if the employee is excused from such an appearance prior to the end of their work day and is not required to appear for court duty the next day, the employee must return to the workplace to complete his/her regularly assigned work shift. The obligation to return to the workplace may be waived by the District Fire Chief or his or her designee.
5. An employee summoned for jury duty on his regular workday will be excused for his/her entire shift. However, if the employee is excused from jury duty before 5:00 p.m. and is not required to appear for jury duty until the next day, the employee must return to the workplace to complete his/her regularly assigned shift. The obligation to return to the workplace may be waived by the District Fire Chief or his or her designee.

RESPONSIBILITY FOR REVIEW: The District Fire Chief, or his or her designee and/or the Executive Office Manager, or his or her designee will review this policy every 3 years or sooner as necessary.