

HUMAN RESOURCES POLICY
Fauquier County, Virginia

Policy Title: Civil Leave
Section No. : 2-D

Effective Date: 6/18/01
Supersedes Policy: 2/2/99

I. PURPOSE

It is the objective of the Board of Supervisors to provide employees with paid leave to appear in court or related proceedings.

II. SCOPE

This policy applies to all permanent full-time and permanent part-time employees.

III. DEFINITIONS

Civil Leave

Civil leave is defined as an approved employee absence during regularly scheduled work hours for the following reasons:

1. to serve on a jury;
2. to appear as a witness in a court proceeding or deposition, as compelled by a subpoena or summons.

IV. PROCEDURES

A. Use Of Civil Leave

1. Employees should request civil leave from their supervisors as far in advance of the leave as practical.
2. Civil leave is not available for employees to appear in civil/criminal proceedings, including depositions, in which the employee is a civil/criminal defendant.

B. Verification Of Court Appearances

1. Employees may be required to provide documentation of the actual time required for court duties.

2. Employees are responsible for obtaining verification of court appearances from the appropriate court personnel.

C. Compensation For Court Appearances

1. Compensation paid by a court to an employee under subpoena or summons may consist of:
 - a. compensation for appearance as a juror or witness; and
 - b. reimbursement of daily expenses, such as out-of-pocket expenses for meals, mileage, parking and other related expenses.
2. Employees may retain compensation for appearances as a juror/ witness and reimbursement of daily expenses.

D. Work Time Not Charged To Civil Leave

Time spent in court by the following categories of employees is considered work time and does not have to be charged to civil leave:

- a. law enforcement officers;
- b. employees attending court as part of their job duties;
- c. employees who are under subpoena to appear as expert witnesses by virtue of their positions with the County.