



## College of The Albemarle Policy

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**Title: Civil Leave**

**Related Policy and Procedures: Policy 3.2.4: Leave**

**Division of Responsibility: Human Resources**

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For jury duty and other court attendance, it is the employee's responsibility to inform their immediate supervisor and the Human Resources Department when the duty is scheduled and the expected duration. Employees must provide copies of subpoenas, summonses, or other official documentation to HR prior to taking civil leave.

### **I. JURY DUTY**

All employees who serve on a jury are entitled to civil leave with pay plus fees received for jury duty. Civil leave shall not be used to create overtime or additional compensation beyond the employee's regular work schedule.

If employees are released from jury service with sufficient time to return safely and reasonably to work, they are expected to do so unless otherwise approved by their supervisor. Travel time and reasonable commuting considerations will be taken into account. If jury duty occurs on a scheduled day off, the employee is not entitled to additional time off.

### **II. COURT ATTENDANCE**

When an employee attends court in his or her official capacity as a college employee, the employee is entitled to civil leave with pay.

Civil leave with pay includes attendance for:

1. Testifying as an official College representative.
2. Responding to subpoenas related to College business.
3. Participating in judicial or administrative proceedings arising from their employment duties.

The employee is required to give any fees received as a witness while serving in an official capacity to the College. (If court is on a day that would normally be an off-day, the time is to be considered as working time and included in total hours worked per week). Supervisors must ensure accurate recording of hours for Fair Labor Standards Act (FLSA) compliance.

If an employee is a party or subpoenaed to appear as a witness in a court matter where the employee's appearance is not related to their college duties, the employee shall be allowed to take annual leave, compensatory leave, or leave without pay for the purpose of attending court.



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Employees sued in their official capacities (or individual capacities but engaging in activities within the course and scope of their duties) shall be granted civil leave with pay. If legal counsel is provided by the College, or if representation occurs through the Attorney General's Office or other authorized counsel, the employee will be treated as appearing in an official capacity for leave purposes.

### III. Exclusions from Civil Leave

Civil leave does not apply to administrative, criminal, or civil actions proceedings unrelated to College employment (e.g., personal unemployment hearings, family court, small claims actions, private litigation, traffic court for personal matters).

Legal Reference: 1C SBCCC 200.94, Fair Labor Standards Act

June 13, 2023

February 17, 2026

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**Date Approved by Board of Trustees**

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**Date of Last Review**

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**Date of Last Revision**