



Town of Chapel Hill, NC

Civil Leave Personnel Policy

Policy Number: PP 2-4

Effective Date: July 1, 2017

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Approved By:

Roger L. Stancil, Town Manager

Civil Leave Policy

I. POLICY

Upon receipt and approval of the appropriate documentation, the Town of Chapel Hill provides paid leave to any employee who is

- A. Called for jury duty
- B. Subpoenaed as a witness in a federal or state court case
- C. Performing approved forms of non-mandatory, non-partisan work at the polls during early voting, primaries, or on Election Day.

This leave is not charged against annual or other leave. Employees may keep compensation earned from these activities.

[Code of Ordinances](#)

[Sec. 14-83](#)

II. PURPOSE

Town employees who serve on juries, testify in court cases, and volunteer for service during elections provide an important service to their respective communities. The Town recognizes and supports this service to honor our shared Town value of Teamwork.



Teamwork: We participate in a cooperative work environment in order to support each other in our service to the community. We encourage an environment that fosters innovation and creativity.



Responsibility: We acknowledge that our duties impact the jobs of many other employees. We take ownership over our roles within the organization as a way to demonstrate our consideration for the time and efforts of our fellow employees as well as pride in our own work.

The Director of Human Resource Development is authorized to issue procedures consistent with this policy.

	Town of Chapel Hill, NC	Policy Number: PP 2-4	I. POLICY	Approved By:  Cliff Turner, Director Human Resource Development
	Civil Leave Procedures	Effective Date: July 1, 2017	II. PURPOSE III. PROCEDURE IV. FORMS/INSTRUCTIONS V. ADDITIONAL CONTACTS VI. DEFINITIONS VII. RESPONSIBILITIES VIII. APPENDICES IX. FAQ X. SCOPE XI. RELATED INFORMATION XII. POLICY HISTORY	

III. Civil Leave Procedures

These procedures are issued by the Director of Human Resource Development to implement the Civil Leave Policy, PP 2-4, issued by the Chapel Hill Town Manager. These procedures may be periodically updated.

All Regular full- and part-time employees are covered under this policy.

A. General Provisions for All Civil Leave:

1. Paid for Service on Regularly Scheduled Workday: Civil leave with pay is granted only when an employee is required to serve on a regularly scheduled workday.
2. No Compensation for Service if not Scheduled to Work: An employee will not be compensated by the Town for civil leave when required to serve on a non-scheduled workday.
3. Documentation Required: Employees should submit their jury duty summons, subpoena, or request to work from the Board of Elections when requesting civil leave. Proof of attendance upon completion of service should be submitted in order to be compensated according to the terms of this policy. The Clerk of Court or Board of Elections in the county of service can provide an attendance certificate upon request.
4. Notification: The employee must notify their supervisor as soon as reasonably possible of the need to be absent, and keep the supervisor informed as more specific dates are known.

B. Jury Duty:

1. Leave with Pay Calculation when Serving on a Jury: An employee called to serve on a jury shall be granted leave with pay for the duration of the period served without charge against annual leave. Pay is calculated using base pay. Part time employees

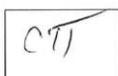
receive pay based on the number of hours they are scheduled to work on the day(s) of service.

Examples:

- a) An employee scheduled to work a 5 hour shift on the day they serve on jury duty will receive up to 5 hours of paid civil leave to serve that day.
- b) An employee scheduled for a 24- hour shift, but serving 8 hours of jury duty on that day, will be paid for 8 hours of civil leave. The employee may return to work after serving or use annual, compensatory, or banked holiday leave for the remainder of the shift.
- c) An employee scheduled for a 24 hour shift serves on a jury that is sequestered. In this instance the employee is paid for the full 24 hour shift since they are legally not permitted to return to work and is considered to be still serving on the jury.

C. Serving as a Witness

- 1. Qualifying Service: An employee subpoenaed as a witness in federal or state court is granted civil leave with pay for the duration of the period necessary to present testimony,
- 2. Non-Qualifying Service:
 - a) An employee who is a plaintiff or defendant in a personal legal matter is not eligible to use civil leave to participate in the case.
 - b) An employee named as a plaintiff in a lawsuit against the Town is not eligible to use civil leave to participate in the case.
 - c) A Department Head may refuse to grant civil leave to employees subpoenaed in out-of-state misdemeanor cases.
 - d) An employee serving as a voluntary witness in any court case is not eligible to use civil leave. The employee may use annual leave, holiday leave, compensatory time or leave without pay to cover their normal work hours.



3. Leave with Pay Calculation when serving as a Witness: Pay is calculated using base pay. Part-time employees receive pay based on the number of hours they are scheduled to work on the day(s) of service.

Examples:

- a) An employee scheduled to work a 5 hour shift spends 8 hours in court on subpoena. They receive 5 hours of paid civil leave for this day, since they were only scheduled for 5 hours of work.
- b) An employee scheduled for a 24- hour shift, spends 8 hours in court on subpoena. They are paid for 8 hours of civil leave. The employee may return to work after serving or use annual, compensatory, or banked holiday leave for the remainder of the shift.

D. Election Service:

An employee may ask for up to eight (8) hours of paid civil leave during the fiscal year to perform approved forms of non-mandatory, non-partisan work at the polls during early voting, primaries, or on Election Day. Such leave may be approved by the Department Head or designee, depending on the needs of the Department.

1. Type of Polling Site Service Qualifying for Civil Leave: An example of qualifying service is serving as a precinct/poll official through the Board of Elections.
2. Examples of Types of Polling Site Service Not Qualifying for Civil Leave: Examples of non-qualifying service include, but are not limited to: campaigning for specific candidates, parties, or ballot initiatives; driving voters to and from the polls under the auspices of a political party, Political Action Committee, or specific candidate; or any work performed on behalf of a PAC.

IV. FORMS/INSTRUCTIONS:

Retain Copy of Jury Duty Summons or Subpoena for employee file

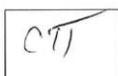
Retain Copy of Attendance Certificate.

Retain Copy of Board of Elections proof of service for poll work.

V. ADDITIONAL CONTACTS:

Human Resource Development 919-968-2700 or HR@townofchapelhill.org

Ombuds office 919-265-0806 or Ombuds@townofchapelhill.org



VI. DEFINITIONS None

VII. RESPONSIBILITIES

All Employees are expected to:

- a) Be aware of the Town's Civil Leave policy and procedure
- b) Provide documentation of summons, subpoena, jury duty service, or Election Day service
- c) Keep management notified about service requirements
- d) Return to work as soon as the service commitment has ended.

All Supervisors/Managers and Department Heads are expected to:

- a) Follow the Civil Leave policy
- b) Request documentation and maintain in employee file as needed.

All Human Resource Development staff members are expected to:

- a) Provide Guidance for employees and managers on civil leave policy and procedures.

VIII. APPENDICES None

IX. FREQUENTLY ASKED QUESTIONS None

X. SCOPE This policy covers all regular full and part time employees.

XI. RELATED INFORMATION

[Town of Chapel Hill Code of Ordinances Section 14-83.](#)

XII: POLICY HISTORY:

Issued February 1980

Reissued November 2000

Reissued July 1, 2017

This policy replaces and supersedes any previous Town policies, departmental policies, handbooks, or unwritten policies or practices covering the same subject. Departmental policies in compliance with this policy are referenced in Section XI **Related Information**. In the event of any disparity between this policy and the Town's Code of Ordinances and/or applicable local, state, or federal laws, the Town's Ordinance and/or applicable laws shall prevail.

