

System-wide Policy: HR0315 - Court Leave	
Version: 8	Effective Date: 10/01/2017

HR0315 – Court Leave

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Objective:

To protect employees from loss of pay while serving on jury duty or as a witness in state, federal, or local court.

Policy:

1. An employee who receives a summons or subpoena for jury or witness duty must provide a copy of it to the employee's supervisor on the employee's next work day. Upon doing so, the university will excuse the employee from employment for each day the employee's court service is three (3) or more hours. An employee serving less than three (3) hours on a scheduled work day must return to work for the remainder of the work day.
2. An employee summoned for jury or witness duty who is scheduled to work a night shift or during hours preceding regular court hours will be excused from work on the shift immediately preceding the employee's first day of service. After the first day of service, when the employee's jury or witness duty is three (3) or more hours during a day, he or she will be excused from the next shift if it occurs within twenty-four (24) hours of that day of jury or witness service. Any questions concerning the application of this paragraph shall be conclusively resolved by the trial judge of the presiding court.
3. On the employee's first day of service as a juror, the employee must request the court clerk to provide a statement showing the number of hours the employee spent serving on jury duty each day of service. Upon returning to work, the employee must provide a copy of the form to the employee's supervisor. Because the court clerk does not typically monitor witness service, this paragraph applies only to employees on jury duty.

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4. An employee will receive his or her usual rate of pay for time actually spent serving on and traveling to and from jury or witness duty, but such pay will not exceed the employee's regularly scheduled daily pay. (If an employee returns to work for part of his or her regular work day, the employee will also be paid for time worked.) In addition, the employee may retain any compensation received for jury or witness duty. The provisions of this paragraph do not apply:

- a) when an employee is a party to litigation in which the University is not a party, in which case the employee will need to take either annual leave or unpaid leave;
- b) when a staff employee is serving as an expert witness, unless the employee is serving as an expert witness for the university or otherwise as part of the employee's job duties; or
- c) when a faculty member is serving as an expert witness, which is governed by the policy on compensated outside services.

PROCEDURES:

To view links to campus policies and procedures, click here:

<https://policy.tennessee.edu/campus-policies-procedures>