



# Civil Leave Policy

Policy Number: PP 2-4

Effective Date: February 1980

Approved By: Roger L. Stancil, Town Manager

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## POLICY

Upon receipt and approval of the appropriate documentation, the Town of Chapel Hill provides paid leave to benefited employees who are:

- 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. Eligible employees may keep compensation earned from these activities.

## PURPOSE

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

## R.E.S.P.E.C.T. VALUES



**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.



**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.

## APPROVAL

Roger L. Stancil, Town Manager



# Civil Leave Procedures

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## 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 benefited 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.

PROCEDURES  
CONT.

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 candidates; or any work performed on behalf of a PAC.

FORMS AND  
INSTRUCTIONS

None

ADDITIONAL  
CONTACTS

None

DEFINITIONS

None

APPENDICES

None

FAQ

None

SCOPE

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 below, **Related Information**.

RELATED  
INFORMATION

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

RESPONSIBILITIES

None

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.