

## WITNESS AND JURY LEAVE POLICY

### **PURPOSE**

To outline the means by which West Virginia University will authorize leave with pay for employees engaged in witness or jury duty, in accordance with the West Virginia Board of Trustees Series 35.

### **SCOPE**

This policy applies to all West Virginia Board of Trustees employees at the University, including those on the regional campuses.

### **POLICY**

Employees are eligible for jury duty or witness leave with pay for such duty and for such periods of absence when the employee is subpoenaed or otherwise directed by a proper legal authority to appear as a witness or serve as a juror in any Federal, State, or local court. Employee wages are not offset by juror reimbursements received for court services. Jury duty or witness leave is work release time, and will be appropriately reported on an employee's time record. A copy of the subpoena or court validation should be provided for records.

The employee shall initially report to work if scheduled to work prior to the court or hearing start time. The employee shall report to work if excused by the Court before the end of his/her scheduled workday. Reasonable travel time to and from court and the work site will be considered work release time.

When attendance in court is in connection with the employee's official University duties, it is considered actual hours worked. Likewise, time spent by WVU employees as hearing officers, hearing committee members, and witnesses in a grievance hearing is considered actual hours worked in service to WVU.

University employees who are called to testify as expert or consulting witnesses and who are paid for their witness services, or, employees involved as parties to a personal lawsuit will not receive work release time for their time away from the work site. Annual leave is to be charged for absence under such circumstances.

### **PROCEDURE**

Additional information regarding this policy or the proper procedure to follow can be obtained in the [\*Witness and Jury Leave\*](#) procedure.

**RESPONSIBILITY FOR IMPLEMENTATION**

The immediate supervisor is responsible for ensuring employees properly account for their time away from work under this policy. The Employee Relations Unit in the Department of Human Resources, at 293-5700 or P.O. Box 6640, is available to answer questions or provide additional information regarding this policy.

**RESPONSIBILITY FOR INTERPRETATION**

The responsibility for interpretation of this policy rests with the Director of Human Resources, West Virginia University.

Approved: Scott C. Kelley  
Vice President

9/10/98  
Date