

HUMAN RESOURCES

Leave and Leaves of Absence

Administrative Leave--Civil Leave

This regulation supersedes Regulation 4814.5.

I. PURPOSE

To establish procedures governing the granting of administrative leave requested by employees for jury duty or as subpoenaed witnesses.

II. SUMMARY OF CHANGES SINCE PUBLICATION

Section V., the administrative leave form reference number was revised.

III. CONDITIONS

Employees shall be granted administrative leave for contracted workdays to serve on jury duty, to serve as subpoenaed witnesses, or to attend any other job-related legal proceedings.

IV. APPROVAL AUTHORITY

The principal or program manager or his or her designee shall have approval authority to grant administrative leave for employees under his or her supervision.

V. APPLICATION PROCESS

A. The Administrative Leave Form (HR-334)

The administrative leave request form (HR-334) shall be completed and submitted to the program manager along with any summons received. The form HR-334 can be accessed at: http://fcpsnet.fcps.edu/it/offices/eis/doc_mgmt/information/hr334.pdf. This link available only through computers within the internal FCPS network (FCPS.net).

B. Advance Notice

The administrative leave request form should be submitted far enough in advance to allow time for an approval decision prior to the beginning date of the requested leave.

VI. PAY STATUS

- A. An employee required to serve on jury duty or subpoenaed as a witness shall be granted administrative leave, except for defendants in criminal cases. Absences to attend to personal legal business, for which there is no subpoena or summons to court, will require the use of personal leave or annual leave. Criminal defendants also must use personal or annual leave, regardless of whether or not they are subpoenaed. An employee shall not have his or her pay reduced for civil leave (including jury duty, attendance as a witness, or criminal cases in which the employee is a defendant) in any legal proceeding for a workweek in which the employee performs any work at all. An employee summoned for jury duty shall not be required to work at his or her position in Fairfax County Public Schools on his or her day(s) of service.

- B. Credit for salary step is not granted for the period of time in excess of 30 calendar days on unpaid leave status.

Legal Reference: Virginia Code § 18.2-465.1, Penalizing employee for court appearance or service on jury panel