



6.10 LEAVE TO ATTEND COURT OR OTHER LEGAL PROCEEDING

Attending Court or other Legal Proceeding Related to Employment

Any employee who must attend court or other legal proceedings arising from actions taken in the course of employment shall be considered "at work" and shall receive regular wages. This provision does not apply to an employee who is a plaintiff in a lawsuit or other legal proceeding against the City. The employee must either be subpoenaed or otherwise released by the director of their bureau or designee to attend court or other legal proceeding. Employees must notify their supervisor of subpoenas related to their jobs or other requests to appear in court or other legal proceeding.

Employees shall pay all money received for service as a witness to the City Treasurer, but shall be reimbursed for travel expenses.

If Excused from Service with Time Remaining in Shift

If an employee granted leave under this rule is released from service as a witness with more than two (2) hours remaining in the employee's normal work shift, the employee shall notify their supervisor. The employee shall report to work for the remainder of the shift if the supervisor requests the employee to do so.

Non- Job Related Court or other Legal Proceeding Leave Rule

When an employee is subpoenaed or directed by a proper authority to appear as a party or witness in any legal proceeding that is not connected with the employee's officially assigned duties, the employee shall be granted leave but must use vacation, compensatory time or leave without pay.

Whether appearing as a witness or a party in a court or other related legal proceeding not related to the employee's officially assigned duties, the time is not considered as work time for Fair Labor Standards Act (FLSA) or any other purpose and is not included in total hours worked per week.

Administrative Rule History

Adopted by Council March 6, 2002, Ordinance No. 176302
Effective April 5, 2002
