



**POLICY: 6Hx28: 3D-09**

**Responsible Executive:** Vice President,  
Organizational Development and Human  
Resources

**Policy Contacts:** Assistant Vice  
President, Human Resources

**Specific Authority:** 1001.64, F.S.

**Law Implemented:** 1001.64, F.S.

**Effective Date:** 06-20-2024

**Date of Last Policy Review:** 06-20-2024

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## Court-Related Leave

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### Policy Statement:

- I. A Valencia College employee may be granted paid court-related leave for jury duty, or for court appearances or administrative hearings related to their employment and appearing on behalf of and in support of the College. Employees who need to attend to court-related matters unrelated to their employment at the College, including personal litigation, may be approved to utilize accrued personal leave, vacation leave, paid time off, or unpaid leave, if applicable leave is exhausted or not available.
- II. The College President or designee shall establish procedures to implement this policy.

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### Policy History:

Adopted 12-11-74; Amended 8-27-75; Amended 1-19-83; Amended 11-18-92; Amended 4-16-13; Amended 6-26-2019; Amended 06-20-2024; Formerly 6Hx28:7-06; Formerly 6Hx28:07-19

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### Related Documents/Policies:

College Policy 6Hx28: 3A-05 Substitute Professors

College Policy 6Hx28: 3C-01 Total Rewards: Compensation & Hours of Work for Employees of the College

College Policy 6Hx28: 3E-05.2 Ethical Conduct and Performance

College Policy 6Hx28: 3E-05.3 Extra College Employment and Activities

College Policy 6Hx28: 5-08 Travel by Authorized Personnel

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## Procedures:

- I. After receiving a jury duty or other subpoena, or any court-related summons that will require an employee to miss time from work and if intending to use court-related leave, the full-time or part-time employee (“employee”) shall notify their supervisor in advance and provide them a copy of such subpoena or summons.
  - A. The employee must submit a Certificate of Absence (COA) for court-related leave through the Request and Manage My Leave System for court-related absences, except for personal litigation or as a paid expert witness. For more information on requesting time off work for personal litigation or as a paid expert witness, see Procedures Section III. C.
  - B. The employee is responsible for keeping their immediate supervisor informed in a timely manner of any court-related schedule changes. If the employee is released from jury duty, or is otherwise not required to be present in court and is released during their regularly scheduled work hours, the employee shall work or return to work their regularly scheduled work hours, as applicable.

## II. Jury Duty

### A. Full-Time Employee

1. A full-time employee is eligible for paid court-related leave for the time equal to the scheduled work hour(s) of the day(s) missed as a result of jury duty. Upon completion of jury duty service, the employee is required to upload a copy of the court verification document provided by the court to the COA in order to be compensated for the court-related leave.
2. A full-time employee shall retain any court fees earned and shall normally not be paid by the College for meals, lodging, or travel for jury duty.

### B. Part-Time Employee

1. Part-Time Staff: A part-time employee who serves in a staff position is not eligible to be compensated for time spent on jury duty. With supervisor approval and based on operational needs, a part-time employee’s weekly work schedule may be adjusted within the work week as appropriate to make up the missed time from work.
2. Part-time Faculty: A part-time faculty member teaching an academic credit course who is unable to adjust their work schedule to comply with jury duty obligations may be eligible for compensation for such jury duty. In order to be compensated for time spent on jury duty, written verification by the court of time served is required. The part-time faculty member is required to upload a copy of the court verification document provided by the court to

the COA to be compensated for court-related leave. (Note: The faculty member's supervisor shall also complete a substitution form, if applicable, in accordance with College Policy 6Hx28: 3A-05 Substitute Professors.)

### C. All Employees:

1. Court-related leave for jury duty shall not exceed the number of hours in an employee's normal workday. Hours spent serving on court-related leave for jury duty do not count towards hours worked for overtime eligibility for a non-exempt employee.
2. If the jury duty does not cause an employee to miss regularly scheduled work hours, the employee is not eligible for court-related leave, except for an employee who works half or more of their shift between the hours of 5:00 pm and 8:00 am. An employee who has jury duty and is scheduled to work that same afternoon and/or night is eligible for court-related leave for the time equal to the scheduled hour(s) for the shift immediately following jury duty.

## III. Summons for Court Appearance

### A. Witness Subpoena for a Court or Administrative Hearing

1. Full-Time Employee: A full-time employee subpoenaed as a witness in a court or administrative hearing, excluding matters involving personal litigation, shall be eligible for paid court-related leave not to exceed the number of hours in the employee's regular workday. Upon completion of the court or administrative hearing, the employee is required to upload a copy of the court verification document to the COA to be compensated for court-related leave. If the court appearance does not require absence for the entire workday, the employee should return to work immediately upon release by the court. The College will not reimburse the employee for meals, lodging, and travel expenses. However, any witness fees received for services provided may be retained by the employee.
2. Part-Time Employee
  - a. Part-Time Staff: A part-time employee who is in a staff position and who is subpoenaed as a witness in a court or administrative hearing is not eligible to be compensated for those court appearances, except as may be otherwise provided in Procedure III. B. With prior supervisor approval and based on operational needs, a part-time employee's weekly work schedule may be adjusted within the work week as appropriate to make up missed time from work.
  - b. Part-Time Faculty: A part-time faculty member teaching an academic credit course who is unable to adjust their work schedule due to an instructional day conflicting with requirements of a witness

subpoena related to a court or administrative hearing may be eligible for court-related leave, except in matters involving personal litigation or when such appearance is adverse to the College. In order to be compensated for such court or administrative hearing, the part-time faculty member is required to upload a copy of the court verification document to the COA to be compensated for court-related leave. (Note: Supervisors shall also complete a substitution form, if applicable, in accordance with College Policy 6Hx28: 3A-05 Substitute Professors.)

## B. In Line of Duty Court Appearance

1. An employee subpoenaed in the line of duty to represent the College as a witness or defendant, or is otherwise required to appear in court on behalf of and in support of the College in a College related matter, shall notify their supervisor, shall be considered on duty, and their time considered as hours worked. Note: A non-exempt employee (paid on an hourly basis) is eligible to earn overtime in accordance with the Fair Labor Standards Act. Overtime compensation will only be paid to an eligible non-exempt employee if the actual hours worked exceed 40 hours in the workweek. Paid non-duty hours, sick leave, vacation leave, or other paid or unpaid leaves in the workweek will not be considered when calculating hours worked for overtime purposes. For more information on overtime compensation, see College Policy 3C-01 Total Rewards: Compensation & Hours of Work for Employees of the College.
2. The employee may be paid per diem and travel expenses in accordance with College procedures and shall turn over to the College any fees received from the court. For additional information on per diem and travel expenses, see College Policy 6Hx28: 5-08 Travel by Authorized Personnel.

## C. Personal Litigation or Paid Expert Witness

1. An employee who is engaged in a personal litigation or service as a paid expert witness is not eligible for paid court-related leave for their court attendance. Personal litigation includes litigation in which an employee:
  - a. is a defendant in a criminal matter;
  - b. has received a summons to appear in traffic court;
  - c. participates in a manner that is adverse to the interests of the College;
  - d. is a party to a civil case, either as plaintiff or defendant; or
  - e. has any personal or familial interest in the proceedings.

2. An employee who serves as a paid expert witness must comply with the College's policy and procedures on outside employment/activities and conflict of interest in accordance with College Policy 6Hx28: 3E-05.3 Extra College Employment and Activities; and College Policy 6Hx28: 3E-05.2 Ethical Conduct and Performance.

3. An employee engaged in a personal litigation or service as a paid expert witness shall notify their supervisor in advance and provide appropriate court documentation outlining the dates and times of the court appearance. The employee:

- a. may request a work schedule adjustment to their supervisor; and or
- b. if eligible, request accrued paid time off, personal or vacation leave, as applicable and available, for supervisor review and approval by submitting a request on a Certificate of Absence form through the Request and Manage My Leave System.

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**Procedure History:**

Adopted 1-19-83; Amended 11-18-92; Amended 6-26-19; Amended 5-3-21; Amended 06-20-2024; Formerly 6Hx28:07-19

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