

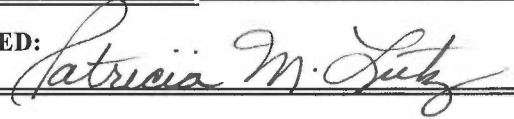
NEW CASTLE COUNTY

PERSONNEL POLICY

NUMBER	3.11
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DATE	09/01/97

SUBJECT: CIVIL LEAVES - COUNTY RELATED COURT APPEARANCES

APPROVED:



OBJECTIVE: To further define and explain the method by which an employee requests civil leave, the status of employee benefits as a result of this leave, and any other information pertinent to obtaining a civil leave, as set forth in the collective bargaining agreement or New Castle County Code, where applicable.

STATEMENT:

1. COURT APPEARANCE - ON DUTY HOURS

Civil leave refers to leave when an employee is subpoenaed to appear before a court, public body, or commission in connection with County business during "on duty" hours. Civil leave does not apply to those employees who are regularly or periodically required to appear before a court, public body, or commission in connection with the performance of their duties. It does not include leave when subpoenaed to appear in court on non-County related business.

Procedure: When subpoenaed to appear in court on County business during the normal shift, the employee should request a leave from the general manager/row officer and submit a copy of the subpoena which indicates the date(s) the employee is required to appear in court along with the request. The general manager/row officer shall forward the request to the Chief Human Resources Officer for inclusion in the employee's personnel file.

Benefit Status: While appearing in court, before a public body, or a commission in conjunction with County business, the employee shall continue to receive full pay. Any fees received for this appearance must be remitted to the County in order to receive full pay.

2. COURT APPEARANCE - OFF DUTY HOURS

FOP - Police: When an employee covered by the FOP collective bargaining agreement is required to appear in court in connection with County business, and this appearance is scheduled during the employee's off duty hours, the employee shall receive a minimum of three (3) hours pay at time and one-half for the appearance. An officer, whose presence in court (which began "off duty" hours) is required in court beyond his or her scheduled "on duty" hours, shall be compensated consistent with the overtime provisions of the collective bargaining agreement. Should the employee receive any fees for appearing as a witness, such fees should be returned to the issuing agency. None of the employee's benefits will be affected.

All Other Employees: The employees shall be compensated consistent with the applicable collective bargaining agreement or New Castle County Code.

REQUIRED ACTION: The Chief Human Resources Officer and the general managers/row officers shall be responsible for the implementation of and compliance with the above-stated policy.

Established: 07/14/87
Revised: 09/01/97