

**USM Bylaws, Policies and Procedures of the Board of Regents**

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**VII - 7.22 – POLICY ON LEAVE FOR LEGAL ACTIONS FOR NONEXEMPT AND EXEMPT STAFF EMPLOYEES**

(Approved by the Board of Regents, February 28, 1992; Amended October 9, 2015)

**I. PURPOSE AND APPLICABILITY**

To establish a leave category called Legal Action Leave for all regular Nonexempt and Exempt Staff employees which permits an employee, under certain circumstances, to be absent from duty without loss of any pay or without charge to the employee's accrued leave.

**II. GENERAL**

- A. An employee who is summoned to appear in a court action, before a grand jury, before an administrative agency, or for a deposition, and is neither a party to the action nor a paid witness, may be absent from the job without loss of pay or charge to any leave.
- B. If an employee is a paid witness in such an action, the absence may be charged to appropriate leave, or the employee may be granted a leave of absence without pay if the employee does not have sufficient leave to cover such an absence. If the employee merely receives the nominal court witness payment, the employee may endorse the check to the institution and not have the period charged against leave.
- C. In either case, upon request the employee shall provide documentation to verify attendance.

**IMPLEMENTATION PROCEDURES:**

Each President shall identify his/her designee(s) as appropriate for this policy, develop procedures as necessary to implement this policy, communicate this policy and applicable procedures to his/her institutional community, and post it on its institutional website.