

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

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## USM HR Policy Review Sheet

**Policy Number: VII – 7.22**

**New Policy Title: Policy on Leave for Legal Actions for Nonexempt and Exempt Staff Employees**

Old Policy Title: Policy on Leave for Legal Actions for Administrative and Classified Personnel

1. Policy Application:  Nonexempt Staff  Exempt Staff  Faculty  Contingent Staff  
 All  Other: \_\_\_\_\_

2. Proposed Revisions

Terminology outdated

Re-Formatting

Title Change

Obsolete provisions deleted

Merge with other policy: \_\_\_\_\_

Clarifications: \_\_\_\_\_

Transfer to another policy or chapter: \_\_\_\_\_

Updates to reflect changes in law

Incorporate USM-wide existing practice into policy

Incorporated Pre-USM Policy:

Fills gap in policy:

Added definitions

Other revisions: \_\_\_\_\_

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D R A F T 8-4-2011

### VII - 7.22 – POLICY ON LEAVE FOR LEGAL ACTIONS FOR ~~ADMINISTRATIVE AND CLASSIFIED PERSONNEL~~ NONEXEMPT AND EXEMPT STAFF EMPLOYEES

(Approved by the Board of Regents, February 28, 1992; Amended \_\_\_\_\_, 2015)

#### I. PURPOSE AND APPLICABILITY

To establish a leave category called Legal Action Leave for all regular ~~administrative and classified~~ 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.

~~Each Chief Executive Officer shall develop procedures as necessary and submit a copy to the Chancellor.~~

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### Replacement for:

- ~~UM Personnel Policies and Rules for Classified Employees – Section VI.8 – Other Leave – Subpoena, page VI-14.~~
- ~~UM Personnel Policies and Rules for Associate Staff – Section I.7 – Leave to Answer a Subpoena, page 27.~~
- ~~Laws Relating to and Governing Policies and Procedures of the Board of Trustees of the State Universities and Colleges of Maryland, Section VI. Administrative Officers, page VI-3.~~
- ~~BOR III 12.00, Policy on Academic Administrators/Associate Staff Time Keeping Record, page 4.~~