

401.4AP – Court Leave

Purpose

1. The Employer shall grant leave of absence with regular rate of pay to a regular employee, other than an employee on leave without pay and not otherwise covered by a collective agreement, who is required;
 - i. to serve on a jury; or
 - ii. by subpoena or summons to attend as a witness in any proceeding held:
 - a. in or under the authority of a court of justice;
 - b. before a court, judge, justice, magistrate or coroner;
 - c. before a legislative body or any committee that is authorized by law to compel the attendance of the witness before it; or
 - d. before an arbitrator or umpire or a person or body of persons authorized by law to make an inquiry and to compel the attendance of witness before it.
2. Unless otherwise prescribed, an employee in receipt of regular earnings while serving at court shall remit to the Employer all monies paid to the employee by the Court, except travelling and meal allowances not reimbursed by the Employer.
3. Time spent in court actions arising from employment, requiring attendance at court shall be at regular rate of pay.
4. Time spent at court by an employee in their official capacity shall be at the employee's regular rate of pay.
5. Subject to the foregoing provisions, in cases where an employee is a plaintiff, a defendant, or an accused, such leave to attend at court shall be without pay.

Legal References:

Monitoring Method: *Board of Education / Superintendent*

Monitoring Frequency:

Previous Policy Number: *AP413*

Adopted: *1982.01.27*

Amended: *2025.01.17*