

123:1-34-03

**Civic duty leave.**

- (A) An appointing authority ~~shall~~will grant civic duty leave with full pay to any employee in the service of the state who:
- (1) Is summoned for jury duty by a court of competent jurisdiction, or
  - (2) Is subpoenaed to appear before any court, commission, board or other legally constituted body authorized by law to compel the attendance of witnesses. This paid leave is not available if the employee is a party to the action or is summoned to testify as a result of secondary employment outside the service of the state.
- (B) An appointing authority may grant civic duty leave with full pay to any employee in the service of the state who:
- (1) Is appointed to serve in an unpaid position on an advisory board or a commission, or
  - (2) Is soliciting for charities for which payroll deductions are made.
- (C) Any compensation or reimbursement for jury duty or for court attendance compelled by subpoena in excess of fifteen dollars per day, when such duty is performed during an employee's normal working hours, ~~shall~~will be remitted by an employee who is paid directly by warrant of the director of budget and management to the payroll officer for transmittal to the treasurer of state.
- (D) An employee who is the appellant in any action before the state personnel board of review and is in active pay status at the time of a scheduled hearing before the board ~~shall~~will be granted civic duty leave with full pay for purposes of attending the hearing.

Effective: 12/10/2023  
Five Year Review (FYR) Dates: 9/15/2023 and 09/15/2028

CERTIFIED ELECTRONICALLY

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Certification

11/30/2023

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Date

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Statutory Authority: 124.09  
Rule Amplifies: 124.135  
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