

<b>GEORGIA DEPARTMENT OF JUVENILE JUSTICE</b>	Transmittal # 18-4	Policy# 3.66
Applicability: {x} All DJJ Staff { } Administration { } Community Services { } Secure Facilities	Related Standards & References: Rules of the State Personnel Board 478-1-.16; 478-1-1.16 (11) (b) O.C.G.A. §21-2-404, §34-1-3, §38-3-93, §45-20-30, §45-20-31	
Chapter 3: PERSONNEL	Effective Date: 3/19/18 Scheduled Review Date: 3/19/19	
Subject: MISCELLANEOUS PAID TIME OFF	Replaces: 3/1/12 Office of Human Resources	
Attachments: A – DJJ Leave Request Form	APPROVED:  _____ Avery D. Niles, Commissioner	

## I. POLICY:

The Department of Juvenile Justice shall grant employees paid time off for court appearances, voting, internal interviews, blood/organ/bone marrow donation, and volunteering during a disaster, subject to the guidelines in this policy. Paid time off may be used for these purposes without loss of pay or time and without effect on performance evaluations.

## II. DEFINITIONS:

**Organ:** A human organ, including an eye, which is capable of being transplanted from the body of a person to the body of another.

## III. PROCEDURES:

- A. No employee will be granted any type of paid time off unless the time off is specifically authorized by the provisions of this policy or by other DJJ policy.
- B. Court Duty:
1. Except as provided below, an employee is entitled to paid time off for days during which any federal, state, or local court has subpoenaed or summoned the employee to appear at a judicial proceeding (such as for jury duty or as a witness).
  2. An employee who receives a subpoena or summons to appear at a judicial proceeding must submit a copy to the employee's manager/supervisor as soon as the employee receives the subpoena or summons.
  3. An employee will not be granted paid time off for a judicial proceeding where the employee:
    - Is charged with a crime;
    - Is a plaintiff or defendant;
    - Voluntarily appears as a witness;

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- Is a witness in a case arising from or related to his/her outside employment or outside business activity;
  - Is testifying for a fee as an expert witness; or
  - Has any other personal or familial interest in the proceeding.
4. If an employee is not eligible for paid time off for court duty, the employee must use any available deferred holiday time or Fair Labor Standards Act (FLSA) compensatory time to account for the period of absence. If no such paid leave is available, the employee may use any available state compensatory time, annual leave or personal leave. If the employee has none of the previously indicated paid leave available, the absence will be charged as leave without pay.
  5. An employee will report for work whenever the judicial proceeding schedule permits. The time allowed for court duty will include the time that the employee's presence is actually required by the court, plus such additional time as is reasonably necessary for the employee to prepare for or recuperate from the court duty. The Deputy Commissioner, Central Office Director, or his/her designee will determine what, if any, additional time is reasonably necessary to prepare for or recuperate from court duty.
  6. An employee will not be discharged, disciplined, or otherwise penalized because he/she is absent for the purpose of attending a judicial proceeding in response to a subpoena, summons, or other court order or process that requires the employee's attendance at the judicial proceeding (such as for jury duty or as a witness). This paragraph will not apply to an employee who is charged with a crime.
  7. The employee must submit proof of attendance at jury duty.
  8. Employees who are required to appear in court on behalf of the Department will be considered to be performing regular official business of the Department and will receive credit for work time, holiday time, or FLSA compensatory time, as appropriate. If this appearance occurs on a state holiday, the employee will report for court in accordance with the subpoena.
  9. An employee subpoenaed to serve as a juror or witness on a regularly scheduled off day or on a day observed as a holiday is not entitled to any equivalent time off or other compensation from the Department for such service.
  10. An FLSA exempt employee will not receive any compensation or compensatory time for any time spent serving as a juror or witness that exceeds the employee's regularly scheduled work hours. An FLSA nonexempt employee will receive pay for the number of hours the employee would have otherwise worked up to a maximum of 8 hours for each day of required court leave.
  11. An employee may accept a fee paid by a court for service as a juror or witness. This will not be considered secondary employment.

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C. Voting Time:

1. The Department encourages employees to exercise their privileges and duties as citizens, including the right to vote.
2. Employees will be granted paid time off to vote in any municipal, county, state or federal political party primary or election for which the employee is qualified and registered to vote on the day on which the primary or election is held. Such time off will be granted only if the polls are not open at least 2 hours prior to or after an employee's scheduled work hours.
3. An employee who requires time off to vote must request and obtain approval from his/her supervisor in advance.
4. The Deputy Commissioner, Central Office Director, or his/her designee is authorized to specify the hours during which an employee may be absent to vote, subject to the provisions of this policy.
5. All employees should be encouraged to use advance voting and absentee voting whenever possible.
6. No more than 2 hours of paid time off may be authorized for the purpose of voting.

D. Internal Interviews:

1. Each employee will be granted time off of not more than 4 hours up to 4 times per calendar year for the purpose of interviewing for a different position within DJJ.
2. The time off will only be granted when the employee is scheduled to work during the time of the interview.
3. For any time off for interviews in excess of 4 hours, interviews in excess of 4 times per calendar year, or interviews outside of DJJ, the employee must use any available deferred holiday time or FLSA compensatory time to account for the period of absence. If no such paid leave is available, the employee may use any available state compensatory time, annual leave or personal leave. If the employee has none of the previously indicated paid leave available, the absence will be charged as leave without pay.
4. The employee must notify the supervisor of the need for time off as soon as he/she is notified of the interview.
5. When the request is made for paid time off for an internal interview, the

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supervisor will request the employee's absence history from the local human resources representative to ensure that the employee has not already interviewed four times during the calendar year.

6. After the interview, the supervisor must send an email to [AbsenceManager@djj.state.ga.us](mailto:AbsenceManager@djj.state.ga.us) indicating the employee's name and ID number, interview date, and number of hours used for the interview.

E. Blood Donation:

1. Each employee will be granted paid time off of not more than 8 hours in each calendar year for the purpose of donating blood. Any employee who donates blood platelets or granulocytes through the plasma pheresis process will be allowed time off of not more than 16 hours per year.
2. Time off for blood donation will be granted up to 2 hours per donation, up to 4 times per year. Employees who donate blood platelets or granulocytes through the plasma pheresis process will be granted up to 4 hours of time off per donation up to 4 times per year.
3. The Deputy Commissioner, Central Office Director, or his/her designee may specify the hours of absence for donation.
4. An employee who does not use the time allowed during a calendar year or at the time of each donation does not accrue any right to subsequent absence or payment thereof.

F. Organ Donation:

1. An employee who donates an organ for the purpose of transplantation will receive paid time off of up to 30 calendar days. This time off will not be charged against or deducted from any annual leave, sick leave, personal leave, deferred holiday time, FLSA compensatory time, or state compensatory time and will be included as service in computing any retirement or pension benefits.
2. To be entitled to paid time off for organ donation, the employee must provide a statement from the medical practitioner performing the transplant procedure or a hospital administrator indicating that the employee is making an organ donation.
3. If the donation does not occur, the employee will not be entitled to any paid time off under the provisions of this section.

G. Bone Marrow Donation:

1. An employee who donates bone marrow for the purpose of transplantation will receive paid time off of 7 calendar days. This paid time off will not be charged against or deducted from any annual leave, sick leave, personal leave, deferred

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holiday time, Fair Labor Standards Act compensatory time or state compensatory time and will be included as service in computing any retirement or pension benefits.

2. To be entitled to paid time off for bone marrow donation, the employee must provide a statement from the medical practitioner performing the procedure or a hospital administrator that the employee is serving as a bone marrow donor.
3. If the donation does not occur, the employee will not be entitled to any paid time off under the provisions of this section.

H. Disaster Volunteer Leave:

1. An employee who is a certified disaster service volunteer of the American Red Cross may be granted paid time off to participate in specialized disaster relief services upon the request of the American Red Cross.
2. Such paid time off may be granted at the discretion of the Deputy Commissioner, Central Office Director, or his/her designee, and will be coordinated through the director of emergency management. If granted, this paid time off will not be charged against annual leave, sick leave, personal leave, deferred holiday time, FLSA compensatory time or state compensatory time.
3. Paid time off to volunteer following a disaster may be granted only for services related to a disaster occurring in this state or in a contiguous state that has a reciprocal statutory provision.
4. The maximum paid time off granted to any employee for the purpose disaster volunteer services will not exceed 15 work days in any 12-month period.

- I. All requests for paid leave or paid time off under the provisions of this policy will be initiated using the DJJ Leave Request Form (Attachment A).

**IV. LOCAL OPERATING PROCEDURES REQUIRED: NO**