

Standard Operating Guidelines

SUBPOENA POLICY

Guideline # 130.06

Date: 09/06R

PURPOSE

- A. To establish Fire Department policy and procedures in order to properly manage those situations affecting the fire department where its members have been subpoenaed for court appearances as a course of their employment.

POLICY

- A. The Fire Department shall operate in accordance with District policies and procedures concerning employees who have been subpoenaed for court appearance.
- B. Members who are served a subpoena involving a matter directly relating to the course of their employment shall notify their immediate supervisor and submit to same a copy of the subpoena.
- C. Members shall be entitled to a leave of absence with pay while serving as a subpoenaed witness when district related.
- D. Members who are required to appear in court on District related matters, during periods in which they would normally be off duty, shall receive regular time and a half pay according to the amount of time involved.
- E. The Fire Chief shall be notified, through channels, of Fire Department members who have been subpoenaed.
- F. Fire Department members appearing in court, where the District is a party to a proceeding, shall wear the uniform specified by the Chief.

RESPONSIBILITY

- A. All members who are subpoenaed are responsible to make the proper notifications and act in accordance with Fire Department policies and procedures.

PROCEDURE

- A. Members who are served a subpoena involving a matter directly related to the course of their employment or an individual matter, which will affect Fire Department scheduling, shall notify their immediate supervisor.
- B. The Officer-In-Charge shall coordinate and provide the necessary on duty coverage for suppression members who must appear in court.

- C. The Fire Chief shall be notified, through channels, of any member who has been subpoenaed.
- D. Members subpoenaed on District related matters shall appear in Court wearing the uniform specified by the Fire Chief.
- E. A request for leave of absence shall be processed whenever members are subpoenaed to appear as private individuals during their regularly scheduled work hours.
- F. The involved member shall keep his or her supervisor informed as to any information or changes which may affect Fire Department scheduling.

Approved:

District Chief

Date: