**TIME OFF FOR PUBLIC DUTIES POLICY**

**PURPOSE**

[EMPLOYER’S NAME] is committed to supporting employees in fulfilling their public service obligations and will provide time off to perform these duties, provided it does not interfere with the operational needs of the business. This policy outlines the circumstances under which employees may request time off for public duties [and whether this leave is paid or unpaid].

No employee who requests time off under this policy will face any form of retaliation, disadvantage, or loss of career opportunities as a result of their request.

This policy does not form part of any employment contract or agreement to provide services, and we reserve the right to amend it at any time.

This policy complies with applicable South Dakota state laws and federal regulations regarding military service and reserve duty obligations, ensuring reservists' rights are protected under the Uniformed Services Employment and Reemployment Rights Act (USERRA).

**POLICY APPLICABILITY**

This policy applies to employees only. It does not extend to agency workers, consultants, independent contractors, volunteers, or interns.

**POLICY MANAGEMENT**

The [board of directors OR [COMMITTEE] OR [POSITION]] has overall responsibility for ensuring this policy is effective. Oversight and implementation have been delegated to [the Head of Human Resources OR [POSITION]]. Suggestions for changes to this policy should be directed to [the Head of Human Resources OR [POSITION]].

Any questions about the daily application of this policy should first be directed to [your manager OR the Human Resources Department].

This policy is reviewed annually by [the Head of Human Resources OR [POSITION]] [in consultation with [RELEVANT ASSOCIATION OR GROUP]].

**JURY SERVICE**

You should notify your manager immediately upon receiving a jury summons and provide a copy of the summons if requested.

Depending on the operational needs of our business, we may ask you to request a deferral or an exemption from jury service.

While we are not legally obligated to pay you during your jury service, you will be informed at the court about the reimbursement available for expenses and lost wages. [However, we may offer pay for employees serving on a jury [up to [NUMBER] working days] OR we may pay the difference between your regular salary and the court-provided allowance].

**VOLUNTARY PUBLIC DUTIES**

Employees may be granted a reasonable amount of unpaid time off to perform certain public duties, such as serving as a member of a tribunal, magistrate, city council member, member of a public trust or board, prison visitor, police station lay visitor, or school board member.

If you are uncertain whether a public service role qualifies under this policy, consult [your manager OR Human Resources].

As soon as you become aware of the need for time off to perform a public duty, notify [your manager OR Human Resources] in writing. Include the details of your request, such as the time required and the reasons for your absence. To ensure proper planning and coverage of duties, make your request as early as possible.

Each request will be reviewed on a case-by-case basis, considering factors such as the amount of time reasonably required, any prior time off for public duties, and the potential impact of your absence on business operations.

[We may provide up to [NUMBER] days of paid leave per year for unpaid public duties. Any additional time off may be unpaid unless otherwise approved at our discretion.]

**RESERVE FORCES DUTIES**

We recognize that employees who are members of the Reserve Forces (such as the Army Reserve, Navy Reserve, Marine Corps Reserve, or Air Force Reserve) may be called to active duty or required to participate in regular training.

[We do not guarantee leave for reservists to fulfill training commitments, and employees should use their existing paid time off to meet these obligations OR We provide up to ten days of unpaid leave annually (in addition to paid time off) for reservists to complete training. Additional unpaid leave may be granted in exceptional circumstances.]

If we receive notice of your deployment, we reserve the right to request a deferral or revocation if your absence would result in significant harm to our operations, and such harm could not reasonably be mitigated.

Following the conclusion of your military service, you must submit a written application for reinstatement by the third Monday after your service ends, including the date you will be available to resume work.

If it is not feasible to reinstate you to your previous position, we will make every reasonable effort to offer you an alternative role on comparable terms and conditions.

Your period of absence for military service will not count toward your continuous employment; however, the time before your deployment and after your reinstatement will be treated as continuous for employment purposes.

**ACKNOWLEDGEMENT OF RECEIPT AND REVIEW**

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (employee name), acknowledge that on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (date), I received and reviewed a copy of [EMPLOYER'S NAME]’s [NAME OF POLICY]. I understand that it is my responsibility to familiarize myself with the policy and adhere to its terms.

I also acknowledge that this policy is not intended to create an employment contract or alter my at-will employment status, unless otherwise specified in a written agreement signed by an authorized representative of [EMPLOYER'S NAME]. Any delay or failure by [EMPLOYER'S NAME] to enforce the provisions of this policy does not constitute a waiver of its rights to enforce them in the future.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed Name

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date