



# MECKLENBURG EMS AGENCY

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## Subpoena Policy and Procedure

As an Agency employee, you may receive a subpoena to appear in court, at a deposition, or to an office for an interview referencing a call/incident. Requests are sent directly to the Risk and Safety office, processed, and then the employees are notified of the need to appear.

Occasionally employees are contacted directly by the requestor; local law enforcement, an attorney, the ME's office, etc. All such requests must be referred to Risk and Safety. Risk and Safety will notify the employee and request contact with the requestor if deemed necessary.

### How the Subpoena Process Works

- Subpoenas are usually hand delivered or faxed to the Risk and Safety Department. Sometimes employees will receive a notification of a subpoena via phone or mail at their home address. Anytime this occurs, the employee must contact Risk and Safety to ensure the subpoena is processed appropriately.

*If a subpoena is delivered that requires a signature of issuer, Risk and Safety will sign for the subpoena and issue to the employee.*

- The Risk and Safety Specialist will process the subpoena and notify the employee to pick up the packet in the OA's office.
- The employee will accept the packet and sign the confirmation sheet.
- The OA will send the signed confirmation sheet back to the Risk and Safety Specialist via interoffice envelope.
- The Risk and Safety Specialist will file the subpoena and the employee will attend the court date.

### Additional Information

- Employees scheduled to work the court date(s) in the subpoena, the Operations Supervisor or Operations Assistant will allow the truck to be taken out of service during the scheduled time or the Operations Supervisor or Operations Assistant will notify scheduling to have the employee removed from the schedule.
- Each subpoena issued will have all pertinent information attached. This will include the associated EPCR. To comply with the Agency HIPAA and Privacy policies, employees are required to return and properly dispose of all documents containing PHI to include documentation provided as part of this process. Employees can return documents containing PHI to Risk and Safety or employees can place the documents containing PHI in one of the Agency's secured shred bins.



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### Getting Paid

- Employees scheduled to work during their regular shift (not overtime shift) on the court date(s), will stay on the clock during court attendance when possible. Employees will be paid for missed time at regular pay if they are removed from the schedule, come in late, or leave early for a court appearance.
- Employees not scheduled to work on the court date(s), will be paid for the time they are in court.
- For an employee to receive pay for their time in court, a completed time card must be provided to the Risk and Safety Specialist.
- No one will be paid for travel time to and from court.
- If you work a night shift, there must be at least 8 hours between the time you get off work and the time you are due in court. If not, you will be paid for a portion (up to 8 hours) of your remaining shift for the night prior; you will also be paid for your time in court. You must still follow the policy above for turning in a time card for court attendance.

All of the above information is subject to change if circumstances deem it necessary. If you feel that you have circumstances outside of what is included in this policy, please see your Operations Supervisor and/or Risk and Safety for direction.

Questions regarding subpoena's received can be directed to our ADA court liaison, at (704) 805-7962, the attorney's office that sent the subpoena (contact information will be on the subpoena), or Medic's Risk and Safety Specialist at (704) 943-6164.