

		Policy # 811
Subject: Jury Duty		
Responsible Department: Personnel Services		
Effective Date: 12/1987		Revision Date: 10/2015
David Devine Director of Personnel Services		Navdeep S. Gill County Executive

1. **Purpose**

To define the policy regarding County employees' use of jury duty time off and compensation for jury duty.

2. **Authority**

Labor agreements negotiated with recognized employee organizations for represented employees.

Personnel Ordinance, Section 2.78.780 for unrepresented employees.

Code of Civil Procedure § 215(b).

3. **Scope**

All employees are entitled to time off for jury duty, whether in state or federal court or grand jury. Temporary employees are not entitled to county pay for jury duty but may use county leave balances and may accept juror pay from the court.

Definitions

Regular Employee - "Regular employee" means any officer or employee, in civil service or not in civil service, who occupies a permanent position, whether part-time or full-time, established in accordance with the annual salary ordinance, in the class which is intended for permanent or career-type employment; is appointed to a position approved by the Board of Supervisors in the annual salary ordinance, any elected official and any exempt deputy or assistant; and any regular employee who temporarily transfers to a temporary position.

Temporary Employee - "Temporary employee" means an employee who has been appointed from a County eligibility list of candidates, or

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provisionally, in the absence of a list, to a position which is other than a permanent position

Jury Duty Pay - Wages paid by the County under pay code Z220 for time when an employee is serving on jury duty.

Juror Pay - Monies paid by the Courts to an individual during the time of their jury duty.

Standby Jury Service - In order to minimize the number of jurors who must appear in person and avoid unnecessary inconvenience to the juror, the standby service or telephone standby process is used. This means a juror is instructed to telephone the court or access the court's Web site for reporting instructions. The juror may be instructed to report the same day, the following day or to check back later. Jurors are required to check the instructions for a maximum of five (5) days or until instructed that their service is complete without having to report.

4. Policy

All employees are entitled to time off for attendance in court in connection with jury duty.

Jury duty includes service on a grand jury as well as a trial jury in any court. Jury duty includes service in state or federal court. All regular employees are entitled to time off with pay for jury duty service, whether in state or federal court.

Exceptions

To the extent that there are inconsistencies between this policy and existing memorandum of understanding covering employees in any representation unit created pursuant to Chapter 2.79 of the Sacramento Code, the provisions of the memorandum of understanding shall prevail.

Standards of Application

All employees are entitled to time off for jury duty, whether in state or federal court or grand jury.

The employee is required to notify their supervisor immediately upon receiving notice of jury duty by providing a copy of the jury summons.

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California law states that regular County employees are not eligible to receive juror pay from the state superior court because they are receiving regular pay and benefits from the County during the time they serve as a juror. Regular employees must remit any juror pay they may receive (excluding mileage) to the County.

All employees shall provide written verification of their appearance as a juror to their supervisor. Upon return from jury duty, employees will be returned to their original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions without loss of seniority.

In the event of a layoff while an employee is on jury duty, the County's personnel rules, policies and/or MOU's relating to layoffs and seniority will be applicable.

The County is prohibited from discharging, discriminating or retaliating against an employee for taking time off to serve as required by law on a jury, so long as the employee gives reasonable notice to the County that he or she is required to serve. This prohibition includes service in federal and state courts, as well as grand jury.

5. Review Not Applicable