

JURY DUTY

Employees will be granted leave to serve on a jury. RAILS will grant paid time off for up to four weeks of regularly scheduled work hours to any employee summoned for jury duty. ~~Any remaining time required for jury service may be unpaid.~~ Any employee summoned for jury duty ~~should must~~ provide a supervisor ~~with as much notice as possible~~ a copy of the summons from the court within 10 days of the date the summons is issued. Employees requesting and/or returning from jury duty leave will be required to provide copies of their jury duty checks to their supervisor and the human resources department for verification of jury duty service and payroll processing. Employees may keep their juror pay. Employees returning to work after jury service will be considered as having been on a leave of absence during their service, and will be reinstated to their position without loss of seniority. Furthermore, returning employees will be entitled to participate in insurance or other benefits consistent with RAILS benefits policies applicable to employees returning from a leave of absence.

Commented [MM1]: From Ancel Glink: "The new law does not limit paid leave for employees on jury service. While the requirement to provide paid leave does not apply to employers with 25 or fewer employees, for employers with 26+ employees the statute now requires compensation "at the employee's regular rate of pay for time that the employee served on jury duty." Without a time limit or other conditions/exceptions, we suggest RAILS remove the four-week cap on jury duty pay."

Commented [MM2]: From Ancel Glink: "We've added the "reasonable notice" requirement provided in the Jury Act (i.e., providing RAILS the summons within 10 days of its issuance). While RAILS cannot deny leave to someone who fails to provide the summons in a timely manner, lack of reasonable notice is a defense to claims that an employee's rights under the Act have been violated. For example, if an employee claims they were discharged because of jury service, but the employee did not provide reasonable notice of their service, RAILS would have a defense against the application of penalties outlined in the statute."

Commented [MM3]: From Ancel Glink: "We've added additional language clarifying the status of employees and employee benefits following leave for jury duty. This language is taken from the statute and we think will provide clarity on employee's return-to-work circumstances."