

STATEMENT of POLICY and PROCEDURE			
Chapter:	Human Resources	SPP No.	HR 4.16.ON
Section:	Benefits	Issued:	Nov. 25, 2019
Subject:	JURY OR COURT WITNESS LEAVE	Effective:	Jan. 1, 2020
Issue to:	All Manual Holders	Page:	1 of 2
		Replaces:	HR-10
Issued by:	Community Resource Centre	Dated:	Feb 2017

1 POLICY

- 1.01 An employee who is summoned for jury duty, or as a court witness, shall be granted Jury Leave or Court Witness Leave, with pay, for the period required. Seniority shall continue to accrue during jury leave. On conclusion of Jury or Court Witness Leave, the employee shall be reinstated to the position most recently held, if it still exists, or to a comparable position, if it does not, at the same wage rate the employee earned at the time the employee's leave commenced.
- 1.02 An employee who is granted Jury or Court Witness Leave may continue to receive pay conditional on the employee
- (i) providing the **Community Resource Centre** with a copy of the jury summons or summons to be a witness as soon as possible;
 - (ii) submitting a certified statement of fees paid by the court, or any other parties for serving; and
 - (iii) authorizing the deduction from regular base pay an amount equivalent to the fees paid by the court or any other party, if any, for serving as a juror or court witness. In this connection, fees do not include reimbursement to the employee by the court or any other party for expenses such as travel expenses.
- 1.03 An employee who is granted time off work for Jury or Court Witness Leave and whose services as a juror, or as a court witness, are not required is expected to return to work immediately if more than **[three (3)]** hours remain in the employee's regular work shift.
- 1.04 An employee who attends court as a plaintiff or defendant in a personal matter, is expected to use vacation time, or to make arrangements for an unpaid personal leave of absence in accordance with Personal Leave of Absence policy. Employees must use accrued vacation and/or time in lieu of overtime prior to requesting an unpaid leave of absence.

2 PURPOSE

- 2.01 The purpose of this policy is to assist employees to fulfil their civic responsibilities to the judicial process by providing paid and unpaid leaves of absence.

3 SCOPE

- 3.01 This policy applies to all active employees.

4 RESPONSIBILITY

- 4.01 **Employee**
- (a) It is the employee's responsibility to notify their immediate Supervisor as soon as a Notice and Questionnaire Re: Jury Duty or summons to witness is received.

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- (b) Upon serving as a potential juror, juror or court witness, it is the employee's responsibility to provide the employer with proof of time served.
- (c) If the employee has received a paid leave of absence and receives any remuneration from the court or other party for such services, it is the employee's responsibility to report any such payments to the **Community Resource Centre**, in the form required, save and except for travel and other expenses.
- (d) It is the employee's responsibility to keep their supervisor informed of the progress of the matter, and his or her estimated date to return to work.
- (e) Depending on the employee's position and job function, to the maximum extent possible, the employee is expected to try to discharge work-related duties during breaks or while waiting to be empanelled.

4.02 It is the Supervisor's responsibility to ensure that proof of time served is obtained from an employee on jury leave and that time sheets and attendance records of paid absences are properly completed and submitted.

5 DEFINITIONS

None

6 REFERENCES and RELATED STATEMENTS of POLICY and PROCEDURE

Juries Act (Ontario)

Employment Standards Act, 2000 (Ontario)

SPP HR.4.04.ON — Personal Leave of Absence

7 PROCEDURE

7.01 Employees are requested to provide Supervisors with notice of impending jury service or court attendance requiring leave, as soon as possible.

7.02 An employee who is granted time off work under the policy and whose services as a juror, or as a court witness, are not required on that day is expected to return to work immediately if more than **[three (3)]** hours remain in the employee's regular work shift. Where facilities exist and provided that the Court does not prohibit, the employee is expected to try to discharge their work-related duties while on breaks or while waiting to be empanelled.

7.03 If an employee is granted leave with pay, the employee must present their Supervisor with certified documentation of time served as a juror or witness, and any remuneration received from the court, or other party for such services, save and except reimbursement for expenses. The required documentation must be received by the Supervisor no later than **[four (4)]** weeks after the end of Jury of Court Witness Leave. Failure to comply with this requirement could result in the equivalent of wages paid during the leave being treated as an overpayment of wages during the leave. Any such overpayment will be withheld from future wages owing to the employee.