

**JURY SERVICE LEAVE AND ATTENDANCE AT COURT PROCEDURE**

**1. Purpose**

* 1. This procedure specifies the arrangements in place at the University of Limerick for the administration of Jury Service Leave and attendance at court as a witness.
	2. Employers and employees entitlements and obligations regarding Jury Service are covered by the Juries Act, 1976. The Act provides that when an employee is called for Jury Service, the employer must continue to pay the employee for the duration of the absence (or, for temporary staff, until the contract expires). There is therefore, no interruption to an employee’s contract of employment.
	3. Civil Service Circular 31/2007 sets the procedure to be followed where staff of the University are required to attend court as a state witness.

**2. Scope**

2.1 Jury Service is obligatory for every citizen between the age of 18 and 70 years of age who is entered on the Register of Electors. The University encourages employees to make every effort to carry out their civic duty and report for Jury Service, when called.

2.2 If you are required to attend a court case as a witness you will receive a witness summons or a subpoena. This is a simple court form setting out the name of the case, the date and time the case will be heard and the court you must attend.

**3. Entitlements**

3.1 Under Jury Service Leave, employees have the following entitlements and obligations.

* Entitled to paid time off to attend for jury service, where they have officially been summoned to do so.
* Provide written notification of the need to avail of Jury Service Leave to the University.

3.2 In the case of attendance at court as a witness, a staff member who is summonsed or receives a subpoena to appear as a State witness in a court case will be entitled to leave with pay for the duration of their attendance. Expenses paid to the employee in compensation for loss of earnings should be refunded to the University.

3.3 A staff member called as a witness on behalf of another party other than the State will, provided that they have been served with a summons or subpoena, be granted leave with pay for the duration of the necessary absence.

3.4 The provisions of 3.2 and 3.3 as outlined above do not apply to attendance in Court as a witness outside the State. Specifics of such instances should be submitted to Human Resources for consideration.

**4. Notification Procedures**

4.1 An employee called for jury service or requested to attend court as a witness must provide written notification to the University of their need to avail of jury service & attendance at court leave by completing the Notification Form (Appendix 1) and submit to their Head of Department / School / Division. This form should be submitted as soon as possible on receipt of the Jury Service notification / Summons / Subpoena and should be accompanied by relevant court documentation evidencing the times and dates that the employee will be required to attend court.

4.2 Occasionally a person summoned for Jury Service or to attend court as a witness will not be required and will be dismissed for that day shortly after 11:00 am, in which case the employee would normally be expected to return to work for the rest of the day. This should be clarified at a local level. Where an employee is only required to attend court for part of a working day, they must return to work immediately after they have been released from court. For each day an employee attends for jury service, they must provide the University with a certificate of attendance from the County Registrar evidencing the dates and times of their jury service. Entitlement to paid time off is subject to the provision of a certificate of attendance to the Head of School / Department / Division.

**5. Excusal from Jury Service**

5.1 There are a limited number of reasons why an employee might be exempt for jury duty, which might include pressure of work, sickness or absence from the country. A “University Lecturer” is defined in legislation as a person who may be excused from jury service, if it is certified that their functions cannot be performed by another person or postponed. If there are work reasons why attendance may be problematic, then this is a matter ultimately to be decided by the employees School / Department / Division.

5.2 If a decision is taken by the employees Head of School / Department / Division that they should be excused, the Head of School / Department / Division will provide the employee with a letter detailing work commitments and requesting the employee be excused form Jury Service. The employee must then apply to the County Registrar to be excused providing the evidence / letter received from the University detailing the reasons for the exemption.

**6. Employment Protection**

6.1 An employee who is on jury service/attendance at court leave will be treated as if they had not been absent from work. At the end of jury service/attendance at court leave, an employee will be entitled to return to their original role under terms and conditions no less favourable than those that would have applied if they had not been absent.

APPENDIX 1

Jury Service & Attendance at Court Leave Notification Form

This form must be completed by the employee concerned as soon as possible after they have received a jury service notification or a summons/subpoena to attend court and issued to their Head of School / Department / Division for signing.

|  |  |
| --- | --- |
| **Name of Employee** |  |
| **Address of Employee** |  |
|  |  |
| **Commencement date of employment** |  |
| **School / Department / Division** |  |
| **Staff ID** |  |
| **Expected date start date of jury leave/attendance at court** |  |
| **Expected Duration of jury leave/attendance at court** | **Weeks** | **Days** | **Hours** |
|  |  |  |  |
| **Expected date of return to work** |  |

Where the above dates change, please provide written notice to your Head of Department / School / Division as soon as you become aware of the changes. Details of changed dates must be submitted to compandbens@ul.ie as soon as possible by the HOD/Division.

Please attach to this form a copy of the official jury service summons/summons/subpoena, along with court documentation evidencing times and dates that you are required to attend court. Payment will only be made on receipt of this documentation.

An employee is entitled to paid time off to attend for jury service or attendance at court as a witness. Where an employee is not required to attend for jury service, they must return to work immediately otherwise payment will not be made. Any employee abusing this leave may be subject to serious disciplinary action, up to and including dismissal.

I declare that the information given above is accurate and complete.

**Signature of Employee:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  **Date:** \_\_\_\_\_\_\_\_\_

**Signature of Head of**

**Department/School/Division:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  **Date:** \_\_\_\_\_\_\_\_\_

**Signature of HR Officer**

**Compensation & Benefits:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_   **Date:** \_\_\_\_\_\_\_\_

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