Jury Duty Leave Rights – Know The Laws Of Your Province



Jury duty leave is required in every jurisdiction but leave is paid only in Newfoundland.

Employees called to jury service during scheduled work time are allowed to take unpaid leave for as long as they're needed to serve. Newfoundland is the only jurisdiction which requires employers to provide paid jury duty leave. Employees who are actually chosen to serve on a jury may also be entitled to a fixed fee from the court for each day of service, as well as allowances covering meals, travel and accommodations. Here are the rules in each part of Canada.

Jury Duty Leave Rights Across Canada

FEDERAL

(a) Unpaid leave to attend court to as a juror, witness or participate in jury selection; (b) Employee must give written notice of reasons and length of leave and of changes to leave length; and (c) Employer may require documentation (*Canada Labour Code*, Secs. 206 and 207)

ALBERTA

Unpaid leave to attend court to act as a juror or participate in jury selection process (*Jury Act*, Sec. 24(1)); Juror fee: $50 per day

BRITISH COLUMBIA

Unpaid leave to act as a juror or participate in jury selection process (*Employment Standards Act,* Sec. 55); Juror fee: Daily rate of $20 for first 10 days, $60 for days 11 to 50, and $100 for each day after that

MANITOBA

Unpaid leave to act as a juror or participate in jury selection process (*Jury Act,* Sec. 24.1); Juror fee: $80 per day

NEW BRUNSWICK

(a) Unpaid leave if employee is absent as a result of being summoned or selected to serve on a jury,

or served with a summons to attend as a witness; (b) If employer grants paid absence, it can require employee to reimburse jury or witness fees but not travel, meal or accommodation cost allowances (*Employment Standards Act*, Sec. 44.023); and (c) Juror fee: i. $20 per half-day and $40 per full day for trials for first 10 days, and ii. $40 per half-day and $80 per full day after 10th day

NEWFOUNDLAND

(a) Paid leave at same wages and benefits if employee is: i. summoned for jury service, or serves as a juror, ii. required to attend upon a court as a witness in a criminal or quasi criminal case, iii. required to attend upon a *Summary Proceedings Act* inquiry, or iv. required to attend a *Public Inquiries Act* proceeding; and (b) Since leave is paid, employees don't get juror fee (*Jury Act*)

NOVA SCOTIA

(a) Unpaid leave to an unpaid leave if employee is required to perform jury duty or required by subpoena or summons to attend as a witness; (b) Employee must give employer as much notice as "reasonably practicable" of intention to take leave (*Labour Standards Code*, Sec. 60B); and (c) Juror fee: $40 per day

ONTARIO

Unpaid leave to serve as a juror (*Juries Act,* Sec. 41); Juror fee: $0 for days 1 to 9, $40 per day for days 10 to 49, and $100 for each day after that

PRINCE EDWARD ISLAND

Unpaid leave if employee is absent due to being: (a) summoned to serve on a jury; (b) selected to serve on a jury; or (c) served with a summons to attend at the hearing of an action, application or proceeding as a witness (*Employment Standards Act*, Sec. 23.2); Juror fee: $25 per half-day

QUÉBEC

Unpaid leave to serve as a juror (*Jurors Act*, Sec. 47); Juror fee: $103 per half-day of service; increases to $160 on 57th day after jury is formed; juror receive more if proceedings take place outside normal working hours

SASKATCHEWAN

Unpaid leave if employee is summoned for jury service or required to serve on a jury (*Jury Act, 1998*, Sec. 36); Juror fee: $110 per day but only if leave is unpaid

NORTHWEST TERRITORIES

(a) Unpaid leave if employee is absent to: i. answer a summons for selection to serve on a jury, ii. serve on a jury, or iii. answer a summons to attend as a witness; (b) If employer grants paid absence, it can require employee to reimburse jury or witness

fees but not travel, meal or accommodation cost allowances (*Employment Standards Act*, Sec. 32); and (c) Juror fee: $80 per day

NUNAVUT

Unpaid leave to serve as juror or participate in jury selection process (*Labour Standards Act*); Juror fee: $100 per day for days 1 to 5; $150 per day for each day after that

YUKON

Unpaid leave for jury duty (*Jury Act*, Sec. 8); Juror fee: $80 per day