

Jury & Witness Duty Leave Policy



1. POLICY

Employees of ABC Company who must miss scheduled work time to perform jury duty are entitled to a leave of absence in accordance with provincial laws and the terms of this Policy.

2. DEFINITION

For purposes of this policy:

“Jury duty” means being required to attend court or another location away from the workplace to participate in the jury selection process or serve on a jury for the duration of the trial, **[additional language for FED, NB, NL, NS, NT, PEI]** and also includes being summoned or subpoenaed to act as a witness in a legal proceeding.

3. DURATION OF LEAVE

Unpaid leave for jury duty leave will last only for as long as necessary for employees to complete their duties as prospective jurors and jurors **[additional language for FED, NB, NL, NS, NT, PEI]** and witnesses.

4. JURY DUTY LEAVE IS UNPAID

[All jurisdictions but Newfoundland]. Leaves of absence for jury duty taken in accordance with this Policy will be unpaid, unless paid leave is provided for under the terms of a collective agreement that covers the employee, the employee’s individual employment contract or an ABC Company HR or benefits policy. **[Additional language for NB and NT only]** In the event that employees take paid jury duty leave, ABC Company reserves the right to require them to reimburse the Company for the juror fees and other amounts they received for serving, with the exception of amounts reimbursing employees’ travel, meals, accommodation and childcare expenses.

[Newfoundland] Employees of ABC Company who must miss scheduled work time will be paid for the time they miss to complete their required jury duty at the wage rate

they would have received had they not been absent, in accordance with Section 42 of the Newfoundland *Jury Act*.

5. NOTIFICATION OF LEAVE

Employees summoned for jury duty must notify their manager or supervisor as soon as possible before taking leave under this Policy, with said notice listing the expected start and end date of leave. Where it is not reasonably practicable to provide advance notice, the employee must advise his/her manager or supervisor as soon as possible after leave begins. Once leave begins, employees must notify their manager or supervisor as soon as possible of any changes to their expected date of return.

6. VERIFICATION OF NEED TO TAKE LEAVE

ABC Company reserves the right to require employees taking jury duty leave to provide their manager or supervisor a copy of the summons or other documentation verifying their need to take leave.

7. DUTY TO COOPERATE & COMMUNICATE

Employees must provide an estimated date of their expected return date and remain in communication with their supervisor or manager while they are on leave to ensure that arrangements can be made for their return.

8. NON-RETALIATION

ABC Company will not discharge, threaten, penalize or in any other manner discriminate or retaliate against any employee for exercising their rights under this Policy, including but not limited to requesting or obtaining jury duty leave.