



Background

The school authority recognizes that participation in jury duty is a legal responsibility. Employees of the Calgary Girls Charter School will be given time off to attend jury selection and to serve as jurors.

Under the Employment Standards Code, a juror is considered to be on unpaid leave for the period of jury duty. Employers are not legally obligated to pay employees for lost wages while on jury duty, although the employee is considered to be in continuous employment for the purposes of calculating annual vacation, termination entitlements, as well as for pension, medical or other employee benefit plans. The employee is also entitled to increases in wages and benefits which he/she would have received if not on jury duty. As soon as jury duty ends, an employee must return to his/her former position or comparable position.

An Employer may choose to provide compensation or paid leave for an Employee who is serving as a juror and/or to attend jury selection.

Procedures

1. Leave of absence will be granted to an employee and the amount of time allowed will be in accordance with the time as a paid juror or witness and time required during the selection process.
2. Leave of absence without loss of salary and benefits may be granted for jury duty or any summons related thereto, provided that the employee remits to the school authority any jury stipend excluding allowances and/or expenses that are set by the Court or other authoritative body. The Employee is responsible for providing appropriate documentation pertaining to allowances and/or expenses set by the Court.
3. Employees will be required to give advance notice to the Superintendent and provide a copy of the Court Claim or Summons at the completion of jury or witness duties.
4. In the circumstance that an employee is taking action against the Board or the employee is acting as a witness for a third party who is taking action against the Board, Administrative Procedure 470 Leave for Jury/Witness Duty does not apply.

Reference:
Education Act
Employment Standards Code
Jury Act