

Buffalo & Erie County Public Library

PERSONNEL POLICIES AND PROCEDURES MANUAL

SUBJECT: Jury Duty/Work-Related Court Attendance Leave

CHAPTER: VII

SECTION: 11

EFFECTIVE DATE: 1/81

REVISION DATE: 9/92, 8/06, Modified for the Library effective 1/1/15, 1/1/26

I. STATEMENT OF POLICY

Leave of absence with pay is granted to most Buffalo & Erie County Public Library employees who are required to perform jury duty or attend court proceedings related to the Buffalo & Erie County Public Library.

II. GUIDELINES

A. Reporting for Work

No employee is required to report to work for all or any part of a work shift on any day that they perform required jury duty. The employee is expected to return for their next scheduled shift after conclusion of their required jury duty or court appearance or after qualification for early dismissal.

B. Compensation

1. All Buffalo & Erie County Public Library collective bargaining agreements and benefits packages provide for paid leave for jury duty service. Employees should refer to the applicable contract for specific details.
2. Library employees not covered under a bargaining agreement may be eligible for compensation as follows:
 - a. Part-time employees shall be eligible to receive up to \$40 per day for each of the first three (3) days of jury service for a maximum of \$120 in total.
 - b. An employee shall not be paid more than they would have earned if they worked. If an employee would have earned less than \$40 on a scheduled day which they performed jury duty, they will only be paid what they would have earned.

- c. To be eligible for this daily \$40 payment, the employee must have been scheduled to work, and due to jury service, was unable to report for their work assignment. If the employee was not scheduled to work that day, the employee is not eligible for the \$40 payment.
- d. This payment applies to trial jurors and grand jurors in each Court of the New York State Unified Court System, except town and village Courts. This payment does not apply to the Federal Court System.

3. Compensation for time away from the job is contingent upon the employee presenting proof of jury service or court attendance, and that they were actually in attendance on the days claimed.
4. Employees who are required to appear in court for purposes other than to serve on a jury or appear as a witness in a proceeding related to the Buffalo & Erie County Public Library will not be granted compensation for time away from the job.

C. Reporting a Leave of Absence for Jury Duty

1. Upon receipt of an order to appear for jury duty or as a witness in proceeding related to the Buffalo & Erie County Public Library, the employee must inform their director/department head or designee of the impending absence.
2. The employee must retain documentation of their appearance at court showing dates of service.
3. At the conclusion of jury duty or court attendance, the employee must fill out a Leave of Absence Request form and attach it to the certificate of jury service from the court, in order that they will be promptly and properly paid for such service.
4. The completed leave of absence from and appropriate documentation must be submitted to Human Resources for approval.
5. Jury duty leave should be documented on the employee's timesheet using the appropriate code for the day(s) of absence.