

Organizational Policy

JURY DUTY/VICTIM WITNESS LEAVE

Purpose

The City encourages employees to fulfill their civic responsibility when called upon for jury duty or subpoenaed as a witness. It is the intent of the City of Rochester to allow employees reasonable time away from work for the following circumstances:

- If the employee is called upon for jury duty.
- If the employee is a victim or witness to a crime and is subpoenaed or requested by the prosecutor to attend court, reasonable time off will be extended for the purpose of giving testimony in criminal proceedings related to the victim's case.
- If the employee, or his/her spouse or immediate family member, is the victim of a violent crime¹, reasonable time off will be extended for the purpose of attending criminal proceedings related to the victim's case.

Nothing stated in this policy creates an employment contract between the City of Rochester and its employees.

Eligibility

All employees are eligible for reasonable time away from work, as determined by their Department Head and the Director of Human Resources, under this policy.

Wages

In order to prevent a financial burden resulting from the performance of such duty, the City will pay regular, benefits-eligible employees their regular salary for the period of such required² service. Regular, benefit-eligible part-time employees will receive paid leave under this policy on a prorated basis to reflect hours worked compared to full-time employment for such a period of required service.

Upon completion of service, the employee shall submit all compensation received, excluding mileage and meal allowances, to the City Finance Department. Alternatively, the employee may submit receipts for all compensation received, excluding mileage and meal allowances, and this will be deducted from the employee's next regular pay check.

Notification

Employees receiving a summons for jury duty or subpoenaed as a witness will be required to provide the City with 48 hours' advance notice of the leave unless impracticable or an emergency prevents the employee from doing so.

Employees will be required to provide verification supporting their reason for absence under this policy. Verification documents may include, but are not limited to, a copy of notice of jury

¹ "Violent Crime" is defined in Minnesota Statute 611A.036

² Required means the employee is called upon for jury duty or is subpoenaed.

duty, a copy of the subpoena, a letter from the prosecutor, and/or the court docket establishing the date and time for court proceedings.

A “Request for Leave of Absence” form must be completed by the employee and approved by their Department Head prior to payment for any time off under the provisions of this policy.

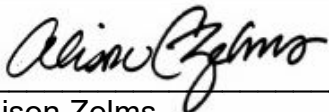
An employee who fails to make proper notification of their required jury or witness duty will not be paid for the time off.

Reporting for Work

If an employee is scheduled to report for jury duty or subpoenaed as a witness and the case is delayed, dismissed, rescheduled, etc., the employee shall be required to report for work on their normal schedule as soon as is possible.

An employee excused from service during the normal working hours is required to notify their immediate supervisor after being excused so the supervisor may determine whether the employee should return to work for the remainder of their normal schedule. If the employee has less than two hours remaining in their normal work shift, they may not be required to return to work.

Policy revisions approved by City Administrator:



Alison Zelms

09/17/2021

Date

Policy History

Current Revision: 08/30/2021

Previous Revision(s): 05/14/2008

Associated Form(s)

Request for Leave of Absence

The forms associated with this policy can be found on RW - Human Resources – Forms

Legal/Statutory Authority

- Minnesota Statute 593.50
- Minnesota Statute 611A.036