

PERSONNEL SERVICES BULLETINS (PSBs)

440-10

Subject: Jury Duty for City Employees

Supersedes: Personnel Policy and Procedure No. 669-84

Source: New York Judiciary Law, United States Code

Date: June 30, 1997

I. Policy

A. Leave for Jury Service

1. City employees are excused from their employment for the time spent in actual jury duty as well as necessary travel time.
2. Time and leave provisions for employees serving on jury duty are contained in applicable leave regulations, departmental orders, administrative directives, and other departmental regulations. The aforementioned provisions contain information on whether employees are entitled to paid leave for jury duty, requirements regarding attendance at work, and other information pertinent to leave for serving on jury duty.

B. Compensation for Jury Service Rendered in the New York State Unified Court System

1. Employees who are not entitled to paid leave for jury duty are entitled by law to receive a portion of their salary equal to the per diem allowance normally paid by the State for the first three days of jury service, provided that these three days are regularly scheduled work days. The State will not pay these employees a per diem allowance for the first three days of jury service which are regularly scheduled work days. Payment of the per diem allowance for jury duty served on days that are not regularly scheduled work days, as well as for jury duty served beyond three days, will be paid by the State as usual.

The State no longer calculates travel expenses as a separate cost; however, the per diem allowance may be used to cover such expenses should they occur.

2. Employees who are entitled to paid leave while serving on jury duty are not entitled to receive a per diem allowance or compensation for travel expenses from the State. However, the State will pay a per diem allowance to these employees when they serve on jury duty on days for which salary is not paid, such as regularly scheduled days off.

The State no longer calculates travel expenses as a separate cost; however, the per diem allowance may be used to cover such expenses should they occur.

C. Compensation for Jury Service Rendered Outside of New York State or in Federal Courts

1. Employees who are entitled to paid leave while serving on jury duty, who also receive compensation from the court, must remit to

the City an amount equal to the compensation received from the court.

2. Employees who are not entitled to paid leave while serving on jury duty are entitled to keep the total amount of compensation received from the court.

II. Procedure

The following procedure applies to all City employees except employees in the uniformed forces, where department orders and directives may conflict with these instructions.

A. As soon as possible, employees called for jury service must present the subpoena specifying the date jury service begins to the agency payroll officer. A copy of this subpoena must be attached to the employee's time record.

B. Employees must obtain written verification of the dates of actual jury duty service and present this documentation to the agency payroll officer. In the case of grand jury service, hours of service should also be verified.

C. In those cases where remittance of jury duty payment is required, the employee must give the agency payroll officer a check or money order made out to the New York City Department of Finance for the amount received from the court, less any monies received for travel expenses. Remitted jury duty payment should then be deposited by the agency payroll officer into a City Treasury Collection Account in accordance with established procedures.

D. Payroll officers are to remind employees to remit jury duty payments, where applicable, after twelve weeks have elapsed from the completion of jury duty. If, after the third reminder, an employee still has not remitted this payment, the employee's annual leave or compensatory time balances will be charged equal to the number of days jury service was rendered. If the employee does not have sufficient leave balances to cover these days, the employee's paycheck will be reduced to reflect the number of days not worked. The payroll officer must inform such an employee in advance of the effective date of the paycheck to be reduced.

E. In instances where remittance of jury duty payment is required but the employee did not receive payment, it is the employee's responsibility to present written verification from the court stating that jury duty was served but payment was either not issued or, if issued, was properly reported by the employee as lost, stolen, or undelivered. Upon receipt of such written verification, the payroll officer is to extend the period of time in which the employee must remit his/her jury payment.

William J. Diamond
Commissioner