

YOUR EMPLOYEES AND JURY SERVICE

A fact sheet for Maryland employers

Trial by jury is a foundation of our system of justice and is one of the reasons that our justice system is the finest in the world. Serving on a jury is both a responsibility of being a citizen and an opportunity to serve the community.

Supporting jury service is good business.

You might be one of the many employers involved in a business-related case. Contracts disputes, wrongful termination, product liability and patent infringement are a few examples of business-related cases handled by courts.

You can help.

Employers can help by making it easier for employees to appear for jury service.

- Consider paying your employees, and continuing all benefits, seniority, etc., when they are on jury service.
- Accommodate jury service on the work schedule. There are several weeks at least between the date a person is notified of upcoming jury service and the date he or she must appear. Ask your employees to notify you immediately if called to jury service.

Why your employee was called.

Jurors are chosen at random from a cross section of the adult Maryland citizens who reside in the county/Baltimore City. With very limited exceptions, anyone called to jury service *must* appear for jury service at the time and date set out in the summons. A juror:

- *Must* be 18 years old or older,
- *Must* be a U.S. citizen and a resident of the county/Baltimore City in which he or she would serve as a juror,
- *Must* be able to read, write, speak or understand English, and
- *Cannot* have a criminal conviction or pending criminal charges (under certain circumstances).

If a juror has a disability that prevents jury service, it must be documented by a health care provider.

Whether or not your employee meets the above criteria, the employee must appear for jury service unless excused by a judge or the Jury Office.

Length of jury service.

The length of jury service will vary. Some counties and Baltimore City use “one day or one trial”. Other counties have longer terms, and require each juror to check in with the court from day to day to see if he or she is required to report for jury duty that day.

See the other side for more information, including about legal protections for employees called to jury service.

Verifying jury service.

The Jury Office can give your employee a certificate that documents the number of days the employee was on jury service.

Pay.

The law does not require you to pay your employee for the time he or she is on jury service. Many employers do pay employees for some, if not all, of the time the employees are on jury service.

Employees who are called to jury service are protected by the law.**Maryland law.**

Maryland Code, Court and Judicial Proceedings Article, Sections 8-501 and 8-502 protect employees called to jury service.

Leave.

An employer cannot require an employee to use leave (annual, sick or vacation) for jury service. (Section 8-502)

Firing or harassment.

An employer cannot fire an employee (or coerce, intimidate or threaten to fire an employee):

- For losing work time as a result of going to court for jury service or because the employee had to be close to the court for jury service.
- For exercising the right not to work on a day on which the employee is on jury service (see below). (Section 8-501)

Employment shift.

An employer cannot require an employee to work on a day on which the employee is on jury service, under certain circumstances. If the employee is summoned and appears for jury service for 4 or more hours, including traveling time, the employer cannot require the employee to work an employment shift that begins:

- On or after 5 p.m. on a day of the employee's appearance for jury service, or
- Before 3 a.m. on the day after the employee's appearance for jury service. (Section 8-501)

You can find the laws here: www.mdcourts.gov/jury/service/pdfs/employersandjuryservice-laws.pdf

For more information:

- Contact your local Jury Office www.mdcourts.gov/jury/service/juryoffices.html
- Visit the Maryland Judiciary Jury Service website www.mdcourts.gov/jury/service/index.html