

MSU Billings Personnel Procedures

POLICY REFERENCE: **Leave – Juror and Witness**

OTHER REFERENCES: 2-18-619, M.C.A.; MUS 708.1, 708.1.1; MOM 3-0322;
Collective Bargaining Agreements

DATE ADOPTED/REVISED: 10/08/08

I. NOTICE AND ELIGIBILITY

All non-student employees are eligible for Juror and Witness Leave and are encouraged to fulfill their civic duties. An employee shall inform the supervisor of the date and anticipated duration of the absence as soon as possible after being summoned or subpoenaed. The supervisor may request a copy of the summons or subpoena.

The University may request the court to excuse an employee from jury duty if the employee is needed to maintain proper operation of a department/campus. Such request shall be made in accordance with procedures set forth by the court and occur only in exceptional circumstances

II. COMPENSATION

A non-student employee summoned as a juror or subpoenaed as a witness in a court or judicial proceeding must elect to receive either Juror and/or Witness Leave with Pay or use accrued Annual Leave, if eligible.

A. Paid Juror and Witness Leave

If an employee elects Juror and Witness Leave with Pay, juror or witness fees paid to the employee shall be forwarded by the employee to the Payroll Office within three (3) days of receipt. These fees shall be applied against the amount due the employee from the University.

Employees shall receive pay only for those hours regularly scheduled to work. Overtime hours are not applicable in the event employee must serve as a witness or juror beyond their normally scheduled work day or work week.

B. Annual Leave

If an employee elects to charge witness or juror leave against accrued annual leave, the employee shall retain juror/witness fees paid by the court. Employees shall use annual leave only for those hours normally scheduled to work.

C. Expenses

Any expenses (i.e., meals) and mileage allowance paid by the court shall be retained by the employee.