

ADOPTED BY THE BOARD OF PUBLIC WORKS ON JUNE 20, 2007

TO ALL EMPLOYEES OF THE DEPARTMENT OF PUBLIC WORKS

SUBJECT: JURY DUTY/CIVIC DUTY

The Board of Public Works believes that all responsible citizens should make themselves available, upon call, to serve as jurors/witnesses in the Court System, and further, the Board believes that the performance of this duty should not have a detrimental effect on the employee.

JURY DUTY

Accordingly, all qualified employees of the Department of Public Works who are called to jury duty shall serve. All employees serving on jury duty shall receive payment of their regular salary in accordance with the provisions of the Los Angeles Administrative Code and/or applicable Memorandum of Understanding.

Additionally, service on a **civil** Grand Jury is voluntary and usually lasts for 12 months. Under the provisions of Section 4.111 of the Los Angeles Administrative Code, employees who have been nominated and selected to serve on a Grand Jury are entitled to paid leave for this purpose. However, in most instances, nominees have been asked to provide a letter from their employer indicating a willingness to allow such service. The Departments of Public Works is not obligated to support the nomination and should not agree to such service. However, service on a **criminal** Grand Jury is mandatory according to California Penal Code Section 904.6 (e) and is usually limited to 30 days. The Department of Public Works is supportive of criminal Grand Jury service for up to 30 days.

CIVIC DUTY

Section 1230.1 of the California Government Code deals with situations where an employee is subpoenaed to serve as a witness. Since it has been a long standing practice that City employees are given paid time off to give witness of information gained within the course and scope of their duties, this policy deals with those situations where an employee is called to give witness regarding information gained outside the course and scope of their employment with the City.

Whenever an employee is served with a subpoena by a Court of competent jurisdiction which compels the employee's presence as a witness during his/her normal working period (unless said employee is a party to the litigation or an expert witness), the employee shall be granted time off with pay in the amount of the difference between the employee's regular earnings and any amount he/she receives for such appearance.

A Court of competent jurisdiction is defined as a Court within the county in which the employee resides or if outside the county of residence, the place of appearance must be within 150 miles of the employee's residence.