

**Policy Title: Court Leave**

**Policy Number: BU-PP 405**

**Date Issued: November 16, 2018**

**Responsible Executive: Vice President & Chief  
Human Resources Officer**

**Date Last Revised: June 1, 2020**

**Responsible Office: Human Resources**

## **Court Leave BU-PP 405**

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### **Policy Statement**

Baylor University (the “University”) provides Eligible Employees court leave to serve as a juror or witness in a court of law during the regularly scheduled work hours.

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### **Reason for the Policy**

Eligible Employees who receive a court-ordered jury summons or subpoena to appear as juror or witness in a court of law receive time off with regular pay as “paid court leave” after providing notice to the supervisor by presenting the court document upon receipt.

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### **Individuals/Entities Affected by this Policy**

Faculty, staff, and benefit eligible temporary employees

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### **Exclusions**

- Employees who serve as the plaintiff or defendant in the court do not receive paid court leave
- Short-term temporary staff

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### **Related Documents and Forms**

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**University Policies and Documents**

[Work Hours/Schedules](#)

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**Applicable Law**

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Juror's Right to Reemployment Act in Texas Civil Practices & Remedies Code Chapter 122 Fair Labor Standards Act (FLSA)

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**Definitions**

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These definitions apply to terms as they are used in this policy.

<b>Eligible Employee</b>	Individuals employed as full-time or part-time benefit eligible staff, who are in receipt of court-ordered document(s) to appear as juror or witness
<b>Short-Term Temporary Staff</b>	Staff positions that are temporary and/or intermittent/seasonal in nature and do not qualify for leave accruals or other employee benefits
<b>Court-Ordered</b>	Ordered by a court of law
<b>Paid Court Leave</b>	Regular-rate pay received by eligible employee when serving as juror or witness, upon recording leave hours as applicable with supervisor approval.
<b>Timecard</b>	University approved means for reporting non-exempt hours worked and leave hours

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**Contacts**

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<b>Subject</b>	<b>Contact</b>	<b>Telephone</b>	<b>Office email/web site</b>
<b>Policy Questions</b>	Human Resources	254-710-2000	<a href="mailto:askHR@baylor.edu">askHR@baylor.edu</a> <a href="http://www.baylor.edu/hr">www.baylor.edu/hr</a>
<b>Timecard Entry Questions</b>	Payroll Office	254-710-2217	<a href="mailto:Payroll_Office@baylor.edu">Payroll_Office@baylor.edu</a> <a href="http://www.baylor.edu/payroll">www.baylor.edu/payroll</a>

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**Responsibilities**

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<b>Eligible Employee</b>	<ul style="list-style-type: none"><li>• Present court documentation to supervisor upon receipt; coordinate leave with supervisor;</li><li>• Request court leave through the system put in place by the University</li></ul>
<b>Supervisor or Department Head</b>	<ul style="list-style-type: none"><li>• Upon receipt of court documents from employee, revise work schedule as needed;</li><li>• Approve the use of court leave in advance through the system put in place by the University.</li></ul>

<b>Payroll Office</b>	<ul style="list-style-type: none"><li>• Process court leave absence hours as reported and approved</li></ul>
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## **Principles**

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Jury duty leave is job-protected leave. Baylor University provides eligible employees court leave, paid as regular time worked, to serve as a juror or witness in a court of law during the regular workweek. Time spent on jury duty is not “time worked” for purposes of the Fair Labor and Standards Act and is not considered in the calculation of overtime. An employee released from jury or witness service during the course of the workday must return to work immediately. Any pay received by the employee from the court while serving as a juror or witness belongs to the employee.

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## **Procedures**

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### PROVIDING NOTICE AND SCHEDULING

Upon receipt of court-ordered documentation stating the appearance/attendance required as juror or witness, employee provides notice to supervisor by presenting documents. Supervisor reviews documentation, reviews/revises work schedule as needed and reviews/approves timecard or absence report upon submission.

### REPORTING TO COURT

Employee reports to court for service as a juror or witness as required during the regular workweek. Upon dismissal from the court during regularly scheduled work hours, the employee returns to work. If court hours are outside of regularly scheduled work hours, then a comparable amount of time should be given as court leave and coverage coordinated by the supervisor.

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## **Tracking Court Leave**

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Court Leave is tracked using the processes and systems put in place by the University.