

Policies of the University of North Texas Health Science Center	Chapter 05 Human Resources
05.806 Jury and Witness Duty	

Policy Statement.

Jury Duty: All faculty and staff members summoned to perform jury duty shall be excused from work for the time they serve, without loss of pay or accrued leave time. An employee is entitled to accept fees received for jury duty without any accounting to the health science center.¹

Witness Duty: Witness Duty that may be counted as regular work hours:

- a.) the employee is appearing in his/her official capacity with the health science center;
- b.) the employee is not appearing as a voluntary witness;
- c.) the employee is not receiving compensation for the appearance (other than the normal witness fee paid by the court), and;
- d.) their appearance is not directly related to any outside employment or business activity, or any former business or occupation.²

Application of Policy.

Regular Faculty and Staff

Definitions.

None

Procedures and Responsibilities.

Procedure / Duty

Responsible Party

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| 1. Staff members who are serving on jury or witness duty are expected to report back to work during assigned working hours when not actually required to be in court, when excused, when not traveling to and from court, or when court is adjourned. | Staff Member |
| 2. If a subpoena for jury or witness duty occurs at a time when the absence of the staff member would create an emergency situation or undue hardship on the health science center, the administration may direct the staff member to request a postponement of service. | Staff Member |
| 3. Leave for the purpose of jury duty or witness duty must be requested in advance as soon as the employee receives the summons or subpoena from the court. A copy of the summons or | Departmental Official |

subpoena must be attached to a Request for Leave Form and submitted to the department official who has the authority to approve leave. The official who has the authority to approve leave is the head of the department unless otherwise directed by the Vice President or the President.

4. Service as a witness, which does not meet the criteria set out in this policy must be done outside of assigned working hours, or must be charged to vacation or leave without pay. Staff Member

5. Employees serving as witnesses under conditions which meet the criteria set out in this policy are entitled to accept a customary witness fee paid by the court, except when appearing in their official capacity with the health science center. Prohibitions against acceptance of compensation shall not extend to mileage or per diem allowances for expenses incurred while serving as a witness, unless the employee has made a claim for such expenses against the State. In no instance shall there be dual reimbursement for expenses.³ Staff Member

Employees serving as witnesses outside of their assigned working hours, or while on vacation or leave without pay, are entitled to accept compensation for such appearances, provided the appearances are not in conflict of interest with their employment by the health science center.

6. Time absent for jury duty or witness duty should be recorded on the Monthly Departmental Time Record. Departmental Timekeeper

7. In accordance with HB 746 enacted by the 76th Legislature, all approved dual or outside employment by faculty and professional staff as a consulting or as a testifying expert witness in lawsuits in which the State of Texas is a party must be reported each fiscal year to the appropriate Vice President. Faculty or professional staff means a person who is employed full-time whose duties include teaching, research, administration, or the performance of professional services, including professional library services. The Vice President must report the following information to the Human Resource Services Department without identifying the name of the individual: Employee/ Department Official

a.) The amount of time the faculty or professional staff member spends on the employment; and

b.) The name and case number of the lawsuit.⁴

References and Cross-references.

1 Texas Government Code, § 659

2 Ibid

3 Ibid

4 Texas Education Code, § 610.815

Forms and Tools.

Leave Request Form

Approved: 9/1/2006

Effective: 9/1/2006

Revised: