

LOS ANGELES UNIFIED SCHOOL DISTRICT  
PERSONNEL COMMISSION

782 LEAVE OF ABSENCE FOR JURY DUTY

Education Code 44037

44037. The governing board of any district shall grant leave of absence to any employee, serving in a position not requiring certification qualifications, regularly called for jury duty in the manner provided for by law. The governing board shall grant such leave with pay up to the amount of the difference between the employee's regular earnings and any amount he receives as juror's fees.

It is unlawful for the governing board or personnel commission of any school district to adopt or maintain any rule, regulation, or policy which has as its purpose or effect a tendency to encourage employees to seek exemption from jury duty, or to directly or by indirection solicit or suggest to any employee that he seek exemption from jury duty, or to discriminate against any employee with respect to assignment, employment, promotion, or in other manner because of such employee's service on any jury panel.

The board or personnel commission may, however, provide by rule that only a percentage of its staff, which percentage shall not be less than 2 percent, shall be granted such leave, with pay, at any one time.

Nothing in the foregoing provisions shall preclude the district superintendent or his agent from discussing with the affected employee the practicality of seeking exemption when acceptance would tend to materially disrupt the district's operation.

- A. A classified employee shall be granted leave of absence with pay when necessarily absent from work because of jury duty.
- B. An employee who has been summoned for jury duty shall notify the immediate supervisor as soon as possible and shall attempt to schedule the period of jury service to minimize administrative inconvenience. The employee shall obtain a certification of dates of service from the court or jury office, and remit jury fees to the District. The employee is not required to remit mileage fees and jury fees for District holidays, vacation days, or days when the employee is not in paid status. Also, the employee may retain any portion of a daily jury fee that exceeds the employee's gross pay for that day.
- C. With allowance for reasonable travel time, the employee shall be available to the District for work during the portion of the employee's normal workday or week when not required for jury duty. If regularly assigned to other than the day shift, the employee shall be available for work between 8 a.m. and 5 p.m.

CHANGE:

Rule amended to reflect editorial and/or organizational changes.

Remove: July 8, 1987, page 1 of 2. Add: August 28, 2002, page 1 of 2.

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LAW AND RULES

(Reissue) December 1, 1986

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- D. Except as provided below, the number of hours, the time of day, or the days of the week during which an employee is required to be absent for jury duty shall not be the basis for any overtime or shift differential payment by the District. In addition, pay under this Rule is limited to those days and hours for which the employee would have received pay if not excused for jury duty. The hours or days of jury leave shall be considered as time worked in calculating compensation for overtime as provided in Rule 596.
- E. Assignments of persons with limited-term status only may be terminated when such employees will be absent from work because of jury duty.

CHANGE:

No change in page.

Remove: December 1, 1986, page 2 of 2. Add: (Reissue) December 1, 1986, page 2 of 2.

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