

## Policy on Jury Service

<b>Document Reference and Version Number</b>	Version 1: 28 <sup>th</sup> August 2019
<b>Purpose</b>	This policy informs all employees covered by the Juries Act 1976 of their rights and entitlements while in this employment. All full-time, part-time, and temporary employees are covered by this policy.
<b>Commencement Date</b>	September 2019
<b>Date of Next Review</b>	August 2021
<b>Who needs to know about this document</b>	All Staff
<b>Revision History</b>	Version 1 28.08.19
<b>Policy Author</b>	Human Resources Department
<b>Policy Owner</b>	HR Manager
<b>Approved</b>	

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## Context

Section 29 of the Juries Act, 1976, provides that a person in employment under any contract of employment is required to be released from work for the purpose of jury service. A summons for jury service may cover a period from four days to two weeks, depending on the Court in question.

This Policy outlines the legal obligation on an employer to provide an employee with paid time off to attend for jury service along with other obligations and entitlement of staff. It also provides practical guidance in relation to facilitating and monitoring jury leave within the Institute.

## The law

The Juries Act 1976 replaces all statute law relating to juries and selection for juries.

The Act specifies that each county is a jury district, and that a jury shall be selected, using a random non discriminatory procedure, from the electoral register by the County Registrar.

Juries are summonsed by the County Registrar for the district in which they are a registered elector and it is an offence for any individual who fails to attend on foot of a summons.

## Obligations, Rights & Entitlements of staff

### **Obligation to attend**

A staff member summonsed for jury service must attend as summonsed unless otherwise excused by the Courts or the County Registrar. It is a matter for the Staff Member to obtain such permissions.

### **Obligation to return to work**

A Staff Member summonsed for jury service may not actually be called on to serve on the jury panel, as usually more people are called than are required. However, a person will be required to return to court every day, whether or not he or she is sworn on to a jury panel, unless otherwise directed by the court. The Institute requires that Staff Members return to work for any part of a day that they are not required to attend the court or to sit on a jury panel, where such part of the day is greater than a half day. The Institute will request that employees provide the organisation with a certificate of attendance from the County Registrar, detailing the dates and times of their jury service for each day of attendance.

### **Obligation to provide notifications**

Where a Staff Member is summonsed to serve on a jury, they must provide written notification to the Institute of your need to avail of jury service leave. This notification should

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be given as soon as possible after you have received the jury service summons. Such notification should be accompanied by court documentation evidencing the times and dates that you will be required to attend court. A copy of the summons will normally suffice for this purpose.

### **Non Jury Summons and Subpoenas**

Jury service should not be confused with a situation where Staff Member may have been requested, subpoenaed or summonsed to provide evidence in civil law or criminal proceedings. In such a case, there is no entitlement to paid time off work. However, the Institute may, at its discretion, decide to allow the Staff Member to avail of either annual leave or unpaid leave. This provision does not apply where the request is made on behalf of the Institute and the attendance forms part of the Staff Members duties.

### **Pay and reckonable service**

Staff Members are entitled to paid time off to attend for jury service, where they have officially been summoned to do so.

Time spent attending for jury service will account as reckonable service.

### **Annual leave and public holiday benefit**

While on jury service leave, Staff Members will retain their full entitlement to annual leave and public holiday benefit.

### **Employment protection**

A Staff Member who is on jury service leave will be treated as if they had not been absent from work. As jury service leave is considered to be protective leave, you will be entitled to return to your original job under terms and conditions no less favourable than those which would have applied if you had not been absent.

## **Excusal from jury service**

The law provides for certain automatic disqualifications and excusals from serving on juries, the details of which will be contained in any jury summons, staff members should verify for themselves as to whether any of these disqualifications or excusals apply to them.

The legislation provides that the President of the Institute may apply, to the County Registrar, to be excused from jury service where such application is certified by the Institute. Academic staff can also apply for exemption and the Institute will certify an exemption during term time. The legislation also provides that certain registered medical practitioners, including Nurses may be excused by the County Registrar.

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Where a Staff Member, other than those listed above and where not otherwise disqualified and/or excused considers that their work commitments make it impractical for them to carry out jury service, they may apply to the County Registrar to be excused. If you need to provide evidence from the Institute that it is necessary for you to be excused from jury service, please contact the HR department, who may provide you with a letter detailing your current work commitments. Approval will only be given on the request of the manager.

At the Institute is a statutory body and it is in the interests of the state and the public good as well as good civic practice, the Institute encourages all Staff Members to carry out their civic duties and to serve on juries when summonsed. Therefore the above certifications will only be provided in exceptional circumstances.

## Contact Details

For Queries within the HR Office:

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