

Court Attendance

Reviewed Date		Number	<i>HR0710</i>
Revised Date	<i>July 6, 2022</i>	Approved Date	<i>December 19, 1990</i>

Introduction

The Board of Health believes in providing fair and equitable benefits to all its employees consistent with the health unit's mandate to promote and protect public health in the community.

Purpose

The purpose of this policy is to inform Simcoe Muskoka District Health Unit Board of Health members, non-union employees, students, and volunteers of the entitlement for employee time off in relation to court attendance. Unionized employees are referred to their collective agreement for their court attendance entitlements.

Legislative Authority

N/A

Policy Definitions and Interpretation

N/A

Policy

Leave with pay will be granted to non-union employees called upon to attend court in accordance with the following conditions:

1. If an employee is required by law to attend in any Court of Law to serve on a jury panel or as a Juror, the employee shall be paid his/her regular pay lost because of such attendance.
2. If an employee is required by subpoena to attend a Court of Law as a witness in connection with any litigation arising from his/her professional duties for the employer, he/she shall be paid his/her regular pay. All reasonable legitimate expenses shall be paid, and all benefits shall accrue as if he/she were performing his/her regular duties for the employer
3. Employees reimbursed by legal counsel for initial consultation shall promptly turn over such reimbursement to the employer.

Procedures

1. An employee required to attend a court of law to serve on a jury panel will:

- a. notify their Direct Supervisor immediately upon notification that he/she will be required to attend at the Court of Law.
 - b. present proof of service to the Direct Supervisor requiring such attendance and forward such proof to Human Resources for filing in the employee's employment file.
 - c. promptly repay the amount (other than expenses) paid to him/her which he/she receives for such attendance.
2. An employee required by subpoena to attend a court of law in connection with litigation arising from his/her professional duties will:
- a. notify their Direct Supervisor immediately upon receipt of the subpoena that he/she will be required to attend court and give reasonable notice to the Direct Supervisor of the time and dates at which he/she will be required to attend.
 - b. present proof of service requiring such attendance and keep the Direct Supervisor promptly informed as to any subsequent times which he/she will be required to attend at the Court of Law arising from the subpoena.
 - c. promptly repay the amount (other than expenses) which he/she receives for such attendance.

Related Policies

N/A

Related Forms

N/A

Final Approval Signature: _____

Review/Revision History:

Revised: March 3, 2010

September 2010 Policy re-numbered, previous number B5.110

November 27, 2019, Unionized employees' clarification

July 6, 2022, Clarifications