

Subject Juror compensation during jury service

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## Overview

This bill would require certain employers to pay an employee's regular wages during jury service.

## Summary

Section	Description
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1	<b>Juror compensation during jury service.</b>
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Requires certain employers to pay an employee's regular wages during jury service. This bill would take effect July 1, 2022, and would apply to individuals called for jury service on or after that date.

**Subd. 1. Definitions.** Defines terms for the purposes of this section. A "full-time employee" is someone who works 30 hours or more per workweek. A "part-time employee" is someone who works less than 30 hours per workweek. A "small employer" is an employer with on average 1 to 50 employees in the last year.

**Subd. 2. Jury service as excused absence.** Makes jury service an excused absence from employment. An employer may request verification that the employee was participating in jury service. Also clarifies that night shift employees are excused from a shift immediately preceding the employee's first day of jury service.

**Subd. 3. Prohibition to require use of paid time off.** Provides that an employee cannot be required to use paid time off during jury service.

**Subd. 4. Compensation.** Requires an employer to pay the employee's regular compensation while they participate in jury service, with compensation limits based on whether the employee is full-time or part-time. Compensation of unemployed jurors is covered under section 2.

**Subd. 5. Waiver of compensation.** (a) Exempts small employers and self-employed employees from the compensation requirements under subdivision 4.

**Section**   **Description**

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A small employer or self-employed employee may choose to pay regular compensation during jury service but is not required to.

(b) An employer subject to subdivision 4 may seek a waiver if they can show that paying the required compensation would create a financial hardship.

(c) If an employer receives the waiver under paragraph (b), their employees are treated like unemployed jurors under section 2. These employees, as well as small employer employees and self-employed employees may seek unemployed juror compensation under section 2. An employee may also apply for additional compensation if they can demonstrate that being paid the unemployed juror rate under section 2 would create a financial hardship.

**Subd. 6. Civil action.** Authorizes an employee to commence a civil action for recovery of lost wages against an employer that fails to comply with the requirements of this section.

**2      Compensation of unemployment juror.**

Makes several changes to the existing law covering jury service compensation, Minnesota Statutes, section 593.48. As amended, this section applies only to unemployed jurors (and those treated as unemployed jurors). Provides unemployed jurors compensation for jury service at a rate of \$15 an hour, with a limit of \$120 per day. Such a payment would not impact a juror's unemployment benefits, if any. Removes juror reimbursement for other expenses under the current law, including mileage, parking, and daycare expenses. The payment procedures remain the same as in current law.



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