
JURY DUTY AND WITNESS SERVICE AND FEES

A. Purpose

The purpose of this policy is to provide for the administration of leave and fees for service as a juror or as a witness in a judicial proceeding or legislative hearing.

B. Persons Affected

This policy applies to any employee of The University of Texas Rio Grande Valley (UTRGV) who is summoned to perform jury duty.

C. Definitions

Not Applicable.

D. Policy

It is the policy of UT Rio Grande Valley that no deduction shall be made from the salary or wages of any UTRGV employee who is called for jury service, nor shall the employee be required to account to UTRGV for any fee or compensation received for jury service.

An employee called to appear as a witness in the employee's official capacity in any judicial proceeding or legislative hearing will neither accept nor receive any witness fee for such a governmental appearance. If the appearance as a witness is not in an official capacity but is for the purpose of testifying from personal knowledge concerning matters related to the proceeding or hearing, the employee may accept any customary witness fees for appearance.

Any employee appearing as an expert witness in a judicial proceeding or legislative hearing may accept compensation for the appearance only when such appearance is made on the employee's own leave time and may accept reimbursement for travel expenses only if the expenses are not reimbursed by the state.

Employees who are serving in an official capacity as a witness in a judicial proceeding or legislative hearing may receive per diem and reimbursement for travel and expenses from either the state or the judicial body, but not from both.

An employee who sues UTRGV or any of its employees is not acting in an official capacity, and that employee must use any available, applicable accrued leave or take leave without pay for any activities related to the litigation.

E. Procedure

1. *Second and Third Shift Employees:*

Employees are expected to work, if reasonably possible, when not actually serving on jury duty. Evening and night shift employees may be reassigned to a day shift while they appear for jury service. If schedules or work demands do not permit this reassignment, employees will be paid their regular wages for an eight-hour work day for the time necessary to perform jury service.

2. *Employee Responsibilities:*

The employee shall report to work when they are not actually serving on jury duty. The employee shall provide the supervisor with the proper documentary proof of jury duty and shall promptly and accurately record the use of leave.

3. *Supervisor Responsibilities:*

The supervisor must review and approve the leave, verify that the employee has accurately recorded the leave, and sign the time report.

4. *Delegation of Authority:*

Authority is hereby delegated to the department head or designee to determine eligibility for jury duty leave.

F. Relevant Federal and/or State Statute(s), Board of Regents' Rule(s), UTS Policy(ies), and/or Coordinating Board Rule(s)

Texas Government Code Section 659.005 (a), Compensation – Witness fees; jury service

The University of Texas System Board of Regents' *Rules and Regulations* Rule 30201, section 10 Leave Policies