

Employment Law Q&A: Jury duty obligations for employers



Ryan Neumeyer | Wednesday, May 9, 2018

Q: What obligations does my company have to an employee called for jury duty?

A: The answer depends on what state your business is located. For example, in varying degrees and varying circumstances, employers in Alabama, Colorado, Connecticut, Louisiana, Massachusetts, Nebraska, New York and Tennessee are required to pay their employees.

Some states prohibit employers from requiring employees to take paid vacation, sick, personal, or other types of leave for jury duty, including:

- Alabama
- Arizona
- Arkansas
- Indiana
- Louisiana
- Mississippi
- Missouri
- Nebraska
- Nevada
- New Mexico
- Ohio

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- Oklahoma
- Utah
- Vermont
- Virginia

Most states have prohibitions regarding terminating or threatening to terminate any employee who misses work because he or she is summoned to jury duty. Federal law contains a similar provision. Under federal law, and in most states, employees are required to give employers reasonable notice when they need to take leave for jury duty.

Salaried exempt employees, under the Fair Labor Standards Act (FLSA), must be paid their normal salary in a workweek in which they serve on a jury and still perform some work. If the employee misses an entire week and does not work remotely while on jury duty, then no pay is due for that week.



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