

Can I ask my employees to use accrued leave to cover time spent on jury duty?

Q. An employee just asked for a week off to attend jury duty. Do I have to grant the request for leave? If I do, can I require the employee to use accrued vacation time during the jury duty leave?

A. Ohio has three specific rules that govern how employers should handle employees who are summoned for jury duty.

The first rule is simple: It is illegal for an employer to discharge, threaten to discharge or take any disciplinary action that could lead to the discharge of any permanent employee summoned to serve as a juror. The employee must give reasonable notice to the employer of the summons before beginning jury duty.

The second rule says it is illegal for an employer to require or even ask an employee to use vacation time, sick leave or other paid time off for jury duty. That includes time spent in jury selection as well as time spent actually serving on a jury.

The third rule provides some relief if your company has 25 or fewer full-time employees (or their equivalent). If a small business has more than one employee summoned for jury duty within the same court term, the court must postpone and reschedule the service of the later-summoned employees.