

Our Ref:

Enquiries:

CIRCULAR NO.11 OF 1960

GOVERNMENT WAGES EMPLOYEES CONDITIONS RE JURY SERVICE AND WHEN CALLED AS COURT WITNESSES

I have to inform you that approval has now been given to provide for uniformity of treatment of wages employees who are called upon to perform jury service or to act as witnesses in the Courts, and I append hereunder the procedure which should be adopted.

1. JURY SERVICE

(a) When a wage employee of a Government department, State instrumentality or trading concern is called for juror service and is required to attend during normal working hours, he will not be paid juror's fees but will be granted leave with pay to attend.

(b) To obtain the leave, when making application the summons to serve must be produced, and the department should impress on the employees that it is a further condition of granting the leave with pay that they must return to duty as expeditiously as possible on discharge from jury service. If discharged in the forenoon, if practicable, it is their duty to return to work in the afternoon.

(c) It is the responsibility of the Department concerned to decide the time when it was practicable for the worker to report back to work, but at all times it is expected that a reasonable approach should be adopted.

(d) All employees must obtain from the sheriff's officers either a certified time sheet or a certificate setting out their actual time of attendance at the Court. For the information of departments, the certificate which must be produced is as follows:-

TO WHOM IT MAY CONCERN

re - a Juror

Supreme Court Criminal Sittings 1960

This is to certify that the above Juror attended Court on the following days:-

He was not paid any attendance fees.

Sheriff.

(e) In the case of employees of trading concerns and State instrumentalities, on application to the Crown Law Department, a recoup of amounts paid during the worker's absence will be made.

2. WITNESSES

(a) Similarly employees attending as Crown witnesses during normal working hours should not claim witness fees but should be granted leave with pay to attend. A

certified time sheet or a certificate setting out the actual times of attendance at the Court as a witness should be obtained from the Clerk of Courts.

(b) When called as Crown witnesses and employed by a trading concern or State instrumentality, the department should pay the normal wages for the time lost, and then apply to the Crown Law Department for a recoup.

3. GENERAL

When the employee attends during his own time, ie. when clearing annual leave, long service leave, leave without pay or off duty on account of compensation, the above will not apply and jury or witness fees as the case may be should be claimed by the employee.

The foregoing conditions will not apply where an employee is called as a witness in a civil action (not on behalf of the Crown). He will be granted leave without pay and the onus is on him to recover time lost and expenses from the party calling him as a witness.

C A REEVE
SECRETARY FOR LABOUR

25th November, 1960

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