

UNEMPLOYMENT BENEFITS for JURORS

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Does anyone have any information regarding how juror's unemployment benefits are affected while serving jury duty? We're currently during voir dire for a lengthy civil jury trial and several jurors are claiming hardships. Any information you have will be very much appreciated!

1	Arlene Cervantes - Riverside	I have attached a copy of what EDD requires. The juror can still serve. They must report their earnings for Jury service to EED and they will reduce their amount they will receive. It does not make them ineligible to serve.
2	Deb Preston – Marin	<p>Funny you should ask, I just researched this in detail yesterday both at EDD's website and by actually speaking with someone in their office. What Angela sent is helpful, and this is the memo I sent to our staff:</p> <ul style="list-style-type: none">• Although the person is still unemployed, they must claim jury fees (but not mileage). They should keep in mind there is no pay the first day of jury duty so they don't need to claim anything for that day.• If they do receive juror pay, they should be aware of the following: If their gross earnings for the week are \$100.00 or less, they are allowed to keep the first \$25.00 and the balance is deducted from their weekly benefit amount. If they earn more than \$100.00 in juror fees, they are allowed to keep the first 25% and the balance is deducted from their weekly benefit amount. They must report their wages when they earn them, not when they are paid.
3	Edwina Harper - Yolo	Thank you so very much for the information. The last time I contacted the unemployment office, they just told me to have the individual juror contact them since everyone's pay would be different.



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Total and Partial Unemployment TPU 370.1

Jury Duty or Appearance as Witness

A. Jury Duty or Appearance as Witness

Section 1279 provides, in part, that: "For the purpose of this section only 'wages' includes any and all compensation for personal services whether performed as an employee or as an independent contractor or as a juror or as a witness . . ."

Accordingly, compensation for services performed as a juror, or a witness constitute wages under Section 1279. Therefore, if a claimant serves as a witness or juror and receives fees that are XE, the claimant is ineligible under Section 1279.

By the same token, if such a claimant is in receipt of fees which are not XE, the claimant may be paid reduced benefits under Section 1279.

This would be true even where a claimant spends the full week as a witness or juror but receives fees which are not XE. This is because Section 1252(a)(4) provides that an individual is "unemployed" in:

"Any week during which he or she performs full-time work for five days as a juror, or as a witness under subpoena."

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