

# GOVERNMENT WAIVER OF PAY

Submitted by Sherry Spears

October 27, 2010

For the government employee waiver of juror pay pursuant to CCP 215, do you pay the \$15.00 per diem starting the 2<sup>nd</sup> day

1. Teachers during summer vacation
2. State employees on their furlough days

1	Diana Gifford-Tuggle	Kristin Greenaway from the AOC sent an email of 4/7/09 regarding the "government" employees which quotes Code of Civil Procedures section 215.  State furlough employees are not eligible for daily fee, or "full time" teachers. We find here that if a teacher receives 10 or more pay checks, they are "full time" including summer break.
2	Diane Collins	Mendocino The question I ask them is "Are you covered by your medical insurance during this time?" If they are covered then we do not pay them.
3	Debbie Jurevich	San Benito does not pay them either
4	Deborah Preston	At my court, the operative word for teachers is "benefits". We ask them if they are receiving regular benefits during their summer break. If they are, we do not pay them. If they are subbing, they will not be receiving benefits and the answer would be no. An aside is that many part-time teachers do receive regular benefits. I have not had to deal with the state employee/furlough situation.
5	Joe Yniquez	Stanislaus doesn't pay them as long as they are still employed full time with gov't/public employer
6	Elizabeth Renteria	In Contra Costa we ask whether they are still receiving benefits. If they are benefited, they are not paid
7	Margaret Sackrider-White	Same for Alpine
8	Edwina Harper	Same for Yolo