

LABOR CODE 230§

Submitted by Riverside in AUGUST/2009

Could you please let me know what information your jury staff would give a juror when informed that the juror' employer has threatened them with adverse job actions if they serve jury duty.

Kristin – AOC	The California Labor code protects jurors. It is against the law to fire or harass an employee who is summoned to serve as a juror
Kern	Cites this California Labor Code section on its jury summons form
Mendocino	Have copied the Labor Code 230(b)(c) and given it to the juror to give to the employer to show they can't penalize the juror in any way
Los Angeles	References Labor code Section 230 on the summons, on the web and phone system. We also include a discussion of the Code in our On-Line Orientation and live orientation in the assembly room. Whenever we have an issue like the one before you, we refer our juror to these various sources of the Labor Code and also provide the local number to the labor relations board
Fresno	We point out the labor code section printed on our summons but also provide a copy of the attached pamphlet developed by the AOC to give to their employer if they wish "ONE DAY OR ONE TRIAL" IT'S BETTER FOR BUSINESS pamphlet

Labor Code Section §230

(a) No employer shall discharge or in any manner discriminate against an employee for taking time off to serve as required by law on an inquest jury or trial jury, if such employee, prior to taking such time off, gives reasonable notice to the employer that he is required to serve.

(b) No employer shall discharge or in any manner discriminate against an employee for taking time off to appear in court as a witness as required by law, if such employee, prior to taking such time off, gives reasonable notice to the employer that he is required to appear in court.

(c) Any employee who is discharged, threatened with discharge, demoted, suspended, or in any other manner discriminated against in the terms and conditions of such employment by his employer because such employee has taken time off to serve on an inquest or trial jury or to appear in court as a witness shall be entitled to reinstatement and reimbursement for lost wages and work benefits caused by such acts of the employer. Any employer who willfully refuses to rehire, promote, or otherwise restore an employee or former employee who as been determined to be eligible for such rehiring or promotion by a grievance procedure, arbitration, or hearing authorized by law, is guilty of a misdemeanor.