

SENATE, No. 1713

STATE OF NEW JERSEY

INTRODUCED DECEMBER 16, 1996

By Senator BENNETT

1 AN ACT concerning jury duty and amending N.J.S.2B:20-17.

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3 **BE IT ENACTED** by the Senate and General Assembly of the State
4 of New Jersey:

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6 1. N.J.S.2B:20-17 is amended to read as follows:

7 2B:20-17. Employment protection.

8 a. An employer shall not penalize an employee with respect to
9 employment, or threaten or otherwise coerce an employee with respect
10 to that employment, because the employee is required to attend court
11 for jury service. As used in this act, "penalize" includes, but is not
12 limited to, any requirement that an employee use sick leave or vacation
13 leave for any absence from employment caused by the employee's jury
14 service.

15 b. An employer who violates subsection a. of this section is guilty
16 of a disorderly persons offense.

17 c. If an employer penalizes an employee in violation of subsection
18 a. of this section, the employee may bring a civil action for economic
19 damages suffered as a result of the violation and for an order requiring
20 the reinstatement of the employee. The action shall be commenced
21 within 90 days from the date of the violation or the completion of jury
22 service, whichever is later. If the employee prevails, the employee
23 shall be entitled to a reasonable attorney's fee fixed by the court.

24 (cf: P.L.1995, c.44, s.1)

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26 2. This act shall take effect immediately.

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STATEMENT

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31 Under current law, an employer cannot penalize an employee who
32 misses work because of jury duty. This bill would clarify the term
33 "penalize" to provide that an employer may not require an employee
34 to use sick leave or vacation leave for jury service.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

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3 Prohibits employers from requiring employees to use sick leave or
4 vacation leave for time missed from work due to jury service.