

1 AMENDMENT TO SENATE BILL 1329

2 AMENDMENT NO. _____. Amend Senate Bill 1329 as follows:

3 on page 2, by replacing lines 19 through 32 with the
4 following:

5 "(d) The court may pay replacement or supplemental wages
6 of up to \$300 per day per juror beginning on the 11th day of
7 jury service. In addition, for any jurors who qualify for
8 payment by virtue of having served on a jury for more than 10
9 days, the court may, upon finding that such service posed a
10 significant financial hardship to a juror, even in light of
11 payments made with respect to jury service after the 10th
12 day, award replacement or supplemental wages of up to \$100
13 per day from the 4th to the 10th day of jury service."; and

14 on page 3, line 1, by changing "10th" to "11th"; and

15 on page 3, line 16, by changing "(f)" to "(e)"; and

16 on page 3, line 32, by inserting "4.1," after "Sections"; and

17 on page 3, by inserting below line 33 the following:

18 "(705 ILCS 305/4.1) (from Ch. 78, par. 4.1)

19 Sec. 4.1. Jury duty; notice to employer; right to time
20 off.

1 (a) Any person who is not legally disqualified to serve
2 on juries, and has been duly summoned for jury duty for
3 either petit or grand jury service, shall not be required or
4 requested to use annual, vacation, or sick leave for time
5 spent responding to a summons for jury duty, time spent
6 participating in the jury selection process, or time spent
7 actually serving on a jury ~~be given time off from employment~~
8 ~~to serve upon the jury~~ for which such employee is summoned,
9 regardless of the employment shift such employee is assigned
10 to at the time of service of such summons. An employee shall
11 give his employer reasonable notice of required jury service.
12 An employer may not deny an employee time off for jury duty
13 because such employee is then assigned to work a night shift
14 of employment, that is, an employer cannot require a night
15 shift worker to work while such employee is doing jury duty
16 in the daytime. Nothing in this subsection (a) shall be
17 construed to require an employer to provide annual, vacation,
18 or sick leave to employees under the provisions of this
19 Section who otherwise are not entitled to such benefits under
20 company policies.

21 (b) No employer shall discharge, threaten to discharge,
22 intimidate or coerce any employee by reason of the employee's
23 jury service, or the attendance or scheduled attendance in
24 connection with such service, in any court of this State.

25 (c) If an employee gives reasonable notice of required
26 jury service, any employer who violates the provisions of
27 this Section:

28 (1) may be charged with contempt of court. In such
29 an event, the State's Attorney shall file a petition for
30 civil contempt, criminal contempt, or both, against the
31 employer to be prosecuted by the State's Attorney; and

32 (2) shall be liable for damages for any loss of
33 wages or other benefits suffered by an employee by reason
34 of the violation; and

1 (3) may be enjoined from further violations of this
2 Section and ordered to reinstate any employee discharged
3 by reason of jury service.

4 As used in this Section, "reasonable notice of required
5 jury service" means that the employee summoned for jury duty
6 must deliver to the employer a copy of the summons within 10
7 days of the date of issuance of the summons to the employee.

8 (d) Any individual who is reinstated to a position of
9 employment in accordance with this Section shall be
10 considered as having been on furlough or leave of absence
11 during his period of jury service, shall be reinstated to his
12 position of employment without loss of seniority, and shall
13 be entitled to participate in insurance or other benefits
14 offered by the employer under established rules and practices
15 relating to employees on furlough or leave of absence in
16 effect with the employer at the time the individual entered
17 upon jury service.

18 (e) In any action or proceeding under this Section, the
19 court may award a prevailing employee who brings the action
20 by retained counsel a reasonable attorney's fee.

21 (f) Any right or remedy provided in this Section is in
22 addition to any right or remedy otherwise provided by law to
23 an employee.

24 (g) No employer shall be obligated to compensate an
25 employee for time taken off for jury duty.

26 (g-5) A court shall automatically postpone and
27 reschedule the service of a summoned juror employed by an
28 employer with 5 or fewer full-time employees, or their
29 equivalent, if another employee of that employer is summoned
30 to appear during the same period. The postponement will not
31 constitute the excused individual's right to one automatic
32 postponement pursuant to Section 10.3 of this Act.

33 (h) The official responsible for issuing the summons may
34 advise the juror of his rights under this Act by printed

1 insert with the summons or on the summons itself.
2 (Source: P.A. 86-1395; 87-616.)"; and
3 on page 9, line 21, by replacing "Class A misdemeanor" with
4 "Class C misdemeanor and subject to imprisonment or fine of
5 up to \$500 in accordance with the laws of this State.".