

**SENATE EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION
LEGISLATION COMMITTEE**

**2006-2007 ADDITIONAL SENATE ESTIMATES HEARING
15 FEBRUARY 2007
EMPLOYMENT AND WORKPLACE RELATIONS PORTFOLIO**

QUESTIONS ON NOTICE

Outcome 2: Higher productivity, higher pay workplace

Output Group 2.1: Workplace relations policy and analysis

Output 2.1.1: Workplace relations policy advice

Question Number: W1226-07

Question:

Senator Wong asked in writing:

Jury service What avenues would be available to an employee who works for a constitutional corporation with less than 100 staff, if they are dismissed for being on jury service? Could such an employee lodge an unlawful termination claim? Could such an employee lodge an unfair dismissal claim? Are there any other avenues available?

Answer:

Jury service is a matter governed by State and Territory legislation.

All States and Territories except South Australia and Western Australia, have legislation that makes it an offence for an employer to dismiss or prejudice an employee called for jury duty in a State Court. These laws are not affected by the *Workplace Relations Act 1996*.

Estimated cost: Based on the FOI calculator it has taken approximately 3 hours and 15 minutes at an estimated cost of \$65 to prepare this answer.