

Jury duty

Jury duty, also known as jury service, is a type of community service leave. Employees, including casual employees, can take leave to attend jury selection and jury duty.

On this page:

- [Notice and evidence](#)
- [Payment for jury duty](#)
- [Do casuals get paid for jury duty?](#)
- [State and territory laws](#)
- [Related information](#)

Notice and evidence

Employees must advise their employers of the period or expected period of leave as soon as possible. If an employee requests leave they need to provide evidence showing they attended jury selection or jury duty.

Payment for jury duty

Full-time and part-time employees have to be paid 'make-up pay' for the first 10 days of jury selection and jury duty. Make-up pay is the difference between any jury duty payment the employee receives (excluding any expense-related allowances) from the court and the employee's base pay rate (www.fairwork.gov.au/Dictionary.aspx?TermID=2130) for the ordinary hours they would have worked.

Before paying make-up pay, an employer may request evidence from the employee to show:

- that the employee has taken all necessary steps to obtain jury duty pay
- the total amount of jury duty pay that has been paid or will be payable to the employee for the period.

If the employee can't provide evidence, they won't be entitled to make-up pay.

Example: Payment for jury duty

Julie was required to attend jury selection and was chosen for the jury. The jury service lasted 12 days. She provided her employer with evidence that she had been paid \$60 per day by the court. Julie's base pay rate is \$140 per day. Her employer paid her 'make-up pay' of \$80.00 per day for 10 days. For the remaining 2 days she did not receive payment from her employer.

Do casuals get paid for jury duty?

Casuals don't get paid for jury duty under the National Employment Standards but they may be entitled to payment under state or territory laws.

State and territory laws

State and territory laws continue to apply to employees where they provide more beneficial entitlements (for example, payment for casual employees during jury duty).

Find out more about jury duty in your state or territory:

State	State department	Contact number
ACT	ACT Supreme Court	02 6205 0000
NSW	NSW Justice	1300 722 574
NT	Supreme Court of the Northern Territory	Darwin 08 8999 7930 Alice Springs 08 8951 5711
Qld	Queensland Government	07 3247 4761

State	State department	Contact number
SA	Courts Administration Authority of South Australia	08 8204 0154
Tas	Supreme Court of Tasmania	1300 664 608
WA	Government of WA Court and Tribunal Services	08 9425 2222
Vic	Juries Victoria	03 8636 6800

Source reference: [Fair Work Act 2009 s.108-112](http://www.comlaw.gov.au/Details/C2009A00028)

Related information

- [Community service leave](http://www.fairwork.gov.au/leave/community-service-leave/default)
- [National Employment Standards](http://www.fairwork.gov.au/employee-entitlements/national-employment-standards/default)
- [Pay slips](http://www.fairwork.gov.au/pay/pay-slips-and-record-keeping/pay-slips)
- [Minimum wages](http://www.fairwork.gov.au/pay/minimum-wages/default)

Help for small business

Find tools, resources and information you might need in our [Small business showcase](http://www.fairwork.gov.au/small-business-showcase/default).

Think a mistake might have been made?

Mistakes can happen. The best way to fix them usually starts with talking.

Check out our [Fixing a workplace problem](http://www.fairwork.gov.au/workplace-problems/fixing-a-workplace-problem/default) section for practical advice on:

- figuring out if a mistake has been made
- talking to your employer or employee about fixing it
- getting help from us if you can't resolve it.

Page reference No: 1967

Contact us

Fair Work Online: www.fairwork.gov.au

Fair Work Infoline: 13 13 94

Need language help?

Contact the Translating and Interpreting Service (TIS) on 13 14 50

Hearing & speech assistance

Call through the National Relay Service (NRS):

For TTY: 13 36 77. Ask for the Fair Work Infoline 13 13 94

Speak & Listen: 1300 555 727. Ask for the Fair Work Infoline 13 13 94

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