

Community service leave and jury duty

This is time off from work that can be taken when an employee needs to support their community.



About our artwork: **Stepping forward**

Stepping forward represents taking the next step on the journey towards reconciliation and the potential possibilities when everyone is included.

Connecting with diverse people, meeting, listening and sharing together, can build respect and trust. Working in concert for a common purpose and united in the mission to make meaningful change.

It serves as a reminder of the dynamism and vibrancy of First Nations people and the lands from which they come, making the emergence of new ideas and ways of being possible that enables the envisioning of a brighter future.

Artist: **Timothy Buckley**

Community service leave and jury duty



Who can take community service leave?

- ▶ All employees can take community service leave.



When can community service leave be taken?

- ▶ For jury duty (in a court).
- ▶ During emergencies or natural disasters if an employee is part of an emergency management body. For example, a State Emergency Service or Volunteer Fire Brigade.
- ▶ Full-time and part-time employees are paid for the first 10 days of jury duty. Bosses must top-up the difference between the amount paid by the court and the employee's base rate of pay. This means their normal pay without overtime, penalties, bonuses or allowances.
- ▶ In some States and Territories, casual employees also get paid by the court for attending jury duty.
- ▶ If jury duty goes for more than 10 days, bosses don't have to pay employees for the rest of the time. If employees have annual leave available, they can use this instead.
- ▶ Some awards and agreements might provide extra pay for jury duty.



How much community service leave can be taken?

- ▶ There's no limit on how much community service leave an employee can take.
- ▶ Community service leave also covers reasonable amounts of travel and rest time.
- ▶ Employees must tell their boss they are planning to take community service leave and why they need to take it, as soon as they can.



How much pay does an employee get during community service leave?

- ▶ Community service leave is unpaid, except when an employee is attending jury duty.



Does an employee need to give their boss any notice or evidence?

- ▶ An employee who takes community service leave must give their boss notice of the absence as soon as possible. This may be after the leave starts.
- ▶ They also need to tell their boss how long they will be away or expect to be away.
- ▶ A boss can ask an employee to provide evidence that they're entitled to take the leave.
- ▶ A boss can ask for evidence showing how much money the court paid an employee for attending jury duty (even if it's \$0). If the employee doesn't provide the evidence, they might not get any top-up pay.



Find out more

For more information about community service leave go to [**fairwork.gov.au/leave**](https://fairwork.gov.au/leave)

You can also talk with someone from a community organisation or community legal centre, an HR officer, an Indigenous liaison or employment officer, an employer association (if you're a boss) or a union representative (if you're an employee).

Contact us

Fair Work online: [**fairwork.gov.au**](https://fairwork.gov.au)

Fair Work Infoline: **13 13 94**

Need language help?

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

Help for people who are deaf or have hearing or speech difficulties

You can contact us through the National Relay Service (NRS).

Select your [**preferred access option**](#) and give our phone number: **13 13 94**



The Fair Work Ombudsman is committed to providing you with advice that you can rely on. The information contained in this fact sheet is general in nature. If you are unsure about how it applies to your situation you can call our Infoline on 13 13 94 or speak with a union, industry association or a workplace relations professional.

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