

# FACTSHEET

## What employers and employees need to know



### Employers' legal obligations

Employers are obliged to release any employee summoned for jury service. If the employee is selected to serve on a jury, they must be released to fulfill these duties for the duration of the trial and until they are discharged by the presiding Judge.

The *Jury Amendment Act 2024* defines an employee as anyone who is:

- a full-time employee, or
- a part-time employee, or
- an employee who has been a regular casual employee for the past 12 months.

As per the provisions outlined in the *Jury Act 1977* and the *Jury Amendment Act 2024*, employers cannot:

- force employees to take own leave, such as recreation or sick leave, while doing jury service (this includes the day they go to court for a jury summons).
- dismiss, injure or alter their employee's position for doing jury service.
- ask employees to work on any day that they are serving as jurors.
- ask employees to do additional hours or work to make up for time that they missed as a result of jury service.

An employer who contravenes any of these laws, can be fined \$22,000 (corporation) or \$5,500 (individual) under Section 69 of the *Jury Act 1977*.

### Payment for jury service

The jury service allowance is not intended to be a substitute for an employee's normal wages.

Employers are required to pay employees for the first ten days of jury service under Section 111 of the [Fair Work Act 2009](#). However, this does not apply to casual employees.

NSW Public Service employees should advise their employer and contact their organisation's human resources area and refer to policies, procedures and practices to confirm payment arrangements.

### More information

For more information on employer obligations, please visit the jury services website at [www.sheriff.nsw.gov.au/jury-service](http://www.sheriff.nsw.gov.au/jury-service) or contact us via email at [Sheriff.Jury@dcj.nsw.gov.au](mailto:Sheriff.Jury@dcj.nsw.gov.au).