

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 1999 – s. 287 – application for declaration of a general ruling

The Australian Workers' Union of Employees, Queensland AND Queensland Chamber of Commerce and Industry Limited, Industrial Organisation of Employers and Others (No. B/2003/785)

DEPUTY PRESIDENT BLOOMFIELD
COMMISSIONER BROWN
COMMISSIONER ASBURY

14 September 2005

DECLARATION OF GENERAL RULING – JURY SERVICE

This Commission declares by way of General Ruling that all awards be amended to include the following provisions:

1. Jury service

- (a) An employee, other than a casual employee, required to attend for jury service during their ordinary working hours shall be reimbursed by the employer an amount equal to the difference between the amount paid in respect of their attendance for such jury service and the ordinary pay the employee would have been paid if the employee was not absent on jury service.
- (b) Alternatively, by agreement, fees (other than meal allowance) received by the employee to attend jury service will be paid to the employer and the employer will continue to pay the employee their ordinary pay for the time the employee was absent on jury service.
- (c) Employees shall notify their employer as soon as practicable of the date upon which they are required to attend for jury service and shall provide their employer with proof of such attendance, the duration of such attendance and the amount received in respect thereof.
- (d) If the employee is not required to serve on a jury for a day or part of a day after attending for jury service and the employee would ordinarily be working for all or part of the remaining day, the employee must, if practicable, present for work at the earliest reasonable opportunity.
- (e) "Ordinary pay" means the rate of pay that an employee would normally expect to receive for working ordinary hours on an ordinary day of the week, including any over-award payment. "Ordinary pay" excludes overtime, penalty rates of all types – including those attaching to working ordinary hours (for example) on a Saturday, disability allowances, shift allowances, special rates, fares and travelling time allowances, bonuses and other ancillary payments of a like nature.

2. Operative date

This Declaration of General Ruling shall apply on and from 15 September 2005.

Schedule 1 – Exemptions

Pursuant to s. 287(5) of the *Industrial Relations Act 1999* the Commission declares the following awards to be exempt from this Declaration of General Ruling:

Award Code	Award Title
A0115	Aerated Water Factories Industry Award – State 2003
A0405	Amcor Cartonboard Award – State 2005
A0504	Australian Red Cross Blood Service – Queensland Employees Award – State 2003
B0692	Bulk Terminals Award – State 2003
C0546	Cement Industry Award – State 2003
C0602	Civil Construction, Operations and Maintenance General Award – State 2003
C0635	Clerical and Administrative Award – Sugar Mills – State 2003
C0631	Contract Cleaning Industry Award – State 2003
C1903	Conservation, Parks and Wildlife Employees' Award – State Government 2003
C1958	Copper Refineries Pty Ltd Award – State 2002
D0098	Disability Support Workers Award – State 2003
D0190	Dry Cleaning and Dyeing Industry Award – Southern and Central Divisions 2004
E0340	Employees of Queensland Government Departments (Other Than Public Servants) Award – State 2003
E0472	Endeavour Foundation Enterprise Award – State 2005
F0750	Footwear Manufacturing Award – State 2005

Award Code	Award Title
F0755	Forest Resources – Boral Hancock Plywood Enterprise Award – State 2005
F0764	Forest Resources Industry (Carter Holt Harvey Wood Products Australia Pty Ltd – Gympie) Award 2003
F0766	Forest Resources Industry (CSR Softwoods) Award – State 2003
F0780	Forestry Employees’ Award – Department of Primary Industries 2003
G0030	Gas Industry Award – State 2003
I0039	Indigenous Australian Community Housing Award – State
M0504	Medical Imaging and Radiation Therapy Employees (Private Sector) Award – State 2002
P0191	Pharmacy Assistants’ Award – State 2003
P0280	Plaster Manufacturing – Boral Australian Gypsum Limited Award – 2005
P0340	Port of Brisbane Corporation Employees’ Award 2003
P0540	Printing Industry Award – State 2003
P0656	Professional and Administrative – Queensland Performing Arts Centre Award – State 2003
P0659	Professional Scientists’ Award – State 2002
P0708	Property Management Award Queensland – State
P0699	Property Sales Award Queensland – State
Q0050	Queensland Aids Council Incorporated Enterprise Award – State 2003
Q0104	Queensland Investment Corporation – Clerical and Administrative Employees’ Award – 2003
Q0249	Queensland Meals on Wheels Services Award – State 2003
Q0120	Queensland Tourist and Travel Corporation Employees’ Award – State 2003
S0028	Sanctuary Cove Employees’ Award 2002
S0185	Security Industry (Contractors) Award – State 2004
S0355	Shell Marketing Operations North Queensland Award
S0811	The Smith’s Snackfood Company Ltd, Tingalpa, Queensland, Award 2003
S1060	Storeworkers and Packers’ Award – Northern and Mackay Division 2003
T0319	Tourism Industry – Zoological Gardens Award – South-Eastern Division 2004
X0200	Xstrata Queensland Limited – Port Operations Award – State 2005

By the Commission,
[L.S.] G.D. SAVILL,
Industrial Registrar.

Operative Date: 15 September 2005
Order – Declaration of General Ruling
Released: 14 September 2005