

Affidavit

Family Law Rules 2021 – RULE 8.15
General Federal Law Rules 2021 – RULE 4.04

COURT USE ONLY

Filed in:

- Federal Circuit and Family Court of Australia
 Family Court of Western Australia
 Other (specify)

Type of proceedings:

- Family law proceedings
 Migration proceedings
 General federal law proceedings
 Other (specify)

Filed on behalf of:

Full name: Erich Johansson

Client ID _____

File number _____

Filed at _____

Filed on _____

Court location _____

Court date _____

Name of person swearing/affirming this affidavit (SEE PART C)

Erich Johansson

Date of swearing/affirming 08/08/2013

Part A About the parties

APPLICANT 1

Family name as used now

Johansson

Given names

Erich

RESPONDENT 1

Family name as used now

Steelrod Pty Ltd

Given names

APPLICANT 2

Family name as used now

Given names

RESPONDENT 2

Family name as used now

Given names

What is the contact address (address for service) in Australia for the party filing this affidavit?

You do not have to give your residential address. You may give another address at which you are satisfied that you will receive documents. If you give a lawyer's address, include the name of the law firm. You **must** also give an email address.

Unit12/5 Example Street

Redfern

State NSW

Postcode 2106

Phone 02 9111 XXXX

Lawyer's code _____

Email ej@emailaddress.com.au

Part B About the independent children's lawyer (if appointed)

Independent children's lawyer family name

Given names

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Firm name

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Part C About you (the deponent)

What is your family name used now?

Your given names?

Johansson

Erich

Gender

Male

Female

X

Usual occupation

Store person

What is your address?

You do not have to give your residential address if you are concerned about your safety. You may give another address at which you are satisfied that you will receive documents.

Unit 12/5 Example Street Redfern

State **NSW**

Postcode **2106**

Part D Evidence

- Set out the facts divided into consecutively numbered paragraphs. Each paragraph should be confined to a distinct part of the subject matter.
- Attach extra page(s) if you need more space. Make sure that the page containing Part E is always the last page of the form. You and the witness to your affidavit must sign the bottom of each additional page.

1. **I am the applicant.**

2. **On 6 September 2012 I was offered a job by Rod Steel, the director of the respondent, as a storeperson, working for the respondent.**

3. **On 10 September 2012 I signed a contract of employment ("the contract") with the respondent. Annexed and marked "A" is a copy of the contract.**

4. **On 11 January 2013, I had a conversation with Rod Steel. He said words to the effect of: "Erich, can you work tomorrow?"**

5. **I understood Rod Steel's reference to "tomorrow" to mean Saturday 12 January 2013.**

6. **I said: "No problem."**

7. **On Saturday 12 January 2013 I attended and worked for 8 hours.**

8. On 17 January 2013, the respondent deposited my pay for the preceding two weeks into my bank account.
9. On the same day I checked my pay slip. My payslip indicated that I had been paid at my normal hourly rate for Saturday 12 January 2013. Annexed and marked "B" is a copy of the pay slip.
10. On 17 January 2013 I had a conversation with my supervisor Gary Irons. I said words to the effect: "Gary, I wasn't paid enough for the work I did on Saturday. I thought I was entitled to be paid at the rate of one and a half my normal hourly rate. I was only paid at my normal rate."
11. He said words to the effect: "That doesn't sound right. You should get extra for working Saturdays. Let me check it out and get back to you."
12. On 18 January 2013, I arrived for work at 8am. At about 9am, Gary Irons and I had a conversation. He said words to the effect of: "I'm sorry Erich, but we have to let you go."
13. I said: "Why, what did I do wrong?"
14. Gary Irons said words to the effect of: "You shouldn't have complained about being underpaid. Everyone else who works on Saturdays just accepts the normal pay rate. But you complained and the boss told me to get rid of you. You have to collect your things and leave today."
15. I understood Gary Irons reference to "the boss" to mean Rod Steel, the director of Steelrod Pty Ltd.

Part E Signature

I ~~swear~~ /affirm* the contents of this affidavit are true

E Johansson
Signature of Deponent

Place **Newtown** Date **08/08/2013**

Ray Lawman
Before me (signature of witness)

Ray John Lawman
Full name of witness (please print)

- Justice of the Peace
 Notary public

Lawyer

* delete whichever is inapplicable

This affidavit was prepared / settled by deponent/s
 lawyer

PRINT NAME AND LAWYER'S CODE

Part F Alternative jurat for non-English speaking affidavit

Use this alternative jurat for the swearing/affirming of the affidavit and the translator's certificate. See Rule 8.17 of the Family Law Rules or Rule 15.14 of the General Federal Law Rules.

Interpreter/translator's certification

I certify that I understand the English language and the language, and that I have truly interpreted to the deponent (named in Part C) the contents of this affidavit and the oath or affirmation which was administered.

Signature of interpreter

Date / /

Sworn*/affirmed* by the deponent through the interpretation of:

Interpreter's full name

Address

Language

Signature of Deponent

Place

Date / /

Before me (signature of witness)

Full name of witness (please print)

- Justice of the Peace
 Notary public
 Lawyer

* ~~delete whichever is inapplicable~~

This affidavit was prepared / settled by deponent/s
 lawyer

PRINT NAME AND LAWYER'S CODE