

Sample Witness Statement

No.** of ****

Natalie Jones

COMPLAINANT

and

Jars Pty Ltd

FIRST NAMED RESPONDENT

John Smith

SECOND NAMED RESPONDENT

Natalie Jones states –

1. My name is Natalie Jones. My address is 15 River Street, Dandenong. I am unemployed.
2. I have a certificate in glass blowing and manufacture (awarded 1985) and an Advanced Diploma in glass blowing and glass manufacture (awarded 1987). Both were awarded by RMIT.
3. I began working at the first Respondent's factory at 33 Creek Road, Dandenong, on 3 January 1990. The factory manufactures glass bottles for peanut butter, jams and other products. I worked as a machinist. I continued working in that factory as a machinist until 16 February 2000.
4. The Manager of the factory was John Smith. In the time I have worked with the first Respondent, neither John Smith nor any other Manager has found fault with my work. John Smith has on many occasions said that I was an excellent worker.
5. From March to September 1997 and again from April to October 1999 I acted as a leading hand in the factory. On each occasion John Smith asked me to act in that position, and explained that it was because I was such a good worker and because of my good relationships with the other staff and management. He twice told me that I could not be promoted at that time to the position on a permanent basis because the board of directors were at that time unwilling to create new permanent positions, because of prevailing uncertain financial circumstances.
6. On 1 February 2000 I saw on the notice board in the factory an advertisement for two leading hand positions. The advertisement required applicants to apply in writing and to include a short statement of their experience. The closing date for applications was 15 February 2000.
7. On 8 February 2000 I applied for one of the leading hand positions. My application was addressed and given to John Smith, the factory Manager. It

included a statement of my experience. When I went to Mr Smith's office to hand in my application, I met two other co-workers who told me that they were also handing in applications for the leading hand positions. They were Bill Burton and Jim Snow.

8. Bill Burton started working in the factory in April 1996. He worked as a machinist. On many occasions, he has told me that our factory was the first time he had worked in the glass industry.
9. Jim Snow started working in our factory in October 1997. Shortly after he started working in our factory, he told me that this was the first time he had worked in the glass industry, except for two months work with another glass company just before he joined our factory.
10. On 16 February 2000 John Smith came to the area in which Jim Snow, Bill Burton and I worked. He told us that Jim Snow and Bill Burton had been appointed leading hands and that my application had not been successful. I had not been interviewed. I believe that the other two applicants also had not been interviewed.
11. I immediately complained to Mr Smith, in the presence of my other co-workers, that this was unfair and that I had not been appointed because I was a woman. Mr Smith said, "If you can't stick it, leave the factory". I immediately left the factory and have not returned to work since then.
12. For several days after I left the factory, I was distressed, shaking and upset. I could not sleep. I could not believe that the company would treat me in this way after I had worked with them for ten years and acted as a leading hand twice. Since then, I have been visiting my treating GP, Dr Green, on a regular basis. I am on medication for depression and anxiety. I am unable to sleep, feel depressed, feel frightened of meeting other people, and have lost confidence. I have applied for other jobs, but I am always unsuccessful because, when I get to interview, I break down and cry. I feel humiliated by the way John Smith and the company handled this matter.
13. My gross salary as at 16 February 2000 was \$30,000 per year. The gross salary of a leading hand as at that date was \$40,000 per year.
14. I have never seen any equal opportunity policy prepared by the Respondent Company. The company has never given me any anti-discrimination training. I am not aware that any other employee has been given such training. I have never been told that there was a mechanism for me to make complaints if I felt I had been discriminated against.

Dated this 4th day of July 2000

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(Signed by Natalie Jones)