

**WRITTEN QUESTION TO THE MINISTER FOR SOCIAL SECURITY
BY DEPUTY M.B. ANDREWS OF ST. HELIER NORTH
QUESTION SUBMITTED ON TUESDAY 27th MAY 2025
ANSWER TO BE TABLED ON TUESDAY 3rd JUNE 2025**

Question

“Will the Minister advise whether she is aware of any instances in Jersey of employers taking a ‘fire and re-hire’ approach and facilitating the removal of a particular contractual benefit by firing an employee then offering to re-hire that employee without that contractual benefit; and if she is aware of such practices, will she state how common this type of activity is and whether any consideration has been given to the introduction of legislation to curtail this type of activity?”

Answer

I am not aware that this is a practice that is prevalent – if at all – in Jersey. If any employee were to be made redundant or dismissed for a reason that was not valid under the provisions of the Employment or Discrimination Laws, then the employee might have a case to claim unfair dismissal, or to pursue a claim for breach of contract where an ultimatum was being given by an employer relating to terms and conditions of employment.

The Employment Law has detailed provisions relating to the redundancy process, particularly in cases where there are multiple redundancies proposed.

The Jersey Advisory and Conciliation Service (JACS) provides advice and assistance to employers and employee on all matters relating to employment legislation. JACS has no record of any queries relating to this issue. The Jersey Employment and Discrimination Tribunal has not – to date – received any claims from employees arising from the practice of fire and re-hire.

I have no plans to introduce further legislation at this stage. If the Deputy has specific examples of this type of practice, then I encourage him to share them with me.