



Unite the Union submission over the Jersey Government Plan:-

On review of the government plan for 2022-2025 the Union wish to observe and raise the following points:-

Fiscal position and costs of future generations

Unite the Union recognises investment in the future of the island is required, in its employees and the effects this will have on the wider community is of vital importance to generate affordable costings and future spending reviews in the interests of all.

Unite is concerned however in the level of borrowing outlined and the lack of planning to recoup such levels of borrowing within the plan, fiscal due diligence is a responsibility the government must apply to safeguarding the future of the wider island community, younger generations now and in the future and the effects such levels of borrowing will have for decades to come.

With over £800 million for example agreed via the states assembly for the new hospital without much thought or detail into this spending leaves real questions over the ability to properly cost an island wide government plan. Although Unite fully appreciates a new hospital is desperately needed, such spending levels if not managed correctly can have dire effects for future generations. Public opinion of this project is at an all-time low of public purse spending, constantly in the press and on social media without it seems scrutiny into such spending levels.

We note stimulus funding is outlined however lacking in detail in how this will be directed, Unite asks for a breakdown of how this will focussed.

Public sector workers have recognised substandard pay awards and reportedly suffer inequality and gender pay gaps within the workplace and Unite asks what is being done to support its staff across all departments, invest in their futures and recruit and retain staff into crucial positions across government.

The implied efficiencies is always of concern to the Unions and no assurances or clear detail has been provided into what and how these efficiencies are to be gained or impact our membership without detriment to these government workers whom already feel undervalued in general, underpaid and cuts always seemingly directed at this group.

A new TOM process is to be launched at the local prison for example, Unite fear in such crucial roles where staff security and safety remains paramount this process should not detract from the ability of our membership to work in a safe environment for the sake of savings.

Unite will always promote a fair and transparent taxation structure ensuring business and financial sectors support in the prosperity and success of the island overall, with Jersey being a focus on the global scale to step up and align its taxation to minimum standards from businesses, Unite asks what is being proposed within taxation policy to alleviate the pressure from the public in these unprecedented times of a global pandemic. International tax reform without clear specifics means very little.

Suggested changes to the social security system is of concern of Unite and not of benefit as its implied to all groups.

Unite asks for improvement/commitment from government:-

Jersey Employment Rights

Within the proposed Government Plan 2022 to 2024 the following section appears in respect of a review of workers' employment rights:-

GP22-CSP4-3-04 Review of Workers' Employment Rights

We will provide funding to support to support a review of workers' rights and to provide a publicity campaign to employers and employees.

The review will make sure that our employment law protects workers in light of modern working practices, including the use of zero-hour contracts. The States Assembly (P.32/2021) agreed an allocation of funding in 2022.

This project will benefit Islanders:

- *By making sure that workers are well protected in respect of modern employment practices*
- *By providing an inclusive and fair labour market*
- *By improving knowledge amongst businesses and workers of workers' rights under different types of contract*

An inclusive and fair labour market – Jersey has made significant and positive strides in the field of equality legislation in recent years; however there are areas where the Discrimination (Jersey) Law 2013 can be improved and meet the aim of a more inclusive and fair labour market. There are two key areas in which the Jersey legislation differs from the UK Equality Act, which is the protected characteristics of Marriage & Civil Partnership and Religion & Belief.

It is recognised that within the Discrimination (Jersey) Law 2013 that specific reference is made to less favourable treatment for someone in a civil partnership compared to someone married and vice versa, but it does not extend to Marriage & Civil Partnership being a standalone protected characteristic which is a gap in the legislation. Equally the omission of Religion & Belief as a protected characteristic creates a gap in the legislation and in supporting a tolerant society and one that promotes freedom of religion and belief, protection in a workplace context under the discrimination legislation is key.

As will be known, Guernsey also embarked on a full consultation process as to the introduction of equalities legislation and whilst this has been delayed due to Covid, it is expected to be introduced in full in 2022.

By making sure that workers are well protected in respect of modern employment practices – there are two notable omissions within Jersey employment legislation when considering protection for workers in respect of modern employment practices, TUPE & Whistleblowing.

There is no legislation in respect of the Transfer of Undertakings Protection of Employment in the same way as the UK and the EU. In the event of a transfer to a new legal entity, TUPE protects employment and contractual benefits, the provisions in place in Jersey currently are inadequate and do not address the increasing phenomenon of transfers, service provision changes etc.

The Whistleblowing legislation protects employees that make protected disclosures from detriment in the workplace. Currently the existing legislative framework has to be lent upon to protect workers in these circumstances; however this does not always fit the circumstances and is often inadequate. The lack of whistleblowing protection will dissuade workers from raising issues, concerns of wrongdoing etc.

Another area in terms of the lack of protection for workers is an issue that Unite have already corresponded with the Deputy Chief Minister on. This relates to the practice of employers incorporating in Jersey, then employing workers on Jersey contracts and then deploying those workers in jurisdictions outside of Jersey. Due to the drafting of the Employment (Jersey) Law 2003 at 101(1), it means that someone who is not wholly or mainly working in Jersey cannot seek recourse or remedy in an employment dispute through the Jersey Employment Tribunal process.

Insecure Employment – further work can be undertaken in respect of the use and protection of workers on insecure contracts whether agency, fixed term or zero hours contracts. Significant work has been undertaken between Government and Unite in Ireland regarding the introduction of Banded Hours legislation that seeks to tackle the issues surrounding the use of zero hours contracts. In addition, negotiations are at advance stage between Unite and Government in Gibraltar regarding the introduction of a variant of the Banded Hours legislation which seeks to build upon the best parts of that legalisation.

Environmental, Climate and Carbon Commitments

The future of our planet sits with this generation not the next, more can always be done to look inward and resolve island pollution, air quality and sustainable green energy assisting in the global targets. What are the long term commitments/targets from this government to not only reduce carbon footprints but support for employers to transition to a greener future and ways of producing.

What investment is committed into Hydrogen products/vehicles, grants or funding available to make these changes.

Tidal lagoons produce some of the most efficient energy and with Jersey having one of the largest tidal fall ranges without harnessing this lost energy is clearly of concern and a missed opportunity, what is the reasoning for this lack of investment utilised in many regions throughout the world with similar conditions.

The banning of single use plastic in packaging and the like and improving recycling must be of the highest priority and commitment, are there and clear targets being developed in respect of these

Unite is fully committed to supporting government and business's in the future of working towards a green future, a green now, and climate change is upon us a scientific fact no longer in question.

A carbon free world is the ideal, however Unite asks what support is being provided to business, transport and commercial sectors to make this bold transition over the term of the government plan and in what technologies are to be invested and what bodies set up to tackle an issue that needs action now.

Youth and community programs/policies

Young people.

With the youth of today being the future of the island Unite is concerned over the years of lack of investment in youth and community projects, initiatives and no clear strategy to retain local young talent and skills much needed within the islands employment sectors, Unite recognise some support has been budgeted here in apprenticeships, however much more can be done in support of the youth of the island.

Population policy

The population is growing but little is being done recognising the inward migration and the need to outsource specific skill sets or jobs to non-island residents incurring huge addition costs. Housing again is an issue here with affordable housing extremely limited.

Migration policy

The policy which Unite presented a submission on earlier this year was then temporarily amended to assist business whom could not recruit during the islands busy summer season. With out of date restrictions Unite supports the freedom of movement enabling economies to thrive when external workers are needed without the restrictions implied in the policy.

Affordable housing

With the housing crisis being heavily publicised across the island and seemingly daily from news reports to public outcry it seems very little is being done to control and prevent what can only be described as an immediate and critical concern. This effects everyone across the island including families employed within government to local people unable to make the transition to home ownership, young and older generations. Any economy has to look to resolve these issues and it seems very little is being done in regards to this, with ministers even talking down the issue at hand and very real for many Jersey residents, migrant workers and young people. House prices and rents are escalating out of control and without action Unite fears many workers will leave Jersey for jurisdictions they can better afford.

Income inequality

In line with the housing crisis and costs of living reports for Jersey, wages especially the inequality from the highest to lowest earners is a major concern for Unite. A living wage is needed to quantify against the costs on the island and although improvements to the min wage have been agreed from Jan 2022 this does not go far enough all things considered to support workers whom levels of working hours are greater than most if not all of the rest of European average just to survive living in Jersey, this is clearly not balanced nor fair and needing work to level up.

Gender pay gap

Unite ask what is being done into any gender pay gap issues present here in Jersey.

Race pay gaps

Unite asks for a study and results into any race pay gap in Jersey.

Unite the Union the islands largest Union works closely with all our members and employers on the island and look forward to exploring continued improvements to the economy and within the public and wider community interest.

We welcome further exploration into most of the points outlined within the plan and thankful for the opportunity to make this submission.