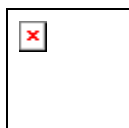


**TRINITY HOUSE, BATH STREET, ST. HELIER: LEASE OF OFFICE ACCOMMODATION FOR THE
EMPLOYMENT TRIBUNAL**

**Lodged au Greffe on 10th July 2001
by the Employment and Social Security Committee**



STATES OF JERSEY

STATES GREFFE

180

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P.106

Price code: A

PROPOSITION

THE STATES are asked to decide whether they are of opinion -

- (a) to approve the leasing by the public of 1,200 square feet of second floor office space from Alanrod Investments Limited at Trinity House, Bath Street, St. Helier, for the purpose of accommodating the Employment Tribunal and Race Relations Office, for a period of eight years and five months, commencing on 1st August 2001, with the option for the lessee to terminate the lease on 1st January 2007, having given one year's notice in writing, at an initial annual rental of £21,600, to be reviewed in the third and sixth years to open market value, and a proportion of the service charge for the communal areas, insurance, repair and maintenance of the property and of the management costs, with each party being responsible for its own legal fees in relation to this transaction;
- (b) to authorise the Greffier of the States to sign the lease on behalf of the public; and
- (c) to authorise the Treasurer of the States to pay the rent as it becomes due.

EMPLOYMENT AND SOCIAL SECURITY COMMITTEE

Note: The Finance and Economics Committee's comments are to follow.

REPORT

[**Note:** Though the term “Employment Tribunal” is used in this Report this may not be the title given to the body once it is established.]

On 10th November 1998, the Minimum Wage Report and Proposition (Projet P.227/98) was lodged “au Greffe” and was approved by the States Assembly in March 1999. Included in the Proposition was a proposal to establish a new Advisory and Conciliation Service (JACS) and an Employment Tribunal for the Island. JACS opened on 5th April 2001 on the third floor at Trinity House, Bath Street, St. Helier, following approval by the States Assembly to a nine-year lease agreement.

The Employment and Social Security Committee’s Employment Legislation proposals (P.99/2000) were debated by the States in December 2000 and approved, subject to an amendment brought by the Industries Committee.

On 10th May 2000, the Employment Forum presented its Recommendation to the Committee on the way in which an enforcement structure, including an “Employment Tribunal”, might be established for the Island, to hear claims arising from industrial relations and employment legislation. This Recommendation is currently with the Law Draftsman as a law drafting brief.

The requirements of the “Employment Tribunal” will include the need for a reception area; a Hearing Room; a private area where the parties can discuss their case, and toilet facilities. Ideally, the premises need to be centrally located, independent of Government, and with disabled access.

Having agreed these requirements for the “Employment Tribunal”, the Committee became aware of the enforcement issues around the impending Race Relations Law. The Legislation Committee is shortly due to bring before the House a draft Law on Race Relations, which will advocate the use of a Tribunal to hear race relations claims. Discussions have taken place between the Presidents of the two Committees with a view to the “Employment Tribunal” premises being used as a shared resource for the administration and hearing of both race relations and employment and industrial relations claims. Properties within the States’ Committee administration were considered and none were found to be available nor will any be available or suitable to match these requirements in the foreseeable future.

A suitable office suite in the private sector has been identified within the same building as JACS, but on the second floor of Trinity House, Bath Street, St. Helier, comprising approximately 1,200 square feet of office space. Such an area would be adequate to provide the requirements listed above. The property is in a central location for ease of access and adequate public car parking is available close by. The landlord has, at the request of JACS, installed a disabled access ramp for improved access to the lift. JACS would be able to use the Hearing Room for training or negotiating sessions when it was available. The co-ordinated use of the premises in this way by three separate States agencies would seem to make optimum use of the premises, and should also provide overall efficiencies in cost.

Terms and conditions have now been agreed in relation to the second floor for the lease to run co-terminus with the JACS lease agreement. It shall be deemed to have commenced on 1st August 2001 at an initial rental of £21,600 per annum. The rental shall be reviewed every three years to open market value. The lessee has the right to break the lease in the sixth year (i.e., at the same time as the JACS agreement).

In the event that the Employment Tribunal becomes a body independent of the Employment and Social Security Committee, there is provision in the sub-lease to assign the sub-lease to a suitable party.

Financial and manpower implications

The financial and manpower implications of the Employment Tribunal premises were touched upon in the Minimum Wage Report and Proposition. Some funds are already held in the Employment and Social Security budget to pay for the running of the Employment Tribunal, and it is likely that JACS would make a contribution towards shared use of the premises. In addition, the Employment and Social Security Department would expect to charge the Legislation Committee, or any other users, an appropriate share of the costs.