

3.11 Deputy G.C.L. Baudains of the Chief Minister regarding the inclusion of sub-contracting and zero-hour contracts under the new Control of Housing and Work Regulations:

Is the Chief Minister confident that sub-contracting and zero-hour contracts will be captured by the new Control of Housing and Work Regulations?

Senator I.J. Gorst (The Chief Minister):

I will ask my Assistant Minister to answer that.

[11:00]

Deputy P.F. Routier (Assistant Chief Minister - rapporteur):

Both zero-hour contract staff and sub-contractors are captured by the new law and we will also be increasing our compliance and monitoring to ensure that licenses are adhered to.

3.11.1 Deputy G.C.L. Baudains:

I believe the Assistant Minister will recall when he was in another position that on the Waterfront Social Security decided to make a check as to who was working there and who was not, and when they arrived it looked like a bank holiday had taken place because everybody had disappeared. How can he be sure that he will be able to monitor this because it does seem to me that sub-contracting especially is a very grey area as to know who you are talking to? The person you are talking to could easily say: "Well, it is not me. I am sub-contracted to him", and he is sub-contracting to somebody else. How do you get hold of that?

Deputy P.F. Routier:

Under the new regime there will be more compliance taking place. There will be visits to sites and we are also working with other departments, like Social Security and Immigration, as well who will be also carrying out checks on people coming into the Island. The new legislation does allow for other officers from other departments to work within our existing legislation so there will be a lot of greater compliance checks carried out.

3.11.2 Deputy G.P. Southern:

Does the Assistant Minister not agree that this is the perfect opportunity with the new regime to carry out a study to see whether zero-hours contracts are being genuinely used for zero-hours genuine jobs or being abused by keeping people in permanent and full-time work but on zero-hours contracts? Will he assure Members that he will over the next, say, 12 months or so produce a report to investigate zero-hours contracts and its place in our society?

Deputy P.F. Routier:

Under the conditions of this particular legislation I do not see that that would fall within that remit of work. Certainly I think as far as social policy is concerned that might be something that could be looked at but as far as the new Control of Housing and Work Law, as long as an employer is keeping within their license granted that is what we want to achieve by that particular legislation.

3.11.3 Deputy G.P. Southern:

Can the Assistant Minister tell me who is in charge of social policy and will he talk to that person and arrange that an investigation does take place in short order to find out the extent of the use of zero-hours contracts or abuse of them in Jersey society?

Deputy P.F. Routier:

I thought I had implied that that might happen in my initial answer but certainly it is something that is worth looking at and with regard to when the work will be carried out, I know there were

demands put on our department at the last sitting with regard to the living wage which has created obviously a relook at our priorities and we are having to look at the work that we are doing. If we can fit it in we will do our best but I cannot promise any timescale at the present time.

3.11.4 Deputy G.P. Southern:

Just so I am completely aware of what the target is, is the Minister saying that he is in charge of social policy?

Deputy P.F. Routier:

The Council of Ministers are very keen to ensure that social policy is at the top of our priorities and the Chief Minister has asked me to take an overview of social policy across departments. Each department still obviously has their own responsibilities but I have been asked to take an overview of what is happening and I will continue to do that.

Deputy G.P. Southern:

I will take that as a yes.

3.11.5 Deputy G.C.L. Baudains:

I thought the Assistant Chief Minister's response to Deputy Southern was rather vague in the area of whether he was going to look at the possible abuse of zero-hour contracts or not. Could the Assistant Minister give us an assurance that it will be looked at?

Deputy P.F. Routier:

Certainly with regards to the Control of Housing and Work legislation looking at zero-hours contracts will be part of when we look at any licence to see if anybody is falling foul of their licence conditions but it has to be recognised that zero-hour contracts with regard to our particular legislation, it is only if somebody is working that they fall within the legislation. It is quite possible for temp agencies for instance to have people on zero-hour contracts but they may not be working at all so they do not fall within the legislation if they are not working, it is only people who are working that it does but certainly we will be keeping an eye on it.