

**WRITTEN QUESTION TO THE CHAIRMAN OF THE STATES EMPLOYMENT BOARD
BY DEPUTY G.P. SOUTHERN OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 20th NOVEMBER 2018**

Question

Further to the response to Written Question 239/2018, in which the Chairman stated that all zero-hour contracts issued by the States of Jersey are “aligned to good practice”, will the Chairman advise –

- (a) to what ‘good practice’ she referred;
- (b) whether zero-hours contracts are reviewed after 6 months and, if so, whether employees are consulted about a choice to convert the zero-hour contract to a permanent, or fixed-term, contract (as guidelines from the Jersey Advisory and Conciliation Service suggest); and
- (c) whether the fact that approximately 1 in 5 employees are not employed on permanent contracts arises from a policy of ensuring flexibility within the public sector and, if so, what the rationale is for such a policy; and what link such a policy has to any considerations of redundancy or downsizing within the public sector?

Answer

- a) States HR maintain a watching brief to ensure that the utilisation of zero hours contracts within the States of Jersey, as an employer, is both proportionate to need and is consistent with good practice. Sources of good practice are the CIPD, guidance from Jersey Advisory and Conciliation Service (JACS) and ACAS, legal cases etc.
- b) Guidance from HR is that if the working hours become regular, consideration should be given to fixed term or permanent contracts and this is consistent with JACS guidance. Regular reviews and advising staff of their outcome are also considered good practice by JACS and they give 6 months as an example of regularity. The regularity and consistency of review is likely to vary with over 1,000 zero hours contracts in place. I have asked for the matter to be reviewed and considered by SEB.
- c) It is appropriate for any organisation which is undergoing change, to use flexible working practices to maintain its capacity to deliver services and manage its headcount budgets through judicious control of its workforce management.