
STATES OF JERSEY



JERSEY EMPLOYMENT FORUM – APPOINTMENT OF NEW MEMBERS

**Presented to the States on 23rd September 2021
by the Minister for Social Security**

STATES GREFFE

REPORT

Background

The Employment (Jersey) Law 2003 (the ‘Employment Law’)¹ provides that the Employment Forum (the ‘Forum’) consists of eight members and a Chair, who must be appointed by the Minister for Social Security (the ‘Minister’). Provisions for appointment are set out in Schedule 2 to the Employment Law.

Members must be appointed having regard to the desirability of securing an appropriate balance between members with experience as employers, members with experience as employees and members with other relevant experience.

It is vital to provide a balance between introducing new perspectives and skills to the Forum, as well as providing continuity amongst the membership with the retention of knowledge and experience. Forum members are usually appointed for an initial three-year term and may request to be re-appointed. The Forum operates in accordance with the Jersey Appointments Commission’s guidance² which states that “members of independent bodies should not normally be appointed for terms in excess of nine years”.

Background to the Employment Forum

The Employment (Jersey) Law 2003 (the ‘Employment Law’) provides for the establishment of the Employment Forum. The Law states that the Minister shall refer matters relating to the Minimum Wage, plus any such matters relating to the Employment Law as the Minister thinks fit, to the Employment Forum for their consideration.

The Employment Forum shall, after considering those matters, make a report to the Minister which shall contain the Forum’s recommendations about each of those matters. Before arriving at the recommendations to be included in their report, the Employment Forum shall consult –

- (a) such organisations representative of employers as they think fit;
- (b) such organisations representative of employees as they think fit; and
- (c) if they think fit, any other body or person.

Vacancies

The terms of office of three members ended in 2021. The terms of office for Julie Fairclough, Malcolm Ferey and John Everett ended on 31 March 2021.

The Minister is very grateful to these Forum members for their service.

A further employee representative position is currently vacant and will be advertised in due course.

¹ Paragraph 1, Schedule 2 www.jerseylaw.je/laws/revised/Pages/05.255.aspx

² www.gov.je/SiteCollectionDocuments/Government%20and%20administration/P%20JAC%20recruiting%20guidelines%2020160706%20JP.pdf

Recruitment

An advertisement was placed in the Jersey Evening Post and on the gov.je website. It was also sent by Citizen's Advice Jersey, the Chamber of Commerce, the Jersey Hospitality Association and the Law Society to their databases. Four applications were received for the Member positions. Following a short-listing exercise, all four candidates were selected for interview.

The interviews were conducted in August 2021. The interviews were conducted by the Chair of the Forum, Carla Benest (an Independent representative), Donna Abel (an employer representative) and Dougie Gray (an employee representative). The formal recruitment administrative process was conducted by the Peoplehub team of the Government of Jersey.

The Forum's main priority in its selection of members is to maintain diversity within the group; the Forum must ensure that its members cover the widest range of skills, expertise and industry types possible. The Forum also seeks to ensure that members have recent knowledge and relevant experience of employment relations issues, as well as an interest in employment policy and legislation. The interview panel is satisfied that the two successful candidates have a broad range of appropriate skills and experience to bring to the Forum and recommend the following for appointment by the Minister.

Marianne Russell (Employer representative)

Mrs Marianne Russell is a qualified lawyer, working in private practice for the last six years. Mrs Russell specialises in employment, corporate and data protection law. Before qualifying she worked as a paralegal for almost five years, dealing exclusively with employment matters and Employment Tribunal work in the UK.

For the last 16 months Mrs Russell has worked as Channel Islands' Human Resources Manager for a financial services business in Jersey, responsible for 300 employees, where she is part of the Senior Leadership Team. Before coming to Jersey, Mrs Russell worked in several jurisdictions, including Scotland, England and the Falkland Islands. She was involved in working groups and the development of regulation, policies and processes, notably with Falkland Islands legislation and, domestically, shaping new regulations relating to gas transmission and renewable energy tariffs and products.

In the opinion of the panel, Mrs Russell brings a good understanding of working with multiple stakeholders, exposure in several different jurisdictions and the challenges and competing interests faced from both internal and external sources in a variety of different roles in industry. She has particular experience of understanding the fine balance in managing expectations and protecting various interests.

Mrs Russell has, in the past, also been very active in community organisations.

Mrs Russell has been invited to join the Employment Forum, subject to Ministerial approval, for a three-year term, to begin on 1 October 2021.

Hilary Griffin (Independent representative)

Mrs Hilary Griffin is an English solicitor, having specialised in employment and discrimination law for over 20 years; first, at a large City law firm and more recently as Chair of the Jersey Employment and Discrimination Tribunal (JEDT) from 2017 until 2020. Mrs Griffin now runs her own mediation and training business.

As Chair of the JEDT, Mrs Griffin has written many of the leading judgments in the areas of employment status, zero hours contracts, discrimination and unfair constructive dismissal.

In the opinion of the panel, Mrs Griffin will bring to the Forum a different but important perspective on how Jersey's employment laws impact both employees and employers, and how they might develop in the future.

Mrs Griffin is also a Board member of the Jersey Advisory and Conciliation Service.

Mrs Griffin has been invited to join the Employment Forum, subject to Ministerial approval, for a three-year term of appointment, to begin on 1 October 2021.

Recommendation

Appoint Mrs Marianne Russell as an employer representative member of the Employment Forum, for an initial three-year term from 1 October 2021.

Appoint Mrs Hilary Griffin as an independent member of the Employment Forum, for an initial three-year term from 1 October 2021.