

**The Bailiff:**

Are Members content to adopt those arrangements for Public Business? Very well. They are adopted. Now, I have notice from the Chief Minister that he would like to make a statement.

**OFFICIAL STATEMENT****7. Senator F.H. Walker (The Chief Minister):**

I would. The statement has been circulated now to Members and it regards the industrial action that was taken by a small group of manual workers yesterday which prevented the free flow of goods into and, indeed, out of the Island through the harbour. I am also putting a fact sheet in front of Members which sets out the factual position with regard to this ongoing dispute to dispel some of the myth and rumour which surrounds it. In short, however, what we have here is action by a very small group of manual worker employees who are attempting to stand in the face of change, whatever the cost to the Island. Members are aware that we have commenced upon a whole series of change initiatives seeking to make more efficient use of public resources. This dispute is about one such change. The Transport and Technical Services Department is, through a simple relocation of one small group of workers from a base at La Collette to one at Bellozanne, able to realise annual savings of £300,000. This is a significant annual saving, a welcome addition to the States' coffers enabling other key frontline services to be maintained and improved. Members will hear many other reasons put forward by the Transport and General Workers Union as to what they consider to be the real agenda behind this proposed change. I deal with those in more detail in the fact sheet. The T.G.W.U. (Transport and General Workers Union) will claim this is about the imposition of new contracts. It is not. An offer to withdraw the new contracts issued has been made if the workers agree to this move of base. The T.G.W.U. will claim that this is about future outsourcing. It is not. The Council of Ministers have given the T.G.W.U. an assurance that no outsourcing of these services would be considered without the matter first being considered by the Council of Ministers. There are no plans to outsource this service. The T.G.W.U. will claim that the matter has not been properly discussed or consulted upon. This is not the case. These matters have been the subject of exhaustive consultation, negotiation and procedure. To hear senior trade union officials call for the employer to enter into discussion is, frankly, laughable. We have been doing that over this issue for now nearly a year. The whole manual worker joint council disputes machinery has been followed to the letter and A.C.A.S. (Advisory, Conciliation and Arbitration Service) recommended procedures have been followed throughout. There is no reduction or change to the employees' terms and conditions of service other than that they will be based in an alternative location. I find it totally unacceptable that a small group of workers such as this should seek to hold the Island to ransom by flexing their industrial muscle to try and prevent what is a minor and sensible change. Their attitude appears to be: "We will carry on working in the way we always have and in the way we want rather than in the way our employer properly wants without any consideration whatsoever to the waste of taxpayer's money." The workers and the T.G.W.U. gave the employer no notice whatsoever of their intended action. In other jurisdictions, the action taken yesterday would be unlawful. It cannot be sensible in a modern, forward looking, western democracy that critical services and the supply of goods to the public can be disrupted in this way simply because 45 manual workers do not want to move from one workshop location to another. For half of that number, the move is a matter of some 20 yards on the same site. For the other half, it is a short move from La Collette to Bellozanne to a refurbished, modernised workshop. There may be times when industrial action is justified. This is not one of them. Particularly, Sir, as I learnt since drafting this statement that the export of Jersey Royals at the critically early part of the season was totally disrupted yesterday resulting in markets being lost and important customers being deeply upset. That cannot be right either. There may be times when industrial action is justified, but I emphasise again, this is not one of them and I hope the House will join me and the States Employment Board in condemning this action by these workers urging them to accept a

reasonable change which is in the Island's best interest and, if necessary, be prepared to stand firm in our opposition to such outdated and damaging industrial action.

**7.1 Deputy G.W.J. de Faye:**

I would like to thank the Chief Minister for the statement he has made and to make the House aware that I have received phone calls from extremely irate and frustrated wholesalers and retailers in the Island who had their freight shipments halted yesterday due to this entirely unannounced, unprovoked and unnecessary stoppage which the Chief Minister quite rightly blames fair and square on the trade union representatives and a small core of trade unionists.

**The Bailiff:**

Minister, may I just respectfully remind you that Standing Orders allowed for questions arising out of a statement, so you are coming to a question?

**Deputy G.W.J. de Faye:**

Just about to come to the question, Sir. However, in the course of this, the Chief Minister will know my deep frustrations because I effectively have no *locus standi* in how these issues can be dealt with. I would be grateful if the Chief Minister would care to explain the difficulty I face in being responsible as Minister for the department, but having no direct control over employees.

**Senator F.H. Walker:**

I can confirm the difficulty of the Minister's position. He is, as he said, and as everyone knows, the Minister responsible for the department but the employment of his staff, and these staff in this instance, is by the States Employment Board and any action taken and all negotiations are indeed the responsibility of the S.E.B. (States Employment Board) and not the Minister.

**7.2 The Deputy of St. Martin:**

The Chief Minister may be better answered by the Minister of Social Security but when I read here that the actions were unlawful in any other jurisdictions, is there anything that we can do to ensure that these actions become unlawful and we can take some steps to stop it happening again?

**Senator F.H. Walker:**

My understanding is that in the Employment Protection Law - the codes attached to the Employment Protection Law - that a strike such as this without notice will be, subject to States approval, declared unlawful.

**7.3 Senator J.L. Perchard:**

Much on the same lines as Deputy Hill just asked, Sir. Will the Chief Minister undertake to bring forward legislation as soon as practically possible to make this type of industrial action unlawful?

**Senator F.H. Walker:**

I think my previous answer suggested that it is not necessary for me to do so. That will be brought forward, as I understand it, in legislation under the Employment Protection Law, brought forward by the Social Security Minister.

**7.4 Senator P.F. Routier:**

Would the Chief Minister accept and recognise and perhaps welcome that the Industrial Relations Law which has to have an Appointed Day Act and the Codes of Practice which are due to be finalised in the next couple of months, which would outlaw this type of industrial action, would he welcome that being brought to the House and will he support it?

**Senator F.H. Walker:**

A very thorough yes. A well-meant and deeply meant yes and yes and I am sure, judging by the feeling of this House, many Members feel the same as I do, as the Minister does in this respect.