

# STATES OF JERSEY



## **DRAFT EMPLOYMENT (AMENDMENT No. 4) (JERSEY) LAW 2009 (APPOINTED DAY) ACT 200-**

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**Lodged au Greffe on 21st May 2009  
by the Minister for Social Security**

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**STATES GREFFE**





Jersey

## **DRAFT EMPLOYMENT (AMENDMENT No. 4) (JERSEY) LAW 2009 (APPOINTED DAY) ACT 200-**

### **REPORT**

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If adopted, this Act will bring into force the Employment (Amendment No. 4) (Jersey) Law 2009, which was adopted by the States on 22nd October 2008, sanctioned by Order of Her Majesty in Council on 18th March 2009 and registered by the Royal Court on 27th March 2009.

This amendment to the Employment (Jersey) Law 2003 will give the Jersey Employment Tribunal two additional powers in relation to the making of an award when an employee is found to have been unfairly dismissed:

1. The power to direct the continued employment of a dismissed employee following a successful claim for unfair dismissal, and
2. The power to reduce an unfair dismissal award in certain circumstances, including where an employee has contributed to his or her own dismissal.

The Minister is satisfied that, subject to States approval, an Appointed Day of 1st October 2009 will give sufficient notice and preparation time for the introduction of the Employment (Amendment No. 4) (Jersey) Law 2009.

The Minister intends to revise the Employment (Awards) (Jersey) Order 2005 to reflect these amendments to the Tribunal's award-making powers, and will make that Order effective from 1st October 2009.

#### **Financial and manpower implications**

There are no additional financial or manpower implications arising from this proposition. The existing budget for employment relations, which includes the cost of running the Employment Tribunal and the Jersey Advisory and Conciliation Service, is sufficient for the implementation of this legislation.

## Explanatory Note

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This Act brings the Employment (Amendment No. 4) (Jersey) Law 2009 into force on 1st October 2009.



Jersey

**DRAFT EMPLOYMENT (AMENDMENT No. 4)  
(JERSEY) LAW 2009 (APPOINTED DAY) ACT 200-**

*Made* [date to be inserted]

*Coming into force* [date to be inserted]

**THE STATES**, in pursuance of Article 4(2) of the Employment (Amendment No. 4) (Jersey) Law 2009<sup>1</sup>, have made the following Act –

**1 Commencement of Law**

The Employment (Amendment No. 4) (Jersey) Law 2009<sup>2</sup> shall come into force on 1st October 2009.

**2 Citation**

This Act may be cited as the Employment (Amendment No. 4) (Jersey) Law 2009 (Appointed Day) Act 200-.

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<sup>1</sup> *L.12/2009*  
<sup>2</sup> *L.12/2009*