

23.05.23

5 Deputy G.P. Southern of the Minister for Social Security regarding the operation and regulation of zero-hour contracts (OQ.103/2023)

Taking into account the evidence provided in annex A of the Employment Forum's report, *The Operation and Regulation of Zero-Hour Contracts in Jersey*, of poor practice, abuse, and absence of employee protections, will the Minister commit to act on the 7 issues regarding zero-hour contracts contained in the proposition, P.32/2021, that was adopted unanimously by the Assembly?

Deputy E. Millar (The Minister for Social Security):

I refer the Deputy to the answer to Written Question 216/2023, which covers the same topic. The Employment Forum made a careful and detailed examination of each of the elements set out in proposition P.32/2021, for which I am grateful. I am considering the report and recommendations and will provide my full response shortly.

3.5.1 Deputy G.P. Southern:

By way of example and the simplest form, employers continue to be in breach of the provisions of the Employment Law by failing to provide a statement of terms and conditions and payslips to employees. This is the evidence in annex A. It does not say "some", it says, by way of example: "employers continue to use these practices", which are not fair. Will the Minister say whether she supports engagement and action on this particular front?

Deputy E. Millar:

As I have said, I will be producing a response shortly. The particular issue that the Deputy refers to is not isolated, I believe, to zero hours contracts and it is something that will be caught up in our response to both the zero-hour report and various other issues that have been brought to my attention recently.

3.5.2 Deputy R.J. Ward:

One of the recommendations from the Employment Forum is that an amendment should be made to the Employment (Jersey) Law 2003 to give employees the right to request and updated written statement of their terms of employment, where their existing statement does not reflect the reality of their working pattern. Will the Minister be bringing forward this amendment?

Deputy E. Millar:

Yes, I expect so.

3.5.3 Deputy R.J. Ward:

Is that a "yes"? Also, what would be the timeframe for that?

Deputy E. Millar:

I do not have a timeframe as yet. There may be other amendments we wish to bring forward at the same time, which will require consideration.

3.5.4 Deputy L.V. Feltham:

The question states that P.32/2021 was adopted unanimously by the Assembly. Can the Minister give her assurance that the spirit of that proposition will be followed through by her Government?

Deputy E. Millar:

The content of the report, the Employment Forum have given very clear recommendations and those will drive a response to the report.

3.5.5 Deputy L.V. Feltham:

Is it then the Minister's intention to rescind any of the actions previously agreed by the Assembly?

Deputy E. Millar:

I do not think I said I was going to rescind anything. I said I would be reviewing the report and considering ... I believe P.23 asked for certain things to be considered. The Employment Forum has considered it and we will respond to that report in due course.

3.5.6 Deputy G.P. Southern:

Will the Minister be equally positive around item 6 of the annex, which says there should be a right to compensation for shift cancellation or curtailment without reasonable notice? Would she support that particular action?

Deputy E. Millar:

The forum did not recommend a statutory right, but we will consider what should be done regarding that. As I say, I have to consider the report in detail with my team and we will produce a full response shortly.