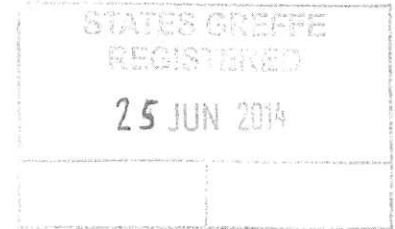




517 / 29 (1)



Our Ref: GJLeL/MAR/01.
Your Ref: 517/29(6)(1)

25 June 2014

Deputy J. Hilton
Chairman
Health, Social Security and Housing Scrutiny Panel
Scrutiny Office
Morier House
St. Helier
JERSEY JE1 1DD

Dear Deputy Hilton,

Re: Employment (Amendment No. 8) Law (Family Friendly Policy).

We write to thank you for your letter dated 03 June 2014 in relation to the above and to comment as follows :-

- 1) Antenatal Care
- 2) Maternity Leave
- 3) Parental Leave
- 4) Adoption Leave
- 5) Flexible Working
- 6) Detriment and Dismissal

Basically, we do not consider the above family friendly rights to be compatible or 'good news' for the Agricultural / Horticultural Industry. Whereas there are some large organisations, the Industry consists mainly of small farming businesses which undoubtedly would find these policies, if implemented, to be a tremendous burden both financially and from a staffing aspect.

For instance, if say an employee in a relatively small operation applied for parental or adoption leave, he might be the only qualified fork-lift driver employed by the business which would obviously be put at a disadvantage as that business could not function without that member of staff. One cannot equate an agricultural business with say an office or shop as these other entities are able to organise cover from their existing staff whereas in the case of a fork-lift driver or various other skilled positions on a small to medium sized farm there tends to be a limited number of qualified personnel.

With regard to maternity leave there are not many jobs within the Agricultural Industry that are conducive to pregnant women due to the very nature of the work, the heavy lifting and the physical restraints in carrying out the necessary day to day tasks. Women employed in

the Industry have to be strong and agile and problems could arise with a pregnant woman having the right to return to the same job after the relevant period of maternity leave. We can also foresee problems arising with protection against detriment and dismissal on grounds relating to pregnancy and maternity.

With regard to flexible working and the right for employees to request a change to their working conditions – a change to hours, times or location of work - this would not be feasible on a farm as practically all duties are carried out by a gang of workers each with their respective duties, largely when weather conditions dictate and the absence of some workers could result in discontent with their colleagues

It is often perceived that the Industry employs mainly temporary staff but there are many locally qualified staff working in highly skilled and valued positions within farm businesses.

We are opposed to the introduction of these family friendly policies as we feel they will result in additional expenditure for the Industry and increased bureaucracy and staffing problems for employers. We would urge you to consider the likely detrimental implications for the Industry when considering the proposals and if you require any further information please do not hesitate to contact the writer.

Yours sincerely

GRAHAM J. LE LAY
PRESIDENT