

23.12.11.

2. Deputy R.J. Ward of the Minister for Justice and Home Affairs regarding rules for migrant workers (OQ.239/2023)

Will the Minister advise what consideration, if any, is being given to the implications for Jersey of U.K. changes to migrant worker rules, including changes to salary thresholds and the ability to bring foreign family dependants into the U.K.?

Deputy H. Miles (The Minister for Justice and Home Affairs):

I thank the Deputy for the question. The Jersey work permit policy, which is reviewed on a regular basis and does include some minimum salary thresholds, operates separately to the changes that are proposed in the U.K. to increase salary thresholds for skilled workers and is tailored to the specific labour requirements of the Island. The Jersey immigration rules and work permit policy are currently being reviewed in response to the Work Permit Holder Welfare Scrutiny Panel report, and the proposed measures to be introduced by the U.K. will be considered as part of that work. This will include some consideration about salary thresholds, which were last set in 2018. However, it is not proposed that we will mirror the U.K. changes as any changes we make need to be suitable for the Jersey context. The U.K.'s proposed measures to restrict the ability of certain dependents of foreign workers to join them in the U.K. and other visa changes will also be considered further in the local context before any changes to the Jersey immigration rules or work permit policy are introduced.

2.7.1 Deputy R.J. Ward:

I thank the Minister because that is reassuring that we can make our own choices on this. Just to confirm that those visas that are issued by the U.K. will not limit what Jersey can do as an Island in order to meet the needs of our workforce requirements at any time.

Deputy H. Miles:

I thank the Deputy for his question. Our work permit policy and our Jersey immigration rules are unique to Jersey. There are elements of those that we have to take into account, particularly regarding visas and those issues around the Nationality Act, which is extended to Jersey. But other than that, we do have some leeway in deciding what we want to do for our local context.

2.7.2 Deputy M. Tadier:

Is the Minister aware that there may be some evidence that salary thresholds for skilled workers may have an unintended consequence of acting as a standard or, indeed, ceiling for those who work in those industries? If she is or is not aware of that, would she give consideration as to how effective those salary thresholds are and whether they are indeed needed, given that surely it could be down to the free market to determine the level of salaries paid to those on work permits and skilled jobs?

[10:15]

Deputy H. Miles:

There are certain salary thresholds in place for certain skilled workers who come in on a skilled visa. As I said, the rules and the work permit policy are currently under review, and those are the sort of issues that will be considered during that review.

2.7.3 Deputy M. Tadier:

Would the Minister go further, and perhaps in the wider piece of work that is going on on equal pay between men and women, does she agree that there should really just be a general principle of equal

pay for equal work, whether or not one person is on a work permit and another person is not on a work permit? Does she agree as a principle that that should apply across the different bands?

Deputy H. Miles:

I thank the Deputy for the question. I would not want to conflate matters of equal pay with the work permit policy, but what I would say, and what I have made clear, is that if you have 2 people working in a particular role, one of whom is on a work permit and one of whom is not, there should be no discrepancy between those wage limits.