

STATES OF JERSEY



DRAFT EMPLOYMENT (AMENDMENT No. 8) (JERSEY) LAW 201- (P.109/2014): COMMENTS

**Presented to the States on 7th July 2014
by the Minister for Health and Social Services**

STATES GREFFE

COMMENTS

Introduction

This proposition is an essential and important first step in securing the health and well-being of new mothers and their babies.

Maternity protection for both mothers and their children is a fundamental human right. As well as protecting health, it will help to tackle discrimination against women in the workplace.

Background

The foundations for virtually every aspect of human development – physical, intellectual and emotional – are laid in early childhood, starting in the womb.

What happens during these early years has lifelong effects on many aspects of health and well-being, from obesity, heart disease and mental health, to educational achievement and economic status.

There is ample evidence to show that the best start a child can have in life comes from the early attachment from parental bonding. These first weeks and months, where bonding and attachment, particularly maternal, are established, are essential to a child's future.

It is for these reasons that I am very pleased to see a family-friendly approach to maternity and paternity leave on the agenda.

Jersey has lagged behind international practice on this important issue for far too long and, while the proposed Law goes only so far as setting a minimum level, it is an important first step to providing a standard on which to build our support for our Island's women, children and families.

Critically, the proposal by the Minister for Social Security includes a commitment to a further review of the Law one year following the 'first phase' of these family-friendly changes, and I look forward to Health and Social Services being more closely included as a key partner in the consultation in this second phase. This is essential in ensuring that the health benefits for women and children, and our society as a whole, can be considered in balance with the needs of business and the Island's economy.

Supporting breastfeeding

One area of considerable importance that, I fear, does not go far enough in this first phase, is providing support for mothers in continuing to breastfeed their babies once they return to work.

Women need time to recover from birth; but of equal importance is the need for time to establish breastfeeding as part of early bonding and attachment with their child.

In the period after birth most infants, even the most vulnerable, grow and develop normally if they are exclusively breastfed; and both the World Health Organisation and UNICEF recommend exclusive breastfeeding for the first 6 months (24 weeks).

There are also well-evidenced long-term health benefits gained by breastfed babies, which include –

- reduced rates of many infectious and immunological diseases
- reduced rates of some cancers
- better cardiovascular health
- reduced rates of obesity
- reduced risk of developing type-2 diabetes.

There has been a lot of work done locally to encourage breastfeeding; led by a multi-agency working group, chaired by Family Nursing and Home Care Health Visiting Service, and supported by the Health and Social Services Maternity and Special Care Baby Unit, the Jersey Child Care Trust and the National Childbirth Trust.

This group has developed an action plan based on baby-friendly standards set by the United Nations Children’s Fund (UNICEF).

We know there is yet much more to do, and I would urge the second phase of the family-friendly Law to ensure that it takes account of over 100 countries worldwide who have introduced statutory paid breaks for breastfeeding – most notably, our near neighbours in Ireland.

I fully recognise the current economic pressure on businesses and, in particular, I am conscious of concerns that may be voiced for small businesses in meeting both paid and extended leave.

However, there is good evidence¹ that maternity protection and support for breastfeeding makes economic sense and benefits business because –

- It strengthens women’s attachment to being part of the workforce
- It facilitates access for more women to join the work market
- It is more likely that women will use their skills and education efficiently
- It helps decrease absenteeism – breastfed babies are generally healthier
- It helps increase staff morale and loyalty and a subsequently higher rate of return to work
- It has positive effects on women and children’s health, which creates a more efficient and productive workforce
- It helps to alleviate poverty through gender equality and economic security for women

¹ Maternity and paternity at work – Law and practice across the world. International Labour Organisation, Geneva: ILO, 2014.

- It results in lower recruitment and training costs
- It is an extra incentive to offer potential employees
- It offers a healthier working environment.

Summary

This Proposition represents a small step in the right direction, but it is an essential step forward and one that is very much welcome.

It is crucial that the commitment to the one-year review is endorsed. And, when it takes place, that it ensures a greater focus on the important health benefits that come with putting mother and child at the core of the legislation.

If we are to make a real difference, women need to have the option to stay on maternity leave longer, be supported financially and, when they return to work, be able to express their breast milk in appropriately dignified and suitable surroundings.

The States needs to step up to the plate and support the health and well-being of our future generations. I urge members to vote in support of this proposition, as well as to commit to holding future Ministerial leadership within Social Security to the promise of a review and seeking further improvements one year on.