

STATES OF JERSEY



PUBLIC SECTOR EMPLOYMENT CONTRACTS (P.71/2022): AMENDMENT

Lodged au Greffe on 27th April 2022
by Deputy M.R. Higgins of St. Helier

STATES GREFFE

PUBLIC SECTOR EMPLOYMENT CONTRACTS (P.71/2022):
AMENDMENT

1 PAGE 2, PARAGRAPH (a) –

Replace the words “1st July 2022” with “1st September 2022”.

2 PAGE 2, PARAGRAPH (c) –

Replace the words “30th June 2022” with “31st August 2022”.

DEPUTY M.R. HIGGINS OF ST. HELIER

Note: After this amendment, the proposition would read as follows –

THE STATES are asked to decide whether they are of opinion –

- (a) that contracts of employment for all States’ employees from **1st September 2022** should explicitly prohibit the following and confirm, for the avoidance of doubt, that such acts constitute acts of gross misconduct –
- (i) lying, obstructing, misleading or attempting to mislead a Minister, the States Assembly, any Scrutiny Panel or “Backbench” Member of the States of Jersey about any aspect of the employee’s work for the States;
 - (ii) covering up or concealing any failure (act or omission) on the employee’s part alone, or together with others, or on the part of others that they have become aware of at any time, on any matter, that could financially damage or bring the States of Jersey and/or the Government of Jersey into disrepute; and
- that such lying, obstructing, misleading and covering up should be punishable by termination of their employment without any compensation or compromise agreements, pension rights or bonuses depending upon the severity of the offence they have committed.
- (b) that an independent review of disciplinary policies and procedures should be commissioned to ensure that any disciplinary action follows the rules of natural justice;
- (c) that an amnesty up to **31st August 2022** should be implemented during which period employees can own up to any past lies, obstructions, misleading statements, and cover-ups (unless of a criminal nature) and/or knowledge of

acts or omissions of others, with the employees concerned to face no loss of employment, grade, position, pension rights, bonuses, compensation agreements unless they commit a future act of a similar nature or fail to fully declare any past transgressions that are being addressed by this proposition;

- (d) that a register should be maintained of any declarations under paragraph (c) that shall record the past breaches of these provisions; and
- (e) to request the States Employment Board (S.E.B.) to initiate the necessary steps, including instructions for the development of any legislation that may be required, to implement paragraphs (a) to (d) above.

REPORT

This amendment is solely intended to allow the States Employment Board a longer period of time in which to implement changes to employment contracts, and to allow States employees a further period in which to take advantage of the proposed amnesty for past transgressions.

Child Rights Impact Statement

There are no impacts on children's rights identified from this amendment.

Financial and manpower implications

There would be no additional financial or manpower implications, as identified in the original proposition, as any actions arising from this proposition form part of the everyday activities of the States Employment Board and its officers.