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3 Deputy G.P. Southern of the Chairman of the States Employment Board regarding the use of zero-hours contracts in the public sector: [OQ.50/2019]

Further to the chairman's response to written question 239/2018 that all zero-hours contracts issued by the States of Jersey are aligned to good practice, will he detail what such alignment entails and will he assure Members that such contracts, whether issued by the States of Jersey or by an agency on its behalf, contain no mutuality of obligation as advised by the Jersey Advisory and Conciliation Service?

Senator J.A.N. Le Fondré (Chairman, States Employment Board):

It is a slightly complicated question so I will deal with the main point and obviously pick up others in the supplementary. So, mutuality of obligation is a key element to a zero-hours contract of employment. The term refers to the obligation of an employer to provide work together with the obligation of an employee to accept work that is offered. No zero-hours contract issued by the States of Jersey contains mutuality of obligation. I hope that gives the assurance he wanted.

4.3.1 Deputy G.P. Southern:

Just to clarify, then, of the 150 employees on zero-hours contracts in the health service who are not nurses or midwives, wherein their zero-hours contracts refer to overtime performed as outlined in written question 14 today, of those 150 can the chairman assure us that none of these contain mutuality of obligation, i.e. if the employees do not turn up it does not matter and if there is no work for them and they do turn up and they are sent home, that does not matter either? Is that the type of contract we are talking about?

Senator J.A.N. Le Fondré:

Sorry, I did lose track somewhere in the middle of the question. In terms of the health workers' position, I am informed that on any zero-hours contracts that the States have issued there are no mutuality of obligation clauses in those contracts.

The Deputy Bailiff:

You can have a final supplementary, Deputy Southern, if you wish. No one else has indicated a desire to ask a question.

4.3.2 Deputy G.P. Southern:

Will the chairman inform Members to whom and under what circumstances these 150 zero hours-contracted workers in the health service refer?

The Deputy Bailiff:

Do you mean the kind of ... I am sorry, Deputy, I did not understand the question. Do you mean the kind of people employed under them?

Deputy G.P. Southern:

Yes, Sir.

The Deputy Bailiff:

The job categories, as it were, yes.

Senator J.A.N. Le Fondré:

I do not have that detail with me today but I will ensure it is circulated. So, just to be clear, in terms of question 14, the breakdown of the health workers and the other health professionals and the health workers, other healthcare groups, is how those are breaking down in terms of types of contracts? Perhaps the Deputy could put it in an email and I will sort it out.

Deputy G.P. Southern:

I am referring to the jobs that those people do.

Senator J.A.N. Le Fondré:

Yes, I am happy to sort that out and get it to the Deputy.