

STATES OF JERSEY



DRAFT EMPLOYMENT (AMENDMENT No. 11) (JERSEY) LAW 201- (P.17/2019): THIRD AMENDMENT (P.17/2019 Amd.(3)) – AMENDMENT

**Lodged au Greffe on 4th June 2019
by the Economic and International Affairs Scrutiny Panel**

STATES GREFFE

- 1 PAGE 2, AMENDMENT 3 –**
In paragraph (b) for “28” substitute “90”.

- 2 PAGE 2, AMENDMENT 4 –**
In paragraph (b) for “28” substitute “90”.

- 3 PAGE 2, AMENDMENT 5 –**
In the words to be substituted, for “28” substitute “90”.

ECONOMIC AND INTERNATIONAL AFFAIRS SCRUTINY PANEL

REPORT

To increase the notice period from 28 days to 90 days

The Panel has lodged an amendment to the Minister's amendment to [P.17/2019 \(P.17/2019 Amd.\(3\)\)](#): *"To increase from 14 days to 28 days the notice periods that an employee must give to their employer to vary their parental leave dates"*. The Panel has increased from 28 days to 90 days the notice periods that an employee must give to their employer to vary their parental leave dates.

Although employees going on parental leave have to notify their employer 15 weeks before the birth of their child of their intended blocks of leave, they are able to change their leave periods by giving 14 days' notice (as currently drafted) to their employer.

The Panel has found that this part of the draft Law will create cost and resource implications for employers in terms of –

- Providing temporary cover for interchangeable leave periods, and managing those periods, should changes to previously agreed blocks of leave be made.
- Training costs associated with temporary employees, particularly employed to cover specialist roles, and the implications this would have if changes to previously agreed blocks of leave were made.
- Recruitment and possible accommodation costs in employing people on a temporary basis and, if they are unable to recruit to cover changes to previously agreed blocks of leave, managing any shortfalls this would create within the existing workforce.

In addition to the implications mentioned above, a number of concerns were raised by stakeholders as to the impact on other employees within a business. It is possible that the interchangeable blocks of parental leave could impact on other employees in respect of their holiday leave. For example, conflict could arise if an employee's holiday leave was affected by another employee's parental leave.

Increasing the notice period will minimise the risk of other employees within an organisation being affected. It is also expected that this amendment will help employers to manage the (interchangeable) blocks of leave for their workforce by giving them more notice of when that leave might change.

The Panel has also inserted a paragraph that gives the employer an opportunity for reasonable negotiation with employees who want to change their previously agreed blocks of parental leave. This part of the amendment will be considered separately within the fifth amendment.

Financial and manpower implications

There are no additional financial or manpower implications for the States arising from the adoption of this amendment.