

STATES OF JERSEY



TERMINATION OF EMPLOYMENT: MINIMUM NOTICE PERIODS

**Lodged au Greffe on 11th March 2024
by Deputy M.B. Andrews of St Helier North
Earliest date for debate: 16th April 2024**

STATES GREFFE

PROPOSITION

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

to agree that the minimum period of notice required to be given by an employer to terminate the employment of an employee who is not employed under a fixed-term contract should be amended within the Employment (Jersey) Law 2003 to –

- (a) 1 weeks' notice if the employee is within the probation period specified by the employer;
- (b) 4 weeks' notice if the employee's period of continuous employment is 1 week or more but less than 1 year, and the employee's probation period has been successfully completed;
- (c) 4 weeks' notice if the employee's period of continuous employment is 1 year or more but less than 4 years;
- (d) 8 weeks' notice if the employee's period of continuous employment is 4 years or more but less than 8 years; and
- (e) 12 weeks' notice if the employee's period of continuous employment is 8 years or more;

and to request the Minister for Social Security to bring forward the necessary legislative changes to ensure implementation of these notice periods is effective by 1st June 2025.

DEPUTY M.B. ANDREWS OF ST. HELIER NORTH

REPORT

I am lodging this proposition to bring forward amendments to the [Employment \(Jersey\) Law 2003](#) to increase the notice periods required of employers.

Under Article 56(1) of the Employment (Jersey) Law 2003 an employer must give an employee a one week notice period who has been employed for more than one week but no more than 2 years with the notice period increasing by one week for every year worked to a maximum of 12 weeks' notice. The table below summarises Article 56(1):

Length of Service	Current Period of Notice
Under 2 years	One week's notice
2 years or more but less than 3 years	2 weeks' notice
3 years or more but less than 4 years	3 weeks' notice
4 years or more but less than 5 years	4 weeks' notice
5 years or more but less than 6 years	5 weeks' notice
6 years or more but less than 7 years	6 weeks' notice
7 years or more but less than 8 years	7 weeks' notice
8 years or more but less than 9 years	8 weeks' notice
9 years or more but less than 10 years	9 weeks' notice
10 years or more but less than 11 years	10 weeks' notice
11 years or more but less than 12 years	11 weeks' notice
12 years or more	12 weeks' notice

I believe the current notice periods are too short in most cases as people will reasonably make financial decisions and commitments based on a regular salary, and losing employment with just a week's notice may lead to individuals having to deplete savings, sell assets, or borrow money to meet personal debt obligations and living expenses.

The Proposals

I propose Article 56(1) of the Employment (Jersey) Law 2003 covering the required notice period given by an employer to terminate employment be amended to a one-week notice period during work probation. I am also proposing the notice period upon passing a probation period and up to a period of no more than 4 years' service be 4 weeks. The notice period for employees serving more than 4 years but less than 8 years will be 8 weeks, and the notice period for 8 years or more service will be 12 weeks as shown in the table below:

Length of Service	Proposed Notice Period
Probation period	One week
Under 1 year (probation passed)	4 weeks
More than 1 year and less than 4 years	4 weeks
More than 4 years and less than 8 years	8 weeks
More than 8 years of service	12 weeks

The notice required to be given by an employee (Article 56(2)) will not be affected by the changes I have proposed as these are applicable only to the required notice period given by an **employer** to terminate employment.

In proposing amending Article 56(1) of the Employment (Jersey) Law 2003, notice periods will be longer in most cases. The proposals mean that people have time to seek

another job while still receiving an income enabling them to pay their living costs and meet financial obligations. In the below table I have outlined the impact of the changes proposed in relation to the current notice periods:

Period of Service	Notice Period Extensions
Probation Period	No difference
Less than one year (having passed probation)	3 week increase
2 years	2 week increase
3 years	one week increase
4 years	Period of notice to remain the same
5 years	3 week increase
6 years	2 week increase
7 years	one week increase
8 years	Period of notice to remain the same
9 years	3 week increase
10 years	2 week increase
11 years	one week increase
12 years	Period of notice to remain the same
12 years in excess	Period of notice to remain the same

I propose the Social Security Minister bring forward the necessary legislative changes no later than June 2025.

Financial and staffing implications

There will be a manpower requirement in the legislative drafting team that will be within existing budget.

Children’s Rights Impact Assessment

A Children’s Rights Impact Assessment (CRIA) has been prepared in relation to this proposition and is available to read on the [States Assembly website](#).