

**WRITTEN QUESTION TO THE MINISTER FOR SOCIAL SECURITY
BY DEPUTY G.P. SOUTHERN OF ST. HELIER**

ANSWER TO BE TABLED ON TUESDAY 26th FEBRUARY 2008

Question

1. Further to his written answer of 12th February 2008 would the Minister state whether he is aware of any other jurisdictions which have employment legislation equivalent to paragraph 38 of Code 2 and Article 5 (3) of the Employment Relations Law, which make provision regarding States employees and secondary action such as define certain actions as secondary even though all workers are employed by a single body namely the States Employment Board?

Answer

The Minister is not aware of a direct parallel, noting that other comparable jurisdictions generally do not have a single body as the sole employer of all public sector employees. The provisions were drafted to meet Jersey's particular circumstances.

Question

2. Notwithstanding his written answer to part 6 of the above questions, would the Minister confirm that he is responsible for putting the codes of conduct attached to the Employment Relations Law into effective practice and, if so, will the Minister inform members what action, through JACS or the States Employment Board or otherwise, he will take to ensure that appropriate minimum service agreements are established in all areas deemed to be essential services covered by Articles 31 to 35 of Code 2 and, if none, will he explain why?

Answer

The Minister confirms that following a widespread, extended consultation process that he brought forward the Codes of Practice to accompany the Employment Relations Law and made an Order bringing them into effect. The Deputy will no doubt recall that he proposed a rescindment to that Order which the States rejected.

Guidelines and regular training sessions giving practical advice about the Law and the codes of practice are available from the Jersey Advisory and Conciliation Service (JACS). JACS is also available to help employers and trade unions to negotiate agreements, adopting an appropriate role depending on the needs of the parties; offering alternative dispute resolution procedures such as conciliation and mediation.

It is a matter for employers, not the Minister, to seek to negotiate minimum service level agreements with trade unions within the terms of the relevant Code of Practice.