

**WRITTEN QUESTION TO THE MINISTER FOR SOCIAL SECURITY BY DEPUTY G.P. SOUTHERN  
OF ST. HELIER  
ANSWER TO BE TABLED ON TUESDAY 31st MARCH 2009**

**Question**

Will the Minister give a further update on, and explanation for, the figures he gave to the Assembly in a written response to a question asked by Deputy S. Pitman on 10th March regarding Statutory notice payments to ex-Woolworth employees, and, in particular, will he state why only 43 employees out of 84 were eligible to claim?

**Answer**

As at Friday 27th March, of the 43 former Woolworth's employees who were entitled to statutory notice, the employment data and notice payment entitlements of 38 former employees have been validated and confirmed.

Of those 38 employees, 32 individuals have assigned their right to the States. Cheques representing statutory notice pay due have been posted to 30 of those individuals totalling £116,306, which represents more than three quarters of the total amount due.

The two further assignments were signed very recently. When the Department receives those assignments, the payments will be authorised as quickly as possible.

Payments have so far been sent to the former employees within one to two days of the Social Security Department receiving each employee's signed assignment.

Assignments have been prepared for a further six individuals who have not yet come forward to sign their assignments, despite being notified by their legal representative. Cheques representing statutory notice pay will not be issued until individuals have assigned their right to the States.

The Department is awaiting further documentation to validate continuity of employment for the remaining five individuals. The employees' legal representative has requested the required information from those employees.

Deputy Southern's Proposition "Woolworths employees: redundancy payments" (P.2/2009) notes that, "*There are some 84 staff in total {34 fulltime (32 – 45 hours per week) 10 parttime (8 – 30 hours) and 40 Saturday staff}*"

When validated, the employee data provided by Woolworths confirmed that 41 of the 84 employees were contracted to work less than 8 hours a week so were not entitled to a statutory minimum period of notice, or pay in lieu of that notice, under the Employment (Jersey) Law 2003. Most of these 41 employees were young Saturday staff.

I would like to take this opportunity to advise Members that plans will shortly be publicised setting out the criteria that will be applied in cases where employers have become insolvent and have not given employees' their statutory period of notice on termination of employment, as required by the Employment (Jersey) Law 2003.

As I stated during the debate of P.34/2009, the system will be very closely based on the UK's insolvency scheme, and to that effect, the payments in lieu of notice will be calculated based on the employee's actual losses suffered. Any income received from employment and some benefits received during the period of notice will be offset against statutory notice payments, therefore reducing the period remaining to be paid in lieu by the States. Employees will be expected to attempt to minimise their losses by actively seeking employment during any period of notice in which they are not working. In particular, employees turning down the offer of employment, by either the employer or administrator of the insolvent business, without good reason, will not be entitled to any payments under this scheme.

I have become aware that a period of notice was given to the employees of Poundworld and in some cases that

period will be sufficient to meet the requirements of the Employment Law. Only statutory periods of notice which have not already been worked by employees will be paid by the States.