

2016.11.15

**4.1 Deputy R.J. Renouf of St. Ouen of the Minister for Social Security regarding the provision of information relating to people with a zero-hours contract: [9717]**

Will the Minister provide regular updates, to coincide with the publication of the Jersey Labour Market Survey reports, relating to the number of people with a zero-hours contract as their main job, and the industries worked in by those with a zero-hours contract as their main job?

**Deputy S.J. Pinel of St. Clement (The Minister for Social Security):**

The Labour Market Survey collects information on employees, their type of contract and their industry. This information is gathered under the Control of Housing and Work Law, which is the responsibility of the Chief Minister. The Labour Market Survey is published by the Chief Statistician. I have already asked the Chief Statistician and he has agreed to include information on the number of unique individuals who only have zero-hours employment within the main Labour Market Survey.

[9:45]

This is published twice a year. This figure will give a reasonable estimate of the number of people who have a zero-hours contract as their main job and will be included within the Labour Market report itself. However, to check accurately the number of people who are zero-hours contract as their main job the earnings data held by Social Security needs to be cross-matched against the manpower data collected by the Chief Minister to identify people who gain most of their earnings from the zero-hours contract but also have a separate contract, which is not zero hours. People in this category cannot be identified from the data available for the manpower survey. This detailed analysis and the other information which relies on cross-matching between manpower data and Social Security data is being undertaken and this analysis will be published in the next few weeks. In future this cross-matched information will be published once a year in respect of the June data.

**4.1.1 The Deputy of St. Ouen:**

It is pleasing to note that some action is now being taken by the Statistics Unit and the Minister's commitment to publish that information at least once a year. Given the significance of zero-hours working in the Island would the Minister agree that it is important for this Assembly to have that information?

**Deputy S.J. Pinel:**

Yes, but as I said in my opening comments, it has to be cross-matched with the Statistics Unit and it will be published based on the manpower returns.

**4.1.2 Deputy G.P. Southern:**

Does the Minister not further agree that given the prevalence of zero-hours contracts in Jersey she should act to improve our Employment Law to give those concerned more protection?

**Deputy S.J. Pinel:**

I think I have answered this question many times previously, that we have already this year changed the Employment Law to give more protection to people on zero-hours contracts and I think there is a misunderstanding across the board that we are not like the U.K. (United Kingdom) when it comes to protection for people on zero-hours contracts. People on zero-hours contracts have the protection of Employment Law, i.e. they have a statutory 2-weeks' holiday pay, they have protection against unfair dismissal, maternity rights, and this is not the same as the U.K. and so this protection already exists.

#### **4.1.3 Deputy M. Tadier of St. Brelade:**

Does the Minister, notwithstanding that answer about the protection she believes that workers on zero-hours contracts have, acknowledge that there is not a parity of arms when it comes to somebody in that position necessarily knowing about their rights to contesting what may appear to be a zero-hours contract but which is being used inappropriately and that more needs to be done to inform and empower workers who may be subject to an abuse of zero-hours contracts?

#### **Deputy S.J. Pinel:**

Again, as I have said previously, there is no evidence of abuse or misuse of zero-hours contracts. However, the Health and Social Services Scrutiny Panel did advise us that we should be more informative across the board about the rights of workers on zero-hours contracts and that has already been done by J.A.C.S. (Jersey Advisory and Conciliation Service) in their website and in their information.

#### **4.1.4 Deputy M. Tadier:**

Clearly if one keeps one's eyes shut and puts one's finger in one's ears then one will not find evidence no matter how much evidence there is out there. But does the Minister acknowledge that there is evidence of the fact that exclusivity clauses are being misused and she need look no further than the Scrutiny Report that was just done by the relevant panel to find that evidence?

#### **Deputy S.J. Pinel:**

No, we have not come across, and this will come up in the debate and the amendment in P.92 later. There has been no evidence that we have come across in Social Security with our inspectors or with J.A.C.S. at all of any misuse of zero-hours contracts and the exclusivity clauses therein.

#### **4.1.5 The Deputy of St. Ouen:**

Does the Minister accept the information recently provided by the Statistics Unit, and which are circulated to all Members, that it is likely there are 4,700 people working on zero-hours contracts as their main job?

#### **Deputy S.J. Pinel:**

As I said in my opening comments, you cannot get the information totally accurately just from one source. It has to be cross-matched with the Social Security Department. What you can do with the information that the Deputy circulated is to count how many people only had zero-hours contracts and this will be an under-estimate of the number of people with zero hours as their main job. The data circulated by the Statistics Unit gives this simpler analysis. The analysis that the Social Security Department is working on takes the manpower data and compares it with Social Security data on contributions. So anyone who has a zero-hours contract and another contract is left out of the zero hours total as it is assumed that the non-zero-hours contract is the main one. So, as I said in my opening comments, the 2 need to be worked together and cross-referenced in order to give an accurate total.