

**WRITTEN QUESTION TO THE CHIEF MINISTER
BY SENATOR S.Y. MÉZEC
ANSWER TO BE TABLED ON MONDAY 30th NOVEMBER 2020**

Question

Will the Chief Minister state how many Government contractors are paying their workers less than the Living Wage and, for any such contractors, will he confirm when their contracts are due for renewal and how much it would cost to uprate workers' salaries to the Living Wage now?

Answer

As detailed in WQ.91/2020, we currently do not hold all contract information centrally and therefore do not have a comprehensive list of all contracts across GoJ. This is being actively addressed by the investment of a new technology system which should be in place by 2023, as outlined in the Government Plan.

Within WQ.91/2020 it was noted that the criteria are applicable for suppliers who have contracted staff on government premises.

Subsequently since WQ.91/2020 there will have been additional contracts let, those contracts will have either been completed centrally by Commercial Services or by the Departments themselves.

Any central corporate contracts would have been contracted under GOJ standard T&C, which contain specific clauses (example below), referring to Living Wages. However, because we do not yet have the new technology system in place, as referenced at the start of this question, it is not possible to easily confirm living wage clauses are in all new contracts issued (e.g. departments may have used the suppliers T&C's). However, if this is the case, it would have been against living wage policy.

Furthermore, as detailed in WQ444/2019, a review was performed across one hundred and fifty contracts. Of these, only four needed to meet the living wage criteria. None of the four contracts expire until 2021. One hundred and forty-six of these contracts did not meet the threshold to have the living wage criteria applied, i.e. for staff who worked for more than 2 hours a day, or more than 8 hours a week for 8 consecutive weeks. Of the remaining four contracts, none expired before 2021. These have been reviewed to ensure compliance.

The Jersey living wage scheme is run off the living wage foundation in the UK and its rules are set by Caritas. The UK Living Wage Foundation states *"The Living Wage applies to all your directly employed staff, as well as regularly contracted staff. The exact definition is those contracted staff who work 2 or more hours a week, for 8 or more consecutive weeks a year. The Living Wage does not apply to contractors that supply your organisation with products e.g. stationary suppliers."*

Example of Contract Clause

Provision of Services
Jersey Living Wage

17.1 The Contractor will ensure that all Relevant Staff employed or engaged by the Contractor are paid an Equivalent Hourly Wage which is equal to or exceeds the Jersey Living Wage.

17.2 The Contractor will ensure all Relevant Staff employed or engaged by its subcontractors (if any) pay an Equivalent Hourly Wage which is equal to or exceeds the Jersey Living Wage.

17.3 The Contractor will provide to the Authority such information concerning the Jersey Living Wage and the performance of its obligations under clause 17 as the Authority may reasonably require and within the deadlines it reasonably imposes.’

‘Provision of Professional Services

1. JERSEY LIVING WAGE

1.1. The Consultant will ensure that all relevant Staff employed or engaged by the Consultant are paid an equivalent hourly wage which is equal to or exceeds the Jersey Living Wage.

1.2. The Consultant will ensure all relevant Staff employed or engaged by its sub-consultants (if any) pay an equivalent hourly wage which is equal to or exceeds the Jersey Living Wage.

1.3. The Consultant will provide to the Authority such Information concerning the Jersey Living Wage and the performance of its obligations under this clause 35 as the Authority may reasonably require and within the deadlines it reasonably imposes.’