

22.03.29

## **8 Deputy G.P. Southern of the Minister for Social Security regarding P & O Ferries contracts (OQ.60/2022)**

I will try and amend my question in the light of previous statements. Further to reports that staff recently dismissed by P.&O. Ferries were employed via Jersey subsidiary companies, is it the Minister's understanding that the P.&O. staff were employed in this way and can she detail what recourse her department has in cases of breach of notice or consultation requirements under the Employment (Jersey) Law 2003?

### **Deputy J.A. Martin of St. Helier (The Minister for Social Security):**

As every Member of this Assembly will acknowledge, the treatment of its employees by P.&O. was by any standards of fairness utterly disgraceful and I condemn the company's actions completely. **[Approbation]** I do not have access to the specific details of employment contracts and there would be no reason for me to have this information as Minister. The staff recently dismissed by P.&O. Ferries were not subject to the provisions of Jersey Employment Law. They do not live and work in Jersey.

### **3.8.1 Deputy G.P. Southern:**

In this particular case then, given the absence of any sanctions to enforce the application of minimum wage in Jersey, what is the point of the Employment Law and what measures has she in mind in order to make the Employment Law 2003, Jersey version, effective?

### **Deputy J.A. Martin:**

I can assure the Deputy, and the Deputy could assure himself, if anyone has been on me over the last 10 years on employment law it is the Deputy. Our Jersey employment law is to protect people in the way that it should, the way that they live and work in Jersey. I do not know how you can protect somebody who said: "I am in no doubt that we were required to consult with the unions and we chose not to" and that was the head of P.&O. You make laws and you hope people do not break them. There is nothing we can do, these people do not live and work in Jersey. The U.K. is the recourse. The Solicitor General just told the Deputy it is the recourse and there is nothing I can do.

### **3.8.2 Deputy R.J. Ward:**

Can I just confirm then that subsidiary companies, Jersey companies, have no recourse under Jersey employment law for their employees? Just to confirm that is the case with the Minister.

### **Deputy J.A. Martin:**

If they are living and working in Jersey and they have a social security number, of course they come under my law. If they are not they have no recourse through my law and they will be dealt with in the company, and it is the U.K. Government that is dealing with them and absolutely harshly and rightly so.

### **3.8.3 Deputy R.J. Ward:**

Can the Minister just confirm that none of those P.&O. employees had a social security number in Jersey?

**Deputy J.A. Martin:**

As far as I know, we cannot find any. Why would they? They are not working here. We only give social security numbers to people who are going to take up a job in Jersey.