



Scrutiny Office

Minister for Social Security  
By email

9th April 2019

Dear Minister

**Economic and International Affairs Scrutiny Panel**

**P.17/2019 - Draft Employment (Amendment No.11) (Jersey) Law 201-**

Thank you for your time today regarding our review of P.17/2019. I was pleased we were able to have an open dialogue and thought it was the best approach given the number of concerns about the legislation that we have received so far.

I just want to reiterate that we wholeheartedly support the principles underpinning the Law, as do the majority of stakeholders we have spoken to. Unfortunately, despite our best efforts, we have simply run out of time to explore the concerns put forward to us in further detail. We feel it would be remiss of us not to investigate these concerns in order to establish whether amendments to the legislation are necessary.

In that regard we are currently exploring the following areas for possible amendments:

- The notice period for changing parental leave dates and looking at how blocks of leave are agreed with the employer;
- Introducing a limit on the number of times an employee can change their mind in relation to blocks of leave;
- Tightening the definition of qualifying relationship;
- Looking in further detail at the 4 blocks of leave over 3-years and the different ways this could be taken;
- The introduction of a qualifying period;
- Introducing a limit on the number of periods of leave a male can have if he fathers more than one child to different mothers;
- Looking in further detail at the “surrogacy” aspects of the Law;
- Looking into the “portability” of parental leave when someone changes employment;

- The consequential amendments to the Discrimination Law which only bars discrimination on the grounds of maternity and pregnancy, which stands at odds with the concept of parental leave regardless of gender.

In order to allow us sufficient time to explore these and other areas further we respectfully request that you withdraw the Proposition and await the findings of our review before lodging a new Proposition.

We appreciate that the legislation is time sensitive and will endeavour to present our findings before the end of April 2019.

We look forward to hearing from you soon.

Yours sincerely



Deputy Kirsten Morel  
Chairman  
Economic and International Affairs Scrutiny Panel