

# Scrutiny of P.17/2019


## Family Friendly Legislation: Timeline

### 2000 - 2008

- [P.99/2000](#) was lodged by the Employment and Social Security Committee and resulted in States approval of an **employment legislation programme**.

As part of the programme, the Employment and Social Security Committee were charged to develop measures to deal with maternity (amongst other areas)

The employment legislation programme was delivered in **two phases**.

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- The Employment Forum submitted several [recommendations](#) around the employment legislation programme as part of **phase 1**:
    - 2001 - Unfair dismissal legislation
    - 2002 - Holiday entitlement and rest days
    - 2004 - Fixed term contracts and unfair dismissal
    - 2004 - Rest day entitlements and operational urgency
  - **Phase 2** included work on maternity rights.
  - In 2003, the States also approved the introduction of the [Employment \(Jersey\) Law 2003](#)
  - The Employment Forum subsequently issued other recommendations (in addition to maternity rights) as part of **phase 2**:
    - 2006 - Redundancy and business transfers
    - 2008 - Employment tribunal powers in unfair dismissal awards
  - The Forum consulted during June - August 2007 regarding the introduction of legislation on **maternity, paternity and adoption leave**, and **family friendly, flexible working policies**.

The Forum issued its [recommendations](#) to the Social Security Minister in June 2008 with the intention that the new rights would be introduced in 2 stages. Many of the respondents indicated that it would be excessive to introduce the full range of new family friendly related rights.

In his [response](#), the Minister accepted the Forum's recommendations and indicated that the drafting of stage 1 of the proposed new rights would begin in 2010.

## 2008 - 2014

- It was intended that law drafting would begin in 2010 but, following the economic downturn, priority was given to introducing statutory redundancy pay and developing an insolvency scheme. Consequently, drafting of the first stage of family friendly rights was delayed until 2013/2014.
- In 2014, the Social Security Minister lodged [P.109/2014](#) “Draft Employment (Amendment No.8) (Jersey) Law 201-” which was the **first stage** of family friendly rights (as recommended by the Employment Forum in 2008). This proposed **18 weeks** maternity leave.

The Proposition was accepted and was implemented at the same time as the sex discrimination [legislation](#) in 2015.

When the legislation was adopted by the States, a commitment was made to review the rights one year after they came into force. The Minister directed the Employment Forum to consult and make a recommendation by the end of December 2017.

- The Health, Social Security and Housing Scrutiny Panel undertook a review of P.109/2014 and commissioned Ogier to look at the proposals. In July 2014 the Panel issued [Comments](#) adding Ogier’s report as an appendix. The Minister [commented](#) on the Panel’s Comments.
- In P.109/2014 the Minister explained that he also lodged an [amendment](#) to the Social Security Law in respect of maternity allowance (P.106/2014).

## 2014 - 2019

- In December 2017, the Employment Forum made a [recommendation](#) to the Social Security Minister to extend family friendly rights. It was recommended that maternity leave should be extended from **18 weeks** to **26 weeks** (starting from September 2018) and then extended again from **26** to **52 weeks** (starting from September 2019).
- The Minister for Social Security lodged [P.21/2018](#) “Draft Employment (Amendment of Law) (No.2) (Jersey) Regulations 201-” in February 2018. This proposed, amongst other things, the maternity leave extension of **26 weeks** (as suggested by the Forum in 2017).
- The Social Security Minister lodged [P.17/2019](#) “Draft Employment (Amendment No.11) (Jersey) Law 201-” in February which proposed, amongst other things, the parental leave extension of **52 weeks**.