

STATES OF JERSEY



DRAFT EMPLOYMENT AND DISCRIMINATION (JERSEY) AMENDMENT LAW 202- (P.4/2026): COMMENTS

**Presented to the States on 2nd February 2026
by the Health and Social Security Scrutiny Panel**

STATES GREFFE

COMMENTS

Background

In September 2025, the Minister for Social Security issued law drafting instructions to progress several minor amendments to clarify the Employment and Discrimination Laws. The amendments focus on minimum wage provisions, terminology updates, and clarifying deadlines for Tribunal claims.

Panel Observations

Due to time constraints and the proposed reduced lodging period, the Panel has been unable to undertake a thorough review of the amendments. Nevertheless, at its meeting on 13th January 2026, the Panel requested any further relevant information to enable it to further consider the amendments, in place of a briefing. The Panel was informed that any such information, for example slides or briefing papers, would likely be a repetition of the report accompanying the proposition.

The Panel did identify one section of the proposition that it was unclear about, regarding rates for trainees and the minimum wage. It asked for clarification, and specifically whether trainees were to be paid a different rate (e.g. a trainee rate as they were a trainee) as opposed to the rate being proposed for those that fall into a certain age bracket.

New Article 17A(2) sets out that Orders may provide that trainees be paid a different rate, and that a different rate may also be paid by reason of a person's age. This relates to the existing criterion within the Employment Law that the person is above compulsory school age. The Law does not currently provide for, and will not provide for by virtue of these amendments, differential minimum wage rates for different age bands – as currently applies, for example, in the UK.

The Panel was informed that the amendments would not introduce anything new or take away any existing part of the law as it applies to the minimum wage. The purpose of the amendment would be to clarify and simplify the legal description of the minimum wage setting process. Article 17A(2) takes account of both the minimum wage for a trainee and for there to be the possibility of a different minimum wage set for people of a certain age (i.e. for children below school leaving age there is no minimum wage set).

Conclusion

Within the time available the Panel has found no substantive issues requiring further scrutiny at this stage. On the basis of the work undertaken and the information provided by the Minister and her Officers, the Panel is content that the proposition appropriately achieves the Minister's policy objectives.

Comments under Standing Order 37A

These Comments were submitted after the noon deadline due to the proposed reduced lodging period for P.4/2026, in conjunction with ongoing priorities and workload.
