

Citizens' Advice Bureau

Sub-Panel Scrutiny: Family Friendly Legislation Review

We write further to a request that we share with the Health & Social Security Scrutiny Sub Panel our insight on the impact of the above amended legislation on both businesses & working parents.

In response, we advise that generally, we tend to receive the majority of enquiries on the issue of family friendly rights from individuals who are working parents or about to become parents rather than employers. We assist clients in clarifying parental rights under the above legislation & where necessary, we signpost individuals to JACS.

However, our perception is that workers in the construction, hospitality & agricultural sectors have not really benefited from the amended legislation. Increasingly, there appears to be an issue where some employers are penalising employees who have either requested or have taken parental leave. In some instances, we understand that workers have suffered dismissal or have been treated poorly either when requesting or after having taken parental leave. Some clients claim that resultant bullying by employers has negatively led to employees suffering from mental health and relationship issues. We perceive that those affected employees who have suffered in this way do not tend to take matters to the Jersey Employment & Discrimination Tribunal.

Some examples that we can share are as follows:

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An employee, who was about to commence Paternity leave was let go by his employer on the basis that there was insufficient work to retain him & this occurred just prior to the time that the employee was about to commence Paternity Leave. Fortunately, the employee managed to find a new job.

...

A client advised us that she became pregnant, and her employer did not grant her time off to attend antenatal appointments & that stress at work had caused her to go into early labour.

...

A client advised us that that she is pregnant and her partner, who worked for a small firm had been told by his employer that paternity rights only applied to large employers. We advised the client that the legislation covering Paternity leave & other rights applied to all employers, whatever the size & provided full details of parental rights."