



Jersey

EMPLOYMENT (AMENDMENT No. 15) (JERSEY) LAW 2024

Contents

Article

1	Employment (Jersey) Law 2003 amended	2
2	Article 3A (right to request amendment of particulars in statement of employment) and Article 3B (review of refusal to amend particulars in statement of terms of employment) inserted	2
3	Article 4 (change in terms of employment) amended	4
4	Article 7 (references to the Tribunal) amended	4
5	Article 8 (determination of references) amended	4
6	Article 9 (offences under this part) amended	4
7	Article 15A (entitlement to request change in the terms and conditions of employment) amended	4
8	Citation and commencement	5



Jersey

EMPLOYMENT (AMENDMENT No. 15) (JERSEY) LAW 2024

A LAW to amend further the [Employment \(Jersey\) Law 2003](#).

<i>Adopted by the States</i>	<i>17th January 2024</i>
<i>Sanctioned by Order of His Majesty in Council</i>	<i>22nd May 2024</i>
<i>Registered by the Royal Court</i>	<i>31st May 2024</i>
<i>Coming into force</i>	<i>7th June 2024</i>

THE STATES, subject to the sanction of His Most Excellent Majesty in Council, have adopted the following Law –

1 [Employment \(Jersey\) Law 2003](#) amended

This Law amends the [Employment \(Jersey\) Law 2003](#).

2 **Article 3A (right to request amendment of particulars in statement of terms of employment) and Article 3B (review of refusal to amend particulars in statement of terms of employment) inserted**

After Article 3 there is inserted –

“3A Right to request amendment of particulars in statement of terms of employment

- (1) If the particulars in a statement under Article 3 or 4 provide for flexibility in relation to hours or place of work and the employee has had a settled work pattern (whether formally agreed with the employer or not) for at least 6 months immediately before the request, the employee has the right to request that those particulars are amended to reflect that settled work pattern.
- (2) A request under this Article must –
 - (a) be made in writing;
 - (b) specify which particulars of the statement of the terms of employment are the subject of the request and how they should be amended; and
 - (c) state that it is a request under this Article for an amendment of those particulars.

- (3) The employee may request an amendment under this Article only once in a 12-month period.
- (4) The employer must consider the request and provide a response no later than 4 weeks after the day on which the request is made.
- (5) The employer may only refuse the request if –
 - (a) the amendments do not reflect the employee’s work pattern;
 - (b) the amendment to the statement of the terms of employment would have a seriously detrimental effect on the performance of the employer’s business;
 - (c) the employer has reasonable grounds to consider that the employee’s work pattern will change within 4 weeks of the date on which the request is made; or
 - (d) the employee’s contract of employment is due to end within 4 weeks of the date on which the request is made.
- (6) The employer must –
 - (a) if granting the request, no later than 4 weeks after granting the request, give to the employee a written statement reflecting the employee’s requested amendments to the particulars and specifying the date from which the statement is to take effect; or
 - (b) if refusing the request, give reasons for the refusal in writing.
- (7) If the person who would ordinarily consider the request is absent from work on the day on which the request is made, the 4-week period referred to in paragraph (4) commences on the day on which that person returns to work, or 4 weeks after the day on which the request is made, if that is sooner.
- (8) The employer and employee may agree to an extension of the 4-week period referred to in paragraphs (4) and (7).

3B Review of refusal to amend particulars in statement of terms of employment

- (1) If the employer refuses to amend the particulars as requested by the employee under Article 3A, the employee may request a review of the decision by giving notice in writing to the employer no later than 2 weeks after the day on which the employee was informed of the decision.
- (2) No later than 2 weeks after the day on which the employer receives the employee’s notice, the employer must –
 - (a) grant the request for the amendment of the particulars and, no later than 4 weeks after granting the request, give to the employee a written statement reflecting the employee’s requested amendments and specifying the date from which the amendment is to take effect; or
 - (b) hold a meeting with the employee, at a time convenient to the employer and employee and any person representing the employee, to discuss the request for the amended particulars.
- (3) If a meeting is held under paragraph (2)(b) the employer must –
 - (a) notify the employee of the employer’s decision about the request for the amendment of the particulars no later than 2 weeks after the meeting; and

- (b) if the employer grants the request for the amendment of the particulars, no later than 4 weeks after granting the request, give to the employee a written statement reflecting the employee's requested amendments and specifying the date from which the statement is to take effect.
- (4) The rights conferred by Article 78A and 78B apply in respect of any meeting held under paragraph (2)(b) as they do in respect of disciplinary and grievance hearings.
- (5) If the person who would ordinarily consider the request is absent from work on the day on which the notice of review is given, the 2-week period referred to in paragraph (2) commences on the day on which that person returns to work, or 4 weeks after the day on which the notice is given, if that is sooner.
- (6) The employer and employee may agree to an extension of the periods referred to in this Article except the period of 4 weeks within which the employer is required to provide a written statement.”.

3 Article 4 (change in terms of employment) amended

In Article 4 after paragraph (5) there is inserted –

- “(6) This Article also applies to a statement of terms of employment that has been amended under Article 3A or 3B.”.

4 Article 7 (references to the Tribunal) amended

In Article 7 –

- (a) in paragraph (1) after “Article 3 or 4” there is inserted “, or as requested under Article 3A or 3B,”;
- (b) in paragraph (2)(a) for “Article 3 or 4” there is substituted “Article 3, 3A, 3B or 4”.

5 Article 8 (determination of references) amended

In Article 8(1) and (2) for “Article 3 or 4” there is substituted “Article 3, 3A, 3B or 4”.

6 Article 9 (offences under this part) amended

In Article 9(1) after sub-paragraph (a) there is inserted –

- “(aa) after granting a request under Article 3A or 3B, fails to give the employee a written statement of the amended particulars;”.

7 Article 15A (entitlement to request change in the terms and conditions of employment) amended

In Article 15A for paragraph (5) there is substituted –

- “(5) An employee must not make more than 2 applications under paragraph (1) in 12-month period.”.

8 Citation and commencement

This Law may be cited as the Employment (Amendment No. 15) (Jersey) Law 2024 and comes into force 7 days after it is registered.