

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

15th July, 2020

MOTION UNDER ARTICLE 7(1) OF THE REFORM (GUERNSEY) LAW, 1948

Proposed by: Deputy A.C. Dudley-Owen

Seconded by: Deputy P.T.R. Ferbrache

To suspend Rule 24(2) of the Rules of Procedure of the States of Deliberation and their Committees to the extent necessary to permit the Proposition set out below to be considered.

Proposition No. P.2020/41

COMMITTEE FOR EMPLOYMENT & SOCIAL SECURITY

PROPOSALS FOR A NEW DISCRIMINATION ORDINANCE

AMENDMENT

Proposed by: Deputy A.C. Dudley-Owen

Seconded by: Deputy P.T.R. Ferbrache

1. Immediately after proposition 1, insert the following proposition -
 - "1A. To direct the Committee *for* Employment & Social Security to establish a working group including representatives of employees' and employers' representative bodies and representatives of the Committee *for* Employment & Social Security, Committee *for* Economic Development and the Policy & Resources Committee, with responsibility for -
 - a. undertaking an impact analysis to inform the implementation of the Ordinance referred to in Proposition 1 ("the Ordinance"); and
 - b. developing guidance for employer representative bodies, employee representative bodies and other relevant organisations with regard to the interpretation and implementation of the Ordinanceto be published prior to the Ordinance coming into force."

2. In Proposition 2.a. for "the Ordinance referred to in Proposition 1 ("the Ordinance") shall come into force six months after its approval by the States", substitute "the Ordinance referred to in Proposition 1 ("the Ordinance") shall come into force on a date to be appointed by regulations made by the Committee *for* Employment & Social Security which must, before making any such regulations, take into account the impact analysis and guidance referred to in Proposition 1A."
3. For the full stop at the end of the first sentence and for the second sentence of Proposition 3, substitute "and to prepare those proposals in accordance with the Recovery Strategy agreed by the States of Deliberation on 2nd July 2020; and to note that this work will be subject to the prioritisation process to be established by the Recovery Action Plans."
4. Immediately after proposition 19, insert the following proposition –

"19A. To direct the Committee *for* Employment & Social Security to undertake a review of the operation of the Ordinance and any related secondary legislation following each phase of work and prior to the commencement of legislation relating to subsequent phases (including the continuing appropriateness of the policies to which the legislation gives effect) and to direct that such reviews shall include consultation with representatives of employees' and employers' representative bodies."

Rule 4(3) Information

The Committee *for* Employment & Social Security "believe undertaking the kind of impact analysis the amendment describes would be a specialist consultancy task, which would need a budget attached. If external consultancy is required, a quick ballpark figure that has been suggested is in the order of £50k-£100k and it is likely that this work would need to go out to tender."

A request has been made by the Committee to see whether this might be able to be done internally with assistance from another States Committee.

Explanatory Note

The purpose of the Amendment is to improve the effectiveness of the implementation and delivery of the law in practice by business, for them and their employees through the engagement described.