

INTERNATIONAL LABOUR ORGANISATION

ARTICLE 22 OF THE CONSTITUTION OF THE ILO

REPORT

Report for the period 1 September 2009 to 31 May 2014, in accordance with Article 22 of the constitution of the International Labour Organisation, made by the States of Guernsey

on the

UNEMPLOYMENT CONVENTION, 1919 (NO. 2)

(extension registered 14 July 1921)

Part I – II

Since the last report, the Social Insurance (Benefits) Regulations, 2003 and the Social Insurance (Back to Work Benefits) Regulations, 2004 have been amended (copies of the amending Regulations are attached). Copies of current Guernsey Social Security legislation are accessible via the States of Guernsey website www.gov.gg.

With effect from 16 November 2011, the Social Insurance (Back to Work Benefits) Regulations, 2004 were amended in order to enable the Social Security Department ('the Department') to offer 'back to work benefits' to any insured person seeking to return to work and not just those who were receiving, or potentially entitled to receive, benefits or contribution credits under the Social Insurance (Guernsey) Law, 1978. In practice, this means that jobseekers who have not paid sufficient contributions in the relevant period to qualify for contributory unemployment benefit, and who are in receipt of supplementary benefit (welfare benefit), are able to access back to work benefits. This amendment also extends the maximum period that a claimant may continue to receive benefit whilst undertaking an unpaid work trial for a prospective employer, from two weeks to four weeks.

The Social Insurance (Benefits) Regulations, 2003 were amended, with effect from 8 August 2011, in order to make the prescribed earnings condition for re-qualifying for unemployment benefit fairer. Prior to the amendment, requalification was linked to the lower annual income limit which meant that in many cases, people earning the minimum wage (introduced in 2009) would not earn enough on a weekly basis to re-qualify for unemployment benefit. The amendment changed the prescribed earnings limit to 40 times the Young Persons' Minimum Wage Rate, as prescribed under Section 3(1) of the Minimum Wage (Guernsey) Law, 2009.

In 2012, the States of Guernsey agreed that the Social Insurance (Guernsey) Law, 1978 and associated social insurance legislation be amended in order enable the Department to pay grants to third sector organisations who engage with insured persons or employers to facilitate work rehabilitation or a return to work. This legislative amendment is due to come into effect later in 2014.

Article 1

The number of people registered as unemployed and the number of people claiming unemployment benefit during snap-shot weeks at the end of each quarter during the period of the report, are shown below. The numbers differ as not everyone who is unemployed is entitled to unemployment benefit as this is a contributory social insurance benefit. People registering as unemployed are entitled to claim social welfare benefits if their income is insufficient to meet their needs, regardless of their entitlement to unemployment benefit.

Quarter/Year	No. registered as unemployed*	No. claiming unemployment benefit
Jun-09	343	309
Sept-09	440	298
Dec-09	423	272
Mar-10	498	287
Jun-10	492	295
Sept-10	444	248
Dec-10	420	241
Mar-11	468	268
Jun-11	316	191
Sept-11	319	203
Dec-11	387	272
Mar-12	451	313
Jun-12	390	282
Sept-12	384	252
Dec-12	438	293
Mar-13	462	306
Jun-13	429	294
Sept-13	402	243
Dec-13	463	254
Mar-14	478	291

** Including those participating in training schemes.*

The Department remains committed to working with jobseekers to improve their opportunities for obtaining employment. The Department continues to run the Community Environmental Projects Scheme, which aims to provide work and training opportunities for people who are unemployed. Since the last report, the Department has engaged professional recruitment consultants to work with employers and jobseekers to improve recruitment opportunities. A number of initiatives for assisting the unemployed back into work are delivered by the Department, including, inter alia, job fairs, short courses for unemployed young people in areas such as painting and decorating and plastering, as well as motivational courses aimed at tackling barriers to employment. In 2009 the Department introduced a recruitment grant payable to employers who employ people who have been long-term unemployed or who are returning to work following a prolonged illness.

Article 2

No change since the last report, except that the working population is now approximately 31,000.

Article 3

No change since last report.

Part III – IV

No change since last report.

Part V

No change since the last report, except that the median duration of unemployment benefit claim has increased to 9-13 weeks (as at 31 May 2014).

Part VI

As previously reported, there are no organisations to which it is appropriate to communicate this report.

States of Guernsey
Social Security Department,
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August 2014

REPORT

Article 22 of the Constitution of the ILO

Report for the period from 2 September 2010 to 1 September 2014 made by the States of Guernsey

on the

WORKING ENVIRONMENT (AIR POLLUTION, NOISE AND VIBRATION) CONVENTION, 1977 (NO. 148) (extension registered on 4 June 1979)

Part I

No changes since the last report except that the level of fines in the Health and Safety at Work (General) (Guernsey) Ordinance, 1987 has been increased.

A copy of the Health and Safety (General) (Guernsey) (Amendment) Ordinance, 2012 is attached.

Part II

No changes since the last report.

Part III

No changes since the last report.

Part IV

There are no relevant decisions.

Part V

Copies of this report have been circulated to recognised local employer and worker organisations.

States of Guernsey
Commerce and Employment Department
Raymond Falla House
Longue Rue
St.Martin
Guernsey

August 2014

REPORT

Article 22 of the Constitution of the ILO

Report for the period from 2 September 2010 to 1 September 2014 made by the States
of Guernsey

on the

RADIATION PROTECTION CONVENTION, 1960 (NO. 115)

(extension registered on 7 June 1967)

Part I

No changes since the last report.

Part II

No changes since the last report.

Part III

No changes since the last report.

Part IV

There are no relevant decisions.

Part V

There have been no practical difficulties in the implementation of the Convention.

Part VI

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States of Guernsey
Commerce and Employment Department
Raymond Falla House
Longue Rue
St.Martin
Guernsey

August 2014

Direct Request (CEACR) -adopted 2009, published 99th ILC session (2010)

Radiation Protection Convention, 1960 (No. 115) – Guernsey

The Committee notes the information provided in the Government's latest report, indicating that the review of the Approved Code of Practice relating to the Protection of Persons against Ionizing Radiation has been scheduled in the department's business plan for completion by the second quarter of 2010.

The Committee hopes the Government will ensure that provisions of the Convention, and the information contained in the Committee's 1992 General Observation on the Convention, will be taken into account during the review of the Code of Practice, in particular with regards to Articles 3(1) and 6(2) of the Convention, on maximum permissible doses of ionizing radiations; Article 7(2) on employment of young workers under the age of 16; and Article 8 on maximum permissible doses for workers not directly engaged in radiation work. The Committee requests the Government to provide the Office with a copy of the Approved Code of Practice once it has been adopted.

Work on a revision of the Code of Practice on the protection of persons against ionising radiation has been delayed by other urgent projects that have emerged since 2010. However, this review remains as a Department work stream.

The Department can confirm that review will take account of the relevant provisions of the Convention as well as UK national standards and other international standards.

Commerce and Employment Department
Raymond Falla House
Longue Rue
St.Martin
Guernsey

August 2014

REPORT

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on the

WORKERS REPRESENTATIVES CONVENTION, 1971 (NO. 135) (extension registered on 18 April 1975)

Part I

The legislation which is relevant to the Convention is as follows:

The Human Rights (Bailiwick of Guernsey) Law, 2000.
The Employment Protection (Guernsey) Law, 1998.

Part II

Article 1

General protection of the right to freedom of peaceful assembly and freedom of association is provided in the Human Rights (Bailiwick of Guernsey) Law, 2000.

The employment of employees is protected to the following extent (in the Employment Protection (Guernsey) Law, 1998):

(1) The dismissal of an employee by an employer shall be regarded as having been unfair if the reason for it (or, if more than one, the principal reason) was that the employee –

- (a) was, or proposed to become, a member of an independent trade union,*
- (b) had taken part, or proposed to take part, in the activities of an independent trade union at an appropriate time, or*
- (c) was not a member of any trade union, or of a particular trade union, or of one of a number of particular trade unions, or had refused or proposed to refuse to become or remain a member.*

Article 2

It is a generally accepted principle in business on the Island that employees have the right to organise and to be collectively represented. Relationships between employers and employee groups, on the whole, are good and workers' representatives are normally

allowed facilities and reasonable time to carry out their functions by employers. As such, it has not been necessary to make the provision of facilities a legal requirement.

Article 4

No measures have been taken to determine the type or types of workers' representatives entitled to the protection and facilities provided for in the Convention. The protections provided for by insular legislation apply to all workers' representatives.

Article 5

No measures have been considered necessary.

Part III

There have been no relevant decisions.

Part IV

There are no relevant observations.

Part V

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States of Guernsey
Commerce and Employment Department
Raymond Falla House
Longue Rue
St.Martin
Guernsey

August 2014

REPORT

Article 22 of the Constitution of the ILO

Report for the period from 2 September 2010 to 1 September 2014 made by the States of Guernsey

on the

LABOUR RELATIONS (PUBLIC SERVICE) CONVENTION, 1978 (NO. 151) (extension registered on 12 May 1981)

Part I

No changes since the last report.

Part II

No changes since the last report, except in relation to -

Article 7

The Public Sector Remuneration Committee has been disbanded and its Mandate has passed to the Policy Council.

(text of previous report)

It is the Mandate of the Public Sector Remuneration Committee (a committee of the government of the Island) to be responsible for:

- a) collective bargaining, on behalf of the States as an employer, in respect of the remuneration and conditions of service of all of the staff employed by the States; and*
- b) the remuneration and conditions of service applicable to all employees of the States who are not subject to collective bargaining arrangements.*

Part III

No changes since the last report.

Part IV

There are no relevant decisions.

Part V

There have been no practical difficulties in the implementation of the Convention.

Part VI

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Guernsey

August 2014