



Jersey

**EMPLOYMENT (MINIMUM WAGE)  
(JERSEY) ORDER 2007**

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Jersey

## EMPLOYMENT (MINIMUM WAGE) (JERSEY) ORDER 2007

### Arrangement

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## EMPLOYMENT (MINIMUM WAGE) (JERSEY) ORDER 2007

**THE MINISTER FOR SOCIAL SECURITY**, in pursuance of Articles 16, 22, 33 and 104 of the Employment (Jersey) Law 2003<sup>1</sup>, orders as follows –

Commencement [[see endnotes](#)]

### **1 Interpretation**

In this Order –

“employee” means an employee who has ceased to be of compulsory school age;

“the Law” means the Employment (Jersey) Law 2003<sup>2</sup>;

“trainee” has the same meanings as it has in the Employment (Minimum Wage) (Jersey) Regulations 2004<sup>3</sup>.

### **2 The minimum wage**

- (1) Except as otherwise provided by this Article, the minimum wage for an employee is an hourly rate of £6.48.<sup>4</sup>
- (2) The minimum wage for an employee who is a trainee is an hourly rate of £4.86.<sup>5</sup>
- (3) For the avoidance of doubt it is declared that this Article does not apply in respect of work undertaken by a person on behalf of another person where the work is being undertaken to gain experience as a required part of a course of education at an academic establishment.

### **3 Pay reference period**

- (1) For the purposes of the Law, a pay reference period is –
  - (a) a period of one calendar month, where an employee is paid by reference to a period that is not shorter than one calendar month; or

- (b) where an employee is paid by reference to a period that is shorter than one calendar month, that shorter period.
- (2) Despite paragraph (1), where paragraph (3) applies, for the purpose of the Law, the pay reference period shall be one calendar month.
- (3) This paragraph applies where –
  - (a) an employee is paid at periods that are shorter than one calendar month but by reference to work undertaken during a period that is not shorter than one calendar month; and
  - (b) the employer and employee agree that this paragraph applies.

#### **4 Records to be kept by employers**

- (1) If an employee qualifies for the minimum wage, his or her employer must keep in respect of the employee records that are sufficient to establish, in accordance with Regulation 6 of the Employment (Minimum Wage) (Jersey) Regulations 2004, that the employer is remunerating the employee at a rate that is at least equal to the minimum wage.
- (2) <sup>6</sup>
- (3) The records must be in a form that enables the information that is to be kept about the employee in respect of a pay reference period to be produced in a single document.
- (4) The records that must be kept under this Article must be kept by the employer for a period of 10 years beginning with the day on which the pay reference period specified in paragraph (5) ends.
- (5) The pay reference period to which this paragraph refers is the one immediately following the pay reference period to which the records relate.
- (6) The records may be kept by means of a computer.

#### **5 Maximum amount of compensation for detrimental treatment**

The maximum amount of compensation that may be awarded under Article 33(1) of the Law shall not exceed the maximum amount of a payment that the Jersey Employment Tribunal may order under Article 86(6) of the Law.

#### **6 Citation**

This Order may be cited as the Employment (Minimum Wage) (Jersey) Order 2007.

**ENDNOTES****Table of Legislation History**

<b>Legislation</b>	<b>Year and No</b>	<b>Commencement</b>
Employment (Minimum Wage) (Jersey) Order 2007	R&O.48/2007	1 April 2007
Employment (Minimum Wage) (Amendment) (Jersey) Order 2007	R&O.172/2007	1 April 2008
Employment (Minimum Wage) (Amendment No. 2) (Jersey) Order 2009	R&O.17/2009	1 April 2009
Employment (Minimum Wage) (Amendment No. 3) (Jersey) Order 2010	R&O.20/2010	1 April 2010
Employment (Minimum Wage) (Amendment No. 4) (Jersey) Order 2011	R&O.18/2011	1 April 2011
Employment (Minimum Wage) (Amendment No. 5) (Jersey) Order 2012	R&O.13/2012	1 April 2012

**Table of Renumbered Provisions**

<b>Original</b>	<b>Current</b>
6	Spent, omitted
7(1)	6
7(2)	Spent, omitted

**Table of Endnote References**


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<sup>1</sup>	<i>chapter 05.255</i>
<sup>2</sup>	<i>chapter 05.255</i>
<sup>3</sup>	<i>chapter 05.255.45</i>
<sup>4</sup> Article 2(1)	<i>substituted by R&amp;O.13/2012</i>
<sup>5</sup> Article 2(2)	<i>substituted by R&amp;O.13/2012</i>
<sup>6</sup> Article 4(2)	<i>deleted by R&amp;O.172/2007</i>