



Jersey

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

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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 2003¹, 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 2003²;

“trainee” and “approved training” have the same meaning as in the Employment (Minimum Wage) (Jersey) Regulations 2004^{3,4}.

2 The minimum wage

- (1) Except as otherwise provided by this Article, the minimum wage for an employee is an hourly rate of £7.50.⁵
- (2) Subject to paragraph (2A), the minimum wage for a trainee is an hourly rate of £5.63.⁶
- (2A) Once a trainee has completed a period or periods, in the aggregate, of 12 months’ approved training in a job, the minimum wage for the trainee in that job is an hourly rate of £6.56.⁷
- (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) ⁸
- (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**

Legislation	Year and No	Commencement
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
Employment (Minimum Wage) (Amendment No. 6) (Jersey) Order 2013	R&O.39/2013	1 April 2013
Employment (Minimum Wage) (Amendment No. 7) (Jersey) Order 2013	R&O.139/2013	1 April 2014
Employment (Minimum Wage) (Amendment No. 8) (Jersey) Order 2014	R&O.170/2014	1 April 2015
Employment (Minimum Wage) (Amendment No. 9) (Jersey) Order 2015	R&O.125/2015	1 April 2016
Employment (Minimum Wage) (Amendment No. 10) (Jersey) Order 2016	R&O.110/2016	1 April 2017
Employment (Minimum Wage) (Amendment No. 11) (Jersey) Order 2017	R&O.109/2017	1 April 2018

Table of Renumbered Provisions

Original	Current
6	Spent, omitted
7(1)	6
7(2)	Spent, omitted

Table of Endnote References

¹	<i>chapter 05.255</i>
²	<i>chapter 05.255</i>
³	<i>chapter 05.255.45</i>
⁴ Article 1	<i>amended by R&O.39/2013</i>
⁵ Article 2(1)	<i>substituted by R&O.39/2013, amended by R&O.139/2013, R&O.170/2014, R&O.125/2015, R&O.110/2016, R&O.109/2017</i>
⁶ Article 2(2)	<i>substituted by R&O.39/2013, amended by R&O.139/2013, R&O.170/2014, R&O.125/2015, R&O.110/2016, R&O.109/2017</i>
⁷ Article 2(2A)	<i>added by R&O.39/2013, amended by R&O.139/2013, R&O.170/2014, R&O.125/2015, R&O.110/2016, R&O.109/2017</i>
⁸ Article 4(2)	<i>deleted by R&O.172/2007</i>