

# Key employment updates for Guernsey employers – 2026 and beyond

**Briefing Summary:** On 17 December 2025, the Committee for Employment and Social Security outlined its priorities for 2026 and beyond. The following is a brief overview of the Committee’s priorities for 2026 and why employers need to prepare.

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On 17 December 2025, the Committee for Employment and Social Security outlined its priorities for 2026 and beyond. What you need to know in a nutshell:

- Guernsey employers should ensure continued compliance with the secondary pension regime, with employer contributions increasing with effect from 1 January 2026.
- Elements of phase two of The Prevention of Discrimination (Guernsey) Ordinance, 2022 (the "Discrimination Ordinance") are due to come into effect in respect of the introduction of the protected ground of "age", and amendments to the definition of "sex" related protected grounds, including "gender reassignment".
- Get ready for new family-friendly policies with shared parental leave.
- Future proposals for discussion also include (a) flexible working rights, (b) statutory redundancy pay, and (c) consideration of AI’s impact on the labour market and employers.

## Secondary pensions – automatic enrolment now applies to all employers

### Update

All Guernsey employers must now offer and enrol designated employees into a workplace pension scheme. Employer contributions will increase on 1 January 2026 (to 1.5%). Planning will be needed for 2027 when contributions for both employers and employees will increase to 2%.

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## Why it matters

Non-compliance can lead to penalties and reputational risk. Employers should review payroll systems and ensure contributions are correctly calculated. Pension packages now form part of an employer's remuneration offering and as recruitment remains a competitive task in Guernsey, employers should review the market to ensure they are not falling behind market practice.

## Discrimination ordinance – phase two

### Update

The education provisions of the Discrimination Ordinance will come into effect on 2 January 2026, "age" will become a protected ground, and definitions relating to "sex" including "gender re-assignment", are expected to be entirely overhauled.

### Why it matters

Once drafting is complete on the "age" related amendments (which could still take time despite having been prioritised). Employers will need to review their employment contracts and remove any mandatory retirement ages (unless they can be objectively justified), update equality policies, train managers, and review recruitment and promotion practices to avoid discrimination claims.

The development of policies in respect of the definitions of the "sex" related protected grounds will take a little longer as, following the *For Women for Scotland judgment*, this will be a legal minefield for the legislative drafters.

## Shared parental leave

### Update

Plans to modernise parental leave entitlements to promote gender equality and support diverse family structures by introducing shared parental leave. There is no detail yet on what this will look like, however the commitment to overhaul Guernsey's outdated statutory entitlements in respect of family leave is welcomed.

### Why it matters

Despite policy intention in 2015 to develop proposals, Guernsey's parental leave entitlements have fallen far short of those in any comparable jurisdiction, as our outdated model not only assumes childcare is primarily a women's responsibility but provides a comparatively short period of leave.

Driven by a desire to promote gender equality, support diverse family structures, and enable more flexible caregiving arrangements, and reflecting a broader commitment to modernising workplace policies and empowering both parents to participate in early childcare, Guernsey's proposed shift from maternity leave to shared parental leave is long overdue. Employers should prepare for policy changes that impact workforce planning and consider how to support flexible caregiving arrangements.

## Right to request flexible working – proposed policy consideration

### Update

Aligning with UK and Jersey standards by giving employees the right to request flexible working.

### Why it matters

Employers should already be considering flexible working as part of any request for reasonable adjustments for disabled employees, but this right won't be limited to those employees with disabilities. It is not clear yet whether this would be a day one right or whether there will be a service requirement before the right is triggered. Employers should anticipate an increase in flexible working requests and review operational models to balance business needs with employee expectations.

## Statutory redundancy pay – proposed policy consideration

### Update

Considering the introduction of a legal entitlement to statutory redundancy pay, where currently employees have no severance entitlements.

### Why it matters

Those employers who don't have a redundancy policy which provides for severance pay, will face additional costs during restructuring or downsizing. Budgeting and HR planning will be essential, particularly for those long-standing employees where the statutory severance pay will likely be based on years of continuous service.

## AI led automation: Impacts – proposed policy considerations

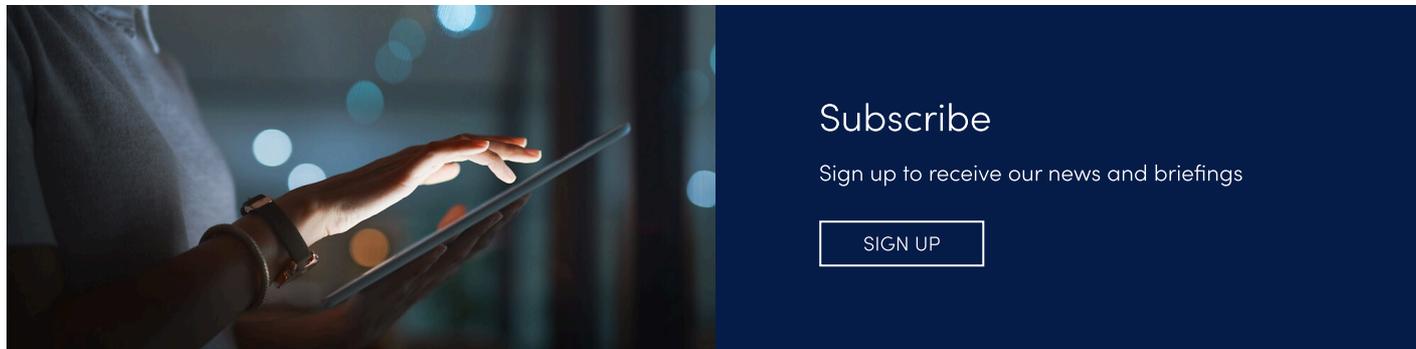
### Update

Assessing potential impacts on the labour market and what AI means for employers – expecting particular impacts in the data protection arena.

### Why it matters

Recruitment, employee management processes and data protection are all areas where AI led automation is having a significant impact, as it touches every stage of the employment life cycle. Regulation tends to be indirect (i.e. via discrimination or data protection laws) so it will be interesting to see what approach the States consider in respect of moderating and/or regulating AI-led automation.

*Please note that this briefing is intended to provide a very general overview of the matters to which it relates. It is not intended as legal advice and should not be relied on as such. © Carey Olsen (Guernsey) LLP 2026*



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