School of Business

Department of Strategy and Policy

National University of Singapore

**GESS1036: Singapore Employment Law & Policy**

**Lecturer** :       A/P Ravi Chandran  (course coordinator)

**Session** :          Semester I: 2022/2023

**Course Objectives**:

The course aims to introduce students to Employment Law in Singapore and the policies behind them. At the end of course, students should gain a good grasp of employment law in Singapore as well as understand the policy reasons behind various employment laws or the lack of certain employment laws.

The 3 most repetitive words in the course evaluations for this module are “useful, relevant and practical”.

(A) In terms of policy, the course will start off by looking at some key aspects as enunciated in Parliament such as the need to balance the protection of workers while retaining labour market flexibility and the need to maintain industrial peace and stability. It will also highlight some other noteworthy characteristics of labour law policy such as the adoption of a practical approach, the strict enforcement of laws, the engagement of tripartite consultation and the issuance of tripartite guidelines. These general aspects will be revisited throughout the course. Aside from that, some specific aspects of policy/initiatives covered include:

1. Unlike many countries, Singapore does not have a minimum wage. What are the policy reasons behind this? What are the cons of having a minimum wage system? What are some other initiatives Singapore has taken in this connection (eg: Progressive Wage Model, Workfare Supplement, etc).
2. Unlike many countries, Singapore does not have strong discrimination laws. What are the policy reasons behind this? Have the laws in other countries all been successful in eradicating discrimination? What are some problems of having such laws? What are some initiatives Singapore has taken in this connection (eg: TAFEP, Fair Consideration Framework, Non-approval of work passes).
3. What are some of the initiatives Singapore has taken in relation to tackling sexual harassment at work (eg: TAFEP, POHA)? Could more be done and if yes, is there some reason why this is not being done?
4. What is the background to CPF? How is the Singapore CPF system unique? What are some uniquely positive aspects of the CPF system (eg: high home ownership)? Why is CPF lower for older workers and permanent residents?
5. What is Singapore’s policy in relation to foreign manpower? How does Singapore try to balance the various competing interests? How has the protection of foreign workers grown over the years (eg: more and more obligations imposed on employers through work pass conditions; SIP programme; home visits)?
6. What is the background to Industrial relations in Singapore? Why don’t you see strikes in Singapore? What are some negative repercussions of strikes? Does it mean workers are not protected and unions have no role to play (eg: value of collective agreement and instances when ministerial approval was granted for strikes)?
7. Why is retirement age going up and what are the policy reason why has Singapore introduced re-hiring (which is quite unique) instead of just increasing retirement age?
8. What initiatives has Singapore taken to protect gig workers (eg: tripartite guidelines; special avenues for dispute resolution, etc)? What is the policy reason behind why Singapore is not doing even more?
9. Why was the National Wages Council formed and what is its role (again quite unique to Singapore)?
10. What is the role of TAFEP (again quite unique to Singapore)? How are TAFEP guidelines enforced in practice?
11. While Singapore has recently granted greater protection against unfair dismissal, in terms of compensation, it is quite limited. What are the policies reasons behind such a conservative approach?
12. Unlike many countries, it is not compulsory to pay retrenchment benefits in Singapore. What are the policy reasons behind this? What initiatives does Singapore take to help retrenched workers (eg: WDA - which is quite unique to Singapore).
13. What about work-life balance? What are some initiatives Singapore has taken in relation to this (eg: flexible work schemes and funding for it; increasing various forms of statutory leave) and what are the policy reasons behind?
14. In terms of workplace safety, though accidents do still occur, what are some unique ways Singapore has been in promoting workplace safety (eg: Checksafe system, demerit points for workpasses, lower WIC insurance premiums for those with good safety records, etc)?
15. What are some initiatives taken by the government to encourage working women to have children and how is this balanced against the interests of the employer (eg: government to bear part of the cost; baby bonus etc)?
16. Why is training and upgrading of skills important and what are some initiatives taken by the government to encourage employees to upgrade their skills (eg: Skills future credit; subsidies for companies, payroll funding for companies etc)?

The course will not be purely theoretical. Besides court cases, more than 100 articles or forum posts about real life issues faced by employers and employees in Singapore will also be highlighted. Further, numerous international examples will also be examined so that effectiveness of Singapore’s labour law policies can be seen in proper perspective.

(B) In terms of the actual law, various topics such as who is an employee, the essentials of the employment contract, express and implied terms of the contract, termination, retrenchment, health and safety at work, hiring foreign workers and, trade unions and collective bargaining will be examined.

**Reading Lists**

Basic Reading:

Layman’s Guide to Employment Law (McGraw Hill) **1st Edition, 2020**

Supplementary Reading: Various web-based resources will be referred to as the course progresses relating to matters such as CPF, Foreign Manpower and many other initiatives of the Singapore government.

**Methods of Assessment**

Group Assignment 1:                        20%

Group Assignment 2:                        20%

Individual Class Participation         20%

MCQ Test (x 2):                              30%

In-class Quiz:                                   10%

Further Details about Assessment will be provided in Seminar 1. There are no final exams for this module.

**Contacting the Lecturer**

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Consultation Hours: You are most welcome to come and see me. You can also contact me via e-mail, discussion forum or Zoom. Do not hesitate at all.