

COVID-19 and Labour Regulations

Singapore – Tan Rajah & Cheah

1. **Overall Employment Framework in Singapore:** It is fair to say that Singapore is, for the most part, an employer friendly environment. Employment terms, are largely a matter of negotiation between Employer and Employee, save for the provisions of the [Employment Act \(Cap 91\)](#) which stipulate certain minimum protection afforded to employees (e.g., rest days, paid sick leave, overtime, maternity leave and benefits etc). It would be noteworthy to point out that there is no legal obligation to pay retrenchment/retirement/long service benefits and that termination can be effected, without citing any reasons whatsoever, by serving notice or making payment in lieu of notice (save whether there are express terms to the contrary in the employment contract).
2. **Obligation to keep employed/work during COVID-19:** Employers, employees, and self-employed persons will continue their employment obligations (whether from home or at the workplace), to the extent that these obligations are in line with government rules and/or advisories on COVID-19.
3. **Right to work remotely:** Working from home remains the default mode of working. Where employees are required to return to the workplaces, the employers must ensure that
 - (i) such employees continue to work from home for at least half their working time;
 - (ii) no more than half of such employees are at the workplace at any point in time; and
 - (iii) split teams or shift arrangements continue to be implemented.Employers are further encouraged to implement flexible workplace hours and stagger reporting times, to minimize crowding and possible congregation at common spaces.

4. **Health and safety:** Aside from the above measures at paragraph 3 above, the following health and safety requirements, known as Safe Management Measures, apply:
- a. Employers must ensure that employees adhere to the permissible group size, i.e. a maximum of 5 people per gathering, at all times.
 - b. Masks are mandatory for all individuals present at the workplace at all times, except during activities which require masks to be removed. Masks have to be worn immediately after the activity is completed.
 - c. Any individual found to be unwell, including having a fever upon temperature screening, must be refused entry to the workplace.
 - d. Employers must ensure that all individuals entering the workplace declare via SafeEntry (a national digital check-in system that logs the identification and mobile numbers of individuals) that they are currently not under a quarantine order or stay-home notice, that they have not had close contact with a confirmed COVID-19 case in the past 14 days; and that they do not have any fever or flu- like symptoms.
 - e. Where physical interaction cannot be avoided, precautions should be taken to ensure clear physical spacing of at least 1 metre.
5. **Measures to support the workforce during COVID-19:**
- a. The government will co-fund a certain percentage of gross monthly wages paid to each local employee. The percentage ranges from 10% to 75%, depending on the time period involved.
 - b. Employees are encouraged to attend skills upgrading courses, and employers may receive absentee payroll subsidies for employees undergoing such courses.
 - c. Employers may implement a temporary layoff for employees. However, employers are nonetheless obliged to, inter alia,

provide the affected employees with at least 50% of their gross salary during the days that they are temporarily laid off.

6. **Retrenchment:** The Government has encouraged employers to preserve jobs, and to regard retrenchment, especially due to COVID-19, as a last resort. To this end, the government has provided support to employers (both in terms of skills upgrading and financial). Further, employers are to comply with government advisories on responsible retrenchment, failing which they may be denied government support or have their work pass privileges suspended. Work Pass privileges related to the ability of an employer to hire foreign nationals not otherwise entitled to work in Singapore. For example, employers should clearly communicate the information on retrenchment early, and should provide a longer notice period beyond contractual or statutory requirements.

Below are some of the sources relied on to provide the information above:

- <https://www.moh.gov.sg/news-highlights/details/resuming-more-activities-safely>
- <https://www.mom.gov.sg/COVID-19/requirements-for-safe-management-measures>
- <https://www.mom.gov.sg/-/media/mom/documents/employment-practices/guidelines/tripartite-advisory-on-managing-excess-manpower-and-responsible-retrenchment.pdf>
- <https://www.iras.gov.sg/irashome/Schemes/Businesses/lobs-Support-Scheme--TSS-/>

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