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The following Act was passed by Parliament on 20 November 2018 and assented to by the President on 21 December 2018:—

REPUBLIC OF SINGAPORE

No. 55 of 2018.

I assent.

HALIMAH YACOB,
President.
21 December 2018.

(LS)

An Act to amend the Employment Act (Chapter 91 of the 2009 Revised Edition) and to make consequential and related amendments to certain other Acts.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act is the Employment (Amendment) Act 2018 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

Amendment of section 2

2. Section 2 of the Employment Act is amended —

(a) by deleting the definition of “dismiss” in subsection (1) and substituting the following definition:

““dismiss” means to terminate the contract of service between an employer and an employee at the initiative of the employer, with or without notice and for cause or otherwise, and includes the resignation of an employee if the employee can show, on a balance of probabilities, that the employee did not resign voluntarily but was forced to do so because of any conduct or omission, or course of conduct or omissions, engaged in by the employer;”;

(b) by deleting the word “include —” in the definition of “employee” in subsection (1) and substituting the words “include any of the following;”;

(c) by deleting paragraph (c) of the definition of “employee” in subsection (1);

(d) by deleting the definitions of “medical officer” and “medical practitioner” in subsection (1) and substituting the following definitions:

““medical officer” means —

(a) a medical practitioner employed by the Government or an approved medical institution; or

(b) any other medical practitioner whom the Minister declares, by notification

in the *Gazette*, to be a medical officer for the purposes of this Act;

“medical practitioner” means a medical practitioner registered under the Medical Registration Act (Cap. 174), and includes a dentist registered under the Dental Registration Act (Cap. 76);”;

(e) by inserting, immediately after the definition of “subcontractor for labour” in subsection (1), the following definition:

““Tribunal” means an Employment Claims Tribunal constituted under section 4 of the State Courts Act (Cap. 321);”;

(f) by deleting subsection (2).

Amendment of section 14

3. Section 14 of the Employment Act is amended —

(a) by deleting subsection (2) and substituting the following subsection:

“(2) Despite subsection (1), but subject to section 3 of the Employment Claims Act 2016 (Act 21 of 2016), where a relevant employee considers that he has been dismissed without just cause or excuse by his employer, the employee may lodge a claim, under section 13 of that Act, for one of the following remedies:

(a) reinstatement in his former employment;

(b) compensation.”;

(b) by deleting the words “12 months” in subsection (2A)(a) and substituting the words “6 months”;

(c) by deleting subsections (3) to (7A) and substituting the following subsection:

“(3) If a Tribunal hearing the claim is satisfied that the employee has been dismissed without just cause or excuse, the Tribunal may, despite any rule of law or agreement to the contrary —

(a) in a claim for reinstatement of the employee in his former employment, direct the employer —

(i) to reinstate the employee in the employee’s former employment; and

(ii) to pay the employee an amount equivalent to the wages that the employee would have earned, if the employee had not been dismissed; or

(b) in a claim for compensation, direct the employer to pay, as compensation to the employee, an amount of wages determined by the Tribunal.”; and

(d) by deleting subsection (8) and substituting the following subsection:

“(8) For the purposes of an inquiry under subsection (1), the employer —

(a) may suspend the employee from work for —

(i) a period not exceeding one week; or

(ii) such longer period as the Commissioner may determine on an application by the employer; but

(b) must pay the employee at least half the employee’s salary during the period the employee is suspended from work.”.

Amendment of section 27**4. Section 27 of the Employment Act is amended —**

- (a) by deleting paragraph (c) of subsection (1);
- (b) by inserting, immediately after the word “deductions” in subsection (1)(d) and (e), the words “made with the written consent of the employee”;
- (c) by deleting paragraph (f) of subsection (1) and substituting the following paragraph:
 - “(f) any deduction for the recovery of any advance, loan or unearned employment benefit, or for the adjustment of any overpayment of salary;”;
- (d) by deleting paragraph (i) of subsection (1) and substituting the following paragraph:
 - “(i) any deduction (other than a deduction mentioned in paragraphs (a) to (h), (j) and (k)) made with the written consent of the employee;”;
- (e) by deleting paragraph (k) of subsection (1) and substituting the following paragraph:
 - “(k) any other prescribed deductions.”;
- (f) by inserting, immediately after subsection (1), the following subsections:
 - “(1A) A written consent of an employee for any deduction mentioned in subsection (1)(d), (e), (i) or (j) may be withdrawn by the employee giving written notice of the withdrawal to the employer at any time before the deduction is made.
 - (1B) An employee cannot be penalised for withdrawing a written consent for any deduction mentioned in subsection (1)(d), (e), (i) or (j).”;
- (g) by inserting, immediately after subsection (2), the following subsection: