CONSULTATION PAPER ON APPROACH FOR RESOLVING WORKPLACE FAIRNESS DISPUTES AND PROCEDURES FOR MAKING WORKPLACE FAIRNESS CLAIMS

August – September 2025

Disclaimer

The information in this document is released for the purpose of public consultation only and does not represent or constitute the Ministry of Manpower's ("MOM") final policy position(s) for the proposed legislation. MOM may continually review its policies and/or amend any information in this document without prior notice. Persons who may be in doubt about how the information in this document may affect them may seek independent legal or professional advice as they may deem appropriate. MOM shall not be responsible or liable for any consequences (financial or otherwise), damage or loss suffered, directly or indirectly, by any person resulting or arising from the use of or reliance on any information in this document.

A. BACKGROUND: STRENGTHENING WORKPLACE FAIRNESS IN SINGAPORE

1. Singapore's workplaces must adopt fair and merit-based employment practices for all workers to have opportunities to thrive. No form of workplace discrimination will be tolerated in multi-racial and multi-religious Singapore. To build fairer and more harmonious workplaces, the Tripartite Committee on Workplace Fairness ("Tripartite Committee") was formed in July 2021. This built on tripartite partners' existing efforts to cultivate fair workplace norms and values, including through the Tripartite Alliance for Fair and Progressive Employment Practices ("TAFEP"), which promotes the adoption of fair, responsible and progressive employment practices, and the Tripartite Guidelines on Fair Employment Practices ("TGFEP"), which sets out fair and merit-based practices all organisations must adopt.

2. The Tripartite Committee released its recommendations in August 2023 to introduce legislation to enhance the overall framework for workplace fairness by:
   a. Introducing protections against workplace discrimination on the ground of protected characteristics;
   b. Including provisions to support business/organisational needs and national objectives;
   c. Introducing processes for resolving grievances and disputes while preserving workplace harmony; and
   d. Ensuring fair outcomes through redress for individuals of workplace discrimination, and appropriate penalties for breaches.

   The Tripartite Committee's final report is available on the MOM website (https://www.mom.gov.sg/-/media/mom/documents/press-releases/2023/tripartite-committee-on-workplace-fairness-final-report.pdf).

3. The Workplace Fairness Act ("WFA") was passed by Parliament in January 2025. When it comes into force, the WFA will complement the TGFEP by:
   a. Strengthening protections for jobseekers and employees against discrimination. For example, the WFA will prohibit employers from making an adverse employment decision on the ground of a protected characteristic.[1] At the same time, the WFA will retain flexibility for employers to meet genuine business needs;
   b. Promoting better communication and amicable resolution of workplace issues through requiring firms to have grievance handling processes; and

[1] The protected characteristics are age, nationality, sex, marital status, pregnancy, caregiving responsibilities, race, religion, language ability, disability and mental health condition.

c. Complementing MOM's education-first approach with calibrated enforcement levers[2] to deal with egregiously unfair employment practices.

The press release on the passing of the Workplace Fairness Bill is available on the MOM website (https://www.mom.gov.sg/newsroom/press-releases/2025/passing-of-workplace-fairness-bill-marks-next-step-in-building-fair-and-harmonious-workplaces).

4. As stated during the Parliamentary debate on the WFA, the Government will be making further legislative amendments to introduce the procedural rights and processes for individuals to make private claims under the WFA. To inform our amendments, we are seeking public views on the following, as set out in this document:
   a. The approach for amicable and expeditious resolution of workplace fairness disputes;
   b. The judicial forum to hear workplace fairness claims; and
   c. The representation of parties by unions for workplace fairness claims.

[2] These include directions to attend educational workshops and administrative financial penalties imposed by MOM. For more severe breaches, MOM can bring the employer to Court to recommend for the imposition of heavier civil penalties.

B. THE APPROACH FOR AMICABLE AND EXPEDITIOUS RESOLUTION OF WORKPLACE FAIRNESS DISPUTES

5. The approach for workplace fairness disputes aims to preserve the workplace and social harmony we enjoy today. The dispute resolution process encourages parties to resolve disputes amicably amongst themselves, and if this is not possible, to promote quick, just and amicable resolution at adjudication.

6. Firms and employees should attempt to resolve disputes within the firm through the firm's internal grievance handling processes[3] to preserve the employment relationship.

7. **If the dispute is not resolved within the firm, and the employee wishes to make a private claim against the employer, we intend to require parties to go through mandatory mediation to try to resolve such disputes amicably.** This will mirror the current requirement for employment disputes to undergo mediation before they can be referred to the Employment Claims Tribunals ("ECT") for adjudication.[4] Disputes should only proceed to adjudication in the courts as a last resort if they cannot be resolved at mediation.

8. **Once a claim has been filed for adjudication, parties will be subject to a duty to consider amicable resolution in order to encourage the expeditious settlement of the dispute.** In awarding costs, courts may take into account whether parties had made efforts at amicable resolution. This is the same approach adopted for other civil claims heard in the courts.

9. The approach for amicable and expeditious resolution of workplace fairness disputes seeks to preserve our harmonious and non-litigious workplace culture. Most workplace disputes are resolved amicably through firms' internal grievance handling processes or through mediation and we should retain such an approach for workplace fairness disputes .

[3] The WFA will facilitate the resolution of such disputes by requiring firms to put in place grievance handling processes.

[4] Today, the ECT hears claims on salary-related disputes and wrongful dismissal of up to $20,000 per claim (or $30,000 for union-assisted claims). All claims must go through compulsory mediation at the Tripartite Alliance for Dispute Management before being referred to the ECT.

C. THE JUDICIAL FORUM TO HEAR WORKPLACE FAIRNESS CLAIMS

10. **We intend to have different judicial forums hear workplace fairness claims depending on the claim amount.** This is because we recognise that claims can get more complex as they increase in value.

11. The ECT's jurisdiction will be expanded to hear all workplace fairness claims up to and including $250,000[5], while the General Division of the High Court ("GDHC") will hear all workplace fairness claims above $250,000.[6]

12. By empowering the ECT to hear workplace fairness claims up to and including $250,000, individuals are offered access to an affordable and expeditious way to resolve disputes. Claims above $250,000 are likely to be more complex and are better heard by High Court judges with dedicated rules to cater to their complexity. We expect most claims to be under $250,000 and heard by the ECT.

13. **We intend to differentiate the rules for workplace fairness claims based on the forum. For claims heard in the ECT (i.e. up to and including $250,000), parties will not be allowed representation by lawyers ("legal representation"). Such claims will also not be bound by the civil courts' strict rules of evidence. To promote the just, expeditious and amicable resolution of claims, the ECT adopts a judge-led approach, where judges take a more proactive role in the proceedings.** This includes guiding parties to focus on the key issues of the dispute and the relevant evidence to be adduced. The ECT will also be allowed to inform itself on any matter in any manner it thinks fit. This is how claims are dealt with at the ECT today.

14. **For claims heard by the GDHC (i.e. above $250,000), parties will be allowed representation by lawyers.** While the GDHC will also adopt a judge-led approach, strict rules of evidence and procedures will apply, which is consistent with the GDHC's practice today.

15. We intend for simplified proceedings to apply to lower-value claims so that they can be resolved in an expeditious and cost-effective manner. Doing so preserves workplace harmony by allowing claimants to obtain timely recourse while ensuring employers are not dragged though lengthy and costly proceedings. In contrast,

---

[5] Claims on other employment disputes (e.g. salary disputes, wrongful dismissals) heard at the ECT will remain capped at $20,000 per claim (or $30,000 for union-assisted claims).

[6] The claim limits take reference from that of other civil claims where the District Court hears claims up to and including $250,000 while the GDHC hears claims above $250,000.

higher-value claims are generally more complex and parties may benefit from having legal representation. Higher-value claims may also benefit from stricter procedural safeguards to ensure a more robust fact-finding process for the effective adjudication of the dispute.

16. **To ensure amicable resolution of workplace fairness disputes regardless of the judicial forum, we intend for all workplace fairness claims to be heard in private.** Proceedings will not be open to other individuals, such as the public and the media.

17. Given that discrimination disputes can be complex and socially divisive, especially where race or religion is involved, managing such disputes in a private forum would help to:
    a. Minimise publicity and the politicisation of such issues;
    b. Protect the privacy of parties; and
    c. Minimise the involvement of third parties who may misrepresent the dispute.

D. THE REPRESENTATION OF PARTIES BY UNIONS FOR WORKPLACE FAIRNESS CLAIMS

18. Since there will not be legal representation for workplace fairness claims heard in the ECT, we intend to allow unions to play a constructive role in helping parties navigate claims and encourage amicable settlements.

19. Allowing union representatives to support workers and employers with the claim process by advising on their rights and obligations can better guide parties towards amicable settlement. The role of union representatives in resolving workplace fairness disputes reflects our strong tripartite partnership in Singapore.

20. **We intend to allow workers to be represented by their union for workplace fairness claims if they are employed in unionised companies, similar to employment claims under the Employment Claims Act 2016 today.** The union can attend the mediation sessions and the hearing of workplace fairness claims to speak on behalf of the worker.[7]

21. We also intend to allow employers to be represented by their union at the mediation sessions and the hearing of workplace fairness claims[8] if:

a. The claim value is between $30,000 and $250,000; and

b. The worker filing the claim can be represented by their worker union.

This will be a new feature for employers as they currently cannot be represented by their union in claims at the ECT.

22. This new feature of union representation for employers recognises their need for support with higher value claims. The employer union can also guide the employer towards an amicable settlement with the worker.

[7] Workers will need to make an application to the ECT to be represented by their union during the adjudication of their claim.

[8] Similar to workers, employers will need to apply to the ECT to be represented by their union during the adjudication of the claim.

E. REQUEST FOR COMMENTS

1. Please submit your written feedback by **19 September 2025, 5pm**. The committee will consider the feedback when introducing legislation for private claims under the WFA around end-2025. We seek the public's understanding that we might not be able to acknowledge or address every feedback received. We may contact you if you agree to be contacted.

2. MOM reserves the right to make public all or part of any written submissions made in response to this Consultation Paper and to disclose the identity of the source.