

AMENDMENT TO THE INDUSTRIAL RELATIONS ACT AND RELATED AMENDMENTS TO THE RETIREMENT AND RE-EMPLOYMENT ACT AND THE TRADE UNIONS ACT

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- Extends the scope of union representation on a collective basis for executives
- Allows limited representation on an individual basis to re-employment matters

From 1 April 2015, professionals, managers and executives (“**PMEs**”) may be collectively represented as a group by rank-and-file unions under the amended Industrial Relations Act.

The amendments will mean PMEs can enjoy a wider set of union representation compared to the past when they were only represented by the same unions on an individual basis and for limited matters. The new laws also mean PMEs can turn to unions for representation if they face re-employment issues. The amendments are in response to the rise in the number of PMEs in Singapore, who now constitute 30% of Singapore’s workforce.

To avoid conflict of interest and any threat to management effectiveness, the following executive employees will not benefit from union representation:

- A senior management employee or an employee who has control and supervision, accountability, planning and/or leadership responsibilities
- An employee with decision making powers on industrial matters (including employment)
- An employee representing the employer in negotiations with the union
- An employee with access to confidential information on the budget and finances of the employer and any industrial matters (including employment).

It will not be an offence for an employer to require, as a condition of the appointment or promotion of a person to a position of an executive employee that the person must not be or continue to be an officer or a member of a rank and file trade union. It is still an offence for an employer to offer inducements, such as financial advantages, to persuade employees not to join trade unions.

MOM released ***The Tripartite Guidelines on Extending The Scope of Union Representation For Executives*** and ***The Tripartite Guidelines on Expanding The Scope of Limited Representation for Executives*** to explain how employers can actively engage with trade unions as partners and to work together on matters relating to trade disputes and union representation.

MOM’s press release is available [here](#) and for the Industrial Relations (Amendment) Act 2015, please contact us.

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