



Employment Law Guide

Rights of Employees Covered Under Part IV of the EA



Authors
Pradeep Kumar Singh, Bill Jamleson, Wong Pei-Ling and Marvin Chua

RIGHTS OF EMPLOYEES COVERED UNDER PART IV OF THE EA

Posted on March 23, 2020

Category: [Employment Law Guide](#)

General disclaimer

This article is provided to you for general information and should not be relied upon as legal advice. The editor and the contributing authors do not guarantee the accuracy of the contents and expressly disclaim any and all liability to any person in respect of the consequences of anything done or permitted to be done or omitted to be done wholly or partly in reliance upon the whole or any part of the contents.

Date Published: 23 March 2020

Authors: [Pradeep Kumar Singh](#), [Bill Jamieson](#), [Wong Pei-Ling](#) and Marvin Chua.

Working hours and overtime

(a) Working hours

Under the EA, a Part IV Employee shall generally not work: (a) more than 6 consecutive hours without a period of leisure; and (b) more than 8 hours in 1 day or more than 44 hours in 1 week, unless:

- the employee is engaged in work which must be carried on continuously. The employee may work for 8 consecutive hours if he/she has a period or periods of at least 45 minutes' break in the aggregate for meals;
- Parties agree under the contract of service for an employee to work for more than 8 hours, provided that the number of hours of work on 1 or more days of the week is less than 8, and the employee shall, in any event, not be required to work for more than 9 hours in 1 day or 44 hours in 1 week;
- Parties agree under the contract of service for an employee to work for more than 8 hours, provided that the employee is not required to work for more than 5 days a week, and the employee shall, in any event, not be required to work for more than 9 hours in 1 day or 44 hours in 1 week; and
- Parties agree under the contract of service for an employee to work for more than 44 hours in one week, provided that the number of hours of work in every alternate week is less than 44, and the employee shall, in any event, not be required to work for more than 48 hours in one week or for more than 88 hours in any continuous period of 2 weeks.

A Part IV Employee may also be required to exceed the number of hours and to work on a rest day in the case of: (a) an actual or threatened accident, (b) performing work which is essential to the life of the community; (c) performing work essential for defence or security; (d) performing urgent work to machinery or plant; (e) an interruption of work which it was impossible to foresee; or (f) performing work in any industrial undertaking essential to the economy of Singapore or any of the essential services.

No Part IV Employee shall under any circumstances work for more than 12 hours in any 1 day, unless they are working under (a) to (e) in the paragraph above.

General disclaimer

This article is provided to you for general information and should not be relied upon as legal advice. The editor and the contributing authors do not guarantee the accuracy of the contents and expressly disclaim any and all liability to any person in respect of the consequences of anything done or permitted to be done or omitted to be done wholly or partly in reliance upon the whole or any part of the contents.

(b) Entitlement

Part IV Employees are entitled to payments for working “overtime” (i.e. the number of hours worked in any one day or in any one week in excess of the limits mentioned above). An employee is permitted to work up to a limit of 72 hours of overtime in a month, excluding work done within his normal daily working hours on his rest day or public holiday.

(c) Computation of overtime pay

An employee covered by the EA must be paid at least 1.5 times his hourly basic rate of pay for all work in excess of the normal hours of work, if at the request of the employer he/she works:

- except where the situations in paragraphs (ii) and (iii) in section (a) above apply; or
- except where paragraph (iv) in section (a) above applies.

The overtime rate payable for non-workmen is capped at the salary level of S\$2,600.

(d) Payment of overtime entitlements

Payment for overtime work (including payments to non-Part IV Employees) must be made within 14 days after the last day of the salary period.

Rest Days

(a) Entitlement

Every Part IV Employee shall be allowed one whole rest day each week without pay which shall be Sunday or such other day as determined by the employer, who may substitute any continuous period of 30 hours as a rest day for an employee engaged in shift work.

(b) Work on rest day

Generally, no Part IV Employee shall be compelled to work on a rest day unless he is engaged in shift work or certain activities prescribed in the EA (such as responding to an accident, work essential for defence or security, or urgent work to be done to machinery or plant etc.).

An employee who works on a rest day at his own request shall be paid for that day —

- his basic rate of pay for half a day’s work, if the period of work does not exceed half his normal hours of work;

General disclaimer

This article is provided to you for general information and should not be relied upon as legal advice. The editor and the contributing authors do not guarantee the accuracy of the contents and expressly disclaim any and all liability to any person in respect of the consequences of anything done or permitted to be done or omitted to be done wholly or partly in reliance upon the whole or any part of the contents.

- his basic rate of pay for one day's work if the period of work is more than half but does not exceed his normal hours of work; or
- if the period of work exceeds his normal hours of work for one day —
 - his basic rate of pay for one day's work; and
 - at the rate of one and a half times his hourly basic rate of pay for each hour or part thereof that the period of work exceeds his normal hours of work for one day.

An employee who works on a rest day at his employer's request shall be paid for that day —

- his basic rate of pay for one day's work, if the period of work does not exceed half his normal hours of work;
- his basic rate of pay for two days' work if the period of work is more than half but does not exceed his normal hours of work; or
- if the period of work exceeds his normal hours of work for one day —
 - his basic rate of pay for two days' work; and
 - at the rate of one and a half times his hourly basic rate of pay for each hour or part thereof that the period of work exceeds his normal hours of work for one day.

Please note that this section of the Employment Law Guide is a summary provided for general information purposes, aimed at aiding understanding of Singapore's employment law as at the date of writing. It is not exhaustive or comprehensive and reading this memorandum is not a substitute for reading the text of the various statutes to fully understand the extent of the obligations owed. This guide should also not be relied upon as legal advice.

General disclaimer

This article is provided to you for general information and should not be relied upon as legal advice. The editor and the contributing authors do not guarantee the accuracy of the contents and expressly disclaim any and all liability to any person in respect of the consequences of anything done or permitted to be done or omitted to be done wholly or partly in reliance upon the whole or any part of the contents.

General disclaimer

This article is provided to you for general information and should not be relied upon as legal advice. The editor and the contributing authors do not guarantee the accuracy of the contents and expressly disclaim any and all liability to any person in respect of the consequences of anything done or permitted to be done or omitted to be done wholly or partly in reliance upon the whole or any part of the contents.