

NATIONAL UNIVERSITY OF SINGAPORE
School of Business
Department of Business Policy

SS1204: Labour Law in Singapore

Lecturer : A/P Ravi Chandran (course coordinator)

Session : Semester II: 2015/2016

Course Objectives:

The course introduces students to the development of industrial relations and labour laws in Singapore. Students will be able to understand why labour relations are the way they are in Singapore. However, the course is not purely historical. A substantial part of the course is aimed at looking at the current legal problems faced by employees and employers in Singapore. The objective of the course is that at the end of it, students while appreciating the history of industrial relations and labour laws in Singapore would be able to confidently make informed decisions concerning current employment issues without falling into legal pitfalls. This course will be of general relevance to all, as students are either employees or employers.

Course Outcomes

Upon successful completion of this course, a student will be able to:

1. Understand typical legal issues which may arise in an employment context and
2. Take appropriate measures to deal with such issues, either before or after such issues arise.

Course Outline:

The course deals with the rights and obligations of employers and employees and can be divided into 3 main parts.

The first relates to contractual issues, since as between the employer and employee there will be a contract. Issues examined include matters like whether the employee can moonlight or make use of confidential information, who has the right to intellectual property created in the course of work, how termination can be effected, whether there must be a justification for termination and whether redundancy payments must be paid?

The second part relates to statutory obligations of employers. There are various statutes relating to employment in Singapore, such as the Employment Act, CPF Act, Retirement Age Act, Employment of Foreign Manpower Act, Workplace Safety and Health, Employment of Foreign Manpower Act and Work Injury Compensation Act. Without knowing these statutes, many of which carry criminal sanctions for breaches, a business can easily find itself in trouble. Prosecution for breach of these statutes is a very common occurrence.

The third part relates to industrial relations. It looks at the history of industrial relations and discusses what unions can do and cannot do. Though unions in Singapore may have less power in some respects as compared to those in some other countries, they still have a very useful role to play and this role is examined.

Further, the course also looks at methods of dispute resolution such as, mediation. Aside from looking at legal perspectives, some issues will also be discussed from a HR perspective. For instance how would an action on the part of the employer (even though it may be legal) have an implication on employee motivation? In addition, it would be examined how a business can protect itself better in light of the various laws. Some comparative examples would also be examined.

Reading Lists

Basic Reading:

Employment Law in Singapore (Lexis/Nexis) 4th 2014 Edition.

Supplementary Reading: Various cases, articles and web based resources will be referred to as the course progresses.

Assessment Methods

Class participation:	20%
Group Assignment	20%
Final Examination	60%

Class Participation - refers to participation in class in the form of answering questions, asking questions or sharing experiences. This is extremely important. Asking questions, for instance, forces you to think and probe further. However, needless to say, ultimately what counts is quality and not quantity. Here is the marking guide:

Below 10 - Does not turn up for classes often or most of the time not prepared

10-12 – Answers only when called; superficial understanding

13-14 – Volunteers to answer/ask questions, quite good understanding

15-16 – Volunteers to answer/ask questions quite consistently and good understanding

16 and above – Excellent; has read up well, actively participates/contributes in class, asks critical/detailed queries

Group Assignment - Each group would typically consist of 5 persons. There will be 1 group assignment with 2 parts:

- (a) The first part of would be structured and would involve answering questions (usually about 4 which are highlighted) in the tutorial. There will be no presentation. It will test among other things, understanding and application.

- (b) The second part would be unstructured. The group can opt to do one or more of the following things:
- (i) raise critical questions/comments relating to *the* seminar topic (The more difficult/critical the question/comment, the better. In relation to questions - you can also provide answers if it is within your means, if not - you need not. Generally better to ask why/how/what if - type of questions rather than scenario based questions),
 - (ii) discuss an article (eg: from the Internet) – relating to *the* seminar topic. (For instance, it could be some news article [local or overseas] from the web and you apply the law as you have learnt it to suggest what the legal outcome is likely to be),
 - (iii) come up with a comparative study as to the position in some other country relating to *the* seminar topic.

Both parts have to be submitted together. If one part is not submitted, the group would not be given another chance. The marking *will not* be divided equally between part 1 and part 2. An overall assessment would be made. This is because for some seminar topics, (b)(i) to (iii) could be more difficult than others. The total length for both parts combined (including references if any) is 5000 words. Please state the number of words in your paper. Note also: it does not mean that if your paper is less than 5000 words, it is bad.

This is a “group project” and hence there should be a collaborative effort. If it suspected that there is no collaborative effort (eg: the writing styles or approaches are very obviously different), marks may be deducted. In addition, there should be no free-riders. Hence if a group member/s has not contributed much to the project, please inform me and I will deal with it accordingly.

Final Examination - will be "open-book" (2-hour duration). You can bring in any relevant material which is not in breach of copyright law. Since it is an open book examination, the emphasis would not be on whether you have memorized certain topics. Rather the emphasis would be on your thinking/reasoning skills.

Plagiarism

Academic integrity and honesty is essential for the pursuit and acquisition of knowledge. The University and School expect every student to uphold academic integrity & honesty at all times. Academic dishonesty is any misrepresentation with the intent to deceive, or failure to acknowledge the source, or falsification of information, or inaccuracy of statements, or cheating at examinations/tests, or inappropriate use of resources.

Plagiarism is ‘the practice of taking someone else's work or ideas and passing them off as one's own’ (The New Oxford Dictionary of English). The University and School will not condone plagiarism. Students should adopt this rule - You have the obligation to make clear to the assessor which is your own work, and which is the work of others. Otherwise, your assessor is

entitled to assume that everything being presented for assessment is being presented as entirely your own work. This is a minimum standard. In case of any doubts, you should consult your instructor.

Additional guidance is available at:

<http://www.nus.edu.sg/registrar/adminpolicy/acceptance.html#NUSCodeofStudentConduct>

Online Module on Plagiarism:

<http://emodule.nus.edu.sg/ac/>

Contacting the Lecturer

E-mail: bizrc@nus.edu.sg

Phone: 65163045

Room No: Mochtar Riady Building; # 6-29

Consultation Hours: You are most welcome to come and see me. You can also use the e-mail me or the IVLE discussion forum. Do not hesitate at all.