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> Where to Get Help for an Employment Dispute in Singapore

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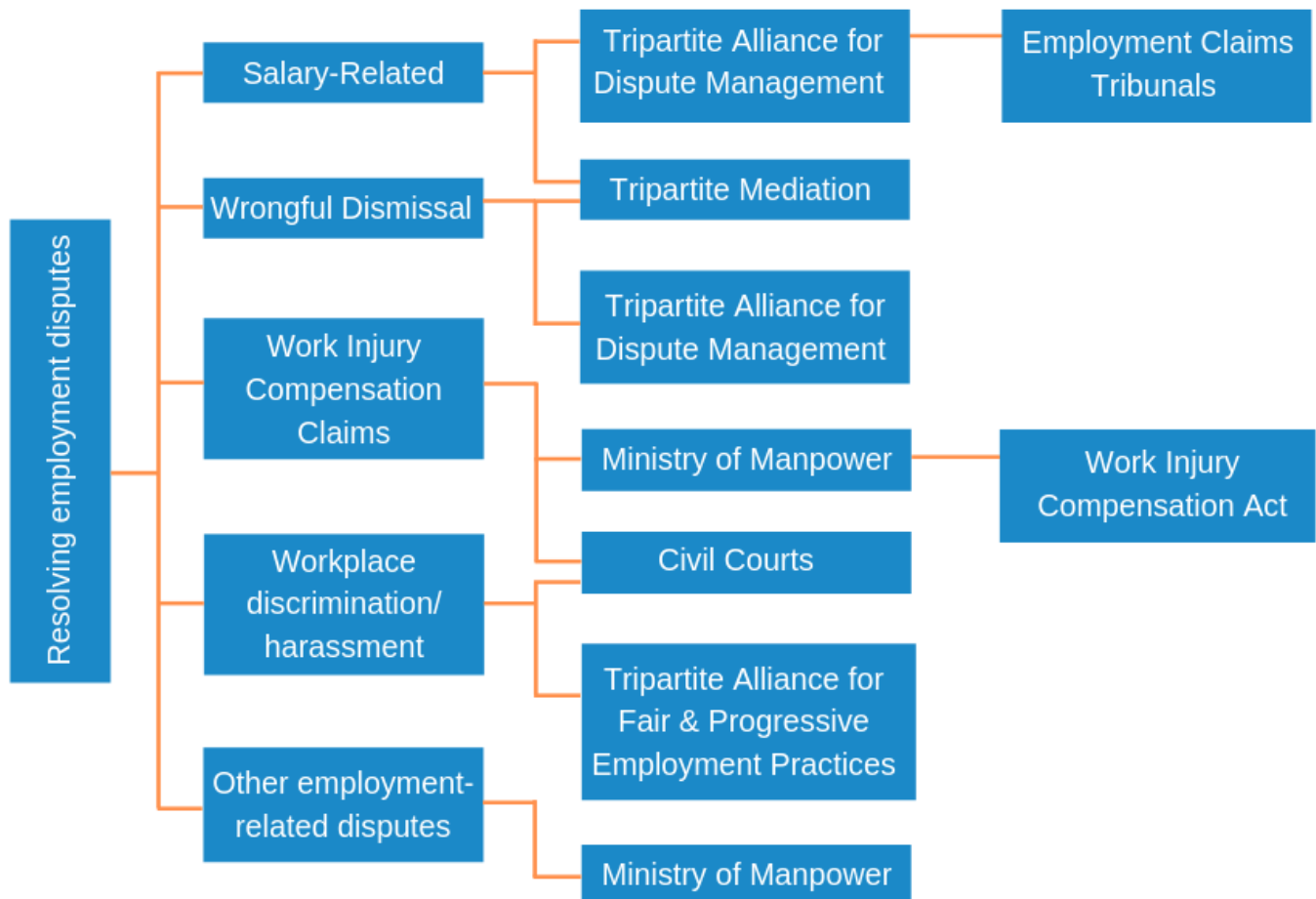
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This article sets out the various avenues and mechanisms for recourse available to you if you are an employee who needs help for an employment-related dispute in Singapore.

The flowchart below sets out some of the more common types of employment disputes and guides you to the appropriate avenue that you can consider for resolving your dispute.



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I. Tripartite Alliance for Dispute Management (TADM)

What is the TADM?

The Tripartite Alliance for Dispute Management (TADM) (<https://www.tal.sg/tadm>) was jointly set up by the tripartite partners – the Ministry of Manpower (MOM), National Trades Union Congress (NTUC) and Singapore National Employers Federation (SNEF) – to provide advisory and mediation services to resolve salary-related claims and wrongful dismissal claims.

How can TADM help me resolve my dispute?

Mediation services

Mediation is a process that seeks to help employees and employers resolve employment-related disputes in an amicable manner. The aim is to reach fair outcomes that both parties to the dispute can agree on, with the assistance of a TADM mediator.

Mediation at the TADM is offered for:

- Salary-related claims covered by:
 - Your employment contract (<https://singaporelegaladvice.com/law-articles/employment-agreement-guide>) (E.g. non-payment of bonus or overtime pay); or
 - The Employment Act (EA) (E.g. non-payment of salary); and
- Wrongful dismissal claims under the EA and (for maternity-related wrongful dismissal claims) Child Development Co-Savings Act (CDCA). TADM will first assess a claim on wrongful dismissal to determine if it is suitable for mediation.

Who can and cannot make a request for mediation?

You can only request mediation for a claim if you are an employee who is not a domestic worker, seafarer or public officer. Mediation may also be offered for self-employed persons who are facing other types of employment or payment-related disputes.

Self-employed persons should make an appointment for an advisory session at TADM, where the Advisory Officers will go through the details of the case and advise if mediation is suitable.

Advisory services

TADM also offers advisory services for employees and self-employed persons to explore the various options available for managing an employment dispute before they file a claim.

This is an optional service for those who may be unsure on what would be the most appropriate option for their dispute. TADM may also recommend other suitable partners who would be better able to assist in the matter.

For example, TADM works with the Law Society Pro Bono Services Office (<https://www.lawsocprobono.org/Pages/default.aspx>) to provide free basic legal advice, depending on the nature and complexity of the dispute. Other partners include Family Service Centres (<https://www.msf.gov.sg/dfcs/familyservice/default.aspx>) and Social Service Offices (<https://www.msf.gov.sg/dfcs/sso/default.aspx>) which provide financial assistance, as well as social and emotional support respectively.

How can I bring my claim to TADM?

For salary-related disputes

If the dispute is salary-related, you can submit a request for mediation online (<https://www.tal.sg/tadm/eservices>). You will be required to provide the relevant details of the claim, including the claim amount as well as essential supporting documents. These include:

- Your employment contract or key employment terms;
- Salary payment records and CPF statements (where available);
- Letter of termination or your resignation letter; and
- Other relevant documents to support your claim.

A mediation session will be scheduled thereafter. Do note that if you are a union member, you should approach your union or NTUC to file your claim on your behalf.

You should submit a mediation request to TADM as soon as possible after your claim arises. If your employment has ended, you need to submit your claim within 6 months from the date you left your job. If you are still in employment, however, you need to submit your claim within 1 year from the date of the dispute.

Do note that registration fees apply. For claims that are S\$10,000 or less, the fee payable is S\$10, while for claims exceeding S\$10,000, the fee payable is S\$20.

You can only claim up to a maximum of S\$20,000, or up to S\$30,000 if you go through the Tripartite Mediation Framework or mediation assisted by unions recognised under the Industrial Relations Act.

If your claim exceeds the maximum amount, you will need to forego the excess amount so that you can either enter into a [settlement agreement \(https://singaporelegaladvice.com/law-articles/drafting-enforceable-settlement-agreement-singapore/\)](https://singaporelegaladvice.com/law-articles/drafting-enforceable-settlement-agreement-singapore/) under the Employment Claims Act (ECA), or have your case be heard by the Employment Claims Tribunal (ECT) (see below).

For wrongful dismissal claims

For [wrongful dismissal claims \(https://singaporelegaladvice.com/law-articles/unfairly-dismissed-job-singapore/\)](https://singaporelegaladvice.com/law-articles/unfairly-dismissed-job-singapore/), the request for mediation can be made online, as is the case for salary-related disputes. You will also be required to provide the relevant details of the claim, including the claim amount as well as the essential supporting documents set out above.

Do note, however, that TADM will have to first assess if the claim on wrongful dismissal can be substantiated before mediation can be arranged.

If your wrongful dismissal claim is non-maternity related, you will need to file your claim within 1 month after your last day of employment. If the claim is maternity-related, you will need to file your claim within 2 months of the birth of your child.

For both salary-related and wrongful dismissal claims

Do note that if you have salary-related and wrongful dismissal claims, you will need to file the two claims separately.

For example, if you have been wrongfully dismissed by your employer and your employer owes you your salary, you will have to login to SingPass to file your wrongful dismissal claim, log out, and log back in, to file your salary-related claim.

For other employment disputes

For non-salary related disputes or other types of employment dispute, you can make an appointment to consult an advisor on your options.

You can book an appointment online (<https://www.tal.sg/tadm>) by choosing your preferred date and time. A confirmation of your appointment will be sent to you via e-mail or SMS.

What happens after I've filed my claim with TADM?

Once you have submitted a request for mediation, a session will be scheduled within 4 weeks. You are required to bring the following documents on the stipulated date and time when your mediation session is scheduled:

- Identification documents (NRIC, work pass card).
- Employment contract or key employment terms.
- Relevant documents to support the claim or dispute e.g. salary slips or payment records, termination letter, any email or letter exchanges related to the dispute.

TADM has put together a useful guide and video (<http://www.tadm.sg/mediation-guide/>) to explain the mediation process in further detail.

Alternatively, if you have made an appointment for an advisory session, you are also required to bring along the above documents to help the advisor better understand your claim/dispute.

You should be punctual for the mediation as well as advisory sessions.

The possible outcomes of the mediation are as follows:

- If the mediation is successful, a written settlement agreement will be reached. The settlement agreement can be registered as a binding order through the Community Justice and Tribunals System (CJTS) (<https://www.statecourts.gov.sg/CJTS/#!/index1>) and must be registered within 4 weeks from the date of issue of the settlement agreement. The registration fee is S\$10.
- If the mediation is unsuccessful, the TADM mediator will issue you a Claim Referral Certificate to file a claim at the ECT.

2. Employment Claims Tribunals (ECT)

What is the ECT?

The ECT provides employees and employers with a forum to resolve salary-related and wrongful dismissal disputes, that cannot be resolved via mediation at TADM, in a cost-effective and quick manner.

Do note that claims can only be filed against a respondent (i.e. the other party to the dispute) located in Singapore. The ECT is unable to hear claims filed against parties located outside of Singapore.

How can I bring my claim to the ECT?

You may file an ECT claim online (<http://www.statecourts.gov.sg/CJTS/>) via the CJTS. You are required to file a claim with the ECT within 4 weeks from the date you were issued the Claim Referral Certificate from the TADM mediator.

Do note that the ECT can only hear claims that do not exceed S\$20,000. However, if your claim exceeds this limit and you still wish to pursue it at ECT, you may abandon the amount in excess of the limit.

For more information, refer to our article on [filing a claim with the Employment Claims Tribunals](https://singaporelegaladvice.com/law-articles/all-you-need-to-know-about-the-employment-claims-tribunals/) (<https://singaporelegaladvice.com/law-articles/all-you-need-to-know-about-the-employment-claims-tribunals/>).

3. Tripartite Mediation for NTUC Union Members

What is tripartite mediation?

Tripartite mediation was introduced by MOM, with the support of SNEF and NTUC, as a new employment dispute resolution process to facilitate the settlement of common employment disputes between eligible Professionals, Managers and Executives (PMEs) who are NTUC union members and their employers.

Eligible PMEs include employees with executive and/or supervisory functions who:

- Have a monthly basic salary of up to S\$4,500;
- Are individual members of any registered trade union without any form of representation rights; and
- Are employed in a non-unionised company.

Tripartite mediation covers the following types of employment disputes:

- Non-payment of salary
- Employment statutory benefits
- Payment of retrenchment benefits
- Breach of individual employment contract by employer

- Re-employment issues
- Wrongful dismissal claims

How can tripartite mediation help me resolve my dispute?

Tripartite mediation is facilitated by a mediator from the TADM, who will be assisted by Tripartite Mediation Advisors (TMAs).

TMAs are industrial relations/human resource practitioners who bring with them a wealth of experience to help address your claim. They are nominated by the tripartite partners and appointed by the Minister for Manpower.

How can I bring my claim for tripartite mediation?

You are required to submit your query [online](https://www.ntuc.org.sg/wps/portal/up2/home/workplaceadvisory) (<https://www.ntuc.org.sg/wps/portal/up2/home/workplaceadvisory>) providing details of the claim or dispute. You will then be contacted by an NTUC case officer who will seek to understand more about your case before advising you on your next steps.

Do note that NTUC would first seek to resolve the dispute by contacting the management of your organisation to reach an amicable settlement before referring the case for tripartite mediation. The NTUC case officers will assist you with lodging your case for tripartite mediation if an amicable settlement cannot be reached.

You are not required to pay any fees for tripartite mediation.

What happens after I've brought my claim for tripartite mediation?

After lodging your case for tripartite mediation, your session will be scheduled. During the mediation, the TMAs would provide advice and explore appropriate and available solutions to help you reach an amicable settlement to your dispute.

However, if you are not satisfied with the outcome reached during the tripartite mediation, the following options are available to you:

- For employment disputes concerning statutory and contractual claims and wrongful dismissal, you may wish to pursue your claim with the ECT.
- For employment disputes concerning [payment of retrenchment benefits](https://singaporelegaladvice.com/law-articles/things-to-consider-in-a-retrenchment-exercise#benefits) (<https://singaporelegaladvice.com/law-articles/things-to-consider-in-a-retrenchment-exercise#benefits>) not provided for in the employment contract, you will need to consider filing a

civil suit in court.

4. Ministry of Manpower (MOM)

What is the MOM?

The MOM is responsible for the formulation and implementation of labour policies relating to Singapore's workforce.

What are the claims/disputes that MOM oversees?

Work injury compensation

The Work Injury Compensation Act (WICA) (<https://singaporelegaladvice.com/law-articles/how-to-obtain-work-injury-compensation-for-workplace-accidents/>) allows employees to make claims for work-related injuries or diseases without having to file a suit in the civil courts. It offers a low-cost and efficient alternative to settling compensation claims without the need to engage a lawyer to do so on your behalf.

Claims can be made up to 1 year from the date of the accident, and you can claim for the following:

- Medical leave wages.
- Medical expenses.
- Lump-sum compensation for permanent incapacity or death (<https://singaporelegaladvice.com/law-articles/death-employee-singapore-employers/#foreigner>).

The WICA covers any local or foreign employee who is under a contract of service or contract of apprenticeship, regardless of salary, age or nationality. However, it does not cover independent contractors, domestic workers, uniformed personnel and the self-employed.

Employment infringements

MOM also oversees and investigates reports of employment infringement. These include violations of the EA or workplace safety and health violations or lapses that have been committed by an employer so that MOM can take the appropriate action against the employer concerned.

This is to help ensure that employers abide by the relevant laws and legislation and abide to good labour practices.

How can I bring my claim?

Work injury compensation

A claim under the WICA can be lodged using the [WicSubmit](https://www.mom.gov.sg/eservices/services/wicsubmit) (<https://www.mom.gov.sg/eservices/services/wicsubmit>) online service. WicSubmit allows you to submit WICA claim-related documents online, receive instant acknowledgement for submitted documents and track your submission status.

Do note that you should report all work-related accidents and illnesses to your employer first, and seek compensation for medical leave wages or treatment.

Otherwise, your employer may dispute if the accident or illness is work-related. You should also keep MOM informed by filing an [incident report](https://www.mom.gov.sg/eservices/services/wsh-incident-reporting) (<https://www.mom.gov.sg/eservices/services/wsh-incident-reporting>) who can help you with such disputes.

For more information, read our other article on [how to obtain work injury compensation](https://singaporelegaladvice.com/law-articles/how-to-obtain-work-injury-compensation-for-workplace-accidents/) (<https://singaporelegaladvice.com/law-articles/how-to-obtain-work-injury-compensation-for-workplace-accidents/>).

Other employment-related complaints

MOM offers a 24-hour online service that allows you to report an employment infringement. As MOM treats each report seriously, you should only lodge a complaint if you are certain that a violation has been committed.

What happens after I bring my claim?

After submitting your claim under WICA, you will be required to undergo a medical assessment. This can be done at any hospital or medical institution, or your employer may request that you be treated or assessed by the company-approved hospital or medical institution.

Once MOM receives the medical report, they will calculate the compensation amount, and you will receive a Notice of Assessment (NOA) to inform you, your employer and your employer's insurer of the compensation amount that is payable to you.

If there are no objections from the parties concerned, your employer or your employer's insurer is required to issue you a compensation cheque within 21 days from the date on which the NOA is received.

If any party objects to the compensation amount indicated in the assessment, they are required to complete and submit the objection form that will be attached to the NOA within 14 days from the date on which the NOA is received.

Further details on the processes involved for WICA claims is available [here](https://www.mom.gov.sg/workplace-safety-and-health/work-injury-compensation/eservices-and-forms) (<https://www.mom.gov.sg/workplace-safety-and-health/work-injury-compensation/eservices-and-forms>).

For reports of employment infringements, you will be contacted by a MOM officer to verify your report and to advise on the next steps if the alleged infringement is found to be substantiated.

5. Tripartite Alliance for Fair & Progressive Employment Practices (TAFEP)

What is the TAFEP?

The TAFEP seeks to promote the adoption of fair, responsible and progressive employment practices among employers, employees and members of the public. It also provides advice and assistance to employees who have encountered [workplace discrimination](https://singaporelegaladvice.com/law-articles/discriminatory-hiring-penalties-employers-singapore/) (<https://singaporelegaladvice.com/law-articles/discriminatory-hiring-penalties-employers-singapore/>) and/or harassment.

Discriminatory practices can relate to the following grounds:

- Age
- Gender
- Race
- Religion
- Language
- Marital status and family responsibilities
- Disability

How can I bring my claim to TAFEP?

If you have experienced workplace discrimination or harassment, you will need to complete an [online form](https://www.tal.sg/tafep/Contact-Us) (<https://www.tal.sg/tafep/Contact-Us>) with the following details:

- Your name and contact details;
- NRIC number; and
- Details of the incident of discrimination or harassment.

TAFEP may contact you for further information about your case depending on the information that you have provided and will follow up with your organisation to pursue the case.

However, if you have any objections or concerns with TAFEP approaching your organisation, you should provide your grounds relating to why TAFEP should not approach your organisation in your report. This will allow TAFEP's officers to discuss the matter with you when following up on your report, before deciding the next steps forward with your case.

What happens after I've filed my claim with TAFEP?

After you have filed your report, a TAFEP officer will speak to you to better understand the incident of discrimination and/or harassment.

TAFEP will also approach the employer concerned to put in place fair employment practices and ensure there are no further discriminatory practices on the grounds mentioned above.

TAFEP is also empowered to report discriminatory practices that do not adhere to the Tripartite Guidelines on Fair Employment Practices (<https://www.tal.sg/tafep/Getting-Started/Fair/Tripartite-Guidelines>) to MOM for further investigations. Appropriate actions will be taken against the offending organisation if such lapses are found.

6. Civil Courts

Bringing your dispute to court (<https://singaporelegaladvice.com/law-articles/civil-litigation-in-singapore>) would be the avenue of last resort, as the mechanisms highlighted above are intended to ensure that employment disputes can be addressed in a cost-effective and amicable manner as far as possible.

However, there may be instances where you may wish to file a civil suit in relation to your claim or dispute.

Work injury compensation

Employees injured at work can either claim under WICA or file a civil suit within 1 year from the date of the accident. If you have filed a claim under WICA and wish to withdraw it to pursue a civil claim, you can do so at any time before MOM issues your NOA.

If you decide to withdraw your claim under WICA and file a civil suit against your employer instead, you will need to do so within the following timeframes:

- Within 14 days from the date of service of the NOA, if there are no objections;
- Within 28 days from the date of service of the NOA, if any party objects to the compensation amount; or
- At any time before the NOA is issued.

Do note that the court may not accept your civil suit if you do not withdraw your claim under WICA within these timeframes.

Workplace harassment

As harassment within or outside the workplace may amount to an offence under the Protection of Harassment Act (POHA), you may wish to apply for a Protection Order (<https://singaporelegaladvice.com/law-articles/protection-from-harassment-applying-for-a-protection-order/>), Expedited Protection Order or Non-Publication Order from the State Courts to protect you from such harassing behaviour.

You can also sue your harasser for monetary compensation by filing a suit through the District Court.

For serious cases of harassment, and if you believe that the harasser has committed a criminal offence, you should make a police report or file a Magistrate's Complaint (<https://singaporelegaladvice.com/law-articles/magistrates-complaints-private-summons-and-private-prosecutions-in-singapore/>).

In these cases, if you decide to pursue a civil claim or seek criminal sanctions, you should seek legal advice from a lawyer who would be better able to advise you on the procedures involved.

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Finally, it is important to remember that you should try to prepare as much evidence as you can for their case when seeking recourse through the various avenues outlined above.

While these avenues are available to help an employee resolve an employment-related dispute or claim, you should always try to resolve the matter with your employer and reach an amicable settlement as far as possible first.

If you require a legal review of your employment situation, you can book a phone consultation with an experienced employment dispute lawyer (<https://callalawyer.singaporelegaladvice.com/>).



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