Asia Pacific Labour Law Review

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Workers' Rights for the New Century

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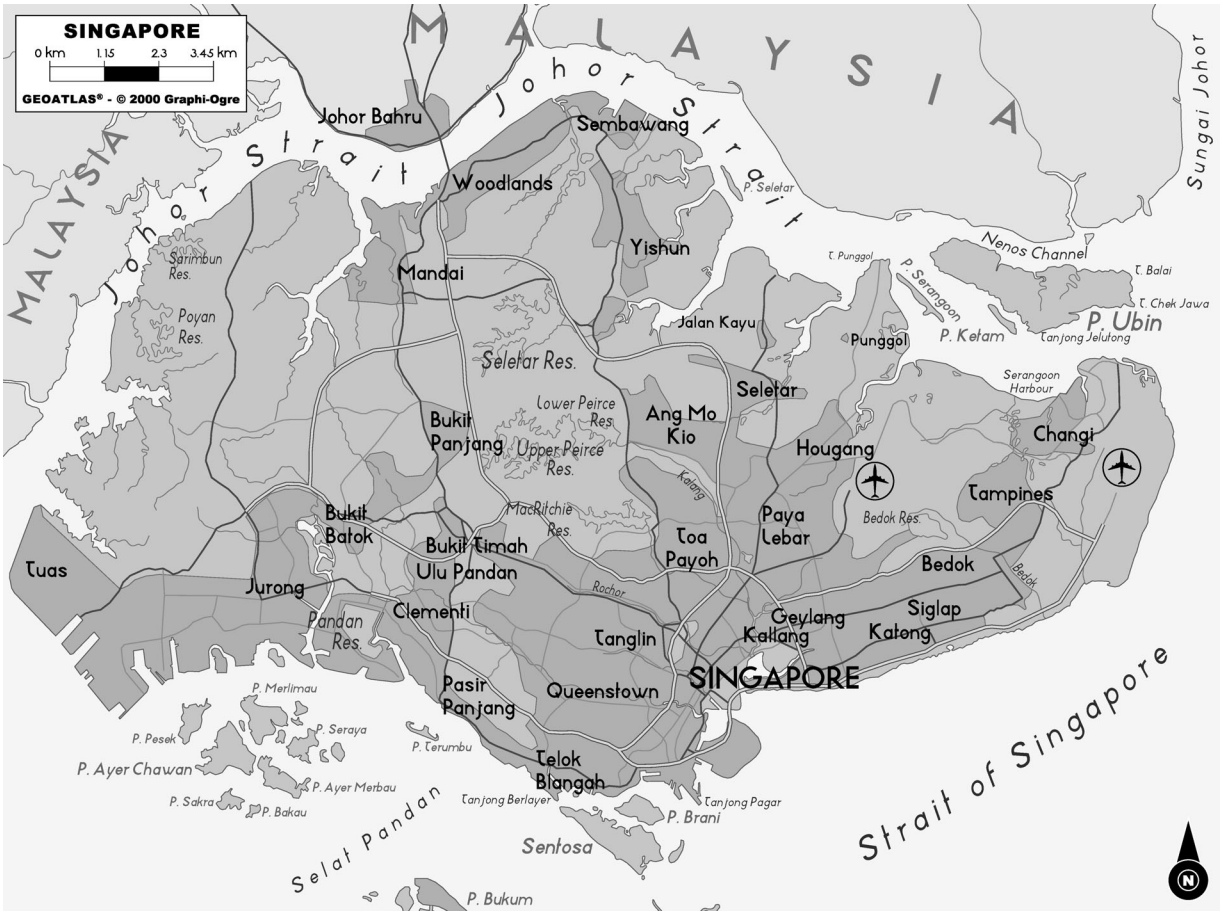
Labour Law and Workers' Rights in Singapore[1]

Stephen Frost and Catherine Chiu

Singapore is one of the wealthiest countries in the region. Its workforce is well educated and its economy is now underpinned not only by manufacturing and trade but also by sectors in which knowledge and service are crucial elements. According to the Washington-based Heritage Foundation it is one of the world's freest economies, and for many commentators Singapore's transformation over three decades has been nothing short of amazing.

The labour laws under review in this chapter are founded on the remnants of colonial English common law, which has provided the basis for a comprehensive and sophisticated legal system. These laws, along with a unique tripartite relationship between government, business and unions, have led to an unprecedented 25 years during which only a single strike has been recorded. With unemployment rates lower than many of its neighbours, high productivity levels, and relatively high wages, the tripartite systems seems to have delivered the best for all sectors. With the capacity to enforce regulations and small populations, Singapore's labour law appears well equipped to protect its labour force.



Political and legal structure

Singapore has been self-governing since 1959 and fully independent since a political merger with Malaysia ended in 1965. It is a parliamentary democracy with a unicameral parliament of 84 members. Currently, the People's Action Party (PAP), which has won every general election since 1959, holds 82 parliamentary seats (97.6 percent). The PAP won 73.5 percent of the vote in the last national elections held in November 2001. The main opposition parties are the Workers' Party, Singapore Democratic Alliance, Singapore Democratic Party, and the Democratic Progressive Party. The next elections are due in early 2007.

Fourteen ministries oversee government administration. The principal office responsible for labour relations and regulations is the Ministry of Manpower. The Ministry's primary mission 'is to develop a globally-competitive workforce to support Singapore's vision of a knowledge-based economy' for which five 'business groups' assume responsibility: Planning, Development, Augmentation, Environment and Welfare, and Corporate Support.[2] The business group for environment and welfare oversees labour relations, occupational health and safety (OHS), and work injury compensation. The current Minister for Manpower is Dr Lee Boon Yang who has held the portfolio for labour or manpower since 1992.

Singapore derives its legal system from English common law and comprises the Constitution, legislation, and subsidiary legislation. The Constitution enshrines fundamental rights, Parliament passes laws through legislation, and ministers or other authorised persons or bodies pass rules and regulations referred to as subsidiary legislation.

Judicial power is vested in the Supreme Court and its subordinates. The Constitution safeguards the independence of the judiciary. The Supreme Court consists of a High Court and a Court of Appeal. Since the Judicial Appeal (Review) Bill of 1994 abolished all appeals to the Privy Council (a court of final appeal in the UK for members of the Commonwealth), the Court of Appeal has become Singapore's final court of law.

The Arbitration Court, which is examined below, is the principal institution in which labour disputes are resolved. The Minister of Manpower may in some cases use his discretion to force arbitration upon parties in dispute if he believes that the public interest is jeopardised.[3]

The Employment Act 1968 (EA) is the primary statute governing employment in Singapore. Other relevant laws are the Industrial Relations Act, the Trade Unions Act, and the Factories Act. In brief, the EA sets out the 'general terms and conditions of employment and the basic rights and duties of employers and employees'.[4] In the hierarchy of Singapore's laws, labour laws and regulations do not feature prominently. This is primarily due to tripartism where the government, trade unions, and employers come together to resolve issues relating to labour and employment prior to coming before the courts as a legal matter.

Labour force structure

As of June 2001, Singapore's labour force stood at 2.12 million, a 27 percent increase over the last decade, out of a total population of 4.02 million (SDS 2001: 2).[5] Key findings of the 2001 annual survey of the labour force are:

- female participation in the labour force was 54 percent, up two percent over the decade;
- although overall educational attainment levels have risen due to new entrants, approximately 33 percent of the work force still does not have secondary qualifications;
- the work force is older, with the median age rising 4.2 years to 37.8 over the last decade;
- thirty-three percent of workers had undertaken some form of training over the 12 months ending June 2001, much of it skewed towards higher educational attainment;
- employment has shifted from the manufacturing sector to services (MOM 2001: ix);
- the unemployment rate was 3.4 percent (72,900 persons), a 78.95 percent rise over the course of the decade.[6]

Singapore's industrial composition has changed over the past decade. Whereas the manufacturing sector was once dominant, financial and business services along with community and personal services have grown significantly. This is in line with the prevailing trend towards a knowledge-based economy. There are a total of 8,970 enterprises comprising 25 persons or above, the

great majority (75.5 percent) work in workplaces of less than 100 persons. Only eight percent of workers are employed in establishments with 250 employees or more.

Professionals and managers, technicians and associate professionals have grown as a proportion of the workforce, 69.8 and 45.6 percent respectively.

For the first time, the 2001 survey collected data on non-standard forms of work and noted that 83,600 workers (4.2 percent) were casual or on-call workers, freelancers, or temporary help agency workers.[7]

It should be noted with regard to working hours that although the average hours worked per week was 49.8, several sectors worked much longer. Cleaners, labourers, and related workers for instance, worked on average 59 hours per week, with females in this category averaging 63.5 hours.[8] Clerical workers clocked in for an average 44 hours per week.[9]

The labour law

Employment in Singapore is governed by the EA, which came into operation on 15 August 1968. Prior to the enactment of the EA, three ordinances regulated the conditions of service for employees:

- The Labour Ordinance 1955;
- The Shop Assistant Ordinance 1957;
- The Clerks Employment Ordinance 1957.

With the enactment of the EA, the government repealed all three ordinances from the 1950s. The EA was enacted to standardise the working conditions for all employees in Singapore, with the exceptions noted below. The implementation of the EA in the 1960s should be understood in the context of high (around nine percent) unemployment and a wave of strikes motivated by economic and political issues, the government's strategy of encouraging private sector-led industrialisation and the need to attract foreign capital, and the necessity – from the government's perspective – of controlling labour costs.[10] To ensure Singapore's competitiveness, the PAP blunted the power of independent labour and strengthened the PAP-affiliated National Trades Union Congress (NTUC). The PAP introduced the EA to reduce wages, erode conditions, increase working hours, and limit bargaining powers and the ability to take industrial action.[11] This strategy has been so successful that Singapore has witnessed only one strike since 1978.

As detailed in following sections, the EA is supplemented with other legislation, such as the Employment (Part-time Employees) Regulations, the Workmen's Compensation Act, the Central Provident Fund Act, the Industrial Relations Act, the Trade Union Act, The Trade Disputes Act, the Retirement Age Act, the Factories Act, and the Employment of Foreign Workers Act.

Coverage and exclusions

The EA sets out the general terms and conditions of employment and the basic rights and duties of employees and employers. It consists of sixteen parts. Coverage by this act and other laws is to a large degree dependent on how the law defines an employee.

An 'employee' under the EA is defined as: 'A person who has entered into or works under a contract of service with an employer and include a workman and any officer or servant of the Government included in a category, class or description of such officers or servants declared by the President to be employees for the purposes of [the Act … or section thereof] but does not include any seaman, domestic servant, watchman or security guard or any person employed in a managerial, executive or confidential position or any person belonging to any other class of persons whom the Minister may from time to time by notification in the Gazette, declare not to be employees for the purposes of this Act. The Act applies to employees who are foreigners too so long as they fall within the definition of employees under the Act.'

The term 'employer' covers any person who employs another person under a contract of service, which includes the government. It also includes any statutory authority, or a duly authorised agent or manager of the employer, and any person who owns or is carrying on or is for the relevant period responsible for the management of the profession, business, trade, or work in which the employee is engaged.

The employer and employee are free to agree to the inclusion of whatever terms in the contract of service they wish. However, every term of a contract of service that provides a condition of service less favourable to the employee than that prescribed by the EA is illegal, null and void.

The key point to note here is that the EA does not cover all workers in Singapore, in particular managers, domestic workers, security guards, seaman, and any per-

son employed by a Statutory Board or by the Government.

However, even if a worker is defined as an employee under the EA, some aspects of the law may not be applicable. For example, a range of provisions are applicable only to employees who are in receipt of salaries not exceeding SG$1,600 per month (a figure that the Minister of Manpower may vary). Other provisions apply only to 'workman' (defined as 'any person, skilled or unskilled, doing manual work, including any artisan or apprentice but excluding any seaman or domestic servant; any person other than clerical staff …, any person specified in the First Schedule of the EA, namely, bus conductors, lorry attendant, tailors, all workmen employed on piece rates in the premises of the employer', and so on). Thus, clerical workers (who are not defined as 'workmen') earning more than SG$1,600 per month are not entitled to claim overtime payments because the relevant section of the Act (Part IV) only covers 'workmen'.[12] Likewise, Maternity Protection & Benefits apply only to women.

These definitions of employees and workmen have important implications for other pieces of legislation too. For instance, the Workmen's Compensation Act provides for 'workmen' who are injured or afflicted with occupational diseases in the course of their work, and the protection of the right to be compensated. However, these provisions apply only to 'workmen'. Thus, the following persons cannot claim worker's compensation:

- non-manual worker who earns more than SG$1,600 a month;
- casual worker whose work is not connected with the employer's trade or business;
- domestic servant;
- police officer;
- person who works with material supplied by another person but without any supervision in his/her own home;
- any member of the employer's family living in the home of the employer;
- any class of persons excluded by the Minister.

A contract of service under the EA is 'an agreement by one person to hire another person to do work. The contract may be in writing, oral, express, or implied. It includes an apprenticeship contract or agreement'.[13]

Dismissal

Either the employer or the employee has the right to end a contract of service. Formal notice need not be provided by either party. If given, however, the notice must be in writing. The period of notice provided by either party should be in accordance with the contract of service. If the length of employment period was not stipulated in the contract, then the following shall apply:

Length of employment	Period of notice
Less than 26 weeks	one day
26 weeks to less than two years	one week
two years to less than five years	two weeks
five years and more	four weeks

Either party has the right to terminate a contract without notice. However, should they do so, they are legally required to pay the other party a sum equal to the amount of salary that would have been earned by the employee during the required period of notice. Subject to mutual agreement, either party may waive their right of notice. An employer may dismiss an employee without notice on the grounds of misconduct that contravenes the conditions of employment, but they cannot dismiss a female employee during her maternity leave except under express conditions. An employee may stop working for an employer without notice if the employee is asked to do work that involves danger, risk of disease, and that which is not within the terms of the contract.

Discrimination

Singapore has no laws that prevent employers discriminating on the basis of race. Singapore law does, however, have a number of provisions that either prevent discrimination in specific sectors or are discriminatory in their nature; namely in the areas of compensation, central provident fund contributions, retirement, and termination of employment.

Section 80 of the Industrial Relations Act provides that employers cannot discriminate against members of trade unions. An employer cannot refuse to hire a new employee if s/he is or intends to be an officer or a member of a trade union. Similarly, an employer or any other person cannot persuade his employees or other persons not to be officers or members of a union or to form a union. In fact, an employer must, on application of an em-

ployee, grant leave with or without pay to enable the employee to do trade union work.

The minimum wage

Singapore has no minimum wage law, and salaries are subject to negotiation between the employee or the trade union representing employees and the employer.

Hours of work, overtime, holidays, and leave

Section 2 of the EA defines 'hours of work' as a period of time during which an employee is expected to carry out the duties assigned by the employer.[14] It excludes any intervals allowed for rest and meals.

In general, employees are not required to work more than eight hours a day or 44 hours a week. If the contract of service stipulates that the number of hours on one or more days of the week is less than eight, then the limit of eight hours may be exceeded on the remaining days of the week. For employees on a five-day week, the limit of eight hours a day may also be exceeded but they shall not be required to work more than nine hours a day or 44 hours a week.

In practice many employees work longer hours, with female cleaners averaging 63.5 hours.

Employees are entitled to 11 paid public holidays each year as listed in the EA. They are also entitled to annual leave consisting of seven working days for the first year of service, and an extra day of annual leave for every subsequent 12 months of continuous service subject to a maximum of 14 days. Annual leave does not include any rest day, public holiday or sick leave to which the employee is entitled.

Employees who have worked for 12 months are entitled to 14 days of paid sick leave per year if no hospitalisation is needed. The 14 days can be extended up to 60 days if hospitalisation is needed. The EA enables an employee to be certified ill enough to be hospitalised without having to be actually warded in a hospital. To obtain sick leave an employee must be examined by a doctor appointed by the employer, or if none has been appointed, by a government doctor. The employee must inform or try to inform the employer within 48 hours otherwise the worker is deemed to be absent from work without reasonable excuse. If the employee has worked for the same employer for at least six months, the latter is legally obliged to pay the medical examination fee. As for other medical costs such as medication, treatment, or ward charges, the employer's obligation depends on the medical benefits provided in the employment contract.

A female employee is entitled to four weeks of maternity leave before confinement and four weeks after confinement. By agreement with the employer, she can take shorter pre-confinement and longer post-confinement leave to allow more time to recuperate and to be with the baby.

Special provisions for children and migrant workers

Labour laws provide for special working conditions for children and foreign workers.

Part VIII of the EA governs the employment of children and young persons. The EA defines a child as a person under 14 years of age, and a young person above 14 but below 16 years of age. No child under 12 can be employed.

Even though children can be employed, there are strict guidelines concerning the type of work in which children and young persons may engage. Employers may only engage children aged 12 years or above in light work suited to their capacity. They shall not be employed in any industrial undertaking or any vessel unless such undertaking or vessel is under the personal charge of a parent. Young persons (aged 14 years or above but under 16 years) may be employed in industrial undertakings, but employers are required to notify the Commissioner for Labour within 30 days of employing a young person attaching a medical certificate certifying their fitness for employment.

The Employment of Foreign Workers Act is designed to control the employment of foreign workers, and defines foreign workers as 'any person who is not a citizen of Singapore who seeks employment with, or is offered employment by, an employer at a salary of not more than SG$1,500 a month or such other sum as may, from time to time, be fixed by the Minister by notification in the *Gazette*'. All foreign workers must obtain work passes to work. It is a serious offence for any foreign worker to work, or for any employer to employ a foreign worker, without a work pass.

A work pass is a permit issued by the Ministry of Manpower to allow a foreign worker to work. It is valid

only for the occupation it is issued for, the employer, the specified worker and for the stated period. A police officer or an employment inspector may arrest any person who is working without a work pass. Section 13 of the Act stipulates that foreign workers must produce their pass for inspection whenever necessary, and return the work pass through the employer to the Ministry within seven days of stopping work.

The Government amended the Immigration Act in 1995 in an attempt to curtail employers hiring foreign workers resident in the country illegally. Due to various measures designed to regulate their employment, such as requiring employers to pay a levy for every foreign worker, and the implementation of a dependency ratio that is adjusted periodically to reflect the supply and demand in the labour market, many employers had resorted to hiring non-registered foreigners, particularly in the construction industry.[15] The amendments include the following provisions:

- contractors are now responsible for illegal workers found residing or working on worksites. Unlike the situation previously, they can no longer pass the responsibility to sub-contractors by denying knowledge of the workers' immigration status;
- the onus of proof with regard to the immigration status of workers is now resides solely with the employer. Prosecutors are no longer required to prove that employers knew their employees were illegal immigrants. In the past, prosecutions often failed because employers were able to claim that they did not know employees were illegal immigrants;
- employers of illegal workers are subject to heavy fines. Repeated offenders may even be jailed or caned.[16]

Legal status of unions

The period between the end of the Second World War and the formation of Singapore as an independent sovereign state in 1965 was marked by a struggle for control of Singapore's trade union movement.[17] Militant and politicised trade union activity was effectively blunted with the formal registration of the NTUC in 1964. During the 1960s and 70s, the NTUC has worked at developing close relations with the PAP and business to form a tripartite partnership that now oversee (but do not necessarily protect) the interests of workers. As stated by Lim Boon Heng (the Secretary-General of the NTUC), "Ours is a value-adding labour movement. We add value to workers by protecting their interests and providing them with many benefits. We add value to business by fostering industrial harmony and encouraging workers to upgrade their skills and become more productive. We add value to society by stabilising prices through our network of co-operatives and by making available quality social and recreational facilities to Singaporeans at prices they can afford (Lim 2002b)."[18]

Under Singapore law, the status of trade unions is administered by the Industrial Relations Act and the Trade Union Act. The law controls industrial action by way of the Trade Disputes Act, which is covered below.

The Industrial Relations Act regulates relations between employers and employees and provides the legal framework to prevent and settle trade disputes by collective bargaining, conciliation, and arbitration. Industrial relations between parties are regulated in order to maintain industrial peace.

In general, a trade union is legally able to represent any employee. However, the Minister has the right to declare persons not to be employees, and they are thus accordingly gazetted as such under the Act and unions do not have the right to represent such persons. Further, unions do not have the right to represent employees if, upon appointment or promotion as a manager or an executive, they have agreed not to be or not to continue to be an officer or member of a particular trade union that does not organise and represent only managerial or executive employees.

Employers have the right to refuse recognition of a trade union on the grounds that it does not represent the majority of employees, or if there is more than one trade union claiming to represent the same group of employees. In such cases, the Commissioner will conduct a secret ballot to settle the matter. They can also legally refuse to recognise a union on the grounds that employees are not able to be members of a particular union. If so, the dispute is settled by making a joint application to the Industrial Arbitration Court (IAC).

The Trade Union Act provides for the registration and control of trade unions in Singapore. It stipulates who can form or join a union, and spells out the rights, immunities and privileges of a union, as well as limita-

tion. The Act also regulates the use of union funds. The latest definition and amendments to the Trade Union Act appear to stress the NTUC's role, which has evolved from solely acting as a bargaining agent on behalf of workers to a social partner in nation-building.

Under the Act, trade unions can be deregistered for a number of reasons, among them misuse of funds, a belief that the trade union may be used against the interests of workers (who determines this is unclear), or that workers can be better represented by another trade union (who determines this is unclear).

Union formation and membership coverage

Forming and joining a trade union is legally sanctioned in Singapore, and takes only seven members to apply and register a new union. Union density stands at about 14.8 percent. The number of overall employee trade unions has fallen during the last decade (from 83 to 71), but membership numbers have increased significantly (an increase of around 121,000 members to a total of 338,311, or an increase of 35.8 percent), bucking the general Asian and global trend. Sixty-five of all trade unions (91.5 percent) belong to the NTUC. Trade unions with more than 10,000 members have more than doubled over the decade from 1991, at the expense of smaller unions, most of which have declined significantly.

Roles and function of unions

Trade unions in Singapore are one of three legs of a tripartite system of industrial relations. As outlined in the Trade Unions Act, the trade union movement's major role is to promote good industrial relations, improve working conditions, and raise productivity.

These functions are very different to the narrowly defined and traditional objectives in the 1970s. The trade union movement now sees its role as working in partnership with employers and government. It is also heavily involved in social, educational, and recreational activities. The NTUC provides job search assistance, training, skills development, programmes to increase productivity and workplace health (or what they call ''), ownership and management of FairPrice (one of Singapore's leading supermarket chains with over 100 stores island wide). In their social role, unions now own and manage childcare centres, clubs, and holiday bungalows.

Collective agreements

Collective bargaining takes place at the enterprise level. Trade unions can represent workers, but they are barred from negotiating such issues as 'promotion, transfer, new hiring, assignment of duties of employees, dismissal, retrenchment, and reinstatement'.[19] Most agreements are for two years. Although most are arrived at through negotiation and conciliation, irreconcilable disputes are resolved by the IAC, which determines awards on those issues where the parties cannot reach agreement.

2001 saw a total of 407 collective agreements, of which 398 were in the private sector and the remaining nine from statutory boards. No government workers are currently covered by collective agreements.

Because collective agreements are negotiated on the basis of individual enterprises, the 407 agreements extant in 2001 account for only a small proportion of workers. For instance, although there were 398 agreements in force in the private sector in 2001, they accounted for only 4.53 percent of all private enterprises and covered the interests of 44,465 employees who were union members. All 407 agreements covered 54,830 workers.[20]

Employer organisations

It is worth noting briefly the important role played by employer organisations in Singapore. Under the tripartite system, such organisations play a crucial role in determining the industrial relations landscape. The current peak body representing employers – the Singapore National Employers Federation (SNEF) has around 1,800 members and is registered as a trade union under the Trades Unions Act. It is, in effect, the national trade union of employers and is thus 'the counterpart to the NTUC'. SNEF sits with the NTUC on a variety of triparted bodies such as the National Wages Council and the National Productivity Board. Just like the NTUC, SNEF is entitled to select panel members for the IAC.

Other bodies also represent business in different ways, such as the Singapore International Chamber of Commerce (SICC), and the Singapore Confederation of Industries (SCI). In 2001, membership of employers' trade unions stood at 1,971.

Strikes and lockouts

Industrial action is regulated through the Trade Disputes Act, the purpose of which is to control trade disputes,

strikes, lockouts, and picketing. The Act defines industrial action as illegal if it:

- supports a trade dispute that does not involve the striking workers or the lockout by employers;
- supports a trade dispute that has been duly submitted to the IAC;
- intends to put pressure on the government, either directly or by making life difficult for the community.[21]

This does not mean there are no disputes; there are. However, for 25 years, Singapore has only witnessed a single strike involving 61 workers and the loss of 122 workdays. To provide some context, the previous 25 years saw 842 stoppages, involving 207,109 workers, and the loss of 3.144 million workdays.[22]

Dispute resolution

Although strikes have been reduced to nil, disputes between management and employees are not uncommon (though they are few in number). Dispute resolution in Singapore is achieved through mediation, conciliation, or arbitration. The first two stages are managed by the Ministry of Manpower through its Labour Relations Division. Upon receiving notice of an employee-employer dispute it seeks to mediate and conciliate. If these options fail to resolve the conflict, then the parties can apply to the IAC, whose decisions are final.[23]

The main causes for disputes are overwhelmingly the issues of wages, benefits and bonuses. Although disputes referred to the IAC have fallen over the decade, there has been a 53.3 percent rise from 2000 to 2001. However, 2001 saw only 23 cases presented to the IAC. Disputes referred for conciliation (that is, to be resolved through the Ministry of Manpower) rose 15.2 percent from 2000 to 2001, but the number of claims was small and stood at 266. Despite this, complaints about retrenchments have witnessed a significant increase, as have complaints originating in the construction, commercial, and financial sectors. Claims by individuals over matters requiring resolution by the Ministry of Manpower Disputes Section are significantly more in number than any other disputes, and in 2001 numbered 11,561. There was a 65.3 percent rise in these claims between 2000 and 2001 alone, but the rise over the entire decade was 355.2 percent. Fifty-nine percent of all claims involve disputes over wages.

Occupational health and safety, the Labour Inspectorate, and the Duties

Occupational health and safety (OHS) in the workplace is administered by the Factories Act, which pertains to all matters relating to the health, safety, and welfare of persons employed in factories and other workplaces. At 2001 year's end, 16,693 factories/workplaces were registered with the Ministry of Manpower. Registered factories/workplaces must comply with the Act, which provides standards and provisions for:

- health requirements cleanliness, overcrowding, and ventilation;
- machinery guarding - guards and fencing, and skilled operators;
- electrical safety - well constructed, safe, and well maintained;
- lockout procedures - to isolate energy sources for machine maintenance
- provisions for a safe workplace - covers, obstructions, and safe means of access;
- work in a confined space - adequate ventilation, and safe work procedures;
- explosion prevention - gas, vapours, and flammable materials;
- fire prevention - extinguishers, exits, and fire drills;
- safe work procedures - hazard identification;
- lifting equipment - tests for hoists and lifting appliances;
- pressure vessels/gas plants - tests for boilers and refrigeration plants;
- personal protective equipment - approved coverings for specific tasks;
- elfare - drinking water, first aid, and washing facilities;
- toxic substances - competent handling of and preventative measures;
- material safety data sheet - made available, used;
- medical examinations - compulsory medical examinations for those using specific substances;
- reporting of accidents and diseases - all industrial accidents (death, disablement for three days, and hospitalisation for 24 hours) reported;
- safety officers - full time or part time, depending on workplace;

- safety committees - workplaces with more than 50 workers should have one;
- record keeping - keep all records for five years for inspectors;
- penalties - for contraventions of the Act.

The Labour Inspectorate is responsible for ensuring the provisions in the Factory Act are relevant to changes within specific sectors, inspecting factories, inspecting and testing hazardous equipment, investigating accidents, certifying competent persons such as safety officers and factory doctors, and training and promotion in OHS.

A factory inspector can enter a factory at any time to inspect the premises and to question an employer or the occupier of the factory. The Chief Inspector can require an employer or the occupier of a factory to make alterations to premises before registering or renewing registration of the factory under the Act. OHS inspections have increased 89.4 percent since 1996 to 14,286 inspections in 2000.

Government statistics on industrial accidents show that Singaporean employees are working in safer environments than a decade ago. However, there are several cases that go against this positive trend. Of particular note is the overall increase in the degree of incapacity resulting from accidents in the construction industry Severity rates in the service industries have also increased markedly.

Conclusion

The distinguishing feature of Singaporean labour relations and regulation is a tripartite system that has delivered a level of workplace harmony not seen elsewhere. The PAP has been able to successfully implement its strategies in consultation with the assistance of the NTUC and business/employer groups, all of who share the goals of industrial harmony, increased productivity, and economic development. This had provided workers with increasing levels of safety and living standards over the last two decades, but has solidified the positions of the state and its supporters perhaps to the detriment of workers' ability to respond to changes wrought by the global economy.

Notes

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4. *Ibid*., (p. 167).

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6. Ministry of Manpower, 'Report on Labour Force in Singapore, 2001', Table 1. (Singapore: Ministry of Manpower, 2002).

7. *Ibid*., (p. 21).

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22. 'Ministry of Manpower Yearbook', various years, and C H Tan, 'Employment Relations in Singapore', (p. 221).
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Appendix

Conformity with international law

Singapore has been a member of the International Labour Organisation (ILO) since 1965 and has ratified 23 conventions as follows:

Convention No. 5 on Minimum Age (Industry) 1919, ratified 25 October 1965;

Convention No. 7 on Minimum Age (Sea) 1920, ratified 25 October 1965;

Convention No. 8 on Unemployment Indemnity (Shipwreck) 1920, ratified 25 October 1965;

Convention No. 11 on Right of Association (Agriculture) 1921, ratified 25 October 1965;

Convention No. 12 on Workmen's Compensation (Agriculture) 1921, ratified 25 October 1965;

Convention No. 15 on Minimum Age (Trimmers and Stokers) 1921, ratified 25 October 1965;

Convention No. 16 on Medical Examination of Young Persons (Sea) 1921, ratified 25 October 1965;

Convention No. 19 on Equality of Treatment (Accident Compensation) 1925, ratified 25 October 1965;

Convention No. 22 on Seamen's Articles of Agreement 1926, ratified 25 October 1965;

Convention No. 29 on Forced Labour 1930, ratified 25 October 1965;

Convention No. 32 on Protection against Accidents (Dockers) (Revised) 1932, ratified 25 October 1965;

Convention No. 45 on Underground Work (Women) 1935, ratified 25 October 1965;

Convention No. 50 on Recruiting of Indigenous Workers 1936, ratified 25 October 1965;

Convention No. 64 on Contracts of Employment (Indigenous Workers) 1939, ratified 25 October 1965;

Convention No. 65 on Penal Sanctions (Indigenous Workers) 1939, ratified 25 October 1965;

Convention No. 81 on Labour Inspection 1947 (No. 81), ratified 25 October 1965;

Convention No. 86 on Contracts of Employment (Indigenous Workers) 1947, ratified 25 October 1965;

Convention No. 88 on Employment Service 1948 (No. 88), ratified 25 October 1965;

Convention No. 94 on Labour Clauses (Public Contracts) 1949, ratified 25 October 1965;

Convention No. 98 on Right to Organise and Collective Bargaining 1949, ratified 25 October 1965;

Convention No. 100 on Equal Remuneration 1951, ratified 30 May 2002;

Convention No. 182 on Worst Forms of Child Labour 1999, ratified 14 June 2001.

Note that Singapore did not ratify any ILO convention between 1965 and 2001.