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Notification No. B 23 — The Employment (Amendment) Bill is hereby published for general information. It was introduced in Parliament on 13th July 2015.

Employment (Amendment) Bill

Bill No. 23/2015.

Read the first time on 13 July 2015.

A BILL

intituled

An Act to amend the Employment Act (Chapter 91 of the 2009 Revised Edition) and to make consequential and related amendments to certain other written laws.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act may be cited as the Employment (Amendment) Act 2015 and comes into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

5 **Amendment of section 2**

2. Section 2(1) of the Employment Act is amended —

(a) by inserting, immediately after the definition of “approved medical institution”, the following definition:

10 ““authorised officer” means any public officer appointed as an authorised officer under section 3(2);”;

(b) by inserting, immediately after the definition of “basic rate of pay”, the following definition:

15 ““civil contravention” means a contravention that is declared to be a civil contravention under section 126A;” and

(c) by inserting, immediately after the definition of “medical practitioner”, the following definition:

20 ““no-pay leave”, for an employee, means leave of absence without pay granted by the employer at the request of the employee;”.

Amendment of section 3

3. Section 3(2) of the Employment Act is amended by inserting, immediately after the words “number of”, the words “authorised officers,”.

Amendment of section 13

4. Section 13 of the Employment Act is amended by deleting subsection (2) and substituting the following subsection:

30 “(2) An employee is deemed to have broken the employee’s contract of service with the employer if the employee is absent

from work for more than 2 days continuously without prior leave from the employer and —

- (a) the employee has no reasonable excuse for the absence; or
- (b) the employee does not inform and does not attempt to inform the employer of the excuse for the absence.”. 5

Amendment of section 76

5. Section 76 of the Employment Act is amended —

- (a) by inserting, immediately after the words “Subject to this section” in subsection (1A), the words “and section 77”; 10
- (b) by deleting the words “1st May 2013” in subsection (2A)(a) and substituting the words “1 May 2013 but before the date of commencement of section 5(c) of the Employment (Amendment) Act 2015”; and
- (c) by inserting, immediately after subsection (2A), the following subsection: 15
 - “(2B) A female employee who delivers a child —
 - (a) on or after the date of commencement of section 5(c) of the Employment (Amendment) Act 2015; or 20
 - (b) before the date of commencement of section 5(c) of the Employment (Amendment) Act 2015 but whose estimated delivery date for her confinement in respect of that child (as certified by a medical practitioner) is on or after that date, 25

is not entitled to any pay during the benefit period if she has not served her employer for a period of at least 3 months preceding the day of her confinement.”.

Amendment of section 77

6. Section 77 of the Employment Act is amended —

- (a) by inserting, immediately after the word “holidays” in subsection (1), the words “, but not any day during the benefit period on which the female employee takes no-pay leave”; and
- (b) by inserting, immediately after the word “holidays” in the section heading, the word “, etc.”.

Amendment of section 87A

7. Section 87A of the Employment Act is amended by inserting, immediately after subsection (5), the following subsection:

“(5A) Despite subsection (5), no employee is entitled to take paid childcare leave on a day the employee takes no-pay leave.”.

Amendment of section 88

8. Section 88 of the Employment Act is amended —

- (a) by deleting the words “such of the days specified in the Schedule to the Holidays Act (Cap. 126) as fall” in subsection (1) and substituting the words “a public holiday that falls”;
- (b) by deleting the words “of the days specified in that Schedule” in subsection (1)(a) and substituting the words “public holidays”;
- (c) by deleting the words “of the days specified in that Schedule” in subsection (1)(b) and (c) and substituting in each case the words “public holiday”;
- (d) by deleting the words “any holiday” in subsections (2), (4) and (4A) and substituting in each case the words “any public holiday”;
- (e) by deleting the words “a holiday” in subsections (3) and (6)(a) and substituting in each case the words “a public holiday”;