

# HRSINGAPORE

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## **Question - Holiday Pay - Update 1 (Reply)**

Dear HR colleagues,

I work for a chain of retail business, and we hire quite a number of part timers (contract for service) whom are on hourly paid. as this labour day falls on sunday, the replacement holiday will be on monday; hence we are paying our partimers a holiday day for monday instead of sunday.

We have some dispute on this as they feel that they should also be paid for both sunday and monday.

Can I have your views on this?

Thanks.

Catherine

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## **REPLY 1**

I understand your difficulties and why your workers are making noise. Now, we need to understand why our government is setting Monday as a replacement holiday for any public holiday that falls on the weekend. It is mainly for those employees that do not work on weekends, to have a replacement holiday/rest day, on the following work day. So back to your situation, as a company, we cannot be paying double, both on Sunday and Monday. Since government declare Monday as a replacement public holiday, then what you did, seems to be correct. This is in my opinion. From business point of view – If any public holiday falls on a Sunday, or any weekend, the retail sales output & workload is similar.

But if the public holiday falls on a weekday, like replacement day, then the retail sales output & workload is usually higher than a normal week day. Hence

in your case, it is reasonable to pay your employees, a holiday pay for Monday instead of Sunday. You may need to convince your employees to seek their understanding for all the above. You may want to check with MOM on Labour Law, to see what is the regulations stated for such situation. In Indonesia, there are exceptional cases for certain industries – hotel, hospital, retail, F&B, airport, service etc...In Indonesia, there is no such thing as replacement holiday for any public holiday that falls on any weekends. So it is less headache. As long as employee works on a public holiday, company will need to pay extra.

Yamada

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## **The Employment Act & Its Practical Applications Workshop**

**- 13 May 2016 - CONFIRMED! (Hotel Grand Pacific)**

The Employment Act (EA) was enacted in 1968. It is Singapore's main labour law that seeks to provide for the basic terms and working conditions for all types of employees except those employed in managerial or executive positions, seamen and domestic workers. It also seeks to ensure reasonable employment standards while balancing businesses' need to stay competitive.

A good understanding of the Employment Act will result in positive Employee Engagement and build Industrial Relations harmony by minimizing disputes between Employers and Employees or Union. As such, it shapes the responsibilities and relationship between Employers and Employees.

In this seminar, the trainer will also cover on the Key Employment Terms (KETs) which has come into effect on 1 April 2016.

For details, please click on: <http://hrsingapore.org/eapa/>

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## **Course Objectives**

- Acquire a better understanding of the Employment Act and Changes to the Employment Act.
- Establish the coverage of the Employment Act.
- Establish the essential clauses and illegal terms of Contract of Service.
- Identify the difference between Contract of Service and Contract for Service.
- Establish the legal contractual age in Contract of service.
- Identify when an employment contract is broken?
- Handle no show case for recruitment.
- Know whether the Sick Leave, Annual Leave and Reservist Training can be used to offset the notice period.
- Know whether an Employee resignation be rejected.
- Define Misconduct.
- Identify the difference between Termination and Dismissal.
- Know that Contract of service can or cannot restrict rights of employees to join, participate in or organise trade unions.
- Establish whether the change of Employer break the continuity of the period of employment.
- Know the requirements for salary period and time of payment.
- Identify authorised and unauthorised deduction of salary.
- Know the requirement of Rest Day and payment or work on Rest day.
- Establish the Working Hours and its limit.
- Identify the legal requirements for Public Holidays, Sick Leave and Annual Leave.
- Know the Restriction on employment of children and young persons
- Establish the Maternity Leave Entitlement
- Know what are the changes to the Employment Act

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## **Past Participants' Comments**

- "Very informative & updated to EA changes." - Arlene Tangkay, Geco Asia Pte Ltd
- "Very informative!" - Peggy Nui, Donaldson & Burkinshaw LLP
- "Overall Good" - Loh Pooi Fong, Ashland Singapore Pte Ltd
- "Trainer is very engaging, informative and enriching." - Lydia Wong, Marrison Hotel
- "I can apply most of what I've learnt at work. The course has been informative and insightful."



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