

# HRSINGAPORE

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## **Question - Re-Employment Offer**

Hi all,

Appreciate some advice on the following:

- 1) Staff reaching 62, re-employment offered and accepted with reduction in wages, with annual renewal. Can we cease the contract after one year of re-employment?
- 2) Staff reaching 65 in 2017. according to tripartite guideline, government will raise the re-employment age to 67. Can we not follow the guideline?
- 3) Are we to still give the staff in the above scenario the EAP? how much then?
- 4) if Head Office has mandated not to extend any employment for staff who has reached the min retirement age of 62, are we breaching any regulations?

Thank you.

MW

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**Retirement and Re-Employment Act & Employment (Part-Time Employees) Regulations Seminar**

**- 28 April 2016**

The competition for talent is going to get more challenging and employers need to explore alternative sources of talent pool in order to fulfill its Human Resources need. One alternative is to offer employment to the Silver Hair generation and another is to employ part-time employees. In order to implement this plan there is a need to be familiar with the legal requirements namely the Retirement and Re-Employment Act and the Employment (Part-Time Employees) Regulations.

A part-time employee is an employee who works less than 35 hours a week and is covered under the Employment Act as well as the Employment (Part-Time Employees) Regulations.

The Retirement Age Act was amended to The Retirement and Re-Employment Act (RRA) effective 1 January 2012. The objective is to provide employers with the flexibility to continue to tap on the contribution of their experienced older employees. It is also to provide employees with the opportunity to work longer so that they can continue to contribute to their organization, earn a regular income and build up their retirement account. The retirement age is still 62, but employers are now required to offer re-employment to eligible employees who turn 62, up to the age of 65.

This one day seminar provides participants with a good knowledge of the legal requirements for retirement, re-employment of eligible employees, regulation of engaging part-timers and their entitlements, employee assistance payment, special employment credit, avoidance of re-employment dispute and also comply with the various recommendations under the Tripartite Guidelines.

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

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## **Outline**

### **I. Retirement and Re-Employment Act**

- Understand the background of RR Act.
- Identify the objectives of RR Act.

- Establish the invalid terms of Contract of Service.
- Establish the eligibility criteria for re-employment.
- Handle ineligible employee for re-employment.
- Determine the period of service under previous employment contract.
- Establish Employee Assistance Payment (EAP).
- Comply with the various recommendations under the Tripartite Guidelines.
- Define the Special Employment Credit.
- Avoid re-employment dispute.
- Establish the procedures for seeking dispute resolution.


## **II. Employment (Part-Time Employees) Regulations**


- Define part-time employee.
  - Identify items to be specified in the Contract of Service.
  - Distinguish the difference between Basic Pay and Gross Pay.
  - Establish entitlement to Rest Day, Over-Time, Public Holidays, Sick Leave, CPF, Annual Leave, Maternity Leave etc.
  - Attract and retain part-time employee.
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