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EMPLOYMENT CLAIMS ACT 2016 (ACT 21 OF 2016)

EMPLOYMENT CLAIMS REGULATIONS 2017

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In exercise of the powers conferred by section 34(1) of the Employment Claims Act 2016, the Minister for Manpower makes the following Regulations:

Citation and commencement

1. These Regulations are the Employment Claims Regulations 2017 and come into operation on 1 April 2017.

Definitions

2. In these Regulations, unless the context otherwise requires —

“claimant” means a person who lodges a claim with a tribunal, and includes a person who intends to lodge a claim with a tribunal;

“domestic worker” has the same meaning as in section 2(1) of the Employment Act (Cap. 91);

“electronic filing system” means the electronic filing system established for the transmission of any mediation request form or other document to the mediation service provider;

“foreigner” means an individual who is not a citizen or permanent resident of Singapore;

“mediation request form” means the form for a mediation request set out at the Internet website of the mediation service provider;

“mediation service provider” means the department of Tripartite Alliance Limited known as Tripartite Alliance for Dispute Management;

“recognised trade union” has the same meaning as in section 30(1) of the Industrial Relations Act (Cap. 136);

“respondent” means a person against whom a claim is made, or who is joined in the capacity of a respondent, and includes a person against whom a claimant intends to make a claim;

“seafarer” has the same meaning as in section 2(1) of the Employment Act;

“trade union” has the same meaning as in section 2 of the Industrial Relations Act;

“tripartite mediation advisor” means any tripartite mediation advisor appointed under section 30K of the Industrial Relations Act;

“work pass” has the same meaning as in section 2 of the Employment of Foreign Manpower Act (Cap. 91A).

Employee of Government to whom Act applies

3. For the purposes of paragraph (a) of the definition of “employee”, and paragraph (a) of the definition of “employer”, in section 2(1) of the Act, the category, class or description of employees of the Government prescribed to be employees for the purposes of the Act consists of every officer or employee of the Government who —

- (a) has with the Government any specified statutory dispute concerning any matter specified in items 1 to 12 and 43 of the Second Schedule to the Act; and
- (b) submits or intends to submit to the Commissioner a mediation request, or lodges or intends to lodge with a tribunal a claim, relating only to that specified statutory dispute.

Submission of mediation request

4.—(1) For the purposes of section 3(2) of the Act, a mediation request is submitted to the Commissioner —

- (a) by transmitting to the mediation service provider through the electronic filing system an electronic record of each of the following:
 - (i) the mediation request form;
 - (ii) each document submitted in support of the mediation request; or
- (b) by lodging at the office of the mediation service provider a hard copy of each of the following:
 - (i) the mediation request form;

(ii) each document submitted in support of the mediation request.

(2) Where paragraph (1)(a) applies, the mediation request is submitted to the Commissioner on the date and at the time that the last part of the last electronic record is transmitted to the mediation service provider.

(3) Despite paragraphs (1) and (2), the Commissioner may accept a mediation request that is incomplete.

(4) The Commissioner must, as soon as reasonably practicable, send the claimant a written notice stating whether the Commissioner accepts the mediation request.

Person who may submit mediation request on behalf of claimant

5.—(1) An officer of a trade union of employees may submit a mediation request on behalf of any claimant who —

(a) is a member of the trade union; and

(b) is an employee who belongs to any class of employees in respect of whom the trade union has been accorded or given recognition under section 17 of the Industrial Relations Act (Cap. 136) by the employer of those employees.

(2) An officer of a trade union of employees that is a recognised trade union may submit a mediation request on behalf of any claimant who —

(a) is a member of the trade union; and

(b) is an executive employee who may be represented individually by the trade union under Part IV of the Industrial Relations Act.

(3) Where a claimant is below 18 years of age, a parent or guardian of the claimant may submit a mediation request on behalf of the claimant.

(4) Where a claimant is (in the opinion of the Commissioner) unable to present his or her own case by reason of illiteracy or infirmity of mind or body (not amounting to a lack of capacity within the meaning

of section 4 of the Mental Capacity Act (Cap. 177A)), a person who is authorised in writing by the claimant, or is approved by the Commissioner, may submit a mediation request on behalf of the claimant.

Requirements prescribed for section 3(3)(b)(ii) of Act

6. The requirements prescribed for section 3(3)(b)(ii) of the Act for a specified employment dispute to be listed in a mediation request (called in this regulation the present mediation request) are as follows:

- (a) the claimant is out of time to apply under regulation 10(2) to amend the list of specified employment disputes in the earlier mediation request mentioned in section 3(3)(b)(i) of the Act (called in this regulation the earlier mediation request) to include the specified employment dispute mentioned in section 3(3)(b) of the Act (called in this regulation the relevant dispute);
- (b) the amount alleged to be payable under the relevant dispute does not exceed the difference between —
 - (i) the prescribed claim limit in section 12(7) of the Act that is applicable to the claimant; and
 - (ii) the total of such of the following amounts as may be applicable to the claimant:
 - (A) the total amount alleged to be payable under the unresolved specified employment disputes listed in the earlier mediation request, as specified in a claim referral certificate issued under section 6(2) of the Act;
 - (B) the total amount payable under any settlement agreement entered into under section 7(1)(a) of the Act at a mediation under Part 2 of the Act conducted pursuant to the earlier mediation request;
- (c) the relevant dispute satisfies the requirements in section 3(3)(a)(i), (ii) and (iii) of the Act to be listed in the present mediation request.

Prescribed fee for mediation under Part 2 of Act

7. The prescribed fee mentioned in section 3(3)(d) of the Act that is payable by a claimant for a mediation under Part 2 of the Act is —

- (a) \$10, in any case where the total amount alleged to be payable, in respect of every specified employment dispute for which the mediation request is submitted, does not exceed \$10,000; and
- (b) \$20, in any other case.

Person entitled to prescribed fee for mediation under Part 2 of Act

8. For the purposes of section 3(4)(c) of the Act, the Commissioner may pay the whole or a part of the prescribed fee mentioned in section 3(3)(d) of the Act to Tripartite Alliance Limited.

Review by Commissioner of decision under section 3(4)(a) or (b) of Act

9.—(1) A claimant who is dissatisfied with a decision made by the Commissioner under section 3(4)(a) or (b) of the Act may apply to the Commissioner to review the decision.

(2) The claimant's application under paragraph (1) must be made in writing within 14 days after the date of the Commissioner's decision under section 3(4)(a) or (b) of the Act.

(3) The decision of the Commissioner on the review is final.

Amendment of mediation request

10.—(1) This regulation applies where the Commissioner has referred, under section 3(5) of the Act, every specified employment dispute listed in a claimant's mediation request for mediation by an approved mediator.

(2) Subject to paragraphs (3) and (4), the claimant may apply to the approved mediator to amend the list of specified employment disputes in the mediation request at any time before —

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- (a) the issue of a claim referral certificate under section 6(2) of the Act in respect of any specified employment dispute listed in the mediation request; or
 - (b) the claimant enters into a settlement agreement under section 7(1) of the Act in respect of any specified employment dispute listed in the mediation request.

(3) The claimant cannot apply to amend the list of specified employment disputes in the mediation request to include a dispute mentioned in paragraph (a), (b), (c), (d) or (e) of section 3(2) of the Act, if the mediation request was submitted to the Commissioner after the expiry of the period mentioned in the applicable paragraph.

(4) The claimant cannot apply to amend the list of specified employment disputes in the mediation request in a manner that is inconsistent with section 3(3) of the Act.

Conduct of mediation session

11.—(1) Upon receiving a mediation request, the approved mediator must, as soon as reasonably practicable —

- (a) give the respondent a written notice —
 - (i) inviting the respondent to attend a mediation under Part 2 of the Act; and
 - (ii) stating the date, time and place of the mediation; and
- (b) give the claimant a written notice stating the date, time and place of the mediation.

(2) The written notice under paragraph (1)(a) must be accompanied by the list of specified employment disputes in the mediation request.

(3) The approved mediator may, on his or her own initiative, or at the request of the claimant or the respondent or both of them, adjourn the mediation session to another date and time.

Representation of party at mediation under Part 2 of Act

12. For the purposes of section 5(3) of the Act, a party to a mediation under Part 2 of the Act who is specified in the first column of the First Schedule may be represented at the mediation by an individual specified opposite in the second column, in the circumstances specified opposite in the third column.

Claim referral certificate

13. A claim referral certificate issued under section 6(2) or 7(7)(a) of the Act must be in the Form set out in the Second Schedule.

Employees who may make claims

14.—(1) For the purposes of section 12(2)(a) of the Act, a claim relating to a specified contractual dispute may be made by an employee in relation to whom all of the following requirements are satisfied:

- (a) the employee works or worked under a contract of service with an employer who —
 - (i) being an individual — resides, or carries on a business, in Singapore; or
 - (ii) not being an individual — is incorporated or formed under any written law, or carries on a business in Singapore;
- (b) the employee is any of the following:
 - (i) a citizen of Singapore;
 - (ii) a permanent resident of Singapore;
 - (iii) a foreigner —
 - (A) who has or had a valid work pass entitling the foreigner to work for the employer during the period when the dispute giving rise to the claim arose;

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- (B) who had a valid work pass entitling the foreigner to work for the employer, whose work pass was cancelled or revoked through no fault of the foreigner, and who continued to work for the employer, during the period when the dispute giving rise to the claim arose, without knowing of the cancellation or revocation of the work pass; or
 - (C) who, under any notification under section 4 of the Employment of Foreign Manpower Act (Cap. 91A), is or was entitled to work for the employer during the period when the dispute giving rise to the claim arose, without holding a valid work pass;

(c) the employee is not any of the following:

- (i) a seafarer;
- (ii) a domestic worker;
- (iii) a public officer;
- (iv) an employee of a statutory body.

(2) For the purposes of section 12(2)(a) of the Act, a claim relating to a specified statutory dispute concerning any matter specified in items 1 to 12 of the Second Schedule to the Act may be made by an employee who does not belong to any class of employees mentioned in section 13(a) of the Child Development Co-Savings Act (Cap. 38A).

(3) For the purposes of section 12(2)(a) of the Act, a claim relating to a specified statutory dispute concerning any matter specified in items 13 to 42 of the Second Schedule to the Act may be made by an employee in relation to whom all of the following requirements are satisfied:

- (a) the employee works or worked under a contract of service with an employer who —
 - (i) being an individual — resides, or carries on a business, in Singapore; or

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- (ii) not being an individual — is incorporated or formed under any written law, or carries on a business in Singapore;
- (b) the employee is any of the following:
- (i) a citizen of Singapore;
 - (ii) a permanent resident of Singapore;
 - (iii) a foreigner —
 - (A) who has or had a valid work pass entitling the foreigner to work for the employer during the period when the dispute giving rise to the claim arose;
 - (B) who had a valid work pass entitling the foreigner to work for the employer, whose work pass was cancelled or revoked through no fault of the foreigner, and who continued to work for the employer, during the period when the dispute giving rise to the claim arose, without knowing of the cancellation or revocation of the work pass; or
 - (C) who, under any notification under section 4 of the Employment of Foreign Manpower Act, is or was entitled to work for the employer during the period when the dispute giving rise to the claim arose, without holding a valid work pass;
- (c) the employee is not any of the following:
- (i) a seafarer;
 - (ii) a domestic worker;
 - (iii) a person who is employed in a managerial or an executive position, but is not a person mentioned in section 2(2) of the Employment Act (Cap. 91);
 - (iv) a person mentioned in paragraph (d) of the definition of “employee” in section 2(1) of the Employment Act;

(v) a public officer.

(4) For the purposes of section 12(2)(a) of the Act, a claim relating to a specified statutory dispute concerning any matter specified in item 43 of the Second Schedule to the Act may be made by an employee who is not exempted under section 11 of the Retirement and Re-employment Act (Cap. 274A) from sections 7 and 8 of that Act.

(5) For the purposes of section 12(2)(b) of the Act, a claim may be made by an employee in relation to whom all of the following requirements are satisfied:

- (a) the employee is or was a workman;
- (b) the employee works or worked under a contract of service with an employer who —
 - (i) being an individual — resides, or carries on a business, in Singapore; or
 - (ii) not being an individual — is incorporated or formed under any written law, or carries on a business in Singapore;
- (c) the employee is any of the following:
 - (i) a citizen of Singapore;
 - (ii) a permanent resident of Singapore;
 - (iii) a foreigner —
 - (A) who has or had a valid work pass entitling the foreigner to work for the employer during the period when the dispute giving rise to the claim arose;
 - (B) who had a valid work pass entitling the foreigner to work for the employer, whose work pass was cancelled or revoked through no fault of the foreigner, and who continued to work for the employer, during the period when the dispute giving rise to the claim arose, without knowing of the cancellation or revocation of the work pass; or

- (C) who, under any notification under section 4 of the Employment of Foreign Manpower Act, is or was entitled to work for the employer during the period when the dispute giving rise to the claim arose, without holding a valid work pass;
- (d) the employee is neither a public officer nor an employee of a statutory board.

Employers who may make claims, and employees against whom claims may be made

15.—(1) For the purposes of section 12(2)(c) of the Act, a claim relating to a specified employment dispute concerning any matter specified in item 17 of the First Schedule to the Act, item 14 or 16 of the Second Schedule to the Act, or any other matter mentioned in section 12(2)(c)(ii) of the Act, may be made by an employer who —

- (a) being an individual — resides, or carries on a business, in Singapore; or
- (b) not being an individual — is incorporated or formed under any written law, or carries on a business in Singapore.

(2) For the purposes of section 12(2)(c) of the Act, a claim relating to a specified employment dispute concerning any matter specified in item 17 of the First Schedule to the Act may be made by an employer mentioned in paragraph (1) only against an employee in relation to whom all of the following requirements are satisfied:

- (a) the employee works or worked under a contract of service with the employer;
- (b) the employee is any of the following:
 - (i) a citizen of Singapore;
 - (ii) a permanent resident of Singapore;
 - (iii) a foreigner —
 - (A) who has or had a valid work pass entitling the foreigner to work for the employer during the period when the dispute giving rise to the claim arose;

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- (B) who had a valid work pass entitling the foreigner to work for the employer, whose work pass was cancelled or revoked through no fault of the foreigner, and who continued to work for the employer, during the period when the dispute giving rise to the claim arose, without knowing of the cancellation or revocation of the work pass; or
 - (C) who, under any notification under section 4 of the Employment of Foreign Manpower Act (Cap. 91A), is or was entitled to work for the employer during the period when the dispute giving rise to the claim arose, without holding a valid work pass;
- (c) the employee is not any of the following:
- (i) a seafarer;
 - (ii) a domestic worker;
 - (iii) a public officer;
 - (iv) an employee of a statutory body.

Period within which claim must be lodged

16. For the purposes of section 12(6) of the Act, a claim must be lodged with a tribunal within 4 weeks after the date of issue of the claim referral certificate supporting the claim.

Prescribed claim limit

17.—(1) Except as provided in paragraphs (2) and (3), for the purposes of section 12(7) of the Act, the prescribed claim limit is \$20,000.

(2) For the purposes of section 12(7) of the Act, where a claim is made by an employee mentioned in section 12(2)(a) of the Act against the employer of the employee, the prescribed claim limit is \$30,000 if —

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- (a) the employee has participated in a tripartite mediation of every specified employment dispute listed in the claim, whether or not the employer participated in that tripartite mediation; or
 - (b) both of the following apply:
 - (i) the claim referral certificate supporting the claim was issued in respect of one or more unresolved specified employment disputes listed in a mediation request submitted on behalf of the employee by an officer of a trade union of employees;
 - (ii) the employee was represented, in a mediation under Part 2 of the Act of every specified employment dispute listed in the claim, by an officer of a trade union of employees.

(3) For the purposes of section 12(7) of the Act, where a claim is made by an employee mentioned in section 12(2)(b) of the Act against a person liable under section 65 of the Employment Act (Cap. 91) for the employee's salary (called in this paragraph the liable person), the prescribed claim limit is \$30,000 if —

- (a) the employee has participated in a tripartite mediation of every specified employment dispute listed in the claim, and the Commissioner has requested, under section 30H(3)(d) of the Industrial Relations Act (Cap. 136), the liable person to participate in that tripartite mediation, whether or not the liable person participated in that tripartite mediation; or
- (b) both of the following apply:
 - (i) the claim referral certificate supporting the claim was issued in respect of one or more unresolved specified employment disputes listed in a mediation request submitted on behalf of the employee by an officer of a trade union of employees;
 - (ii) the employee was represented, in a mediation under Part 2 of the Act of every specified employment dispute listed in the claim, by an officer of a trade union of employees.

Individuals whom tribunal may permit to observe hearing of claim

18. For the purposes of section 18(3)(a) of the Act, a tribunal may permit a tripartite mediation advisor, who was assigned to assist a claimant or respondent in a tripartite mediation, to observe the hearing of a claim supported by a claim referral certificate issued in respect of every unresolved specified employment dispute that was a subject of the tripartite mediation.

Representation of party before tribunal

19. For the purposes of section 19(3) of the Act, a party to proceedings before a tribunal who is specified in the first column of the Third Schedule may be represented before the tribunal by an individual specified opposite in the second column, in the circumstances specified opposite in the third column.

Service of documents, etc.

20.—(1) This regulation does not apply to any document or notice for any proceedings in a tribunal or court.

(2) Subject to paragraph (1), a document or notice required or allowed under the Act or these Regulations to be served on or given to any person may be served or given in the manner described in paragraphs (3) to (6).

(3) A document or notice required or allowed under the Act or these Regulations to be served on or given to an individual may be served or given —

- (a) by delivering it to the individual personally;
- (b) by sending it by prepaid registered post to the address specified by the individual for the service of documents or, if no address is so specified, to the individual's residential address or business address;
- (c) by leaving it at the individual's residential address with an adult apparently resident there, or at the individual's business address with an adult apparently employed there;

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- (d) by affixing a copy of it in a conspicuous place at the individual's residential address or business address;
- (e) by sending it by fax to the fax number last known to the person serving or giving it as the fax number for the service of documents on, or giving of notices to, the individual; or
- (f) by sending it by email to the individual's last email address.
- (4) A document or notice required or allowed under the Act or these Regulations to be served on or given to a partnership (other than a limited liability partnership) may be served or given —
- (a) by delivering it to any partner, secretary or other like officer of the partnership;
- (b) by leaving it at, or by sending it by prepaid registered post to, the business address of the partnership;
- (c) by sending it by fax to the fax number used at the business address of the partnership; or
- (d) by sending it by email to the last email address of the partnership.
- (5) A document or notice required or allowed under the Act or these Regulations to be served on or given to a body corporate (including a limited liability partnership) or an unincorporated association may be served or given —
- (a) by delivering it to the secretary or other like officer of the body corporate or the unincorporated association, or the manager of the limited liability partnership, as the case may be;
- (b) by leaving it at, or by sending it by prepaid registered post to, the registered office or principal office of the body corporate or unincorporated association;
- (c) by sending it by fax to the fax number used at the registered office or principal office of the body corporate or unincorporated association; or
- (d) by sending it by email to the last email address of the body corporate or unincorporated association.

(6) The service of a document, or giving of a notice, under paragraph (3), (4) or (5) takes effect —

- (a) if the document or notice is sent or given by fax and a notification of successful transmission is received, on the day of transmission;
- (b) if the document or notice is sent or given by email, at the time that the email becomes capable of being retrieved by the person to whom it is addressed; and
- (c) if the document or notice is sent or given by prepaid registered post, 2 days after the day the document was posted (even if the document is returned undelivered).

(7) In this regulation —

“business address” means —

- (a) in the case of an individual, the individual’s usual or last known place of business; or
- (b) in the case of a partnership (other than a limited liability partnership), the principal or last known place of business of the partnership;

“last email address” means —

- (a) the last email address given by the addressee concerned, to the person serving the document or giving the notice, as the email address for the service of documents or the giving of notices; or
- (b) the last email address of the addressee concerned known to the person serving the document or giving the notice;

“residential address” means an individual’s usual or last known place of residence.

Reckoning periods of time

21.—(1) A period of time fixed by these Regulations for doing an act is to be reckoned in accordance with this regulation.

(2) Where an act is required to be done within a specified period after a specified date, the period begins immediately after that date.

(3) Where an act is required to be done within a specified period before a specified date, the period ends immediately before that date.

(4) Where, apart from this paragraph, a period (being 7 days or less) would include a day other than a working day, that day is to be excluded.

(5) Where a period for doing an act expires on a day other than a working day, the act is in time if done on the next working day.

(6) In this regulation, “working day” means any day other than a Saturday, Sunday or public holiday.

 FIRST SCHEDULE

Regulation 12

 REPRESENTATION OF PARTY
 AT MEDIATION UNDER PART 2 OF ACT

<i>First column</i> <i>Party</i>	<i>Second column</i> <i>Individual</i>	<i>Third column</i> <i>Circumstances of representation</i>
1. A claimant or respondent who — (a) is a member of a trade union of employees; and (b) is an employee who belongs to a class of employees in respect of whom the trade union has been accorded or given recognition under section 17 of the Industrial Relations Act (Cap. 136) by the employer of those employees	An officer of the trade union	The party may be represented at the mediation by the individual in relation to any specified employment dispute, in all matters concerning the mediation, except the settlement of all or any of the specified employment disputes listed in the party's mediation request

FIRST SCHEDULE — *continued*

<i>First column</i> <i>Party</i>	<i>Second column</i> <i>Individual</i>	<i>Third column</i> <i>Circumstances of representation</i>
2. A claimant or respondent who — <ul style="list-style-type: none"> (a) is a member of a trade union of employees that is a recognised trade union; and (b) is an executive employee who may be represented individually by the trade union under Part IV of the Industrial Relations Act 	An officer of the trade union	The party may be represented at the mediation by the individual in relation only to any specified contractual dispute or any dispute over the party's entitlement to employment assistance payment under section 7C(1) of the Retirement and Re-employment Act (Cap. 274A), in all matters concerning the mediation, except the settlement of all or any of the specified employment disputes listed in the party's mediation request

FIRST SCHEDULE — *continued*

<i>First column</i> <i>Party</i>	<i>Second column</i> <i>Individual</i>	<i>Third column</i> <i>Circumstances of representation</i>
3. A claimant or respondent who is below 18 years of age	A parent or guardian of the party	The party must be represented at the mediation by the individual in relation to any specified employment dispute, in all matters concerning the mediation
4. A claimant or respondent who is (in the opinion of the Commissioner) unable to present his or her own case by reason of illiteracy or infirmity of mind or body (not amounting to a lack of capacity within the meaning of section 4 of the Mental Capacity Act (Cap. 177A))	A person who is authorised by the party in writing, or is approved by the Commissioner	The party may be represented at the mediation by the individual in relation to any specified employment dispute, in all matters concerning the mediation

FIRST SCHEDULE — *continued*

<i>First column</i> <i>Party</i>	<i>Second column</i> <i>Individual</i>	<i>Third column</i> <i>Circumstances of representation</i>
<p>5. A claimant in any case where —</p> <p>(a) 2 or more claimants have submitted mediation requests for the mediation under Part 2 of the Act, with the same respondent, of specified employment disputes that are similar in nature; and</p> <p>(b) the Commissioner has referred all of those specified employment disputes for mediation by the same approved mediator</p>	<p>Any other claimant in the case who is authorised by the party in writing</p>	<p>The party may be represented at the mediation by the individual in relation to any specified employment dispute, but only in the following matters concerning the mediation:</p> <p>(i) attendance at any mediation session arising from the party's mediation request;</p> <p>(ii) the amendment of the list of specified employment disputes in the party's mediation request;</p> <p>(iii) the abandonment of any amount relating to a specified employment dispute listed in the party's mediation request;</p> <p>(iv) the settlement of all or any of the specified employment disputes listed in the party's mediation request</p>

SECOND SCHEDULE

Regulation 13

CLAIM REFERRAL CERTIFICATE

File Reference:

Between

... Claimant

And

... Respondent

CLAIM REFERRAL CERTIFICATE ISSUED UNDER SECTION 6(2)/7(7)(a)*
OF EMPLOYMENT CLAIMS ACT 2016

1. On [date], the Claimant submitted to the Commissioner a mediation request for the mediation under Part 2 of the Act of the specified employment dispute(s) set out in the Annex to this Certificate.*

1. On [date], a District Court set aside under section 7(5)(b)(i) of the Act a settlement agreement, and referred under section 7(5)(b)(ii) of the Act the specified employment dispute(s) set out in the Annex to this Certificate for mediation under Part 2 of the Act.*

1. On [date], an Employment Claims Tribunal referred under section 22(7) of the Act the specified employment dispute(s) set out in the Annex to this Certificate for mediation under Part 2 of the Act.*

2. This Certificate is issued because —

- (a) the Respondent was given reasonable notice of, but did not attend, the mediation of the specified employment dispute(s).*
- (b) no settlement was reached at the end of the mediation in relation to the specified employment dispute/one or more of the specified employment disputes*.*
- (c) the approved mediator to whom the specified employment dispute(s) was/were* referred is satisfied that there is no reasonable prospect of settling through mediation the specified employment dispute/one or more of the specified employment disputes*.*

3. The unresolved specified employment dispute(s) is/are* set out in item(s) ____ of the Annex to this Certificate.

4. The total amount alleged to be payable under the unresolved specified employment dispute(s) is:

SECOND SCHEDULE — *continued*

5. The parties entered into a settlement agreement under section 7(1)(a) of the Act in relation to the other specified employment dispute(s) set out in the Annex to this Certificate. The total amount payable under the settlement agreement is:*

Date of issue of this Certificate:

Approved Mediator

* Delete as appropriate

ANNEX

LIST OF SPECIFIED EMPLOYMENT DISPUTES
REFERRED FOR MEDIATION

<i>Item No.</i>	<i>Nature of specified employment dispute</i>	<i>Date on which amount alleged to be payable began to be payable</i>	<i>Date on which amount alleged to be payable ceased to be payable</i>	<i>Length of period during which amount alleged to be payable accrued</i>	<i>Amount alleged to be payable</i>

Approved Mediator

 THIRD SCHEDULE

Regulation 19

REPRESENTATION OF PARTY BEFORE TRIBUNAL

<i>First column</i> <i>Party</i>	<i>Second column</i> <i>Individual</i>	<i>Third column</i> <i>Circumstances of representation</i>
1. A claimant or respondent who — (a) is a member of a trade union of employees; and (b) is an employee who belongs to a class of employees in respect of whom the trade union has been accorded or given recognition under section 17 of the Industrial Relations Act (Cap. 136) by the employer of those employees	An officer of the trade union	The party may be represented before the tribunal by the individual in all matters before the tribunal, in relation to any specified employment dispute for which the claim is lodged

THIRD SCHEDULE — *continued*

<i>First column</i> <i>Party</i>	<i>Second column</i> <i>Individual</i>	<i>Third column</i> <i>Circumstances of representation</i>
<p>2. A claimant or respondent who —</p> <p>(a) is a member of a trade union of employees that is a recognised trade union; and</p> <p>(b) is an executive employee who may be represented individually by the trade union under Part IV of the Industrial Relations Act</p>	<p>An officer of the trade union</p>	<p>The party may be represented before the tribunal by the individual in all matters before the tribunal, in relation only to any specified contractual dispute (for which the claim is lodged) or any dispute (for which the claim is lodged) over the party's entitlement to employment assistance payment under section 7C(1) of the Retirement and Re-employment Act (Cap. 274A)</p>
<p>3. A claimant or respondent who is below 18 years of age</p>	<p>A parent or guardian of the party, being a parent or guardian who is approved by the tribunal or the Registrar</p>	<p>The party must be represented before the tribunal by the individual in all matters before the tribunal, in relation to any specified employment dispute for which the claim is lodged</p>

THIRD SCHEDULE — *continued*

<i>First column</i> <i>Party</i>	<i>Second column</i> <i>Individual</i>	<i>Third column</i> <i>Circumstances of representation</i>
4. A claimant or respondent who is (in the opinion of the tribunal or the Registrar) unable to present his or her own case by reason of illiteracy or infirmity of mind or body (not amounting to a lack of capacity within the meaning of section 4 of the Mental Capacity Act (Cap. 177A))	A person who is authorised by the party in writing, or is approved by the tribunal or the Registrar	The party may be represented before the tribunal by the individual in all matters before the tribunal, in relation to any specified employment dispute for which the claim is lodged
5. A claimant in any case where 2 or more claims by different claimants are heard together in accordance with section 18(5) of the Act	Any other claimant in the case who is authorised by the party in writing	The party may be represented before the tribunal by the individual in relation to any specified employment dispute for which the claim is lodged, but only in the following matters: (i) attendance at any hearing of the claim; (ii) the amendment of the claim; (iii) the abandonment of any amount alleged to be payable under the claim; (iv) the settlement of all or any of the specified employment disputes to which the claim relates

Made on 30 March 2017.

AUBECK KAM
*Permanent Secretary,
Ministry of Manpower,
Singapore.*

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