

EMPLOYMENT ACT
(CHAPTER 91, SECTION 66B)

EMPLOYMENT (PART-TIME EMPLOYEES) REGULATIONS

ARRANGEMENT OF REGULATIONS

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[1st October 1996]

Citation

1. These Regulations may be cited as the Employment (Part-Time Employees) Regulations.

Definitions

2.—(1) In these Regulations —

“basic rate of pay for half a day’s work”, in relation to a part-time employee, means the part-time employee’s hourly basic rate of pay multiplied by half the part-time employee’s normal hours of work for one day;

[S 140/2017 wef 01/04/2017]

“basic rate of pay for one day’s work”, in relation to a part-time employee, means the part-time employee’s hourly basic rate of pay multiplied by the part-time employee’s normal hours of work for one day;

[S 140/2017 wef 01/04/2017]

“full-time employee” means an employee who is required under his contract of service with an employer to work for not less than 35 hours a week;

[S 666/2008 wef 01/01/2009]

“hourly basic rate of pay”, in relation to a part-time employee, means —

- (a) the amount specified in the contract of service of the part-time employee as the part-time employee’s hourly basic rate of pay; or
- (b) if not specified in the contract of service, the amount as determined by the formula in paragraph 1 of the Schedule;

[S 140/2017 wef 01/04/2017]

“hourly gross rate of pay”, in relation to a part-time employee, means —

- (a) the amount specified in the contract of service of the part-time employee as the part-time employee’s hourly gross rate of pay; or
- (b) if not specified in the contract of service, the amount as determined by the formula in paragraph 3 of the Schedule;

[S 140/2017 wef 01/04/2017]

“normal hours of work for one day” —

- (a) in relation to a part-time employee, means —
 - (i) the number of hours of work specified in the contract of service of the part-time employee as the part-time employee’s number of hours of work for one day; or

- (ii) if not specified in the contract of service, the number of hours of work as determined by the formula in paragraph 2(a) of the Schedule; or
- (b) in relation to a similar full-time employee, means the normal hours of work as defined in section 37(3A)(a) of the Act;

[S 140/2017 wef 01/04/2017]

“normal hours of work for one week” —

- (a) in relation to a part-time employee, means —
 - (i) the number of hours of work specified in the contract of service of the part-time employee as the part-time employee’s number of hours of work for one week; or
 - (ii) if not specified in the contract of service, the number of hours of work as determined by the formula in paragraph 2(b) of the Schedule; or
- (b) in relation to a similar full-time employee, means —
 - (i) the number of hours of work (not exceeding the limits applicable to a full-time employee under section 38 or 40 of the Act, as the case may be) that is agreed between an employer and the similar full-time employee to be the number of hours of work for one week; or
 - (ii) in the absence of any such agreement, 44 hours in one week;

[S 140/2017 wef 01/04/2017]

“part-time employee” means an employee who is required under his contract of service with an employer to work for less than 35 hours a week;

[S 666/2008 wef 01/01/2009]

“similar full-time employee”, in relation to a part-time employee, means a full-time employee who is employed by the employer of the part-time employee to carry out duties similar to those of the part-time employee.

(2) Where there is no similar full-time employee, it shall be deemed, for the purposes of calculating any entitlement under these Regulations, that the similar full-time employee is —

- (a) required to work 8 hours a day and 44 hours a week;
- (b) entitled to paid annual leave, based on a period of continuous service equal to that of the part-time employee, in accordance with section 43(1) of the Act; and
- (c) entitled to paid sick leave in accordance with section 89(1) or (2) of the Act.

[S 666/2008 wef 01/01/2009]

Items to be specified in contract of service

3.—(1) Every contract of service of a part-time employee shall specify —

- (a) his hourly basic rate of pay;
- (b) his number of hours of work for one day or one week;

[S 140/2017 wef 01/04/2017]

- (c) his number of working days for one week or one month; and
- (d) his hourly gross rate of pay, with the description and amount of each allowance payable separately itemised.

(2) Where a contract of service does not specify any item mentioned in paragraph (1)(a), (b) or (d), that item is to be determined according to the formula set out in paragraph 1, 2 or 3 of the Schedule, as the case may be.

[S 140/2017 wef 01/04/2017]

Payment for work on rest day

4.—(1) Section 37(2) of the Act applies to a part-time employee who at the part-time employee's own request works for an employer on a rest day, with the following modifications:

- (a) if the period of work does not exceed half the part-time employee's normal hours of work for one day, the part-time

employee is to be paid for that day a sum at the part-time employee's basic rate of pay for half a day's work;

- (b) if the period of work exceeds half but does not exceed the part-time employee's normal hours of work for one day, the part-time employee is to be paid for that day a sum at the part-time employee's basic rate of pay for one day's work;
- (c) if the period of work exceeds the part-time employee's normal hours of work for one day but does not exceed the normal hours of work for one day of a similar full-time employee, the part-time employee is to be paid for that day —
 - (i) a sum at the part-time employee's basic rate of pay for one day's work; and
 - (ii) at the part-time employee's hourly basic rate of pay for each hour or part thereof which exceeds the part-time employee's normal hours of work for one day;
- (d) if the period of work exceeds the normal hours of work for one day of a similar full-time employee, the part-time employee is to be paid for that day —
 - (i) a sum at the part-time employee's basic rate of pay for one day's work;
 - (ii) at the part-time employee's hourly basic rate of pay for each hour or part thereof which exceeds the part-time employee's normal hours of work for one day but does not exceed the normal hours of work for one day of a similar full-time employee; and
 - (iii) at one and a half times the part-time employee's hourly basic rate of pay for each hour or part thereof which exceeds the normal hours of work for one day of a similar full-time employee.

(2) Section 37(3) of the Act applies to a part-time employee who, at the request of the part-time employee's employer, works on a rest day, with the following modifications:

- (a) if the period of work does not exceed half the part-time employee's normal hours of work for one day, the part-time employee is to be paid for that day a sum at the part-time employee's basic rate of pay for one day's work;
- (b) if the period of work exceeds half but does not exceed the part-time employee's normal hours of work for one day, the part-time employee is to be paid for that day a sum at the part-time employee's basic rate of pay for 2 days' work;
- (c) if the period of work exceeds the part-time employee's normal hours of work for one day but does not exceed the normal hours of work for one day of a similar full-time employee, the part-time employee is to be paid for that day —
 - (i) a sum at the part-time employee's basic rate of pay for 2 days' work; and
 - (ii) at the part-time employee's hourly basic rate of pay for each hour or part thereof which exceeds the part-time employee's normal hours of work for one day;
- (d) if the period of work exceeds the normal hours of work for one day of a similar full-time employee, the part-time employee is to be paid for that day —
 - (i) a sum at the part-time employee's basic rate of pay for 2 days' work;
 - (ii) at the part-time employee's hourly basic rate of pay for each hour or part thereof that exceeds the part-time employee's normal hours of work for one day but does not exceed the normal hours of work for one day of a similar full-time employee; and
 - (iii) at one and a half times the part-time employee's hourly basic rate of pay for each hour or part thereof that exceeds the normal hours of work for one day of a similar full-time employee.

(3) Section 36(1) of the Act does not apply to a part-time employee unless the part-time employee is required to work on 5 or more days in any one week.

(4) Section 37(3A) of the Act does not apply to a part-time employee.

[S 140/2017 wef 01/04/2017]

Overtime pay

5.—(1) Section 38(4) of the Act applies to a part-time employee with the following modifications:

- (a) where the part-time employee works beyond the part-time employee's normal hours of work for one day, the part-time employee is to be paid —
 - (i) at the part-time employee's hourly basic rate of pay for each hour or part thereof that exceeds the part-time employee's normal hours of work for one day but does not exceed the normal hours of work for one day of a similar full-time employee; and
 - (ii) at one and a half times the part-time employee's hourly basic rate of pay for each hour or part thereof that exceeds the normal hours of work for one day of a similar full-time employee;
- (b) where the part-time employee works beyond the part-time employee's normal hours of work for one week, the part-time employee is to be paid —
 - (i) at the part-time employee's hourly basic rate of pay for each hour or part thereof that exceeds the part-time employee's normal hours of work for one week but does not exceed the normal hours of work for one week of a similar full-time employee; and
 - (ii) at one and a half times the part-time employee's hourly basic rate of pay for each hour or part thereof that exceeds the normal hours of work for one week of a similar full-time employee.

(2) Section 38(6) of the Act does not apply to a part-time employee.

[S 140/2017 wef 01/04/2017]

Holidays

6.—(1) Section 88(1) of the Act applies to a part-time employee, who is entitled to paid holidays on such days as are provided by section 88 of the Act, with the modification that for each paid holiday the part-time employee is to be paid a sum calculated according to the following formula:

Annual entitlement to
paid holidays calculated in accordance with paragraph (5) \times Hourly gross rate of pay
Number of paid holidays
a year

[S 666/2008 wef 01/01/2009]

[S 140/2017 wef 01/04/2017]

(2) Section 88(4) of the Act applies to a part-time employee who is required by the part-time employee's employer to work on any day on which the part-time employee is entitled to a paid holiday, with the modification that the part-time employee is to be paid a sum at his basic rate of pay for one day's work in addition to the sum referred to in paragraph (1) and to a travelling allowance for one day, if payable to him under the terms of his agreement with his employer.

[S 140/2017 wef 01/04/2017]

(2A) Section 88(4A) of the Act applies to a part-time employee employed in a managerial or an executive position who is required by the part-time employee's employer to work on any public holiday on which the part-time employee would otherwise be entitled to a paid holiday, with the modification that the part-time employee is to be paid in accordance with paragraph (2) for that day and may be given the following, in lieu of a day off in substitution for that holiday or a sum at the part-time employee's basic rate of pay for one day's work:

- (a) part of a day off on a working day comprising such number of hours as may be agreed between the part-time employee and his employer;

(b) in the case where there is no such agreement —

- (i) part of a day off on a working day comprising half of the part-time employee's normal hours of work for one day if the part-time employee worked on that holiday for a period not exceeding half of the part-time employee's normal hours of work for one day; or
- (ii) a day off on a working day if the part-time employee worked on that holiday for a period of more than half of the part-time employee's normal hours of work for one day.

[S 140/2017 wef 01/04/2017]

(3) [Deleted by S 140/2017 wef 01/04/2017]

(4) If the part-time employee agrees to relinquish his entitlement to paid holidays, his employer shall pay him an allowance which shall be incorporated in his hourly gross rate of pay, which shall be calculated according to the following formula:

Annual entitlement to paid holidays calculated in accordance with paragraph (5)	Number of hours a week which a part-time employee is required to work × 52	× Hourly gross rate of pay, not including allowances under this paragraph or regulation 7(3)
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(5) The annual entitlement to paid holidays of a part-time employee shall be in proportion to the entitlement of a similar full-time employee and shall be calculated in hours in accordance with the following formula:

Number of hours a week which the part-time employee is required to work × 52	Number of hours a week which a similar full-time employee is required to work × 52	× Number of paid holidays in a year ×	Number of hours a day which a similar full-time employee is required to work
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(6) Section 88(7) of the Act does not apply to a part-time employee.

[S 666/2008 wef 01/01/2009]

Illustration

Where the part-time employee is required to work 22 hours a week and a similar full-time employee is required to work 8 hours a day and 44 hours a week, the annual entitlement to paid holidays of the part-time employee calculated in accordance with regulation 6(5) shall be —

$$\frac{22 \times 52}{44 \times 52} \times 11 \times 8 \\ = 44 \text{ hours}$$

If the hourly gross rate of pay of the part-time employee is \$5, in accordance with regulation 6(1), for every public holiday he shall be paid —

$$\frac{44}{11} \times \$5 \\ = \$20$$

If the part-time employee relinquishes his entitlement to paid holidays, in accordance with regulation 6(4), he shall be paid an allowance, as part of his hourly gross rate of pay, of —

$$\frac{44}{22 \times 52} \times \$5 \\ = \$0.19$$

His hourly gross rate of pay will be increased to \$5.19.

[S 140/2017 wef 01/04/2017]

Annual leave

7.—(1) Section 43(1) of the Act applies to a part-time employee, with the modification that the part-time employee is entitled to paid annual leave in proportion to the entitlement of a similar full-time employee provided by section 43 of the Act, that is calculated according to the following formula:

$$\begin{array}{cccc}
 \text{Number of hours} & \text{Number of hours} & \text{Number of days} & \text{Number of hours} \\
 \text{a week which the} & \text{a week which a} & \text{of paid annual} & \text{a day which a} \\
 \text{part-time employee} & \text{similar full-time} & \text{leave to which a} & \text{similar full-time} \\
 \text{is required to work} & \text{employee is required} & \text{similar full-time} & \text{employee is} \\
 \times 52 & \text{to work} & \text{employee, with} & \text{required to work} \\
 & \times 52 & \text{the same length} & \\
 & & \text{of continuous} & \\
 & & \text{service as the} & \\
 & & \text{part-time} & \\
 & & \text{employee,} & \\
 & & \text{is entitled} &
 \end{array}$$

[S 140/2017 wef 01/04/2017]

(2) Section 43(7) of the Act applies to a part-time employee, with the modification that the employer is to pay the part-time employee at his hourly gross rate of pay for the period of paid annual leave taken by the employee or, if he has been dismissed otherwise than for misconduct before he has taken that leave, for any period of that leave not taken.

[S 140/2017 wef 01/04/2017]

(3) If a part-time employee (other than a part-time employee who is required under his contract of service with his employer to work for at least 5 days, and 30 hours, a week) agrees to relinquish his entitlement to paid annual leave, his employer shall pay him an allowance which shall be incorporated in his hourly gross rate of pay, which shall be calculated according to the following formula:

$$\begin{array}{ccc}
 \text{Annual entitlement to paid} & \text{Number of hours a week} & \text{Hourly gross rate of pay} \\
 \text{leave calculated in accordance} & \text{which a part-time employee} & \text{not including allowances} \\
 \text{with paragraph (1)} & \text{is required to work} & \text{under this paragraph or} \\
 & \times 52 & \text{regulation 6 (2)}
 \end{array}$$

[S 666/2008 wef 01/01/2009]

(4) Section 43(3) of the Act does not apply to a part-time employee.

Illustration

Where a part-time employee is required to work 4 hours a day for 5 days a week and a similar full-time employee is required to work 8 hours a day and 44 hours a week and is entitled to 10 days paid annual leave, the annual entitlement of the part-time employee calculated in accordance with regulation 7(1), to paid leave shall be —

$$\frac{20 \times 52}{44 \times 52} \times 10 \times 8$$

$$= 36.4 \text{ hours}$$

or 9.1 days, based on the part-time employee's normal working hours of 4 hours a day.

If the hourly gross rate of pay of the part-time employee is \$5 and he takes 2.5 hours' paid leave, in accordance with regulation 7(2), for the period of that leave, he will be paid a sum of —

$$2.5 \times \$5$$

$$= \$12.50$$

If the part-time employee relinquishes his entitlement to paid holidays, in accordance with regulation 7(3), he shall be paid an allowance, as part of his hourly gross rate of pay, of —

$$\frac{36.4}{20 \times 52} \times \$5$$

$$= \$0.18$$

His hourly gross rate of pay will be increased to \$5.18.

[S 140/2017 wef 01/04/2017]

Sick leave

8.—(1) Section 89(1) and (2) of the Act applies to a part-time employee, with the modification that the part-time employee is entitled to paid sick leave in proportion to the entitlement of a similar full-time employee provided by section 89 of the Act, that is calculated according to the following formula:

Number of hours a week which the part-time employee is required to work × 52	Number of hours a week which a similar full-time employee is required to work × 52	×	Number of days of paid sick leave to which a similar full-time employee is entitled	×	Number of hours a day which a similar full-time employee is required to work
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[S 666/2008 wef 01/01/2009]

[S 140/2017 wef 01/04/2017]

(2) Section 89(5) of the Act applies to a part-time employee, with the modification that the part-time employee is to be paid for the period of paid sick leave taken —

- (a) where no hospitalisation is necessary, at his hourly gross rate of pay excluding any allowance payable in respect of shift work; and
- (b) where hospitalisation is necessary, at his hourly gross rate of pay.

[S 140/2017 wef 01/04/2017]

(3) *[Deleted by S 140/2017 wef 01/04/2017]*

Childcare leave

8A.—(1) Section 87A(1) of the Act applies to a part-time employee, with the modification that the part-time employee is entitled to paid childcare leave in proportion to the entitlement of a similar full-time employee provided by section 87A of the Act, that is calculated according to the following formula:

Number of hours a week which the part-time employee is required to work × 52	Number of hours a week which a similar full-time employee is required to work × 52	×	2 (being the number of days of paid childcare leave which a similar full-time employee is entitled to)	×	Number of hours a day which a similar full-time employee is required to work
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[S 140/2017 wef 01/04/2017]

(2) Section 87A(5) of the Act applies to a part-time employee, with the modification that the part-time employee is to be paid for the period of paid childcare leave taken at his hourly gross rate of pay.

[S 140/2017 wef 01/04/2017]

(3) Section 87A(2), (4) and (6) of the Act applies to a part-time employee, with the modification that the reference to childcare leave of 2 days is a reference to the entitlement of childcare leave calculated according to the formula mentioned in paragraph (1).

Illustration

Where a part-time employee is required to work 4 hours a day for 5 days a week, and a similar full-time employee is required to work 8 hours a day and 44 hours a week, the entitlement of the part-time employee to paid childcare leave calculated in accordance with regulation 8A(1) shall be —

$$\frac{20 \times 52}{44 \times 52} \times 2 \times 8$$
$$= 7.3 \text{ hours}$$

If the hourly gross rate of pay of the part-time employee is \$5 and he takes 4 hours of paid childcare leave, in accordance with regulation 8A(2), for the period of that leave, he will be paid a sum of —

$$4 \times \$5$$
$$= \$20$$

[S 140/2017 wef 01/04/2017]

Maternity benefits

9.—(1) Subject to the modifications in paragraph (2), section 76 of the Act applies to a female part-time employee, who is entitled to the benefit period provided in that section.

[S 140/2017 wef 01/04/2017]

(2) During such benefit period, she shall be paid —

- (a) for each day that she would ordinarily have been required to work under her contract of service with her employer at her gross rate of pay; and
- (b) for each paid holiday the sum referred to in regulation 6(1) unless she has relinquished her entitlement to paid holidays.

(3) Sections 77 to 80, 83, 84, 84A, 86 and 87 of the Act apply to a female part-time employee, with the modification that any reference to a payment referred to in section 76 of the Act, a rate prescribed under section 76 of the Act or a payment under Part IX of the Act, is a reference to the payment or rate to which the female part-time employee is entitled under paragraph (2).

[S 140/2017 wef 01/04/2017]

Application of Act

10. Unless otherwise provided in these Regulations, the Act shall apply to a part-time employee.

Savings

11. Notwithstanding anything in these Regulations, where the terms of service under which a part-time employee is employed are provided for in a contract of service or collective agreement entered into before 1st October 1996, such terms of service shall, in so far as they are more favourable to the employee than the provisions of these Regulations, continue to apply unless the parties to the contract of service or the collective agreement, as the case may be, otherwise agree.

[G.N. No. S 421/96]

Offences

12. If any employer fails to pay the employer's part-time employee in accordance with regulation 6(4) or 7(3), the employer shall be guilty of an offence and shall be liable on conviction to a fine not exceeding —

- (a) \$5,000 in the case of a first conviction; and
- (b) \$10,000 in the case of a second or subsequent conviction for a contravention of the same provision within one year after the preceding conviction.

[S 140/2017 wef 01/04/2017]

THE SCHEDULE

Regulations 2 and 3(2)

FORMULA FOR DETERMINING
HOURLY BASIC RATE OF PAY,
HOURS OF WORK FOR ONE DAY OR ONE WEEK,
AND HOURLY GROSS RATE OF PAY

1. The hourly basic rate of pay of a part-time employee is computed as follows:

(a) in the case of a daily rated part-time employee:

$$\frac{\text{Daily basic rate of pay}}{\text{Hours of work for one day}}$$

(b) in the case of a monthly rated part-time employee:

$$\frac{\text{Monthly basic rate of pay} \times 12}{\text{Hours of work for one week} \times 52}$$

2. The hours of work for one day or one week of a part-time employee are computed as follows:

(a) in the case of hours of work for one day:

$$\frac{\text{Total hours of work for one week} \\ \text{(excluding total hours of work on any rest days in that week)}}{\text{Total number of days worked for that week} \\ \text{(excluding any rest days)}}$$

(b) in the case of hours of work for one week:

$$\frac{\text{Total hours of work for one year} \\ \text{(excluding total hours of work on any rest days in that year)}}{\text{Total number of weeks worked for that year}}$$

THE SCHEDULE — *continued*

3. The hourly gross rate of pay of a part-time employee is computed as follows:

(a) in the case of a daily rated part-time employee:

$$\frac{\text{Daily gross rate of pay}}{\text{Hours of work for one day}}$$

(b) in the case of a monthly rated part-time employee:

$$\frac{\text{Monthly gross rate of pay} \times 12}{\text{Hours of work for one week} \times 52}$$

[S 140/2017 wef 01/04/2017]

LEGISLATIVE HISTORY
EMPLOYMENT (PART-TIME EMPLOYEES) REGULATIONS
(CHAPTER 91, RG 8)

This Legislative History is provided for the convenience of users of the Employment (Part-Time Employees) Regulations. It is not part of these Regulations.

1. G. N. No. S 421/1996 — Employment (Part-Time Employees) Regulations 1996

Date of commencement : 1 October 1996

2. 1997 Revised Edition — Employment (Part-Time Employees) Regulations

Date of operation : 15 June 1997

3. G. N. No. S 605/2004 — Employment (Part-Time Employees) (Amendment) Regulations 2004

Date of commencement : 1 October 2004

4. G. N. No. S 666/2008 — Employment (Part-Time Employees) (Amendment) Regulations 2008

Date of commencement : 1 January 2009

5. G.N. No. S 140/2017 — Employment (Part-Time Employees) (Amendment) Regulations 2017

Date of commencement : 1 April 2017