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No. S 200

EMPLOYMENT ACT (CHAPTER 91)

EMPLOYMENT (RETRENCHMENT REPORTING) NOTIFICATION 2019

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In exercise of the powers conferred by section 96A(1) of the Employment Act, the Commissioner for Labour makes the following Notification:

Citation and commencement

1. This Notification is the Employment (Retrenchment Reporting) Notification 2019 and comes into operation on 1 April 2019.

Definitions

2.—(1) In this Notification —

“employer” means an employer with 10 or more employees;

[Deleted by S 781/2021 wef 01/11/2021]

“retrench”, in relation to an employee, means to terminate the employee’s contract of service at the initiative of the employer because of redundancy or any reorganisation of the employer’s profession, business, trade or work;

“retrenchment report” means a report required by this Notification to be given by an employer to the Commissioner containing the information about the retrenchment of any employee by that employer;

“working day” means a day other than a Saturday, Sunday or public holiday.

(2) In this Notification, any reference to an employee is a reference to an employee who has or works under a contract of service (whenever made) —

(a) that does not specify an end date for the contract; or

(b) that has a term of employment of at least 6 months.

(3) Whether or not an employer has 10 or more employees is to be worked out as at the time when a notice of retrenchment is given by the employer to an employee who becomes retrenched, regardless when the notice takes effect.

Retrenchment report to be given to Commissioner

3.—(1) Every employer must give to the Commissioner a retrenchment report in accordance with sub-paragraph (2) if, on or after 1 November 2021, the employer gives any of its employees a notice of his or her retrenchment, regardless when the notice takes effect or when the employment ends.

(2) The retrenchment report by the employer must contain all the information specified in the Schedule in relation to the employee who is given a notice of retrenchment by the employer.

[S 781/2021 wef 01/11/2021]

Time of retrenchment report

4. Every retrenchment report must be given to the Commissioner not later than 5 working days after the day that the employer gives the notice of retrenchment mentioned in paragraph 3.

[S 781/2021 wef 01/11/2021]

Form of retrenchment report

5. Every retrenchment report must be in the form provided at the website of the Ministry of Manpower at <http://www.mom.gov.sg>, unless the Commissioner allows otherwise in any particular case.

THE SCHEDULE

Paragraph 3(2)

INFORMATION ABOUT RETRENCHED EMPLOYEE

1. Details relating to the employer of an employee to whom a notice of retrenchment is given (called in this Schedule a retrenched employee), including the following:
 - (a) the name and address of the employer —
 - (i) for an employer who is an individual, as specified on the identity card or passport of the employer; and
 - (ii) for an employer who is not an individual —
 - (A) as specified on any register or official record kept under any written law; or
 - (B) where sub-paragraph (A) is not applicable, the name in which the employer employed the retrenched employee and the address of the principal place of business of the employer;
 - (b) the employer's trade name if different from that in sub-paragraph (a);
 - (c) the nature of the profession, business, trade or work carried on by the employer;
 - (d) the name of any trade union registered under the Trade Unions Act (Cap. 333) recognised by the employer under the Industrial Relations (Recognition of a Trade Union of Employees) Regulations (Cap. 136, Rg 3), and whether that trade union was consulted on the retrenchment of one or more retrenched employees;
 - (e) the particulars of the contact person of the employer;
 - (f) the number of retrenched employees who are the subject of the retrenchment report;
 - (g) the number of employees of the employer on the date the notice of retrenchment is given, including a breakdown of the number of

THE SCHEDULE — *continued*

citizens of Singapore, the number of permanent residents of Singapore and the number of foreigners.

[S 781/2021 wef 01/11/2021]

2. Details of each retrenched employee, including the following:
- (a) the name of the retrenched employee as specified on the retrenched employee's identity card or work pass, and the identity card number or foreign identification number (as the case may be) of the retrenched employee;
 - (b) the job title of the retrenched employee immediately before the notice of retrenchment was given;
 - (c) whether the retrenched employee is a citizen of Singapore, a permanent resident of Singapore or a foreigner;
 - (d) the date the notice of retrenchment is given to the employee;
[S 781/2021 wef 01/11/2021]
 - (e) the effective date of retrenchment;
 - (f) the retrenchment benefits paid or to be paid to the retrenched employee;
 - (g) if no retrenchment benefits were paid to the retrenched employee, the reasons for not paying so;
 - (h) the employment facilitation assistance provided or to be provided to the retrenched employee.

Made on 29 March 2019.

AUBECK KAM
*Commissioner for Labour,
Singapore.*

[WPSD/ESLR/20190328; AG/LEGIS/SL/91/2015/11 Vol. 1]