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No. S 1015

INDUSTRIAL RELATIONS ACT 1960

INDUSTRIAL RELATIONS (RECOGNITION OF A PLATFORM WORK ASSOCIATION OF PLATFORM WORKERS) REGULATIONS 2024

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In exercise of the powers conferred by section 87(2) of the Industrial Relations Act 1960, the Minister for Manpower makes the following Regulations:

Citation and commencement

1. These Regulations are the Industrial Relations (Recognition of a Platform Work Association of Platform Workers) Regulations 2024 and come into operation on 1 January 2025.

Definitions

2. In these Regulations —

“claim for recognition” means a claim for recognition served by a platform work association of platform workers on a platform operator under regulation 3(1);

“recognition” means recognition given by a platform operator in accordance with these Regulations to a platform work association of platform workers recognising it as the negotiating body for collective bargaining under Part 3 of the Act;

“secret ballot” means a secret ballot taken under these Regulations for the purpose of determining whether the majority of the platform workers who provide a platform service for a platform operator are members of a platform work association of platform workers which has served a claim for recognition on that platform operator.

Platform work association of platform workers may claim recognition

3.—(1) A platform work association of platform workers may serve on a platform operator a claim for recognition in Form A set out in the Schedule.

(2) A platform operator upon whom a claim for recognition has been served must, within 7 working days after the service of the claim —

(a) give recognition to the platform work association of platform workers; or

(b) if the platform operator disputes the claim, notify the Commissioner in writing of the platform operator’s grounds for not giving recognition.

(3) Upon receipt of a notification from a platform operator under paragraph (2)(b), the Commissioner may, in his or her discretion, by written notice inform the platform operator that a secret ballot must be taken in accordance with any directions that the Commissioner may give.

(4) A copy of a notice served on the platform operator under paragraph (3) must be sent to the platform work association of platform workers or, if there is more than one platform work association of platform workers, the platform work associations of platform workers concerned.

Commissioner may require assistance from platform work association and platform operator

4.—(1) When the Commissioner has served a notice on the platform operator under regulation 3(3), the platform operator and the platform work association or platform work associations of platform workers concerned must —

- (a) provide the Commissioner with any information that he or she may require; and
- (b) give every assistance to the Commissioner to enable him or her to conduct the secret ballot in accordance with the decision of the Commissioner under regulation 3(3).

(2) A person, platform operator or platform work association of platform workers must not in any way obstruct the taking of the secret ballot.

(3) The Commissioner must, as soon as the results of the secret ballot are known, communicate the results to the platform operator and the platform work association or platform work associations of platform workers concerned.

(4) When the results of a secret ballot have been communicated to a platform operator under paragraph (3), the platform operator must, if the results of the secret ballot show that the majority of the platform workers entitled to vote are members of a particular platform work association of platform workers, give recognition to that platform work association within 3 working days of the date of the receipt of the results.

Secret ballot

5.—(1) Subject to paragraph (2), all persons who are platform workers providing a platform service for a platform operator on the date on which a claim for recognition is served are entitled to vote in a secret ballot.

(2) The following persons are not entitled to vote in a secret ballot:

- (a) partners in a partnership business;
- (b) persons who entered into platform work agreements with the platform operator after the date on which a claim for recognition has been served;
- (c) persons who entered into platform work agreements with the platform operator within the period of 3 months immediately preceding the date on which the claim for recognition is served;
- (d) platform workers who have not performed any task in relation to their provision of any platform service for the platform operator in the 3 months immediately preceding the date on which the claim for recognition is served.

(3) Any dispute between a platform operator and a platform work association or platform work associations of platform workers as to whether any platform worker is entitled to vote in a secret ballot, in accordance with paragraph (1), must be referred to the Commissioner whose decision is final.

Voting threshold

6.—(1) In a case where fewer than the specified number of persons entitled to vote in a secret ballot, in accordance with regulation 5(1), have voted in any secret ballot —

- (a) regulation 4(3) and (4) does not apply to or in relation to the results of the secret ballot; and
- (b) the Commissioner must, as soon as possible, inform the platform operator and the platform work association or platform work associations of platform workers concerned that fewer than the specified number of persons entitled to

vote in a secret ballot, in accordance with regulation 5(1), have voted in the secret ballot.

(2) In paragraph (1), the specified number of persons, in relation to a secret ballot, is 20% of all persons entitled to vote in the secret ballot in accordance with regulation 5, rounded up to the nearest whole number.

Platform operator to communicate with recognised platform work association

7. A platform operator who gives recognition to a platform work association of platform workers under regulation 3(2)(a) or 4(4) must communicate the recognition to the platform work association of platform workers in Form B set out in the Schedule.

Platform work association to claim recognition

8. A platform work association of platform workers must not serve a claim for recognition within 6 months of the date of a secret ballot.

Penalties

9. Any —

- (a) person who contravenes regulation 4(2);
- (b) platform operator who contravenes regulation 3(2) or 4(1), (2) or (4); or
- (c) platform work association of platform workers which contravenes regulation 4(1) or (2) or 8,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000.

THE SCHEDULE

FORM A

Regulation 3(1)

INDUSTRIAL RELATIONS ACT 1960

INDUSTRIAL RELATIONS (RECOGNITION OF A
PLATFORM WORK ASSOCIATION OF
PLATFORM WORKERS) REGULATIONS 2024

CLAIM FOR RECOGNITION

To: *[set out name of platform operator]**[set out address]*

Pursuant to regulation 3 of the Industrial Relations (Recognition of a Platform Work Association of Platform Workers) Regulations 2024 (G.N. No. S 1015/2024), you are asked to accord recognition to the *[set out name of platform work association]* of *[set out address]* in respect of ^{*}all classes/the following class/classes⁺ of platform workers who provide a platform service for you:

Dated *[set out date]*.*Signature of officer or representative
of platform work association*Name: *[set out name]*Designation: *[set out designation]*

^{*} Delete whichever is inapplicable.

⁺ State in the space above the class or classes of platform workers concerned.

THE SCHEDULE — *continued*

FORM B

Regulation 7

INDUSTRIAL RELATIONS ACT 1960

INDUSTRIAL RELATIONS (RECOGNITION OF A
PLATFORM WORK ASSOCIATION OF
PLATFORM WORKERS) REGULATIONS 2024To: *[set out name of platform work association of platform workers]**[set out address]*

With reference to your claim for recognition on *[set out date]* ^{*}I/we, *[set out name of platform operator, and NRIC number if the platform operator is an individual, or UEN if the platform operator is a business entity]* of *[set out address]* accord recognition to *[set out name of platform work association]* of *[set out address]* in respect of ^{*}all classes/the following class/classes⁺ of platform workers who provide a platform service for ^{*}me/us:

Dated *[set out date]*.

*Signature of platform operator
(if the platform operator is a business
entity, signature of the business
entity's representative)*

Name: *[set out name]*Designation: *[set out designation]*

^{*} Delete whichever is inapplicable.

⁺ State in the space above the class or classes of platform workers concerned.

Made on 19 December 2024.

NG CHEE KHERN
*Permanent Secretary,
Ministry of Manpower,
Singapore.*

[HQ/Legis/PWAct/Dec2024_3e; AG/LEGIS/SL/136/2020/3]

(To be presented to Parliament under section 87(3) of the Industrial Relations Act 1960).