

**SINGAPORE (2000-2018)**

***FREEDOM OF ASSOCIATION AND THE EFFECTIVE RECOGNITION OF THE RIGHT TO COLLECTIVE BARGAINING***

<b>REPORTING</b>	<b>Fulfilment of Government's reporting obligations</b>	<b>YES</b> , since the start of the Annual Review (AR) in 2000, except the 2016 AR. No change reports under 2011-2015 ARs.	
	<b>Involvement of Employers' and Workers' organizations in the reporting process</b>	<b>YES</b> , according to the Government: Involvement of the Singapore National Employers' Federation (SNEF), the Singapore National Trade Union Congress (NTUC) through communication of Government reports and tripartite meetings on reporting issues.	
<b>OBSERVATIONS BY THE SOCIAL PARTNERS</b>	<b>Employers' organizations</b>	<b>2018 AR:</b> Observations by the SNEF. <b>2012-2014 ARs:</b> Observations by the SNEF. <b>2007-2009 ARs:</b> Observations by the SNEF.	
	<b>Workers' organizations</b>	<b>2005 AR:</b> Observations by the ICFTU. <b>2002 AR:</b> Observations by the ICFTU.	
<b>EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND RIGHT</b>	<b>Ratification</b>	<b>Ratification status</b>	<b>Singapore ratified in 1965 the Right to Organize and Collective Bargaining Convention, 1949 (No. 98) (C.98). However, it has not yet ratified the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) (C.87).</b>
		<b>Ratification intention</b>	<b>NO for C.87.</b> <b>2018 AR:</b> The Government reiterated that C.87 is unlikely to be ratified since ratifying it and making the required changes of legislation may adversely affect the harmonious state of industrial relations in Singapore. The Government underlines however that the spirit of C.87 is observed in the national legislation. <b>2015 AR:</b> The Government reiterated that there is no change. NTUC reiterated its support for the ratification of C.87; however, it indicated that there is a need to change existing national laws to ensure compliance with C.87 and thereby facilitate the ratification of the Convention. It further stated that although national laws are not currently in line with C.87, this does not hinder it from undertaking its activities as well as the formation of new trade unions. <b>2013-2014 ARs:</b> According to the Government: No change. The NTUC appealed to the Government of Singapore to consider ratification of C.87. <b>2012 AR:</b> According to the Government: No change. The NTUC indicated that it was pleased with the Government of Singapore which had ratified C.98, and would now wish for the Government to also consider ratification of C.87. <b>2010 AR:</b> According to the Government: Ratifying C.87 and making the required changes of legislation may adversely affect the harmonious state of industrial relations in Singapore. Notwithstanding, the Government would like to reassure ILO that the spirit of C.87 is observed in the national legislation. Therefore, the ILO should rather assess to what extent member States comply with the provisions of C.87, without requiring them to make major changes to existing regulations and systems that have worked well for them. <b>2009 AR:</b> According to the Government: Although Singapore has not ratified C.87, its law in practice is in line with the principle and spirit of this Convention. This includes the right to form and join a trade union, the right to collective bargaining, the free election of union leaders and the protection and well-being of union members. The existing laws which have evolved over the years and are based on

		<p>the principle of cooperation and partnership, have worked well for Singapore and benefited its economy, employers and workers over the past decade. The Government will then continue to ensure that freedom of association and protection of the right to organize are carried out in line with the principles of this Convention. Concerning ILO's comments and concerns with regard to Singapore's non-intention to ratify C.87, the Government would like to seek ILO's understanding on the relevance of its national trade union laws that have helped prevent and resolve unnecessary industrial disputes which are detrimental to business and interests of workers. These laws which allow businesses and unions work harmoniously to achieve win-win results, have worked well for Singapore and benefited its economy, employers and workers over the past decades. Notwithstanding, the Government would like to assure the ILO that the spirit and principles of C.87 are encapsulated in Singapore's laws and practices, and are closely adhered to.</p> <p>The NTUC expressed its support for the ratification of C.87. It further mentioned that, as had already been noted by the Government under the 2008 AR, some amendments to national laws were required to reflect the country's needs.</p> <p><b>2008 AR:</b> According to the Government: Contrary to the country's current national regulations that require formal registration of trade unions, with prescribed rules on union administration and activities, Convention No. 87 requires a de-regulated approach in the management of trade unions. Under this Convention, trade unions are generally unrestricted in their roles and activities, which is not in line with the national existing laws based on the development of responsible trade unions and enlightened employers. Hence, ratification would require the Government to make major amendments to the laws that have been functioning well and benefited the economy, employers and workers over the past decades. Amending these laws would undermine the harmonious industrial relations and strong tripartite relationship that the country has developed.</p> <p><b>2006 AR:</b> In response to the ICFTU's observations, the Government stated that "Singapore would continue to review ILO Conventions with the view to additional ratifications.</p>
<p><b>Recognition of the principle and right (prospect(s), means of action, basic legal provisions)</b></p>	<p><b>Constitution</b></p>	<p><b>YES</b>, according to the Government, although Singapore has not ratified C.87, the principle and right (PR) is enshrined in Singapore's laws.</p>
	<p><b>Policy-Legislation and/or Regulations</b></p>	<ul style="list-style-type: none"> <li>• <b>Policy:</b> Government's prospects: Enhancing cooperative and effective industrial relationships in order to facilitate the realization of the principle and right. Means of action: Mainstreaming tripartite framework.</li> <li>• <b>Legislation:</b> The Trade Unions Act, the Trade Dispute Act, the Criminal Law (Temporary Provisions) (Part III); and the Industrial Relations Act relate to the PR.</li> </ul> <p><b>2018 AR:</b> According to the Government: Singapore's Industrial Relations Act was amended in 2015 to provide more options for the representation of executives (employees who are employed in managerial or executive positions by their employers). A rank-and-file union may now seek to represent the executive employees in the organisation on a collective basis. A rank-and-file union recognised by the employer may also now represent its executive union members on an individual basis for re-employment disputes. (In the past, such representation was limited to the areas of unfair dismissal, victimisation, retrenchment benefits and employment contract breaches.) These amendments have allowed unions to progressively represent these groups of employees. Consequential amendments were also made to the Retirement and Re-employment Act (RRA) and the Trade Unions Act (TUA) which took place from 1 April 2015. These changes to the RRA have allowed unions to represent executive</p>

			<p>employees on limited representation for re-employment disputes in proceedings before the Commissioner for Labour on re-employment claims. TUA has been amended to allow executive employees whom the union has been granted recognition for collective bargaining to also take part in secret ballot for the purposes of strike and industrial action, and to participate in a strike or industrial action. Unions are however still prohibited from representing senior management and certain categories of executive employees to address employers' concerns of conflict of interest and to preserve management effectiveness and flexibility. In practice, however, many employers are enlightened and allow their senior executives to join unions to enjoy social benefits.</p> <p><b>2014 AR:</b> According to the Government: Following tripartite consultations, the amendments to the Employment Act will be implemented in 2014. The Government and the social partners are also reviewing the Industrial Relations Act, in particular concerning aspects regulating the representation of Professionals, Managers and Executives (PMEs). The NTUC indicated that the Employment Act had been reviewed through tripartite consultation to ensure freedom of association for PMEs.</p> <p><b>2013 AR:</b> According to the Government: The Ministry of Manpower will be reviewing the Employment Act and other employment-related legislations including the Industrial Relations Act.</p>
		<b>Basic legal provisions</b>	(i) The Constitution; (ii) the Trade Unions Act; (iii) the Trade Disputes Act; (iv) Part III of the Criminal Law (Temporary Provisions); and (v) the Industrial Relations Act.
		<b>Judicial decisions</b>	NIL.
<b>Exercise of the principle and right</b>	<b>At national level (enterprise, sector/industry, national)</b>	<b>For Employers</b>	<b>2012 AR:</b> According to SNEF: Singapore's labour legislation strongly supports the principles of freedom of association and the effective recognition of the right to collective bargaining. Collective bargaining in Singapore is practised at the highest level with the Government, NTUC and SNEF through various tripartite committees and forums, such as the tripartite National Wages Council (NWC).
		<b>For Workers</b>	<b>2012 AR:</b> According to the Government: The Government would like to reassure that the provisions of Convention No. 87 are observed in the national legislation with respect to freedom of association. This is evident from the existence of some 60 trade unions representing employees from different segments of the workforce, both in the private and public sectors. According to NTUC: Workers in Singapore enjoy the right to freedom of association and collective bargaining. Unions are able to negotiate effectively with employers in order to safeguard and advance wages and employment terms. <b>2003 AR:</b> Prior government authorization is necessary to operate workers' organizations (the Industrial Relations Act, 1940). Freedom of Association (FOA) can be exercised by employees working in the teaching and medical professions and by foreign workers operating in Singapore. Public sector employees can form or join a trade union, except for those engaged in the security and defence of the country. Workers cannot exercise FOA under 16 years of age.
			<b>Special attention to particular situations</b> <b>2014 AR:</b> According to the SNEF: Options for trade union representation of PMEs are being explored through tripartite collaboration. According to the NTUC: Special attention is given to organizing and

				<p>representing the interest of PMEs. The NTUC envisions increasing the number of activities targeting PMEs, including providing career guidance in order to attract this group of workers to join the union.</p>
			<b>Information/ Data collection and dissemination</b>	<p><b>2015 AR:</b> The Government reported that the NTUC has 805,000 members as of July 2014, about 15 per cent of which are migrant workers.</p> <p><b>2014 AR:</b> According to the NTUC: As of August 2013, the NTUC had 770,000 members. An estimated 20 per cent of the NTUC members are migrant workers. The NTUC continues to see steady growth of members made up of PMEs. The PME member base has grown from 130,000 in 2010, to 160,000 in 2012, to some 200,000 PMEs union members in 2013; representing approximately 20 per cent of the one million strong PME labour force in the country. In the first seven months of 2013, the NTUC established trade unions in 62 companies where there had been no prior trade union representation. This can be compared to the total of 75 companies for the whole of 2012.</p> <p><b>2013 AR:</b> According to the NTUC: The NTUC aims to reach as many people as possible so that more members and their families can benefit from the initiatives and services offered by the Labour Movement (LM). Today, with 700,000 members, the LM will be rolling out more initiatives to serve the varying needs of members at different life stages as it moves closer to 1 million members by 2015. NTUC has seen steady growth of members of Professionals, Managers and Executives (PMEs). PME member base has grown strongly from 130,000 in 2010 to over 160,000 in 2012.</p> <p><b>2012 AR:</b> According to the Government: Some 60 trade unions exist in Singapore, representing employees from both the private and public sectors. According to the NTUC: The NTUC has 650,000 members as of September 2011 (compared with 500,000 in Aug 2007), about 18 per cent of which are migrant workers. The NTUC continues to build its vision to be an all-inclusive labour movement, serving the needs of members at different life stages, aiming to organise 1 million members by 2015.</p> <p><b>2009 AR:</b> According to the NTUC: The NTUC has 521,705 at May 2008 and about 10 per cent of them are migrant workers.</p> <p><b>2001 AR:</b> According to the Government: There is a lack of information and data on the PR.</p>
		<b>At international level</b>	<b>NIL.</b>	
	<b>Monitoring, enforcement and sanctions mechanisms</b>			<p><b>2005 AR:</b> According to the Government: Any group of seven or more prospective members can establish a union. The establishment of a union is also subject to the approval of the Registrar of Trade Unions, who has the power to refuse or cancel registration under certain conditions, particularly where one trade union already exists for workers in a particular occupation or industry (Trade Unions Act, 1940). The PR is enforced through law, collective agreements and tripartite consultations at all levels. In instances where the PR is not respected (for instance on the issue of termination and dismissal), the Ministry for Manpower has the power to decide on whether the termination is substantiate or not, after an inquiry conducted by the Commissioner for Labour. It may order reinstatement if the employer is found to have terminated the employee's service without just cause. The Minister may award compensation to the affected worker if reinstatement is considered to be undesirable and could affect labour relations at the workplace (sections 17(2)(b) and 17(2)(e) of the Industrial Relations Act).</p>
	<b>Involvement of the social</b>			<p><b>2014 AR:</b> According to the Government: Laws are being revised through tripartite consultations. This includes the finalized amendments to the Employment Act and the</p>

	<p><b>partners</b></p>	<p>ongoing revision of the Industrial Relations Act, in particular concerning aspects regulating the representation of PMEs. The SNEF indicated its strong commitment to tripartism and its regular participation in social dialogue. The NTUC indicated its regular participation in tripartite consultations.</p> <p><b>2013 AR:</b> According to the Government: The Ministry of Manpower will be reviewing the Employment Act and other employment-related legislations including the Industrial Relations Act in close consultation with the tripartite partners to ensure that any amendment to be made would take into account the interest of both workers and employers.</p> <p><b>2012 AR:</b> According to the Government: Singapore has enjoyed strong tripartite relations over the past few decades. According to SNEF: Collective bargaining in Singapore is practised at the highest level with the Government, NTUC and SNEF through various tripartite committees and forums, such as the tripartite National Wages Council (NWC).</p> <p><b>2009 AR:</b> According to the Government: National laws which allow businesses and unions work harmoniously to achieve win- win results, have worked well for Singapore and benefited its economy, employers and workers over the past decades. According to the SNEF: The strong relationship between the Government, NTUC and SNEF provides guidelines in many areas while leaving management and unions to freely conduct collective bargaining at company level.</p> <p><b>2008 AR:</b> According to the SNEF: The close collaboration among the tripartite partners has helped to promote and implement programmes of national importance such as: (i) enhancing productivity and competitiveness of the economy; (ii) facilitating the employability of older workers and (iii) improving the work-life harmony of workers.</p> <p><b>2006 AR:</b> According to the Government: In addition to the National Wage Council, tripartite taskforces have been formed to tackle policy issues such as older workers or job re-creation efforts. The SNEF indicated that tripartite cooperation was well established through consultation and collaboration on various economic and social issues such as policy formulation and review or dispute settlement.</p> <p><b>2000-2004 ARs:</b> According to the Government: Employers’ and workers’ organizations have been involved in: (i) tripartite consultations on industrial relations; (ii) the formulation and implementation of wage policies and wage guidelines; (iii) the review of labour laws and promotion of good employment practices; (iv) the improvement of productivity and skill development of workers.</p>
	<p><b>Promotional activities</b></p>	<p><b>2018 AR:</b> According to SNEF: Since 1 April 2015, rank-&amp;-file unions can discuss with employers regarding representing executive employees on a collective basis. This has provided more options for executive employees to be represented on workplace issues. Promotional activities: Several professional guilds and associations have joined the U Associate Programme to date. The programme will continue to reach out to PMEs in various industries to prepare them for the jobs of tomorrow through workshops, masterclasses, lectures and dialogues. U FSE was launched in 2015 to organise the growing pool of freelancers and self-employed (FSE) workers in Singapore. Working with freelancer groups and individuals and in partnership with stakeholders, U FSE aims to strengthen FSE workers’ income security, skills mastery and collective interests through advocacy collaborations and support networks.</p> <p><b>2015 AR:</b> The Government indicated that the NTUC U Associate programme was launched in March 2011 to reach out and serve more PMEs. The Singapore Professional Golfers’ Association (SPGA) joined the Labour Movement as the 9th NTUC U Associate in 2014. This is the first time a sports association has come on board the U Associate Programme to bring NTUC’s wide range of benefits and advocacy to its members</p> <p><b>2014 AR:</b> The NTUC indicated that it had organized tripartite meetings on the FPRW.</p> <p><b>2013 AR:</b> According to NTUC: The NTUC is engaging PMEs through new channels such as U Associate and Union Professional Chapters. The U Associate Programme is designed to enable professional bodies, institutions and alumnus clubs to join NTUC and enjoy NTUC privileges such as professional development subsidies under the Union Training Assistance Programme, workplace advisory services, as well as NTUC FairPrice grocery rebates and LinkPoints.</p> <p><b>2012 AR:</b> According to the Government: The Government aims, through the promotion of freedom of association and the right to collective bargaining, to create a harmonious state of industrial relations in Singapore that will benefit its economy, employers and workers. Under NTUC’s vision to be an all-inclusive labour movement, membership has grown particularly with the launch of Professional Chapters to engage and attract PMEs (professionals, managers and executives) as members.</p> <p>According to the NTUC: In March 2011, the NTUC launched a new initiative, the U Associate programme, which enables associations to join NTUC en-masse, allowing members to tap into its benefits.</p>



		<p><b>2009 AR:</b> According to the NTUC: A tripartite committee has been set up and labour meetings were organized.</p> <p><b>2006 AR:</b> The National Trades Union Congress mentioned that it was increasing its efforts to enforce the right to organise and reach 1 million members by 2015. Training courses to union leaders are also conducted.</p>
	<p><b>Special initiatives-Progress</b></p>	<p><b>2018 AR:</b> According to NTUC (Singapore National Trades Union Congress): New unions and associations continue to be formed to represent and organise workers in the changing employment landscape caused by disruptions brought about by technological advancements. The National Private Hire Vehicles Association (NPHVA) was registered on 3 May 2016 to organise private hire vehicle drivers. The Tigerair Staff Union of Singapore was formed on 17 December 2014 and merged with the Scoot Staff Union to form the Scoot-Tiger Staff Union in 2016. The NTUC launched the Centre for Domestic Employees (CDE) on 24 January 2016 to provide both local and foreign domestic employees with advisory and mediation services, and champion for fair recruitment and employment practises. The bi-partite MWC now has a comprehensive assistance network of one physical help centre; a mobile office that penetrates remote migrant worker locations; help clinics at all six purpose-built migrant worker recreation centres; a seafarer’s welfare centre; a soup kitchen; and a 24-hour native language distress helpline for migrant workers.</p> <p><b>2014 AR:</b> Accordingly to the NTUC: A joint initiative by the NTUC and the SNEF aims at ensuring the FPRW, including freedom of association, for migrant workers. The Migrant Workers’ Centre (MWC) has been established and provides assistance to migrant workers in cases of workplace disputes and other labour related issues.</p> <p><b>2012 AR:</b> According to the Government: Special initiatives have been undertaken in light of the increasing proportion of professionals, managers and executives (PMEs) in the Singapore workforce. As a result of Singapore’s better-educated population and growing economic volatility, the number of employment disputes involving PME is expected to grow. In January 2010, after consultation with the tripartite partners, the Government decided to set up a dispute resolution mechanism for PMEs. The new mechanism involves (i) adjudication of disputes (e.g. over salary) between PMEs and their employers and (ii) tripartite mediation to help PME union members and their employers resolve their employment disputes amicably. This mechanism came in effect in February 2011. With this new mechanism, instituted under Singapore’s Industrial Relations Act (IR Act), eligible PME union members in unionised companies can seek full or limited representation from their trade unions to resolve their individual employment disputes with employers. In addition, PMEs earning up to \$2,500 have recourse to adjudication on salary claims as well as mediation through the Government’s Executive Mediation Unit. As part of the new mechanism, PME union members working in non-unionised companies earning up to \$4,500 will now also have access to the new tripartite mediation process to resolve their employment disputes with employers. The new tripartite mediation will leverage on the strong tripartite partnership between the Singapore Ministry of Manpower (MOM), the Singapore National Employers Federation (SNEF) and the Singapore National Trades Union Congress (NTUC), which has played an important part in fostering harmonious workplace relations in Singapore. The tripartite mediation aims to resolve the most common employment disputes between PME union members and their employers, which preciously have been dealt with in the civil court. Under this new mechanism, MOM leads the tripartite mediation sessions to help the employer and the PME union member concerned to resolve the employment dispute. The employer and the PME are each assisted by a tripartite mediation advisor, who will help the respective parties to facilitate an amicable settlement. With the inputs and assistance of experienced tripartite mediation advisors, tripartite mediation can help to bring about an amicable and expeditious settlement without incurring significant costs for the parties involved. To facilitate mediation and settlement, the tripartite mediation process includes compulsory attendance for both PME and the employer. Repeated nonattendance by the PME and employer will result in the case being struck off for the PME or penalties for the employer under the IR Act.</p> <p><b>2010 AR:</b> According to the NTUC: The NTUC Migrant Workers’ Forum (MWF) has become bipartite with the participation of the SNEF. Its objectives are as follows: (i) provide humanitarian assistance to migrant workers; (ii) promote fair employment practices towards migrant workers; (iii) educate migrant workers on their employment rights; and (iv) facilitate harmonious co-existence between local Singaporeans and migrant workers.</p> <p><b>2009 AR:</b> According to the NTUC: The NTUC has also set up the NTUC MWF in 2003 with the following objectives: (i) raise awareness of union assistance to migrant workers in Singapore; (ii) advocate for better measures and/or undertake initiatives to protect the</p>

		<p>interests and well-being of migrant workers in Singapore; and (iii) establish cooperative unions and collaboration with interested parties.</p> <p><b>2007 AR:</b> According to the Government: Union membership figures stand at 450,000 in 2005. The Ministry of Manpower noted from the National Trades Union Congress reports that about 30 per cent of unionised companies have included a clause in their collective agreements to allow employment of older workers beyond the retirement age of 62 years old. Moreover, a new union for workers operating in private educational institutions was set up in March 2006 and has a potential of 50,000 members.</p> <p>The NTUC indicated that it had set up a Unit for Contract Workers to help address the concerns of a growing number of contract workers although the overall number vis-à-vis permanent employees is still small. A new union for employees working in private educational institutions was set up in March 2006, with a potential of 50,000 members.</p> <p><b>2006 AR:</b> According to the Government: The fact that unions have widened their membership from about 314,000 in 2000 to 443,000 in 2004 can be regarded as a successful example in the realization of the PR.</p> <p><b>2003 AR:</b> According to the Government: Special initiatives have been taken through training of officials, the promotion of workers' productivity and the increase in the number of trade unions.</p>	
<p><b>CHALLENGES IN REALIZING THE PRINCIPLE AND RIGHT</b></p>	<p><b>According to the social partners</b></p>	<p><b>Employers' organizations</b></p>	<p><b>2007 AR:</b> No particular challenges have been raised in the SNEF's observations.</p>
		<p><b>Workers' organizations</b></p>	<p><b>2015 AR:</b> According to NTUC: the challenge related to the ratification of C.87 has been the need to change existing national laws to ensure compliance with the requirements of C.87.</p> <p><b>2014 AR:</b> According to the NTUC: Difficulties in the ratification process of C.87 are mainly related to legal incompatibilities. The Government views some provisions, such as giving the Registrar of Trade Unions powers to check union accounts, as not an encumbrance but necessary to protect the interest and welfare of ordinary workers as they pay union subscriptions.</p> <p><b>2012 AR:</b> No change in report.</p> <p><b>2009 AR:</b> According to the NTUC: Although the issue of ratification of C.87 was discussed in the country, the Government further needs to consider it as a priority.</p> <p><b>2007-2009 ARs:</b> According to the ICFTU and the ITUC: (i) the Labour law is outdated; (ii) the right to form unions is recognized but Parliament may impose restrictions on the formation of a union on the ground of security, public order or morality; (iv) excessive powers of the Registrar of Trade Union; (iii) prohibition of government employees from joining or forming trade unions; (iv) interference in trade unions affairs such as restrictions of trade unions on the right to elect their officers under the Trade Union Act or control over trade unions finances; (v) there is no effective recognition of freedom of association for migrant workers.</p> <p><b>2002 and 2005-2006 ARs:</b> The ICFTU raised the following challenges: (i) excessive powers of the Registrar of Trade Union; (ii) prohibition of government employees from joining or forming trade unions; (iii) no enforcement of binding arbitration; (iv) restrictions on the right to strike and prohibition of strike in essential services (water, gas, electricity); (v) restrictions of trade unions on the right to elect their officers under the Trade Union Act; (vi) prohibition of citizens with criminal record and migrant workers to work for a trade union; (vii) investigations of union finances; (viii) increased representation for executives; (ix) restrictions on the formation of union on the grounds of security, public order or morality.</p>
	<p><b>According to the Government</b></p>	<p><b>2012 AR:</b> According to the Government: In Singapore, labour relations are conducted on a national basis which has brought about harmonious labour management relations, fostered strong tripartite relationships, and in turn contributed to economic growth, job creation and the improvement of social well-being of workers. The Government of Singapore believes that ratifying Convention No. 87 may present certain challenges to Singapore's harmonious industrial relations.</p> <p><b>2009 ARs:</b> In response to the ICFTU's observations, the Government mentioned the following: (i) foreign and migrant workers' rights: Trade union officers and trustees, whether local or foreign, are democratically elected by their members to represent their interests. However, under section (30) of the Trade Unions Act, trade union officers who are not Singapore citizens are required to seek approval from the Minister of</p>	

		<p>Manpower before assuming responsibilities. In fact, many of the unions have foreign workers as their members, particularly in industries where there are large numbers of foreign workers; ii) relevance of Singapore’s laws: The Government reiterates that Singapore’s laws continue to be relevant for our country and has helped to prevent and resolve industrial disputes which are detrimental to businesses and the interests of workers. These laws which allow businesses and unions to work harmoniously to achieve win-win results, have worked well for Singapore and benefited our economy, employers and workers over the past decades. Hence, there is no need to amend national laws; and the Government trusts that the ILO assesses Singapore’s performance objectively in respect of freedom of association and collective bargaining, taking into account its harmonious labour management relations fostered by strong tripartite relationship as well as our proven track record in enhancing the economic and social well-being of its workers.</p> <p><b>2008 AR:</b> The Government indicated that in contrast to Singapore’s current national regulations, which requires formal registration of trade unions, with prescribed rules on union administration and activities, C.87 requires a de-regulated approach in the management of trade unions. Under this Convention, trade unions are generally unrestricted in their roles and activities, which is not in line with the national existing laws based on the development of responsible trade unions and enlightened employers. Hence, ratification would require the Government to make major amendments to the laws, which have been functioning well and benefited the economy, employers and workers over the past decades. Amending these laws would undermine the harmonious industrial relations and strong tripartite relationship that the country has developed.</p> <p><b>2006 and 2007 ARs:</b> In response to the ICFTU’s observations, the Government reported the following (i) Trade union leaders in Singapore are democratically elected and if they fail to be accountable for their decisions, they can be voted out by their members; (ii) restrictions on trade unions’ activities only apply to persons who are criminally convicted and foreigners whose stay is transient in nature; (iii) Singapore’s laws continue to be relevant for the country and have helped to prevent and resolve unnecessary industrial disputes which are detrimental to business and workers’ interests; (iv) workers’ fundamental rights in respect of the PR are enshrined in national laws; (v) Singapore has closely worked with the ILO in promoting constructive industrial relations, workers’ rights, occupational safety and health and training and skills. In response to the ICFTU’s observations for the 2002 and 2005 ARs, the Government observed that government employees were allowed to form and join trade unions.</p> <p><b>2002 AR:</b> In response to the ICFTU’s observations, the Government made the following comments: (i) The purpose of the union registration is to confer on registered trade unions certain rights, immunities and privileges, not to exercise control. Refusal for a registration of a trade union by the Registrar can help limit the proliferation of trade unions and strengthen solidarity of the labour movement; (ii) a decision to carry out strike action must be supported by the majority of union members; (iii) restrictions on the rights of trade unions to appoint their officials cover persons convicted of serious criminal offences; (iv) restrictions on expenditure of union funds prevent the union funds from being used as contributions to a political party or for a political purpose. In conclusion, the Government stated that the objectives of the Trade Union Act are to ensure fair elections and proper management of the union for the benefits of union members.</p>
<b>TECHNICAL COOPERATION</b>	<b>Request</b>	NIL.
	<b>Offer</b>	NIL.
<b>EXPERT-ADVISERS’ OBSERVATIONS-RECOMMENDATIONS</b>	<p><b>2008 AR:</b> The ILO Declaration Expert-Advisers (IDEAs) were concerned that the Government of Singapore (and another country) reported that it did not intend to ratify C.87, given that, according to the Government, ratification would require it to make major amendments to the laws, which would undermine the harmonious industrial relations and strong tripartite relationship that the country has developed. In this regard, the IDEAs recalled that the following: “Under the 1998 ILO Declaration, every member State even if it has not ratified the fundamental conventions, has an obligation rising from the very fact of membership in the Organization, to respect, promote and to realize, in good faith and in accordance with the Constitution, the principles concerning the fundamental rights which are the subject of those conventions. Freedom of association is the essence of the ILO and it is clear that its absence deprives employers and workers of their right to participate in and benefit from the national economy and to contribute to respect for human right and democracy”. Therefore, they urged the Government of Singapore to work jointly with the Office in giving effect to this principle and right. The IDEAs also listed Singapore among the countries where some unions are subject to government’s interference or influence, and recalled in this regard the following: “(...) the right to official recognition is an essential aspect of the right to organize as it allows employers’ and workers’ organizations to be in a position to play their roles efficiently. Furthermore, any government intervention in employers’ and workers’ organizations’</p>	



	<p>internal affairs (right to establish and join organizations of their own choosing, without distinction whatsoever and without previous authorization, right to draw up internal constitutions and rules, right to elect their representatives in full freedom, etc.) constitutes interference in the functioning of these organizations, which is a denial of the principle and right”. Finally, the IDEAs noted that restrictions on the right to organise of certain categories of workers in Singapore (and some other countries), such as migrant workers, were not compatible with the realization of this principle and right (cf. paragraphs 27, 28 and 36 of the 2008 AR Introduction – ILO: GB.301/3).</p>
<p><b>GOVERNING BODY OBSERVATIONS/ RECOMMENDATIONS</b></p>	<p><b>2015 AR:</b> At its March 2014 Session, the Governing Body invited the Director-General to: (a) take into account its guidance on key issues and priorities with regard to assisting member States in their efforts to respect, promote and realize fundamental principles and rights at work; and (b) take account of this goal in the Office’s resource mobilization initiatives.</p> <p><b>2013 AR:</b> At its November 2012 Session, the Governing Body requested the Director-General to take full account of the ILO Plan of Action on Fundamental Principles and Rights at Work (2012-2016) and allocate the necessary resources for its implementation. This plan of action is anchored in the universal nature of the fundamental principles and rights at work (FPRW), their inseparable, interrelated and mutually reinforcing qualities and the reaffirmation of their particular importance, both as human rights and enabling conditions. It reflects an integrated approach, which addresses both the linkages among the categories of FPRW and between them, and the other ILO strategic objectives in order to enhance their synergy, efficiency and impact. In this regard, freedom of association and the effective recognition of the right to collective bargaining are particularly emphasized as enabling rights for the achievement of all these strategic objectives.</p> <p><b>2011 AR:</b> At its March 2010 Session, the Governing Body decided that the recurrent item on the agenda of the 101<sup>st</sup> Session (2012) of the International Labour Conference should address the ILO strategic objective of promoting and realizing fundamental principles and rights.</p> <p><b>2009 AR:</b> During its March 2009 Session, the Governing Body included the review of the follow-up to the 1998 ILO Declaration on Fundamental Principles and Rights at Work on the agenda of the 99<sup>th</sup> Session (2010) of the International Labour Conference.</p>
<p><b>INTERNATIONAL LABOUR CONFERENCE RESOLUTION</b></p>	<p><b>2013 AR:</b> In June 2012, following the recurrent item discussion on fundamental principles and rights at work, under the ILO declaration on Social Justice for a Fair Globalization, 2008 and the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, 1998, the International Labour Conference adopted the Resolution concerning the recurrent discussion on fundamental principles and rights at work. This resolution includes a framework for action for the effective and universal respect, promotion and realization of the FPRW for the period 2012-16. It calls for the Director- General to prepare a plan of action incorporating the priorities laid out in this framework for action for the consideration of the Governing Body at its 316<sup>th</sup> Session in November 2012.</p> <p><b>2011 AR:</b> Following a tripartite debate at the Committee on the 1998 Declaration, the 99<sup>th</sup> Session (2010) of the International Labour Conference adopted a Resolution on the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work on 15 June 2010. The text appended to this Resolution supersedes the Annex to the ILO Declaration on Fundamental Principles and Rights at Work, and is entitled “Annex to the 1998 Declaration (Revised)”. In particular, the Resolution “[notes] the progress achieved by Members in respecting, promoting and realizing fundamental principles and rights at work and the need to support this progress by maintaining a follow-up procedure. For further information, see pages 3-5 of the following link: <a href="http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_143164.pdf">http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_143164.pdf</a>.</p>