

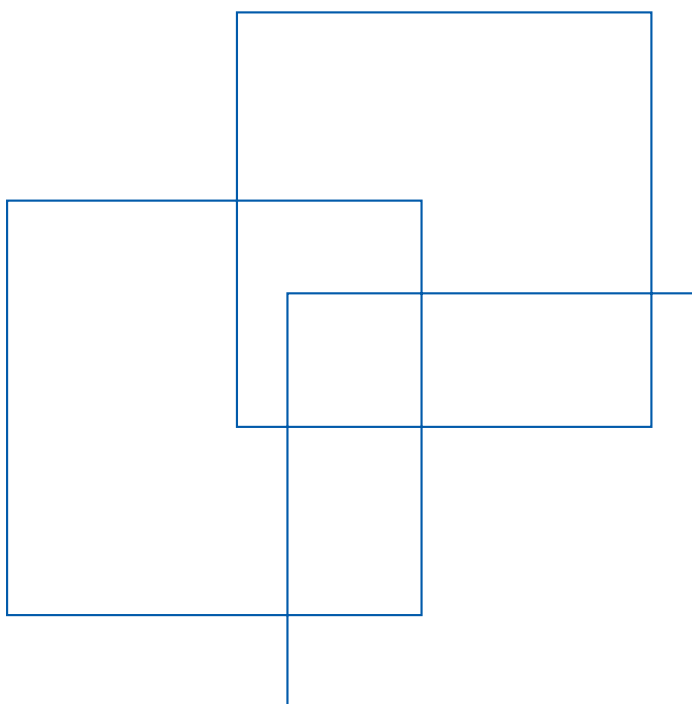


International
Labour
Office

Geneva

ILO Study Mission on Singapore's Tripartism Framework

Prospects for Ratification of the Tripartite Consultation
(International Labour Standards) Convention, 1976 (No. 144)
Singapore, 18 to 22 January 2010



International
Labour
Standards
Department
(NORMES)

Supported by Tripartite Partners of Singapore



Industrial and
Employment
Relations
Department
(DIALOGUE)

International Labour Office

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Abbreviations

ASEAN	Association of Southeast Asian Nations
ATUC	ASEAN Trade Union Council
CAs	collective agreements
CET	Continuing Education and Training
CPF	Central Provident Fund
e2i	Employment and Employability Institute
EDB	Economic Development Board
ELITC	Electronics Industries Training Centre
ESC	Economic Strategies Committee
GDP	gross domestic product
GJP	Global Jobs Pact
GUFs	Global Union Federations
HMI	Health Management International Ltd
HR	human resources
IOE	International Organisation of Employers
ITUC	International Trade Union Confederation
ITUC-AP	Regional Organisation of the International Trade Union Confederation for Asia and the Pacific
MEM Guidelines	Tripartite Guidelines on Managing Excess Manpower
MLC	Maritime Labour Convention
MOM	Ministry of Manpower
MPA	Maritime and Port Authority of Singapore
NEC	National Employers Council
NTUC	National Trades Union Congress
NWC	National Wages Council

PAP	People's Action Party
PMETs	professionals, managers, executives, and technicians
PSP	Professional Skills Programme
SARS	Severe Acute Respiratory Syndrome
SATU	Singapore Association of Trade Unions (until 1963)
SDF	Skills Development Fund
SDL	Skills Development Levy
SEF	Singapore Employers Federation
SLF	Singapore Labour Foundation
SMEs	small and medium-sized enterprises
SNEF	Singapore National Employers Federation
SPUR	Skills Programme for Upgrading and Resilience
STF	Singapore Tripartism Forum
STUC	Singapore Trades Union Congress
TAFEP	Tripartite Alliance for Fair Employment Practices
TRUST Teams	Tripartite Upturn Strategy Teams
UNDP	United Nations Development Programme
UWEEI	United Workers of Electronic and Electrical Industries
WDA	Singapore Workforce Development Agency
WIS	Workfare Income Supplement
WSQ	Workforce Skills Qualifications

Background

At the request of the Government of Singapore, the International Labour Standards Department (NORMES) and the Industrial and Employment Relations Department (DIALOGUE) of the International Labour Office (ILO) jointly undertook a five-day Study visit on Tripartism in Singapore. The mission was led by Ms. *Cleopatra Doumbia-Henry*, Director of the International Labour Standards Department (NORMES), and Mr. *Tayo Fashoyin*, Director of the Industrial and Employment Relations Department (DIALOGUE), accompanied by Mr. *Natan Elkin*, Coordinator (Employment Policies and Tripartite Consultation, NORMES), and Ms. *Minawa Ebisui*, Social Dialogue Technical Officer, DIALOGUE).

The study visit had two main objectives. First, it sought to understand how tripartite social dialogue is used to address industrial relations and employment relations as well as the broader issues of socio-economic development. The second objective was to examine the prospects for Singapore to ratify the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144).

The mission met with the Ministry of Manpower, the Maritime and Port Authority of Singapore, the National Trades Union Congress, the Singapore National Employers Federation and a range of institutions in the country. In the course of the study visit, the team had an opportunity to see various tripartite procedures and mechanisms functioning effectively in both formal and informal ways to address a wide range of issues including finding quick solutions to the downturn. The Government and the social partners have effectively managed to save jobs and sustain enterprises. The Tripartite Taskforce on Managing Economic Downturn formulated the Tripartite Guidelines on Managing Excess Manpower and played a major role in helping to develop and refine the Skills Programme for Upgrading and Resilience (SPUR). The Taskforce also established TRUST Teams (Tripartite Upturn Strategy Teams) to provide customized assistance to companies in implementing the guidelines. These measures, which formed part of the Government's Resilience Package, have indeed given effect to the ILO's Global Jobs Pact.

Twenty international labour Conventions are in force for Singapore; most of them were ratified in October 1965 and were effective under its previous status of non-metropolitan territory of the United Kingdom and remained applicable to the country when it became a Member of the International Labour Organization in 1965.¹ Three fundamental Conventions,

¹ The 17 international labour Conventions for which ratification was registered in October 1965 are the following: the Unemployment Indemnity (Shipwreck) Convention, 1920 (No. 8), the Right of Association (Agriculture) Convention, 1921 (No. 11), the Workmen's Compensation (Agriculture) Convention, 1921 (No. 12), the Medical Examination of Young Persons (Sea) Convention, 1921 (No. 16), the Equality of Treatment (Accident Compensation) Convention, 1925 (No. 19), the Seamen's Articles of Agreement Convention, 1926 (No. 22), the Forced Labour Convention, 1930 (No. 29), the Protection against Accidents (Dockers) Convention (Revised), 1932 (No. 32), the Underground Work (Women) Convention, 1935 (No. 45), the Recruiting of Indigenous Workers Convention, 1936 (No. 50), the Contracts of Employment (Indigenous Workers) Convention, 1939 (No. 64), the Penal Sanctions (Indigenous Workers) Convention, 1939 (No. 65), the Labour

the Conventions on child labour² and equal remuneration,³ were ratified between 2001 and 2005.

The mission discussed the prospects for ratifying Convention No. 144, as well as other relevant international labour Conventions, specifically the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), the Employment Policy Convention, 1964 (No. 122), the Human Resources Development Convention, 1975 (No. 142), and the Maritime Labour Convention, 2006. The mission concluded with a tripartite meeting at which preliminary conclusions were drawn.

This report has been organized based on the information and extensive documentation provided in a series of intensive meetings with the tripartite partners, businesses and a number of other institutions, and is structured in four parts. Part A gives a thematic analysis of tripartism in Singapore in terms of how it functions, including some concrete examples of its operation. Part B examines how tripartism enabled both the tripartite partners and bipartite actors to find solutions and respond quickly to the global financial crisis. Part C provides a summary of the closing meeting of the visit, in which the tripartite partners and the mission team shared views on the functioning of tripartism in Singapore as well as the prospects of ratifying Convention No. 144. Part D contains some concluding remarks. The full schedule of meetings and the list of those whom the mission met are attached as *Annexes I and II*.

The members of the mission wish to extend their sincere appreciation to the Government of Singapore for the excellent organization of the mission, which made such intense interaction and real collaboration possible. The mission team also would like to extend its sincere thanks for the hospitality of the people we met and for the extensive documentation provided by all the parties in the course of the study visit.

Inspection Convention, 1947 (No. 81), the Contracts of Employment (Indigenous Workers) Convention, 1947 (No. 86), the Employment Service Convention, 1948 (No. 88), the Labour Clauses (Public Contracts) Convention, 1949 (No. 94), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98).

² The Worst Forms of Child Labour Convention, 1999 (No. 182), was ratified on 14 June 2001 and the Minimum Age Convention, 1973 (No. 138), on 7 November 2005.

³ The Equal Remuneration Convention, 1951 (No. 100), was ratified on 30 May 2002.

PART A. Tripartism and Social Dialogue in Singapore

I. Evolution of Industrial Relations and Tripartite Partnership in Singapore

Industrial relations in Singapore had been adversarial and confrontational until the early 1960s, with political instability, high unemployment, frequent strikes and social unrest. Independence in 1965 as a new country marked the historic turning point for Singapore's industrial relations. Key challenges for Singapore's industrialization at the time were to attract and retain foreign investment so as to create jobs and achieve sustainable growth and development.

To meet this end, the social partners in Singapore, responding to the Government's call, started working together to move away from confrontational labour-management relations to strive for industrial peace with justice with a common view to making progress as a nation. The shift toward a more conducive industrial relations climate thus coincided with economic growth, while a constant decline in the number of strikes was observed.

Underpinning this was the establishment in 1972 of the National Wages Council (NWC), the first tripartite institution in Singapore, which brought the Government, employers, and workers together to formulate wage guidelines to achieve orderly wage increases and to prevent wage disputes which could hamper the progress of industrialization. The NWC was inspired by Albert Winsemius, a Netherlands economist who led a United Nations team to Singapore in 1960 for a survey on Singapore's potential in industrialization. The ILO also played a role in the design of the national economic development strategy of Singapore.⁴

II. Functioning of Tripartism in Singapore

The tripartite partnership built through the NWC process laid the foundation for the development of strong tripartism based on trust and understanding among each of the three actors, which resulted in the formation of various tripartite committees, taskforces and workgroups to address key employment and industrial relations issues, and make recommendations for implementation to bring about positive changes to existing policy and practices. Although there is no legislative foundation to institutionalize these mechanisms and framework, the way tripartism functions through them is unique, but very practical and operational in terms of addressing various issues as well as actually achieving objectives.

⁴ In the second part of his Memoirs, the first Prime Minister of the new Republic, Lee Kuan Yew, also recalls that "Winsemius had recommended a one-stop agency so that an investor need not deal with a large number of departments and ministries. This agency would sort out all an investor's requirements whether relating to land, power, water or environmental and work safety. For the first months, the [Economic Development Board (EDB)] had experts from the UNDP and the International Labour Office to help them. The EDB's main efforts were in investment promotion, concentrating in the four industries Winsemius had named in his report – ship-breaking and repair, metal engineering, chemicals, and electrical equipment and appliances". Lee Kuan Yew, *From Third World to First, The Singapore Story: 1965-2000*, Times Edition, 2000, p. 77.

Through the range of tripartite mechanisms set out below, the tripartite partners in Singapore have been able to adopt a range of measures to address some of the most important issues in the area of employment and industrial relations. Some of these are set out below.

Examples of tripartite frameworks and mechanisms

Tripartite Committees and Taskforces include:

- Tripartite Review Committee on Employment Act, 1994-1995,
- Tripartite Committee on Extension of Retirement Age, 1997
- Tripartite Panel on Retrenched Workers, 1998
- Tripartite Committee on Executives joining the Rank and File Unions, 1999-2000
- Tripartite Committee on Portable Medical Benefits, 2000-2001
- Economic Review Committee Wages Working Group, 2002
- Tripartite Taskforce on Wage Restructuring, 2003
- Tripartite Review Team on Section 18A of the Employment Act on Company Restructuring, 2004
- National Tripartite Advisory Panel on Family Friendly Practices, 2004
- Tripartite Committee on Flexible Work Schedules, 2004
- Tripartite Committee on the Employability of Older Workers, 2005
- Tripartite Alliance for Fair Employment Practices, 2006
- Tripartite Panel on Community Engagement at Workplaces, 2006
- Tripartite Implementation Workgroup, 2007
- Tripartite Workgroup on Employment Act Review, 2008
- Tripartite Taskforce on Managing Economic Downturn, 2008/09
- Tripartite Upturn Strategy Teams (TRUST Teams), 2009

Examples of the ***Tripartite Guidelines*** and ***Tripartite Advisories*** include:

- Tripartite Guidelines on Non-Discriminatory Job Advertisements, 1998
- Tripartite Guidelines on Union Representation of Executives, 2001
- Tripartite Guidelines on Best Work-Life Practices, 2003
- Tripartite Code of Industrial Relations Practice, 2004
- Guidelines on Family Friendly Workplace Practices issued by the National Tripartite Advisory Panel, 2004

- Tripartite Guidelines on Flexi-Time Scheme, 2004
- Tripartite guidelines on Re-Employment of Older Workers, 2005
- Tripartite Advisory on Responsible Outsourcing Practices, 2007
- Tripartite Guidelines on Managing Excess Manpower, 2008 (revised in 2009)
- Tripartite Advisory on Workplace Measures to Tackle Influenza A (H1N1-2009), 2009

There are also other tripartite frameworks which address broader issues such as the Singapore Tripartism Forum (STF) and the Economic Strategies Committee. The STF was launched in January 2007, jointly by the Ministry of Manpower (MOM), the National Trades Union Congress (NTUC) and the Singapore National Employers Federation (SNEF).

The purposes of the STF are to broaden, deepen and strengthen the spirit of tripartism through a more structured framework. The STF provides a platform for the tripartite partners to identify issues and concerns so as to work together more effectively toward overcoming challenges. Shared concerns addressed recently among the three actors include job re-creation, re-employment of older workers, skills upgrading of the workforce, fair employment practices, and a flexible wage system.

The Economic Strategies Committee (ESC), established in May 2009, includes social partners' representatives, and in February 2010 formulated recommendations for a strategy to enable sustained economic growth, so as to provide opportunities for all and to create quality jobs and real wage growth for a majority of the population.

On the first day of the five-day mission, the mission team was received by *Mr. Gan Kim Yong*, Minister for Manpower, for a courtesy visit. In the meeting, *Mr. Gan* noted that tripartism in Singapore is a critical foundation for finding solutions to a variety of issues including flexible work arrangements, a shift from seniority wages to performance-based wages, re-employment of older workers in different jobs, jobs matching, skills development and lifelong learning, workfare policies through income supplement, and crisis recovery. He stated that the recession provided an opportunity for Singapore to reorient the economy, and the ESC serves as a forum for keeping up with the changing landscape and shaping economic strategies for sustainable development.

III. Tripartite Actors in Singapore

Ministry of Manpower (MOM)

The MOM is the authority of the Government of Singapore that directs the formulation and implementation of policies related to workforce and workplace issues. Its mission is to build a globally competitive workforce and an optimum workplace for a cohesive society and a secure economic future for all Singaporeans. The MOM is organized in accordance with three key strategic outcomes:

- i) Progressive workplaces;
- ii) Globally competitive workforce; and
- iii) Financial security and lifelong employability for Singaporeans.

In the area of industrial relations, the Labour Relations and Workplace Division of the MOM is in charge of promoting and maintaining industrial peace and stability in Singapore through a wide range of measures including promoting tripartite cooperation. The Industrial Arbitration Court, which deals with award-making, certification and registration of collective agreements (CAs), dispute resolution, and advisory services, falls under the MOM.

Traditionally, the MOM's role in the area of industrial relations is to resolve disputes and to enforce laws and regulations. Since the establishment of the NWC, however, the MOM has worked with the NTUC and the SNEF to address a variety of workforce and workplace issues. As the tripartite partners have strengthened the nature and scope of their dialogue, the roles of the Government in industrial relations have also evolved to go beyond the traditional ones. Now the MOM works closely with the social partners to facilitate and coordinate different views among the three parties, as well as to identify and address employment and industrial relations issues to minimize conflicts and promote mutual cooperation. Innovative employment and human resources development practices are promoted and implemented such as flexible wages and work-life balance, in cooperation with businesses and unions.

National Trades Union Congress (NTUC)

The NTUC is the sole national confederation. It was founded in 1961 when the Singapore Trades Union Congress (STUC), which supported the People's Action Party (PAP) in its successful drive for self-government, split into the pro-PAP NTUC and the Singapore Association of Trade Unions (SATU). SATU collapsed in 1963.

The NTUC has 60 affiliated trade unions and six affiliated associations. Five unions are not affiliated to the NTUC.

NTUC total membership is 530,000, which represents 18% of the entire workforce in Singapore. The NTUC is internationally affiliated to the ITUC as a member of the ITUC-AP, and to the ATUC, and many of its affiliates are affiliated to the GUFs.

The NTUC has three tiers of union leadership, all elected by secret ballot. Among its 530,000 members, 7,000 branch leaders are elected at the company level, while 1,200 elected executive-committee members serve at union headquarters. At the national level, 21 members are elected every four years as central committee members. Its membership is divided into two main groups: ordinary branch members who are directly represented by unions and enjoy collective bargaining rights; and general branch members working in non-unionized companies or non-bargainable staff from unionized companies who are also given advice and whose issues are handled with the NTUC's support.

The NTUC has set up 12 social enterprises which contributed to stabilizing prices, strengthening and protecting workers' purchasing power, and allowing union leaders to gain management experience so as to promote better labour/management relations. The NTUC also set up three related organizations, that is the Consumer Association of Singapore, the Employment and Employability Institute (e2i) and the Ong Teng Cheong Labour Leadership Institute. Together, the NTUC family provides a wide range of benefits to union members including training subsidies; scholarships and grants; free group insurance coverage and low-cost insurance; rebates, discounts and savings on products and services purchased; and social and recreational benefits.

The mission visited one of the social enterprises, the NTUC Fairprice Cooperative Limited, and its first outlet founded in 1973 in Toa Payoh. Its Deputy Managing Director, Mr *Gerry Lee Kian Hup*, and Human Resources Director, Ms *Rebecca Teo*, delivered to the mission a complete vision of the cooperative, its achievements for its members and all the community in line with the Promotion of Cooperatives Recommendation, 2002 (No. 193).

The mission also visited the e2i, which is established in the facilities of a former technological school provided by the Government. It works closely with employers and the relevant authorities to assist workers in skills training, job re-design, and employment placement assistance for the purposes of upgrading the skills of unemployed workers, facilitating their search for work opportunities, and finding a job during the downturn.

The team had an opportunity to meet with Mr. *John De Payva*, President of the NTUC. Since the NTUC adopted the principle of cooperation rather than confrontational industrial relations in 1969, responding to the Government's call, it has contributed to harmonious industrial relations. The NTUC believes that a tripartite social partnership built on trust, mutual respect and shared ideals contributes to both workers' interests and economic growth. Industrial relations have been stable, with the only strike since 1978 being a two-day strike in 1986.

Mr. *De Payva* described how well-institutionalized tripartism in Singapore is, with the support of tripartite key players: the NTUC, the SNEF, and the MOM. He stressed the critical role of the Singapore Tripartism Forum (STF), which serves as a formal institution of tripartism in finding solutions to emerging issues. He also referred to annually and weekly-held tripartite golf, as an informal way of tripartite cooperation in which the actors are able to touch base and share views. He stated that Singapore does a great deal in practical terms despite a low number of ratified Conventions, and stressed that tripartism in Singapore goes far beyond dealing with industrial relations issues and contributes to monitoring corruption and to effective governance. He offered the view that while it is ideal to have a partnership and synergies among the tripartite partners, in reality it is difficult to realize all the time as there would be some companies that needed to be reminded of the value of such cooperation. He mentioned the case of an institution that, in the face of the financial crisis, ignored how tripartism works in action in Singapore and laid off workers without consultation; one of its responsible managers subsequently came to the NTUC and apologized.

The NTUC is also politically influential. The relations between the PAP and the NTUC are very close. The NTUC's founder, Mr. *Devan Nair*, was a PAP stalwart and later served as President of Singapore. Mr. *Ong Teng Cheong*, the first directly elected President of Singapore, was also the NTUC Secretary General. Mr. *Lim Boon Heng*, the previous Secretary General, is a Cabinet Minister and Chairman of the PAP. The present Secretary General, Mr. *Lim Swee Say*, is also a Cabinet Minister. Mr. *John De Payva*, President of the NTUC, stated that the real voices of workers are thus delivered to Cabinet and Parliament in a way that makes it possible for the labour movement to touch people's lives.

At present the NTUC is working under the slogan "cheaper, better, faster"⁵ and it is committed to bringing this motto to the Economic Strategies Committee. The NTUC is also quite active in organizing various different categories of workers, including so-called PMETs (professionals, managers, executives, and technicians), contract workers, older workers and youth. The NTUC's 60 affiliated unions visit companies directly so as to expand the organizational coverage. Mr. *De Payva* also addressed his concerns regarding the expanding informal economy in some countries, which contributes to reduced coverage of labour law application, and stated that the challenges the labour movement now faces include how it can more strategically address these issues.

Mr. *De Payva* confirmed that the NTUC will knock on doors at the MOM so that the tripartite partners can review the relevant Conventions and find the best solution to achieve ratification in a way that no party is penalized.

Singapore National Employers Federation (SNEF)

The SNEF was established in 1980 through the amalgamation of two employer organizations, the Singapore Employers Federation (SEF) and the National Employers Council (NEC). At present, its membership totals 2,000 members employing approximately 540,000 workers, or 18% of the total workforce. In Singapore, there are about 4,000 establishments with more than 50 employees, while 141,981 firms have fewer than 50 employees. Of the total member companies, more than two-thirds are non-unionized.⁶ Half of the firms with more than 200 employees are SNEF members.

The SNEF's vision is to be the employers' vanguard in maintaining industrial harmony in Singapore so as to enable employers to enhance their workforce competitiveness. By so doing, the SNEF also seeks to improve the quality of working life of its employees and fulfil its obligations to shareholders, employees, and consumers. As the tripartite partnership has developed, the roles that employers play have also expanded. Its core activities now include:

⁵ Adopted when the economy has shown some signs of recovery at the end of 2009, the CBF (Cheaper, Better, Faster) economy approach by the social partners implies "cheaper" through higher productivity, "better" through better capability and "faster" through enhanced adaptability.

⁶ SNEF, *Annual Report 2008/2009: Responsible Employers, Sustainable Business*, p.16.

- i) Training and human resources development to enhance employability and management skills;
- ii) Information sharing on the latest human resources/industrial relations developments as well as practices, through regular seminars and industry group meetings;
- iii) Consultancy and advisory assistance in industrial relations and interpretation of labour law, and human resources management issues; and
- iv) Awareness raising on a variety of issues and accessibility of programmes.

As one of the tripartite social actors, the SNEF is committed on one hand to ensure employers comply with employment laws and regulations once they are either enacted or revised through tripartite consensus, while on the other hand actively engaging in formulating tripartite guidelines in areas where employers may be allowed some flexibility to implement them. It also tackles human resource challenges together with the tripartite partners so as to increase sustainability and competitiveness. This combination of tripartite cooperation contributes not only to better compliance with existing regulations but also to harmonious labour relations.

Mr. *Lee Ching Yen*, President of the SNEF, welcomed the study mission to the offices of the SNEF. Mr. *Lee* was accompanied by Mr. *Koh Juan Kiat*, SNEF Executive Director, and Ms. *Ang Kuan Kuan*, Director, IR Consulting Group, and Mr. *Stephen Yee*, Assistant Executive Director. Mr. *Lee* welcomed the opportunity to meet with the mission and provide it with an overview of tripartism in Singapore, and particularly to explain the role and contribution of the SNEF in this respect. The mission benefited from a detailed and actualized briefing of the services provided by the SNEF to its members and the efforts made by the Federation to overcome the downturn in the country by cooperative and harmonious work with the relevant authorities and the NTUC. The SNEF is involved in the activities of the ILO and of the International Employers Organization. Employers' interests are reflected also in other forums, like the Chambers of Commerce representing diverse and various business communities.

The SNEF is the most representative employers' organization in Singapore. In view of the practice and functioning of tripartism in the country, the SNEF wished to have clarification on whether the range of tripartite procedures and mechanisms in place in Singapore would meet the requirements of Convention No. 144 or whether legislative measures would still be required. Ms. *Doumbia-Henry* confirmed that Convention No. 144 did not require legislation for its implementation. The mission would be assessing whether the various mechanisms meet the requirements of the Convention. The SNEF referred to the range of procedures and mechanisms in place and the level of sophistication and development of tripartism in Singapore. The SNEF confirmed that it was regularly consulted through a variety of procedures on matters related to international labour standards, from oral or written communications to more formal procedures such as the National Wages Council.

IV. Social Dialogue in Action in Singapore

Strong tripartite partnership has been a key competitive advantage for Singapore. It underpins its economic competitiveness, its harmonious labour-management relations, and the overall progress of the nation as a whole. The MOM, the NTUC, and the SNEF confirm that they pursue a partnership and problem-solving approach in addressing, formulating, finding solutions to and implementing employment and industrial relations issues. They also promote harmonious bipartite relations at the company level which contribute to problem-solving, taking into account mutual interests, and to sustainable partnership. Social dialogue in Singapore has been built over the years on five important values: shared responsibility, common understanding, mutual respect and trust, mutual benefits, and continued efforts.

Shared responsibility

In order to achieve sustainable economic and social progress, the tripartite partners are committed to working together and sharing responsibility. The Government promotes a favourable investment climate and economic growth through formulating policies and legislation and maintaining coordinated harmonious industrial relations. Workers are responsible for expanding their employability through continuous learning, skills upgrading, and improving adaptability for a higher standard of living and better quality of life. Employers have responsibility for increasing competitiveness and productivity so to enable higher value-added and better-paid job creation.

Common understanding

Singapore's social dialogue is based on a common understanding achieved through formal and informal information-sharing as well as regular dialogue among the tripartite partners in order to address diverse challenges confronting workers and their families, employers, and the country itself.

Mutual trust and respect

Third, the tripartite partners have developed mutual trust and respect over the years. Confidence built upon such trust and respect enables an open exchange of views as well as consensus building on challenges that the three parties face.

Mutual benefits

In order for union leaders and employers' representatives to gain support for tripartite decisions and actions, the benefits from them need to be seen and understood by those they represent. Singapore's tripartite cooperation brings benefits to all parties concerned. It enables the Government to effectively formulate and implement employment and industrial policies to achieve social and economic objectives. Workers are able to enjoy a fair share of economic gains during good times. When the country faces difficulties, on the other hand,

the pain is shared among the tripartite parties through consultation, thus enabling businesses to regain competitiveness and retain jobs.

Continued efforts

Without continued efforts by each generation of leaders, the synergies among the tripartite partners would not be sustainable. The tripartite partners are committed to continued efforts to further strengthen, deepen and broaden the tripartite relationship for greater economic and social progress.

V. Main Tripartite Institutions in Singapore

National Wages Council (NWC)

The NWC was established in 1972. It was the first tripartite body to be set up at a time when the country was undergoing rapid industrialization, which raised wage increase expectations. This aroused concerns that wage negotiations would lead to an increase in industrial disputes, and would result in hampering the investment and economic development of Singapore. The NWC was a response to this concern. Its mandate is to formulate wage and wage-related guidelines through tripartite consultation and achieve orderly wage adjustments.

The NWC is chaired by a neutral personality from academia and comprises representatives of the tripartite social partners: government representatives as well as an equal number of representatives of business and workers. Business representatives come from the SNEF, the Singapore Business Federation, the American, Japanese, German and local ethnic chambers of commerce (Chinese, Malay and Indian), while worker representatives come from the NTUC plus the leaders of selected trade unions. The government representatives come from the MOM, the Ministry of Trade and Industry, the Economic Development Board, and the Public Service Division. Alternate members from the three parties are also appointed for the purposes of ensuring adequate representation and providing additional inputs. Officials of the MOM serve as the NWC's Secretariat.

The NWC takes into account key indicators such as GDP growth and prospects, productivity growth, inflation, and labour market indicators. Public views are also sought before the NWC meets, and taken into consideration when drawing up Guidelines. Deliberations during the NWC are confidential until the Guidelines are issued. The non-attribution principle is observed. The NWC Guidelines provide a legal basis and are mandatory for negotiation between and implementation by employers and trade unions, once they are gazetted under the Employment Act.

The collective bargaining process commences after the NWC Guidelines are issued. Negotiation between companies and unions is undertaken, reflecting what is laid out in the Guidelines and the situations each company faces. Non-unionized companies also use the Guidelines as a reference in determining wage increases for their employees. The Guidelines

are also used when both parties seek mediation and adjudication in cases where they do not reach an agreement.

The NWC moved away in the mid-1980s from issuing quantitative wage-increase guidelines toward qualitative guidelines in which the country's broader annual principles for wage negotiations are reflected. This shift was made to allow more flexibility in wage negotiations so that wage increases are more closely linked to sector- and company-wide differences in performance. Despite the fact that the nature of the NWC Guidelines has thus changed over the years, the contributions made by the NWC to Singapore have been critical. The role of these guidelines has not been limited to providing a basis for wage negotiations, minimizing wage disputes, and fostering sound industrial relations. The NWC laid down an important principle for wage negotiations: wage increases should lag behind productivity growth to maintain and enhance competitiveness. The NWC has transformed the wage system into one that is more flexible and performance-based to enable companies to adjust wage costs in line with changing economic and market conditions, and to reward and motivate workers for their contribution based on performance. More significantly, the tripartite partnership which has developed through the years of the NWC consultation process has served as the very foundation of strong tripartism in Singapore. The trust and confidence built on years of tripartite cooperation indeed made possible an effective recovery from the crisis, as shown in Part B of this report.

In response to a question by Mr. *Fasohyin* regarding what had made workers align themselves with cooperative partnership, Mr. *Ong Yen Her*, the Divisional Director, Labour Relations and Workplaces Division of the MOM, explained that union leaders are well capacitated through their own leadership training programmes and so have a better understanding of the basic economic principles operating in the market. Their gradual acceptance of the critical role which the tripartite partnership plays through the wage negotiation process opened doors for the tripartite partners to address other issues regarding employment, skills development, ageing population, work-life balance, low-wage workers, and health care. A few such examples are demonstrated below.

Singapore Workforce Development Agency (WDA)⁷

The WDA was established in 2003 as a statutory body under the MOM by the Singapore Workforce Development Agency Act 2003.⁸ The WDA was formed to lead and drive workforce development in Singapore. Its mission is to enhance the employability and competitiveness of all in the workforce, young and old, from rank-and-file to professionals, managers and executives.

To achieve its mission, the WDA developed a Continuing Education and Training (CET) infrastructure, based on an established network of Industry Skills and Development Councils,

⁷ The figures concerning the WDA are accurate as of 18 January 2010.

⁸ For the full text, see http://statutes.agc.gov.sg/non_version/cgi-bin/cgi_retrieve.pl?actno=REVED-305D&doctype=SINGAPORE%20WORKFORCE%20DEVELOPMENT%20AGENCY%20ACT%0A&date=latest&method=part&sl=1.

to help chart the future of manpower development in each economic sector. The WDA also developed national skills frameworks under the Workforce Skills Qualifications (WSQ) system for all key sectors, including building up of CET Centres and a network of training providers to deliver training programmes according to national WSQ standards.

To fulfil its mission, the WDA taps on two sources of funding. First, it taps on the Skills Development Fund (SDF) to subsidize training fees, and both employers and individual workers are eligible to enjoy the funding. The SDF is financed by the collection of the Skills Development Levy (SDL) from employers. Employers contribute SDL for all employees (including foreign workers) up to the first \$4,500⁹ of gross monthly remuneration at the levy rate of 0.25%, subject to a minimum contribution of \$2 for remuneration less than \$800. Second, the WDA taps on the Lifelong Learning Fund, an endowment fund set up by the Government to ensure a secure and continuing stream of income to support lifelong learning in Singapore and enhance workers' employability.

Tripartism is reflected in the WDA's CET initiatives. The WDA works with other public agencies as well as both public and private training institutions. To date, there are 49 CET Centres located islandwide to provide workers with direct access to skills upgrading opportunities. Examples of the CET Centres include, for example, the NTUC Learning Hub, the Electronics Industries Training Centre (ELITC), Health Management International Ltd (HMI), the Centre of Urban Greenery and Ecology, the Singapore Institute of Manufacturing Technology, and the Singapore Institute of Retail Studies. The SNEF also serves as one of the WDA-accredited CET Centres.¹⁰ In 2008, 100,935 workers obtained WSQ Statements of Attainment through 42 CET Centres, while 266,188 workers went through skills upgrading. 24,082 were placed in jobs via skills conversion programmes for priority sectors or targeted groups and 65% of them remained more than three months in the same job. 12,343 jobseekers were placed in jobs, of whom 60.5% remained in the same job for more than three months. The WDA's board also has a tripartite structure, with close working relations with its partners including employers, industry partners, the unions and other governmental agencies.

The ILO study mission commented that the skills development policy implemented by the WDA seemed to be in compliance with the Human Resources Development Convention, 1975 (No. 142), and Recommendation No. 195 of 2005. Both the WDA approach and the CET Masterplan, involving the best private skills providers including best-in-class local as well as overseas training providers, were noted by the Committee of Experts on the Application of Conventions and Recommendations in its 2010 General Survey on employment instruments.

⁹ All dollar amounts in this report are in Singapore dollars.

¹⁰ SNEF, *Annual Report 2008/2009: Responsible Employers, Sustainable Business*, p. 28.

Employment and Employability Institute (e2i)

The NTUC's e2i is another excellent illustration of how tripartism works in Singapore. The e2i was officially launched on 1 February 2008 by Prime Minister Mr. *Lee Hsien Loong*. It is a one-stop, skills-based institute for jobseekers, employers and training providers. The e2i provides workers with job and training opportunities, for the purpose of promoting the employability of workers and the competitiveness of employers so as to minimize skills mismatch and expectations. An initiative of the National Trades Union Congress (NTUC), it is supported by the Singapore Workforce Development Agency (WDA), the Singapore Labour Foundation (SLF) and the Singapore National Employers Federation (SNEF).

The e2i's main tasks are to:

- i) Develop partnerships with training providers to upgrade workers;
- ii) Reach out to jobseekers and workers who seek new or better jobs; and
- iii) Promote industry redevelopment and job re-creation.

Of these tasks, the e2i, in cooperation with employers, industry associations and government agencies, engages in industry redevelopment so as to increase the competitiveness, productivity and employability of workers through retraining and skills upgrading. In 2008, the e2i helped 20,616 jobseekers by placing them in new jobs; moving them into higher-value jobs; or moving them to new jobs in other sectors. 60,000 jobseekers were assisted through training and found new and better jobs in 2009. The challenge ahead is how best to reach out to every sector, every worker, and every occupation. The e2i played a critical role in the crisis recovery, which will be described in Part B of this report.

The ILO study mission was impressed by the performance of the e2i. It was considered an outstanding example of how, in the context of the global economic crisis, efficient employment services play a key role to maintain full employment and to secure the needs of workers and enterprises affected. The Employment Service Convention, 1948 (No. 88), is already ratified by Singapore.

Tripartite Alliance for Fair Employment Practices (TAFEP)

The TAFEP is another example of how tripartism functions to find practical ways to address employment issues. It was set up in May 2006 as a tripartite partnership co-chaired by the representatives of the SNEF and the NTUC with the support of the MOM, in order to promote a mindset change among employers, employees and the general public to adopt fair and equitable employment practices through a wide range of promotional approaches. It arose from a Tripartite Committee to discuss age discrimination issues, which resulted in a common realization of the need to address broader discrimination issues. The TAFEP is located on union premises and registered as a legal entity of the employers' federation (SNEF). Its staff members include representatives from the employers' federation, and union and government officials.

The TAFEP formulated the Tripartite Guidelines on Fair Employment Practices¹¹ in May 2007, building on existing Guidelines including the Code of Responsible Employment Practices (2002) and the Tripartite Guidelines on Non-Discriminatory Job Advertisements, formulated in 1999 and revised in 2006. The new Guidelines serve as a tool to prevent discrimination at the workplace and to encourage employers to adopt progressive human resources practices which benefit both employers and employees.

The five principles of Fair Employment Practices which are embodied in the Guidelines are:

- i) Recruit and select employees on the basis of merit (such as skills, experience or ability to perform the job), and regardless of age, race, gender, religion, family status or disability.
- ii) Treat employees fairly and with respect and implement progressive human resource management systems.
- iii) Provide employees with an equal opportunity to be considered for training and development based on their strengths and needs, to help them achieve their full potential.
- iv) Reward employees fairly, based on their ability, performance, contribution and experience.
- v) Abide by labour laws and adopt Tripartite Guidelines which promote fair employment practices.

The TAFEP engages in a variety of activities including organizing promotional campaigns and encouraging employers to sign the Employers' Pledge of Fair Employment Practices via training workshops, conferences, advisory services, and educational materials. To date, more than 1,200 employers, including all major business chambers, have signed and made a commitment to the Pledge to support the TAFEP's promotional approach. The commitment to the Pledge is a non-legally binding tool, but it allows employers to have access to the TAFEP's various services. So far, more than 7,000 human resources and line managers have attended training, briefings and events organized by the TAFEP, covering issues such as the recruitment/selection process, grievance handling, managing mature workers and harnessing women's potential. The TAFEP also rewards employers that adopt good practices, based on nomination by employees.

The TAFEP actively works with job intermediaries, which contributes to a reduction in the number of discriminatory job advertisements. Newspapers adopted the Tripartite Guidelines in their own vetting guidelines. Employment agencies signed the Pledge and agreed on educating clients. Major job portals also signed the Pledge and committed to take down discriminatory job ads. According to the TAFEP's monitoring of print advertisements, the proportion of job ads that specified race, age, gender or other preferred characteristics without any reasonable grounds dropped during the period 2006 to 2009 from about 20% to

¹¹ For the full text, *see*

<http://www.fairemployment.sg/assets/Files/documents/Resources%20-%20Tripartite%20Guidelines%20on%20FEP%20Booklet%20%28English%29.pdf>

1%.¹² Another achievement was that seven in ten employers have adopted fair and merit-based employment practices, while eight in ten cited attracting and hiring talented workers as a reason for adopting such practices.

The TAFEP also handles complaints. Most of the complaints it receives are cases regarding discrimination on the grounds of age, race, language, family status, and gender. When complaints are made to the TAFEP, it seeks resolution through first listening to the party and then approaching the employer so as to address real needs through a moral suasion approach. The approach taken by the TAFEP is therefore not a formal procedure involving recourse to the legal profession or the courts. Since 2007, it has handled 130 cases, and all the companies against which complaints were brought to the TAFEP have accepted its advice and assistance.¹³ The TAFEP handles complaints by seeking a harmonious solution rather than adversarial legal recourse.

Ms. *Doumbia-Henry* referred to the Discrimination (Employment and Occupation) Convention (No. 111) which defines discrimination as “any distinction, exclusion, or preference made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity of treatment in employment or occupation”. She pointed out that “political opinion, national extraction or social origin” do not appear to be covered as grounds of discrimination under the Tripartite Guidelines on Fair Employment Practices. She affirmed the importance of the work done by TAFEP and the usefulness of the Guidelines. The Guidelines could serve as a template for more effectively implementing all non-discriminatory practices covered by Convention No. 111. She suggested that the enforcement of non-discrimination principles is not easy to implement by the use of persuasion alone.

Tripartite Consultation and the MLC, 2006

The Mission also met with the Maritime and Port Authority of Singapore (MPA) to discuss progress towards the ratification and effective implementation of the Maritime Labour Convention, 2006. The representatives of the MPA provided information on the regulatory framework under consideration by Singapore, consultations held with the maritime trade unions and shipowner associations, as well as training activities planned. The MPA also provided information on tripartite approaches to attracting young people to sea, through scholarships, training berths on board ships with the support of shipowners and employment prospects both on board ship and ashore.

¹² *Straits Times*, 21 Jan. 2010.

¹³ *Ibid.*

Part B. Crisis Recovery through Tripartite Cooperation

I. Impact of the Global Financial Crisis

Due to the global financial crisis, Singapore's economy slowed down sharply to 1.1% growth in 2008 from 7.8% in 2007. GDP contracted by 6.8% in the third quarter of 2008, 4.2% in the fourth quarter 2008, 9.4% in the first quarter of 2009 and 3.2% in the second quarter of 2009. The GDP forecast for 2009 is estimated to be minus 2.1%. The manufacturing sector faced excess capacity due to the sudden cancellation of business contracts/orders, which resulted in excess manpower, particularly in electronics companies.

The seasonally adjusted overall unemployment rate rose from 2.5% in the fourth quarter in 2008 to 3.3% in the first quarter of 2009. The total number of redundancies increased from 3,180 in the third quarter of 2008 to 12,760 in the first quarter of 2009, though falling to 5,980 in the second quarter of 2009 and 2,200 in the third quarter of 2009. The number of early released contract workers was merely 90 in the second quarter of 2008, but jumped to 830 in the third quarter and to 1,910 in the fourth quarter of 2008, though with a gradual decline to 1,860 in the first quarter and 810 in the second quarter of 2009. The total number of those retrenched also rose, to 10,900 in the first quarter of 2009 from 2,350 in the third quarter of 2008, though falling to 5,170 in the second quarter of 2009.

II. Tripartite Action to Save Jobs

The downturn in fact provided an opportunity to further strengthen tripartism in Singapore. The tripartite partners responded quickly to retain jobs. In order to help businesses and workers cope with economic downturn, the MOM, the SNEF and the NTUC agreed to roll out three major initiatives:

- i) Jobs Credit Scheme;
- ii) SPUR (Skills Programme for Upgrading and Resilience); and
- iii) Tripartite Guidelines on Managing Excess Manpower, issued in 2008 and revised in May 2009.

The total "resilience package" in 2009 was \$20.5 billion.¹⁴ This includes the budget allocation not only to Jobs Credit and SPUR, but also a temporary top-up (an additional 50% of the Workfare Income Supplement (WIS) payments) to low-income workers under the WIS as well as plans to create 18,000 public sector jobs from 2009-2010, particularly in the health care and education sectors.

Such multiple efforts based on tripartite cooperation have created significant positive impacts in mitigating post-crisis negative effects. Although the current recession has been worse in

¹⁴ All dollar amounts in this report are in Singapore dollars.

terms of GDP growth than past major downturns when the Asian financial crisis (July 1997) and SARS (November 2002-July 2003) hit the economy, the number of those who were retrenched was far below the magnitude experienced in the past.

Jobs Credit Scheme

Under the Jobs Credit Scheme, the Government helps employers with their wage bills by giving a 12% cash grant on the first \$2,500 of each local employee's monthly wage, for a period of one year (extended six more months). Employers other than local and foreign government organizations that have paid Central Provident Fund (CPF) contributions for their employees (Singaporeans and permanent residents only) are eligible for Jobs Credit.

SPUR Programme

SPUR is a \$650-million two-year programme which helps companies and workers to manage the economic downturn and invest in skills for the recovery. SPUR provides support in the form of a 90% training course fee subsidy and a maximum 90% of payroll, at a predetermined salary cap, for employees. Over 800 SPUR-approved courses are available at more than 100 approved training providers, including 42 CET centres. Professionals, managers, executives and technicians (PMETs) are also entitled to SPUR funding under the Professional Skills Programme (PSP).

SPUR is run by the tripartite partners. The MOM and the WDA provide funding support as well as skills programme development. The NTUC rolls out SPUR through the Employment and Employability Institute (e2i), while the SNEF outreaches to companies to upgrade their human resources capabilities. The Community Development Councils also take part in this initiative, mainly providing career services and community support.

Tripartite Guidelines on Managing Excess Manpower

The Tripartite Guidelines on Managing Excess Manpower (MEM Guidelines),¹⁵ agreed in November 2008 (revised in May 2009), encourage companies to consider the following alternative measures instead of retrenchment:

- i) Sending workers for training under SPUR;
- ii) Redeploying workers to alternative areas of work within a company;
- iii) Implementing a shorter work week, temporary lay-off or flexible work schedule or other flexible work arrangements; and

¹⁵ For the full text, see

http://www.mom.gov.sg/publish/momportal/en/press_room/press_releases/2009/20090517-Updated_Guidelines_on_Managing_Excess_Manpower.html.

- iv) Using the flexible wage system to adjust wage costs, including freezing or reducing wages.

In order to implement the Guidelines effectively, the Government also formed the Tripartite Upturn Strategy Teams (TRUST Teams) in April 2009, with the participation of the tripartite partners. The TRUST Teams engage companies on a one-to-one basis to raise awareness of the Guidelines, as well as to assist companies in the implementation of the Guidelines. They target both unionized and non-unionized companies, including small and medium-sized enterprises (SMEs). The Government also set up a 24/7 managing-excess-manpower hotline which companies can call for advice on the implementation of downturn measures, or to notify the MOM that they are considering retrenchment.

The NWC's Wages Guidelines

In order to accommodate broader wage policies in view of the impact of the crisis, the NWC, which is held annually in April or May, reconvened in January 2009 to review the May 2008 Guidelines, and released revised Guidelines which were applicable from January 2009 to the end of June 2009.

The revised Guidelines recommended that companies may implement a wage freeze or wage cut in accordance with performance and prospects and in consultation with their unions/workers, so as to stay competitive and save jobs. The revision also recommended making use of variable components in the wage structure, in reference to the Tripartite Guidelines on Managing Excess Manpower, and highlighted the importance of long-term initiatives such as enhancing the employability of older and women workers and promoting efforts to help low-wage, contract and informal workers. The Guidelines cover all employees, including management/executives and rank-and-file workers, regardless of whether they are unionized or non-unionized at company level, or whether they work in the public or private sector.

The most recent NWC guidelines, applicable from July 2009 to the end of June 2010, recommended that employers, unions and the Government press on with the concerted action recommended in the NWC's previous 2009 Guidelines in order to cut costs, save jobs and enhance competitiveness, through measures such as wage freeze/cuts, other cost-cutting measures, promoting wage flexibility and productivity improvement.

Tripartite Advisory on Managing Manpower Challenges for Enhanced Competitiveness and Sustainability

Singapore's GDP in the third quarter of 2009 showed a strong rebound at a seasonally adjusted 14.9% quarter-on-quarter. The number of retrenchments declined significantly amidst positive employment growth. In reflection of such positive signs of recovery toward the end of 2009, the Tripartite Advisory on Managing Manpower Challenges for Enhanced Competitiveness and Sustainability was issued in November 2009, in order to help employers that no longer suffer from excess manpower to gain further competitiveness and sustainability,

while ensuring the applicability of the Tripartite Guidelines on Managing Excess Manpower for companies still being affected by the downturn. The Advisory recommended that:

- i) The Jobs Credit Scheme be extended for another two payouts till June 2010 at stepped-down rates;
- ii) Companies should continue to make use of SPUR till its expiration in December 2010;
- iii) Companies which recovered from the downturn should review whether cost-cutting measures are still necessary or could be gradually phased out, in consultation with employees and trade unions;
- iv) Companies which are recovering also should recognize employees' support and sacrifice through granting moderate wage adjustments and/or providing a one-off bonus payment; and
- v) Companies should enhance long-term business competitiveness through implementing flexible wage systems and raising business productivity through innovation, enhancing HR management, raising service excellence, and research and benchmarking.

III. Major Achievements of Tripartite Crisis Recovery Measures

Multiple crisis responses through tripartite cooperation made possible significant achievements in respect of saving jobs. The unemployment rate has decreased with positive employment growth and an improved atmosphere for hiring. GDP growth showed a significant rebound. The volume of retrenchment was far smaller than in past economic downturns.

According to the Government, among 2,000 companies from which it received feedback, two-thirds said they had no plans to carry out retrenchments. Among the remaining one-third, four out of five either postponed retrenchment decisions or reduced the number of affected workers. Between 1 December 2008 and 31 November 2009, 264,000 workers participated in SPUR training, of whom two-thirds (169,000) completed it. More than two-thirds of SPUR trainees are rank-and-file workers, while about one-third are professionals, managers and executives.

The NTUC and its affiliated unions worked closely with employers to implement cost-cutting measures at the company level. As a result, from January to March 2009, a total of 68 unionized companies and 23,914 workers had gone through shorter work weeks or temporary lay-offs in line with the Tripartite Guidelines.¹⁶ They also, through the e2i, helped 33,000 workers up-skill, re-skill and multi-skill to be ready for the upturn, resulting in the placement of 16,000 workers. By their efforts, 1,500 vacancies were created under flexible work arrangements through the NTUC Women's Development Secretariat's "back2Work

¹⁶ NTUC, Labour movement annual 2009, p. 65.

with U” programme, resulting in the placement of 2,600 women. They helped enhance the employability of older workers so as to make companies prepared for new re-employment legislation which will come into force in 2012. They also reached out to 10,000 contract workers and educated them about training opportunities and fair employment rights. The NTUC has worked with service buyers and providers as well as tripartite partners, to promote a “Best Sourcing Initiative” in order to improve welfare and working conditions, including wages, provided to contract workers. In addition to these initiatives, the NTUC in 2009 disbursed \$23 million in over 175,000 handouts to union members and families to help them cope with the crisis. In 2009 for example, of 1,500 disputes which occurred at unionized companies, 70% were settled without third party intervention.

The SNEF also has given briefings to more than 1,500 employers on the MEM Guidelines. It provided assistance for 180 employers in implementing the Guidelines up to March 2009. According to the SNEF, 80% of the 4,000 companies which have participated in SPUR have fewer than 200 employees. This implies that SPUR has contributed to helping SMEs.

A short film was produced by the NTUC to raise awareness on the impact of tripartism in finding solutions to the downturn. The film demonstrated how tripartite solutions in Singapore have limited an increase in the unemployment rate and saved jobs.

Case Study of Crisis Recovery Action

The electronics and electrical sector has been severely affected by the crisis. There were 4,300 workers retrenched and 26,000 people affected in this sector. Some had to go first because of non-renewal of their contract. When orders were down due to the financial crisis, one of the NTUC’s affiliated unions, the United Workers of Electronic and Electrical Industries (UWEEI), worked with companies in the sector to minimize job losses. Murata Electronics Singapore (Pte) Ltd was the first company to take advantage of SPUR, followed by close consultation with the UWEEI and its union.

The mission was invited to visit both the UWEEI and Murata Singapore to have the opportunity to discuss directly with the workers' representatives and managers concerned in dealing with the crisis.

United Workers of Electronic and Electrical Industries (UWEEI)

The UWEEI is one of the largest unions in Singapore, with over 120 branches and membership reaching 52,873. In this sector as a whole, 60% of workers are not organized. As a proportion of total membership, Singaporeans represent 45% while non-Singaporeans account for 46%. The proportion of female members is 55% and males 45%. The union’s key initiatives are to:

- i) Engage in industrial relations including negotiating wages and other working conditions;
- ii) Reach out to non-unionized companies so to organize more workers;

- iii) Enhance the employability of workers by upgrading skills through a variety of means including training provided by the NTUC's e2i as well as the use of SPUR;
- iv) Expand outreach to contract workers, who represent a relatively large percentage in the sector and yet work under different terms and conditions from those of permanent workers, as well as to PMETs and younger workers; and
- v) Promote re-employment of older workers.

Through such initiatives, undertaken in close cooperation with the NTUC, bipartism works as a tool to implement national policies and strategies which are set out based on tripartite consultation among the social partners.

Murata Electronics Singapore (Pte) Ltd

Murata Electronics Singapore is one of the factories established by Murata Manufacturing Company Ltd, an integrated electronic components manufacturer, founded in 1944 in Japan. Since its establishment, Murata Manufacturing Company has pursued research and development in a broad spectrum of functional ceramic materials and their potential applications, and has introduced to the market a diverse range of electronic components. Murata's overseas policy is to produce and sell its products in the market that will use these products.

Murata Electronics Singapore (Pte) Ltd, established in 1972, is one of the largest chip monolithic ceramic capacitor factories in the world. Murata Singapore had 1,282 employees as of the end of December 2009. Of its total workforce, around two-thirds were 20-39 years old. Half of its employees had worked for less than 1 year to 5 years, followed by 6-10 years (17.4%), 11-15 (10.1%), 16-20 (10.4%), more than 20 (11.2%). The high proportion of employees whose length of service is less than five years is due to a large number of contract workers from overseas with short-duration contracts engaged in work at the production site. Of the total workforce, 54.2% are local employees and 45.8% have a work permit. By nationality, the proportion of Singaporeans is 28.6%, followed by Malaysian (34.9%), Chinese (22.3%), Indian (8.3%), and others (5.9%). Of the entire Murata workforce, 50% to 60% are unionized.

The global financial crisis of September 2008 severely affected Murata's production scale. Sales dropped sharply, resulting in operational capacity being reduced to the lowest level ever, equivalent to 15% of normal capacity. Murata's priorities were to preserve jobs and improve employee morale.

Murata Singapore thus became the first unionized company to protect its core employees with the SPUR programme. Murata worked closely with the UWEEI and the e2i to ensure that the core workforce obtains the right skills to re-position themselves in the company. So as to preserve jobs, Murata went on temporary shutdown with consolidation of production in

one location. They changed the ways of calculating built-in overtime work from a monthly to a three-monthly basis for 12-hour shift operators, following consultation with the MOM and with workers' agreement. They also innovated processes to eliminate wastage. Murata works on a 12-hour work shift 24/7 and had to declare more off days during the critical period. Since such a slowdown affects the pay levels of employees, this measure was introduced with the agreement of those affected and the union as well. Senior management also took a sharp pay cut so as to demonstrate that everyone in the company shares the pain equally.

Although Murata saved as many as 300 jobs and the scale of downsizing was minimized with all of these efforts, its workforce has been reduced by 22.5% in total: first by 13.2% through early termination of contracts, and second by 9.3% through retrenchment. Murata had to go through the first-ever retrenchment since its establishment. However, even for those who were retrenched, Murata worked with the e2i following consultation with its trade union. The company paid for retrenched employees to attend the e2i re-training courses, which aim at providing skills mainly in security, landscaping and retail.

With regard to those who were retrained, the key advantage for Murata of using the e2i was that training provided was customized to suit Murata's requirements and needs based on close communication and consultation with the e2i. Murata also did one-to-one interviews with workers after their training to find out if they had any concerns/issues to raise so as to help them transit back to their work.

Murata's second challenge was how to mitigate negative impacts in terms of the remaining employees' morale. Murata took the initiative to change its top-down corporate culture to one that respects employees' own thinking, independence and ambitions so as to increase their satisfaction level. They also tried strengthening team spirit, for instance by organizing sports events, resulting in better communication. On top of these initiatives, the use of the Jobs Credit Scheme, which enables employers to reward and motivate all employees going through a tough time by providing a \$300 lump-sum payment, also contributed to improving employee morale.

The critical point is that all of Murata's change initiatives have been undertaken in close consultation and dialogue with its own trade union, the UWEEI and the e2i. All parties involved quickly acknowledged the issues Murata confronted and resolved them together in various ways. Bipartite trust and mutual understanding, which have been built over the years through different channels such as labour-management committees and small group activities, were the keys which made this possible.

Part C. Tripartite Closing Discussion

At the end of the five-day mission, a tripartite meeting took place in order to permit the mission to provide a preliminary assessment of what it had learned and to evaluate the prospects of Singapore ratifying Convention No. 144. The prospects of ratifying other Conventions – in particular the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the Employment Policy Convention, 1964 (No. 122), as well as the Maritime Labour Convention, 2006 – were also examined. The mission team also had an opportunity to meet separately with the MOM.

I. Observations by the Mission

The Director of the International Labour Standards Department noted that the member States of the ILO are required to have in place measures to promote tripartite cooperation, which is a unique and effective way of solving economic and social problems together with the Government and the Employers' and Workers' organizations.

She stated that the mission team had observed the very specific way tripartism functions in Singapore, not only from a theoretical point of view but also from a practical and operational perspective. Tripartism actually works as a positive and irreplaceable method of doing business, while it supports sound industrial relations, in particular in difficult times. She stated that the mission team had observed how each of the actors had the same message in explaining how tripartism works in practice with the range of procedures used, the dynamic and synergistic way in which it operated, the win-win-win solutions sought and the extent of the partnership achieved. There has been a sound and solid relationship built over years which enabled concrete results to be achieved. She also noted that certain prerequisites were in place for the success of tripartism in Singapore, namely shared responsibility; common understanding; long-standing mutual trust and respect; mutual benefits; and continued efforts.

She expressed a view that Singapore has effectively promoted a tripartite partnership approach and has over the past 15 years established a number of Tripartite Committees and Workgroups to deal with key industrial relations and employment issues. She recognized that this tripartite culture has enabled Singapore to create a climate of industrial harmony leading to a favourable investment climate, economic growth, social and political stability and a higher standard of living and better quality of life for Singaporeans. Tripartism has become Singapore's competitive advantage, and has received support from the Head of the Government, Prime Minister *Lee Hsien Loong*. Based on what had been observed by the mission team, the Director of the International Labour Standards Department confirmed that the practice of tripartism in Singapore covers a large scope of social and economic issues including those that are required by Convention No. 144. She confirmed that Convention No. 144 did not require member States of the ILO to adopt specific legislation to give effect to the Convention. What is required is for tripartite consultation to effectively take place on matters related to international labour standards. She concluded that the mechanisms and systems in place in Singapore, the range of instances of functioning tripartite structures and the various

examples that the mission had the opportunity to witness, would enable Singapore to be fully compliant with and to effectively implement Convention No. 144.

In referring to SPUR, the WDA, the e2i, and the NWC, the Director stated that the mission had observed how tripartite bodies are successful in creating jobs and upgrading skills. She referred to Murata as an excellent example of how to take advantage of the Government's initiatives to mitigate negative impact, and how the company worked with the union to keep jobs, as reflected in the statement "management has to be the first to take the cut" by the Managing Director of Murata, in the course of the mission. The mission has referred to the replies provided by the Government of Singapore for the 2010 General Survey on employment instruments, and anticipated that the Committee of Experts already observed that "a common priority in most East and South East Asian countries is a fuller integration into the global economy to achieve greater economic growth and employment creation... this priority is central in Singapore, an economy that is often cited as a model of successful exploitation of the economic opportunities resulting from globalization" (paragraph 606 of the 2010 General Survey). The Director encouraged the Government to place on the agenda the possibility of ratifying Convention No. 122, one of the four ILO governance instruments.

Turning to the TAFEP, the Director stated that the mission team had observed how tripartite partners desire to proceed with non-discrimination and was impressed with various awareness-raising initiatives and a tripartite commitment to work seriously on this issue. She expressed the view that good practice and good examples can be shared with other countries in terms of how Singapore innovatively promotes non-discrimination through initiatives taken effectively with the social partners. In consideration of tripartism in action and various initiatives taken by the TAFEP, the Director encouraged the Government to review the possibility of ratifying Convention No. 111. In this regard, she proposed that it would be useful to review all the legislative provisions in force which the TAFEP Guidelines complement, with a view to identifying if there are any gaps in coverage of grounds of discrimination under Convention No. 111.

The Director of the Industrial and Employment Relations Department noted that it is clear that the whole practice of tripartism is a fundamental and basic contribution to the development of Singapore. He stated that a critical element of the success of tripartism is the way that the various partners and members of the tripartite communities are listened to, and stressed that the way tripartism works in Singapore fulfils one basic principle of tripartism: that is, the decision on policy is made in consultation with key players and implemented effectively. He also noted that although the tripartite process first and foremost addresses the labour market governance structure, a macroeconomic framework including investment policy is also a key to its success. Synergies take place in Singapore and strengthen the functioning of tripartism. In this regard, he underlined the very influential tripartite interface with political initiatives. He also noted the question of contract workers; in other words, the issue of the employment relationship has been addressed through tripartism in Singapore, and he stressed that all forms of employment relationship have to be addressed among the three parties so as to tackle this rising challenge. He then encouraged the tripartite partners to continue to innovate, reform, and improve the tripartite process in accordance with

Singapore's developmental objectives. Finally, referring to the ILO's Global Jobs Pact (GJP), he noted that some of the initiatives taken by the Government are listed under the GJP, and the GJP is playing out quite well in Singapore.

II. The Workers' View: NTUC

On behalf of workers, Ms. *Halimah Yacob*, the Deputy Secretary-General of the NTUC, stressed that tripartism in Singapore is not an ideology or a principle, but actually a living example that Singaporeans live and work with every day. She stated that the reason for success from the workers' perspective is that workers are able to believe that tripartism delivers outcomes. Through the process of tripartism embodied in different mechanisms which ensure workers' effective participation in a wide variety of policy decisions of the country as well as on workplace issues, workers are able to share in the benefits of economic progress and development. Tremendous improvement has been made in workers' lives, jobs, wages, and welfare, despite the fact that this is a young country. She stressed that the key to the success of tripartism is a common vision which is shared, understood, and accepted by all three parties, and also recognized at different levels. Workers believe tripartite cooperation is the best way to go forward for improving quality of life.

Ms. *Yacob* noted that the significance of tripartism goes beyond the industrial relations system. While the industrial relations system works at a practical level, tripartism in Singapore functions at different levels of policy making, including the participation of the NTUC's secretaries general in the Cabinet and union leaders in the Parliament. Union representatives also sit on statutory boards and institutions set up by the Government, for instance the Economic Development Board, the Housing and Development Board, the Central Provident Fund (CPF) Board, and the Board of Justice. In that capacity, workers' representatives are active in critical areas of economic and social policies. She affirmed that trust is the key element in the success of tripartism in Singapore.

As regards the ratification of Convention No. 144, Ms. *Yacob* confirmed from the workers' point of view that Singapore should ratify the Convention and called for support by the Government. With respect to the possibility of ratifying Conventions Nos. 111, 122 and the Maritime Labour Convention, 2006, Ms. *Yacob* affirmed that the NTUC supports ratification of these Conventions and will certainly discuss this issue and work with its tripartite partners. She stressed, however, that common understanding and compromises between each party are much more important in terms of policy implementation than having legislation and, because of the level of trust and confidence, the tripartite partners are able to ensure that whatever initiatives agreed upon are able to be implemented. She reaffirmed that whatever tripartite partners agree on with regard to any tripartite issues, the NTUC is responsible for working together with its affiliates so as to ensure implementation. In this regard, she also drew attention to the Murata case, which demonstrates how unions work with the company immediately to get out of the crisis by using the SPUR programme.

Ms. *Yacob* finally raised the question of the possibility of organizing a side event at the 99th Session of the International Labour Conference (June 2010) to share experiences on

tripartism using Singapore's experience, including its response to the crisis. In replying to her proposal, the Director of the International Labour Standards Department confirmed that the Officers of the Governing Body could consider such a request if it had the support of the IOE and the ITUC. The Office would be willing to support the holding of this side event if it is approved.

III. The Employers' View: SNEF

From the employers' perspective, Mr. *Koh Juan Kiat* expressed the SNEF's full commitment to strengthening tripartism, in order to remain as a strong partner to the other two parties, obtain their support, and deliver results to employers. He stated that tripartism in Singapore has been a win-win-win partnership to deliver outcomes for employers, and a recent example of this is how companies coped with recession with tangible outcomes. He stressed the importance of working together in creating sustainable and inclusive growth in Singapore.

Mr. *Koh* noted the critical role of forthcoming recommendations by the Tripartite Economic Strategic Committee, the major national effort by the tripartite partners to look at how to strategize growth for the next ten to 15 years. The Committee has provided forums to discuss work-life balance, the ageing population, migrant workers, and other growing labour market issues.

In respect of Convention No. 144, Mr. *Koh* confirmed SNEF support for its ratification in so far as it does not require additional legislation, in consideration of the fact that effective consultations between the social partners already exists in Singapore.

IV. The Government's View: MOM

From the Government side, Mr. *Ong Yen Her*, Divisional Director, Labour Relations and Workplaces Division of the MOM, also underlined the fact that 40 years of experience in practising tripartism has created win-win-win outcomes. The key principle for delivering outcomes is tripartite consensus based on consultation. This principle is also echoed in bipartite dialogue, as demonstrated in how Singapore coped with the downturn. When workers suffered from a significant pay cut, unions worked hard to get them to accept the MEM Guidelines, while employers undertook cost-cutting measures to save jobs.

He noted that tripartite consultation in Singapore, which started as a simple gathering, has expanded to address whatever issues arise as time passes. Three social partners have evolved their roles over the years far beyond engaging in collective bargaining. The NTUC has established cooperatives and social enterprises such as FairPrice and contributes to seeking the well-being of workers and of all the community. The SNEF has reached out to help companies in human resources development by promoting innovative practices. The MOM is not only enforcing labour rights but now actively engaging in promotion of flexible work arrangements, including telework, in particular targeting the female workforce in order to provide women with more employment choices. He then addressed the challenges ahead to

ensure the country achieves higher productivity in the next decades, as reflected in the NTUC's "cheaper, faster, better" initiative.

Mr. *Ong* confirmed that the MOM is committed to continuing to review the possibility of ratifying Convention No. 144. He indicated that the Government sees a great chance of ratification on condition that there is no requirement for a new legislative foundation. Mr. *Ng Chun Pin*, Director of Tripartite Programmes and International Labour Relations of the MOM, recalled the scope of Convention No. 144 and indicated that the MOM assumes responsibility for the administrative support of the procedures provided for in Article 4. The matters referred to under Article 5 of the Convention are consulted on through written communications of the MOM to employers' and workers' organizations, as well as different tripartite meetings which are regularly held. The information on tripartite consultation is available on the MOM website. The social partners are comfortable with the operation of the procedures of tripartism in Singapore.

Turning to the prospects of ratification of other Conventions, Mr. *Ong* stressed that the Government needs to make sure that Singapore is able to comply with each Convention before its ratification. As regards Convention No. 111, he noted that Singapore's tripartite approach is to promote fair employment practices that are non-discriminatory. The various non-legislative approaches and measures taken had proved to be very effective and were achieving results. Concerning Convention No. 122 and the Maritime Labour Convention, 2006, he confirmed that the Government will continue to review whether it is able to ensure compliance.

Concluding Remarks

The 2008 ILO Declaration on Social Justice for a Fair Globalization stressed that social dialogue and the practice of tripartism between government and representative organizations of workers and employers within and across borders are now more relevant to achieving solutions and to building up social cohesion and the rule of law through, among other means, international labour standards. The Social Justice Declaration has identified the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), as a most significant standard from the viewpoint of governance. As a follow-up to the Social Justice Declaration, the Governing Body adopted in November 2009 a plan of action to achieve widespread ratification and effective implementation of the standards that are the most significant from the viewpoint of governance. The mission therefore encourages the Government to ratify Convention No. 144. In consideration of the effective functioning of tripartism in other policy areas, the mission also believes Singapore could further consider the possibility of ratifying other Conventions, including the Employment Policy Convention, 1964 (No. 122), the Human Resources Development Convention, 1975 (No. 142), and the Maritime Labour Convention, 2006.

The study visit provided the ILO with a unique opportunity to see how dynamic, effective, pragmatic, operational, and functional social dialogue and tripartite consultation are in Singapore. There are a variety of means that the tripartite partners have used over the years to find common solutions, creating win-win-win situations through tripartite consultation and consensus. With more than 40 years of experience of tripartism, each of the social partners in Singapore has vested trust and respect in each other, and all of the actors operate on the basis of good faith. Each party enters into tripartite consultation and when consensus is reached on an issue, whether in the form of advisories, guidelines, or any other mechanism chosen to give effect to the will of the tripartite partners, each party is responsible for ensuring these are effectively implemented in practice. This indeed is a very innovative mechanism to put tripartism into action. There are more than 20 tripartite structures of various kinds addressing a wide range of issues, from wages and work-life balance to non-discrimination and human resources development. They cover a large cross-section of issues and concerns not only for the tripartite actors but for the community and society in general, and address the economic challenges that the country faces.

Of course each country tries to determine the best mechanism for itself that will be most effective in terms of the functioning of tripartism. What is important, however, is that each of the actors is independent and capacitated, and that employers and workers enjoy freedom of association and the right to collective bargaining. Once that is in place, the functioning of tripartism depends on the dynamism of the actors and the national setting which provides the governance system, the institutions, and the rule of law, including respect for basic human rights, so that tripartism can function well. The ILO does indeed in many countries encounter significant issues relating to freedom of association; where they exist, they hamper the functioning of tripartism.

The mission therefore encourages the Government to make sure all of the actors do not rest on the laurels of successful tripartism and keep working hard on it, as new challenges that have not yet been addressed will always confront the three parties. Every new challenge is a new test for the strength of tripartism. One improvement which might be useful now would be to formalize an overarching tripartite framework covering economic and social issues, which Singapore would continue to use as problems arise with a view to solving them and finding win-win-win solutions for all actors. This could be done, for instance, by formally institutionalizing the Singapore Tripartism Forum.

No model of tripartism can be replicated. The trust, respect, and confidence which are fundamentals of successful tripartism have to be worked on, built upon and owned. Unless these fundamentals exist, tripartism will not function well. For these fundamentals to function well, appropriate governance structures and respect for the rule of law, addressing issues such as that of corruption, must be in place. Singapore's sophisticated tripartite model is unique and may not be easily replicable wholesale. However, there are elements of its success which can be replicated or adapted to specific national contexts. Singapore's ratification of Convention No. 144 would provide the best opportunity to share its experiences with other ILO member States, particularly those that are seeking ways to strengthen tripartism in their countries and find ways to address the confrontational and adversarial industrial relations model that prevails.

Finally, the mission notes that Singapore has managed the crisis well. It has been able to emerge from it early, due in particular to the tripartite partnership pursued by the country. These measures, although they were put in place quite early and before the ILO Global Jobs Pact was adopted by the International Labour Conference in June 2009, are fully in line with it.

Annex I
Programme for ILO Study Visit in Singapore
18 – 22 JANUARY 2010

TIME	PROGRAMME
18 Jan 2010 (Mon)	
1030 hrs	Courtesy call on Mr Gan Kim Yong, Minister for Manpower
1100 hrs	Welcome and introduction to MOM <ul style="list-style-type: none"> Welcome remarks by Mr Ng Chun Pin, Director (Tripartite Programmes and International Labour), MOM Overview presentation on MOM's role and functions by Mr Woon Cheng Peng, Deputy Director (Strategy Management), Corporate Planning Department, MOM
1445 hrs	Introduction to Tripartism in Singapore (MOM) <ul style="list-style-type: none"> Overview of Industrial Relations & Tripartite Partnership in Singapore, Mr Ong Yen Yee, Divisional Director (Labour Relations and Workplaces Division), MOM Managing Excess Manpower in the Downturn, Mr Lau Weng Hong, Deputy Director (Labour Relations), MOM National CET framework and Skills Programme for Upgrading & Resilience (SPUR), Mr Patrick Ang, Deputy Director, WDA
19 Jan 2010 (Tue)	
1000 hrs	Visit to Employment and Employability Institute (e2i) <ul style="list-style-type: none"> Welcome by Mr Ang Hin Kee, CEO, e2i (Showcasing example of unions' active involvement in training of workers, following briefing on national CET framework on 18 Jan)
1400 hrs	Visit to Singapore National Employers' Federation (SNEF) <ul style="list-style-type: none"> Including Courtesy call on Mr Stephen Lee, President, SNEF
20 Jan 2010 (Wed)	
0900 hrs	Visit to UWEEI
1030 hrs	Visit to Murata <ul style="list-style-type: none"> Briefing on how company benefited from the Managing Excess Manpower Guidelines and SPUR
1430 hrs	Visit to Tripartite Alliance for Fair Employment Practices (TAFEP) Centre
1600 hrs	Discussion on labour standards with MOM
21 Jan 2010 (Thu)	
0915 hrs	Visit to NTUC <ul style="list-style-type: none"> Including Courtesy call on Mr John De Payva, President, NTUC
1100 hrs	Briefing by NTUC Fairprice followed by Q&A
1215 hrs	Tour of NTUC Supermarket (1st outlet)
1500 hrs	Tour of PSA terminal <ul style="list-style-type: none"> Following the tour, there will be a discussion on union and management cooperation (to also involve the unions)
1630 hrs	Visit to Maritime and Port Authority of Singapore (MPA) For discussion on Maritime Labour Convention (MLC)
22 Jan 2010 (Fri)	
1000 hrs	Tripartite closing discussion with ILO on Tripartism in Singapore

Annex II
List of Participants

- **Ministry of Manpower (MOM)**

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Minister for Manpower

Aubeck KAM
Deputy Secretary

ONG Yen Her
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Jacqueline POH
Divisional Director
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ONG Bee Lee
Director
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LAU Weng Hong
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- ***NTUC Employment and Employability Institute (e2i)***

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ANG Hin Kee
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Christine NEO
Specialist
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- ***NTUC Fair Price Cooperative Ltd***

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Group Business

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- ***Singapore National Employers Federation (SNEF)***

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- ***Murata Electronics Singapore (Pte.) Ltd.***

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Shinji Nomura

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- ***PSA Corporation Ltd***

Greta LEE

Head of Human Resource
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Kevin LIM

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Senior Manager
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- ***Singapore Port Workers Union (SPWU)***

LAM Yuen Shin

President

Ameer Hamzah

General Secretary

- ***Maritime and Port Authority of Singapore (MPA)***

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