



EA Alert Dated: 16 September 2014

EA Alert: New Employment Agency Licence Conditions effective 1 July 2014

This email reminds EAs of the new Employment Agency Licence Conditions (EALC) which took effect on 01 July 2014, as communicated during the EA seminar held on 9 and 10 June 2014.

2 A summary of the new EALCs is as follows:

Revisions to Licensing Conditions	What EAs need to do	Applies to Comprehensive Licence	Applies to Select Licence
<p><b>[Revised Condition 4]</b></p> <p><b>Condition 4(a):</b> State EA Name and Licence Number in Publicity Materials/Correspondences</p> <p><b>Condition 4(b):</b> State EA Personnel Name and Registration Number in Publicity Materials/Correspondences</p>	<ul style="list-style-type: none"> <li>At present, EAs are required to insert the name and licence number in all forms of advertisements and written documents.</li> <li>This revision makes it clear where and when an EA needs to insert its name and licence number.</li> </ul> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>Visible signboards with their EA names</li> <li>All forms of advertisements or correspondences</li> </ul> <p><b>When:</b></p> <ul style="list-style-type: none"> <li>For or in connection with the EA's employment agency services.               <ul style="list-style-type: none"> <li>Need not state EA name/licence number when advertising in the capacity of an employer, for internal positions to be filled.</li> </ul> </li> </ul> <p><b>Where:</b></p> <ul style="list-style-type: none"> <li>Any correspondence</li> <li>Any advertisement</li> </ul> <p><b>When:</b></p> <ul style="list-style-type: none"> <li>When an EA Personnel is involved or mentioned</li> <li>For or in connection with the EA's employment agency services.</li> </ul> <p><b>What:</b></p> <ul style="list-style-type: none"> <li>The full name and registration number of the EA Personnel as stipulated in their registration card.               <ul style="list-style-type: none"> <li>EA Personnel may include their other names e.g. English name, in addition to the name <del>what</del> is registered with MOM.</li> </ul> </li> </ul>		

<p><b>[New Condition 6A]</b> Report Breaches of Employment Law to MOM</p>	<ul style="list-style-type: none"> <li>• Licensee is to ensure all EA Personnel know that they should surface any breach of employment laws that is in connection with placements made by the EA, and to report these breaches to MOM.</li> <li>• These could be breaches by workers whom the EAs placed, or the employers who engaged the EAs' services.</li> <li>• Employment laws refer to the following: <ul style="list-style-type: none"> <li>➢ Employment Agencies Act</li> <li>➢ Employment of Foreign Manpower Act</li> <li>➢ Employment Act</li> <li>➢ Work Injury Compensation Act</li> </ul> </li> </ul>	<p>✓</p>	<p>✓</p>
<p><b>[New Condition 8]</b> Accurate Presentation of Fees arising from MOM's requirements</p>	<p><b><i>In the course of promoting EA's services:</i></b></p> <ul style="list-style-type: none"> <li>• Present a breakdown of MOM-related costs in writing when discussing fees that involve such cost.</li> </ul> <p><b><i>When EA's services have been engaged:</i></b></p> <ul style="list-style-type: none"> <li>• Have employers sign/ acknowledge on a written document which presents a breakdown of MOM-related costs. <ul style="list-style-type: none"> <li>➢ FDW-placing EAs may do so in their service agreement.</li> </ul> </li> </ul> <p><b>Examples of MOM-related costs:</b></p> <ul style="list-style-type: none"> <li>• Settling in Programme (SIP)</li> <li>• WP Applications</li> <li>• Insurance</li> </ul>	<p>✓</p>	<p>✓</p>
<p><b>[New Condition 11A]</b> Checks before sending back the foreign employee</p>	<ul style="list-style-type: none"> <li>• Some employers may engage EAs' assistance to send their foreign workers home. EAs must make efforts to check that the foreign workers do not have any outstanding claims before sending the foreign worker home.</li> </ul> <p><b>Examples:</b></p> <ul style="list-style-type: none"> <li>• Salary claims</li> <li>• Work injury claims</li> </ul>	<p>✓</p>	
<p><b>[Revised Condition 16(I)]</b> Dispute Resolution Mechanism (DRM)</p>	<ul style="list-style-type: none"> <li>• The requirement to state a dispute resolution mechanism (DRM) in the agreement applies only to <u>FDW-placing EAs only</u>.</li> <li>• Make sure the DRM is an independent entity which is neither the EA itself, nor any party that is related to the EA.</li> </ul>	<p>✓</p>	

- Make sure the DRM is an entity providing mediation services for disputes.
- Make sure the EA meets any condition required by the entity before citing it as the DRM.
  - Examples of DRM: AEAS, CASE

3 The amended EALC can be found on MOM's website at

[mom.gov.sg/Documents/foreign-manpower/Employment%20Agencies/EA%20Licence%20Conditions.pdf](http://mom.gov.sg/Documents/foreign-manpower/Employment%20Agencies/EA%20Licence%20Conditions.pdf).

4 We have attached the Self-Assessment Compliance Checklist for you to conduct your own checks. The new EALCs are highlighted for your easy reference. Please note that your EA may be penalised if breaches of licensing conditions are found during audits or investigations.

Thank you.

Yours sincerely

Brian Wong  
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Assistant Commissioner for Employment Agencies