

## JOB FLEXIBILITY SCHEME FOR SERVICES SECTOR

FOR IMPLEMENTATION: 1 JULY 2013

### Frequently Asked Questions (FAQs)

<b>FOR EMPLOYERS</b>	
<b>Q1</b>	<b>What does the Job Flexibility Scheme (JFS) mean for employers?</b>
A1	<p>Currently, work permit holders (WPHs) in the Services sector can only perform the occupation that is specified in their work permit cards. This is to ensure that employers deploy their WPHs only to perform tasks that they were hired to do. The JFS will allow WPHs to multi-task i.e. to concurrently work in the occupation specified in the work permit and any other occupation in the Services sector.</p> <p>Many employers have provided feedback to MOM that such a scheme will allow them to deploy their workforce more productively.</p> <p>MOM, in consultation with NTUC and SNEF, has released Tripartite Guidelines on how employers can implement job flexibility responsibly. The guidelines can be found <a href="#">here</a>.</p>
<b>Q2</b>	<b>Does this apply to local employees?</b>
A2	<p>Local employees have not been subject to occupational restrictions. Occupations are agreed between employers and local employees as part of their employment contracts. With the JFS, businesses in the Services sector can now ask their WPHs, in addition to local employees, to multi-task.</p>
<b>Q3</b>	<b>When does the Job Flexibility Scheme come into effect?</b>
A3	<p>The JFS takes effect from 1 July 2013.</p>
<b>Q4</b>	<b>How does the Job Flexibility Scheme benefit employers?</b>
A4	<p>In view of the tighter access to foreign manpower, the relaxation of occupational controls will provide businesses with greater flexibility to deploy their workforce.</p> <p>For example, a hotel F&amp;B staff may be asked to support Front Desk operations during lull periods in F&amp;B, especially if it is the peak hours for Front Desk. This reduces the need for the hotel to hire an additional foreign worker for Front Desk. Employers can thus better deploy their current workforce to reduce reliance on foreign workers, and in the longer term, improve productivity and raise wages for employees.</p>
<b>Q5</b>	<b>Which businesses does the Job Flexibility Scheme apply to? How can I apply?</b>
A5	<p>All businesses in the Services sector are eligible to participate in the JFS. Employers need to inform their employees of the additional job responsibilities involved and the corresponding remuneration arrangements, and obtain their employees' consent before deploying them to concurrent occupations in the Services sector. No further application is required.</p> <p>Employers should comply with the Tripartite Guidelines when exercising job</p>

	flexibility.
<b>Q6</b>	<b>Why is job flexibility applicable to work permit holders (WPHs), but not S Pass or Employment Pass holders?</b>
A6	Employment Pass holders are employed for their managerial and executive expertise, and are already able to multi-task to a significant extent. On the other hand, S Pass holders are employed for their specialised skills in specific occupation, and multi-tasking is less relevant.
<b>Q7</b>	<b>Do my employees have to undergo training or certification before they can take on additional job responsibilities?</b>
A7	You should ensure that employees are equipped with the necessary skills and knowledge for the additional tasks that they are assigned. To this end, your establishment should have a structured training programme in place, to support the training needs of these employees. You can send your employees to the Workforce Development Agency's Workforce Skills Qualifications (WSQ) training courses and certification, or arrange to conduct in-house training for your employees, which can include on-the-job learning.
<b>Q8</b>	<b>Can my employees multi-task outside of their normal working hours i.e. during their overtime hours, with the relaxation of occupational controls?</b>
A8	In requesting your employees to multi-task, you must comply with the requirements of the Employment Act. Employees should not be asked to work more than the maximum number of working hours stipulated in the Employment Act, i.e. 12 hours per day and 72 overtime hours per month.
<b>Q9</b>	<b>If my employees multi-task during their overtime hours, am I required to pay the overtime rate?</b>
A9	You, as an employer, must comply with the requirements of the Employment Act, and related fair employment practices.  This means that you are expected to pay your multi-tasking employees fairly. Employees should be duly remunerated for the additional work done, taking up of additional responsibilities, expansion of job scope; and/or for the skills gained in the process of multi-tasking. In particular, under the Employment Act, an employee's overtime rate should be no less than 1.5 times his/her hourly basic rate of pay for the primary job.
<b>Q10</b>	<b>Are there a maximum number of hours that an employee can multi-task?</b>
A10	Under the Employment Act, employees are not allowed to work more than 12 hours per day and 72 overtime hours per month.
<b>Q11</b>	<b>Can I ask my work permit holder to perform any job function in the Services sector within the same business?</b>
A11	In general, employees may be asked to multi-task across similar job functions in the Services sector and in the same business, save that they must meet any separate registration/licensing requirements for that other occupation. For example, security guards and casino croupiers are registered/licensed by another government authority, any deployment of employees to these occupations must be in accordance with the

	registration and license requirements.
<b>Q12</b>	<b>Is there a limit to the number of employees that can multi-task within the same establishment under the Job Flexibility Scheme?</b>
A12	No.
<b>Q13</b>	<b>Do I have to change the occupation on the work permit card for work permit holders who take on multiple job functions?</b>
A13	No.
<b>Q14</b>	<b>There seems to be a prior pilot for the hospitality industry of similar nature; how is the Job Flexibility Scheme different?</b>
A14	The earlier Job Flexibility for Productivity initiative was only open to hotels/hostels as a pilot programme on a smaller scale. The JFS is a full-scale initiative for the Services sector, with the aim of enabling businesses in the Services sector to better deploy their workforce within the lower Dependency Ratio Ceiling, to reduce reliance on foreign workers, and improve productivity and wages.
<b>Q15</b>	<b>Can the hotels/hostels with approval under the Job Flexibility for Productivity initiative continue to ask their work permit holders to multi-task?</b>
A15	Yes. From 1 July 2013, hotels/hostels will not need to apply to the Singapore Tourism Board before they ask their WPHs to multi-task. Hotels/hostels will simply come within the JFS like any other business in the Services sector.
<b>Q16</b>	<b>Does the JFS allow me to deploy work permit holders to job functions that span several industries in the Services sector?</b>
A16	Employers should use job flexibility sensibly and reasonably. It is reasonable for employees to multi-task across occupations that require similar skills, or as part of the same business activity. For example, it is reasonable for an employer who operates a restaurant and bakery, to ask an employee, whose usual occupation is a waiter, to serve customers in the restaurant during peak hours, and to take on cashier duties in the bakery during off-peak hours. Conversely, it would be unreasonable for the same employee, without the necessary training, to be asked to repair kitchen equipment.
<b>Q17</b>	<b>Does the JFS allow me to deploy work permit holders across my businesses in different sectors, such as from Manufacturing to Services?</b>
A17	No. As MOM's foreign workforce policy controls are differentiated for the various sectors, this is a necessary restriction to enforce such sector-specific controls.
<b>Q18</b>	<b>Is a WPH eligible for work injury compensation if he was injured while performing job functions other than what is specified in his work permit?</b>
A18	Yes, if the injury is due to an accident that arose out of and in the course of employment (regardless of job function).
<b>Q19</b>	<b>Do I need to inform MOM if I increase my work permit holder's salary?</b>
A19	You should update the salary of your WPHs using the "Change Worker's Salary" module in the Work Permit Online (WPOL). Alternatively, you may do so via the <a href="#">i-Submit</a> webportal (Select Request Type '4') on the MOM website. If the WPHs meet the criteria for the market-based skills framework, they will automatically be assigned R1 (skilled) status.

<b>FOR EMPLOYEES</b>	
<b>Q1</b>	<b>What does the Job Flexibility Scheme (JFS) mean for work permit holders?</b>
A1	The JFS enables employers in the Services sector to offer you, their employee, opportunities to work across additional occupations within the same business. For foreign employees, this is in addition to the occupation specified in your work permit card. It should help to boost productivity, and translate to higher wages for all employees performing multiple job-functions or occupations.
<b>Q2</b>	<b>How does the Job Flexibility Scheme benefit employees?</b>
A2	The JFS will enable you to receive more opportunities to perform additional occupations. This will allow you to develop new skills, upgrade existing ones, and be duly remunerated in the process.
<b>Q3</b>	<b>Is it compulsory for employees to perform additional occupations?</b>
A3	No. Your employer must seek your consent, and inform you of how they intend to pay you for any additional occupations that you will perform. It is up to you whether you choose to accept the additional occupations. Your employer cannot penalise you if you decline the offer.
<b>Q4</b>	<b>Do the job flexibility Tripartite Guidelines replace the terms of my employment contract?</b>
A4	No. Any pre-agreed arrangements, such as total working hours, leave entitlement, and terms of employment will still apply unless you choose to renegotiate these with your employer.
<b>Q5</b>	<b>Can my employer ask me to perform additional occupations during my overtime hours?</b>
A5	Yes, your employer can ask you to perform additional occupations during your overtime hours, but must comply with provisions in the Employment Act. For example, your employer is not allowed to make you work more than the maximum number of working hours stipulated in the Employment Act, i.e. 12 hours per day and 72 overtime hours per month.
<b>Q6</b>	<b>Will I still get the same salary if I perform additional occupations?</b>
A6	Employers are expected to pay their employees who are deployed to additional occupations fairly. You should be offered more remuneration for the additional work done, additional responsibilities, expansion of job scope and/or skills gained in the process of multi-tasking to additional occupations. Otherwise, you can decline to take part in the JFS.
<b>Q7</b>	<b>If I am deployed to other job functions during my overtime hours, should I expect the usual overtime pay?</b>
A7	Employers are expected to pay their employees who are deployed to additional occupations fairly. You should be offered more remuneration for the additional work done, additional responsibilities, expansion of job scope and/or skills gained in the process of multi-tasking to additional occupations. In particular, under the Employment Act, the overtime rate you are entitled to should be no less than 1.5 times your hourly basic rate of pay for your primary job

<b>Q8</b>	<b>Do I need to undergo training to be deployed to another job function?</b>
A8	As your employer should ensure that you are equipped with the necessary skills and knowledge for you to perform the additional occupations, it is likely that you may be asked to undergo further training before being multi-tasked to additional occupations.
<b>Q9</b>	<b>Am I eligible for work injury compensation if I was injured while performing job functions other than what is specified in my work permit?</b>
A9	Yes, if the injury is due to an accident that arose out of and in the course of employment (regardless of job function).
<b>Q10</b>	<b>Who can I approach if I have any feedback or complaints about my employer?</b>
A10	<p>If you believe that your employer has not complied with existing legal obligations, you may report cases of contravention of the Employment of Foreign Manpower Act (e.g. multi-tasked to work in a different sector) or Employment Act (e.g. excessive overtime, non-payment of salaries, etc.) to MOM by writing in to <a href="mailto:mom_lrwd@mom.gov.sg">mom_lrwd@mom.gov.sg</a>, or seek advice from the MOM contact centre at 6438 5122.</p> <p>Employees who believe that their employers have not met standards of the Guiding Principles in the Tripartite Guidelines should first seek recourse through channels within the employer's business. If not resolved, employees should consult their union (if unionised) for follow up. Additionally, foreign employees may contact the Migrant Workers' Centre (MWC) at 6536 2692.</p>