An Employer's Guide: Prevent Overtime (OT) Pay Disputes or Claims

What is this about?

- OT disputes or claims can take several months to resolve during which the employer’s work pass privileges may be suspended.

Comply with these Employment Act (EA) requirements to prevent OT disputes:

- Issue written Key Employment Terms (KET) to your workers and keep records of their daily work hours
- Provide employees with accurate records of their KET
- Make work hour records readily accessible to workers
- Pay workers their OT pay correctly and issue them an itemised pay slip

雇主指南
避免加班费纠纷或索偿

这是关于什么？

加班费的纠纷或索偿可能需要几个月才能解决。在此期间雇主的外籍劳工工作准证特权可能会被限制。
**1. Employers must issue written Key Employment Terms (KET) to your workers and keep records of their daily work hours**

Employers must provide their employees with written Key Employment Terms (KET) and maintain records of their daily work hours.

- The KET must clearly state the working hours.
- For workers covered under EA Part IV, the working hours in the KET cannot be more than 44 hours a week.
- Employers who fail to issue written KET or fail to maintain work hour records may be fined.

*Up to 48 hours a week, but capped at a total of 88 hours in any continuous 2-week period, for workers who work less than 44 hours every alternate week. Up to an average of 44 hours per week over a continuous 3-week period for shift workers.*

*员工每周工作时间不得超过48小时，且任何连续2周的工作时间不得超过88小时。对于每周工作不足44小时的员工，连续3周的平均工作时间不得超过44小时。

**What employers should know**

**For foreign workers, in addition to MOM’s In-Principle Approval (IPA) letter, employers must issue written KET with the following details:**

- Working hours and break hours
- Rest day and paid leave entitlements
- OT pay entitlements and OT rate of pay
- Salary period, dates of salary and OT payments
- 加班费权益及加班费率
- 薪水周期与薪水及加班费支付日期

Use a timesheet to record workers’ daily working hours

使用工时记录表记录各员工每日的工作时间

The timesheet should record the daily start and end times.工时记录表应记录该员工每日开工及收工的时间。

**2. Make work hour records readily accessible to workers**

确保员工能方便查阅自己的工作时间记录

Most OT pay disputes or claims involved work hour records that had not been verified by the workers.

*大多数的加班费纠纷或索赔涉及未经员工核实确认的工作时间记录。

**How to have your work hour records verified?**

如何核实确认员工的工作时间记录？

In addition to having the supervisors sign on work hour records, employers should:

- Get your workers to check their work hour records and to sign against the records after verifying that the records are correct.
- 让员工查阅自己的工作时间记录，并确认无误后签署该工作时间记录。
- Do the verification at least once a month and before OT payment is made.至少每月一次，并在支付加班费前，进行工作时间记录的核实确认。

| Name of Company: ABC Pte Ltd  
| Company Name: ABC私人有限公司 |
| Name of Employee: Mr Jiai Raj  
| 员工姓名: 詹凯 |
| Rest Day: Every Sunday  
| 休息日: 每个星期日 |
| Date | Start Time | End Time | Break Hours | Working Hours | Overtime Hours | Remarks |
| 2/4/2018 | 0900 | 1800 | 1 | 9.5 |
| 3/4/2018 | 0900 | 1800 | 1 | - |
| 4/4/2018 | 0900 | 1800 | 1 | - |
| 5/4/2018 | 0900 | 1800 | 1 | 0.5 |
| 6/4/2018 | 0900 | 1800 | 1 | - |
| 7/4/2018 | 0900 | 1800 | 1 | 4 |

Total hours worked: 44

Signature of Employee/ Date: 7/4/2018

Signature of Supervisor/ Date: 7/4/2018

员工签名/日期

管工签名/日期
Pay workers their OT pay correctly and issue them an itemised pay slip
支付员工正确的加班费，并提供员工详细薪水单

- Some employers, especially in the construction sector, are calculating OT hours and OT pay incorrectly for work done on Saturdays.
  有些雇主，尤其是建筑业雇主，错误地计算员工于星期六工作的加班时数及加班费。

- Employers who fail to issue complete itemised pay slips with OT hours and OT pay may be fined.
  若未提供员工详细薪水单或未列明加班时数或加班费的薪水单，雇主可能会被罚款。

- Employers are expected to have KET, work hour records and itemised pay slips readily available if a worker files a claim against them. Otherwise, the Tripartite Alliance for Dispute Management (TADM) will place greater weightage on the worker’s claim.
  雇主应准备KET、工作时间记录及详细薪水单，若工人针对雇主提出申索时，雇主应列明详细工作时间及详细薪水单，否则工会将给予雇主更大的申索权重。

Get your workers' OT pay for Saturday right!
如何正确地计算员工星期六工作的加班费!

If a worker is required to work 8 hours per day from Monday to Friday in a week, he is entitled to OT after 4 hours on that Saturday.
员工若一星期内从星期一至星期五每日需工作8小时，他在该星期六工作4小时后应获得加班费。

Example
例子

Name (员工姓名) : Tan Ah Kow
Basic Salary (基本工资) : $750 / month (每月)
Working hours (工作时间) : Monday – Saturday, 9am – 6pm (daily)
(includes 1-hour lunch break) 星期一至星期六，上午9时至下午6时 (每日) (包括1小时午餐时间)

Mr Tan should be paid for 4 hours of OT worked for every Saturday worked. 陈先生在每个星期六的工作日应获得等于4小时的加班费。

- OT pay is 1.5 times the hourly basic rate of pay. 每小时加班费是每小时基本工资的1.5倍。

How to calculate Mr Tan’s OT pay for Saturdays worked?
如何计算陈先生星期六的加班费?

STEP 1 - Calculate hourly basic rate of pay
第1步 - 计算每小时基本工资率

\[
\text{Hourly basic rate of pay} = \frac{\text{monthly basic pay}}{12 \times 44} = \frac{12 \times 750}{52 \times 44} = $3.90 \text{ (rounded up to the next dollar)}
\]

STEP 2 - Calculate hourly rate of OT pay
第2步 - 计算每小时加班费

\[
\text{Hourly rate of OT pay} = 3.90 \times 1.5 = $5.90 \text{ (rounded up to the next dollar)}
\]

STEP 3 - Calculate OT pay for work done on 1 Saturday (4 hours of OT)
第3步 - 计算每一个星期六的加班费

\[
\text{OT pay} = 5.90 \times 4 \times 4 \text{ OT hours} = $23.60
\]

See pages 5 to 6 for example of OT pay calculation and itemised pay slip
请参考第5和第6页正确计算加班费及详细薪水单的例子
### Example of Itemised Pay Slip
(详细薪水单例子)

**Payslip for 1 April 2018 to 30 April 2018**

<table>
<thead>
<tr>
<th>Date of Payment</th>
<th>5 May 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mode of Payment</td>
<td>Bank Deposit</td>
</tr>
</tbody>
</table>

**Name of Employer**
ABC Pte Ltd (ABC私人有限公司)

**Name of Employee**
Tan Ah Kow

<table>
<thead>
<tr>
<th>Item (项目)</th>
<th>Amount (金额)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Basic Pay</td>
<td>$750</td>
</tr>
<tr>
<td>Total Allowances</td>
<td>$200 (B)</td>
</tr>
<tr>
<td>Food</td>
<td>$200</td>
</tr>
<tr>
<td>Total Deductions</td>
<td>N.A. (C)</td>
</tr>
<tr>
<td>Employee's CPF Deduction</td>
<td>N.A.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Overtime Details</th>
<th>Amount (金额)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overtime Payment Period</td>
<td>1 April 2018 to 30 April 2018</td>
</tr>
<tr>
<td>Overtime Hours Worked</td>
<td>16</td>
</tr>
<tr>
<td>Total Overtime Pay</td>
<td>$94.40 (D)</td>
</tr>
</tbody>
</table>

**Net Pay**
$1,044.40

Employers who adopt pre-approved HR IT solutions can receive funding under the Lean Enterprise Development (LED) Scheme. Employers can sign up for TAFEP’s workshops on the EA to know how to comply with the EA and improve your employment practices.