

## **Updated Fair Consideration Framework**

Fair employment norms have become more widespread over time due to MOM's two-pronged approach to tackle workplace discrimination through education and enforcement. However, some employers have failed to adapt. Hence, we have increased the penalties on discriminatory employers for added deterrence and to stamp out discriminatory practices.

2 MOM has raised penalties across the board for all discrimination cases (such as on the basis of age, race, nationality and mental health condition):

- (a) Longer debarment duration for all work passes. The minimum period of work pass debarment has doubled from 6 months to 12 months. For the most egregious cases, the debarment period can be up to a maximum of 24 months.
- (b) Debarment will be expanded to include work pass renewals, in addition to new work pass applications. Debarment used to mostly apply only to new work pass applications in the past. MOM have extended the debarment to include renewal of existing foreign workers.

As the duration of most work passes are 2 to 3 years, for a 12-month debarment, a third to half of their existing foreign workers cannot be renewed, and the firm cannot hire new foreign workers. For a 24-month debarment, up to all the work passes cannot be renewed, and the firm cannot hire new foreign workers.

- (c) MOM will prosecute employers and key personnel who make false declarations that they have considered all candidates fairly. If convicted of false declaration under the Employment of Foreign Manpower Act, they could face imprisonment of up to two years or fines of up to \$20,000, or both.