

ANNEX B – EXAMPLES OF COMPLAINTS/DISPUTES ARISING FROM POOR OR DELAYED COMMUNICATION

Nature of Case	Details of Case	Outcome
Reason for salary reduction not explained	<ul style="list-style-type: none"> An employee from a contact lens shop complained that she was the only 1 of 6 employees who was told not to work and put on 50% salary during the Circuit Breaker. Upon investigation, it turned out that the company was required to limit the number of employees at its premises to 5 in order to comply with the safe distancing measures, but this reason was not explained to the employee. 	<ul style="list-style-type: none"> The employee understood the circumstances and reasons why she was unable to work. She came to an agreement with her employer to receive 75% of her salary, instead of 50%.
Misunderstanding over consumption of annual leave to cover periods of reduced or no work – #1	<ul style="list-style-type: none"> Two employees felt it was unfair for their employer, to ask them to clear seven days of annual leave during the Circuit Breaker. 	<ul style="list-style-type: none"> MOM spoke to both parties and understood that although the employer was unable to operate fully, salaries were paid in full for the Circuit Breaker period MOM explained to the employees that it was reasonable and legitimate to take some annual leave to cover part of the month when they were unable to work, especially if this allows employees to continue to receive full salaries. The employees accepted MOM's explanation about the need for shared responsibility and that the company could ask them to clear some annual leave.
Misunderstanding over consumption of annual leave to cover periods of reduced or no work – #2	<ul style="list-style-type: none"> A manufacturing company sent an email informing all staff to clear 50% of their annual leave during the Circuit Breaker period, and that an amount equivalent to 50% of their annual leave entitlement would be automatically deducted from HR records at end May 2020. There was no specific instruction on the process of applying for the annual leave. An employee approached MOM because she felt aggrieved that she continued working throughout May 2020, without actually consuming any leave days. However, she confirmed that she received full salary for a significantly reduced workload. 	<ul style="list-style-type: none"> When approached by MOM, the company clarified that leave applications would in fact, have to be made by employees to their respective supervisors and they would not be required to work on those days – but this was not made clear in the email which was sent out. MOM assessed that it was reasonable for the employer to ask employees to consume 50% of their annual leave over the 2-month long Circuit Breaker. This was because while there was significantly reduced workload, the employer continued to pay full salaries. However, there was a lack of clarity on how employees were to go about applying for annual leave. Upon MOM's intervention, the company reworked their communications and clarified that the annual leave will not be automatically deducted but by application. This would ensure proper records are kept.
Misunderstandings over the use of JSS payouts – #1	<ul style="list-style-type: none"> A private school teacher lodged a complaint about his employer's alleged 'misuse' of the JSS payout. 	<ul style="list-style-type: none"> MOM explained that the JSS pay-out is not to be given on top of his usual salary but to help firms to defray wage costs. Complainant agreed decided not to pursue the matter further.

	<ul style="list-style-type: none"> • The complainant assumed that the 75% of JSS pay-out would be given to him in addition to what he received as salary, thus expecting 75% extra salary. • He wrote in to MOM appealing for assistance to claim the 75% from his employer. 	
<p>Misunderstandings over the use of JSS payouts – #2</p>	<ul style="list-style-type: none"> • A sales manager was unhappy that her employer implemented cost savings measures from Apr 2020 onwards, as she was under the impression that the employer received JSS from Oct 2019 onwards. 	<ul style="list-style-type: none"> • When MOM spoke to her, she acknowledged she was misinformed of the JSS pay-out and realised that it was not paid out from Oct 2019 onwards. Rather, the computation was based during that period, with the first pay-out in April. • She acknowledged that the company did not abuse the JSS pay-out. She added that she had no issues with her employer's cost saving measures as well as in clearing her annual leave.