

New approach needed to protect young workers from exploitation

A study of lower-paid workers finds they don't know their rights, with some having contracts that fail to meet minimum standards under the Employment Act

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An important step in safeguarding workers against unfair and unlawful employment practices is for them to be aware of their rights under the Employment Act.

Yet, a study we conducted under the Social Service Research Centre at the National University of Singapore found that young lower-wage Singaporean workers have surprisingly little knowledge.

To ensure a minimum level of well-being at work among workers, the Employment Act specifies leave entitlements, timely payment of salary and statutory protection against wrongful dismissal for most employees in Singapore. It also provides additional protection for lower-wage workers in terms of hours of work, rest and overtime pay.

In addition, the Tripartite Guidelines on Fair Employment Practices has established standards that the tripartite partners agree to.

However, a third of participants in our study who were full-time workers and had worked more than six months at their job were given fewer days of sick leave than what they are legally entitled to under the Employment Act.

While they are covered by the Act which entitles them to 14 days of sick leave a year, most were instead given only eight or fewer days in their employment contracts.

This finding suggests that some workers may have been offered contracts that do not meet minimum standards under the Employment Act.

This situation, along with other findings in our study, shows that more must be done beyond simple information provision to raise workers' awareness of their employment rights.

HOW THE STUDY WAS CONDUCTED

We used a mobile application we developed, called the Work-Life Tracker, to collect data from young adults (aged 20 to 38) to



Workers' lack of knowledge and their acceptance of working conditions lower than their entitlement undermine the purpose of the Employment Act, which is to ensure a minimum level of well-being for workers. The Act specifies leave entitlements and provides protection for lower-wage workers in terms of hours of work, rest and overtime pay. ST PHOTO: LIM YAOHUI

understand their experiences juggling work and life.

We targeted non-degree holders as we were more interested in how they make decisions about work advancement than young people who had degrees. About 180 participants (with an average age of 29) answered weekly surveys for nine months.

In September last year, we asked app users three questions about the Employment Act:

1 The maximum hours of work that an employee earning less than \$2,600 per month could work in a day (correct answer: Employees are not allowed to work more than 12 hours a day except under certain circumstances);

2 The overtime pay per hour such an employee is entitled to (correct answer: 1.5 times the basic hourly pay); and

3 Whether a job offering a contract of service or a job offering a contract for service is preferable if the two jobs offer the same salary (correct answer: the former is preferable as it is covered by the Employment Act while the latter is not).

Our questions focused on lower-wage employees as they are more vulnerable to poor work conditions.

CONFUSION ABOUT EMPLOYMENT ACT TERMS

Only 4 per cent of users answered

all three questions correctly.

For each question, three in 10 users or fewer gave the correct answer. They tended to incorrectly believe the maximum daily working hours amount to less than 12 hours, and the overtime pay is less than 1.5 times the basic hourly pay.

Half also mistakenly thought that a contract for service is no different from a contract of service.

We also asked participants which type of contracts they had. Two in 10 did not know what kind of contract they were employed under and two in 10 believed they were working without a formal contract.

To find out whether they held jobs that offered basic terms and working conditions as stipulated under the Act, we asked them about the maximum hours they had worked in the past three months and the number of days of sick leave they were given.

Two in 10 reported exceeding the maximum daily working hours of 12 hours at least once during that time.

CAMPAIGNS NOT PROVING EFFECTIVE

Our findings show, firstly, low awareness of the Employment Act among young, lower-wage workers, and secondly, acceptance of terms that fall short of their basic entitlements.

This is despite campaigns to raise awareness by the Ministry of

Manpower since 2012.

It could be that the campaigns did not reach them. Or it could also be that knowledge dissemination, such as through campaigns, does not translate into knowledge retention.

To test the effectiveness of disseminating knowledge, we summarised key information about the Employment Act in a short post on our app, highlighting the differences between a contract of service and a contract for service. We thought a young, tech-savvy audience might be more captive to information shared this way.

We asked app users which type of contract they were employed under. Then we put up the information and asked participants again about their employment contract. If information provision was helpful, more app users would be able to identify their employment contract.

It proved beneficial for some users, but not all. Around 60 per cent said they read some of the posts we shared on the "Information" tab but only half of these found the Employment Act information useful.

Comparing their knowledge before and after we posted the information, many participants still seemed confused about their employment contract.

While 40 per cent who had earlier said they did not know their type of employment contract, later, after our post, said it was a

contract for service, 50 per cent still remained unaware. This suggests there is another barrier to retaining knowledge besides dissemination.

One cause could lie in the similarity in the names of the contracts. Many users who had indicated they were employed under a contract for service before our post said afterwards that they were employed under a contract of service.

A CALL TO ACTION

The workers' lack of knowledge and their acceptance of conditions lower than their entitlement undermine the purpose of the Employment Act, which is to ensure a minimum level of well-being for workers.

This is especially problematic for younger, lower-wage workers who might be more likely to be subject to exploitation.

Even if knowledge of the Employment Act is lacking in the overall population – which should not be the case – it is more pertinent that vulnerable workers know their rights.

A new approach is necessary. This starts with clarity of language in employment laws, for example in renaming contract for and of service to reduce confusion.

Organisations must do more to support the Employment Act. A good way to start is to help incoming employees understand their contract and the associated terms before they sign up.

Instead of creating schemes that go against the Employment Act, such as attendance-based incentive schemes, organisations must also strive to achieve higher productivity by offering better terms for their employees than the minimum standards mandated by the Employment Act. Building a trusting and supportive workplace does not have to be a costly way to raise productivity.

Monitoring authorities could conduct a knowledge check among new employees periodically to improve industry standards in hiring practices.

Such checks would not only help to raise employees' awareness of the Employment Act but also help improve the employers' compliance with it.

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