

# GATEWAY<sub>LAW CORPORATION</sub>

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## SEPTEMBER SPOTLIGHT

Increase of Minimum Qualifying Salary and Levy Rates for S Passes from 1 September 2023

Verification Requirements for Employment Passes

Implementation of the Complementarity Assessment Framework ("COMPASS")

Increase to Minimum Fixed Monthly Salary for Personalised Employment Passes ("PEP")

(Proof of Accommodation for New Non-Malaysian Work Permit Holders ("WPHs") in the Construction, Marine Shipyard and Process Sectors ("CMP"))

Child Development Co-Savings (Amendment) Bill Passed on 19 September 2023

Tripartite Workgroup to Develop Guidelines on Flexible Work Arrangements ("FWAs")

## INCREASE OF MINIMUM QUALIFYING SALARY AND LEVY RATES FOR S PASSES FROM 1 SEPTEMBER 2023

The Ministry of Manpower ("MOM") will be progressively increasing the minimum qualifying salary ("MQS") to obtain an S Pass and the levy rates for an S Pass, which is a work permit for skilled foreign employees.

The MQS and levy rates for an S Passes have increased again, from 1 September 2023.

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## VERIFICATION REQUIREMENTS FOR EMPLOYMENT PASSES

Effective from 1 September 2023, more stringent verification requirements on the qualifications of Employment Pass (“EP”) applicants will be implemented.

Educational qualifications for post-secondary diploma and above that are declared in new EP applications must be supported with a verification proof. If the awarding institution is found in the drop-down list, employers must verify the authenticity of the qualification through (i) approved background screening companies, (ii) the government/awarding institution’s verification portion, or (iii) the OpenCerts portal. If the awarding institution is not found in the drop-down list, employers must verify both the authenticity of the qualification and the accreditation status of the institution through approved background screening companies.

## IMPLEMENTATION OF THE COMPLEMENTARITY ASSESSMENT FRAMEWORK (“COMPASS”)

From 1 September 2023, the new framework (COMPASS) will be used to assess new Employment Pass applicants. It will be used to assess renewal EP applicants from 1 September 2024. COMPASS is a points-based framework requiring applicants to score at least 40 points under its four foundational criteria and two bonus criteria.

## INCREASE TO MINIMUM FIXED MONTHLY SALARY FOR PERSONALISED EMPLOYMENT PASSES (“PEP”)

The PEP is a type of work pass for high-earning foreign professionals. From 1 September 2023, the applicants must now earn a fixed monthly salary of at least S\$22,500 to be eligible for a PEP.

## PROOF OF ACCOMMODATION FOR NEW NON-MALAYSIAN WORK PERMIT HOLDERS (“WPHS”) IN THE CONSTRUCTION, MARINE SHIPYARD AND PROCESS SECTORS (“CMP”)

The MOM recently reported that the number of WPHs in the CMP sectors is 19% higher compared to pre-COVID levels and that dormitories for migrant workers are nearing full capacity. Accordingly, from 19 September 2023, employers must provide proof of accommodation for their new non-Malaysian WPHs working in the CMP sectors. Proof may be shown through tenancy or rental agreements or contracts with accommodation providers. The purpose of this regulation is to moderate the demand for non-dormitory accommodation and to ensure that these workers have acceptable accommodation.

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## **CHILD DEVELOPMENT CO-SAVINGS (AMENDMENT) BILL PASSED ON 19 SEPTEMBER 2023**

The Singapore Parliament passed the Child Development Co-Savings (Amendment) Bill on 19 September 2023. The amendments to the Child Development Co-Savings Act 2001 should come into effect on 1 January 2024.

Some key changes to the Child Development Co-Savings Act 2001 include the following:

- The number of days of unpaid infant care leave that employees are entitled to will be increased from 6 days to 12 days; and
- The number of days of paternity leave that employees are entitled to will be increased from 14 days to 28 days for “specified eligible fathers” (i.e. (i) the natural father of a child born alive where the mother’s confinement in respect of the child occurs on or after 1 January 2024 or the estimated delivery date for that confinement is on or after that date; or (ii) the adoptive father of a child where the eligibility date of the adoption application is on or after 1 January 2024).

## **TRIPARTITE WORKGROUP TO DEVELOP GUIDELINES ON FLEXIBLE WORK ARRANGEMENTS (“FWAS”)**

A Tripartite Workgroup consisting of representatives from the Government, National Trades Union Congress, Singapore National Employers Federation, Singapore Business Federation, Association of Small and Medium Enterprises, Tripartite Alliance for Fair and Progressive Employment Practices, Institute for HR Professionals, and the Public Service Division has been formed to develop Tripartite Guidelines on FWAs.

The Workgroup convened for the first time on 7 September 2023. It is expected that the Workgroup will submit their recommendations and the Tripartite will subsequently publish the Guidelines on FWAs in 2024.

## ABOUT GATEWAY LAW CORPORATION:

Gateway Law is an Asia-Pacific regional full service legal practice with strengths in the areas of intellectual property, franchising, technology, media (and entertainment), telecommunications, data protection and cybersecurity as well as employment and immigration. In addition to our niche areas, Gateway also provides services in the general areas of litigation and dispute resolution, corporate and commercial law, real estate conveyancing and advisory, medical and family law.

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