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PATERNITY LEAVE AND SHARED PARENTAL LEAVE

Prime Minister Lawrence Wong announced upcoming changes to paternity leave and shared paternity leave during his National Day Rally speech on 18 August 2024. We summarise the upcoming changes below:

Paternity Leave

- Current Policy: Fathers receive 2 weeks of government-paid paternity leave (“GPPL”), with employers having the option to provide another 2 weeks on a voluntary basis.
- New Policy: From 1 April 2025, fathers will be entitled to 4 weeks of GPPL, with the additional 2 weeks becoming a mandatory benefit.

Shared Parental Leave

- Current Policy: Mothers can share up to 4 weeks of their 16 weeks of maternity leave with their husbands.

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- New Policy:
 - Parents will be entitled to 10 weeks of shared parental leave, to be rolled out in phases.
 - From 1 April 2025: Parents will be entitled to 6 weeks of shared parental leave.
 - From 1 April 2026: Parents will be entitled to 10 weeks of shared parental leave.
 - Distribution Flexibility: By default, the shared leave will be evenly divided between parents, but they will have the flexibility to adjust the allocation as needed.

Read more about the new policies in our article [here](#).

PROTECTIONS FOR PLATFORM WORKERS

Please refer to our update for June 2024 for additional context.

On 6 August 2024, the Platform Workers Bill was tabled in Parliament for the first time. The proposed legislation aims to enhance safeguards for platform workers through Central Provident Fund contributions, work injury compensation, and collective representation. These protections are anticipated to take effect from 1 January 2025.

BGC PARTNERS (SINGAPORE) LTD AND ANOTHER V SUMIT GROVER [2024] SGHC 206

This case involved the termination of an employee for poor performance. Key takeaways from this case include the following:

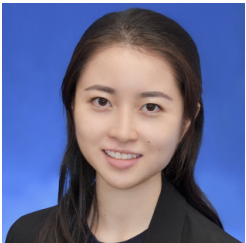
- In the employment context, particularly where there is an express clause permitting termination by way of notice, the parties' freedom of contract should not be limited by restricting the employer's right to terminate.

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- While the contract may be worded to make bonus payments discretionary, employers have an implied duty to exercise such discretion reasonably. Discretion must be exercised “objectively reasonably” and not “arbitrarily, capriciously or irrationally”. The courts may intervene if the discretion is exercised in a manner that is “so outrageous in its defiance of reason that it can be properly categorised as perverse”.
 - Whether employment contracts contain an implied term of mutual trust and confidence under Singapore law remains to be determined by the Court of Appeal in a more appropriate case.
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Should you have any queries as to how this update may affect you or your organisation or require further information, please do not hesitate to email us.



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This newsletter is intended to discuss the Employment Law Updates, and it is not intended to be comprehensive nor should it be construed as legal advice. This newsletter is updated as of 01 September 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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