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IMPLEMENTATION OF THE WORKPLACE FAIRNESS ACT (“WFA”) THROUGH TWO BILLS

The Workplace Fairness Act (“WFA”) will be implemented through two Bills. The first Bill was passed in Parliament on 8 January 2025 (“**the Act**”). The Act, which remains uncommenced, covers the scope of protections against discrimination and employers’ obligations. The second Bill, the Workplace Fairness (Dispute Resolution) Bill, was tabled on 14 October 2025 and sets out the process for individuals to make claims against firms in case of workplace discrimination. Upon the passage of the second Bill, both enactments are slated to take effect from the end of 2027.

1. Tripartite Collaboration and Guiding Principles:

The dispute resolution process was developed in close cooperation with the National Trade Union Congress (“**NTUC**”) and the Singapore National Employers Federation (“**SNEF**”). It is designed to provide a fair, accessible, and expeditious pathway for resolving disputes amicably, guided by three principles:

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- (a) Enabling parties to resolve disputes amicably among themselves;
- (b) Providing accessible, expeditious, and just resolution of claims while deterring frivolous cases; and
- (c) Maintaining workplace harmony and preserving social cohesion.

2. Resolving Workplace Discrimination Claims:

Individuals who experience workplace discrimination are encouraged to first raise the matter internally through the firm’s grievance handling process. If unresolved, the matter should proceed to mediation before adjudication as a last resort. An overview of the dispute resolution framework is provided in **Annex A** (attached).

3. Employment Claims Tribunals (“ECT”) as Primary Forum:

The ECT was established to help workers and employers resolve dispute expeditiously and affordably, with a simplified, private, and judge-led process. Given the sensitive nature of discrimination claims, most WFA cases will be heard in the ECT. ECT judges will take a proactive, judge-led approach to guide parties, narrow key issues, and ensure efficient case progression.

Claim Amount	Judicial Forum
Up to and including \$250,000	<ol style="list-style-type: none"> 1. Claims will be heard at the ECT. 2. Simplified rules and streamlined procedures. 3. Legal representation is not allowed. 4. Union representation is permitted under specific conditions.
More than \$250,000	<ol style="list-style-type: none"> 1. Claims will be heard by the High Court (“HC”). 2. Strict rules of evidence and procedures will apply. 3. Legal representation is allowed.

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4. Role of Unions and tripartite Mediation Advisors (“TMA”):

While legal representation is not permitted at the ECT, workers and employers may seek support from their respective unions. Union members will be permitted under specific conditions:

(i) **For workers:** Union representatives may represent union members in unionised companies for claims up to **\$250,000** (inclusive) in mediation sessions and ECT hearings.

(ii) **For employers:** Union representatives (e.g. from SNEF) may represent employer members in mediation sessions and ECT hearings only for claims **between \$30,000 and \$250,000** (inclusive), and when the worker can be represented by their worker union.

Union members in non-unionised companies will have access to tripartite mediation advisors (“TMA”). TMAs are typically experienced industrial relations practitioners who can assist in mediation to promote amicable settlements.

5. Common Rules for Workplace Discrimination Claims:

All claims will follow a common set of rules across both the ECT and HC:

- (a) Claimants must attempt mediation before filing a claim at the ECT or the HC.
- (b) Requests for mediation must be submitted within prescribed time bars (see **Annex B**).
- (c) Claims will be heard in private, and parties have a duty to consider amicable resolution during adjudication.
- (d) Both forums will adopt a judge-led approach and have powers to strike out frivolous claims and award costs against claimants who file such claims on a case-by-case basis.

6. Managing Frivolous Claims:

Safeguards are in place to protect the integrity of the claims process. Firms may apply to strike out frivolous or vexatious claims, and the ECT or HC may do so on their own initiative. Individuals who pursue such claims may face cost orders, restrictions on further proceedings, or investigation under the Administration of Justice (Protection) Act.

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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 November 2025

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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