

What do employers need to know about the Workplace Fairness Act?



- ✓ The Workplace Fairness Act (WFA) aims to **preserve our existing fair and harmonious** workplace norms.
- ✓ The WFA will provide protections against the common and familiar forms of workplace discrimination at **all employment stages** based on the protected characteristics.

The employment stages include:



Pre-employment decisions:
Not being hired for a job



In-employment issues:
Poor performance appraisals, not being promoted, not being selected for a training opportunity

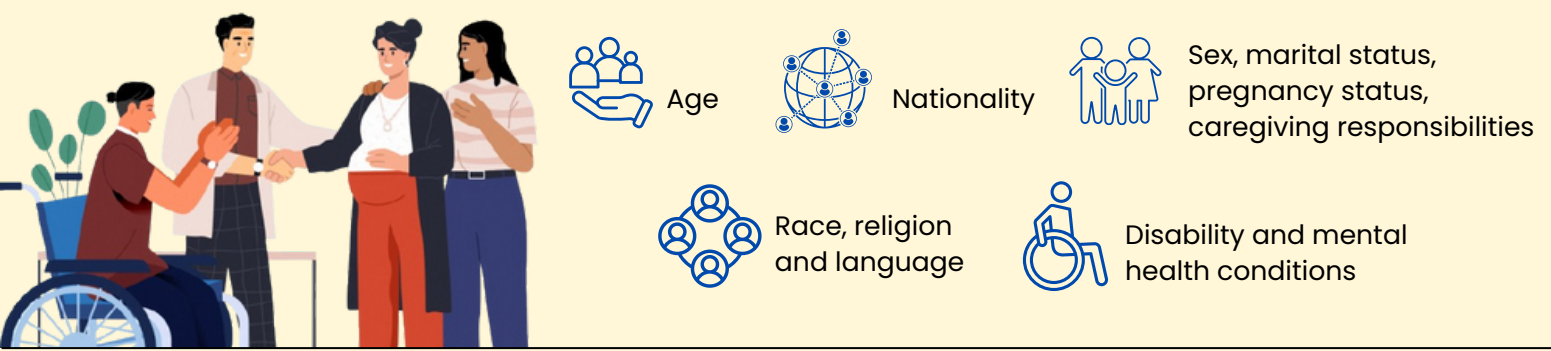


End-employment decisions:
Dismissal

The Tripartite Guidelines on Fair Employment Practices (TGFEF) will be retained to cover other grounds of discrimination beyond those in the WFA.

What is the definition of workplace discrimination under the WFA?

Workplace discrimination is defined as an unfair employment decision made because of any protected characteristic. These protected characteristics are:



How does the WFA benefit businesses?

Fair employers will benefit from a more productive and engaged workforce, a more harmonious workplace, and be better able to **attract and retain talent**, contributing to **stronger business outcomes**.



What should employers do?

Employers should:

- ✓ Put in place **grievance handling processes** early, which include communicating procedures clearly to employees, conducting proper investigations and responding to the affected employee.
- ✓ Focus on resolving disputes through their **internal grievance handling process**; legal action is the last resort.
- ✓ **Protect the identity** of those who report workplace discrimination or harassment.
- ✓ **Prohibit retaliation** against employees who report acts of workplace discrimination or harassment, so that employees can feel safe when they come forward.

Employers can prepare for the WFA by:



- Checking if your **HR practices** are aligned to the WFA







- **Benchmarking organisational culture against others** through TAFEP's Fair and Progressive Employment Index
- Reaching out to TAFEP and their Employer Advisory Service



- Taking the **e-learning courseware** to keep HR and hiring managers aware of TGFEF and upcoming WFA requirements

How does the WFA help businesses retain flexibility to meet their needs?

The WFA sets out the following genuine requirements where employers can consider a protected characteristic when making employment decisions if it is required for:

 Reasonable performance of the job	 Health and safety reasons	 Privacy reasons	 Legal and regulatory reasons
<p>Example: An employer may consider if a jobseeker is fluent in a particular language for an interpreter role.</p>	<p>Example: A security firm may consider if it is safe for an auxiliary police officer diagnosed with a specific mental health condition to continue their job which involves carrying and using weapons.</p>	<p>Example: A spa may hire female therapists to serve their female clientele.</p>	<p>Example: A bus company may only hire bus driver trainees above 21 years old as this is the regulatory age needed to obtain a Bus Driver's Vocational Licence.</p>

How will we continue to encourage positive workplace culture?

- ✓ MOM will continue to take an **education-first approach** to help employers who may be in breach of the WFA to understand their obligations and rectify any breaches.
- ✓ The WFA will strike a balance between **education and effective deterrence**. It will make it easier for employers as it provides more certainty on the rules and expectations of fair workplaces.
- ✓ Most employers are **responsible** and **fair**. They have been complying with the TGFEF and will therefore not see a heavy increase in their obligations under the WFA.

