

FREQUENTLY ASKED QUESTIONS ON MEASURES TO RAISE THE QUALITY AND FACILITATE MORE OPTIMAL DEPLOYMENT OF THE FOREIGN WORKFORCE

Changes to the R1 criteria for the Process Sector

Q1. What are the changes to the R1 upgrading pathways for the Process sector?

Currently, Process Work Permit Holders (WPHs) with any of the following certifications are recognised as skilled (R1) workers:

Table 1: List of Certifications for R1 recognition in the Process sector

Type of qualification	Certificates needed
Academic qualifications	Malaysia - Sijil Pelajaran Malaysia (SPM) or equivalent North Asian sources (NAS) - High school certificates People's Republic of China (PRC) - Diploma
Skills Evaluation Test (SET) conducted by ITE	SET Level 1 or National ITE Certificate (Nitec)
Trade test	3G and above in welding based on internationally recognised standards
Singapore Workforce Skills Qualifications (WSQ)	WSQ Composite Assessment for Generic Manufacturing (Process)

From 1 June 2017

From 1 June 2017, Process WPHs will be able to obtain R1 status via 2 pathways:

- (i) Skills Test + Salary: WPHs who possess qualifications/certifications which are currently recognised under the R1 framework (i.e. certifications listed in Table 1) and paid a minimum Fixed Monthly Salary (FMS)¹ of \$1,200; or
- (ii) Experience + Salary: WPHs with a minimum Period of Employment (POE) in Singapore of at least 2 years and paid at a minimum FMS of \$1,200.

From 2019 (or 1 year after the roll-out of the WSQ programmes for Process sector)

The list of skills tests for R1 recognition will shift from the current list of qualifications/certifications to only recognise selected WSQ programmes for the Process sector². The specific list of WSQ programmes identified for R1 recognition for the Process sector will be made available at the later date.

Process WPHs will then be able to obtain R1 status via 3 pathways:

- (i) Skills Test + Salary: WPHs having successfully completed relevant WSQ programmes for the Process sector and paid a minimum FMS of \$X*;

¹ Fixed monthly Salary (FMS) = Basic Monthly Salary (BMS) + Fixed Monthly Allowances (FMA). For more information on FMS, please refer to <http://beta.mom.gov.sg/en/faqs/employment-pass-faqs/what-is-a-fixed-monthly-salary>.

² In 2018, WDA will be rolling out new WSQ programmes under the Singapore Workforce Skills Qualifications (WSQ) system for the Process sector to provide clearer skills upgrading and multi-skilling progression pathways.

- (ii) Experience + Salary: WPHs with a POE of at least 3 years and paid a minimum FMS of \$X*; or
- (iii) Skills Test + Experience: WPHs having successfully completed relevant Process WSQ programme(s) for the Process sector and with a POE of at least 3 years.

*: \$X will be a higher salary threshold to be determined nearer to 2019.

Table 2: Timeline of Changes to R1 criteria

Before 1 June 2017	1 June 2017	2018	2019
<ul style="list-style-type: none"> • Skills Test only 	<ul style="list-style-type: none"> • Current Skills Test + \$1,200 • \$1,200 + 2 years experience 	<ul style="list-style-type: none"> • Full roll-out of WDA's new WSQ programmes for the Process sector 	<ul style="list-style-type: none"> • WSQ + 3 years experience • WSQ + salary • Salary + 3 years experience

Q2. What is the rationale for these changes?

The changes to the R1 criteria seek to encourage retention of skilled and productive workers in the sector. It achieves this by granting the benefit of a lower R1 levy to those who possess the traits of skilled and productive workers (i.e. a combination of skills test qualification, salary and experience). They were developed after consultation with chemical plant owners, and process construction and maintenance contractors.

Q3. What are the transition arrangements for WPHs who have upgraded using the old R1 criteria?

From now until 1 June 2017:

- i) Existing R1 WPHs will retain their R1 status; and
- ii) Existing R2 WPHs and new WPHs can qualify for R1 under the old criteria.

From 1 June 2017 onwards:

- i) Existing R1 WPHs will retain the R1 status until their next Work Permit renewal, where they will need to meet the new R1 criteria. If they do not, they will be converted to R2 status.
- ii) Existing R2 WPHs and new WPHs (including those with R1 status but make a new WP application) will need to meet the new criteria to qualify for R1 status.

Q4. Would MOM consider making similar changes to R1 criteria for the Marine sector, given similarities in skill sets with the Process sector?

For the Marine sector, we have also received feedback that the existing skills recognition framework is not discerning enough to identify genuinely skilled workers. Therefore, we are keen to work together with the Marine sector to review the skills recognition framework.

Given similarities in certain skill sets between the Process and Marine sectors, we may tap on the ongoing work by WDA in developing new WSQ programmes for the Process sector, for the review of the Marine skills recognition framework.

Q5. How is the period of employment (POE) computed?

The POE is computed by adding up the total number of years the WPH has worked in Singapore with valid work permits, since his or her first job. It is company and sector neutral. There is no restriction on the number of employers when computing the POE.

Currently, the maximum employment period for R1 WPHs from Non-Traditional Sources and People's Republic of China in the process sector is 22 years, while the maximum employment period for R2 WPHs is 10 years. WPHs from Malaysia and North Asian Sources are allowed to work up to 60 years of age, regardless of status (R1 or R2).

Q6. Do I need to apply to upgrade my WPH by June 2017 if he has met the requirements?

We will release more information before June 2017.

Policy to allow employers to hire Process Work Permit Holders at the end of their Work Permit term; or with previous employer's consent

Q1.What are the changes to the policy for employers to hire Work Permit Holders in the Process sector?

Currently, employers can only apply work permits for workers from the Non-Traditional Sources (i.e. Bangladesh, India, Sri Lanka, Myanmar, Thailand and the Philippines), People's Republic of China and the North Asian Sources (i.e. Hong Kong, Taiwan, Macau and South Korea) if they are not in Singapore at the point of work permit application. This is to deter foreigners from coming to Singapore just to search for work.

From 1 June 2017, Process employers will be allowed to hire experienced WPHs: (i) with their current employers' consent within WP validity; and (ii) at the end of their WP period, without them having to leave Singapore. For those without prior work experience in Singapore, their work permit applications will still have to be made when the applicant is not in Singapore.

We will release more information before June 2017 on how employers can do this.

Q2.Why is this not introduced for the other sectors?

We have introduced this policy change for the Construction and Process sectors, as these sectors have relied heavily on WPHs, and many of them leave Singapore after gaining a few years of work experience here. Such churn imposes a drag on workforce capability and productivity. Nonetheless, we are open to review the policy for other sectors, if the need arises.

Policy to allow Work Permit Holders in the Construction, Process and Marine Sectors to take on driving as a secondary job function

Q1. What is the new policy and how it is different from today? What is the rationale for this new policy?

Currently, Work Permit holders in the Process, Construction and Marine sectors cannot drive for work unless they are specifically hired as “Driver”, who would have to obtain valid driving licences. This is to ensure that Work Permit holders drive only when they are properly licensed to do so. Employers have provided feedback that this restriction impeded labour productivity as they could not optimally deploy their Work Permit holders, especially when driving duties are typically done only for transport to and from worksites.

To improve productivity and allow for more optimal deployment of these Work Permit holders, MOM will lift the current restriction to allow WPHs in these sectors **to drive as an incidental activity to their primary job as a Process, Construction or Marine worker. This reduces the need for firms to hire additional foreign workers as dedicated drivers. The total number of workers that can drive as an incidental activity will be capped at a Sub-DRC of 20%, i.e. 20% of the firm’s total workforce, and they must possess a valid driving licence.**

Regardless of whether you hire new workers or re-designate existing ones, the total number of Work Permit holders who can take on a secondary driving role would be capped at a Sub-DRC of 20%, that is, 20% of the firm’s total workforce.

The 20% cap serves as a safeguard against errant Process, Construction or Marine firms wanting to hire more Work Permit holders to be illegally deployed to work as full-time drivers in the Services sector.

This will take effect from June 2015. Employers in the Construction, Process or Marine sectors may log on to Work Permit Online (WPOL) to do the following:

(i) Apply for new workers:

Select the worker-cum-driver occupation for your sector when you make a new work permit application.

- Construction sector: Construction Worker-cum-Driver
- Process sector: Process Maintenance & Construction Worker-cum-Driver
- Marine sector: Marine Trades Worker-cum-Driver

If the application is approved, the work permit card will reflect the worker-cum-driver occupation.

(ii) Re-designate existing workers:

Apply to re-designate your existing worker to a worker-cum-driver occupation via WPOL’s “Change Occupation to Worker-cum-Driver” module. You will need to enter your CPF submission no. and the worker’s work permit no. If the application for conversion is successful, you will be able to print the approval letter. You do not have to apply for a new Work Permit card to be issued stating the new occupation of the worker. However, you must give your worker a copy of the approval letter so that it can be shown to enforcement officers when requested. The new occupation will be printed on the work permit card when you renew your worker’s work permit.

¹ *Shipyards can also apply on behalf of all Common Contractors (CCs) and their own Resident Contractors (RCs).*

Q2. Will it put full-time local drivers at a disadvantage?

This policy is intended to help supplement the existing pool of local drivers to meet the shortage of drivers in these sectors.

MOM expects all employers doing business in Singapore to comply with the Tripartite Guidelines on Fair Employment Practices, and put in place fair employment practices.

Employers who violate the Tripartite Guidelines can have their work pass privileges curtailed by MOM.

Q3. Why is there a cap on the number of Work Permit holders that I can assign to take on driving as a secondary job function? How is the cap derived?

After consulting the industries and considering the driving needs of all firms, it was determined that most firms should be able to meet their driving needs based on a 20% Sub-DRC.

Q4. Taking on the driving function, does it mean that my Work Permit holder can work longer hours?

No, if your employee is covered by Part IV (Rest Days, Hours of Work and Other Conditions of Service) of the Employment Act, he is not required under his/her contract of service to work more than eight hours in a day or 44 hours in a week.

Overtime allowance is payable if the employee is required by the employer to work above the limit of working hours. All work in excess of the normal hours of work (excluding break time) is considered as overtime work. An employee must be paid no less than 1.5 times his hourly basic rate of pay for overtime.

Unless exemption is granted, **your employee is only permitted to work up to a limit of 72 hours of overtime in a month.**

Q5. Do I need to obtain my worker's consent before I re-designate him? Do I need to pay him more?

Yes. You should discuss with your worker to determine if he is prepared to take on the additional role. We strongly encourage you to offer a higher salary for the additional driving role that the worker agrees to undertake.

Q6. Is the Work Permit holder obliged to accept the re-designation?

No. The employer must seek consent of his worker before the re-designation. It is up to the worker to decide if he should accept the re-designation.

Q7. Will this new policy increase the number of Work Permit holders in the three sectors?

We do not expect the policy to increase the number of Work Permit holders in the three sectors. This policy is meant to improve labour productivity and to enable firms to optimise the deployment of their existing workforce.

Q8. What are the safeguards that the Government has put in place to ensure that these workers driving on the public road will be familiar with our road conditions and rules and they will be safe on the roads?

The Ministry of Manpower works closely with the Traffic Police (TP) in the formulation of the new policy.

To ensure that all foreign workers driving for work possess the necessary skills to drive safely and exhibit proper behaviour on our roads, the Traffic Police will raise the licence

conversion requirements for Work Permit and S Pass holders who drive Class 3 vehicles from 1 June 2015. The Class 3 licence category allows holders to drive motorcars, light goods vehicles and small buses. They will now be required to pass the Practical Driving Test in addition to the Basic Theory Test to convert to a local Class 3 licence. Conversion via the Basic Theory Test will only accord them a Class 3C licence, a new licence that allows the holder to drive all Class 3 vehicles except light goods vehicles and small buses.

Q9. How do I check if I have sufficient quota to hire a new worker or re-designate an existing worker to take on the new role?

You may log on to WPOL to check the number of additional worker-cum-driver Work Permit holders that you can hire.

Q10. I no longer require my worker to take on a secondary driving role. Do I need to inform MOM and how do I do so?

Yes, you need to inform MOM if you no longer need your worker to drive for work. You may complete this [form](#) and submit via:

- (i) iSubmit web portal (<http://www.mom.gov.sg/iSubmit>): Select '4. Amendment Requests (Including Foreign Domestic Workers) and Supporting Documents for WP Applications (Excluding Foreign Domestic Workers)' under 'Request Type' on the web portal, and attach electronic/scanned copy of the form; or
- (ii) Fax: 6317 1386; or
- (iii) Post: Work Pass Division, Ministry of Manpower 18 Havelock Road, Singapore 059764

Q11. Do I need to inform MOM if I increase my foreign worker-cum-driver's salary?

You are encouraged to update the salary of your foreign worker-cum-driver via the Work Permit Online (WPOL)'s "Change Worker's Information" module.

Q12. What does this new policy mean for me as an existing foreign worker with my employer?

The new policy allows your employer to re-designate you as a worker-cum-driver, upon your consent. As a worker-cum-driver, this means that you can take on a secondary driving role. You must possess a valid driving licence recognised by the Traffic Police.

Q13. As an existing employee, am I obliged to accept the re-designation?

No. Your employer must seek your consent before he/she can re-designate you. It is up to you whether you choose to accept the re-designation.

Q14. Who can I approach if I have any feedback or complaints about my employer?

If you believe that your employer has not complied with existing legal obligations, you may report cases of contravention of the Employment of Foreign Manpower Act (e.g. multi-tasked to work in a different sector) or Employment Act (e.g. excessive overtime, non-payment of salaries, etc.) to MOM, by writing in to mom_fmmd@mom.gov.sg (for matters relating to Employment of Foreign Manpower Act) or mom_lrwd@mom.gov.sg (for matters relating to Employment Act), or seek advice from the MOM contact centre at 6438 5122.