

Human Resource Practitioners' Guide to Employment Contracts, HR Policies and Procedures (First Edition)

By and large, HR Practitioners' Guide to Employment Contracts, HR Policies and Procedures comprise of 3 parts. The first part gives an overview on how HR practitioners go about drafting employment contracts, HR policies and procedures. The second part comprises a whole range of employment contract templates to suit different types of employment relationships i.e. full time, part-time, re-employment, fixed term, casual (ad-hoc) labour, etc. The third part comprises a full range of HR policies and procedures templates which govern terms and conditions of employment, staffing, compensation programs, employee leave benefits, employee welfare, training and development, employment relations and employee administration.

This book is a valuable resource for those who want to learn more about employment contracts and HR policies and procedures.

Course Outline:

A competent HR practitioner must have the knowledge and skills in the following:

Part 1: Drafting Employment Contract

1. Understand the sources of employment laws in Singapore
 - What is statutory laws?
 - What is common law (judge-made law or case law)?
 - Which is more supreme, statutory laws or common law?
 - Whether employment contract can supersede or contradict statutory laws?
2. Understand the essential terms in the employment contract:
 - Commencement of employment;
 - Appointment – job title and job scope;
 - Hours of work;
 - Probation period, if any;
 - Remuneration;
 - Employee's benefits (e.g. sick leave, annual leave, maternity leave);
 - Termination of contract – notice period; and
 - Code of conduct (e.g. punctuality, no fighting at work).
3. The parties, employer and employee relationship and that of independent contractor.
 - Definition of contract of Service

- Definition of contract for service (Independent Contractor)
- Differentiate between contract of service and contract for service.

4. Understand whether contract be made orally, in writing or by conduct?

- What is key employment terms and must it be in writing to all employees?
- Definition of employed as per Employment Act.
- Can employment contract and HR policy and procedures be soft and/or hardcopy?

5. Understand the requirements of an employment contract and the vitiating factors that may make the contract null and void.

- Offer;
- Acceptance;
- Consideration;
- Intention to create legal relationship; and
- Vitiating factors that may void the employment contract

6. Understand the terms of the Contract of Employment

- What is express term?
- What is implied term?
- How to vary the terms and conditions of employment?
- Are the terms in the employee handbook or HR policy and Procedures part of the employment contract?

7. Know the different types of employment contracts that may be issued to different type of employees:

- Regular or Open Ended Employment Contract;
- Fixed Term Employment Contract;
- Part-time Employment Contract;
- Temporary Employment Contract;
- Casual Labour Employment Contract;
- Dual or Triple Employment Contracts; and
- Re-employment Contract
- Independent Contractor (Free-Lancer) Agreement*
- All the above employment contract templates are as provided in the HR Practitioners Guide to Employment Contracts and HR Policy and Procedures

8. Understand the different categories of employees in Singapore and how to apply the employment contract templates namely:

- Non-Executive (workman and non-workman)
- PME earning basic salary up to \$4,500; and
- PME earning basic salary above \$4,500.

9. Know the pitfalls to avoid in drafting employment contracts
 - Not in compliance with statutory provisions.
 - Terms against public policy.
 - Having same terms regardless of different category of employees.
 - Other common errors in drafting employment contracts

10. Understand the need to incorporate job description and employee benefits schedule in the employment contract
 - Purpose of job description.
 - What need to be input to the job description.
 - Purpose of employee benefits schedule.
 - List of employee benefits to be stated in the employee benefits schedule.

Part 2: Drafting HR Policy and Procedures

1. Definition and importance of HR policy and procedures
 - What is the definition of policy?
 - What is the definition of procedures?
 - Why is there a need for HR policy and procedures?
 - Are HR policy and procedures manual part of the employment contract?

2. Know the steps in policy development and implementation.
 - Step 1: The need for a policy
 - Step 2: The content of the policy
 - Step 3: Drafting the policy
 - Step 4: Review and approval of the policy
 - Step 5: Implementation and communication of the policy

3. Understand the methodology and the 6 key elements in formulating HR policies and procedures
 - Purpose
 - Scope
 - Policy

- Procedure
- Responsibilities and Approval
- Effective date

4. How to draft HR policy

- · Compile relevant information in relation to the policy.
- · Determine main objective of the policy.
- · Determine what applicable statutory laws that may be applicable.
- · Articulate the procedures.
- · Know the approving authorities if applicable.

5. Grasping the salient point in drafting the various policy as outlined in the HR Practitioners' Guide to Employment Contract and HR Policy and Procedures Manual as follows:

SECTION 1: TERMS AND CONDITIONS OF EMPLOYMENT

Policy No. 001 : Employee's Personnel Data Protection

Policy No. 002 : Job Description

Policy No. 003 : Probationary and Confirmation

Policy No. 004 : Retirement and Re-employment

Policy No. 005 : Working Hours:- Office Hours/Flexi Hours Hours/Shift Hours

SECTION 2: STAFFING

Policy No. 006 : Employee Classification

Policy No. 007 : Exit Interview

Policy No. 008 : Manpower Utilisation

Policy No. 009 : Recruitment and Selection of Employees

SECTION 3: COMPENSATION AND BENEFITS

Part 3A : Employee Remuneration and Allowances

Policy No. 010 : Performance Review, Annual Increment and Performance Bonus

Policy No. 011 : Annual Wage Supplement

Policy No. 012 : Compensation Program

- a) Policy statement
- b) Pay Structure
- c) Salary Payment
- d) Pay rates for new hires
- e) Classification of new positions
- f) Annual Salary Review
- g) Promotion
- h) Upgrading
- i) Demotion
- j) Merit Increment
- k) Redesignation
- l) Pay Adjustment
- m) Transfers

Policy No. 013 : Transport Allowance/Reimbursement

Policy No. 014 : Handphone Allowance/Reimbursement

Policy No. 015 : Modes of Payment and Compensating Time (OT, Rest Day and Public Holiday)

Part 3B : Employee Leave Benefits

Policy No. 016 : Annual Leave

Policy No. 017 : Childcare Leave

Policy No. 018 : Compassionate Leave
Policy No. 019 : Examination Leave
Policy No. 020 : Extended Medical Leave
Policy No. 021 : Marriage Leave
Policy No. 022 : Maternity Leave
Policy No. 023 : Medical Leave
Policy No. 024 : No Pay Leave
Policy No. 025 : Paternity Leave
Policy No. 026 : Public Holidays In-Lieu
Policy No. 027 : Reservist Leave
Policy No. 028 : Shared Parental Leave
Policy No. 029 : Unpaid Infant Care Leave

Part 3C : Employee Medical Benefits and Insurance Plans

Policy No. 030 : Employee Medical Benefits and Group Insurance

- a) Outpatient Clinics
- b) Specialist Clinics
- c) Health Screening
- d) Group Hospital and Surgical Insurance
- e) Group Major Medical Insurance
- f) Group Term Life Insurance
- g) Group Personal Accident Insurance
- h) Work Injury Compensation Insurance

Policy No. 031 : Flexi Benefits

Part 3D : Employee Welfare Benefits

Policy No. 032 : Condolence

Policy No. 033 : Hospitalisation Gifts

Policy No. 034 : Long Service Awards

Policy No. 035 : New Born/Gifts of Joy

Policy No. 036 : Overseas Business Travel

Policy No. 037 : Professional Membership

SECTION 4 : TRAINING AND DEVELOPMENT

Policy No. 038 : Training Application and Course Sponsorship

SECTION 5 : EMPLOYEE RELATIONS

Policy No. 039 : Employee Code of Conduct

- a) List of Codes
- b) Disciplinary Actions
- c) Guide to Disciplinary Actions
- d) Policy on Employee Relations, Grievance Handling

Policy No. 040 : Employee Grievance Handling

- a) Definitions
- b) Grievance Handling by Company

Policy No. 041 : Employee Work-Place Harassment

Policy No. 042 : Employee Communications

- a) Suggestions/Feedback
- b) Town Hall Meetings
- c) On-line Suggestion Scheme

d) Email/Internet Postings

e) Employee/Department Meeting

SECTION 6 : EMPLOYEE ADMINISTRATION

Policy No. 043 : Employee Identification Badge

Policy No. 044 : Email and Internet Usage

Policy No. 045 : Orientation Program

Policy No. 046 : Payroll Administration