



RESPONDEK & FAN

Attorneys At Law

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Dear Readers,

Singapore has taken a further decisive step towards strengthening workplace fairness and addressing discrimination. Following the passage of the second Workplace Fairness Bill on 4 November 2025, the Workplace Fairness Act ("WFA") is now expected to come into force at the end of 2027.

In this E-Bulletin, we address the key questions employers should be asking now.

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SINGAPORE: Workplace Fairness Act Expected to Take Effect End-2027

1. What exactly is the Workplace Fairness Act?

The Workplace Fairness Act is made up of two bills passed in 2025. The first bill, passed in January 2025, sets out the scope of workplace discrimination protections, employer obligations and mechanisms for addressing and remedying breaches. The second bill, passed on 4 November 2025, introduces the procedural framework for resolving workplace discrimination disputes, including a private right of action for a statutory tort of discrimination.

Together, these bills form Singapore's first statutory regime addressing workplace discrimination. The Government has indicated that the full Act is expected to take effect towards the end of 2027, later than initially anticipated, to allow employers sufficient time to prepare.

2. Who is protected under the WFA?

The WFA prohibits employers from making employment decisions that adversely affect an individual on the basis of specified protected characteristics, unless a recognised exception applies.

The protected characteristics are:

- age

- nationality
- sex (excluding sexual orientation or gender identity)
- marital status
- pregnancy
- caregiving responsibilities
- race
- religion
- language ability
- disability
- mental health condition

Importantly, these protections apply throughout the entire employment life cycle, including recruitment, promotion, appraisal, training, transfer and termination.

3. What conduct amounts to discrimination under the WFA?

Under the WFA, discrimination arises where an employer makes an employment decision that adversely affects an individual on the basis of a protected characteristic, whether as the sole reason or as one of multiple reasons, and no statutory exception applies. Importantly, an individual does not need to show that they were treated less favourably than another person in order to establish discrimination.

In addition, the WFA extends beyond individual decisions. Employers may also contravene the Act by issuing or publishing discriminatory policies, instructions or



directions, or by publishing job advertisements or role descriptions that refer (expressly or implicitly) to protected characteristics, even if no discriminatory employment decision is ultimately made.

A discriminatory act falling within the scope of the WFA constitutes a civil contravention. Depending on the severity of the contravention, the Ministry of Manpower (“MOM”) may take a range of enforcement actions, including:

- issuing directions to employers to rectify the breach and prevent recurrence;
- imposing administrative financial penalties by way of contravention notices; and
- in serious cases, commencing civil proceedings in court seeking higher financial penalties.

Failure to comply with MOM directions without reasonable excuse constitutes a criminal offence and may attract fines and imprisonment.

4. Are there situations where different treatment is still permitted?

Yes. The WFA recognises that not all differential treatment amounts to unlawful discrimination.

The Act provides for a number of lawful exceptions, including:

- genuine job requirements, where a protected characteristic is essential for the role (for example, language ability for a translator);
- age-based preferences, allowing employers to favour older candidates over younger ones in line with national policies supporting senior employment;
- citizenship-based preferences, permitting employers to prefer Singapore citizens or permanent residents;
- religion-based requirements, particularly for roles within religious organisations; and
- disability-related preferences, where an employer chooses a disabled candidate over a non-disabled

candidate.

These exceptions are intended to strike a balance between workplace fairness and legitimate business or policy considerations.

5. What grievance handling obligations will employers have?

Consistent with the WFA’s emphasis on resolving disputes amicably between employers and employees, all employers must establish and implement a written grievance handling process for workplace discrimination complaints.

In particular, employers must commit to:

- inquiring into and reviewing each grievance raised by an employee;
- informing the employee of the outcome of the grievance process in writing;
- maintaining written records of each inquiry and outcome for the prescribed period; and
- ensuring that grievance-related information, including the identity of the complainant, is not disclosed except where reasonably necessary.

The WFA also expressly prohibits retaliation against any employee who raises a grievance or assists in the grievance handling process.

6. How will workplace discrimination disputes be resolved?

The WFA introduces a structured three-tier dispute resolution framework designed to promote early and amicable resolution of disputes.

First, the affected individual must raise the issue through the employer’s internal grievance process.

Second, if the dispute cannot be resolved internally, the individual may submit a request to the Commissioner for Workplace Fairness. The dispute will then be referred to mediation by an approved mediator. For most lower-value disputes, mediation is expected to be



conducted by mediators from the Tripartite Alliance for Dispute Management (TADM).

Third, where mediation fails, the individual may commence a private action for the statutory tort of discrimination. The appropriate forum is determined by the value of the claim:

- Claims of up to and including SGD 250,000 will be heard by the Employment Claims Tribunal (ECT). The ECT operates under a judge-led model with simplified procedures and no legal representation, making the process faster, more cost-effective and accessible.
- Claims exceeding SGD 250,000 will be heard by the General Division of the High Court.

Systemic safeguards are in place to deter frivolous or vexatious claims, including powers to strike out such claims, cost sanctions, investigations for abuse of process, and restrictions on repeat claimants.

7. What should employers be doing now?

The Workplace Fairness Act represents a significant shift in Singapore's employment law landscape. Employers, particularly those with 25 or more employees who are expected to be covered at the initial stage of implementation, should begin preparing well ahead of the Act's commencement by:

- reviewing and updating recruitment, appraisal, promotion and termination policies;
- implementing or refining written grievance handling procedures;
- training HR personnel and line managers on the new obligations and protected characteristics; and
- strengthening documentation practices to support objective, merit-based employment decisions.

Smaller employers, although initially exempt, are encouraged to adopt fair employment practices early in anticipation of future reviews of the regime.