

Towards Safe and Harmonious Workplaces in Singapore Forum Questions and Replies

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Introduction

Workplace misbehaviours and mistreatment (WM) can negatively impact workers' wellbeing at work and at home, and contribute to poorer job satisfaction, work performance and commitment. A recent study by the Institute for Adult Learning on a group of WM victims showed that almost half left their job and some avoided ever working in the same industry again. The forum "Towards Safe and Harmonious Workplaces in Singapore" was held virtually on 13 February 2023, bringing together employees, employers, HR practitioners, educators, social service agencies, government agencies and other interested individuals from close to 50 organisations to discuss the findings from IAL's study on WM, issues facing workers and employers with regards to WM, and to examine strategies that can help to alleviate WM and work towards safer and more harmonious workplaces in the country. This report is a compilation of questions raised during the forum and replies from the panel of speakers at the forum. It comprises both questions answered live during the forum as well as those that could not be addressed during the event due to a lack of time.

The panel of speakers comprised professionals who are practitioners and academia working in WM and related concerns, from social service agencies, government agencies, companies, employers' and workers' associations, and academia.

Panel

Ms Sheela Awat, Head of Corporate and Compliance, AT Law Practice LLP

Ms Evelyn Kwek, Managing Director, Great Place To Work® ASEAN & ANZ

Ms Corinna Lim, Executive Director, Association of Women for Action and Research (AWARE)

Ms Chelvin Loh, Director of Jobs-Skills Insights Division in SkillsFuture Singapore.

Dr Serene Ng, Chief Operating Officer, Lee Kong Chian School of Medicine, Nanyang Technological University

Asst Prof Benjamin Joshua Ong, Assistant Professor of Law, Singapore Management University

Ms K. Thanaletchimi, Vice President, National Trades Union Congress and President, Healthcare Services Employee's Union

Mr Stephen Yee, Deputy Executive Director, Singapore National Employers Federation

IAL Researchers

Dr Ruby Toh, Principal Researcher, Institute for Adult Learning

Mr Ong Yong Liang, Researcher, Institute for Adult Learning

WM Definition

Question 1

Is workplace harassment and abuse a subset of workplace mistreatment?

Answer

Ruby Toh & Ong Yong Liang - Yes, workplace harassment, abuse and other forms of mistreatment at work such as bullying, incivility and ostracism are workplace mistreatment and behaviour.

Serene Ng - I think IAL's study is very important and I would like to champion for it to continue. In International Labour Organization (ILO)'s global study, it was found that one out of five WM victims came forward but in various degrees across countries - Asian cultures are generally more collectivistic and less individualistic, and tend to accept a certain level of deference to authority so that there is less understanding or agreement on where we draw the boundary. It is not just about inclusiveness, it is also about equality, a fair playing field for everyone where there is a safe place for people to work, and awareness of what workplace discrimination or harassment mean.

When a person gets mistreated, it is not just the individual but also the family that is affected because there is always that spill over to the family – the spouse and children. So it is more than just an individual who is victimised. The support should be at the individual level and the organisational level as workplace relations are less than ideal if there are disgruntled employees. I think today's session is very helpful for everybody to come together, champion the cause and have a sense of where we want to go. So that awareness is the first starting point. I thank IAL for this study and helping us to take this first step.

Question 2

Is it considered workplace discrimination to have different standards for male vs female workers in their professional appearance and grooming for the same job?

Answer

Sheela Awat – The answer is not clear cut even across jurisdictions that have had anti-discrimination laws in place for quite some time now. In my opinion it should not be clear cut and we should take a common-sense approach. In some circumstances there is no need for a female to have to put extra effort at grooming/appearance to do the job such as back-end administrative work, warehousing, and data analytics but customer-facing jobs especially in service industries will invariably require women to have basic grooming as a reflection of society. For example, we would not be surprised if front desk women employees in the hospitality industry would be expected to remove facial hair on the upper lip and arguably employers should not be penalised for requiring this on grounds of discrimination. However, an interesting point worth considering is whether the cost of grooming/personal appearance required for the job should be borne by the employer, and if so to what extent.

Benjamin Joshua Ong - Arguably. Courts often say that there is nothing wrong with having separate uniforms for male vs female workers per se. Different countries have different approaches.

There is a potential issue of equality, often measured in financial terms. In countries with comprehensive discrimination laws, it is straightforward to argue that a dress code can be discriminatory if it imposes a greater burden on, say, women than men, say by requiring women to wear make-up *and pay for it*, but not men.

What is trickier is stereotyping, which goes way beyond the issue of employment law. One case that stands out is the case of Darlene Jespersen (from the USA) (<https://law.justia.com/cases/federal/appellate-courts/F3/392/1076/598157/>). This was one of several similar cases decided by the US Court of Appeals for the Ninth Circuit. Jespersen was a bartender in a casino. She (and certain other female employees) was required to wear make-up, whereas male employees were not. Jespersen argued that this “forced her to be feminine” and “took away [her] credibility as an individual and as a person”. In a past case, the court had held that

“an employer may not force its employees to conform to the sex stereotype associated with their gender as a condition of employment”. However, the court later held that it was only unlawful discrimination to have separate male and female uniform or grooming standards if this imposed “unequal burdens”, for example, if women had to spend extra money paying for make-up or jewellery. Applying this, Jespersen’s claim failed because she had not shown that she was made to bear an “unequal burden” compared to male employees.

The decision in Jespersen’s case has been criticised because it fails to address the issue of stereotyping squarely. For an example of a critique (which also provides overviews of other cases), see Michael Selmi’s article *The Many Faces of Darlene Jespersen*.¹ One may contrast Jespersen’s case with the official guidance by the UK Government Equalities Office (see pages 3 to 5 for details).² Note the argument that even if requiring employees to dress provocatively is not discrimination, it may still violate a separate duty to protect employees from being harassed.

A possible argument is that gender-specific dress codes should only be allowed if there is a "bona fide occupational requirement" for this. But this needs further elaboration, otherwise it is potentially problematic. Suppose an employer argues: “Many of my customers are sexists. Therefore, it is a bona fide requirement for me to require female employees to wear make-up, short skirts, and uncomfortably high heels, since I am just upholding my economic interests by catering to customers’ tastes”. The law does need to tackle this possible argument. Indeed, this is not just a legal issue. It is also a sociological issue: should employers be stopped from pandering to customers’ (say) sexist views? For a discussion of such issues, see Lu-in Wang’s article, *When the Customer is King: Employment Discrimination as Customer Service*.³

¹ Selmi, M. (2007). The many faces of Darlene Jespersen. *Duke Journal of Gender Law and Policy*, 14, 467-490. <https://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=1121&context=djglp>

² UK Government Equalities Office. (2018). *Dress codes and sex discrimination - what you need to know*. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/709535/dress-code-guidance-may2018-2.pdf

³ Wang, L. (2016). When the customer is king: Employment discrimination as customer service. *Virginia Journal of Social Policy & the Law*, 23(3), 249-292.

Corinna Lim - So just to add to that, if it's not the law, you can certainly put it in your company policy as an inclusive employer. We've seen a lot of progress in gender equality over the last ten years, in not having double standards in what is required for men and women, and this is something that is being questioned, that is constantly evolving. Employers have to be cognizant of such matters and consult with your employees as part of a new sort of less hierarchical workplace approach, taking into account what employees want as a great place to work. That means employees should be allowed to wear makeup or not, so long as they meet the workplace requirements for that job.

https://scholarship.law.pitt.edu/cgi/viewcontent.cgi?article=1158&context=fac_articles

WM Prevalence

Question 3

Is the WM estimate of 9.5% accurate, given the lack of awareness and the fear of repercussions when reporting? Is the prevalence rate based on reported cases only?

Answer

Ruby Toh – This is an estimate based on available MOM data on workplace discrimination including job discrimination and workplace harassment personally experienced in the preceding 12 months in a national survey on the resident labour force.

Question 4

Were there certain industries at higher risk of harassment?

Answer

Ruby Toh – The study did not find a specific industry that is at a higher or lower risk of workplace harassment.

Reporting of WM

Question 5

What if the perpetrator himself plays the "victim" while committing WM?

Answer

Benjamin Joshua Ong – I think something can be learned from the experience of courts handling civil cases generally. Often, A makes a claim against B, and B makes a counterclaim against A. Sometimes, B's counterclaim is a genuine one; sometimes, it is frivolous. Courts – and, more generally, trained neutral dispute resolution professionals – are able to distinguish one from the other.

That said, I think there is scope for the law to clarify cases in which, for example, B speaks to A in an angry or intemperate manner because A was the one who provoked B in the first place. In this case, B cannot necessarily be said to have committed harassment, and, depending on the facts, the law should not blame B for escalating the issue when all B did was to complain about mistreatment by A, even if B uses a strong tone. In other words, the law should respond robustly to A's attempt at 'tone-policing' B.

Question 6

How do you influence organisation leaders to have a mindset shift from the stick to carrots? How to make the workplace safe for staff to report WM?

Answer

Evelyn Kwek - As with all things, change can only happen over time and with education. We are hoping to move the needle to normalise the narrative of great workplace cultures through a variety of ways:

- spotlighting great companies and their stories,
- demonstrating benefits of what great workplace culture does to the bottom line of business performance,

- getting senior leaders to champion and role model their commitment to build great workplace culture,
- sharing what great workplace culture actually looks like on a day-to-day basis, and
- building a big enough critical mass of Certified Companies so that companies realise that they won't be able to attract and retain talent if they are not GREAT.

In making the workplace safe for staff to report, a key characteristic of a great workplace is that they put in place multiple avenues for staff all through the year to share feedback confidentially.

Question 7

Sometimes, bullying is from a staff who is a close relative of boss. How to overcome that?

Answer

Benjamin Joshua Ong - It depends on what internal dispute resolution mechanisms the employer has. One can imagine a law requiring employers of a certain size to have an independent dispute resolution mechanism – in this case, independent of the boss and the relative.

That said, sometimes there is a conflict of interest, in that the dispute-resolver is related to, or biased in favour of one party, or there are grounds that would reasonably create an impression or suspicion of bias. That's where you probably have to turn to an outside means of resolving the dispute, for example, mediation by TADM or some other external mediator.

Question 8

What can be done to help the administrators (non-clinical professionals) in the healthcare sector who are generally treated with lower priority in terms of career progression and recognition?

Answer

K. Thanaletchimi - Workers who are working in any healthcare institution may approach the Healthcare Services Employees' Union (HSEU) to seek support and assistance on workplace issues. Email: hseu@ntuc.org.sg / Phone: +6562221227.

Benjamin Joshua Ong - One may be tempted to argue whether this counts as WM or not. But, whether or not it does, it raises much broader issues. It raises the question of distribution of opportunities between different *types* of job – this is unlike the classic cases of discrimination, in which someone is disadvantaged based on a personal characteristic such as gender, sexual orientation, race, religion, etc. It also raises the question of how administrators are seen by others in the organisation, and even by society generally.

I cannot purport to provide a perfect solution, but, to me, it is clear that this issue goes way beyond WM. If I may, I would borrow what has been said so far about education (both for those working in this sector as well as society generally), and particularly what Evelyn Kwek said about shaping workplace culture. I am not sure that this is an issue which is best tackled through legal means.

Enforcement

Question 9

Policies are only as good as it's enforcement. Even if companies are mandated to check and enforce themselves, it will just become a matter of keeping a lid on things and sweeping problems under the rug. How can we prevent this?

Answer

Benjamin Joshua Ong - In such cases, when internal dispute resolution mechanisms fail or are inadequate, the victim has no choice but to look toward an external dispute resolution process. In my opinion, how society should respond is to make courts and tribunals more easily accessible. Processes can be strengthened, as well as streamlined and simplified, say, by having TAFEP-led mediation of complaints that are less adversarial in nature. One can think of other improvements to the process. For example, fees should not be too high, and it should be possible to make claims through an easy-to-access form in simple language.

That said, dispute resolution mechanisms need to be developed so as to give employers the incentive not to sweep things under the rug. Besides dispute resolution mechanisms, in extreme cases, there might be benefit in “naming and shaming” employers against whom an adverse finding has been made.

Sheela Awat – That is why the legislators have decided to pass a law on workplace discrimination. This would be a deterrent not to sweep things under the rug as there would be repercussions for doing so. But more importantly, we need all stakeholders to play their role in creating and maintaining a fair and safe workplace environment for all in our society where a culture of zero tolerance for workplace discrimination must prevail. This is the effective mindset shift which all stakeholders (from judiciary, government, TAFEP, NTUC, employer associations, trade unions, NGOs, employers, employees as well as organisations that work for the well-being of society) must collectively encourage and work towards to yield the desired outcome.

Question 10

Is there a plan to implement WM legal requirements that ensure compliance (instead of guidelines)? Perhaps similar to MOM's national guidelines on Code of Practice on chief executives' and board of directors' WSH duties. That could ensure more justification and commitment for company HR and top management to make the necessary interventions to create meaningful impact.

Answer

Sheela Awat – Yes, the Prime Minister announced in August 2021 the decision to legislate anti-discriminatory practices by incorporating the Tripartite Guidelines on Fair Employment Practices. This is intended to cover the protection of workers against discrimination such as nationality and age biases as well as introduce penalties on errant employers.

Benjamin Joshua Ong – We are soon to see workplace discrimination legislation. As I understand it, the proposed legislation involves both dispute resolution and dispute prevention, and might provide a way for employees to sue employers and obligation by employers to commit to certain actions.

That said, there can be different kinds of legal requirements. For example, one can imagine a legal system where an employee can sue the employer for WM. One can also imagine a legal system where the main tool of the law is to require the employer to have a code of practice – in other words, the law could focus, not on having a robust *external* dispute resolution mechanism, but rather on ensuring that employers have a robust *internal* dispute resolution mechanism. Or, of course, the law could aim at achieving a combination of both.

Question 11

Besides employers, employees need to face consequences too. How can employers or initiatives work together to retrain a person who (repeatedly) commits WM? How many times before more stringent action should be taken if warnings and retraining are not helpful for an unrepentant incumbent?

Answer

Evelyn Kwek - Being a great workplace does not mean the organisation has to bend over backwards for employees who are recalcitrant or have behaviours that are not aligned with the organisation's values and are simply not right. It means that there is a due process in place, the process is accessible to all, the person has a chance to be supported, coached or counselled. The person can be asked to leave if positive changes are not observed. A great workplace ensures that everyone is treated right and with dignity.

Benjamin Joshua Ong - Under our existing law, when WM rises to the level of criminality, if someone is charged with a crime, the criminal proceedings will generally be conducted in open court where anyone can attend (including the media). If the court issues a written judgment, that too will be published. On conviction, the perpetrator will be punished. That said, WM often does not rise to the level of criminality. In addition, when WM takes the form of harassment, one can commence civil proceedings under the Protection from Harassment Act. One can often do so online via a simplified track.⁴

One can also imagine a new law giving someone the right to sue for other forms of WM and claim remedies such as monetary compensation, a court-ordered apology, a public apology, etc. Other legal systems have something like this. The upcoming discrimination law might also provide a similar avenue in Singapore.

Speaking of publicity, besides whatever the law requires, a company can put out a statement explaining why someone is fired or disciplined for WM. We see this

⁴ See <https://www.judiciary.gov.sg/civil/file-protection-from-harassment>.

sometimes when high-ranking leaders are fired for misconduct, though the company must be prepared to justify the statement lest it be sued for defamation.

Question 12

For local organisations, should there be a mandate for a neutral third party invited to assist with internal investigations, e.g., for whistle blowing cases, since there may be a conflict of interest if the CEO sets the tone for how an investigation is conducted?

Answer

K. Thanaletchimi - NTUC had cases whereby there was conflict of interest. When such a case happens, a committee or board of inquiry is called. The investigation is usually done by the human resource, and the inquiry panel consists of three independent panel members to ensure that the process is transparent and unbiased. Most good organisations have such a thorough process, but I think this is very difficult to establish in SMEs. There have been suggestions to outsource such services, and this can be done in collaboration with other companies. For example, the Association of Small and Medium Enterprises, Singapore Business Federation, and other business organisations can come together to see how they can better support SMEs when facing such difficulty.

Sheela Awat - A good grievance handling procedure in place is imperative. It can be simple but must clearly set out the process and the fact finding must be clearly documented. If the organisation has the skills set including the soft skills to handle it internally, that's fine, and if they choose to out-source, that's fine too. The essential thing is to ensure that the process is transparent, that there is a clear policy of non-retaliation, because one of the biggest concerns is that the senior person gets better treatment and trust, and the junior person is more dispensable. I think that kind of message should not go out; it has to be clear zero tolerance for all levels. If the perpetrator happens to be a senior person, then the decisions made and appropriate actions taken must be made known (and the individuals concerned need not be named) so that it builds a culture of trust in the system, that the process treats everyone equally, that the organisation is serious about creating a fair culture and

will not hesitate to take action. This is crucial, otherwise people will not speak up, and we will be back to square one.

Benjamin Joshua Ong - I think there is a role for internal dispute resolution structures. Perhaps the paradigm of “the employee versus the employer” is not always appropriate. One can imagine a company with some sort of structure where there is an independent dispute resolution authority or mechanism that is independent of others in the company, perhaps similar to the role of internal audit in a company. In other words, there are at least three parties – the perpetrator, the victim, and the employer. The employer might be the perpetrator, but not necessarily. If the perpetrator is an individual, and the problem is not systemic, we can think of the company as not just the site of the problem, but also potentially the provider of a solution. After all, stamping out WM is in the company’s interest, not just the victim’s.

Of course, where the employer is the perpetrator, for example, through discriminatory policies, then it would be better for the dispute resolution mechanism to be external to the company.

There are also times when one cannot eliminate bias or conflict of interest between an internal dispute resolution mechanism and the perpetrator. Indeed, this should extend to an appearance or reasonable suspicion of bias or conflict of interest since, as the old saying goes, “justice must not only be done but also be seen to be done”. Sometimes the only way to eliminate it is simply to give that function of dispute resolution to someone outside the organisation. I do not think it's a matter of always training someone within the company to be an unbiased decision maker because sometimes this just cannot be done. Sometimes the only way for justice to be done (and seen to be done) is precisely for the dispute to be resolved by someone who is external to the company.

Corinna Lim - My suggestion is to have really good policies and procedures that are available and transparent to employees, so that they know what to expect throughout the process. Also, it is stressful to deal with complaints, so it is best to have in hand a process that managers can follow rather than to make things up as they go along.

What does not work well is to take another company's template as your own policy without making sure that it works for your company. The way that AWARE has been doing is that during the developing processes for our clients, we will go back to the client to check on the effectiveness of the processes. Sometimes the policy needs to be updated and changed as the company gets some experience in doing an investigation, etc. Professionals can be engaged to make sure that there is a good solid start that works and incorporates all the best practices (for example, trauma and gender informed choices, etc.).

There was one company that we worked with that was concerned about people not wanting to report because they do not feel safe and feel that HR is biased. In that case, the company had what was called an ombudsman, that is, someone related to the company but does not report to the boss nor HR, who provides the options available to the person who wants to make a report so that they can think of what their next steps should be.

Handling harassment is very complex because you are dealing with highly sensitive individuals who may be traumatised. It is very important to take into account the state of mind of individuals. Soft skills are, therefore, extremely important. There may be a need to have a separation of roles for one providing the care and another who is actually managing the process of the complaint. One of the difficulties faced is that experience is needed for such matters, and building up a body of experience can be a challenge when HR personnel come and go in an organisation, which is why outsourcing is a good idea.

Question 13

How can a supervisor avoid being seen as biased when investigating a report by subordinates?

Answer

K. Thanalethimi - We have cases whereby there's an issue of conflict of interest. When this arises, we must eliminate, or at least minimise the biasness.

Sheela Awat - One has to ensure that the process is transparent to build a culture of trust in the system. Also, if the supervisor investigating has a conflict of interest, he / she must step down and someone else should step in to conduct the investigation. Organisations should ensure that this message of zero tolerance for workplace mistreatment applies across the board and supervisors and people managers must be informed that they are expected to act on that basis. This is so that the company can be seen as being serious about creating a fair culture, and will not hesitate to take action, and the process will be one in which everyone will be treated fairly. This is crucial if you want employees to want to speak up and complaints to be heard.

Benjamin Joshua Ong - Regarding the body of law governing how investigations are to be performed not just by state authorities but also by the company, one needs to consider the structures that are put in place for dispute resolution. We would need to move beyond the paradigm of thinking of supervisor versus subordinates. One can imagine, for example, an independent dispute resolution mechanism or authority, similar to an internal audit compliance at the workplace. Sometimes the only way to eliminate the conflict and for justice to be done and seen to be done, is simply to give that function of dispute resolution to mediators outside the organisation.

Evelyn Kwek - When it comes to wanting to manage the perception of bias, I do not think it just boils down to the specific incidents but it also involves workplace culture. At Great Place To Work, some of the questions that we asked in our survey is whether managers avoid playing favourites in the organisation. One of the things we observe in the best equipped workplaces is that their leaders try to minimise the

perception of bias or favouritism through frequent communication. In such workplaces the perception of favouritism can be reduced through frequent communication with the whole team of staff, where decisions and their rationale are explained to employees, and where opportunities for development and growth are given and distributed across team members. These are measures leaders can take to reduce the perception of favouritism. In a workplace where employees are confident that the leaders do not practice biases, when incidents happen, the probability of the employee thinking that the supervisor will be biased will be lesser. So do not wait till something has happened, but on a day-to-day basis, build an open culture, a culture where employees feel safe, where employees know that there are values in which their behaviours are guided. By the time incidents do happen, employees will feel that they will be dealt with in a very fair and even-handed manner.

Question 14

How are organisations assessed if the application of the tripartite standards are really happening?

Answer

Benjamin Joshua Ong - Currently, the main legal response is that if an employer does not meet certain standards, MOM can be less willing to approve their applications to hire foreign employees. Of course, this is not perfect. For one thing, not all employers hire foreign employees at all. Besides, the solution does not tackle the root of the problem. That is why I look forward to the upcoming anti-discrimination law, which should provide a better and more targeted solution.

There are multiple possible models. One possibility is to give employees the right to sue the employer. That would leave it up to victims to initiate the legal process by making a complaint. Of course, this depends on them knowing their rights and being willing and able to complain without fear of retaliation. Alternatively, the law could allow someone to make a complaint on behalf of another.

A possible variation on this is to have some kind of commission which an employee can complain to. The commission could then be empowered to investigate and carry out fact-finding, and possibly make recommendations or even orders. This would be easier on the employee than a lawsuit, in which traditionally the claimant (here, the employee) would have to bear the burden of gathering all relevant evidence.

One can also imagine other possibilities which do not depend on an individual victim stepping forward to complain. One thing I can imagine is requiring periodic confidential surveys of employees (using a standardised survey form), and monitoring the results for “red flags” that may warrant further investigation.

Yet another possibility is to incentivise employers to go beyond the baseline, for example, through some sort of accreditation or award scheme. I understand that one such scheme is TAFEP’s Tripartite Standards scheme.⁵

Question 15

Is NTUC making any effort to address WM within the self-help groups in Singapore?

Answer

K. Thanalechimi - Workers should feel empowered to raise any potential incidents of workplace mistreatment to the company management. NTUC actively champions the interests of every worker and stands ready to assist any workers who may be facing workplace issues. Workers who feel that their concerns are not being addressed can also seek help from NTUC or the union.

⁵ The Tripartite Standards are a set of good employment practices that employers should implement at their workplaces such as fair recruitment practices, flexible work arrangements, grievance handling processes and age-friendly practices. <https://www.tal.sg/tafep/getting-started/progressive/tripartite-standards>

Education, Training and Resource Guide

Question 16

For IAL's Delphi study, the recommendation by the experts that "supervisors participate in training on leadership, team building and effective communications", are there mandated courses and training hours for supervisors to attend?

Answer

Ruby Toh & Ong Yong Liang – No, there are currently no mandated requirements for all supervisors or those in managerial positions to attend training.

Question 17

Moving forward, what steps are or will be taken to ensure that all HR personnel are duly trained to handle workplace discrimination? Is such training mandatory to ensure alignment with proposed policies?

Answer

Benjamin Joshua Ong – One potential downside of making such training mandatory is that it may end up being seen as just another hoop to jump through. I echo Evelyn's views on encouraging people to truly believe in the need for such policies and to positively subscribe to them, and genuinely want to be a "great place to work". To put it another way, instead of top-down regulation, it is better to encourage self-regulation.

Sheela Awat – Mandatory training for all HR personnel may not be feasible or necessary but it is worthwhile for larger employers to consider establishing a Fair Workplace Team (with representative of senior management, union (if the company has a union) and HR) to keep abreast of the requirements and advise the employer on their responsibilities in this area, oversee the organisation's grievance handling

procedures, scope of training for various segments of staff and conduct investigation on claims of misconduct generally.

Chelvin Loh - There are many aspects of training, and it is not just understanding what is harassment or discrimination. It is also how to create a culture where staff is engaged so that they are more willing to share when such instances happen to them. We have seen a large increase in the demand for skills in mental health, wellness, counselling and employee engagement. The demand for such skills is coming from different job roles, including HR professionals and employees in functional areas working in teams. This is an area that enterprises need to invest in pre-emptively, and there are many courses today such as those by polytechnics, universities, NTUC Learning Hub, SNEF, Singapore Human Resources Institute (SHRI) and others on managing employee grievances, peer-to-peer mental counselling, wellbeing support, and positive psychology. It would be helpful to have a central repository of such courses, the providers, and funding available. These courses can be found on MySkillsFuture portal and Enterprise portal for jobs and skills.⁶

IAL's study also found that employees who were more engagement-focused in their coping strategies were 2.2 times more likely to cope better with workplace mistreatment and switch out of their occupation, as were those with better Critical Core Skills. And vice versa, it was 0.6 times less likely for those who showed signs of disengagement. Therefore, enterprises that want to retain their staff will need to develop their skills in this area. Another study by IAL conducted in 2020 on employees' Critical Core Skills in large and small companies across industries concurs with this finding, that self-management skills is one of the most important skills set needed, especially self-awareness and ability to engage with and regulate your own emotions and manage your well-being. Other core skills needed are problem solving, collaboration, communication and building inclusivity. But training such soft skills is not always easy. Organisations want to train functional leaders and peer leaders to be able to communicate better, to be able to counsel and coach

⁶ MySkillsFuture <https://www.myskillsfuture.gov.sg/content/portal/en/index.html>. Enterprise Portal for Jobs and Skills <https://www.gobusiness.gov.sg/enterprisejobskills/>

their staff especially when WM happens, and to have a safe environment for employees. Other skills that are important include health and wellness related skills such as mental health support, peer support, resilience, self-care, coaching and counselling skills. These are important new skills that HR professionals need to have, including knowing how to take a neutral stance, how to manage situations when staff reach out to them on WM issues, and also for employees to know what constitutes WM and when to make a report.

Stephen Yee - There are tripartite guidelines but the concern is that companies may not have these available and are still not working towards them. It is important for business leaders, supervisors and HR professionals to understand and know how to handle WM. They need to understand these guidelines clearly, and the proposed Workplace Fairness legislation as well. Staff need to know the guidelines, how to document WM cases, report them and seek assistance.

Training is one aspect where one can be aware of the knowledge and skills, but there must also be a strategy in terms of addressing WM. It is important for a company to put in place the policy and process, such as grievance handling policy and process, and provide access to that system and information available, and so on. I think these are the things that need to be strengthened, for example, by bringing in other consulting partners to formulate the whole system.

I like to echo Chelvin in that we should look at various modes of training such as online self-directed learning that comes at bite sizes of, say, half a day. The training should cover awareness building, procedures and processes in handling WM cases, including cases that involve litigation. We need to create the support mechanism for companies struggling with handling the legislation, how to support SMEs and fund some aspects such as training. At SNEF, we not only train employers but also do consultancy work to help companies set up such a system and support mechanisms that may be unique to the industry and require customisation.

Question 18

The panel discussions are addressing WM at adulthood. What is being done to educate at early childhood and parenting on character development of children and education in classrooms?

Answer

Benjamin Joshua Ong - One suggestion considered by IAL study's expert panel is to educate young people who are about to join the workforce on their rights. In my opinion, as far as character education goes, what is necessary is not only character education itself, but also to emphasise how the lessons from it translate into the workplace. For example, children are taught not to bully others, but do young adults understand what forms bullying take beyond the playground or school? Do they understand specifically how one can stand up for oneself at work? One can go even further. Do they understand what work is, and can be? Do they think of it as just a place where one does unpleasant things in return for money? Do they see suffering mistreatment as part and parcel of working? Or have they been taught to see work as – and to demand that work be – a source of opportunities to learn and to thrive, and a place where dignity is respected and where social norms against bullying and discrimination carry the same (if not an even greater) weight?

Question 19

Training opportunities and coaching etc. need to be complemented by the right culture and organisational values. How do we address the issues of organisational culture and value system?

Answer

Evelyn Kwek - You are right. Employees need to feel psychologically safe in the workplace and the workplace culture plays a critical role. This is why you hear from Chelvin from SSG earlier on how there are lots of training programmes and content out there to share about the importance of employee engagement, and resources to help companies build good workplace culture. There is definitely more that can be done, and there are ongoing efforts in both the public and private sectors.

Sheela Awat – Just to add that we must ensure there is not just quantity but quality too. Quality of the training programmes customised for the relevant participant groups to ensure that the training is engaging, is equally, if not more, important.

Question 20

It is good to hear that there are many avenues and agencies such as SNEF, NTUC, AWARE supporting WM issues. Is there any consolidated information guide or reference on whom to approach for which type of WM issue? This would be useful for companies who are new to this and would like to embark on the improvement process?

Answer

Ruby Toh & Ong Yong Liang – Yes, resources are currently available on these agencies' websites including TAFEP. One of the recommendations by IAL study's expert panel is to have a national framework and resource guide. This will be looked into.

Question 21

This is an excellent study. How can we ensure that the initiatives recommended are implemented and enforced justly? Will there be another study to evaluate the effectiveness of these policies?

Answer

Ruby Toh – From this study, we hear voices of WM victims and recommendations by the expert panel. The findings have been shared with the relevant agencies and authorities including TAFEP. We hope that they will provide further support to the important work that these agencies have been doing, and spark further conversations and actions that can help to encourage all workplaces to be safe and harmonious workplaces. IAL's current research includes examination of issues related to WM and wellbeing. The researchers will be glad to engage with like-minded researchers and practitioners in this regard.

On how one can ensure that the initiatives implemented are enforced justly, a combination of careful implementation appropriate for the company's existing culture, policies and practices is important, as well as regular training and communication among all staff, and continuous assessment for improvements. Please see also the replies to questions 13 and 14 on this matter.

For more discussions on WM, we invite interested individuals to refer to the forum recording at <https://www.ial.edu.sg/research/our-research/wm-study/>.