

New Tripartite Guidelines on Flexible Work Arrangement Requests Effective December 2024

On 16 April 2024, it was announced that the Singapore Government has accepted all 10 recommendations by the Tripartite Workgroup on the [Tripartite Guidelines on Flexible Work Arrangement Requests \(Guidelines\)](#).

The Guidelines are intended to shape the right norms and expectations concerning flexible work arrangements (**FWAs**) by delineating the process by which employees submit formal FWA requests and how employers and supervisors should handle such requests.

The Guidelines cover only formal FWA requests, which are long-term arrangements that require planning. They do not cover informal *ad hoc* arrangements such as requests by employees to start work later on a particular day.

The Guidelines will come into effect on 1 December 2024. They are mandatory and employers are expected to abide by them. Like the other tripartite guidelines, they supplement the law and the Ministry of Manpower (**MOM**) can take action against non-compliance, e.g., by withholding work pass privileges of errant employers. The Tripartite Alliance for Fair and Progressive Employment Practices (**TAFEP**) and the MOM will further make reference to the Guidelines when handling cases relating to FWAs.

Key Takeaways

In anticipation of the Guidelines coming into effect on 1 December 2024, employers should start looking to put in place an FWA policy that sets out information such as the organisation's eligibility guidelines for formal FWA requests, the requirements for formal FWA requests, template forms for formal FWA requests and template review forms for managers and supervisors.

The human resources (HR) team, as well as managers and supervisors, of the organisation should also be trained / briefed on the FWA policy and requirements relating to formal FWA requests so that they can be equipped to handle requests and queries from employees.

When considering an FWA request, employers should have evidence of the process they adopted for that request, particularly if the FWA request is rejected. This evidence would be useful in the event that a disgruntled employee escalates the matter to TAFEP / the MOM.

Flexible Work Arrangements

FWAs are work arrangements where employers and employees agree to a variation from the standard work arrangement. The three broad categories of FWAs include:

- (a) **Flexi-place:** where employees work from different locations outside of office;

- (b) **Flexi-time:** where employees work flexibly at different timings with no changes to their total work hours and work load; and
- (c) **Flexi-load:** where employees work flexibly with different workloads and with commensurate remuneration.

Formal FWA Requests – Who, How, When?

Who can make a formal FWA request?

Under the Guidelines, employees who have completed probation can make a formal FWA request. Employers are not required to, but can, consider FWA requests from employees on probation and state their FWA policy in job advertisements and interviews.

Employees should act responsibly when requesting and using FWAs, bearing in mind the impact on their workload and performance as well as the impact on their team and clients, where relevant to their job roles.

How should a formal FWA request be made?

Under the Guidelines, every employer should put in place a process for employees to formally request FWAs. Employers can choose to stipulate certain requirements regarding the template of, required information in, or mode of submission for, a formal FWA request (e.g., whether the request should be submitted *via* a work portal or by email). Employees must adhere to such requirements when making a formal FWA request.

If employers do not prescribe any such requirements or process, an FWA request made in accordance with the requirements set out in the Guidelines will be considered a formal FWA request. Under the Guidelines, a formal FWA request needs to be in writing and should include the date of request, the FWA requested (including its expected frequency and duration), the reason for the request and the requested start and end date (if relevant).

How should an employer consider FWA requests?

Employers should properly consider formal FWA requests. Employers and employees are encouraged to discuss FWA requests in an open and constructive manner and come to a mutual agreement on how best to meet both organisational and employees' needs. Each employee's request should be evaluated on a case-by-case basis.

Employers are encouraged as far as reasonably practical to explore ways to accommodate FWA requests. They should reject FWA requests based only on reasonable business grounds (e.g., cost increase for the employer, decrease in individual or team output or productivity and impracticality of the FWA due to the nature of the employee's job) and not due to reasons such as personal bias against FWAs generally or a general reluctance to depart from tradition or custom.

What is the timeline for deciding FWA requests?

Employers who receive a formal FWA request should provide the employee with a written decision within two months from receiving the request.

Where the formal FWA request is rejected, employers should provide the reason for such rejection in the written decision. Employers are also encouraged to discuss alternatives with the relevant employee if the FWA request is rejected.

If you would like information and/or assistance on the above or any other area of law, you may wish to contact the partner at WongPartnership whom you normally work with or any of the following Partners:



Jenny TSIN

Co-Head – Employment

d: +65 6416 8110

e: [jenny.tsin](mailto:jenny.tsin@wongpartnership.com)

[@wongpartnership.com](https://www.wongpartnership.com)

Click [here](#) to view Jenny's CV.



Vivien YUI

Co-Head – Employment

d: +65 6416 8009

e: [vivien.yui](mailto:vivien.yui@wongpartnership.com)

[@wongpartnership.com](https://www.wongpartnership.com)

Click [here](#) to view Vivien's CV.



LIM Jia Ying

Partner – Mergers & Acquisitions

d: +65 6416 8247

e: [jjaying.lim](mailto:jjaying.lim@wongpartnership.com)

[@wongpartnership.com](https://www.wongpartnership.com)

Click [here](#) to view Jia Ying's CV.

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WPG MEMBERS AND OFFICES

- contactus@wongpartnership.com

SINGAPORE

-

WongPartnership LLP
12 Marina Boulevard Level 28
Marina Bay Financial Centre Tower 3
Singapore 018982
t +65 6416 8000
f +65 6532 5711/5722

CHINA

-

WongPartnership LLP
Shanghai Representative Office
Unit 1015 Link Square 1
222 Hubin Road
Shanghai 200021, PRC
t +86 21 6340 3131
f +86 21 6340 3315

INDONESIA

-

Makes & Partners Law Firm
Menara Batavia, 7th Floor
Jl. KH. Mas Mansyur Kav. 126
Jakarta 10220, Indonesia
t +62 21 574 7181
f +62 21 574 7180
w makeslaw.com

MALAYSIA

-

Foong & Partners
Advocates & Solicitors
13-1, Menara 1MK, Kompleks 1 Mont' Kiara
No 1 Jalan Kiara, Mont' Kiara
50480 Kuala Lumpur, Malaysia
t +60 3 6419 0822
f +60 3 6419 0823
w foongpartners.com

wongpartnership.com

MIDDLE EAST

-

Al Aidarous Advocates and Legal Consultants
Abdullah Al Mulla Building, Mezzanine Suite 02
39 Hameem Street (side street of Al Murroor Street)
Al Nahyan Camp Area
P.O. Box No. 71284
Abu Dhabi, UAE
t +971 2 6439 222
f +971 2 6349 229
w aidarous.com

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Al Aidarous Advocates and Legal Consultants
Oberoi Centre, 13th Floor, Marasi Drive, Business Bay
P.O. Box No. 33299
Dubai, UAE
t +971 4 2828 000
f +971 4 2828 011

PHILIPPINES

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Gruba Law
27/F 88 Corporate Center
141 Valero St., Salcedo Village
Makati City 1227, Philippines
t +63 2 889 6060
f +63 2 889 6066
w grubalaw.com