
Singapore: Fair consideration framework – additional guidance includes advertising exemptions

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In brief

On September 23, 2013, the Ministry of Manpower (MOM) announced the Fair Consideration Framework (FCF) designed to ensure that fair consideration is given to Singaporeans before approving employment passes for foreign professional workers. The FCF includes a mandatory advertising requirement, increased scrutiny of HR practices, and enhanced employment pass qualifying requirements.

While the MOM are still working to finalise the specific implementation details before August 1, 2014, further details on the changes were recently provided to PwC following meetings with MOM. Most notably, details regarding exemptions from mandatory advertising were provided. It is expected that these details and other implementation arrangements will be confirmed by MOM in due course. This Insight provides a high-level description of this guidance.

In detail

Exemption for intra company transfers

The FCF requires employers to advertise a job opening prior to submitting an employment pass application for that job. See

previous [Global Watch](#). The FCF exempts small companies with 25 or fewer employees and jobs paying a fixed monthly salary of SGD12,000 and above from the advertising requirement. In addition, intra

company transfers falling under one of the categories below will be exempt from the advertising requirement:

Position within the organisation	Definition/role
Manager	<ul style="list-style-type: none"> • primarily directs the organisation or a department or subdivision of the organisation • supervises and controls the work of other supervisory, professional, or managerial employees • has the authority to hire and fire or take other personnel actions (such as promotion or leave authorisation) • exercises discretionary authority over day-to-day operations
Executive	<ul style="list-style-type: none"> • primarily directs the management of the organisation • exercises wide latitude in decision making • receives only general supervision or direction from higher level executives, the board of directors, or stockholders of the business
Specialist	<ul style="list-style-type: none"> • possesses knowledge at an advanced level of expertise; and • possesses relevant knowledge of the organisation's service, research, equipment, techniques or management.

Jobs bank ID

The jobs bank is used to satisfy the advertising requirement described above. Companies applying for employment passes for foreign employees filling positions for the same role will be able to submit the same advertisement ID number from

the jobs bank provided that this is specified in the advertisement.

The takeaway

HR recruitment teams must identify roles with more than one available vacancy at the onset in order to minimise any delays to the

employment pass application process if more than one foreign candidate is selected for a role.

Let's talk

For a deeper discussion of how this issue might affect your business, please contact a member of your International Assignment Services (IAS) engagement team or the following professionals from IAS in Singapore:

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