

Constructive Dismissal

Introduction

With effect from April 1st 2019, the definition of Dismissal under the Employment Act would be as follows:

“dismiss” means to terminate the contract of service between an employer and an employee at the initiative of the employer, with or without notice and for cause or otherwise, and includes the resignation of an employee if the employee can show, on a balance of probabilities, that the employee did not resign voluntarily but was forced to do so because of any conduct or omission, or course of conduct or omissions, engaged in by the employer.”

Harassing or bullying an employee to the extent that he or she is forced to resign is defined in law as Constructive Dismissal or Discharge. This issue has been deliberated not only in Singapore, but also in other Commonwealth Courts of Law. What acts of commission or omission by the employer could be construed as grounds for a claim of Constructive Dismissal, and how should employers pre-empt and deal with such claims.

Course Objective

Harassment is also an issue dealt under the Prevention from Harassment Act, and the clinic seeks to examine the differences in the legal remedies stipulated in both legislations.

Target Audience

Employers, HR Managers/personnel, Supervisors and executives.

Course Outline

- Constructive Dismissal – who will be protected under Employment Act
- What constitutes Constructive Dismissal – a study of Singapore and Commonwealth Case Laws
- What employers should and can do to pre-empt such claims
- Harassment before Resignation – Employment Act *vis-à-vis* Prevention From Harassment Act
- Case discussion

Methodology

Mix of lectures, examples, case studies & discussions. Exchange of cross-industry practices for wider understanding of different situational experiences.

Course Fees

Fees Type	Full Fees (inclusive 7% GST):
Member	\$267.50
Non-member	\$374.50

Trainer

Ms Linda Ang is a Senior IR Consultant in SNEF. She provides human resource management/ industrial relations advice and services to clients. She has also been conducting courses on HR/IR topics in centre, as well as crafting and presenting customised training programmes based on employers' requests and requirements.

Duration : 0.5 days, 3.5 hours
1.30pm to 5pm
Course Venue : SNEF Corporate Learning
Centre @ Tanglin

Register online at SNEF website www.snef.org.sg

Click on 'Training' and Course Category
'Human Resources/ Industrial Relations'

Enquiries:

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