

Get Ready for Singapore's New Anti-Discrimination Law: 4 Steps for Employers to Take Now

Insights

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Businesses in Singapore should be aware of new measures aimed at improving workplace fairness. Together, two new laws will create the city-state's first unified framework addressing workplace discrimination and are slated to take effect at the end of 2027. We'll discuss the core features of the legislation and what employers need to know as you prepare for compliance.

Key Aspects of the New Laws

- **Discrimination prohibited:** The Workplace Fairness Act (WFA), which was passed in 2025, prohibits discrimination at every stage of the employment relationship, including recruitment, hiring, training, performance evaluation, promotion, and dismissal.

Under the new law, an employer may not take an adverse employment action based on an employee's or job-seeker's protected characteristics, such as age, nationality, sex, marital status, pregnancy, caregiving responsibilities, race, religion, language ability, disability and mental-health conditions. The act codifies principles that were previously reflected only in the Tripartite Guidelines on Fair Employment Practices.

- **Imposes civil penalties:** Workplace discrimination is a civil violation under the WFA. Employers may face administrative penalties, and serious cases can lead to fines of up to S\$50,000 – or S\$250,000 for repeat breaches (about USD \$38,770 and \$193,850 respectively).
- **Creates a statutory tort and new process:** Additionally, Singapore's parliament passed the Workplace Fairness (Dispute Resolution) Bill to flesh out the claims process promised by the WFA. Notably, the bill creates a statutory tort of discrimination, which allows employees to sue employers directly. We'll discuss that more below.
- **Dual forum system:** Claims up to S\$250,000 (USD \$193,850) will be heard by the Employment Claims Tribunal (ECT) under simplified procedures without lawyers, while larger claims go to the High Court where legal representation is permitted.
- **Strict time bars:** Claimants must lodge a mediation request within strict time bars: one month after non-hire decisions and six months for in-employment decisions. End-of-employment disputes generally must be raised within one month.

- **Grace period for employers:** The new laws will be implemented by the end of 2027, giving employers a two-year grace period to review policies, educate managers, and build discrimination-free workplace cultures.

3-Step Dispute Resolution Process

1. Grievances

Every employer must implement a clear internal grievance-handling procedure. Workers who believe they have been discriminated against must first raise the matter internally, so the company has a chance to resolve the dispute amicably. This step encourages dialogue and gives organizations the opportunity to address issues before they become legal claims.

2. Mediation

If an internal grievance cannot be resolved, the claimant must submit a mediation request to the Commissioner for Workplace Fairness within the prescribed time bars. Mediation is mandatory and aims to facilitate settlement without the cost and stress of litigation. In most cases, mediation requests for non-hiring decisions must be filed within one month of the decision. Employees who experience discrimination during employment generally have six months, and those challenging end-of-employment decisions must act within one month of their last day. Extensions may be granted in limited situations, such as for pregnant or injured workers. Time bars aim to ensure that claims are brought promptly, thereby providing employers with certainty and preventing stale allegations.

3. Adjudication

If mediation fails, claims proceed to adjudication. The legislation provides a dual forum system: the Employment Claims Tribunal will hear workplace discrimination claims up to S\$250,000 (approximately USD \$193,850), while claims exceeding that amount will be heard in the High Court.

ECT proceedings are streamlined and conducted in private. Parties must represent themselves, although union representation is permitted under specific conditions. High Court proceedings allow legal representation but will still employ a judge-led approach to focus the issues and expedite matters.

Safeguards Against Frivolous or Duplicative Claims

The dispute resolution framework incorporates measures to deter frivolous litigation. The ECT and High Court have authority to strike out claims that lack merit and may impose adverse cost orders on claimants who bring unfounded cases. The statute also prohibits duplicative proceedings, meaning identical claims cannot be pursued in multiple forums simultaneously.

Practical Steps to Consider Taking Now

- 1. Align Processes:** All employers, including small and medium companies and foreign companies entering the Singapore market, should formalize discrimination grievance, investigation, and appeal procedures to align with the new statutory framework.
- 2. Review Employment Practices:** Employers should review and update job advertisements, recruitment practices, and internal decision-making processes to eliminate potential bias, and ensure that employment decisions are properly documented to demonstrate compliance.
- 3. Training and Culture Change:** Managers and human resources staff should receive periodic training to identify unconscious bias and handle complaints with sensitivity and confidentiality (and, as a best practice, document all training).
- 4. Prepare Early:** Employers should start this process early and use the two-year implementation period to audit policies, update contracts, and educate staff on the WFA's requirements.

Conclusion

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Related People



Nazanin Afshar
Partner
818.230.4259
Email



Omeed Askari-Behbahani

Associate

858.964.1587

Email

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