

ACUMEN'S SINGAPORE ESSENTIAL EMPLOYMENT MANUAL BY MARTIN V MARVINI, LEE LEONG KENG, VINCENT GABRIEL, SURESH KUMAR AND SUCHITRA VASU [Singapore: Acumen Publishing Co Pte Ltd, 2002. 396 pp (including index) with CD-ROM. Hardcover: \$495]

AT first glance, one may be inclined to misconceive this book as a practitioner's handbook *a la* Butterworths Handbook of Singapore Employment Law. However, on stricter scrutiny, one notices that the word "law" is missing from the title. As the Introduction of this book states, "[t]here is a need to see the overall picture of the employment relationship in order to better understand the fundamentals of employment contract and more importantly, to go beyond the basics and develop a good relationship". On such premise, the author manages to draw together both the legal and human resource management issues in one convenient volume.

Written mainly for the lay person and human resource management practitioners, this book comprises three parts. Part I describes the recruiting process, where the legal focus is on the statutory provisions regulating employment, and the drafting of employment contracts and contracts of services. The multi-disciplinary slant of this book is clearly manifested in the first chapter. It first dwells on the employer's perspective, providing guidelines for manpower planning, drafting of job advertisements and the conduct of the employee selection process. The next section, interestingly, offers practical advice to the lay person conducting a job search, with tips on writing the resume and the job application letter, pre-interview preparation and coping with the interview itself.

Part II deals with non-legal issues centred on the process of managing and developing the employment relationship. Recognising that good employment relationships should go beyond legal obligations, it explores the modern concepts of employee involvement, the employee development process, and family friendly and flexi benefits at the workplace. The practical focus of this book means that there is much emphasis on how one goes about implementing these enlightened views on managing today's employees. As such, it describes the various methodologies involved such as the conduct of induction and orientation programmes, training needs analysis, training programmes, *etc* and the design of a simple job evaluation process, appraisal system, *etc*.

Part III is concerned with the end of an employment relationship. One chapter discusses the legal issues arising from termination by way of breach of contract, retrenchment, retirement, *etc*. The other chapter titled "Facing the Economic Crisis" may be of much relevance in our current context of the global economic downturn. Besides a comprehensive account of the schemes launched by the government and various community and social groups to assist retrenched employees, it offers wide-ranging advice on how both employees and employers can cope with the economic crisis, from tips on maintaining employability to pointers on how Small and Medium Enterprises can obtain help to keep afloat without mass retrenchment.

Given that this book aims to provide a general perspective in the area of employment, and it is not confined to the legal issues involved, the reader should not expect a sophisticated level of legal analysis nor detailed handling of difficult cases and controversial areas of the law. An example can be found in the area of restraint of trade provisions where it is typically difficult to ascertain whether a particular restrictive covenant is enforceable. In this book, it is stated that legitimate interests that an employer may protect include business connections. True enough, it has been held that a covenant may lawfully prohibit an employee from accepting a position with the employer's competitors so as to be likely to destroy the employer's trade connections by misuse of his acquaintance with the employer's clients: *Heller Factoring (Singapore) Ltd v Ng Tong Yang* [1998] 3 SLR 299. Unfortunately, the position may be complicated by the fact that one must engage in a balancing exercise of various factors such as the nature of the employee's employment and seniority in the firm, whether he is in a position of access to and influence over the firm's clients, the fragility of the connection between the firm and its clients in light of the nature of the business, *etc.* One should be prepared that such subtleties of legal issues are not addressed in this book.

On the other hand, one may be disappointed that this book makes no mention of certain issues which are of growing significance in recent years. For example, the increased sophistication of surveillance and information technology with its powerful capacity to collect, analyse and disseminate information about individuals mean that the protection of data privacy is becoming increasingly important. Though Singapore currently has no legislation dealing with privacy (unlike the UK which has promulgated the Data Protection Act 1998), an attempt to elucidate common law principles possibly applying may have been helpful. Another example is that enlightened employers are beginning to adopt workplace policies to provide a working environment that is respectful of all people and where behavior which is discriminatory, harassing or bullying in nature does not occur. In line with the multi-disciplinary perspective of this book, a section providing guidelines on how to design and implement such policies would probably have raised the value of this book. However, such omissions are perhaps inevitable in a book that does not profess to be a comprehensive text on employment law.

Notwithstanding the above, the strength of this book lies in its readability and provision of a practical approach to the topics without bogging the reader down with technicalities. Written in a crisp, succinct style, it summarises salient common law and statutory principles. These are typically illustrated by side notes of Commonwealth cases and example scenarios. These example scenarios are very useful in helping the reader understand the principles set out, especially in topics dealing with rather intricate calculations of the wage structure which includes annual wage supplements, monthly variable components, *etc.* In addition, this book comes with useful appendices with sample documents ranging from

precedents of contracts of services for employees in various positions to samples of a resume, a letter of resignation, a letter of retrenchment, customer feedback forms, *etc.* Soft copies of these appendices are stored in the CD-ROM for easy reference and usage. An obvious caveat is, of course, that the reader should note that the considerations applying to each employment situation tend to vary, and thus use these specimens and precedents with caution.

Overall, this book is a handy quick reference guide to issues arising in the entire cycle of the employment in Singapore. For the lay person, the absence of legalese is welcome; and for the lawyer new to this area, it offers a good starting point and background for further research.