TRIPARTITE ADVISORY ON ENSURING SUSTAINABILITY OF THE LANDSCAPE SECTOR IN VIEW OF COVID-19

Introduction

1. This advisory provides recommendations on measures that service buyers and service providers should adopt to ensure the business sustainability of the landscape sector in view of COVID-19.

Impact of COVID-19 on the Landscape Sector

2. The COVID-19 pandemic has disrupted landscape maintenance services, which are widely used across Singapore. Service buyers, service providers, and landscape workers have been adversely affected. As the pandemic is expected to be long-drawn, close cooperation among all stakeholders is needed to ensure the business sustainability of the landscape sector.

3. Most landscape maintenance services are outsourced. Therefore, service buyers play a critical role in supporting operational changes that will enable service providers to retain their resident landscape workers and continue to develop their capabilities. By adopting a consultative approach, service buyers may be assured that essential landscape maintenance services will still be available during this period and even be of higher standards as the economy recovers and economic activities resume towards pre-COVID levels.

4. Company policies and business-as-usual mindsets should be revised for the long-term viability of the sector. The focus should be on greater efficiency and better quality of service with no compromise on employee welfare. A new norm of landscape maintenance practices will be expected.

Recommendations

Ensure workplace safety and health of landscape employees

5. Service buyers and providers must ensure that Safe Management Measures[1] are put in place. This includes adopting COVID-safe measures applicable to the landscape sector, such as safe accommodation and safe transport. The nature of landscape work requires employees to be outdoors. They should ensure that workers are given enough rest to minimize fatigue-related accidents/incidents and heat-related disorders. They should be provided with suitable personal protective equipment and taught how to use them correctly. In addition, cleaning/disinfecting agents (e.g.

[1] For more information, see www.mom.gov.sg/covid-19/requirements-for-safe-management-measures for general workplace requirements and https://www.nparks.gov.sg/-/media/cuge/pdf/nparks-lias-covid-safe-landscaping-guidelines-version-28-jul-2020-(1).pdf for requirements specific to the landscape sector.

sanitisers) should be provided and employees should be reminded to practise good personal hygiene at all times. Workers should have access to proper and reasonable rest areas in or near their work premises[2]. As adjustments to work processes and work teams will be required, service buyers should similarly adjust their expectations. This will help ensure that employees are kept safe at work, and landscape companies are not put at risk of flouting Safe Management Measures.

Prioritisation of landscape maintenance activities

6. Service buyers should exercise flexibility and work with service providers to review landscape maintenance needs. Landscape maintenance works that are essential to maintain public safety and health should continue. This includes tree inspections, pruning, removal of fallen and diseased trees, pruning of vegetation that may obstruct traffic and road and rail related structures, basic park maintenance to remove hazards and maintain hygiene, grass cutting, watering to mitigate drought conditions, stock management and maintenance of ornamental nurseries.

7. Private properties, which are self-regulated or managed by management councils, should review the landscape maintenance frequency at lower priority areas. Redistribution of work from lower to higher priority areas helps to manage the workload of landscape workers consistent with their normal scope of duties, while maintaining service levels. In general, service buyers should consider exercising their discretion to provide additional payments to service providers and landscape workers (see also para 11) where more services have been rendered.

8. Should the need to redeploy employees to other worksites arise, service providers should do so responsibly and on reasonable terms. They should engage their unions and affected employees prior to any redeployment or adjustments to their job scopes.

Exercise restraint in activating penalty clauses

9. Service buyers should exercise flexibility with service contract clauses during this COVID-19 period. In particular, liquidated damages contract clauses should not be imposed on service providers for breaches beyond their control.

Prompt payment of fees in accordance with contract terms

10. Service buyers should pay service providers promptly as per contract terms if there have been no changes in landscape services required. Specifically, service buyers should not ask for reduced contract fees on the basis that their service providers are receiving wage support through the enhanced Jobs Support Scheme which is intended to help enterprises retain their local employees during this period of economic uncertainty. Should there be any significant change in landscape maintenance services required or provided, service buyers and service providers

[2] For more information, please refer to the Tripartite Advisory on provision of rest areas for outsourced workers at www.mom.gov.sg/-/media/mom/documents/employment-practices/guidelines/tripartite-advisory-on-provision-of-rest-areas-for-outsourced-workers.pdf.

should negotiate to reach a mutually agreed revision to payments for the landscape maintenance services. Fee payments should be fair, transparent and proportionate to outcomes achieved.

Remunerate Workers Appropriately

11. Service providers should pay their landscape workers promptly in accordance with the terms of their employees' contracts:

a. For landscape workers with heavier workloads, which may be due to additional deployment to new work areas or insufficient headcount, service providers should consider increasing their wages, and/or providing them with additional allowances.

b. For landscape workers with reduced workloads (e.g. due to health or decreased service provision required), service providers should comply with the advisories related to salary and leave arrangements[3], including taking into consideration Government support[4] to retain and continue to pay their employees, even during periods of reduction in business activity.

Seize opportunity to upskill workers

12. Service providers should consider making use of online resources where possible to train landscape employees, especially those with decreased workloads. They can tap Government support, such as the Workfare Skills Support and Enhanced Training Support for SMEs, to help defray training costs as well as receive absentee payroll funding.

Conclusion

13. The COVID-19 pandemic is a challenging period for both service buyers and providers, and landscape employees. All stakeholders should share the responsibilities arising from changes in landscape maintenance services required. The tripartite partners call on all stakeholders to work together, review and reprioritise landscape maintenance needs, as well as explore voluntary renegotiation of contracts or payments for variations in landscape maintenance intensity and frequency. Landscape employees should be appropriately recognised and remunerated for any increased workload and risks they shoulder. This will ensure the sustainability of landscape business operations and the greenery standard for outdoor and indoor sites during this COVID-19 pandemic.

[3] This includes the advisory on salary and leave arrangements updated on 17 Jul 2020 – www.mom.gov.sg/covid-19/advisory-on-salary-and-leave.

[4] The Government's Jobs Support Scheme provides companies, including landscape service providers, with wage support amounting to 75% (during the Circuit Breaker period), and at least 25% (other periods) of local employees' wages for 9 months. www.iras.gov.sg/irashome/Schemes/Businesses/Jobs-Support-Scheme--JSS-/

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