

Applications of Employment Act 1955

DURATION: 2-DAY; TIME SCHEDULE

Time – 9:00am to 5:00pm

Break – 10:15am to 10:30am and 3:15pm to 3:30pm

Lunch – 1:00pm to 2:00pm

INTRODUCTION

This workshop seeks to highlight the important points of The Employment Act 1955 and share with the participants the practical application of the different aspects of the law.

PROGRAM OBJECTIVES/OUTCOMES

The trainees will be able to :

- Understand the different section of the Employment Law
- Know how to apply the law in the workplace
- Learn the right way to conduct domestic inquiry
- Gain confidence to be a competent human resource staff
- Equip with the recent amendments of Employment Act

WHO SHOULD ATTEND

Human resource support staff & Anyone who has human resource functional responsibility

METHODOLOGY

This program will be delivered using lecture, case studies, role play, and video clips.

Lecture 30 %

Case studies

Group discussion

COURSE OUTLINE

Module 1- Objectives of the Employment Act

- Objectives of the Employment Act, 1955

- Section 2 (1) First Schedule - Employee Contract of and for Service
- Wages
 - Payment of Wages
 - Deduction from Wages

Module 2 – Employment of Women

- Section 37 - Maternity

Module 3 – Hours of Work

- When Hours of work May be Exceeded
- Ordinary Rate of Pay
- Public Holidays
- Annual Leave (S.60 E)

Module 4 - Breach of Contract

- Breach of Contract per Section 15 (2) and 60F (2) of Employment Act
- Section 13 (2) of the Employment Act 1955
 - Absenteeism

Module 5 – Laws Relating to termination

- Employment (Termination and Lay-off Benefits) Regulations 1980
- Termination and Lay-Off Benefits

Module 6 – Law of Termination and Handling Misconduct

- Implied Duties of Employees
- Effective Discipline
- How to Handle employee grievance
- Disciplinary Procedures
- Rules and Regulations
- Show-Cause Inquiries
- Circumstances when Show-Cause Inquiry is Conducted
- What is the Impact of Exercising Incorrect Disciplinary Procedures?

Module 7 – Disciplinary Procedures

- Misconduct
- Identifying a Misconduct

- Minor Misconduct (Examples)
- Major Misconduct (Examples)
- Progressive Discipline (Usually for Performance-Related Problems)
- Section 12 (2) of Employment Act 1955 (Notice Period)
- Section 14 (1) of Employment Act 1955 (Major Misconduct)

Module 8 – The Law relating to Terminations and Dismissals is basically summarized under Sections 12, 13, 14 and 15 of the Employment Act 1955

- Notice Period
- Gross Misconduct
- Absenteeism

Module 9 – Domestic Inquiry

- What is a Domestic Inquiry
- What are the Principles of Natural Justice
- Procedure of a Domestic Inquiry
- General Considerations
- Punishments

Module 10 – Amendments to the Employment Act 1955

- August 1998 Amendment EA
- Increasing the Wage Threshold
- Maternity-Related Benefits
- Sexual Harassment
- Offences by Body Corporate
- Advances on Wages
- Section 17A Malaysian Anti-Corruption Commission Act 2009