



EB/09/2022

July 6, 2022

Declaration of Public Holiday in Pahang

On the command of Kebawah Duli Yang Maha Mulia Sultan of Pahang, the Pahang State Government has fixed August 1, 2022 as the birthday of Kebawah Duli Yang Maha Mulia Sultan of Pahang. The State Government has declared August 1, 2022 as State Public Holiday in conjunction with the birthday of Kebawah Duli Yang Maha Mulia Sultan of Pahang in accordance to section 9(1) of the Public Holiday Act 1951.

A. For Employees Covered under the Employment Act, 1955

1. Even though the Sultan birthday holiday is being declared under section 9(1) of the Public Holiday Act 1951, employers are still required to observe the said holiday as per section 60D(1)(a)(iii) as stated below:-

‘the Birthday of the Ruler or the Yang di-Pertua Negeri, as the case may be, of the State in which the employee wholly or mainly works under his contract of service, or the Federal Territory Day, if the employee wholly or mainly works in the Federal Territory;’

2. An employer has two alternatives when granting the public holiday:
 - a. Observe the August 1, 2022 public holiday and allow employees day off with pay. If August 1, 2022 is a rest day for the employee the following working day shall be a substituted paid holiday for that employee.
 - b. The second alternative is to request employees to work on August 1, 2022 and compensate the employee with an extra two days’ wages at the ordinary rate of pay in addition to the public holiday pay..

B For Employees NOT Covered under the Employment Act, 1955

If the contract of service states that the company is observing the Sultan’s Birthday as public holiday, the company has to observe August 1, 2022 as a paid public holiday.

If an employee is requested to work, an employer may grant a substituted public holiday or benefits / payments as agreed in the contract of service for working on a public holiday.

For further information, please do not hesitate to contact FMM’s HR/IR Advisor, Mr Kesavan at kesavan@fmm.org.my.

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