



Overview and Latest Update on Employment Act 1955

~ With Employment (Amendment) Act 2012 And Employment (Part-Time Employee) Regulations 2011)~

▸ 9:00 am to 5:00pm ▸ 19 - 20 August 2014, Tue - Wed ▸ FMM Kedah Perlis, Sg Petani

INTRODUCTION

Employment Act 1955 is the fundamental employment legislation in this country prescribing the statutory minimum standards of terms and conditions of employment. The Act enshrines the rights of both the employees and employers, and the obligations or responsibilities they are obliged to fulfill to have the legal protection. The scope of Employment Act 1955 only covers workers who are defined as “employees” under the Act. The Act is only applicable to West Malaysia and Labuan.

However, with effect from 01.08.1998 the Act has been amended to enable non-manual “employees” whose wages per month exceed RM2,000.00 (before 1.4.2012 was RM1,500.00) but do not exceed RM5,000.00 to make claim vide Labour Court for wages and other payments in cash under Part XV of the Act. The Employment (Part-Time Employees) Regulations 2010 came into force on 01.10.2010. The Employment (Amendment) Act 2012 has come into operation on 01.04.2012 with amendments and new provisions to the principle Act. It is important and of the benefits of the employers to comprehend fully the requirements as well as the implication of the new employment laws on the cost of wages, productivity, competitiveness and other related subjects.

This program is specially designed with an insight into the provisions of the current Employment Act 1955, and to update the participants regarding the amendments and new provisions contained in the Employment (Amendment) Act 2012 so that proper planning and adjustment could be made for the compliance of the new or amended provisions as well as statutory procedural requirements.

OBJECTIVES

At the end of this program, the participants will be able to

- understand and apply the relevant provisions of the *Act* correctly.
- identify both the rights and obligations/responsibilities of the employers and employees.
- plan and get ready to embrace the changes and new statutory procedural requirements under **the amended and new provisions**.
- have proficiency and better exposure to the *Act* and also the **Employment (Amendment) Act 2012** for enhancing a more conducive and productive working environment.
- observe best practices in human resources management.

WHO SHOULD ATTEND

General Managers, HR Managers/HR department personnel and all those who are involving in human resources management. Departmental managers and personnel who are responsible for man-power planning and labour cost related matters.

COURSE CONTENTS

Day 1:

(A) An Insight Into Some Of The Current Provisions

- Scope of the Employment Act 1955
- Definition
- Validity of terms and conditions of service
- Contract of service
- Specified /unspecified period of contract
- Notice of termination of contract of service
- Termination of contract on ground of misconduct
- Due Inquiry and Dismissal, etc.
- System of paying wages
- Employment of women
- Maternity protection
- Weekly rest day
- Hours of work
- Overtime work and overtime payment, etc
- Public holidays
- Annual leave
- Sick leave

Q n A

Day 2:

(B) Amendments/New Provisions under the Employment (Amendment) Act 2012:-

- Definition (new)- “contractor for labour”, “foreign domestic servant”, “sexual harassment”.
- Time of payment of wages
- Limitation on advances to employees
- System of paying wages- Wages to be paid through bank **and** Payment of wages other than through bank
- Information relating to supply of employees
- Maternity Protection extends to every female employee (maternity leave, allowance and etc.)
- Employment of foreign domestic servant
- Public Holiday (Malaysia Day)
- Employment of foreign workers – to furnish information and returns
- Sexual Harassment and inquiry
- Protection of officers (pegawai JTK)
- Other amendments
- Penalty and offences (current and amended)

(C) Complaints and Inquiry - Labour Court
Discussion / Q & A

FACILITATOR

Mr. H'ng Piau has vast experience in the field of administration and enforcement of Labour Laws. He has more than 32 years of experience before retired as the State Director of Labour, Kedah/Perlis. During his tenure of service, he was a facilitator and trainer for Labour Officers serving under the Ministry of Human Resources. He had also conducted many training programmes for various large and small corporations in private sector. After his retirement, he was appointed as a Company Director of a company dealing in sporting goods.

Currently, he lectures in various topics of Labour Laws, provides consultancy and advisory services to corporations. He acts in an advisory capacity to lawyers at the Industrial Court; and represents employer or employee for claims/matters in Labour Court. He has experiences in conducting domestic inquiry for corporations. He is also serving as a Company Director of a company dealing in food and beverages.

Administrative Details

Date : 19 - 20 August 2014 (Tue- Wed)
Venue : FMM Kedah Perlis, Sg Petani

Time : 9.00 am – 5.00 pm
Fees : **RM750.00 (Members);**
RM850.00 (Non-Members)

(All fees are inclusive of course materials, lunch and refreshments.)

Attendance is by prior registration only. Registration form must be completed and returned to FMM Institute by **14 August 2014** with correct payment by cheque made in favour of **'FMM INSTITUTE'** and crossed "Account Payee Only". Payment by cash is acceptable during the day of registration. **Registration is on first-come-first-served basis.**

ENQUIRIES & REGISTRATION

Contact: **Meeza/ Zai**
FMM Institute Kedah/Perlis Branch,
No. 2, Ground Floor, Lorong BLM 1/4, Bandar Laguna Merbok,
08000 Sungai Petani, Kedah
Tel: 04-440 3273 / 440 3628
Fax: 04-4426876
E-mail: meeza@fmm.org.my / rozainiza@fmm.org.my

CANCELLATION & REFUND

- No refund for cancellation within 2 days prior to the programme
- 50% refund for cancellation between 3-6 days
- Full refund for cancellation 7 days prior to the programme
- Registered participants who do not turn up will be charged accordingly
- No additional cost for replacement
- Cancellation must be made in writing

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REGISTRATION FORM

To : FMM Institute (Attn: Meeza / Zai)

**SBL SCHEME
REGISTER NOW!**

Please register the following participants:

1. Name & Designation : _____

2. Name & Designation : _____

3. Name & Designation : _____

(Please attach separate list if space is insufficient)

Submitted by : _____

Designation : _____

Company : _____

Tel : _____

Fax : _____

Address : _____

Email : _____

Membership No. : _____

Please tick if require vegetarian