

# **Masterclass Training on Employment Law Workshop**

**Law Series Workshop**

**Date: 5<sup>th</sup> – 6<sup>th</sup> March 2012**

**Venue: PARKROYAL, Kuala Lumpur**

## **Workshop Description**

People are always the biggest asset and resource of an organization. It is critical that this resource is managed in the best way possible that benefits both the employee as well as the employer.

The Employment Law workshop focuses on giving HR practitioners an insight to the fundamentals of Employment Law. Unlike working with products dealing people is normally a delicate situation and hence the Employment Act protects both the employer and the employee that engages in a contract of employment. Sound knowledge on the employment act enables organizations to better manage their human capital.

This workshop is designed to take you step by step through the employment act in areas that would have the most impact on day to day operations in terms of managing your workforce such as drafting an employment contract right up to termination of an employee – employer relationship.

Apart from the Employment Act, the workshop will also take participants through a specialized section on Conducting Domestic Enquiry. This section will introduce participants to process and specific techniques on conducting a domestic enquiry.

Much is to be benefited by gaining knowledge and techniques in these two areas to manage human capital in an organized and professional manner.

### **Workshop Objectives**

- Understanding updates and recent development in employment Legislations in Malaysia
- Understanding the employment act and how it effects you and your organization
- Handling situations that call for Domestic Enquiry
- The process and procedures of Domestic Enquiry

### **Who Should Attend?**

- Human Resource Managers
- Human Resource Executives
- Individual Business Owners
- People Managers

# Masterclass Training on Employment Law Modules

## 1. Overview and Recent Developments in Employment Legislation in Malaysia

- Understanding your rights as an Employer
- Understanding your rights as an Employee
- Recent development in Employment Case Law
- Proposed new amendments to the Employment Legislation

## 2 Drafting a Full proof Employment Contract

- Essential clauses and provisions to be incorporated
- Employment Handbooks & Manuals
- Dealing with transfers and secondments
- Trade Unions and Collective Bargaining Agreements

## 3 Managing Employee Grievances

- Dealing with problematic staff
- Implementing Proper Appraisal mechanisms
- Security of tenure and the Right to livelihood
- Implementing an Effective Code of Conduct at the Workplace
- Procedures to be implemented when businesses and employees are transferred

## 4 How to lawfully terminate the Employer – Employee Relationship

- Dealing with the various grounds to terminate an employee
- What constitutes poor performance
- Types and classifications of misconduct
- Sexual Harassment
- Constructive Dismissal

## 5 Closure of Business

- Understanding Redundancy
- Implementing a Voluntary Separation Scheme
- Retrenchment Exercises done right
- Other modes of reduction of the Staff workforce

## 6 Handling and Investigating Allegations of Misconduct

- Whistleblowing provisions and reporting of misconduct
- The Company's rights to investigate allegations and claims of misconduct
- The Do's and Don'ts when dealing with disciplinary matters
- Procedures to follow when investigating alleged offences
- Essential points to be included in the Show Cause and Suspension letter
- Types of punishment available to the employer

## Specialise Topic on Conducting a Domestic Inquiry

### 1 Misconduct & the Domestic Inquiry Process - Introduction to the Principles of Natural Justice

- Inquiry – The requirements of natural justice in the Employment Act 1955/Industrial Relations Act 1967
- The twin pillars of natural justice
- Ensuring compliance with the principles of natural justice

### 2 Framing the DI Charges

- Importance of drafting adequate charges
- How to frame charges properly
- Pitfalls to be avoided

### 3 Domestic Inquiry Process Proper

- Selection of the Inquiry Panel
- Consideration for Panel of Inquiry
- Ground Rules to be observed in an inquiry
- Deciding on the scope of the investigation

### 4 Conducting the Domestic Inquiry

- Procedure when employee pleads guilty
- Procedure when employee denies the charge
- Ensuring procedural fairness
- Holding an ex-parte inquiry
- Keeping the notes of inquiry
- The findings of the panel
- Handing down penalties

The **Training Methodology** will be based on the ATCEN PEAK methodology. This will include:

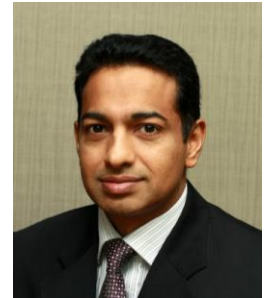
- High Impact Short Lectures
- Lively Activities and Exercises
- Numerous Presentations and Discussions
- Continuous Real Time Feedback from Facilitator

### **Workshop Chronology**

0830 Registration  
0900 Workshop Begin  
1030 – 1045 Morning Refreshment  
1300 – 1400 Lunch  
1530 – 1545 Afternoon Refreshment  
1700 End of Workshop  
*Chronology applies for Day 1 and Day 2*

## Facilitator Profile

### **Jeremiah Ravindran Gurusamy** Trainer



Jeremiah is a founding partner of ADJ - Arianti Dipendra Jeremiah, a corporate boutique firm. He holds a LL.B (Hons) Degree from the University of London, a Certificate in Legal Practice (C.L.P.) from the Legal Profession Qualifying Board of Malaysia and a Masters of Law (LL.M) from the University of Malaya. He was called to the Malaysian Bar in 1999.

As an active member of the Bar Council, Jeremiah currently sits on the Arbitration & Alternative Dispute Resolution Committee and the Professional Standards and Development Committee.

He is also a certified panel Mediator of the Malaysian Mediation Centre of the Bar Council and serves on the Kuala Lumpur Bar Committee and currently heads the Kuala Lumpur Bar Professional Development Committee.

Jeremiah comes with a wealth of experience having worked in the corporate sector since 1997 prior to entering active legal practice. Prior to being admitted as an Advocate and Solicitor, he was attached to the legal documentation unit of the corporate banking arm of one of the leading banking groups in Malaysia.

Jeremiah started his legal career in 1999 with a large Kuala Lumpur base law firm. Over the years, Jeremiah has acted for a wide range of clients from various industries and has extensive experience in corporate banking, project financing, corporate and commercial matters, joint ventures, mergers & acquisitions, capital markets, trust and estate planning, private mutual funds and employment law.

Jeremiah regularly delivers talks to the Malaysian Bar, KL Bar and to the Corporate Sector on a variety of topics. He is also a guest lecturer to several private colleges and public universities.

# Clientele

## Companies that have attended ATCEN's public workshops

Advance International Freight Sdn Bhd  
 Affin Bank Berhad  
 Aims Data Centre Sdn Bhd  
 Airfoil Services Sdn Bhd  
 Ajinomoto (M) Bhd  
 Alcan Packaging Malaysia  
 Alcatel-Lucent Malaysia Sdn Bhd  
 Alliance Banking Group  
 Allianz Life Insurance Malaysia Berhad  
 ALSTOM Asia Pacific Sdn Bhd  
 Amanah Raya Berhad  
 AmBank (Malaysia) Berhad  
 AmG Insurance Bhd  
 AmLife Insurance Berhad  
 Amway (M) Sdn Bhd  
 Arachem Tech Training Centre  
 Autoliv Hirota SRS Sdn Bhd  
 Automobiles Peugeot  
 AXA Affin General Insurance Bhd  
 Axon Solutions Sdn Bhd  
 Bank Islam Malaysia Bhd  
 Bank Muamalat  
 Bank Negara Malaysia  
 Bank Rakyat  
 Beaufour Ipsen International  
 BlueScope Steel (M) Sdn Bhd  
 BMW Malaysia Sdn Bhd  
 Boustead Petroleum Marketing Sdn Bhd  
 Business Information Technology  
 Byte Craft Sdn Bhd  
 Canon Marketing (M) Sdn Bhd  
 Celcom (M) Sdn Bhd  
 Central Forwarding Agency Sdn Bhd  
 Century Total Logistics Sdn Bhd  
 Chemopharm Sdn Bhd  
 CIMB Bank Berhad  
 CL Computers (M) Sdn Bhd  
 CMCM Pemiagaan Sdn Bhd  
 CNI Enterprise (M) Sdn Bhd  
 Colgate-Palmolive (M) Sdn Bhd  
 Computer Systems Advisers (M) Berhad  
 Credit Guarantee Corporation (M) Bhd  
 CSC Malaysia  
 D G Kom Sdn Bhd  
 Dagang Net Technologies Sdn Bhd  
 Datacom South East Asia (M) Sdn Bhd  
 Datacraft Advanced Network Services Sdn Bhd  
 Dell Global Business Center Sdn Bhd  
 DHL Express (Malaysia) Sdn Bhd  
 Dialog Telekom Limited  
 Diethelm (M) Sdn Bhd  
 DiGi Telecommunications Sdn Bhd  
 Dumex (M) Sdn Bhd  
 East of Suez Holdings Sdn Bhd  
 ECM Libra Investment Bank Berhad  
 ECS Pericomp Sdn Bhd  
 Edaran Tan Chong Motor Sdn Bhd  
 e-Genting Sdn Bhd  
 Entellium Technologies Sdn Bhd  
 EON Bank Berhad  
 EPF Social Security Training Institute (ESSET)  
 EPIC-I Sdn Bhd  
 EPS Computer Systems Sdn Bhd  
 Ericsson Malaysia  
 Etiqa Insurance Bhd  
 Etiqa Takaful Bhd  
 Euratech (Malaysia) Sdn Bhd  
 Formis Software Dynamics Sdn Bhd  
 Fresenius Medical Care Malaysia Sdn Bhd  
 Frontline Technologies Malaysia Sdn Bhd  
 FSBM Mantissa (M) Sdn Bhd  
 Fuji Xerox Asia Pacific Pte. Ltd  
 Fujitsu (Malaysia) Sdn Bhd  
 Gagasan Carriers Sdn Bhd  
 Gapuma Technologies Sdn Bhd  
 Genting Information Knowledge Enterprise Sdn Bhd  
 Global Transit Communications Sdn Bhd  
 Group Associated (C&L) Sdn Bhd  
 Grundfos Pumps Sdn Bhd  
 Gucci (Malaysia) Sdn Bhd  
 Guinness Anchor Berhad  
 HeiTech Padu Bhd  
 Hewlett-Packard Sales (M) Sdn Bhd  
 Hilton Petaling Jaya  
 Honda Malaysia Sdn Bhd  
 ICI Paints (Malaysia) Sdn Bhd  
 IITC Global Technology Sdn Bhd  
 IMU Education Sdn Bhd  
 InfoConnect Sdn Bhd  
 ING Insurance Bhd  
 interTouch (Malaysia) Sdn Bhd  
 iPerintis Sdn Bhd  
 Islamic Banking and Finance Institute Malaysia Sdn Bhd  
 ISS Consulting (M) Sdn Bhd  
 IT-365 Malaysia Sdn Bhd  
 ITApps Sdn Bhd  
 Jabatan Pengangkutan Jalan  
 Jabatan Pentadbiran Latihan  
 Jebson & Jessen Communication Solutions (M) Sdn Bhd  
 Johnson Controls (M) Sdn Bhd  
 Kannal Solutions Sdn Bhd  
 Keretapi Tanah Melayu Berhad  
 Khazanah Nasional Berhad  
 Kolej Yayasan UEM  
 Kualiti Alam Sdn Bhd  
 Kumia Insurance (M) Bhd  
 Lafarge Cement Sdn Bhd  
 Majlis Amanah Rakyat (MARA)  
 Malayan Banking Berhad  
 Malayan Cement Industries Sdn Bhd  
 Malaysia National Insurance Berhad  
 Malaysian Assurance Alliance Berhad  
 Maxfame Technologies Sdn Bhd  
 Mayban Fortis Holdings Berhad  
 Mayban General Assurance Berhad  
 MBF Cards (M) Sdn Bhd  
 McKinnon & Clarke Sdn Bhd  
 MEASAT Satellite Systems Sdn Bhd  
 Media Prima Berhad  
 MEPS (1997) Sdn Bhd  
 Mesiniaga Bhd  
 Mexter MSC Sdn Bhd  
 Mid Valley City Sdn Bhd  
 MISC Berhad  
 Mitsui-Soko (M) Sdn Bhd  
 MnEBay (M) Sdn Bhd  
 MNRB Holdings Berhad  
 Modipalm Engineering Sdn Bhd  
 MOHR  
 Malaysian Life Reinsurance Group Bhd  
 Multimedia College  
 N2N Connect Berhad  
 NCH Corporation (M) Sdn Bhd  
 NEC Corporation of Malaysia Sdn Bhd  
 Netstar Advanced Systems Sdn Bhd  
 OCBC Bank (M) Bhd  
 OMD (M) Sdn Bhd  
 Optimal Chemicals (M) Sdn Bhd  
 Oracle Corporation (M) Sdn Bhd  
 P&O Global Technologies Sdn Bhd  
 PanGlobal Insurance Berhad  
 Paradigm Systems Berhad  
 Pembangunan Sumber Manusia Berhad  
 Perbadanan Bekalan Air Pulau Pinang  
 Pemec Corporation Berhad  
 Pharamianga Logistics Sdn Bhd  
 Plus Expressways Berhad  
 Power Innovations Sdn Bhd  
 Premier Lubricants (M) Sdn Bhd  
 Prometric Technology Sdn Bhd  
 Proton Edar Sdn Bhd  
 Prudential Services Asia Sdn Bhd  
 Rangkaian Segar Sdn Bhd  
 REDtone Telecommunications Sdn Bhd  
 Rentwise Sdn Bhd  
 RHB Bank Berhad  
 Ricoh (Malaysia) Sdn Bhd  
 Rohas-Euco Industries Bhd  
 SAINS Sdn Bhd  
 Samsung Malaysia Electronics (M) Sdn Bhd  
 Sapura Research Sdn Bhd  
 Sarawak Information Systems Sdn Bhd  
 SCAN Associates Berhad  
 Scope International (M) Sdn Bhd  
 Shangri-La Hotels Marketing Sdn Bhd  
 Shell IT International Sdn Bhd  
 Shell Malaysia Trading Sdn Bhd  
 Signature Manufacturing Sdn Bhd  
 Skynet Worldwide (M) Sdn Bhd  
 SnT Global Services Sdn Bhd  
 Sony BMG Music Entertainment  
 Southern Bank Berhad  
 Standard Chartered Bank  
 Star Publications (Malaysia) Berhad  
 Sumiso (M) Sdn Bhd  
 Sun Media Corporation Sdn Bhd  
 Sunway Holdings Bhd  
 Sunway Pyramid Sdn Bhd  
 Suruhanjaya Syarikat Malaysia  
 Takaful Ikhlas Sdn Bhd  
 Taylor's College Sdn Bhd  
 Teknikast Sdn Bhd  
 Teknik Jana kuasa Sdn Bhd  
 Teledirect Telecommerce Sdn Bhd  
 Telekom Sales & Services Sdn Bhd  
 Telekom Smart School Sdn Bhd  
 Telshine Sdn Bhd  
 Tenaga Nasional Berhad  
 The Media Shoppe Bhd  
 The Nielsen Company (Malaysia) Sdn Bhd  
 TIME dotCom Bhd  
 TM Asia Life (Malaysia) Berhad  
 Tokio Marine Insurans (M) Bhd  
 TT dotCom Sdn Bhd  
 Tyco Fire, Security & Services Sdn Bhd  
 UCB Pharma Asia Pacific Sdn Bhd  
 UEM Academy Sdn Bhd  
 United Overseas Bank (M) Berhad  
 University of Malaya  
 VADS Berhad  
 ViewPoint Research Corporation Sdn Bhd

# **Masterclass Training on Employment Law Workshop**

**5<sup>th</sup> – 6<sup>th</sup> March 2012  
PARKROYAL, Kuala Lumpur**

**TO REGISTER OR FOR MORE INFORMATION:  
Kindly call us at 03-77282623 or email us at  
[pw@atcen.com](mailto:pw@atcen.com)**