

UNDERSTANDING LABOUR LAWS - THE EMPLOYMENT ACT 1955

(AMENDMENT 2022)

EMPLOYMENT LAW

14 hours ZOOM & PHYSICAL Program

HYBRID TRAINING

11 & 12 Jun 2025 (Wed & Thu)



**Remote Online Training (Zoom) &
Wyndham Grand Bangsar Kuala
Lumpur Hotel ((Physical)**

**** Choose either Zoom OR Physical Session**

OBJECTIVES:

At the end of this program, participants should be able to achieve the following objectives:

- To understand the different section of the Employment Act 1955 including the latest amendment 2022.
- To know how to apply the law in the workplace
- To know better the right of employers and employees
- To understanding the responsibility of employers and employees according to the laws.

WHO MUST ATTEND:

General Manager, Manager, Head of Department / Division, Human Resources Manager or any personnel who has human resource functional responsibility and Supervisor

METHODOLOGY:

This program is essentially participative. There will be group interaction and lectures.

COURSE CONTENT

Module 1 - Introduction

1. Objectives of the ACT
2. Scope
3. Definitions of employee, employer, contract of services etc.
4. Contract of Service
 - 4.1. Contracts of service that must be in writing
 - 4.2. Provisions of contracts of service that must be in writing
 - 4.3. Restrictions on contracts of service
 - 4.4. Termination of contract of service
 - 4.4.1. Normal Termination
 - 4.4.2. Termination for Special Reasons
 - 4.4.3. Breach of Contract

Module 2 – Wages and Deductions

5. Wages
 - 5.1 Payment of wages.
 - a) Wage Period.
 - b) ***Calculation of wages for incomplete month's work (NEW)***
 - c) Time of Payment.
 - d) Payment of Wages on the Day of Termination.
 - e) Payment of Wages before the 3rd Day after the Termination.
 - f) When Written Statement of Wages Must Be Given to the Employees.
 - 5.2 Advance (Loan)
 - a) Types of Advances Allowable Under the Law.
 - b) Advances Must Be Approved by DG.
 - 5.3 Deductions from wages
 - a) Deduction without the Request or Consent of the Employee.
 - b) Deduction at the Request of the Employee.
 - c) Deduction at the Request of the Employee and Written Approval from the DG.
 - d) Total Deductions Allowable.
 - 5.4 System of payment of wages
 - a) ***Wages Must Be Paid Through an Account at the Bank and financial institute. (NEW)***
 - b) Employee Can Recover in the Court the Part of the Wages That Have Not Paid Through a Bank Account.
 - c) ***Wages Can Be Paid in Legal Tender or by Cheque with Written Request of Employee. (NEW)***
 - d) ***Employer Has to Obtain Approval from the DG to Pay Wages for employees in Legal Tender or by Cheque. (NEW)***
 - e) Employers Cannot Receive Any Discount or Interest in Respect of Advances that do not exceed a month's Wages.
 - 5.5 Priority of wages
 - 5.6 Liability of Contractors and Principals

COURSE CONTENT

Module 3 – Pregnancy and Maternity and Domestic Servants

6. Pregnancy and Maternity

6.1 Maternity protection

- a) The entitlement of Maternity Leaves and Maternity Allowance
- b) Understanding the words “confinement”, “children”, eligible period”
- c) Start work early during maternity.
- d) Restriction on termination of female employee.
- e) ***Protection from termination for pregnant employee. (NEW)***

7. Domestic Employees

- a) Termination of contract
- b) Employment of foreign domestic employee
- c) Duty to inform Director General of Labour.

Module 4 – Benefits

8. Benefits Under the Law

8.1 Rest Days

- a) The interpretation of ‘day’.
- b) How to calculate working on rest day.
- c) Overtime on rest day.

8.2 Hours of Work and ***Working at Night***

- a) The definition of hours and how to define **45** hours a week.
- b) Overtime and its calculation.

8.3 Paid Public Holidays

- a) What are the compulsory public holidays and number of days entitle by the employees?
- b) Can an employee work on public holiday and how to calculate the payment?
- c) How to replace the public holiday with another day?
- d) Overtime on public holidays.

8.4 Paid Annual Leave

- a) What is the entitlement for annual leave and when do they entitle to apply for the leave?
- b) ‘The employer shall grant and the employee shall take...’

8.5 ***Paid Sick Leave and Hospitalization Leave***

8.6 ***Paid Paternity Leave and its entitlement***

8.6 Ordinary Rate of Pay (ORP)

- a) How to calculate ORP for monthly, weekly, daily or hourly rate.

8.7 Rate of Payments for Working on Rest Day, Public holidays and Overtime

Module 5 – Terminations, Foreign Employee and Sexual Harassment

9. Termination, Lay-off and Retirement Benefits

- a) Who entitled to the termination benefits?
- b) How to calculate the benefits and when to pay them?

10. Foreign Employees

- a) ***What are the rules and regulation that an employer has to follow when they employed a foreign worker?***

11. Flexible ***Working Arrangement. (NEW)***

12. Discrimination in employment and how to handle it.

13. Sexual Harassment – Part XVA

- a) What are the responsibilities of an employer to investigate?
- b) What are the responsibilities of The Director General of Labour to investigate a complaint?
- c) ***Notice on Sexual Harassment (NEW)***

14. Court Order for Payments Due to Employee. (NEW)

15. Force Labour. (NEW)

16. Presumption as To Who Is an Employee and Employer. (NEW)