

PUBLIC WORKSHOP

Workshop Dates
March 17-18, 2010
(Wed-Thu)

Venue
Kuching
Four Points by Sheraton

Workshop Fees
RM 1,250.00
per participant

DISCOUNT

Early Bird Discount
RM 100.00 Discount
per participant
(Pay only RM 1,150.00)

or

Early Bird Group Discount
RM 200.00 Discount
per participant
(Pay only RM 1,050.00)

If you register 3 or more participants from the same Company.

Condition:

To qualify for the discount, payment with registration must be received by 3rd March, 2010



Prior approval by HRDC is required. You may submit the application with this brochure.

Special FREE Gift

Vouchers/Discounts Worth over RM 5000



Each Participant will receive a complimentary copy of **My Privilege Book** worth RM 35.00

INTRODUCTION

An understanding of Malaysian Employment Law and Industrial Relations practices is an invaluable tool for workforce management. Poor employment and Industrial Relations practices often lead to a lack of harmony and a positive work environment for employees, resulting in low morale and productivity.

OBJECTIVE

The program is designed to provide Managers and Executives with a 'hands on' skill and approach in addressing employment related issues at the workplace.

COURSE CONTENT

DAY ONE

1. **Employer Employee Relationship**
2. **Contract of Service**
 - Malaysian Contracts of Service are not unfettered
 - Employer and Employee cannot contract out of the law
 - Employers rights can be incorporated in a Contract of Service
 - Status of Probationers
 - Types of Contracts
 - Management Prerogatives
3. **External Factors Impacting on the Contract of Service**
4. **Difference between Contract of Service and Contract for Service**
 - The relationship Test in a Contract for Service and possible ramification for employer
5. **Scope and Coverage of the Employment Act**
 - Definition of 'manual' Employee
 - Position of 'Supervisor'
6. **Contractors and Principals**
 - Potential liability for Company
7. **Sections 13, 14 and 15 of the Employment Act 1955**
 - Employers rights preferred by these Sections
8. **Employers Rights when Managing Mandatory Benefits Under Part 12 of the Employment Act 1955**
 - Sick Leave
 - Annual Leave
9. **Termination Simpliciter / Termination & Dismissal**
 - Implications for Employer
 - Validity of contractual termination
 - Is there a difference between termination and dismissal?

DAY TWO

1. **Overview of the Industrial Relations Act 1967**
 - Understanding the meaning of 'strike', 'lock-out', 'collective agreement', 'collective bargaining' and 'essential services'
2. **Definition of 'Workman'**
3. **Industrial Court of Malaysia**
 - 'Equity and good conscience' in its deliberations
 - Financial and social implications & social justice when rendering awards
4. **Representation on Dismissal**
 - Section 20, Industrial Relations Act 1967
 - Just cause or excuse
5. **Misconduct in Employment**
 - Definition of misconduct
 - Negligence and insubordination
 - Aggravation of misconduct
 - Provocation of misconduct
 - Criminal misconduct
6. **Disciplinary Procedure**
 - Code of conduct for Industrial Harmony
 - Effective disciplinary enforcement
 - Pitfalls to avoid
7. **Principle of Condonation**
8. **Principle of Substantive Justice**
9. **Sexual Harassment In The Work Place**
10. **Grievance Handling**
 - Company sexual harassment mechanism
 - Implications for Employers
11. **Domestic Inquiry Procedure**
 - The 10 steps
 - When Is a Domestic Inquiry necessary?



ASSOCIATE PARTNER



GERARD'S RELATED INVOLVEMENTS

Mr. Gerard's related involvements include:

- Employer Panel Member of the Industrial Court of Malaysia (3rd Term)
- Employer Assessor in the SOCSO Appellate Board (2nd Term)
- Elected State Committee Member of Federation Malaysian Manufacturers (FMM Johor) since 1991 and Vice-Chairman since 1996
- Elected Chairman of the Malaysian Employers Federation (MEF Southern Region) since 1997

ABOUT HEXCEL

Hexcel is the pioneer HRD training provider in Sarawak and have been meeting the training & development needs of all level of employees from diverse industries in 20 countries since 1987.



HEXCEL
Maximizing Human Excellence

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METHODOLOGY

Industrial Court Awards and Superior Court Judgments shall form the basis of case studies. Presentation would be conducted in a lively and interactive manner.

WHO SHOULD ATTEND?

All managers, Executives and Senior Supervisors, especially those from unionized enterprises.

WORKSHOP FACILITATOR

Gerard R. Sankar Hexcel's Associate Trainer

Mr. Gerard holds a Bachelor's Degree in Political Science and a Diploma in HR Management. He also attended GE'S Human Resource Program for Asia Pacific in Beijing in 1994 and is a Certified PSMB Trainer, whose training and facilitation skills consistently receive high ratings from participants.

Gerard has served various multinational companies from 1979 in the area of Human Resource, Industrial Relations and Administration Management. His 30 odd years of experience covers the entire spectrum of Human Resource and Industrial Relations issues ranging from successfully representing Companies in Labour and Industrial Relations arbitration and leading the Management Team in Collective Bargaining negotiations to effectively advising companies on right sizing manpower deployment.

Gerard currently consults for multinational and local organizations. They include companies listed in the Malaysia and Singapore Stock Exchange. Participants at his training programs have included employees from major manufacturing companies e.g. Brother Industries Technology, Cameron International Malaysia Systems, Perodua Manufacturing, British American Tobacco, VS Industry and Felda Oil Products. Service Companies include TNT Malaysia, Malaysian Airlines System, Air Asia and Astro. Regulatory Bodies include Bank Negara Malaysia, Department of Industrial Relations, Ministry of Human Resources. Others include Malaysian Professional Bodies e.g. Malaysian Institute of Management, The Malaysian Medical Association and Institut Latihan Kehakiman & Perundangan.

REGISTRATION FORM

We nominate the following person/s for "Industrial Relations Practice for Managers"

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1. Name _____ Position _____
2. Name _____ Position _____
3. Name _____ Position _____

Company _____

Address _____

Nominating Officer:

Name _____ Position _____

Tel _____ Fax _____

Email _____

Payment:

Amount _____ Cheque No _____

Date _____ Signature & Company Stamp _____

Disclaimer

Hexcel reserves the right to change the speaker, date and venue or to cancel the program should circumstances beyond the company control arise. Hexcel also reserves the right to make alternative arrangements without prior notice should it be necessary to do so.