

Employee Misconduct & Disciplinary Procedure

Human Resource Management

PUBLIC WORKSHOP

Workshop Dates
April 12-13, 2010
(Mon-Tue)

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 29th 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

The enforcement and maintenance of industrial discipline is an integral management function in any business enterprise, especially organizations with a medium to large employee headcount. Proper disciplinary management not only preserves employee morale but also contributes to workplace productivity.

OBJECTIVE

The program is designed to provide participants with knowledge, 'hands on' skill and approach in managing disciplinary issues.

COURSE CONTENT

1. **The Employer-Employee Relationship**
2. **Understanding the Contract of Service**
 - Employee's Obligations
 - Impact of Legislation, Case Law and Codes
 - Management Prerogatives and Employer's Rights
3. **Definition of Misconduct**
 - Types of Misconduct
 - Analyzing Misconduct.
 - Establishing Level of Severity
 - Negligence and Wilful Disobedience
4. **Managing Discipline in a Unionised and Non-Unionised Environment**
5. **Establishing a proper Disciplinary Procedure**
 - The Law on Misconduct
 - Code of Conduct for Industrial Harmony (1975)
 - Code of Conduct for the Prevention of Sexual Harassment in the Workplace (1999)
 - Distinguishing between a Grievance and act of Misconduct
6. **Investigating a Misconduct**
 - Principle of Condonation
 - Provocation of Misconduct
 - Contributory Fault
 - Can Poor Performance be attributed to Misconduct?
 - Taking Statements from Concerned Parties
7. **Domestic Inquiry Sequence**
 - Show Cause
 - Is Suspension from Work Necessary?
 - The Notice of Inquiry and Charge Sheet
 - Can a Charge be Amended?
8. **Conducting the Inquiry**
 - Panel of Inquiry
 - Applying the Principles of Natural Justice
 - Report of Findings
9. **Punishment for Misconduct**
 - Punishing Authority
 - Principle of Mitigation
 - Principle of Substantive Justice
 - Dismissal from Service and Lesser Punishment
10. **Industrial Court Awards and Superior Court Judgements on Misconduct and Punishment**



ASSOCIATE PARTNER



**FACILITATOR'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?

HR Practitioners and Executives, Departmental Heads, Company Directors and Business Owners, especially from organizations with a fairly large workforce.

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 "Employee Misconduct & Disciplinary Procedure"

Kuching: April 12-13, 2010 (Mon-Tue) @ Four Points by Sheraton

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.