

MEGA

PUBLIC COURSE

**Employment Act 1955
The Essentials**

Connexion Conference & Event Centre 

4 & 5 May 2026

9.00AM to 5.00PM

TRAINING FEE

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RM 1225

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Employment Act 1955 – The Essentials

The Employment Act 1955 is a layered and technical piece of legislation that is often misunderstood. It sets out the minimum rights, benefits, and obligations that apply to employees in Malaysia across all salary levels, with some exceptions. With the Act now extending to cover all employees, it is essential for organisations to be more attuned to their statutory obligations and to understand how to apply the law correctly.

This comprehensive course is designed to demystify the EA by breaking down all 11 modules of the Act into practical, real-world applications. Participants will learn not just what the law says, but how to implement it, what to do if existing practices are non-compliant, and what to do when things escalate.

Along the way, you'll uncover surprising and often overlooked provisions. For example:

- An employee who is absent on the day immediately before or after a public holiday loses wages for both the absent days and the public holiday
- An employee may forfeit their entire annual leave entitlement if they are absent without permission or reasonable excuse for more than 10% of working days within a 12-month period
- Payment for work done on rest days and off days – is it the same?

These are only a few examples of the many “blind spots” this course will illuminate.

Course Objectives

By the end of this course, participants will have a solid working knowledge of every major provision and module of the Employment Act 1955, enabling them to:

- Work confidently within the boundaries of the law
- Correct non-compliant internal practices
- Handle HR issues with clarity and consistency
- Make informed decisions that protect the organisation from legal exposure

1

Introduction to Malaysian Labour Laws

- Purpose and application of the Employment Act 1955
- Key definitions under Section 2 – Interpretation section
 - “employee”, “wages”, “contract of service” read with the First Schedule
 - definition of “day” for shift and non- shift workers
 - “part-time employees” including the Part-time Regulations
 - “contractors & principals” - contract of service vs contract for service
 - “Apprentice” etc
- How the Act interacts with the Industrial Relations Act 1967 and the Trade Unions Act 1959

2

Contract of Service

- When contracts must be in writing
- When a contractual clause is deemed void
- S.11 - Fixed term contracts
- s.12 - Notice and waiver provisions
- s.15(2) - Breach of contract and remedies vs Abscondment from service
- s.14 – Misconduct, Suspension, & Punishment

3

Wages

- Payment timelines, advanced payments, and loans
- Legal deductions from wages: when it’s permitted and when it isn’t
- Liability of contractors and principals, and the legal presumption of who qualifies as an employer and an employee

4

Protection of Women

- Comprehensive maternity protection
- Eligibility for maternity leave
- Right to terminate during pregnancy or maternity leave
- Circumstances in which an employer may compel the start date of maternity leave
- Encashment of maternity allowances

5

Domestic Servants

- Scope and minimum protections

6

Statutory Benefits

- Including the exact rules, exclusions, formulas, and practical applications for:
 - *Rest days*
 - *Hours of work*
 - *Shift*
 - *Overtime*
 - *Public holidays*
 - *Annual leave*
 - *Sick leave*
 - *Ordinary Rate of Pay (ORP) computations v Unpaid leave computations*
 - *Payments and record-keeping*

7

Employment (Termination & Lay-Off Benefits) Regulations 1980

- Entitlements to Benefits; Reg 4
- Quantum & Calculations; Reg 6
- Reg 3(2) - Renewal of Fixed Term Contracts - Is a break necessary?

8

Complaints, Inquiries, & Investigations

- How labour complaints are initiated and resolved at JTK

9

Sexual Harassment (Part XVA)

- Mandatory employer responsibilities and procedures

10

Enforcement, Inspection, Offences, & Penalties

- Mandatory employer responsibilities and procedures

11

Regulations & Director General's Powers

- Permissions and exemptions the DG Labour may grant

Course Methodology

This programme is designed to be highly interactive, ensuring participants not only understand the law but can apply it confidently. The session incorporates:

- Practical exercises to reinforce key concepts
- Group discussions to encourage shared learning and diverse perspectives
- Real-world workplace scenarios to bridge legal principles with day-to-day challenges



Trainer

Astiqamah Abdullah
Senior Consultant, MECA

Astiqamah Abdullah is a seasoned employment law practitioner with 17 years of experience in labour relations, litigation, and disciplinary management. A graduate of the International Islamic University Malaysia (IIUM) with a Bachelor of Laws, her grounding in both Civil & Shariah Law enables her to interpret Malaysian labour legislation with clarity and precision.

She served 11 years with the Jabatan Tenaga Kerja Semenanjung Malaysia, presiding over Labour Court disputes and prosecuting cases involving breaches of employment laws. Her legal career continued in private practice, where she advised employers and represented clients in matters relating to workplace disputes and statutory compliance.

Now a Senior Consultant at MECA, Astiqamah provides strategic advice on misconduct management, domestic inquiry processes, and employer compliance. She is also a Certified Train-the-Trainer (TTT) and delivers training in both English and Malay.

Trainer

Sarmeithaa

Consultant, MECA

Sarmeithaa is a legally trained Industrial Relations Consultant. She advises employers on employment law, workplace compliance, and dispute resolution, combining strong legal fundamentals with a practical, people-centred approach to managing employee relations.

She holds a Bachelor of Laws (LLB) from Multimedia University and has been admitted to the Malaysian Bar. Her legal training equips her with a solid grounding in the Employment Act, Industrial Relations Act, and related statutory frameworks governing workplace practices in Malaysia.

Currently a Consultant at MECA Employers Consulting Agency Sdn Bhd, Sarmeithaa supports employers across Malaysia on disciplinary processes, HR compliance strategies, and employee relations matters. Passionate about people development, she delivers training sessions that translate legal principles into clear, practical guidance for real workplace application. She is a Certified Train-the-Trainer (TTT) and conducts training in English and Malay.

