



FOUNDATIONS OF MALAYSIAN EMPLOYMENT LAW & INDUSTRIAL RELATIONS

Connexion Conference & Event Centre

20 & 21 January 2026

9.00AM to 5.00PM

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Per Day

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Foundations of Malaysian Employment Law & Industrial Relations

To provide HR and IR practitioners with a comprehensive and practical foundation in Malaysian employment law and industrial relations principles - empowering them to apply legal knowledge confidently in their daily work and manage workplace issues within legal boundaries.

Course Objectives

By the end of this course, participants will be able to:

- Understand the legal framework governing employment and IR in Malaysia.
- Apply Employment Act 1955 and Industrial Relations Act 1967 provisions effectively.
- Manage misconduct, poor performance, and workplace disputes legally.
- Conduct Domestic Inquiries and ensure procedural fairness.
- Reduce risks of unfair dismissal claims and IR disputes.

1

Introduction to Labour Laws in Malaysia

- Overview of key labour legislation
- Purpose and objectives of Employment Act 1955 & Industrial Relations Act 1967
- Scope and coverage: Why does RM4K wage threshold still matter?
- Other relevant laws

2

Section 20(1) of the Industrial Relations Act 1967

- Right to file representation for unfair dismissal
- Conditions and time limits
- IR process: Conciliation & Industrial Court
- Practical tips to avoid Section 20 disputes

3

Key Definitions under Section 2 of the Employment Act 1955

- "Workman", "Employer", "Contract of Service", "Wages"
- Why definitions matter for benefits and compliance

4

Contract of Service vs Contract for Service

- Legal differences and court tests
- Impact on statutory benefits, termination, and obligations
- Misclassification risks and prevention

5

Constructive Dismissal

- What is constructive dismissal under Malaysian law?
- Key case examples

6

Fixed-Term Contracts

- Legal validity and renewal risks
- Best practices
- Case studies

7

Due Inquiry & Domestic Inquiry

- Importance of procedural fairness before dismissal
- When DI is required
- Steps for a proper DI
- Roles of panel, observer, and witness

8

Proportionality in Disciplinary Action

- Principle of proportionality explained
- Factors considered by Industrial Courts
- Aligning punishment with severity of misconduct

9

Managing Misconduct

- Absenteeism
- Sexual Harassment
- Harassment (including bullying and hostile behaviour)
- Insubordination
- Gossiping / Character Assassination
- Theft / Dishonesty
- Conflict of Interest

10

Managing Poor Performance

- Distinguishing poor performance from misconduct
- Legal standards and expectations for managing performance issues
- Performance Improvement Plan (PIP) - minimum requirements
- Case studies on unfair dismissal related to poor performance

11

Understanding Wages

- Definition of wages under EA 1955
- Payment of wages – timeline and method
- Calculation for incomplete month
- Advances and loans
- Non-entitlement due to imprisonment/court attendance
- Lawful deductions

12

Pregnancy and Maternity Protection

- Legal protections under the Employment Act
- Maternity leave and benefits (Sections 37–40)
- Termination restrictions for pregnant employees and employees on maternity leave

13

Statutory Benefits & Entitlements

- Rest days
- Working hours and OT
- Paid Public Holidays
- Paid Annual Leave
- Paid Sick Leave
- Paid Paternity Leave
- Ordinary Rate of Pay (ORP) - how to calculate
- Common issues and disputes

14

Retrenchment Essentials

- Legal principles
- Process and notice requirements
- Termination and Lay-Off Benefit

WHO SHOULD ATTEND

This programme is designed for professionals who are directly involved in applying employment law principles, managing employee relations, and handling workplace issues within the Malaysian legal framework, including:

- HR Executives, Officers, and Managers responsible for employment contracts, disciplinary processes, statutory compliance, and employee relations matters
- Industrial Relations Practitioners advising on unfair dismissal risks, Section 20 representations, Domestic Inquiries, and dispute resolution
- Line Managers and Supervisors who manage employee conduct, performance, attendance, and day-to-day people management decisions
- Business Owners and Senior Managers overseeing HR policies, disciplinary action, retrenchment decisions, and organisational risk exposure
- Individuals new to HR or IR functions seeking a structured and practical foundation in Malaysian employment law and industrial relations

Course Methodology

This programme is delivered through an engaging and participative learning approach, designed to translate theory into practical workplace application. The session incorporates:

- Interactive lectures to provide clear conceptual and legal grounding
- Real-world case studies to illustrate practical application of principles
- Group discussions to encourage shared insights and peer learning
- Structured exercises to reinforce understanding and support hands-on application

Trainer

Pritika Menon **Consultant, MECA**

Pritika Menon is a legally trained Industrial Relations Consultant who works closely with employers on employment law compliance, workplace disputes, and people management challenges. With formal legal training obtained outside Malaysia, she brings a cross-jurisdictional perspective that enhances her ability to analyse Malaysian labour law issues with nuance, clarity, and sound judgement.

She holds a Bachelor of Laws (LLB) from the University of Adelaide and has completed the South Australian Bar Certification, leading to her admission as a Barrister and Solicitor of the Supreme Court of South Australia.

As a Consultant at MECA Employers Consulting Agency Sdn Bhd, Pritika advises employers across a wide range of industries on statutory obligations, disciplinary matters, and industrial relations best practices. She is a Certified Train-the-Trainer (TTT), known for delivering structured, practical training sessions grounded in real workplace scenarios. Pritika conducts training in English & Malay.

