



Managing Misconduct
& Poor Performance :

PRACTICAL STRATEGIES FOR REAL WORKPLACE CHALLENGES

Connexion Conference & Event Centre 

28 January 2026

9.00AM to 5.00PM

TRAINING FEE

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Managing Misconduct & Poor Performance: **Practical Strategies for Real Workplace Challenges**

This program equips managers and HR professionals with hands-on strategies to tackle misconduct and poor performance head-on. Learn how to navigate legal frameworks, investigate issues effectively, and implement performance improvement plans (PIP) that work. Expect real-world case studies, proven principles, and actionable tools - not theory.

Course Objectives

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

- Spot and address misconduct early before it escalates.
- Apply Malaysian labour laws confidently to protect your organization.
- Differentiate misconduct vs. poor performance and manage each with the right process. •
- Design and execute PIPs that drive measurable improvement.
- Avoid common pitfalls that lead to legal exposure or employee disengagement.

1

Understanding Workplace Misconduct

- What counts as misconduct: behavioural breaches vs performance gaps
- Minor vs major misconduct: practical examples
- Core principles: intent, reasonableness, proportionality
- Early detection and preventive HR practices

2

Legal Framework & Employer Obligations

- Key provisions of the Employment Act 1955 & Industrial Relations Act 1967
- Section 14(1) dismissals: due inquiry and procedural fairness
- What makes a dismissal “fair” in the eyes of the courts
- Documentation standards that protect the employer

3

Investigating Misconduct

- How to conduct a proper investigation step-by-step
- Collecting evidence: documents, witnesses, digital records
- Rules of natural justice: what HR must observe
- Conducting a Domestic Inquiry: structure, roles, and do's & don'ts

4

Managing Poor Performance

- How to identify true performance issues (vs attitude or misconduct)
- Framing the problem: setting clear performance expectations
- Handling difficult conversations with underperformers
- Case studies: Common employer mistakes and how to avoid them

5

Performance Improvement Plans (PIP) that Work

- Key components of an effective PIP
- Setting measurable performance targets
- Monitoring progress and providing feedback
- When a PIP fails: options and next steps

6

Actionable Tools & Templates

- Sample warning letters (misconduct & performance)
- PIP templates and monitoring sheets
- Investigation checklists
- Documentation guidelines for defensible HR decisions

7

Practical Case Studies & Group Exercises

- Real Malaysian case law simplified
- Simulated misconduct investigation
- PIP design workshop
- "You Decide": participants evaluate employer actions

8

Closing Session: Putting It All Together

- Integrating misconduct and performance management into HR practice
- Ensuring consistency across managers
- Final Q&A and problem-solving clinic

WHO SHOULD ATTEND

This programme is designed for professionals who are directly involved in managing employee conduct, performance, and workplace discipline, including:

- HR Executives, Officers, and Managers responsible for employee relations and disciplinary matters
- Industrial Relations Practitioners advising on misconduct, investigations, and dismissals
- Line Managers and Supervisors who manage underperforming or problematic employees
- Business Owners and Senior Managers overseeing people management decisions
- HR professionals new to misconduct handling, performance management, or Domestic Inquiries

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 the practical application of principles
- Group discussions to encourage shared insights and peer learning
- Structured exercises to reinforce understanding and support hands-on application

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.

