



ELLEN BURKE

# A 2-Day Human Capital Development Training Programme

## AN UPDATE ON EMPLOYMENT ISSUES IN MALAYSIA

Registered under the PSMB (HRDF) SBL - Khas Scheme

1 Malaysia Training Programme Approved Course

### Target Audience

Managing Directors • Senior Managers • Human Resource Managers  
Employee Relations Managers • Industrial Relations Managers  
Employment Managers • Recruitment Managers • HR Specialists  
HR Practitioners • Line Managers • Corporate Officers • HR Executives

### Date

12th - 13th July 2011

### Venue

Mutiara Johor Bahru  
Jalan Dato Sulaiman, Century Garden,  
80990 Johor Bahru.

[www.ellen-burke.com](http://www.ellen-burke.com)

## About The Organisation



### ELLEN BURKE

Ellen Burke is an organisation which is well grounded in human resource management including industrial relations matters.

We provide our clients with a wide range of professional services that includes consultancy, training of personnel and advice on human resource management issues.

#### **ELLEN BURKE (M) SDN BHD**

We take your Human Resource issues seriously.

## Benefits Of Attending The Programme

- Examining the application of the provisions of the **Whistleblower Protection Act 2010** at the workplace.
- Knowledge of employer's responsibilities under the Employment Act 1955 : **Employment (Part-Time Employees Regulations 2010)**
- Handling complaints of Sexual Harassment at the Workplace.
- Learning to conduct a lawful retrenchment exercise in the organization.
- Identifying the employer's risk to abuse of IT facilities at the workplace.

## About The Trainer



**MARINA NETTO**

Marina Netto had been a practising lawyer in the area of Industrial Relations and Corporate Law for 16 years, representing the employers and in other instances, the employees in the Industrial Court, High Court, Court of Appeal and the Federal Court. She has advised in disputes relating to collective bargaining and assisted in the negotiation and conclusion of a number of collective agreements. With the wealth of experience and knowledge acquired from legal practice for having represented these 3 entities on separate occasions, she has authored a book entitled 'Contracts of Employment and Malaysian Industrial Law', a comprehensive book covering the whole spectrum of industrial relations expounding the latest principles that would assist in fostering a sound working relationship between the employer and its employees. Details of the contents of the book are at the website: [www.ellen-burke.com](http://www.ellen-burke.com).

Marina Netto had been the main presenter in a number of ground breaking training programmes on industrial relations organized by Ellen Burke (M) Sdn Bhd which have inspired many Human Resources Practitioners and Managers to greater heights of performance. She is well known to have the ability to enlighten participants by leading them towards the subject matter and allowing them to relate to the subject matter with a number of case studies so as to make the process of learning easier and engaging.

## Programme Timing

The programme will commence at 9.00am on both days and finish at 5.45pm. Registration will take place at 8.15am. There will be 2 breaks at appropriate intervals for refreshments and lunch.

## Programme Outline

### DAY ONE :

8.30am : Registration

9.00am : **The Status of the Employee at the Workplace**

- (i) Under the Employment Act 1967
- (ii) Under the Industrial Relations Act 1967
- (iii) The Present Position

**Case Study**

**Particular Categories of Employees :**

- (i) Foreign Workers
  - the protection under the various local employment legislations

**Case Study**

- (ii) Part Time Employees:
  - nature & extent of employee's rights under the recent amendments to the Employment Act 1955 : **Employment (Part-Time Employees Regulations 2010)**

- (iii) Directors :
  - protection under local employment legislations

**Case Study**

- (v) Probationary Employees:

**Case Study**

11.00am : **Fixed Term Contracts**

- (a) What is a Fixed Term Contract
- (b) Advantages of Fixed Term Contracts
- (c) Renewal of Fixed Term Contracts – its implications

**Case Study**

2.00pm : **Employer's Rights & Obligations**

**Management Prerogatives**

- An examination of the various rights of employers under local employment legislations

**Case Study**

- Restrictions in the exercise of prerogatives

**Case Study**

4.00pm : **Handling Sexual Harassment at the Workplace**

- What is Sexual Harassment ?
- Forms of Sexual Harassment
- Case law on Sexual Harassment
- Employer's Responsibilities

**Case Study**

5.45pm : End of Day One

## Programme Outline

### DAY TWO :

9.00am : **The Whistleblower Protection Act 2010**

- Who is a Whistleblower?
- Dealing with Whistleblowing
- Extent of Protection to Whistleblowers under the Act 2010
- Employee's remedies under the Act 2010
- Employer's liabilities under the Act 2010

11.00am : **Employee's Obligations to the Employer**

- (i) Employee's duty to exercise reasonable care and skill

The thin line that is drawn between negligence and poor performance

**Case Study**

- (ii) Employee's duty to obey lawful and reasonable instruction given by the employer

- To what extent is this obligation absolute?

**Case Study**

- (iii) Employee's duty of Loyalty and Fidelity

- Abuse of IT facilities at the workplace
- The various risks to employers

**Case Study**

2.00pm : **Reorganization of employment in an economic downturn**

- Redundancy & Retrenchment

- (i) What amounts to a lawful retrenchment ?
- (ii) The Selection Process
- (iii) Employer's rights
- (iv) Application of the principle of Last -In- First -Out
- (v) Procedure for Retrenchment
- (vi) Consequences of Wrongful Retrenchment
- (vii) The Challenges of Retrenchment and ways to overcome these challenges
- (viii) Alternatives to Retrenchment

**Case Study**

4.00pm : **The Contract of Employment**

- (i) Principles in drafting the contract of employment
- (ii) Ways to vary the contract of employment

**Case Study**

5.45pm : End of Day Two

# Registration Form

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12th - 13th July 2011 ♦♦♦ Mutiara Johor Bahru, Jalan Dato Sulaiman, Century Garden, 80990 Johor Bahru

Dear Sir,  
Please register the following name(s) for this training programme :

1) Name : \_\_\_\_\_

Position : \_\_\_\_\_

Email : \_\_\_\_\_

2) Name : \_\_\_\_\_

Position : \_\_\_\_\_

Email : \_\_\_\_\_

3) Name : \_\_\_\_\_

Position : \_\_\_\_\_

Email : \_\_\_\_\_

(Please photocopy for more participants)

Approving Officer :

Name : \_\_\_\_\_

Position : \_\_\_\_\_

Organization : \_\_\_\_\_

Address : \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Tel : \_\_\_\_\_ Fax : \_\_\_\_\_

Email : \_\_\_\_\_

### How to Register

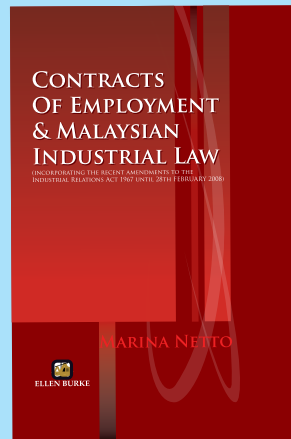
Tel : +603-77858502 /03 /04

Fax : +603-77858505

Email : info@ellen-burke.com

Fax or Post your registration form to :

Ellen Burke (M) SDN BHD  
Suite 708, 7th floor, Menara Majestic  
No.15, Jalan Othman Section 3,  
46000 Petaling Jaya, Selangor, Malaysia



A complimentary copy of this hard cover book will be given to participants before the commencement of this training programme. For more information on this book, visit our website at [www.ellen-burke.com](http://www.ellen-burke.com)

### Programme Fee

Your investment for attending this Programme :

**RM1,200.00**

A discount of RM100.00 for registration before

**7th July 2011** or with **3 or more participants from the same organization**

### How to Pay

Fees must be paid before commencement of the training programme

All cheques should be crossed and made payable to "Ellen Burke (M) Sdn Bhd"

Or by direct transfer to :

- HSBC, Petaling Jaya : 202-614087-101
- MBB, Petaling Jaya : 514169160179

Receipts would be issued for all payments made to Ellen Burke (M) Sdn Bhd

### Hotel Accommodation

Cost of hotel accommodation is not included in the programme fee