

Training Programme No: 10001185402

# THE EMPLOYMENT ACT 1955

(Including Approved Amendments 2021)

## INTRODUCTION

The Employment Act 1955 (EA1955) is applicable throughout West Malaysia and Federal Territory of Labuan. In East Malaysia, the Labour Ordinance of Sabah and Labour Ordinance of Sarawak prevail. The EA 1955 provides statutory minimum benefits to private sector employees who fall under the definition of “employee” under the First Schedule of the EA 1955. The EA 1955 also protects employees with regards to their terms and conditions of employment.

**DATE:**  
**TBA**

**TIME:**  
**9.00am - 5.00pm**

**MODE:**  
**F2F or virtual**

**COURSE FEE:**  
**RM1,399 per pax**

*\* Course fee is HRDC  
claimable for eligible  
employers*

## OBJECTIVES

After the 2 day session, participants would be able to:

- Understand the provisions of the law and their implication.
- Apply the various provisions correctly to avoid litigation.
- Improve employer-employee relations at the workplace.
- Resolve daily workplace challenges expediently.

## TARGET AUDIENCE

Supervisors/ Executives / Managers.

## DURATION

Fourteen Hours (14 Hours)/ Two (2) Days.



## MODULE 1 : INTRODUCTION

- Employment Laws and their Application.
- Scope of the Sabah and Sarawak Ordinance (SLO).
- Differences between the EA 1955 and the SLO.

## MODULE 2 : THE EMPLOYMENT ACT

- The Employment Act – An Overview.
- Provisions Applicable To All Employees.
- Employees Under Scope of EA1955.

## MODULE 3 : CONTRACT OF SERVICE

- Meaning of Contract Of Service.
- Expressed Terms.
- Implied Terms.
- Obligations Employer And Employee.
- Rights Employer And Employee.
- Duties Of Employer And Employee.
- Types Of Work Arrangement (Full- Time/ Part-Time/ Temporary/ Fixed Term/Casual)

## MODULE 4 : TERMINATION OF SERVICE

- Definition Termination/ Dismissal.
- Voluntary And Involuntary Termination.
- Termination Of Employment Contract – Employer / Employee.
- Nine (9) Types Of Termination.
- Four (4) Non-Disciplinary Terminations.
- Breach Of Employment Contract Employer/ Employee.
- Termination Of Contract Without Notice.
- Termination With Notice.

## MODULE 5 : EMPLOYEE BENEFIT

- Working Hours.
- Holidays.
- Rest Day.
- Annual Leave.
- Sick Leave & Hospitalisation Leave.
- Emergency Leave.
- No Pay Leave.
- Other Paid Leave Benefits.
- Garden Leave.

## MODULE 6 : WAGES

- Definition Of Wages.
- Lawful Deductions From Wages.
- Unlawful Deductions From Wages.
- Overtime – Can it be Forced Upon an Employee?

## MODULE 7 : EMPLOYMENT OF WOMEN & MATERNITY PROTECTION

- Conditions.
- Confinement.
- Eligibility For Maternity Leave.
- Limit On Number Of Children.

## MODULE 8: COMPLAINTS & INQUIRY

- Power Of The Director General Labour.
- Labour Court.
- When To Approach The Labour Office?

## MODULE 9: SEXUAL HARASSMENT

- Rationale.
- Legal Provisions.
- Definition.
- Types Of Sexual Harassment?
- Forms Of Sexual Harassment.

## MODULE 10 : EA (AMENDMENTS) 2021

- General Penalty.
- Calculation of Wages for Incomplete Month.
- Foreign Employees.
- Contract for Labour.
- Presumption of Employer – Employee Relationship.
- Working Hours.
- Sick Leave.
- Apprenticeship.
- Flexible Working Arrangements.
- Discrimination.
- Forced Labour.
- Power of DG in Inquiry.
- Maternity Leave.
- Paternity Leave.
- Sexual Harassment.

## TRAINER'S PROFILE



**NUR AMIRAH NAIR  
BINTI ABDULLAH**

**NUR AMIRAH NAIR BINTI ABDULLAH**, known to friends and clients as Amira, has more than 34 years of hands-on experience in both the public and private sector in Malaysia. 22 years of this was in the area of auditing (Auditor General Malaysia's Office) and tax (Inland Revenue Board Malaysian). She exercised her optional retirement and subsequently left to join the private sector in the area of human resources and administration in a unionised environment.

Currently, she enthusiastically shares in Malaysia and Brunei her HRA experience and hands-on expertise in a wide spectrum of HR-related issues and challenges. Her hands-on HR knowledge and experience places her in a good position to offer practical solutions to common issues and challenges HR practitioners face. During her tenure as HRA Manager she negotiated and concluded 3 Collective Agreements without any salary adjustment being paid. She has also helped her organization successfully win eight (8) cases of Unfair Dismissal referred to the Industrial Court. She is a certified PSMB trainer and has won several awards throughout her career in both the public and private sector.

Nur Amirah holds a Bachelor in Social Science (Hons) (Economics) from University Sains Malaysia, a Certificate in Personal Management from MIHRM, a Certificate and Diploma in Public Relations from IPRM and a Masters in Human Resources Management & Industrial Relations from University of Newcastle, Australia.

"Learning made simple" and "balanced in approach" are phrases often seen in the evaluation of training session. Training is made fun with real life examples and games / activities. She has high regard for trainees and treats them with respect and encourages / motivates them to participate. Her auditing, tax and human resource background makes her a person critical for detail and having an amicable and soft approach toward people.

