

One Day Intensive Employment Act Amendment & Misconduct Management



Course Overview

This intensive one-day program is designed to equip HR practitioners, managers, and supervisors with essential knowledge and practical skills for handling employee misconduct effectively and legally in Malaysia. Participants will explore the latest updates to the Employment Act 1955, understand the procedures for termination due to misconduct, and learn to navigate the domestic inquiry and Industrial Court processes. Real-world examples and case studies will be incorporated for practical learning.



Why You Should Attend This Course

This course is essential for all People Managers responsible for handling disciplinary matters within the organization. Mismanagement of such issues can lead to employee disengagement, harm the organization's reputation, and expose the company to significant legal risks, especially if cases escalate to the Industrial Court.

Learning Objectives

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

- Understand key provisions of the Employment Act 1955, including recent amendments.
- Identify valid grounds for terminating an employee's contract.
- Differentiate between ordinary and misconduct-related terminations.
- Apply a fair and structured approach to handling employee misconduct.
- Conduct a proper domestic inquiry process in line with Industrial practices & legal standards.
- Determine appropriate disciplinary actions or punishments.
- Manage employee representation at the Industrial Relations Department.
- Understand procedures and consequences of cases escalated to the Industrial Court.

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Course Content

Module 1: Introduction and Overview

- ✓ Importance of effective disciplinary handling
- ✓ Consequences of poor disciplinary management

Module 2: Employment Act 1955 - Recent Amendments

- ✓ Overview of the 2022 amendments (effective 2023)
- ✓ Key changes affecting disciplinary processes

Module 3: Termination of Contract

- ✓ General principles under the Employment Act 1955
- ✓ Constructive dismissal overview

Module 4: Termination for Special Reasons (Misconduct)

- ✓ Defining misconduct (minor vs major)
- ✓ Standards of proof for misconduct

Module 5: Handling Misconduct: Step-by-Step Process

- ✓ Preliminary investigation
- ✓ Issuance of show cause letter
- ✓ Suspension pending inquiry

Module 6: Conducting a Domestic Inquiry (DI)

- ✓ Appointment & Roles of panel members
- ✓ Steps in conducting a fair DI
- ✓ Record-keeping and reporting

Module 7: Determination of Punishment

- ✓ Deciding on appropriate disciplinary action
- ✓ Communicating the decision

Module 8: Representation at the Industrial Relations Office

- ✓ Industrial Relation Office
- ✓ Industrial Court
- ✓ Settlement options and outcomes

Module 10: Case Studies & Role-Playing

- ✓ Review of recent Industrial Court decisions
- ✓ Mock disciplinary hearing or domestic inquiry exercise

Dr. Ewen, DBA, is the CEO and Founder of Hi3 HRApps Sdn Bhd . He designs and implements programs for Local & International clients.

Prior to founding his own company, he was a HR Practitioner with several MNCs for more than 30 years, namely, Quantum Storage, Iomega, Dell Computer, Smart Modular. He held several Senior HR Position. And rose through the ranks to Site Director & Regional Director.

He holds a Bachelor Degree in Economics, Master in Human Resource Management & Business Administration prior to his doctoral research in the area of Performance Psychology.

He is a certified trainer for 6-Sigma, EICC Lead Auditor, Leonard Personality Inventory and Personal Resilient Advantage for Stress Transformation.

Trainer's Profile



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