

JUNE
12-13
DORSETT GRAND **SUBANG**

A 2-DAY COURSE ON

Termination of Employment

In Accordance With Malaysian Labour Laws

HIGHLIGHTS

- Module 1 Types Of Termination Of Employment
- Module 2 Managing Poor Performers
- Module 3 Employer's Right To Discipline Employees
- Module 4 Termination Of Employment Contracts
- Module 5 Constructive Dismissal
- Module 6 Legal Obligations In Managing Retrenchment
- Module 7 Business Closure And Change Of Ownership Of Business



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INTRODUCTION

Employers in Malaysia may find it difficult to terminate employees since it involves compliance with a complicated legal framework as well as managing potentially delicate interpersonal relations. This training will provide you a thorough grasp of the legal requirements and best practices for dismissing employees in Malaysia.

Participants will learn about the different types of employment termination in Malaysia, including termination with notice, termination without notice, and constructive dismissal.

WHO SHOULD ATTEND

- Managing Directors/Directors
- General Managers
- HR/IR Managers, Officers & Executive
- Head of Departments
- Managers

METHODOLOGY

This interactive training programme with actual scenarios, equips participants with legal information, knowledge and practical skills for managing employee terminations in Malaysia, minimising legal risk and creating a positive workplace relationships.

TRAINER'S PROFILE

KAVITHA GUNA SEGARAN

**Bachelor of Jurisprudens (Hons) Malaya, CLP
Advocate & Solicitor, High Court of Malaya 2001**

Kavitha is a qualified lawyer with 20 years of experience. She is the founding partner of a legal firm based in Kuala Lumpur. She is a certified trainer under the Human Resources Development Fund ("HRDF").

She specializes in the area of Employment and Industrial Relations. Kavitha has much experience in handling both local and foreign employees as well as employees' trade unions of various industrial sectors on a wide range of both individual and collective disputes including statutory employment rights and obligations, employee performance, disciplinary action, union recognition issues, collective bargaining, non-compliance of collective agreements and dismissals.

Kavitha represents her clients in disputes before the Labour Court, Industrial Court as well as the High Court and Court of Appeal with cases won duly reported in the Industrial Law Reports and Current Law Journals.

Her significant experience includes:-

- Advising corporate organizations on dispute settlements, corporate reorganising exercises such as retrenchment schemes and voluntary retrenchment schemes, conducting domestic inquiry proceedings and rendering advice on general misconduct issues.
- Appointed by a national trade union to resolve union recognition issues.

Kavitha is able to provide insightful and practical advice and strategies for corporate organizations on disputes in the arena of employer-employee relationships.

At the same time, she has a passion to train and share her knowledge and insights in respect of the area of Employment Law & Industrial Relations.

DAY 1

0900 **MODULE 1 TYPES OF TERMINATION OF EMPLOYMENT**

- The Termination Clause
- Notice Of Termination
- Termination Of Employment With Notice
- Termination Of Employment Without Notice
- Payment In Lieu Of Notice
- Mutual Waiver

1030 Morning coffee

1045 **MODULE 2 MANAGING POOR PERFORMERS**

- Definition Of Poor Performance
- Managing Probationers
- Managing Poor Performance Of Permanent Staff
- Performance Management Process
 - Coaching
 - Counselling
 - Warning
 - Opportunity To Show Improvement
 - Performance Improvement Plan
- Justification For Dismissal

1300 Lunch

1400 **MODULE 3 EMPLOYER'S RIGHT TO DISCIPLINE EMPLOYEES**

- Does The Employer Have The Right To Discipline Its Employees?
- What Is Misconduct
- Types Of Misconduct
- Procedure Of Handling Misconduct
 - Appointment Of Investigation Officer
 - Investigating Allegations Of Misconduct
 - Identifying The Relevant Parties
 - Interviewing The Relevant Parties
 - Collecting Documents And Exhibits To Support The Allegation Of Misconduct
 - Preparation Of Investigation Report
- Suspension Of Employee Accused Of Committing Misconduct
- Conducting A Domestic Inquiry
- Punishment For Misconduct

1700 End of Day 1

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DAY 2

0900 **MODULE 4 TERMINATION OF EMPLOYMENT CONTRACTS**

- Fixed Terms Contracts
- Retirement
- Frustration
- Medical Board Out

1030 Morning Coffee

1045 **MODULE 5 CONSTRUCTIVE DISMISSAL**

- Definition of constructive dismissal
- Test for constructive dismissal
- Time frame to claim
- Duty to inform employer for constructive dismissal
- Potential grounds for constructive dismissal
- How to respond to a claim for constructive dismissal

1300 Lunch

1400 **MODULE 6 LEGAL OBLIGATIONS IN MANAGING RETRENCHMENT**

- Principles of retrenchment
- Justification for reorganization
- Establishing Redundancy
- Selection process and guidelines
- Departure from LIFO principle
- Code of Conduct Industrial Harmony
- Retrenchment Benefits

1530 Afternoon Tea

1545 **MODULE 7 BUSINESS CLOSURE AND CHANGE OF OWNERSHIP OF BUSINESS**

- Managing employee termination in a business closure
- Managing employee termination in change of business ownership

1700 End of Course

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REGISTRATION FORM

Termination Of Employment In Accordance With Malaysian Labour Laws

HRD CORP CLAIMABLE COURSE: TRAINING PROGRAMME NO: 10001406816

COMPANY NAME

COMPANY ADDRESS

NATURE OF BUSINESS

MEMBER OF HRD CORP?

YES

NO

COMPANY SIZE

1-29

30-69

70-99

100-149

150-199

200+

CONTACT PERSON

TEL

MOBILE

EMAIL

APPROVING MANAGER NAME

TEL

MOBILE

EMAIL

DELEGATE 1 FULL NAME

POSITION

TEL

MOBILE

EMAIL

DELEGATE 2 FULL NAME

POSITION

TEL

MOBILE

EMAIL

DELEGATE 3 FULL NAME

POSITION

TEL

MOBILE

EMAIL

DELEGATE 4 FULL NAME

POSITION

TEL

MOBILE

EMAIL

DELEGATE 5 FULL NAME

POSITION

TEL

MOBILE

EMAIL

COURSE FEES

The fee per person is RM1795.

The full fee is required with your registration. The fee includes luncheon, coffee / tea breaks, course manual, and certificate of completion.

2 persons registered are entitled to a 10% discount.

TERMS & CONDITIONS

1. Registration & Fees Policy.

Registration is confirmed once registration form is received via email. All Payments /Undertaking Letters / Local Order (LO) / Letter of Approval must be made available and presented prior to the course.

2. Cancellation Policy

Any cancellation must be received in writing within 7 working days prior to the course else full payment will be imposed. Any no-show by registered delegates will be liable for full payment of the course fees.

3. Disclaimer & Program Changes Policy

Trainmode Sdn Bhd reserves the right to amend or cancel the course due to circumstances beyond its control. We reserved the right to modify the advertised topics or course timing whenever necessary.

PAYMENT TRANSFER BANK DETAILS

Account name

**TRAINMODE
SDN BHD**

Account number

14100015214

Bank Name

**Hong Leong
Bank Berhad**

CONTACT US

Trainmode Sdn Bhd

201701021574 (1235740-T)

+6012 2011 247

yvonne@trainmode.com.my

OUR LOCATIONS

SELANGOR

25 Jalan Utama 2/18,
Taman Perindustrian Puchong
Utama, 47100 Puchong, Selangor

PENANG

10 Lorong Industri Impian Indah 1,
Taman Industri Impian Indah,
14000 Bukit Mertajam, Penang

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