

Understanding TPPA and its Impact on Employment/Industrial Laws of Malaysia

The Trans-Pacific Partnership (TPP) is a multilateral free trade agreement among 12 countries: Australia, Brunei, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore, United States, and Vietnam. The TPP mandates, among other things, certain fundamental rights for workers in each state, which are articulated under the standards of the International Labor Organization (ILO), a United Nations agency dedicated to promoting decency in labor and work. TPPA also requires each party to ensure acceptable conditions of work, for its work force. It further creates an extra-judicial complaint mechanism that would allow private entities—such as unions—to complain that a state party is not in compliance because it is allowing employers within that state to violate workers' rights, which are protected under the TPPA.

The Dewan Rakyat and Dewan Negara passed the motion for the Government to sign and ratify the TPPA on 27 and 28 January 2016 respectively. As a signatory to the TPPA, major amendments need to be made to all the employment/industrial legislation especially the principle laws, namely the Employment Act 1955, the Trades Unions Act 1959 and the Industrial Relations Act 1967. Our One (1) Day program will enable participants to understand the impact of TPPA on these legislations and the consequential effects on employment and labour practices including the employment of foreign workers in Malaysia. Come join us and learn why the way we manage our Human Resource Relations may undergo very dramatic changes in the course of the next few years.

COURSE CONTENT

Elements of the Trans Pacific Partnership Agreement (TPPA)

- **TPPA and the Employment/Industrial Laws**
- **TPPA and ILO Conventions**
- **ILO Declaration on Fundamental Principles and**
- **Rights at Work 1998**

Impact of TPPA on Employment/Industrial Laws

- **Employment Act 1955**
- **Industrial Relations Act 1967**
- **Trade Unions Act 1959**
- **EPF Act 1991**
- **SOCSSO Act 1969**
- **HRDF Act 2001**
- **Impact on Management of Human Resources and Relations with Trade Unions**

TRAINER'S PROFILE

Raja Vishnu Sivarajah

RAJA VISHNU SIVARAJAH obtained his LL.B (Hons) in 1996 from the University of Wolverhampton and joined the Malaysian Current Law Journal in 1999 as the Legal Proof-reader. In 2001, he was promoted to the position of Sub-Editor and subsequently in 2002, he was made Editor-in-charge of the Industrial Law Reports (ILR). He left to join Malaysian Employers Federation (MEF) in 2006 as the Research Analyst for the Industrial Relations Department, where he researched and wrote several MEF's Industrial Relations publications, specifically Leave & Absenteeism at the Workplace – Cases, Commentary & Materials (First Edition) and 'Criminal' Misconduct In Employment - Cases, Commentary & Materials (First Edition), aside from providing consultation on labour, employment and industrial law matters to members of MEF. After spending several years in the Corporate Sector, where he continued honing his Industrial Relations skills in a Managerial capacity, he joined MECA Employers Consulting Agency Sdn Bhd as its Senior Legal Advisor in 2011.

While in MECA, aside from providing advisory services to employers, he had also won many Labour Department cases on behalf of employers whilst conducted successful Training Courses on matters in connection to Employment Act 1955 and Industrial Relations Act 1967, domestic inquiry procedure, managing misconduct and poor performance, managing absenteeism and excessive sick leave etc.

With his experience and practical hands on approach in Industrial Relations, Raja Vishnu serves as a full time Consultant of IR Law and provides Training Courses on Industrial/Labour/Employment Law issues. He is well versed in assisting employers in handling day to day IR/HR operations including dispensing advise on compensation and benefits issues, drafting employment contracts, Company Handbooks, conducting investigation on disciplinary issues, HR Audit and domestic inquiries, handling employee grievances and negotiations for collective agreements, providing legal opinions, representing employers at Labour Department etc.

TRAINER'S PROFILE

K. Jebaratnam

K. JEBARATNAM has served in the Human Resources Ministry for over 30 years in the Department of Labour and the Trade Union Affairs Department. He was the Regional Director of Trade Unions for Selangor, Wilayah Persekutuan Kuala Lumpur and Pahang before he opted out to join the private sector. As an enforcement officer in the Ministry of Human Resources, he has vast experience in enforcing the Employment Act 1955, Industrial Relations Act 1967 and Trade Unions Act 1959, conducting Labour cases, prosecutions and providing advisory services to both the employers and the employees. As a Director in the Trade Union Affairs Department, under the Trade Unions Act 1959, he was responsible for the registration and administration of Trade Unions in Wilayah Persekutuan Kuala Lumpur, Selangor and Pahang. As a member of the MIHRM he has conducted various training programmes on Labour Laws for DIPM and DIR courses participants. K. Jebaratnam is a certified trainer by the Pembangunan Sumber Manusia Berhad (Human Resources Development Berhad)

After opting out from the civil service in 1995, he served as the Industrial Relations Adviser of the Malaysian Commercial Banks' Association (MCBA), an umbrella body for all the Commercial Banks and Finance companies in Malaysia. He was involved in successfully negotiating and concluding collective agreements with the Nation Union of Bank Employees (NUBE) and Association of Bank Officers (ABOM). During his five years in MCBA, he has conducted training programmes including in-house sessions for Bank managers and officers on Labour Laws and disciplinary matters. During the consolidation of the financial institutions, has formulated guidelines to introduce Voluntary Separation Scheme (VSS) and Early Retirement Scheme (ERS) for implementation by member banks and finance companies. During his tenure in MCBA, he was appointed to the Industrial Relations Panel of MEF, a high-powered body to advise the MEF council on amendments to Labour Legislations and other related matters.

His command of the Employment Act 1955, Industrial Relations Act 1967, and the Trade Unions Act 1959, the hands-on experience in handling employees in unionised environment, matters leading to termination of employment, conducting programmes in handling domestic inquiries and grievance handling as well as implementation of VSS and ERS are added advantages for the achievement of human resource development of any progressive and dynamic organisation.

Program Dates

Thursday, 28 April 2016, 09:00am to 05:00pm

Venue:

IR Law Training Room

IR Law Sdn. Bhd, 2B-7-3 Block 2B, Level 7, Plaza Sentral,
Jalan Stesen Sentral 5, 50470 Kuala Lumpur

You can register by completing the enclosed form below and faxing it to +603 2034 9468 or scan/email to accounts@irlaw.com.my.

- 1) RM700.00 per delegate.
- 2) RM550.00 (IR Law Member's Price) per delegate.
(Excluding 6% GST)

Course Fee & Registration

Participants will be given two weeks trial to contact IR Law Consultants for any consultation/ query on Industrial and Human Resource matters, including free two week password for Online Access to IR Digital Library where the participants can freely access all Industrial Court awards, High Court, Court of Appeal and Federal Court cases, Articles including updated legislation on all employment/industrial law matters.

(Fully HRDF Claimable (includes morning & afternoon tea break, lunch, printed notes worth RM20.00 each and certificate of attendance)

Registration Form

IR LAW
WORKSHOPS
2016



HRDF CLAIMABLE

26 April 2016

Tuesday (09:00am to 05:00pm)

*Managing Absenteeism,
Excessive Sick Leave & Poor
Performance at the Workplace*

Mr. K. Jebaratnam
Mr. Raja Vishnu Sivarajah

IR Law Training Room
IR Law Sdn. Bhd,
2B-7-3 Block 2B, Level 7,
Plaza Sentral, Jalan Stesen Sentral 5,
50470 Kuala Lumpur

27 April 2016

Wednesday (09:00am to 05:00pm)

*Managing Downsizing Correctly
During Economic Downturn*

Mr. K. Jebaratnam
Mr. Raja Vishnu Sivarajah

IR Law Training Room
IR Law Sdn. Bhd,
2B-7-3 Block 2B, Level 7,
Plaza Sentral, Jalan Stesen Sentral 5,
50470 Kuala Lumpur

28 April 2016

Thursday (09:00am to 05:00pm)

*Understanding TPPA and its Impact
on Employment/Industrial Laws of Malaysia*

Mr. K. Jebaratnam
Mr. Raja Vishnu Sivarajah

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2B-7-3 Block 2B, Level 7,
Plaza Sentral, Jalan Stesen Sentral 5,
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IR Law Sdn Bhd

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enquiries@irlaw.com.my
<http://irlaw.com.my>

Registration Form

IR LAW
WORKSHOPS
2016

PARTICIPANT 1

NAME: _____

DESIGNATION: _____

EMAIL ID: _____

TEL NO: _____

PARTICIPANT 2

NAME: _____

DESIGNATION: _____

EMAIL ID: _____

TEL NO: _____

PARTICIPANT 3

NAME: _____

DESIGNATION: _____

EMAIL ID: _____

TEL NO: _____

BANK DETAILS

Bank : Maybank – Taman Melawati Branch

Account No : 012204111142

Account Name : IRLaw Sdn Bhd

TERMS AND CONDITIONS

- Registration may be made through telephone/fax/email/website form
- Cheques should be made payable to: “IRLaw Sdn Bhd”.
- You may make substitutions at any time.
- No refunds will be given for cancellations received less than 5 working days prior to the workshop date.
- Excluding 6% GST.

COMPANY INFORMATION

COMPANY: _____

ADDRESS: _____

TEL NO: _____

FAX NO: _____

CONTACT PERSON: _____

CONTACT'S EMAIL: _____

COMPANY CHOP / SIGNATURE: _____

WORKSHOP FEES

Workshop Rates

1-day Workshop
RM 550 (IR Law members)
RM700(non members)
(Excluding 6% GST)



HRDF CLAIMABLE

IR Law Sdn Bhd
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