

*Chaired by  
Puan Maimunah Aminuddin*

*A Live Demonstration on Successfully Identifying  
Sexual Harassment, Corporate Bullying and Theft  
by the IR LAW Team*

**Featured Speakers Include**

*Abdul Halim Bin Mansor, President,  
Malaysian Trade Union Congress (MTUC)*

*Datuk Shamsuddin Bardan, Executive  
Director, Malaysian Employers Federation  
(MEF)*

*Wong Keat Ching, Partner,  
Zul Rafique & Partners*

*Lim Heng Seng,  
Partner, Lee  
Hishammuddin Allen &  
Gledhill*

*Selvamalar Alagaratnam,  
Partner, SKRINE*

*Dato' Thavalingam Thavarajah,  
Partner, Lee Hishammuddin Allen  
& Gledhill*

*Ravindra Kumar Rengasamy, Partner  
- Dispute Resolution, Raja, Darryl & Loh*

*Siva Kumar Kanagasabai,  
Partner, Dispute Resolution  
Division, SKRINE*

# IR LAW

## CONFERENCE 2017

### 3 & 4 OCTOBER

#### INTERCONTINENTAL HOTEL KUALA LUMPUR



HRDF CLAIMABLE

**IR Law**  
CORPORATE INDUSTRIAL RELATIONS CONSULTANCY

# OCT 3

9:00am -  
10:00am

## Current Issues in Industrial Law

Join a representative from the Industrial Court as they guide you on the latest developments in industrial and employment law. Gain a comprehensive insight of the critical issues to help you stay on top of your field by learning from several latest pivotal cases, key areas and their impact on your human resource practice.

**YA Dato' Patricia Tan Ghee Phaik, Chairman, Court 13  
Industrial Court Kuala Lumpur**

10:00am -  
11:00am

## Effective Collective Bargaining Skills and Strategies

This presentation with an experienced Collective Agreement negotiator will cover bargaining plans, strategies, tactics, preparing for face-to-face negotiation sessions, handling negotiations at the bargaining table and how to obtain an agreement.

**Simon Sim, Group HR Head , Hap Seng Berhad**

11:30am -  
12:30pm

## Get Back to Basics: Demystifying Constructive Dismissal When Implementing Changes Within the Workplace

In the current economic climate, changes in the workplace are a constant occurrence. Restructuring, re-organisation and downsizing are human resource realities, which occasionally can lead to constructive dismissal allegations by a disgruntled employee, who resists change. What is constructive dismissal? What are the consequences of constructive dismissal and how can employers avoid hidden traps and risks in this area when implementing changes within the workplace?

**Wong Keat Ching, Partner, Zul Rafique & Partners**

2:00pm -  
3:30pm

## Panel Discussion: Understanding the Proposed Employee Insurance Scheme (EIS)

The proposed Employee Insurance Scheme (EIS) by the Federal Government, which is expected to be implemented by January 2018, has the potential to help Malaysian workers through a transition process when they lose their jobs. But given that the details of this scheme have not been disclosed, many questions remain to be asked about the EIS. Take this opportunity to ask the experts on the panel, so that there can be greater confidence that the EIS will be an effective program to help the workers in our country.

**Abdul Halim Bin Mansor, President, Malaysian Trade Union Congress (MTUC)**

**Datuk Shamsuddin Bardan, Executive Director,  
Malaysian Employers Federation (MEF)**

3:45pm -  
4:45pm

## How to Win an Unfair Dismissal Claim Even Before They Are Filed

Learn from our eminent lawyer and speaker on how to identify facts in alleged misconduct, poor performance, redundancy situations and trade dispute issues which are critical to success in unfair dismissal claims, whilst review the best practices and decisions that generate them. Such facts not only position the employers to win in the event of such claims, but can also prevent claims from being filed - which is the best victory of all.

**Dato' Thavalingam Thavarajah, Partner, Lee Hishammuddin Allen & Gledhill**

# OCT 4

## **Long Term Illness & Disability: Frustration of Employment Contract**

Any contract can be deemed to be frustrated when its purpose is impossible, meaning that neither party has any ongoing obligations under it. When is an employment contract frustrated? What are the employer's obligations when the contract is frustrated? What are the factors to determine whether an employment contract has been frustrated? Find out in this session.

**Lim Heng Seng, Partner, Lee Hishammuddin Allen & Gledhill**

9:00am -  
10:00am

## **Rescinding a Job Offer After Its Acceptance: The Legal Consequences**

Can an employer legally rescind a job offer? That is never a good thing for the candidate or the employer, as the candidate may have quit a job or even relocated, in reliance on the offer. In this session, we will explore the legalities and risks for an employer to consider before rescinding a job offer after its acceptance.

**Ravindra Kumar Rengasamy, Partner - Dispute Resolution, Raja, Darryl & Loh**

10:00am -  
11:00am

## **Restrictive Clauses in Employment Agreements - Legal Situation in Malaysia**

Restrictive clauses play an integral part in regulating the employer-employee relationship. In this session, we will examine the legalities of conflict of interest, restraint of trade, confidentiality, non-solicitation, non-poaching clauses and more, as well as how they can protect employer's interest during employment and post-employment scenarios.

**Selvamalar Alagaratnam, Partner, Dispute Resolution Division, SKRINE**

11:30am -  
12:30pm

## **A Live Demonstration on Successfully Identifying Sexual Harassment, Corporate Bullying and Theft**

Sexual harassment, corporate bullying and theft sound like very black and white scenarios in workplace misbehaviours and misdemeanours - however, in actuality they are not. In fact, they are rather grey-ish. Visually understand what constitutes and what does not in this session with play actors from IR Law to ensure that your next identification of these situations are spot on.

**IR Law Team**

2:00pm -  
3:30pm

## **Retrenchment, Voluntary & Mutual Separation - Understanding the Differences, Processes and Procedures**

Retrenchment, voluntary & mutual separation schemes can be very taxing and costly for the employer. However, such exercises have to be carried out in order to stop the organisation from sinking. This discussion will provide employers with the basic understanding of retrenchment and its differences with voluntary & mutual separation schemes, as well as the step by step processes, as any wrong procedures may lead to severe repercussions to the employer.

**Siva Kumar Kanagasabai, Partner, Dispute Resolution Division, SKRINE**

3:45pm -  
4:45pm

## WORKSHOP A

**20 - 21 SEPTEMBER**

**Monetizing the Collective Agreement**  
*Hotel Istana, Kuala Lumpur*

**Nancy Sim, Human Resource Consultant**

Understand the nitty gritty of negotiating and finalising a collective agreement by learning from our very experienced facilitator. Before entering a negotiation with the union, be prepared with what you are willing to offer, what you can afford to offer, and what you are comfortable with locking down for the agreement term. In this interactive workshop, you will learn the methods of calculating and monetizing the facets of a collective agreement so at the end of any negotiation it will be a win-win for both parties.

## WORKSHOP B

**25 - 26 OCTOBER**

**Domestic Inquiry - Procedure & Practice**  
*Hotel Istana, Kuala Lumpur*

**Dato' Thavalingam Thavarajah, Partner,**  
**Lee Hishammuddin Allen & Gledhill**

**Alfred Charles, IR/HR Consultant**

Employees are the most important assets of an organisation because they are the critical deciding factor that spearheads the organisation's success or failure. Having a disciplined workforce is a critical success factor for higher productivity and meeting organisational goals and objectives including its effectiveness. Dismissal of an employee must withstand the scrutiny of the Industrial Court and therefore it is essential that a proper domestic inquiry be held before dismissals are contemplated.

## WORKSHOP C1

**20 - 21 SEPTEMBER**  
*Pullman Hotel, Kuching*

**Employee Management in a Challenging Economy**

**Lim Heng Seng, Partner, Lee Hishammuddin Allen & Gledhill**

In a challenging economy, there are many facets of a business that need adjustments and management - fixed costs, operating costs, marketing and managing the workforce. Zooming into the management of employees, attend this workshop to understand the multiple avenues and solutions on reducing, realigning and maximising effectiveness of your workforce within the legal boundaries.

## WORKSHOP C2

**25 - 26 OCTOBER**  
*Hotel Istana, Kuala Lumpur*

## WORKSHOP D

**8 NOVEMBER**

**Understanding Hours of Work,  
Overtime & Holidays**  
*Hotel Istana, Kuala Lumpur*

**Raja Vishnu Sivarajah, Consultant, IR Law**

This workshop is designed to provide attendees with sound knowledge and understanding of this subject matter within the purview of the Employment Act 1955 (Incorporating 2012 amendments), complemented by 'hands on' practical guidelines and examples for worksite implementation.

## WORKSHOP E

**15 - 16 NOVEMBER**

**Unions and Management:  
A Blissful Marriage**  
*Hotel Istana, Kuala Lumpur*

**Anand Ponnudurai, Partner,**  
**Bodipalar Ponnudurai De Silva**

**K. Jebaratnam, Consultant, IR Law**

This workshop will enable participants to better understand the legal status of the trade unions of workmen as they lay claim to represent the employees of the place of employment. Let our facilitators share with you the practical and theoretical aspects, including some recent cases in the world of unionised organisations.

## COMPANY DETAILS

COMPANY:

ADDRESS:

TEL NO:

FAX NO:

CONTACT PERSON:

CONTACT DESIGNATION:

CONTACT'S EMAIL:

CATEGORY	IR LAW MEMBER	NON-MEMBER
Conference only	RM 2,050	RM 2,400
1 Day Workshop Only	RM 1,000	RM 1,200
2 Day Workshop Only	RM 1,850	RM 2,200
Conference & 1 Day Workshop	RM 2,700	RM 3,200
Conference & 2 Day Workshop	RM 3,400	RM 4,000

\*Fees inclusive of 6% GST

\*\* Group registrations of 3 & above enjoy an additional 10% discount

\*\* Past participating companies (non-members) enjoy an additional 5% discount of any prevailing prices

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- Conference only  
 1 Day Workshop Only  
 2 Day Workshop Only  
 Conference & 1 Day Workshop  
 Conference & 2 Day Workshop

### Special Dietary Requirements

- Vegetarian

## DELEGATE 2

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TEL NO:

WORKSHOP SELECTION

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- Conference only  
 1 Day Workshop Only  
 2 Day Workshop Only  
 Conference & 1 Day Workshop  
 Conference & 2 Day Workshop

### Special Dietary Requirements

- Vegetarian

## DELEGATE 3

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DESIGNATION:

EMAIL ID:

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WORKSHOP SELECTION

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- Conference only  
 1 Day Workshop Only  
 2 Day Workshop Only  
 Conference & 1 Day Workshop  
 Conference & 2 Day Workshop

### Special Dietary Requirements

- Vegetarian

COMPANY CHOP / SIGNATURE:

TERMS AND CONDITIONS

- Registrations 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 event date.
- The amount stated is including 6% GST.