

**PSMB SBL  
SCHEME**

## **EXECUTIVE DIPLOMA IN INDUSTRIAL RELATIONS 2011/2012**



MEF Academy Executive Diploma in Industrial Relations – the only comprehensive industrial relations course in collaboration with and endorsed by the International Labour Organization (ILO).

The Executive Diploma is designed as an in-depth advanced course targeted at Human Resource practitioners and specialist Industrial Relations / Labour Laws personnel. This is a highly acclaimed and private sector recognized course, conducted by industrial relations practitioners, lawyers, human resource specialist, academicians and representatives from the ILO. The syllabus covers an excellent blend of theory and practical knowledge covering the entire scope of industrial relations & labour laws in Malaysia and its application within the human resource management framework.

The program is designed to:

- Formalize the competency standards required for effective application of the industrial relations & labour law activities within an organization.
- Provide formalised qualification and recognition for Industrial Relations & Labour Laws specialist.
- Provide a comprehensive and in-depth understanding of the practice of Industrial Relations & Labour Laws, focusing on critical areas which equip participants with the skills to handle industrial relations.
- Develop knowledge and skills in providing practical advisory and implementation of industrial relations and labour laws, including first-hand experience in union related scenarios and proceedings in industrial and labour courts.

### **WHO SHOULD OBTAIN THIS CERTIFICATION?**

Organizations are encouraged to provide formal certification Diploma in Industrial Relations & Labour Laws competencies for the following categories of staff:

- Human Resource Management (HRM) executives, supervisors and managers
- Industrial Relations (IR) executive, officers & managers involved in the IR administration functions and activities
- Individuals with or without experience, having an interest in Industrial Relations & Labour Laws and seeking to pursue a career in IR or HRM.

**ENTRY REQUIREMENTS:**

- Qualification : Minimum 3 credits in SPM/SPVM or MCE with 2 years working experience in human resource or industrial relations.

**COURSE STRUCTURE, OBJECTIVES AND ASSESSMENT:**

Participants will attend 440 hours of training, over duration of approximately 1 year/ 12 months, with classes conducted on weekends. The course structure comprises six (6) integrated modules:-

<b>MODULE I - INTRODUCTION TO EMPLOYMENT LAWS EMPLOYMENT ACT 1955 (AMENDMENTS) &amp; REGULATIONS</b>	
1. Common Law position of employer-employee relations	64
2. Employment Law - Rights, Liabilities and Remedies	
3. Employment Act 1955 <ul style="list-style-type: none"> <li>- Definition of employee under EA 1955</li> <li>- Applicability of the EA 1955</li> <li>- Wages</li> <li>- Deductions</li> <li>- Prohibitions</li> <li>- Allowances</li> <li>- Hours of work, rest day etc.</li> </ul>	
4. Registers, Returns and Notice Boards	
5. Discussion of Cases on Employment Law	
6. Other Employment Legislations & Regulations <ul style="list-style-type: none"> <li>- Regulations under Employment Act</li> <li>- Termination and lay-off overtime</li> <li>- Children &amp; Young Person's Act</li> <li>- Workers Housing Act</li> <li>- Wages Council Act</li> <li>- Workmen Compensations Act (foreign workers)</li> <li>- Provisions of the EPF / SOCSO laws</li> <li>- Provisions of the HRDF Act</li> </ul>	
7. Role of Labour Department and Labour Court	
-	
<b>TUTORIAL &amp; EXAMINATION</b>	<b>12</b>
<b>TOTAL HOURS – MODULE 1</b>	<b>76</b>

<b>MODULE 2 - INDUSTRIAL RELATIONS IN MALAYSIA INDUSTRIAL RELATIONS ACT 1967 &amp; REGULATIONS</b>	
1. Overview of the <b>Industrial Relations Act 1967</b> 2. Protection of Rights of Workmen and Employers <ul style="list-style-type: none"> <li>- Rights of workmen and employers protection</li> <li>- Rights and Prohibitions on employers / trade unions</li> <li>- Reference of complaint to Industrial Court</li> </ul> 3. Managerial Prerogatives 4. Role of Industrial Court <ul style="list-style-type: none"> <li>- Composition</li> <li>- Jurisdiction</li> <li>- Awards</li> </ul> 5. Dispute Resolution <ul style="list-style-type: none"> <li>- Negotiation</li> <li>- Conciliation</li> <li>- Arbitration</li> </ul> 6. Role of Industrial Relations Department <ul style="list-style-type: none"> <li>- IR Rules</li> <li>- Conciliation</li> <li>- Field Visit to IR Department</li> </ul> 7. Scope of Judicial Review in respect of Minister's decision <ul style="list-style-type: none"> <li>- Definition of judicial review</li> <li>- Application of judicial review</li> <li>- Doctrine of ultra vires</li> </ul>	56
<b>TUTORIAL &amp; EXAMINATION</b>	<b>12</b>
<b>TOTAL HOURS – MODULE 2</b>	<b>68</b>

<b>MODULE 3 - TRADE UNION MOVEMENT &amp; TRADE UNION ACT</b>	
1. Trade Unionism in Malaysia <ul style="list-style-type: none"> <li>- Classification of unions</li> <li>- Number of unions by sector</li> <li>- Role and influence of the MTUC / MEF</li> </ul> 2. The Trade Union <ul style="list-style-type: none"> <li>- Definition</li> <li>- Registration</li> <li>- Composition</li> <li>- Recognition</li> <li>- Membership</li> </ul> 3. Trade Union Act 1959 <ul style="list-style-type: none"> <li>- Workers right to participate in union activities</li> <li>- Federal constitutions</li> <li>- ILO conventions</li> <li>- Registration &amp; de-registration of Trade Unions</li> <li>- Officers and employees of Trade Unions</li> <li>- Rights and liabilities of Trade Unions</li> <li>- Strikes</li> </ul>	40

<b>(EXAMINATION COMBINED WITH MODULE 4)</b>	
<b>TOTAL HOURS – MODULE 3</b>	<b>40</b>

<b>MODULE 4 - DYNAMICS OF COLLECTIVE BARGAINING &amp; PRODUCTIVITY /PERFORMANCE LINKED WAGE SYSTEM</b>	
1. Legal Framework on Collective Bargaining/Collective Agreements <ul style="list-style-type: none"> <li>- Definition</li> <li>- Right to collective bargaining</li> <li>- ILO Convention No. 98- the Right to Organise and to Bargain Collectively</li> <li>- Statutory provisions relating to collective bargaining &amp; collective agreement (IRA): Justification for statutory provisions.</li> <li>- Union’s proposal for collective agreement</li> </ul>	76
2. Collective Bargaining/ Collective Agreements Process <ul style="list-style-type: none"> <li>- The company’s preparation for collective bargaining</li> <li>- Review of financial capacity to pay wage increase</li> <li>- Review of comparative terms and conditions of service with V fixation policy: Industrial court Awards</li> <li>- Consumer Price Index (CPI) &amp; salary adjustment</li> </ul>	
3. Performance /Productivity Linked Wage System <ul style="list-style-type: none"> <li>- PLWS concept</li> <li>- Organization, trade union and individual objectives of PLWS</li> <li>- Developing Salary Structure               <ul style="list-style-type: none"> <li>- Types of incentives</li> <li>- What is gain sharing</li> <li>- Model of flexi-wage</li> <li>- Model for generating profit sharing pool</li> </ul> </li> </ul>	
4. PLWS at Work <ul style="list-style-type: none"> <li>- Implementation of PLWS               <ul style="list-style-type: none"> <li>• Case Study 1</li> <li>• Case Study 2</li> </ul> </li> </ul>	
5. Principles of Collective Agreements	
6. Knowing your Collective Agreement Awards	
7. Issues in Collective Bargaining	
8. Mock Collective Bargaining Process	
<b>TUTORIAL &amp; EXAMINATION (MOD 3 &amp; 4)</b>	<b>12</b>
<b>TOTAL HOURS – MODULE 4</b>	<b>88</b>

**MODULE 5 - GRIEVANCE HANDLING,  
DISCIPLINARY PROCEDURE & TERMINATION OF EMPLOYMENT**

<p>1. Grievance Handling</p> <ul style="list-style-type: none"> <li>- Four-step approach to handling grievances</li> <li>- Grievance Procedure – In unionized &amp; non-unionized companies</li> <li>- Grievance Case Study – Exercise</li> </ul> <p>2. Discipline</p> <ul style="list-style-type: none"> <li>- Meaning of positive and negative discipline</li> <li>- Definition of misconduct</li> <li>- Misconduct arising from breaches of express and implied duties</li> <li>- Concept of Social Justice</li> </ul> <p>3. Employee Misconduct</p> <ul style="list-style-type: none"> <li>- Due inquiry</li> <li>- Natural justice</li> <li>- Issues under Section 14 EA</li> </ul> <p>4. Disciplinary Procedures</p> <ul style="list-style-type: none"> <li>- Why conduct Domestic Inquiry</li> <li>- Legal &amp; contractual requirements, demands of Natural Justice and Industrial Court Guidelines</li> <li>- Domestic Inquiry Procedures</li> <li>- Mock Domestic Inquiry exercise</li> </ul> <p>5. Case Studies on Misconduct in Employment</p> <p>6. Forms of Termination of Employment</p> <p>7. Constructive Dismissal</p> <ul style="list-style-type: none"> <li>- Test for CD</li> <li>- Substantive breach</li> <li>- Forced resignation</li> <li>- Handling claims of CD</li> </ul>	80
<p><b>TUTORIAL &amp; EXAMINATION</b></p>	<b>12</b>
<p><b>TOTAL HOURS – MODULE 5</b></p>	<b>92</b>

**MODULE 6 - INTERNATIONAL PERSPECTIVE  
ON EMPLOYMENT / INDUSTRIAL RELATIONS**

1.	International evolvement of Industrial Relations (NEW)	40
	- Social clauses & WTO	
	- Global compact	
	- Free Trade Agreements	
	- Social Security Net	
2.	Corporate Social Responsibility	
	- Principles & Concept	
	- CSR & HR Management	
	- Fair Employment Practices	
3.	International Labour Organisation (ILO)	
	• Functions of ILO	
	• International Labour Standards (ILS) and industrial relations	
	• ILO Conventions	
<b>EXAMINATION – MODULE 6</b>		<b>4</b>
<b>TOTAL HOURS – MODULE 6</b>		<b>44</b>
<b>ASSIGNMENT ON COURT / DEPT VISITS</b>		<b>8</b>
<b>FINAL PROJECT PAPER:</b>		<b>24</b>
<b>TOTAL HOURS EXECUTVE DIPLOMA IN IR</b>		<b>440</b>

The course is highly participative and practical in nature. A range of learning methods will be used which are designed to combine sufficient theory and practice. Assessments will be continuous for the duration of the program through a combination of:-

- Learning activities structured into the content
- Specific organization-based research assignments
- Formal examinations
- Comprehensive project papers
- Practical mock sessions & court visits

All modules, learning activities, research assignments, examinations and project papers are designed to ground input material whilst drawing relevance to participant's organization and work functions. This ensures maximum transfer of learning to the workplace.

#### **ASSESSED COMPETENCIES**

<b><u>Assignment &amp; Project Paper</u></b> Participants are required to research and develop 2 assignments / project papers to display level of understanding on specific modules	<b>40% of competency assessment</b>
<b><u>Examination</u></b> Participants are required to prepare & sit for 4 examination on specified modules to display level of understanding on each module	<b>60% of competency assessment</b>

**CERTIFICATION**

Executive Diploma in Industrial Relations will be awarded by the MEF Academy, in collaboration with the International Labour Organisation (ILO) upon completion of all program requirements.

**COURSE FEES**

RM7,500 per participant, with RM500 discount for MEF members / individuals working with MEF member companies, and RM700 discount for graduants of MEFA Certificate in Human Resource Management / Certificate in Industrial Relations. Total fees of RM7,500 / RM7,000 / RM6,800 is claimable under the PSMB SBL Scheme.

Flexible course fees installment scheme available.

**VENUE :** MEF Training Centre,  
3A06 -3A07, Block A,  
Pusat Dagangan Phileo Damansara II  
No. 15, Jalan 16/11, Off Jalan Damansara,  
46350 Petaling Jaya, Selangor Darul Ehsan,

**DATE OF COMMENCEMENT :** January 2011

**PROGRAM SCHEDULE: 9AM – 1PM (SUNDAYS) AND 2PM – 6PM (SATURDAYS)**



**APPLICATION FOR ADMISSION**  
**EXECUTIVE DIPLOMA**  
**IN**  
**INDUSTRIAL RELATIONS**  
2011/2012

**1. PERSONAL PARTICULARS**

FULL NAME : \_\_\_\_\_

DATE OF BIRTH : \_\_\_\_\_ AGE : \_\_\_\_\_

NRIC NO : \_\_\_\_\_

MARITAL STATUS : \_\_\_\_\_

RESIDENTIAL ADDRESS :

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Tel No : \_\_\_\_\_

OFFICE ADDRESS :

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Tel No : \_\_\_\_\_

Fax No: \_\_\_\_\_

Email : \_\_\_\_\_

**2. CURRENT APPOINTMENT**

*(if self-employed, retired or unemployed, please indicate accordingly)*

DESIGNATION : \_\_\_\_\_

NAME OF EMPLOYER : \_\_\_\_\_

OFFICE ADDRESS : \_\_\_\_\_

NUMBER OF YEARS : \_\_\_\_\_

Describe your main duties :

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**3. QUALIFICATIONS OBTAINED**

School/College/University                      Qualifications / Year

_____	_____
_____	_____
_____	_____

**4. PREVIOUS EMPLOYMENT**

Employer    Designation                                      Year

_____	_____	_____
_____	_____	_____

5. Please tick in the appropriate boxes.

MEF member - Cheque(s) of RM7,000 per participant payable to Malaysian Employers Federation

Non-MEF member - Cheque(s) of RM7,500 per participant payable to MEF Academy Sdn Bhd

**NO CASH / CASH CHEQUES WILL BE ACCEPTED**

**I declare that all the information provided in this application is true and correct and I enclose herewith a cheque/bank draft No.**

\_\_\_\_\_ **for the RM** \_\_\_\_\_ **being full payment of fees.**

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

**NOMINATION / CONFIRMATION  
BY MEF MEMBER ORGANISATION**

MEF member companies nominating employees to attend this course, are required to complete this section, with the required contact details of the organization.

For self-sponsored applicants, who are seeking MEF member discount, please obtain confirmation of your employment from your organization and MEF membership number.

We hereby nominate / confirm\* Mr./ Ms \_\_\_\_\_

Designation : \_\_\_\_\_ from \_\_\_\_\_

to attend the above programme.

*\*Please delete if not applicable*

Our Cheque No. \_\_\_\_\_ RM \_\_\_\_\_ payable to  
Malaysian Employers Federation is attached herewith.

Contact person : \_\_\_\_\_

Designation : \_\_\_\_\_

Company : \_\_\_\_\_

MEF membership : \_\_\_\_\_

Address : \_\_\_\_\_

Telephone : \_\_\_\_\_

Fax : \_\_\_\_\_

Email : \_\_\_\_\_

Signature :

Date :

Company Official Stamp: