

**PSMB SBL
SCHEME**

EXECUTIVE DIPLOMA IN INDUSTRIAL RELATIONS 2009/2010



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 mainly on weekends. The proposed course structure comprises six (6) integrated modules:-

MODULE I - INTRODUCTION TO EMPLOYMENT LAWS EMPLOYMENT ACT 1955 (AMENDMENTS) & REGULATIONS	
1. Common Law position of employer-employee relations	64
2. Employment Law - Rights, Liabilities and Remedies	
3. Employment Act 1955	
– Definition of employee under EA 1955	
– Applicability of the EA 1955	
– Wages	
– Deductions	
– Prohibitions	
– Allowances	
– Hours of work, rest day etc.	
4. Registers, Returns and Notice Boards	
5. Discussion of Cases on Employment Law	
6. Other Employment Legislations & Regulations	
- Regulations under Employment Act	
- Termination and lay-off overtime	
- Children & Young Person's Act	
- Weekly Holidays Act	
- Workers Housing Act	
- Wages Council Act	
- Workmen Compensations Act (foreign workers)	
- Provisions of the EPF / SOCSO laws	
- Provisions of the HRDF Act	
7. Role of Labour Department and Labour Court	
- Briefing by Labour Dept	
- Field Visit to Labour Court	
TUTORIAL & EXAMINATION	12
TOTAL HOURS – MODULE 1	76

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

MODULE 3 - TRADE UNION MOVEMENT & TRADE UNION ACT	
1. Trade Unionism in Malaysia <ul style="list-style-type: none"> - Classification of unions - Number of unions by sector - Role and influence of the MTUC / MEF 	40
2. The Trade Union <ul style="list-style-type: none"> - Definition - Registration - Composition - Recognition - Membership 	
3. Trade Union Act 1959 <ul style="list-style-type: none"> - Workers right to participate in union activities - Federal constitutions - ILO conventions - Registration & de-registration of Trade Unions - Officers and employees of Trade Unions - Rights and liabilities of Trade Unions - Strikes 	
(EXAMINATION COMBINED WITH MODULE 4)	

TOTAL HOURS – MODULE 3	40
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MODULE 4 - DYNAMICS OF COLLECTIVE BARGAINING & PRODUCTIVITY /PERFORMANCE LINKED WAGE SYSTEM	
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1. Legal Framework on Collective Bargaining/Collective Agreements <ul style="list-style-type: none"> - Definition - Right to collective bargaining - ILO Convention No. 98- the Right to Organise and to Bargain Collectively - Statutory provisions relating to collective bargaining & collective agreement (IRA): Justification for statutory provisions. - Union’s proposal for collective agreement 	76
2. Collective Bargaining/ Collective Agreements Process <ul style="list-style-type: none"> - The company’s preparation for collective bargaining - Review of financial capacity to pay wage increase - Review of comparative terms and conditions of service - Wage fixation policy: Industrial court Awards - Consumer Price Index (CPI) & salary adjustment 	
3. Performance /Productivity Linked Wage System <ul style="list-style-type: none"> - PLWS concept - Organization, trade union and individual objectives of PLWS - Developing Salary Structure <ul style="list-style-type: none"> - Types of incentives - What is gain sharing - Model of flexi-wage - Model for generating profit sharing pool 	
4. PLWS at Work <ul style="list-style-type: none"> - Implementation of PLWS <ul style="list-style-type: none"> • Case Study 1 • Case Study 2 	
5. Principles of Collective Agreements	
6. Knowing your Collective Agreement Awards	
7. Issues in Collective Bargaining	
8. Mock Collective Bargaining Process	
TUTORIAL & EXAMINATION (MOD 3 & 4)	12
TOTAL HOURS – MODULE 4	88

MODULE 5 - GRIEVANCE HANDLING, DISCIPLINARY PROCEDURE & TERMINATION OF EMPLOYMENT	
1. Grievance Handling <ul style="list-style-type: none"> - Four-step approach to handling grievances - Grievance Procedure – In unionized & non-unionized companies - Grievance Case Study – Exercise 2. Meaning of Discipline <ul style="list-style-type: none"> - Meaning of positive and negative discipline - Definition of misconduct - Misconduct arising from breaches of express and implied duties - Concept of Social Justice 3. Disciplinary Procedures <ul style="list-style-type: none"> - Domestic Inquiry - Legal & contractual requirements, demands of Natural Justice and Industrial Court Guidelines - Domestic Inquiry Procedures: 4. Employee Misconduct <ul style="list-style-type: none"> - Due inquiry - Natural justice - Issues under Section 14 EA 5. Case Studies on handling disciplinary problems 6. Misconduct in Employment 7. Constructive Dismissal <ul style="list-style-type: none"> - Test for CD - Substantive breach - Forced resignation - Handling claims of CD 8. Forms of termination of employment 9. Mock domestic inquiry exercises	80
TUTORIAL & EXAMINATION	12
TOTAL HOURS – MODULE 5	92
MODULE 6 - INTERNATIONAL PERSPECTIVE ON EMPLOYMENT / INDUSTRIAL RELATIONS	
1. International evolution of Industrial Relations (NEW) <ul style="list-style-type: none"> - Social clauses & WTO - Global compact - Free Trade Agreements - Social Security Net 2. Corporate Social Responsibility <ul style="list-style-type: none"> - Principles & Concept - CSR & HR Management - Fair Employment Practices 3. International Labour Organisation (ILO) <ul style="list-style-type: none"> • Functions of ILO • International Labour Standards (ILS) and industrial relations • ILO Conventions 	40
EXAMINATION – MODULE 6	4
TOTAL HOURS – MODULE 6	44
ASSIGNMENT ON COURT / DEPT VISITS	8

FINAL PROJECT PAPER:	24
TOTAL HOURS EXECUTVE DIPLOMA IN IR	440

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

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

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 the 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 : 3rd October 2009

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



**APPLICATION FOR ADMISSION
EXECUTIVE DIPLOMA
IN
INDUSTRIAL RELATIONS
2009/2010**

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: