

# CONTRACT OF EMPLOYMENT GUIDE FOR DRAFTING THE LETTER OF EMPLOYMENT UPDATED WITH EMPLOYMENT ACT AMENDMENT 2022

25 JULY 2025 | 9.00AM – 5.00 PM | MEF ACADEMY PETALING JAYA

A contract of employment or contract of service is a legally enforceable agreement under which the employer's basic obligation is to pay wages in consideration for the employee's basic obligation to provide service. A contract of service is made when the offer of employment by the employer is accepted by the employee. The rights and obligations are enforceable through Courts as soon as the contract of employment comes into force. With the amendments to the Employment Act 1955 effective 1 January 2023, the contract of employment needs to be updated in compliance with the Employment (Amendment) Act 2022. The new section 101C of the Employment Act 1955 on "Presumption as to who is an employee and employer" and the relevant provisions of the Contract Act 1950 will be explained in great detail in relations to contract of service.

**RM 1,200.00\***

(Price Inclusive of 8% SST)

\*Course fee is claimable under HRDC.

## Who Should Attend

All those involved in handling personnel and industrial relations functions

## Learning Outcomes

- This training programme will address the essential principles of contract of employment and more importantly to assist participants to avoid pit falls in drawing up a contract of service or letter of employment so that employers can maintain flexibility in operating their businesses within the framework of the law.
- This programme will guide employers in managing changes in the terms and conditions of employment without breaching the contract of service in compliance with the employment legislations including the Employment Act 1955 as amended vide the Employment (Amendment) Act 2022.

## Course Registration



<https://forms.office.com/r/mH53gXVAVY>

A complimentary copy of MEF publication titled "Legal and Practical Guide on Fixed Term Contract of Employment" 2nd Edition



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# Course Structure

Module	Time	Agenda
Module 1	9am – 10:30 am	<ul style="list-style-type: none"> <li>• Contract of Employment/ Contract of Service</li> <li>• Factors determining contractual relationship</li> <li>• Relevant provisions of Contract Act 1950</li> </ul>
	10:30 am – 10:45 am	•Tea break
Module 2	10:45 am – 1:00 pm	<ul style="list-style-type: none"> <li>•Contractual capacity of a child or young person</li> <li>• Essential ingredients of Contract of Service</li> <li>• Tests for Contract of Service</li> </ul>
	1:00 pm – 2:00 pm	• Lunch
Module 3	2:00 pm – 3:45 pm	<ul style="list-style-type: none"> <li>• New section 101C of the Employment Act 1955 on “Presumption as to who is an employee and employer”.</li> <li>• Types of Employment Relationships</li> <li>• Fixed Term Contract of Employment</li> <li>• Pre-employment</li> <li>• Job offer / withdrawal of offer</li> <li>• Terms Implied by Law</li> </ul>
Module 4	*3:45 pm – 5:00 pm * 15 min brek	<ul style="list-style-type: none"> <li>• Duty of care by employers</li> <li>• Obligations of employees</li> <li>• EA Part II - Contracts of Service</li> <li>• Collective Agreements (CA)</li> <li>• Vicarious liability</li> <li>• Managing changes in terms of employment</li> <li>• Variations of contract of employment</li> <li>• Important terms and conditions to include in letter of employment</li> </ul>

