



CONSTRUCTIVE DISMISSAL UNPACKED: PROTECT YOUR COMPANY FROM COSTLY CLAIMS

20 AUGUST 2026 | 9.00AM - 5.00PM | MEF ACADEMY

Course Overview

HR/IR/ER practitioners play a crucial role in identifying and handling constructive dismissal claims, a growing issue in Malaysia. Constructive dismissal occurs when an employer's actions or omissions make working conditions intolerable, leading an employee to resign in protest due to a breach of fundamental employment terms. Claims can arise from issues not directly tied to a contract breach from a clear fundamental breach. Because constructive dismissal is a complex legal concept, it is essential for HR/IR/ER practitioners to fully understand it to prevent potential liabilities, including losing cases at the Industrial Court, which could result in the company paying substantial sums in back wages and compensation.

Who Should Attend

- All Department Leaders
- HR Personnel
- Senior Managers
- IR Personnel

Learning Outcomes

- Understand the legal definition and key elements of constructive dismissal in Malaysia.
- Identify situations and employer actions that could lead to constructive dismissal claims.
- Develop strategies to manage and mitigate risks associated with constructive dismissal.

Course Registration :



<https://forms.office.com/r/CS67MTg5Ev>





Course Structure

Time	Agenda
8:30 - 9:00AM	Registration
9:00 - 10:30 AM	MODULE 1: Principles Involving Constructive Dismissal
10.30 - 10.45 AM	Break
10:45 - 1:00 PM	MODULE 2: Contract Test, Unreasonable Test & Review of Judicial Pronouncements
1.00 - 2.00 PM	Lunch
2.00 - 3.30 PM	MODULE 3: Prerequisite Conditions for Claiming Constructive Dismissal & Burden of Proof
3:30 - 3.45 PM	Break
3.45. - 5:00 PM	MODULE 4: Case Laws on Constructive Dismissal & Scenarios to Determine Whether A Claim for Constructive Dismissal Exists

Trainer Profile



Nantha Kumar Varatharajah

V. Nantha Kumar is the Assistant General Manager of Industrial Relations at Malaysian Employers Federation (MEF), where he has worked since 2009. He is a qualified Advocate & Solicitor and an HRD Corp-certified trainer, with prior experience in banking operations and audit review before specializing in employment law. Before joining MEF, he practiced employment law with law firms including Sri Ram & Co and P Kuppusamy & Co. At MEF, he has represented member companies in Industrial Court dismissal cases, collective agreement disputes, conciliation proceedings, and Labour Court matters. He also advises employers on collective agreement negotiations, dispute resolution, and employment law issues. In addition, he conducts public and in-house industrial relations training programs. He was involved in collaborative projects between the International Labour Organization (ILO) and MEF, including developing employer guidelines on eliminating workplace violence (2021-2022) and flexible working arrangements (2022-2023).

