



CONSTRUCTIVE DISMISSAL UNPACKED: PROTECT YOUR COMPANY FROM COSTLY CLAIMS

24 SEP 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.cloud.microsoft/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



**KESHAN MAKADIA
PILLAY**

Keshan Pillay is a Legal and Industrial Relations Consultant at the Malaysian Employers Federation (MEF), advising employers on employment law, industrial relations, regulatory compliance, dispute management, and workforce governance. He holds an LLB from Cardiff University, was called to the Bar of England and Wales, and admitted as an Advocate and Solicitor of the High Court of Malaya in 2020.

He began his career at Messrs. Lee Hishammuddin Allen & Gledhill, specialising in Employment Law and Industrial Relations, before gaining broader litigation experience at Messrs. Azim, Tunku Farik & Wong. He also has experience in Talent Recruitment and HR Advisory.

At MEF, Keshan advises on workplace misconduct, redundancy and restructuring, mutual separation schemes, fixed-term contracts, disciplinary action, collective bargaining, performance management, and termination of employment. He reviews employment contracts and company policies, and assists employers in disputes before the Industrial Court and Labour Court.