

Implementing Cost-cutting Measures

-Salary Cuts, No Pay & Sabbatical Leave, MSS, VSS & Retrenchment



18-19 August 2021 (2 days)

9:00 am – 1:00 pm

Venue: Online Learning – MS Teams

SBL Khas Scheme

Course Fee

RM 700 (Included 6% SST) per participant



Introduction

During this unprecedented pandemic and economic crisis, many companies are contemplating serious cost cutting measures to sustain their operations and manage business. One of the most difficult cost cutting measures include the downsizing of employee headcount such as retrenchment, temporary lay-off, mutual separation or voluntary separation. These measures involve the termination of employment of an employee due to a situation of redundancy arising from the economic crises.

This program is designed as a guide for companies, especially the Small and Medium Enterprises (SME) to understand the legal aspects of security of tenure, redundancy, the Last-In-First-Out (LIFO) Rule, differences between VSS, MSS and the retrenchment process.

Objective

Participants will learn to:-

- Understand VSS, MSS, Retrenchment & Termination approaches
- Apply the rules, policies and process effectively in the pre, during and post retrenchment exercise.
- Analyse best practices from other companies and case studies.
- Be aware of common mistakes and avoiding legal pitfalls and hefty compensation pay outs.



Program Outline

Day 1

Module 1

- Security of Tenure, redundancy, retrenchment
- Difference between VSS, MSS and retrenchment.

Module 2

- Retrenchments – Last-In-First-Out (LIFO) Rule
- Departure from LIFO using objective criteria.
- Judicial principles – reasons/justification for retrenchments.
- Alternatives prior to carrying out retrenchments

Module 3

- Code of Conduct for Industrial Harmony (CCIH)
- Employment Issues & Employers Obligations during Lockdown (MCO).

Day 2

Module 4

- Notification to employees, unions
- Notification to labour department (Borang PK 2004)

Module 5

- Employment Issues, Salary Cuts & Unemployment Benefits during Lockdown (MCO).
- Managing retrenchment process

Module 6

- Documents on VSS
- Letter of Pay Cut
- Invitation for VSS
- letter of acceptance / rejection VSS

FACILITATOR'S PROFILE



Dato' Dr Lim Weng Khuan

DATO' DR. LIM WENG KHUAN started his early career as a Police Inspector serving in the Special Branch and Commercial Crime Divisions of the Royal Malaysia Police Force for over 9 years. He resigned from the Police Force in late 1989 and started his career in the private sector as the Senior Industrial Relations Officer in Maybank before moving on to other private sector organizations which include Lion Group, Hong Leong Group, Fraser & Neave Group, HSBC Bank Malaysia and Tan Chong Group.

Having acquired about 10 years of hands-on experience in covert and overt (criminal) investigations as an Investigations Officer in the Commercial Crime Division, he spent about 30 years of his career focusing in the specialized field of Industrial Relations (IR) and Human Resource Management (HRM) in the above large private sector organizations. He is certified in various Management Programs including "Train-The-Trainer" Program recognized by Human Resource Development Fund (HRDF), Assessment Centre Methodology and The 7 Habits of Highly Effective People.

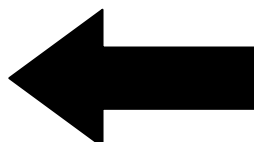
He had served as a member of the Industrial Court Panel for about 5 years (2004 till 2009), and is currently a member of the Industrial Relations Panel with the Malaysian Employers Federation (MEF). He was elected as a Council Member of MEF in 2018 and 2020 and appointed as a member of the National Labour Advisory Council (NLAC) in Sep 2018. He was also appointed as Adjunct Professor (Law & Investigations) of Saito University College in August 2018. He has many years of experience as Head of HR responsible for planning and execution of HR Strategy and Operations in the Companies he had served. He has on numerous occasions, been invited to be a Facilitator, Speaker and Moderator at IR & HR Workshops/Conferences.

Dato' Dr. Lim obtained his LLB degree from the University of London in 1988, Certificate in Legal Practice (CLP) from the Malaysian Qualifying Board in 1990, Masters of Business Administration (MBA) in General Management from the University of Hull, UK in 1995, and Doctor of Business Administration (DBA) from the University of South Australia (UniSA) in 2005.

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