

HANDLING OF CASES AT THE INDUSTRIAL COURT OF MALAYSIA

A.C. HOTEL PENANG 8 - 10 JANUARY 2024
PULLMAN HOTEL BANGSAR KL 22 - 24 JANUARY 2024

Registration:

<https://tinyurl.com/45e2s7ex>



Section 27(1)(b) of the Industrial Relations Act 1967 (IRA) allows an employer to appear himself or be represented by his duly authorized employee in any proceedings before the Industrial Court. Section 27(1)(c) of the IRA allows a workman to represent himself in any proceedings before the Industrial Court.

This training will facilitate the parties whether being employer or aggrieved employee to have a full understanding of how a case commences at the Industrial Court until it is heard and finally disposed of when the Industrial Court hands down an Award. The various stages in the process of handling dispute at the Industrial Court will be explained comprehensively and practically to enable the parties to conduct the case with professionalism at the Industrial Court.

Training Objective

Yes, you will be able to:

- represent your Company or Self with regards to industrial dispute at Industrial Court of Malaysia
- understand each stage of the proceedings fully from conciliation at Industrial Relations Department to Court Award at Industrial Court
- prepare all relevant documents and submit to Industrial Court before hearing.
- conduct examination-in-chief, cross-examination and re-examination at the hearing
- prepare written submission at the end of the hearing



Course fees: RM3,190.00 per person

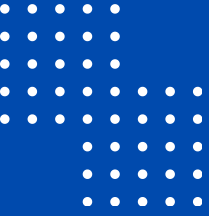


Training Methodology

Interactive lecture, Case study, Discussion and Practical Activities

Who Should Attend

CEOs, General Managers, Directors, HR Practitioners, Head of Departments, Unit Heads, Managers, Executives and Officers handling industrial relations functions.



Module 1: Definition of Workman

- Definition of Workman, Contract of Employment, Contract for Service
- Dispute whether he is a workman

Module 2: Representation on Dismissal

- Section 20 of IRA
- Conciliation Meeting
- About Industrial Court
- Function of Industrial Court
- Burden and Standard of Proof
- Remedies in Industrial Law
- Doctrine of Proportionality of Punishment

Module 3: Notice of Mention of Case Before the Industrial Court

- Role of Registrar of Industrial Court
- Form F, Form A, Form B and Form H
- Section 27(1): Representatives in Industrial Court
- Presence of parties at the mention date
- Directions given by the Chairman
- Case Management

Module 4: Pleadings in the Industrial Court

- What is pleading?
- Objectives of pleadings
- Parties are bound by their pleadings
- Amendment to pleadings
- Court Award pertaining to pleadings

Module 5: Preparing SOC, SIR & Rejoinder

- Writing Statement of Case (SOC)
- Writing Statement in Reply (SIR)
- Writing Rejoinder
- Review Samples of Pleadings
- Practical Activity: Writing of SOC, SIR & Rejoinder

Module 6: Amendments to Pleadings

- Section 29(g) of IRA
- Application to Amend Pleadings
- Case Reviews

Module 7: Filing of Bundle of Documents

- Industrial Court Rule on Bundle of Documents
- Guidelines on filing bundle of documents
- Labeling Bundle of Documents

Module 8: Writing Witness Statements

- Selection of Witness
- Preparing a Witness
- Subpoena
- Adverse inference
- Filing Witness Statement
- Sample Witness Statement of Claimant and Company
- Practical Activity: Writing Witness Statement

Module 9: Mediation and Early Evaluation

- Mediation
- Early Evaluation

Module 10: Preliminary Objections at Industrial Court

- Definition of Preliminary Objections
- Statutory time limit
- Unqualified Representative of Company / Client
- Extra-territorial jurisdiction
- When there is no dismissal
- When he is not a workman
- Variance in dismissal date
- Premature representation

Module 11: The Hearing

- Presenting Evidence at the Hearing
- Starting the Hearing
- Examination-in-Chief
- Cross-examination
- Re-examination

Module 12: Written Submission

- Objective of Written Submission
- Contents of Written Submission
- Bundle of Authority

Module 13: Court Award

- Sequence of the Proceedings
- Sample of Court Awards

Payment: Bank in to our CIMB Bank A/C No: 8009071766 and send us the bank-in / transaction slip. Participation under the HRD Corp claimable course, the total fee will remain payable by the participant or the participant's company in the event for whatever reason, the claim made by Practical Doctrinas PLT is unsuccessful or rejected by HRD Corporation. Participant must ensure completing 75% attendance



Dave Muniswar M
Master of Human Resource Management, Hons
Bachelor of Economics, Hons (UKM)
PSMB/HRDF Certified Trainer
Certified HACCP Trainer

Dave is a human resource practitioner with over 20 years of experience. He had served reputable local companies and MNCs upon graduating from National University of Malaysia (UKM). He had been appointed as Industrial Court Panel and SOCSO Appellate Board Panel by the Ministry of Human Resource where he had sat for hearing on trade disputes.

Dave has been training for the past 20 years and he specializes in employment laws, industrial relations and human resource which are his expertise field. He is well known for designing practical training program that improves organizational effectiveness and individual performance leading to organizations achieving their strategic plans.

Dave also provides consulting services actively for both employers and employees with regards to industrial disputes. He had represented numerous clients at conciliation meeting, mediation and hearing at Labor Court and Industrial Court.

He has trained executives and managers from various sectors including manufacturing, hospitality, telecommunications, education, service sector, healthcare, government agencies and plantations with positive track record from participants. He is also engaged as Trainer by numerous renowned training providers.

As a Human Resource Consultant, he actively provides consulting services to many corporate companies. This includes staffing, performance management, disciplinary issues, industrial relations, collective bargaining, collective agreement, succession planning, retrenchment, employee satisfaction surveys, legal compliance auditing, company policies, contract of service, contract for service, training need analysis etc.

Contact

Dave at 012-559202 4
davemunish@practicaldoctrinasplt.com
PRACTICAL DOCTRINAS PLT (LLP0009764-LGN)
No: 56, Lorong 2/SS8, Bandar Tasek Mutiara,
14120 Simpang Ampat,
Penang



www.practicaldoctrinas.com