

TERMINATION OF EMPLOYMENT

UNDERSTANDING THE PROCESS

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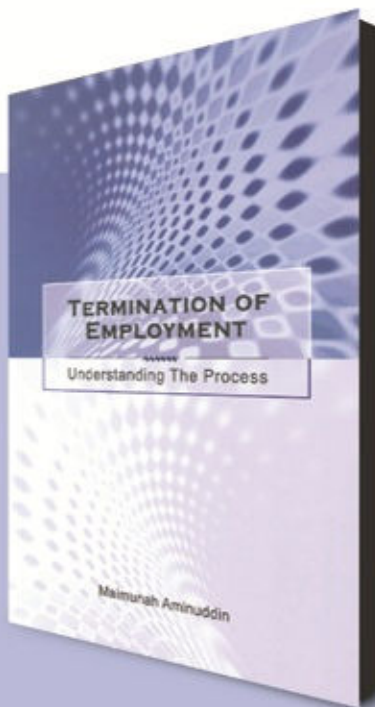
This book provides a guide to employers, human resource specialists, employees and everyone interested on the actions and processes that must be followed in terminating employment contracts. The book explains the correct steps and helps readers understand the process to reduce the possibility of an employee taking up a claim against the employer on the grounds of unfair dismissal. It highlights employee rights in the Malaysian workplace and provides an understanding of whether they have been dismissed by the employer with just cause and excuse.

Any person responsible for firing employees, which has to be carried out time to time should use this book as a reference. The first two chapters focus on the rights of employees which give employers a clear illustration in the Malaysian context. The chapters include a detailed description of the machinery established under the Industrial Relations Act 1967 where employees in the private sector can file a claim that they have been dismissed "without just cause or excuse" if they wish to challenge the termination of their employment contract.

The remaining nine chapters examine the various situations which might lead to the termination of an employee's contract, including retrenchment, misconduct, dismissal of probationers and poor performers, frustration of contract, bringing a fixed-term contract to an end and resignation by the employee. The last chapter looks at problems and weaknesses in the system relating to the machinery established to protect employee rights.

Each chapter, where applicable, provides examples of Industrial Court cases which deal with the relevant processes and principles explained in the book. The chapters also include sample letters and checklists, which can be used by the reader to navigate successfully through the requirements of the Industrial Court when they are contemplating dismissing an employee.

This book also includes a detailed guideline on how to conduct a domestic inquiry.



Key Features:

- Glossary of common terms on employee termination
- Contains a detailed guideline on how to conduct a Domestic Inquiry
- Provides example of industrial court cases which deal with the relevant principles of employment termination
- Includes sample letters and checklists
- A comprehensive guide to employment termination

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