

PUBLIC TRAINING

FAIR DISMISSAL: NAVIGATING MISCONDUCT, DUE PROCESS AND WORKPLACE INVESTIGATIONS



15 - 16 JUNE 2027



ROYALE CHULAN DAMANSARA

REGISTRATION FEE

RM2,600 NET/
PAX

OVERVIEW

Fair dismissal refers to the lawful termination of employment for just cause or excuse, ensuring due process and compliance with Malaysian labour laws, primarily the Employment Act 1955 and Industrial Relations Act 1967. The programme agenda discusses major trends and recent developments, such as recent court rulings related to unfair dismissal claims, protections against constructive dismissal, and challenges in workplace investigations affecting Malaysian employers. This two-day training is for Malaysian HR practitioners and business leaders, with an emphasis on relevant processes to ensure fairness and legal compliance. Participants will gain practical knowledge through real workplace examples, interactive discussions, and analyses of landmark court rulings and recent cases.

LEARNING OUTCOMES

- Fair dismissal refers to the lawful termination of employment for just cause or excuse, ensuring due process and compliance with Malaysian labour laws, primarily the Employment Act 1955 and Industrial Relations Act 1967.
- The program agenda discusses major trends and recent developments, such as recent court rulings related to unfair dismissal claims, protections against constructive dismissal, and challenges in workplace investigations affecting Malaysian employers.
- This two-day training is for Malaysian HR practitioners and business leaders, with an emphasis on relevant processes to ensure fairness and legal compliance. Participants will gain practical knowledge through real workplace examples, interactive discussions, and analyses of landmark court rulings and recent cases.
- Design and implement effective disciplinary processes and preventive strategies consistent with current Malaysian labour laws and trends.
- Critically evaluate Malaysian Industrial Court case studies to recommend best practices in dismissal prevention, policy development, and employee training.



METHOD

Interactive learning sessions with lectures, group discussions, legal references, scenario analysis, role-playing exercises, practice workshops, and Q&A.



FOR WHOM

Business leaders, CEOs, Managers, department heads who are responsible for workforce decisions and HR practitioners handling dismissal matters



DURATION

2-days Training



03-2382 0800 / 012-565 3364



enquiry@q3solutions.com.my



www.q3solutions.com.my

COURSE OUTLINES

DAY 1 : DISCUSSES THE CORE PRINCIPLES OF FAIR DISMISSAL AND DUE PROCESS, WITH AN EMPHASIS ON FUNDAMENTAL KNOWLEDGE AND BASIC COMPREHENSION OF COMPLIANCE IN THE MALAYSIAN EMPLOYMENT LANDSCAPE.

Introduction

- Overview of agenda and expected learning outcomes.
- Key Trends in Malaysian Employment Landscape.
- The Difference between Misconduct, Poor Performance, and Other Grounds for Dismissal.

Defining Fair Dismissal in Malaysian Employment Law

- Key Definitions: Just Cause, Due Process, Unfair Dismissal.
- Types of Dismissals: Summary, Constructive, Retrenchment.
- Legal Framework: Requirements under EA 1955 and IRA 1967.

Dismissal Procedures and Investigations

- Step-by-Step Process: Reporting, initial investigation, show-cause letters.
- Principles of Natural Justice: Right to be heard, unbiased inquiry.
- Importance of records to prove procedural fairness in Industrial Court

Domestic Inquiry and Due Process

- Legal Requirements Under EA 1955 and IRA 1967.
- Panel setup, witness examination, employee representation.
- Outcomes: Warnings, demotion, suspension, dismissal.
- Understanding Common Errors: Bias, mala fide, inadequate evidence, leading to unfair dismissal claims.

Termination and Legal Risks

- Grounds for Dismissal: Employer's burden of proof in Misconduct, as opposed to those in Poor Performance and Redundancy.
- Termination Notice Requirements.
- Constructive Dismissal

COURSE OUTLINES

DAY 2 : FOCUS ON UNDERSTANDING RECENT LEGISLATION TRENDS AND CHANGES, PRACTICAL APPLICATION AND BEST PRACTICES.

Legal Updates on Misconduct and Dismissal

- Penal Code Amendments: Criminalizing workplace bullying and harassment
- Sabah/Sarawak legislative alignments with EA 1955.
- Increased penalties for non-compliance.
- Impact on Company Policies.

Handling Special Cases

- Criminal-Related Dismissals: Responsibility beyond employment scope.
- Groups Protected by Law.
- Managing the Risk of Retaliation.

Case Studies and Industrial Court Insights

- Dismissal upheld for fraud.
- Procedural flaws.
- Contributory Misconduct: Relief adjustments under IRA 1967

Prevention and Best Practices

- Policy Development, Codes of Conduct, Awareness Program.
- Whistleblower: Fostering ethical culture.
- Compliance audits and HR tools.

Closing

- Participant Q&A and scenario discussion.
- Summary of Learning Outcome.
- Review of Key Takeaways.

TRAINER PROFILE

Badrol-Izam Baharom

Senior HR Leader & Industrial Relations Specialist

Badrol Izam is a senior HR and Industrial Relations leader with 25+ years across oil & gas, manufacturing, and hospitality. He headed HR at MMHE Holdings (MISC Group) and was GM HR at Sapura Energy, after regional leadership roles at TechnipFMC. Seconded to PETRONAS for the RAPID project, he oversaw labour relations for 20,000+ site workers. His expertise spans HR business partnering, strategic policy, talent management, and trade union engagement. He holds a degree from Texas A&I University-Kingsville, a Talent Management certification from Penn State, and is a Certified Industrial Relations Manager (MIHRM). A committed coach and trainer, he has delivered programmes for PETRONAS, Technip University, and FMM, and lectures at MIHRM on Employment Law and Dispute Resolution.

**Questions &
Queries met with
Quality Solutions**

Contact Information



+603-2382 0800 (Office)



www.q3solutions.com.my



19-2, Jalan PJU 5/9, Dataran Sunway, Kota Damansara, 47810 Petaling Jaya, Selangor



Q3 Management Solutions Sdn Bhd



REGISTRATION FORM

TRAINING : **Fair Dismissal: Navigating Misconduct, Due Process and Workplace Investigations**

Session:

☐ January 2027

☐ June 2027

COMPANY DETAILS & CONTACT PERSON

Organization :

Date :

Type of Business :

Office No. :

Address :

Contact Person :

Designation :

Contact No. :

E-Mail :

HRD Corp Registered Employer

:

☐

Yes

☐

No

REGISTRATION

Name :

Designation :

Email :

Mobile No. :

(Please provide separate list for more than 3 persons)

* **NOTE** : Please email this form to enquiry@q3solutions.com.my or you can WhatsApp the registration form to us at **+012-565 3364**

PAYMENT / TERMS & CONDITION

1. Kindly make payment to our account number as stated, payable to **Q3 Management Solutions Sdn Bhd.**
2. Please email or WhatsApp us the payment proof and complete registration form.
3. In the event of cancellation less than 14 days before the training, the client shall pay 30% of the total programme fee to Q3 Management Solutions Sdn. Bhd. as a penalty. Written notice of cancellation must be provided.
4. If there are insufficient in the client's HRDC account, the client shall remit the full programme fee directly to Q3 Management Solutions Sdn. Bhd.
5. In the event of a no show on the training date:
 - The client shall remit the full programme fee to Q3 Management Solutions Sdn. Bhd OR
 - For the Certified Sustainability Professional (CSP) Programme only, the client may nominate a replacement participant for the next available session.

Maybank Acc. Number: 5627-6841-5995

Payable to:

Q3 MANAGEMENT SOLUTIONS SDN BHD

+603- 2382 0800 (Office)

www.q3solutions.com.my

19-2, Jalan PJU 5/9, Dataran Sunway,
Kota Damansara, 47810 Petaling Jaya,
Selangor

SBL KHAS SCHEME
(HRD CORP REGISTERED EMPLOYERS)

1. Please apply HRD CORP grant through e-TRIS portal under SBL-KHAS scheme
2. Please find our MyCoID 1203344U at e-TRIS portal.
3. Kindly email or WhatsApp us the grant approval at least 5 days prior to the training.