

## **Effective Employee Relation Management and Domestic Inquiry For Leaders** *“Creating Values by Doing Things, the Right Way”*

- Is managing employee behaviour and conduct very challenging to you?
- Are you worried about wrongful dismissal claims against your company?
- Do you have the confidence to carry out a proper Domestic Inquiry?

### **Introduction**

Section 14(1) of the Malaysian Employment Act 1955 mentions that a “due inquiry” must be carried out before any disciplinary action is taken on the grounds of misconducts, breach of contract and poor performance. The sad reality today is most employers do not carry out any DI or use the DI as a formality before terminating employees. Reviews of Malaysian industrial court awards, shows that the validity of the domestic inquiry is always questioned and in most cases is rejected in court due to the DI being conducted as formality. In good employee relations management practices, domestic inquiry shall be the last step to consider if all other avenues and intervention have been exhausted.

Come join us for this two-day training program and learn how you can effectively manage all types of employee related issues in professional manner and the same time maintain industry harmony. This program was designed to provide participants good knowledge and understanding regarding planning and conducting an effective Domestic Inquiry

### **Program Objectives**

This program aims to:

- Enhance participants knowledge and understanding regarding the key aspects of the Employment Act and Industrial Relation Act regarding Domestic Inquiry.
- Equip participants an in-depth understanding on key aspects of Good Employee Relation Management.
- Guide and teach participants on the fundamentals of planning and conducting a fair and open Domestic Inquiry.

### **Learning Outcomes**

After completing this program, the participants should be able to:

- Understand the value of good employee relations management practices in their organization to establish a harmonious employer- employee relationship.
- Confidently manage employee misconduct, breach of contract and poor performance in an open and fair manner.
- Plan and conduct an effective domestic inquiry whilst ensuring procedural fairness and equability.
- Identify gaps and potential risk exposure in HR practices and recommend corrective actions.

### **Who Should Attend:**

The target participants for this program shall be as following:

- Assistant HR Managers /Senior HR Executives
- Non-HR Managers i.e. Operations Managers.
- HR Executives, HR Officers

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- Admin Executives

### Methodology:

This training program shall be delivered using the following methodology:

- Trainer Presentation
- Q&A sessions
- Case Studies
- Group Discussion & Workshops
- Role Play

### Program Outlines

| Day One           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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| 9:00am - 10:30am  | <b>Module 1: Employee Relations and Discipline Management within Malaysian Labour and Industrial Legislations.</b><br>The objective of this module is to create an awareness among participants regarding the key aspects of the Employment Act and Industrial Relations Act with regards to managing employees. This includes understanding importance of structured HR practices to effectively employee manage misconduct, breach of contract and poor performance. This module shall provide an overview of good HR practices and its impact on managing employee relations. Participants shall learn about the different approach needed to employee manage misconduct, breach of contract and poor performance within the guidelines set by Employment Act and Industrial Relation Act. |
| 10:30am - 11:00am | <b>Morning break and networking</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 11:00am - 1:00pm  | <b>Module 2: The Difference Between Managing Misconduct, Poor Performance and Breach of Contract</b><br>The objective of this module is to train the participants on the different approach needed to effectively manage employee conduct and behavioural issues. This module aims to guide the participants on how to define between major misconduct and minor misconduct. This includes types of misconducts that merit termination. This module shall breakdown the key aspects to effectively managing employee misconduct, poor performance or breach of contract. Participants shall learn about the different processes and methodology involved to effectively manage each one of the situations mentioned above.                                                                    |
| 1:00pm - 2:00pm   | <b>Lunch and networking</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 2:00pm - 3:30pm   | <b>Module 3: Overview of the Domestic Inquiry (DI) Overview of Process</b><br>The objective of this module is to provide the participants a clear overview of the DI process and the various task and documentation involved.<br>This module is aimed to guide the participants on the tasks, roles and responsibilities and documentation needed to plan and conduct a proper DI.                                                                                                                                                                                                                                                                                                                                                                                                            |
| 3:30pm - 4:00pm   | <b>Tea Break and networking</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 4:00pm - 5:00pm   | <b>Module 4: The Various Stages of the Domestic Inquiry</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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|  | <p>The objective of this module is to provide participants in-depth knowledge regarding the various component of the domestic inquiry exercise.</p> <p>The module shall present using the “Before, During and After” where participants will learn in a structured manner i.e. “Before = Planning the DI”, “During =Execution of the DI” and After = Outcome of the DI.</p> |
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| <b>Day Two</b>           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| 9:00am - 10:30am         | <p><b>Workshop 1: DI Documents Preparation:</b></p> <ul style="list-style-type: none"> <li>● <b>Framing the Charges and Preparing the Show Cause Letter</b></li> <li>● <b>Preparing the DI Notice</b></li> </ul> <p>The objective of both workshops is to guide and teach participants on how to prepare DI documentation.</p> <p>The workshops shall involve a brief trainer presentation covering examples of show cause letter and DI notice, and followed by group work. The participants shall learn the “do’s” and “don’ts” of framing charges and developing the show cause letter including the DI Notice.</p> <p>The participants shall present their work in groups. Each group’s presentation shall be reviewed by the trainer and other groups(participants). The feedback will be focused on areas for improvement.</p> |
| <b>10:30am - 11:00am</b> | <b>Morning break and networking</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 11:00am - 1:00pm         | <p><b>Workshop 2: Planning the DI Exercise</b></p> <p>The objective of this workshop is to guide and teach participants on the following:</p> <ul style="list-style-type: none"> <li>● Appointment of Investigation Officer</li> <li>● Appointment of Prosecution Officer</li> <li>● Identifying and Selecting Panel Members</li> <li>● Identifying and Selecting DI Panel Chairman</li> <li>● Appointment DI Secretary</li> </ul> <p>The workshops shall involve a brief trainer presentation covering examples and followed by group work. The participants would be given different scenario’s as background or mock cases to work on. The</p>                                                                                                                                                                                    |

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|                        | <p>participants would learn how to adapt to each scenario's and identify the most suitable persons to undertake the various roles require in a DI.</p> <p>The participants shall present their work in groups. Each group's presentation shall be reviewed by the trainer and other groups(participants). The feedback will be focused on areas for improvement.</p>                                                                                                                                                                                                                                           |
| <b>1:00pm - 2:00pm</b> | <b>Lunch and networking</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 2:00pm - 3:30pm        | <p><b>Workshop 3: Role Play /Mock DI</b></p> <p>The objective of this workshop to provide participants a “real” experience on how a DI is conducted.</p> <p>The workshops shall involve a brief trainer presentation covering examples and followed by a mock DI by each group. Participants shall learn how each “personality” in the DI play a crucial part to ensure that the inquiry is carried out in a fair manner.</p> <p>Trainer shall review and provide feedback on each group's roles play. Other groups (participants) shall also provide their input and feedback for continuous improvement.</p> |
| <b>3:30pm - 4:00pm</b> | <b>Tea Break and networking</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

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| 4:00pm - 5:00pm | <p><b>Workshop 4: Determining Disciplinary Action.</b></p> <p>The objective of this workshop is to teach and guide participants on how to determine the most appropriate disciplinary action based on the gravity of the misconduct.</p> <p>The workshops shall involve a brief trainer presentation covering examples and followed by group work. Participants shall exchange case studies from the mock DI and review the case to establish the severity of the misconduct.</p> <p>Participants shall learn how to determine the most appropriate disciplinary action in a fair manner. Each group shall be required to justify them recommend “Disciplinary Action”</p> <ul style="list-style-type: none"> <li>● <b>Q&amp;A Session</b></li> <li>● <b>Summary and Conclusion of training</b></li> </ul> |
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