

SACHA MARIA ALOYOUS ALFRED

Industrial Relations Consultant

- Provide consultancy and advisory assistance to MEF's members on all aspects of employment-related matters
- Assist and/or represent members at negotiation for Collective Agreement with unions
- Represent members for conciliation proceedings at the Industrial Relations Department and hearings at the Labour and Industrial Courts
- Conduct training courses on Industrial Relations and labour laws
- Service monthly regional meetings



**PERSEKUTUAN MAJIKAN-MAJIKAN MALAYSIA
MALAYSIAN EMPLOYERS FEDERATION**

About MEF

- Under the purview of the International Labour Organisation
 - Registered society in Malaysia with approximately 56 employees
- Central organisation of private sector employers in Malaysia recognised nationally, regionally and internationally
 - Promotes and safeguards the rights and interests of employers.
 - Provides a forum for consultation and discussion among members on matters of common interest
 - Adoption of human resource and industrial relations practices through advice, research, information dissemination, training and other activities.

COVID-19

Pandemic
timeline in
Malaysia

Movement Control Order

- 18 to 31 March 2020
- further extended to 3 May 2020

4 May 2020 to 9 June 2020

Conditional Movement Control Order

Recovery Movement Control Order

10 June 2020 to 31 March 2021

- total lockdown from 1 to 28 June 2021
- thereafter, no more lockdowns

Present day

Essential Services

MCO

01

water

02

electricity

03

energy

04

telecommunication

05

oil, gas and fuel

06

broadcasting

07

finance

08

banking

09

health

10

pharmacy

11

security

12

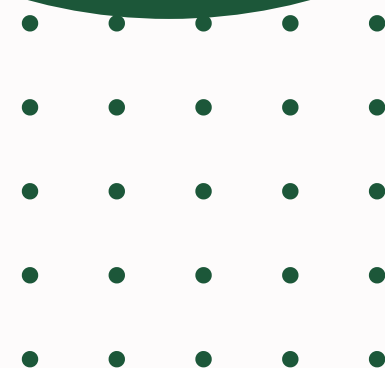
defence

13

food supply

14

food retail



the effects of

MCO

- Other sectors, such as education, halted completely, or operated on a remote basis.
- Massive disruption in industries where physical presence was necessary, such as the manufacturing sector.
- Conversely, manufacturers of health supplies such as rubber gloves experienced a massive uptick in sales resulting in a revenue windfall.

CMCO

- Standard operating procedures were put in place to enable the workforce to safely resume operations as per usual, on a gradual basis.
- Case study: the transportation industry continued to be heavily impacted due to the restrictions on travel still being maintained during this period.
- Since the transportation industry forms a main part of Malaysia's income, the country's economy did not show any immediate signs of recovery.



the effects of



RMCO

- The workforce seemed to experience a degeneration to square one, which crippled businesses so much that the government decided not to implement lockdowns any longer.
- Even though the implementation of lockdowns succeeded in flattening the curve, it resulted in a recession, affecting mainly the youth, migrants, women, middle- and low-skilled workers.
- Significant increase in unemployment from 3.3% in 2019 to 4.5% in 2020.
- 71,250 workers were terminated from July 2019 to September 2020.
- An average of 1,510 workers were terminated monthly pre-pandemic, but this number increased from the onset of the pandemic, peaking at 19,352 in June 2020.
- In the second quarter of 2020, non-standard workers (self-employed, casual workers/gig workers) declined to approximately 252,000 persons. Other affected labour groups included owners of small businesses and family workers.



remote / hybrid work

- Malaysian employers have begun to state on job opening advertisements whether the position is fully remote, hybrid or onsite.
- If such requirements are unspecified, this has prompted prospective employees to enquire about the same prior to applying, a move which would have been unheard of before the pandemic.
- Local laws were also amended to accommodate a hybrid or remote working scheme.
- Case study: law firms were required to operate from a permanent business address pre-pandemic. However, statutory law was amended to allow firms to operate from temporary business addresses i.e. coworking spaces. This accorded law firm employees more flexibility in their places of work.
- Much of the country's workforce is concentrated in its capital which is overly congested due to high traffic.
- Employees often spend 1 - 2 hours in their daily commute to and from work.
- Remote / hybrid work is attractive to employees for many reasons with one of them being a drastic cut in time spent commuting, which could be better utilised as personal time for leisure or relaxation.

Employment Act 1955

New amendments for remote/hybrid work

Flexible working arrangement

60p. (1) Subject to Part XII or anything contained in the contract of service, an employee may apply to an employer for a flexible working arrangement to vary the hours of work, days of work or place of work in relation to his employment.

(2) Where there is a collective agreement, any application made by the employee under subsection (1) shall be consistent with the terms and conditions in the collective agreement. Application for flexible working arrangement

60q. (1) The employee shall make an application for flexible working arrangement under section 60p in writing and in the form and manner as may be determined by the Director General.

(2) Upon the application made under subsection (1), an employer shall, within sixty days from the date such application is received, approve or refuse the application.

(3) The employer shall inform the employee in writing of the employer's approval or refusal of the application under subsection (1) and in the case of a refusal, the employer shall state the ground of such refusal.