Programme ID: 10001753898



COURSE 1 - MANAGING PROBLEM STAFF - FROM SHOW CAUSE LETTER TO TERMINATION

COURSE 2 - DOMESTIC INQUIRY EXECUTION & MOCK HEARING

HRD CORP CLAIMABLE

3 - 4 May (Course 1)
5 May (Course 2)

9am - 5pm

Zenith Corporate Park, PJ

RM2,430 per participant (Course 1)
RM1,200 per participant (Course 2)

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Managing Problem Staff
from Show Cause Letter to Termination

COURSE OUTLINE

Course 1: Managing Problem Staff - from Show Cause Letter to Termination

Module 1: The Express and Implied Obligations of an Employee

- Express and Implied Terms of Employment Under the Contract of Service
- The duty of fiduciary and fidelity
- Common Employee Problems
- Cost and Productivity Concerns, Effects of precedence for failing to apprehend employee errancy and Consequence of condonation
- How the courts differentiate between handling of misconduct and poor performance

Module 2: Performance Management Factors and Effective Handling Misconduct, Performance Failure and Incapacity Issue of Employee

- Performance Management & Line Manager Roles
- Causes and the handling of performance failure
- Types of misconduct and remedial action by employer
- What is incapacity and how to handle

Module 3: Malaysian Labor Law Essentials

- The authority of employer to punish
- The wide range of lawful punishment and limitation
- Employee's right to overturn unfair/unlawful punishment and limitation
- Consequences of wrongful handling: Industrial Court claims and financial exposure
- Employee Recourse at the Labour Office and consequences
- Emplooyee Recourse at the Industrial Relations Dept and consequences

Module 4: Managing Non-Performance & Medical Capacity

- Managing probationers and handling poor performance
- Structuring and monitoring a Performance Improvement Plan (PIP)
- Coaching the poor performer
- Managing prolonged illness, incapacity, and frustration of contract

Module 5: Managing Workplace Misconduct & Minor Offenses

- What are minor, major and gross misconduct
- How to handle minor, major, and gross misconduct

Module 6: Incident Reporting, Investigations & Framing Charges

- Who qualifies to be Investigator
- Handling initial allegations vs. verified charges
  - Practical Hands-on: Statement Taking Role Play
- Gathering physical, digital, and testimonial evidence
  - Practical Hands-on: How to write the investigation report
- Key Points about Show Cause Letters and Charge Sheet
- When to suspend the accused and how

Module 7: How to handle, and how the courts view and rule on

- Attendance and Tardiness
- Sickness and Medical issues
- Work performance failure
- Insubordination and refusal to obey instructions or SOP
- Use of disrespectful and foul language
- Fidelity and Fiduciary Issues
- Off-work misconduct
- Criminal misconduct under police investigation or in court
- Sexual misconduct or immoral behaviour

Module 8: Termination of Service - Overview of Natural Justice & DI Fundamentals

- Principles of Natural Justice: The rule against bias and the right to be heard
- When a Domestic Inquiry is legally necessary or optional
- Forming the DI panel
- Role of the DI Panel
- Essential Opening Steps of Domestic Inquiry
- Essential Procedure for evidence presentation and challenges
- Key Do's and Don'ts
- Can the management reject the DI Panel's recommendations?
- Can the management reject the DI Panel's findings?

COURSE OUTLINE *(con't)*

Course 2: Domestic Inquiry Execution & Mock Hearing

Module 9: Preparing for the Domestic Inquiry

- Drafting Show Cause Letters
  - Practical Hands-on: Write out the Show Cause Letter
- Drafting precise charges and Letter of Domestic Inquiry
  - Practical Hands-on: Write out Charge sheet
- When to suspend the accused and how
- Domestic Inquiry Panel
- Physical/virtual room setup and logistical arrangements
- Recording of proceedings - written, audio, audio-visual recordings
- Major obstacles to recordings
- How to write out DI notes
- How to transcribe recordings

Module 10: Domestic Inquiry Proceedings & Evidence Handling

- Order of proceedings: Calling to order, reading charges, recording pleas
- Examination-in-chief, cross-examination, and re-examination of witnesses
- Handling objections, audio/video recordings, and verbatim notes
- Deliberation of evidence, mitigating factors, and writing the DI Panel Report

Module 11: Mock Domestic Inquiry Simulation (3-Hour Practical Session)

- Role-playing real-world misconduct scenarios (e.g., insubordination or fraud)
- Participants act as Prosecutor, Panel Chairmen, Accused Employee, and Panel Members
- Mock examination of witnesses
- Deliberation of Evidence and Findings
- Writing out the DI Report
- Group feedback, panel report review, and practical Q&A

Trainer's Profile

The trainer is the author of 500 Q&A on West Malaysian Labour Laws and more than 600 Q&A on Sarawak Labour Laws. He is listed in the in the register of Pakar Industri Negara with the Ministry of HR and a former Industrial Court Panel Member. He brings over 30 years of practical experience in Human Resource Management, consultancy, compensation and benefits, labour law, industrial relations, training, and leadership development. He has served in senior HR roles, advised local and multinational organisations on salary systems and job evaluation, managed trade union and Industrial Court matters, and developed training systems for corporate clients. As the Shareholder/Director of JBN Associates Sdn Bhd. and the founder of Sow & Harvest Consulting Services and a Senior Consultant with the Malaysian Institute of Human Resource Management, he delivers practical, experience-based training in English and Bahasa Malaysia, with occasional sessions in Chinese.

PARTICIPANT DETAILS

Name:

Position:

Department:

Contact Number:

Email:

Name:

Position:

Department:

Contact Number:

Email:

ADMIN DETAILS

Name:

Position:

Department:

Company:

Contact Number:

Email:

Address:

Please tick the below:

☐ Course 1 (3-4 May) ☐ Course 2 (5 May) ☐ Course 1 + 2 (3-5 May)

Notes:

- *Cancellations made less than 14 days before the training date or non-attendance on the day of training are non-refundable. Substitution is allowed.*
- *Once registration is confirmed, the client is fully liable for the course fee, regardless of whether payment is made directly or through the HRDC grant, and even if participants do not attend the training.*
- *Clients who opt for direct payment must ensure full payment is made before the training date.*
- *HRDC grant applications must be submitted and approved before the training day. The maximum claimable amount is RM1,750 per participant per day. Any shortfall between the approved grant and the course fee must be topped up by the client.*
- *Should the number of confirmed participants be too low to ensure a meaningful learning experience, Symphony reserves the right to postpone or cancel the training.*