



# Sabah Labour Ordinance (Chapter 67) with Proposed Amendments

## A study of The Sabah Labour Ordinance (Amendment) Bill 2024

### Speakers



**RACHEL TAN**  
Lead Consultant  
MECA

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Consultant  
MECA

**3-4**  
**Sept 2024**  
**LE MÉRIDIEN**  
**KOTA KINABALU**  
**9AM - 5 PM**

### TRAINING FEE

<b>MECA Member</b>	<b>RM 2300</b>	PER PAX PER COURSE	<i>including 8% SST</i>
<b>Non-Member</b>	<b>RM 2600</b>	PER PAX PER COURSE	<i>including 8% SST</i>

*\*Prices are inclusive of 8% SST  
\*Employers contributing to HRDCorp may claim the seminar rate subject to a maximum of RM 1300 / day / pax*

**For more information contact us :**  
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## COURSE OBJECTIVE

To provide updates on the Sabah Labour Ordinance (Amendment) Bill 2024 that was tabled for first reading in the Dewan Rakyat on 17 July 2024. These proposed amendments aim to enhance worker protection and modernize labour regulations in Sabah, aligning with international standards and the Employment Act 1955. Start familiarizing yourself with what's to come. Although yet to be made into law, this course aims to provide insights on the direction that the lawmakers are moving towards and prepare employers for the significant changes coming and its impact on the Sabah Workforce.

### Day 1

#### Registration

8.30am – 9.00am

#### Part 1

##### Chapter 1: Introduction

- SLO (A) Bill 2024 [The Bill] – Is it law?
- Brief overview of the other Legislature involved behind the harmonization of SLO (A) Bill 2024
  - Employment Act 1955
  - Minimum Standard of Housing, Accommodation and Workers' Facilities Act 1990
  - Children and Young persons (Employment) Act 1966
- Key definitions and the amendments under S.2 (Interpretations) of the Bill
- General powers to exempt and exclude
- Who is an "employee"
- [First] Schedule definitions
  - Contract of Service : Para 1, First Schedule
  - Quantum of Wages – Para 2
- Presumption of "Employee" – s.130NB(1)
- New definitions :
  - "Apprentice"
  - "Domestic Employee"
  - "Constructional Contractor"
  - "Part-time employee"
  - "Contractor for labour"

9.00am – 10.30am



#### Morning Tea Break

10.30am – 10.45am

#### Chapter 2 and 2A: Officers

- The duty of the Commissioner of Labor
- The rights of the Commissioner of Labor and Director
  - Inspection and Inquiry
  - Inspection of documents
  - Power of summons
  - Power of inquiring into complaints and inquiries
- Limitation of powers under S.7A
- Procedure in Directors inquiry

10.45am – 1.00pm



#### Lunch Break

1.00pm – 2.00pm

#### Part 2

##### Chapter 4: Terms & Conditions of Service

- Understanding the term "more favourable" under the SLO (A) 2024
- Termination of contract of service
- Normal Termination (with or without notice)

2.00pm – 3.45pm



#### Afternoon Tea Break

3.45pm – 4.00pm

- Termination for Special Reasons
- Breach of Contract
- Contract to be in writing

#### Overview of the deleted provisions under Part 3- Chapter 5, 6, 7, 8 and 9

4.00pm – 4.45pm

#### Q & A Session

4.45pm – 5.00pm

End of Day 1

### Day 2

#### Registration

8.30am – 9.00am

#### Part 4

##### Chapter 10: Registers , Returns and Notice Board

- Duty of employers to display notice
- Duty of employers to issue notices

##### Chapter 11: Employment of Children and Young persons

- The definition of children and young persons
- The type of employment allowed to engage children and young persons
- Hours of work & days of work

##### Chapter 11A: Employment of Women & Maternity Protection

- Prohibition To Work At Night And Underground
- Maternity Protection
- Eligible Period
- Maternity Leave And Allowances
- Restriction On Termination of Female Employee During Pregnancy And Maternity Leave

9.00am – 10.30am



#### Morning Tea Break

10.30am – 10.45am

##### Chapter 11B: Sexual Harassment

- Definition of Sexual Harassment
- Inquiry into complaints of sexual harassment
- Notice on sexual harassment
- Offence - Increased fines for employers who do not comply with sexual harassment
- What constitutes Offences - Implications of failure to Exhibit notice on Sexual Harassment
- Discrimination in Employment – ss18A
- Forced Labour - s18B

##### Chapter 12,13: Repatriation & Domestic Service

- Definitions – e.g "dependant"
- Rights and obligations of employee and employer

##### Chapter 14: Contracts of Service

- Scope of Limitation on Advances to employees Widened – s102(1)
- Maximum Hours of Work Permissible in a week, 104A(1)
- Shift Work – Ministers Powers to Regulate Shift Allowance – 104A(5)
- Paid Public Holidays - "Malaysia Day", 2 Public holidays on same day - 103(1)
- Paternity Leave -104EA
- Annual Leave
- Sick Leave
- Calculation of Wages for Incomplete Months Work -107C
- Time of Payment of Wages - 108
- Payment of wages upon Termination 108A 108B
- Remuneration other than wages -116
- Supply of Employees by Contractor of Labour -116D
- Deductions from wages
- System of payment of wages – through Financial Institutions 110 & 110A
- Priority of wages

10.45am – 1.00pm



#### Lunch Break

1.00pm – 2.00pm

## Day 2 (Cont)

### Chapter 14A: Employment- of Non-Resident Employee -118A

- Rights and obligations of Employers
- Termination of employment due to redundancy

### Chapter 14B: Flexible Working Arrangement

- Application for Flexible Working Arrangement -120B

### Additional Provisions

### Chapter 15: Procedures, Offences, Penalties, Rules, Savings and Appeal

### Chapter 15B : Health, Hospital, Medical Treatment And Sanitation.

### Chapter 15C : Accommodation

2.00pm – 3.45pm



### Afternoon Tea Break

3.45pm – 4.00pm

### PART 4A :

### Special Provisions Relating to Employees' Minimum Standards Of Housing, Accommodations And Amenities.

### General Provisions

SECOND SCHEDULE read with s.72(6)

Prohibition on Employment of Children and Young Persons

THIRD SCHEDULE read with s.72(7)

List of Hazardous Work

4.00pm – 4.45pm

### Q & A Session

4.45pm – 5.00pm

## End of Training

## Speaker Profile



**Rachel Tan**  
Lead Consultant,  
MECA

Rachel holds a Bachelor of Law degree from University of London and completed her Certificate of Legal Practice in 2011. She is admitted to the High Court of Malaya as an Advocate & Solicitor in 2015.

Prior to legal practice, Rachel has acquired many experiences in the role of Marketing and Business Development since 2005; having worked for multinational companies in various industries including banking and finance, Information Technology as well as NGOs such as Bar Council Malaysia and KLRC (now known as AIAC).

After commencing legal practice, Rachel continues to gain experience as a civil litigator in areas of the law such as family law, construction law, insurance law and medical negligence. Rachel started her journey in employment law with Dharmen Sivalingam & Partners before she transitioned to MECA as consultant.

She speaks English, Bahasa Malaysia, Mandarin, Cantonese and Hokkien as well as basic Sign Language.

Rachel is passionate about the welfare of women and children and dedicate her time volunteering at WAO as their Crisis Respond Officer and she is currently active with the Human Rights Committee of the Bar Council in her advocacy against Domestic Violence and Harassment.



**Cassandra Peter**  
Consultant,  
MECA

Cassandra Peter graduated with a Bachelor of Law, Second Class Honours (1st Division) from Aberystwyth University in 2017. She was admitted as an Advocate and Solicitor of the High Court of Malaya in January 2020. Prior to joining MECA, she chambered under Manian Raju at Manian Raju & Associates and subsequently joined the firm as a legal associate.

During her time at Manian Raju & Associates, Cassandra had hands on experience in civil litigation matters with cases pertaining to Contract Law, Company Law, Family Law, Land Law, Bankruptcy, Construction Law, Trust Law, Financial Law and Employment Law.

Cassandra's experience in civil litigation equips her to provide apt and effective solutions for her clients in employment and industrial relation matters.