

# *WRITING A CONTRACT OF EMPLOYMENT - ESSENTIAL FEATURES AND AVOIDING PITFALLS*

12 April 2012

MEF Phileo Damansara 2 Petaling Jaya, Selangor

## **Introduction**

A contract of employment is a legally enforceable agreement under which the employer's basic obligation is to pay wages or salary and the employee's basic obligation is to provide service. A contract of service is made when the offer of employment by employer is accepted by employee. A number of rights and duties, enforceable through Courts, arise as soon as the contract of service comes into force.

This programme will address the essential features of contract of service and more importantly assist participants to avoid pit falls in drawing up contract of service so that employers maintain flexibility in operating their business within the framework of the law. Changes occur in working relationship for many reasons and accordingly problems may arise in effecting the changes. An essential part of this programme will be to guide employers in managing changes and term of employment without breaching the contract of service.

## **Topics Covered**

- Contract of Employment / Terms and Conditions of Employment / Employee Handbook
- Effect of Collective Agreements on Employment Contract
- Factors determining contractual relationship.
- Global and umbrella contract of service
- Extra territorial jurisdiction
- Contract of service – contract of employment
- The control test
- Pre-employment steps
- Job offer / withdrawal of offer
- Managing changes
- Variations of contract
- Vicarious liability
- Termination and Resignation
- Change of ownership and the effect on the contract of employment

## **Who Should Attend**

All those involved in handling personnel and industrial relations functions.

## **Methodology**

- Lectures
- Discussions
- Practical exercises

## **Course Fee**

- RM 400 (members)
- RM 550 (non-members)

REGISTRATION FORM

We would like to register the followings for the Course on:

Course Title: **WRITING A CONTRACT OF EMPLOYMENT on 12/04/2012**

Contact Person : \_\_\_\_\_  
\_\_\_\_\_

Designation : \_\_\_\_\_  
\_\_\_\_\_

E-mail : \_\_\_\_\_  
\_\_\_\_\_

Company Name & Address

Tel \_\_\_\_\_ Fax \_\_\_\_\_

**Participant Details:**

(1) Name  
Designation  
E-mail  
\_\_\_\_\_

(2) Name  
Designation  
E-mail  
\_\_\_\_\_

(3) Name &  
Designation  
E-mail  
\_\_\_\_\_

**Please [v] where applicable :**

[  ] **Members of Malaysian Employers Federation**

[  ] **Non-Members**

Total Fee : RM \_\_\_\_\_ Cheque no : \_\_\_\_\_

**Fax or send your registration form to :**

**MEF ACADEMY SDN BHD**

**FAX : 7955 6808** Email : [nazlina@mef.org.my](mailto:nazlina@mef.org.my); [roszana@mef.org.my](mailto:roszana@mef.org.my)

TEL: 7955 7778 ext. 137/144 ( Contact Person : Ms. Eina/ Ms. Zana)

Address :

3A06 – 3A07, Block A, Pusat Dagangan Phileo Damansara II, No. 15, Jalan 16/11, Off Jalan Damansara, 46350 Petaling Jaya, Selangor

[www.mef.org.my](http://www.mef.org.my)

