

The Industrial & Employment Law Subcommittee presents a seminar on  
**“Employment and Industrial Laws:  
Current Challenges and Judicial Approach/Solutions”**

IELC 2/19  
Dated 1 Nov 2019



**3 CPD points**  
**Bar Council CPD Accreditation Code:**  
**T3/29112019/PGB/PGB193694/3**

**29 Nov 2019 (Fri)**  
**2:30 pm to 5:30 pm** (Registration will begin at 2:00 pm)  
**Penang Bar Auditorium**  
**No 4 Green Hall**  
**10200 Penang**

**Synopsis:**

Claim for recognition by a Trade Union

- How to Respond to the Claim
- Collective Bargaining and Collective Agreement

Representation on Dismissals

- Definition of a ‘Trade Dispute’
- Types of Dismissal
- Procedural Consideration

Differences between Labour Court and Industrial Court

- Jurisdictions & Remedies to Be Sought in the Above Courts
- Enforcing the Award or Order of the Courts

Probationers

- May a probationer’s services be terminated before the expiry of his/her probationary period?
- Case Study

Domestic Inquiry

- Is it still compulsory to conduct a Domestic Inquiry before a dismissal could be deemed to be fair?

‘Gig Economy’

- Are our current employment and industrial laws adequate to protect persons rendering individual or freelance services e.g. *Grab* drivers and *Food Panda* delivery riders?
- Foreign Case Studies

Salient Features of Proposed Amendments to the Industrial Relations Act, Employment Act and Trade Unions Act

- Impact and Implications

**The speakers:**

**Leow Tat Fah** has over 35 years of experience in the areas of employment and industrial law. He was previously a senior officer in the Ministry of Human Resources before he was admitted as an Advocate and Solicitor of the High Court of Malaya in 1995.

His areas of practice include handling of trade disputes, employment litigation and trade union matters in the various Courts.

He has presented papers at several employer organisations on the related topics.

He is the current Chairperson of the Penang Bar Committee’s Industrial & Employment Law Subcommittee and a member of the Industrial & Employment Law Committee of the Bar Council.

**Hoe Lean Fatt** was admitted as an Advocate and Solicitor of the High Court of Malaya in 2014.

Prior to his admission, he was the Director of Labour, Penang and Selangor. He has also served as the Director of Industrial Relations, Penang and Wilayah Persekutuan/Selangor.

Mr Hoe has facilitated training programmes, workshops, dialogues and seminars in labour, industrial and trade union laws for various corporations in manufacturing industries, services, utilities, commercial agencies, trade unions, chambers of commerce and various educational institutions and government agencies.

Having served various departments under the Ministry of Human Resources, Mr Hoe has vast experience in social security, industrial relations as well as labour administration of over a period of more than 35 years.

Registration fees:

RM60.00 members of the Bar  
RM30.00 members Admitted from 1 July 2011 and Pupils in Chambers  
RM120.00 non-members

I would like to register for the event (all fields must be completed):

Name: \_\_\_\_\_

*[tick where applicable]*

Member of the Bar (BC Membership No.): \_\_\_\_\_

Member Admitted from 1 July 2011 (BC Membership No.): \_\_\_\_\_

Pupil in Chambers (Petition No.): \_\_\_\_\_

Non-Member (NRIC No.): \_\_\_\_\_

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

Name of Firm/Organisation: \_\_\_\_\_

Address: \_\_\_\_\_

Tel No: \_\_\_\_\_ Fax No: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Payment options:

- (1) Direct deposit to Public Bank Berhad (Account: 3060545211); or
- (2) Cheque or bank draft, payable to “Penang Bar Committee”; or
- (3) Cash payment, at the Penang Bar Secretariat.

**All payments must be made in advance of the event, and include all bank charges. Registration must be accompanied with payment to guarantee your place.**

- Places are limited and registration is on a first-come, first-served basis.
- Cancellations must be made in writing. There will be no refunds for cancellations made after 26 Nov 2019 (Tues) but substitutions are allowed.
- The organiser reserves the right to modify, cancel or postpone the event, should circumstances arise that make such action necessary.
- Points for the Continuing Professional Development (“CPD”) Scheme will not be awarded to Members of the Bar and pupils in chambers who arrive more than 15 minutes late, are not present throughout the event, or leave before its scheduled end.
- Please direct all correspondence (including completed registration forms) and enquiries to:

Shalini Seger  
(T: 04-261 5669 / F: 04-262 8664 / secretariat@penangbar.org)

The personal information that you provide to the Penang Bar Committee, whether now or in the future, may be used, recorded, stored, disclosed or otherwise processed by or on behalf of the Penang Bar Committee for the purposes of facilitation and organisation of this event, research and audit, and maintenance of a participant database for the promotion of this event, and such ancillary services as may be relevant.

**Issued by:**

**Leow Tat Fah**  
**Chairman**  
**Industrial & Employment Law Subcommittee**