



Which Employees' Benefits Are Compulsory Under Employment Act 1955 **员工应有的权益(雇佣法令 1955)**



EMPLOYEE 员工

The Employment Act 1955 **does not covers all employees.** It only covers;



Any employment whose wages is less than RM2000

不论职位, 只要每月工资不超过二千令吉

Employee employed in manual work no matter the amount of wages.

不论工资多少, 只要是手工操作的工作



First Schedule



NOTICE OF TERMINATION CONTRACT 停止通知期限



EMPLOYMENT YEAR 僱用年限 (YEAR/年)	LENGTH OF NOTICE 通知期限 (WEEK/星期)
Employment year < 2	4
2 < employment year < 5	6
5 < employment year	8

Part II Section 12



PAYMENT OF WAGES 支付工资



The wages shall not be paid later than the 7th day.

雇主不可以迟过第七天发薪。

No interest should be charged on the advance wages, but it shall not be more than a month's wages except for specific criteria.

预支不可抽利息，但预支不可以超过一个月的工资，除非特定情况。

Part III Section 20 & 22



WORKING HOUR

工作時間

Of more than 5 consecutive hours of work, the employee should be given a period of leisure time of not less than 30 minutes.

连续5个小时以上工作需有一段不少过30分钟的休息

- Not more than 8 working hours a day
一天不超过8小時
- An employee should not exceed 10 hours spread over period in one day.
一天不超过十小時的延长期间
- Not more than 48 working hours in a week
一星期不超过48小時

Under specific conditions, employer can request employee to work over the working hour.

除特定情况下，雇主可以需要雇員工作超過上述限度

OVERTIME (OT) 加班



If employees work more than normal working hours, the hourly overtime pay is equal to not less than 1.5 the hourly pay rate.

僱員工作超過正常工作時間，每小時超時工資等于不少過小時工資率一倍半。

Employee should not work overtime exceeding 104 hours in a month.

僱員每個月的超時工作不得超過104小時。

Part XII Section 60A



REST DAY 休息日

Employee are allowed a rest day in each week.
雇员每星期一天整天的休息日

Employee 员工	Working hour 工作时间 (Day/天)	Wages on rest day 休息日应计工资 (Day/天)
Monthly wages 月薪	< 0.5 day	0.5 day
	> 0.5 day	1 day
Daily wages 日薪	< 0.5 day	1 day
	> 0.5 day	2 days

For overtime work on rest days, the employee's overtime wage should be calculated at twice the hourly wage rate.
在休息日做超时工作, 雇员加时工资应两倍小时工资率来算.

Part XII Section 59



Annual Leave 年假

Employment Year 雇佣年限 (Year/年)	Annual Leaves 年假 (Day/天)
Employment Year < 2	8
2 < Employment Year < 5	12
5 < Employment Year	16

If an employee is sick or takes maternity leave when taking leave, the employer shall granted sick leave or maternity leave. The annual leave should deemed to has not been taken. 若雇员请假时生病, 或度产假, 雇主应给病假或产假. 年假就算没有请过.

If the employer request, and the employee agrees in writing not to take annual leave, the employer must pay instead of the annual leave. 如果在雇主要求下, 而雇员也以同意不请年假, 雇主必须付款代替年假.

Part XII Section 60E



Public Holiday 公共假期

Employees are entitled to 11 gazette public holidays

每一雇员有权享十一天宪报所登公共假期:

- National Day 国庆日
- The Birthday of Yang di-Pertuan Agong 最高元首诞辰
- The Birthday of the Ruler or Yang di-Pertua Negeri
州统治者诞辰或联邦管辖区日
- Labour Day 劳动节
- Malaysia Day 马来西亚纪念日
- Any public holiday declared under Holiday Act 1951
1951年假期法令所宣布的任何假期

For overtime work on public holiday, the employee's overtime wage should be calculated at three times the hourly wage rate.

雇员在假期做超时工作, 雇主得付给以小时工资率三倍来计算
超时工资

Part XII Section 60D

SICK LEAVE 病假



Employment year 雇佣年限 (year/年)	Sick leaves 病假 (Day/天)
Employment year < 2	14
2 < employment year < 5	18
5 < employment year	22

Sixty day in aggregate if hospitalization
如果必须住院，则一年共60天.

Part XII Section 60F

