



LEAVE ENTITLEMENT IN MALAYSIA



Types of Leave Entitlements in Malaysia

According to **Employment Act (EA) 1955**, the law provides several types of leave entitlements, which are:



Public Holidays

EA1955 Section 60D(1) states that every employee shall be entitled to a paid holiday at his ordinary rate of pay for at least 11 gazette public holidays in any one calendar year, the following 5 are compulsory Public Holidays:

1 the **National Day**;

2 the Birthday of the **Yang di-Pertuan Agong**;

3 the **Birthday of the Ruler or the Yang di-Pertua Negeri**, as the case may be, of the State in which the employee wholly or mainly works under his contract of service, or the Federal Territory Day, if the employee wholly or mainly works in the Federal Territory;

5 **Malaysia Day**.

6 the **Workers' Day**; and



Annual / Paid Leave

In Malaysia, employees are entitled to paid annual leaves (AL), which depends on the period of employment as follows:



8 days/year for employees who have worked **< 2 years**,

12 days/year for those who have worked **2 ≤ years < 5**,

16 days/year for employees who have worked **≥ 5 years**.

EA1955 Section 60E(1)

Those who have worked for <1 year are not eligible to ALs unless they leave the company in which case their paid leave will be pro-rated. For example, employees who have worked for 6 months and are leaving the company are eligible to 4 days of paid ALs.

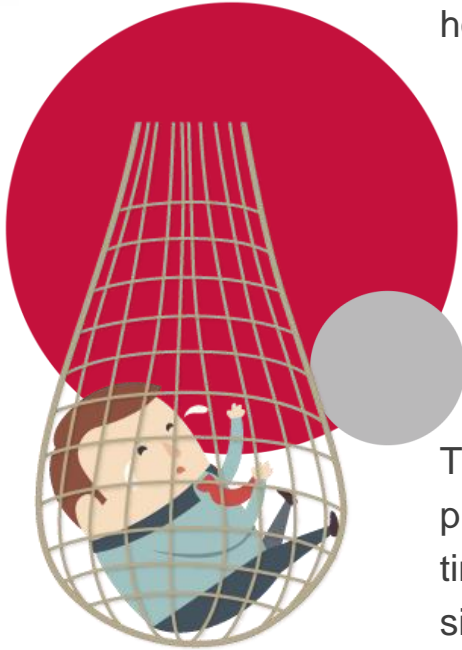
Sometimes the annual leave entitlement is stated in the collective agreement, if such an agreement is in force in the company.



Sick Leave

The number of paid sick days in Malaysia also depends on the duration of employment. Thus, those employees whose illness doesn't require hospitalization are entitled to:

- 14 days/year** if employed for **< 2 years**,
- 18 days/year** if employed for **2 ≤ years < 5**,
- 22 days/year** if employed for **≥ 5 years**.



The paid sick leave should be confirmed by a medical practitioner, officer, or dental surgeon. At the same time, the employees should inform their employers on sick leave within 48 hours after commencement or be deemed absent from work without reasonable excuse.

*If the illness is more serious and requires **hospitalization**, the employees **receive 60 days** of paid sick leave in total, notwithstanding the period of employment. **EA 1955 S60 (1)(bb)***





Maternity Leave

The law also provides paid leave entitlements to women in connection with pregnancy. According to EA1955, a female employee involved in the **private sector** has been entitled to a total of **60 consecutive days** of maternity leave while **public sector** employees were entitled to **90 days**.



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