

# **EMPLOYMENT** *(Amendment)* **BILL 2021**

~MALAYSIA~



# PREGNANCY & MATERNITY

- > Paid maternity leave period to be extended from 60 days to **90 days**.
- > Employer may not terminate employment or give notice of termination of employment except on the grounds of;

a) Willful breach of a condition in the contract of service;

b) Misconduct; or

c) Closure of the employer's business.



# PATERNITY LEAVE

- > The Bill proposes that a married male employee shall be entitled to **3 consecutive days** of paid paternity leave for each confinement, up to 5 confinements (*irrespective of the number of spouses*).

- > Such entitlement is subject to the male employee being employed by the same employer for;

a) at least a 12 month period immediately preceding the commencement of paternity leave; and

b) notified his employer of his spouse's pregnancy at least 30 days from the expected confinement; or

c) as early as possible after the birth.





# WORKING HOURS

The maximum working hours for employees is proposed to be reduced from 48 hours to **45 hours**.





## FLEXIBLE WORKING ARRANGEMENT

The Bill proposes that an employee may **apply in writing** to his employer for a flexible working arrangement **to vary his hours, days or place of work**.

The employer then has **60 days** to either accept or reject such application in writing, and will need to give **reasons for the refusal**.





# GENERAL PENALTY

The Bill has proposed to increase the general penalty for offences from RM10,000 to **RM50,000**.





# **SALARY CALCULATION**

## ***FOR AN INCOMPLETE MONTH***

$$\frac{\text{Monthly wages}}{\text{No. of Days in a Month}} \times \text{No. of eligible days in the wage period}$$

- > TO CLARIFY whether employers should use the “divide by 26” formula to determine a day’s wage.





# **NOTICE ON SEXUAL HARASSMENT**

Requires employers to *“exhibit conspicuously at the place of employment, a notice to raise awareness on sexual harassment”*.





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