

解雇员工与裁员的正确方式

TERMINATING & RETRENCHING EMPLOYEES – THE RIGHT WAY

19 NOVEMBER 2024, 9AM - 5PM @ ZOOM (华语班)

COURSE OBJECTIVE

At the end of this programme, participants will be able to:

- Understand what constitutes dismissal.
- Differentiate between dismissal and termination.
- Identify the reasons for which an employee can be dismissed or terminated.
- Follow the proper procedures before dismissing or terminating an employee.
- Prepare the necessary documentation related to dismissal or termination.
- Prepare and present cases at the Labor Department, Industrial Relations Department, or the Industrial Court.

讲师:

BRIAN WEE

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- 超过30年经验的企业培训及咨询

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COURSE INTRODUCTION

Dismissing or terminating employees seems to be one of the most difficult areas of management. It seems that an employer is never able to dismiss or terminate an employee the right way, an in most of the reported dismissal cases, the courts seem to decide that the dismissal is unjustified. This course has been designed to provide participants with the knowledge necessary to carry out dismissal or termination the right way and thereby ensure that the company does not end up paying huge amounts of money to the dismissed or terminated employees.

FOCUS: Retrenchment during the economic crisis, Pay cut, Shorter working days, Layoffs

COURSE CONTENT

1. Introduction

2. Dismissal & Termination – The differences

3. Statutory Provisions
   - The Employment Act 1955
   - Employment (Termination & Lay Off Benefits) Regulation 1980

4. Valid Reasons for Dismissal/ Termination - The Procedure
   (a) End of Probation
      - Monitoring, training, counseling, etc
      - Warnings, extensions/termination

   (b) End of Temporary Employment
      - Reasons for temporary employment
      - Reasons for non–renewal

   (c) Resignation
      - Voluntary/Involuntary
      - Acceptance of resignation

   (d) Retirement
      - Retirement age
      - Where to retrieve and how
      - Post-retirement employment

COURSE CONTENT

4. Valid Reasons for Dismissal/ Termination - The Procedure
   (e) Retrenchment
      - Why & when
      - Restructuring and reorganization to cut costs, increase efficiency and profits
      - How to retrench
      - Benefits

   (f) Frustration
      - When and how it occurs
      - Illness or imprisonment
      - How to terminate

   (g) Misconduct
      - What is misconduct?
      - Express and implied terms of a contract of service
      - Types of misconduct
      - How to handle
         i. Absenteeism, late – coming and tardiness
         ii. Excessive sick leave, patterned sick leave and shopping for sick certificates
         iii. Poor performance or bad work habits
         iv. Insubordination, fighting, sexual harassment
         v. Fraud, cheating, theft and dishonesty
         vi. Sleeping at work
         vii. Gambling/drinking alcohol at company premises
         viii. Sabotage, misuse of electronic facilities, etc.
         ix. Others

5. Breach of Contract
   - Constructive dismissal
   - How to avoid

6. Legal Requirements on Dismissals
   - The Employment Act 1955
   - ILO Convention No. 158
   - Code of Conduct for Industrial Harmony
   - The Common Law

COURSE CONTENT

7. Domestic Inquiry
   - How to conduct
   - The principles of natural justice

8. Remedies Available to Employees Who Are Punished
   - Part 15, Employment Act 1955
   - Sec. 20 & 59, Industrial Relations Act 1967
   - Civil remedies

9. The Roles of the Minister and the Courts
   - Presenting the case at the Labour Court, during conciliation and t he Industrial Court

TARGETED AUDIENCES

Manager/Executive/Supervisor of HR and Industrial Relation Department, Department Heads and those dealing with termination of employees

TRAINING METHODOLOGY

Stimulating Lecture, Analytical Learning through Case Study & Exercises, Workshop Sessions.

DURATION

1 Day