



## Skills for Writing and Managing Contract of Service

HRD Corp Claimable (SBL-Khas)

It is a fact that only very few HR management professionals can boast that the contract of employment which they use had been drafted with their inputs to be written professionally by lawyers. Most of us either inherited these hand-me-down contracts and the fact is the vast majority of us are actually using copied, pasted and modified templates for the contracts of employment which we manage.

By and large, these contracts serve a purpose, and seem to remain problem-free. However in actuality, most of us are using these contracts in a way where:

1. We don't fully understand the effects and implications since we do not understand the words fully
2. We apply the terms in the way we think we want, not what it actually meant
3. We do not realize that some of the terms have unfairly restricted the natural prerogative of the management to manage the business, because the lawyers may have neglected to understand management rights over human resource
4. We fail as paid professionals to do what should have been the best for the employer who pays us

This training will help you learn to read and understand some of the essential terminologies used. You will learn how and when to hinge or unhinge the contract of service to the company's HR policy and employee's handbook. You will know how to write a contract of employment that does not encumber your employer, and you will learn to manage the contract of service with confidence that you are doing the right thing for the employer and the employee, especially with the recent amendments to the Labour Laws.

### **Review of Contract of Service:**

The trainer will review your existing Contract of Service (which will be collected before the workshop commences) during the class – to point out statutory shortcomings.

### **Course Requirement**

- Stable Internet Connection
- Webcam and Earphones

### **Objective**

At the completion of this course, you will be able to:

- Clearly differentiate between the different forms of contract of service
- Know when and how to provide differentiated terms and conditions of employment
- Avoid unintentionally tying down the company's freedom to manage the business and the contract of service
- Avoid the risk of confusing the contract of service with the HR Policy and/or Employee Handbook
- Know how to properly manage or continue employing people under fixed term contracts and how to terminate contracts safely
- Write contracts that free the employer to perform its prerogative to manage the business with the freedom to make amendments for the best operational effectiveness of the business as and when needed

## **Course Content**

### **Module 1: Law of Contract**

- Basics of Law of Contract and its essential elements
- When and how to provide differentiated terms and conditions of employment
- Actions that invalidate or void a contract

### **Module 2: Contract of Employment**

- Understanding the Contract of Employment and its essential elements
- Types of Contract of Service and its essential differences
- Unwritten obligations from Master and Servant relationship arising out of a contract of employment

### **Module 3: Writing the Contract of Employment**

- Skills and care
- Terms in the Contract of Employment
- How to ensure clauses written do not impinge upon the right to management to make variations and manage the business
- Non-enforceable clauses and those with limited enforceability

#### Module 4: Fixed Term Employment Contracts

- When to renew, extend or employ the person upon expiry
- Risks when termination a fixed term contract

#### Module 5: Managing Breaches of Contract

- Fundamental and non-fundamental breaches

#### Module 6: Terminating a Contract for Various Reasons

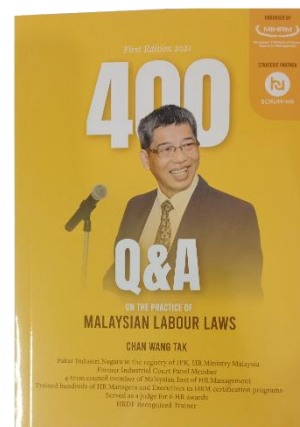
When & Where	Who Should Attend	Training Investment
<p><b>14 &amp; 15 March 2024</b> (Thursday &amp; Friday) 9.00 am to 5.00 pm</p> <p><b>Remote Online Learning - Zoom</b></p>	<p>This workshop is essential for all employers and employees.</p>	<p><b>RM 1,300</b> per participant (inclusive of Service Tax, Online Course Materials, and E-Certificate of Attendance)</p> <p><b>HRD Corp Claimable (SBL-Khas)</b></p>

### Trainer's Profile

#### Chan Wang Tak

##### Current:

- **Author** of “400 Q&A on the Practice of Malaysian Labour Laws”
- Recognized **Pakar Industry Negara** by *JPK Malaysia*
- **HR Consultant** for *MNCs, GLCs, SMEs*
- Elected **Council Member** of *Malaysian Inst of Human Resource Management*
- **Lecturer** for Certified HR Manager training program
- **HRDF certified trainer** for HR Management and other soft skills courses
- Trains in **3 languages**
- Certified **RPL assessor**



Formerly:

- Industrial Court Panel Member
- Group HR Manager of public listed company
- HR Manager of semiconductor company
- Guest lecturer at pvt university

Experience:

- Represent client at labour court
- Develop salary structure, perform salary review for clients
- Conduct TNA and HR Audit
- Review, revise HR polices and contract of service, write HR policy manual & employee handbook
- Reorganizing and re-training HR Dept for client
- Set up training department for client on turnkey handover basis.
- Negotiate collective agreement

Register [HERE](#)

Other Programmes [HERE](#)



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