

135/2020

CCS Insights

创业的第五堂课 - 劳工法
(Part 4) – [Sharing Slide]

Feel The CCS & Co Difference





劳工法 (Part 1)

创业的第五堂课

劳工法

Saturday, 15 August, 2020

CCS & Co [Chartered Accountants]

日期: 25-7-2020
创业路上

时间: 8.00pm
跌倒

直播: CCS 十面埋伏群

创业的起点系列



Chin Chee Seng
C.A.(M), ASEAN CPA, FCCA (UK), FCTIM



什么是“合约”

What is **Contract**?

我想问问你们啊



Saturday, 15 August, 2020 CCS & Co [Chartered Accountants] 2



自由企业者

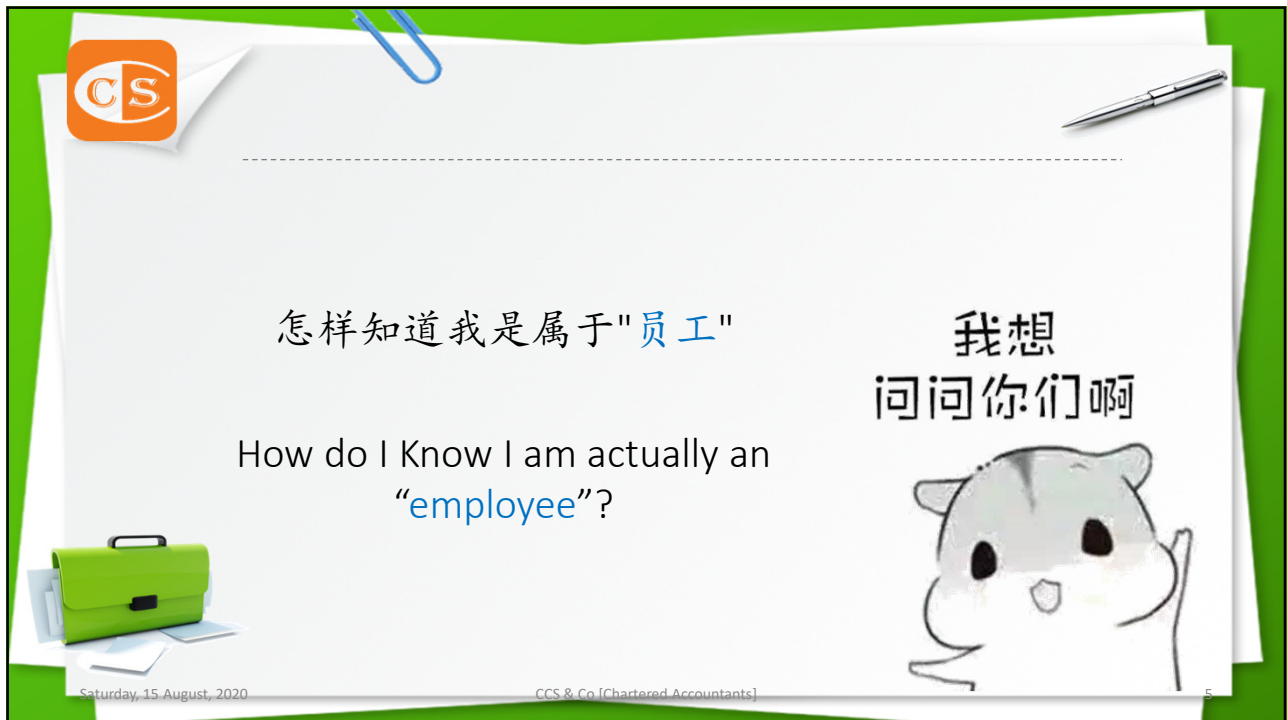
算不算是公司的员工

Are **freelancers** considered as employees of a company?

我想问问你们啊



Saturday, 15 August, 2020 CCS & Co [Chartered Accountants] 4



Slide 5 features a green background with a white paper overlay. The paper has a blue paperclip at the top left, a silver pen at the top right, and a green briefcase at the bottom left. The CCS & Co logo is in the top left corner. The text on the slide is centered and reads: "怎样知道我是属于"员工"" and "How do I Know I am actually an 'employee'?". To the right of the text is a cartoon hamster character. The date "Saturday, 15 August, 2020" and the company name "CCS & Co [Chartered Accountants]" are at the bottom.

CS

怎样知道我是属于"员工"

How do I Know I am actually an
"employee"?

我想
问问你们啊

Saturday, 15 August, 2020 CCS & Co [Chartered Accountants] 5



Slide 6 features a green background with a white paper overlay. The paper has a blue paperclip at the top left, a silver pen at the top right, and a green briefcase at the bottom left. The CCS & Co logo is in the top left corner. The text on the slide is centered and reads: "自由合约" and "Freelance Contract". To the right of the text is a cartoon hamster character. The date "Saturday, 15 August, 2020" and the company name "CCS & Co [Chartered Accountants]" are at the bottom.

CS

自由合约

Freelance Contract

我想
问问你们啊

Saturday, 15 August, 2020 CCS & Co [Chartered Accountants] 6



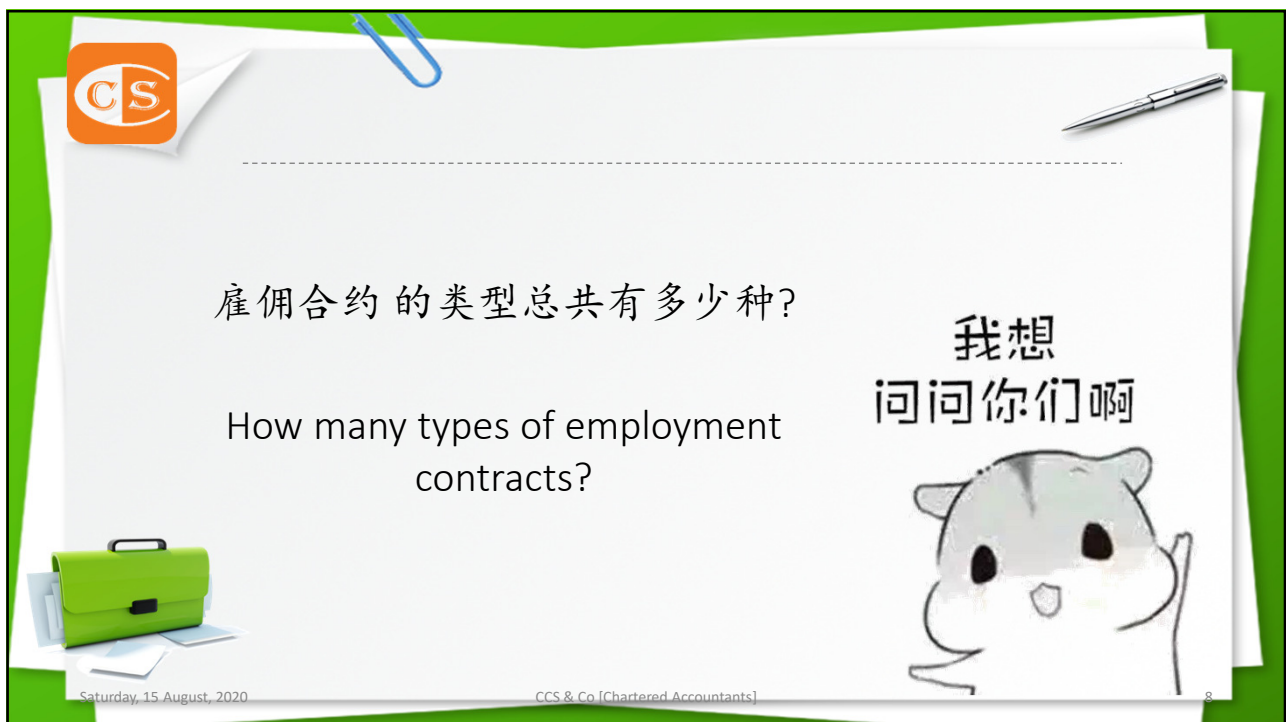
Slide 7 features a green background with a white paper overlay. The paper has a blue paperclip at the top left and a silver pen at the top right. In the top left corner of the paper is the CCS logo. The main text on the paper reads: "什么是“雇佣合约”" (What is "Contract of Employment?") and "What is Contract of Employment?". To the right of the text is a cartoon hamster character with its hand raised, and above it, the text "我想问问你们啊" (I want to ask you guys). In the bottom left corner of the paper is a green briefcase. The footer of the slide shows "Saturday, 15 August, 2020" and "CCS & Co [Chartered Accountants]" with the number 7 in the bottom right corner.

什么是“雇佣合约”

What is Contract of Employment?

我想问问你们啊

Saturday, 15 August, 2020 CCS & Co [Chartered Accountants] 7



Slide 8 features a green background with a white paper overlay. The paper has a blue paperclip at the top left and a silver pen at the top right. In the top left corner of the paper is the CCS logo. The main text on the paper reads: "雇佣合约 的类型总共有多少种?" (How many types of employment contracts?) and "How many types of employment contracts?". To the right of the text is a cartoon hamster character with its hand raised, and above it, the text "我想问问你们啊" (I want to ask you guys). In the bottom left corner of the paper is a green briefcase. The footer of the slide shows "Saturday, 15 August, 2020" and "CCS & Co [Chartered Accountants]" with the number 8 in the bottom right corner.

雇佣合约 的类型总共有多少种?




How many types of employment contracts?

我想问问你们啊

Saturday, 15 August, 2020 CCS & Co [Chartered Accountants] 8

What Employer Should Know







老板是不是一定要给员工
一份白纸黑字的雇佣合约

Must employer prepare a black & white
Employment Contract for employee?

我想
问问你们啊

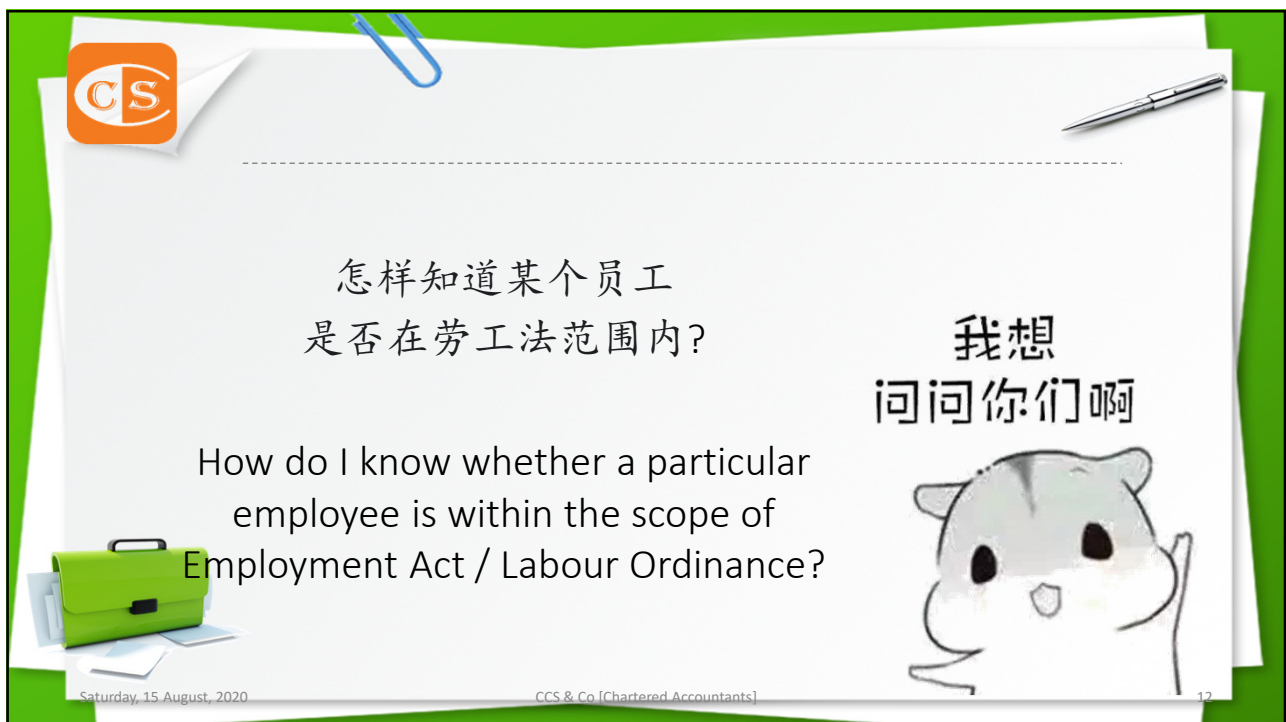
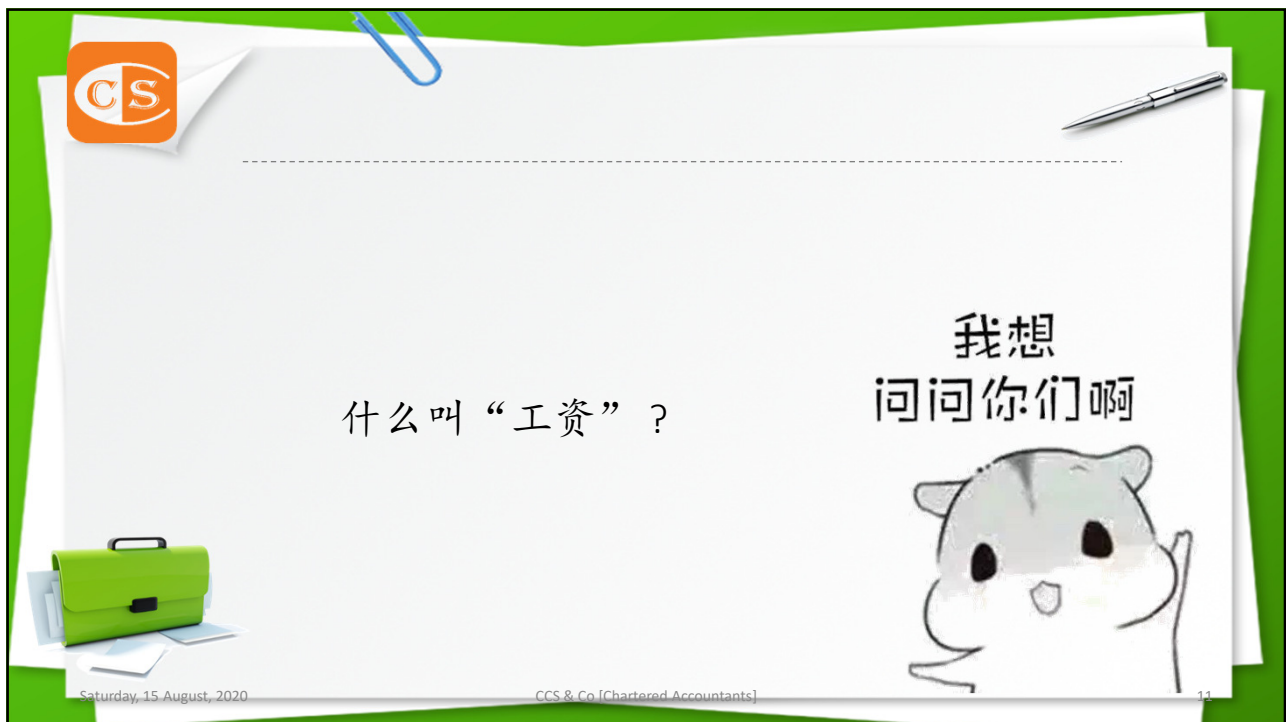




Saturday, 15 August, 2020

CCS & Co [Chartered Accountants]

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CS

那不在劳工法范围内的
员工怎么办?

Those not covered by EA or SLO,
then how?

我想
问问你们啊

Saturday, 15 August, 2020 CCS & Co [Chartered Accountants] 13

CS

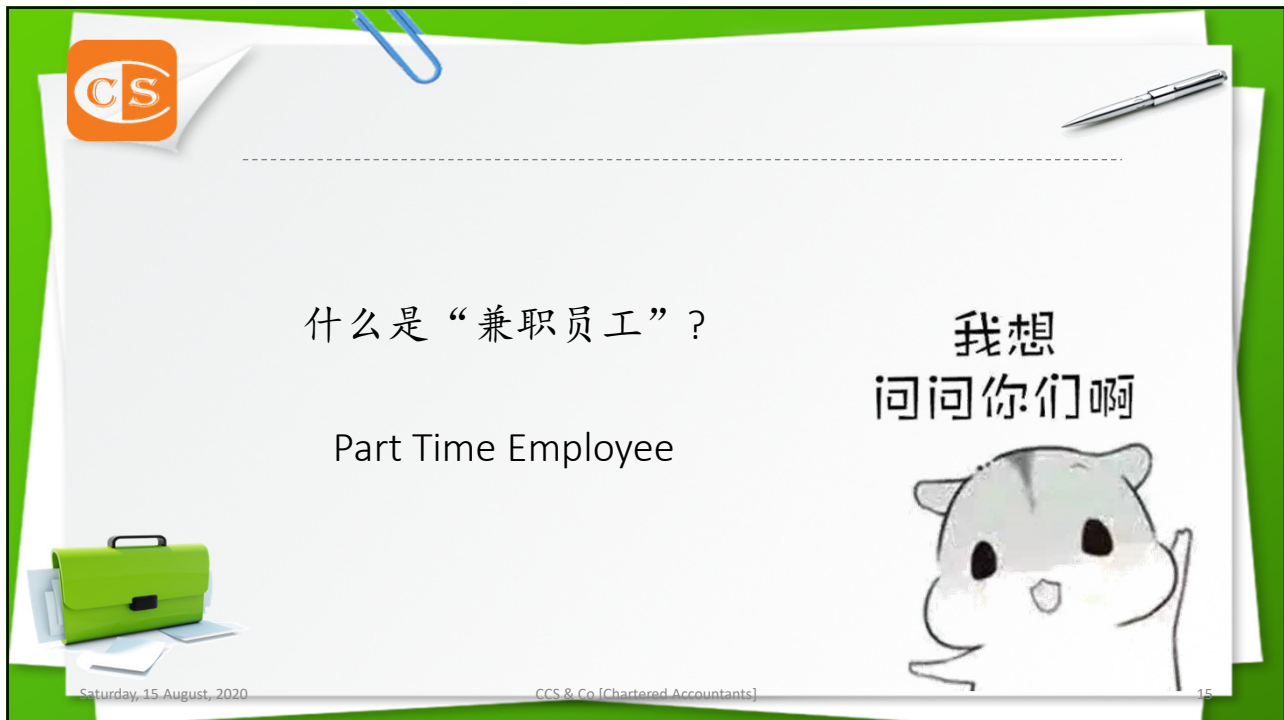
东西马各自的劳工法，一样的吗?

Employment Act and Labour Ordinance,
are they the same?

我想
问问你们啊

Penang, Kedah, Perlis, Kelantan, Terengganu, Pahang, Kuala Lumpur, Negri Sembilan, Putrajaya, Malacca, Johor, Sarawak, Labuan, Sabah

Saturday, 15 August, 2020 CCS & Co [Chartered Accountants] 14



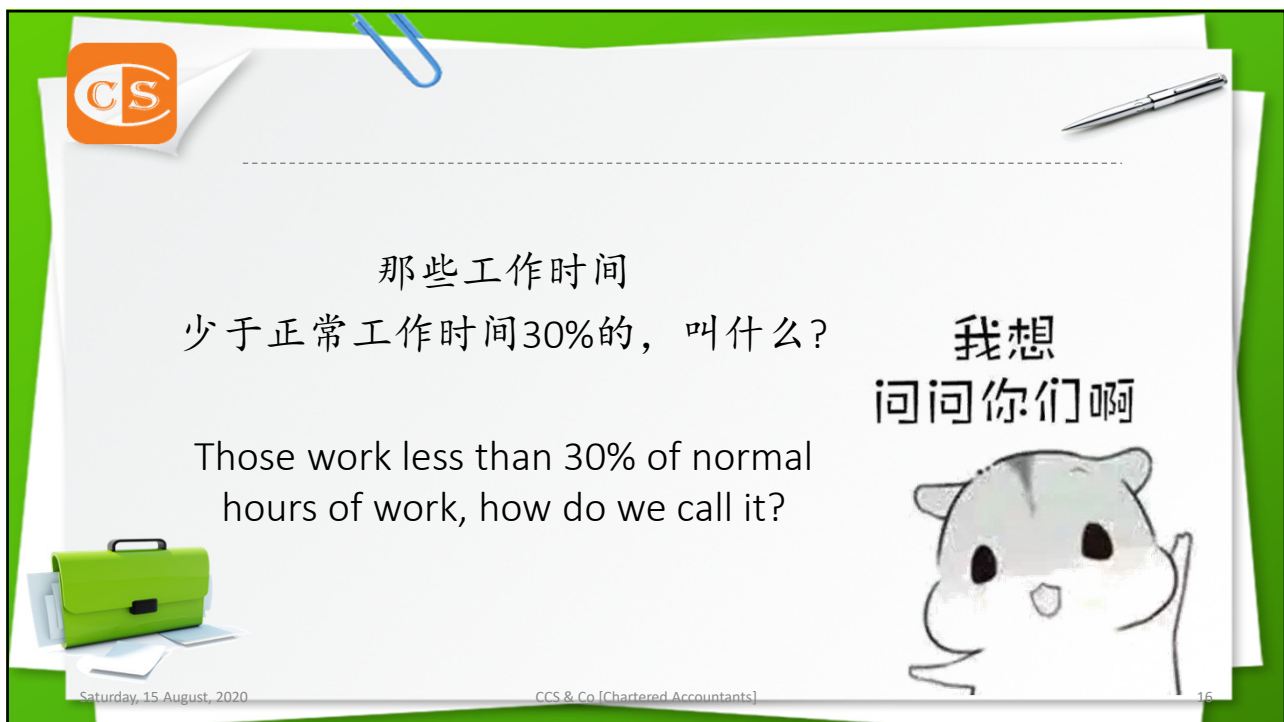
Slide 15 features a green background with a white paper overlay. The paper has a blue paperclip at the top left, a silver pen at the top right, and a green briefcase at the bottom left. The CCS & Co logo is in the top left corner. The text on the slide is centered and reads: "什么是“兼职员工”?" followed by "Part Time Employee". On the right side, there is a cartoon hamster character with the text "我想问问你们啊" above it. The footer contains the date "Saturday, 15 August, 2020", the company name "CCS & Co [Chartered Accountants]", and the slide number "15".

什么是“兼职员工”?

Part Time Employee

我想问问你们啊

Saturday, 15 August, 2020 CCS & Co [Chartered Accountants] 15



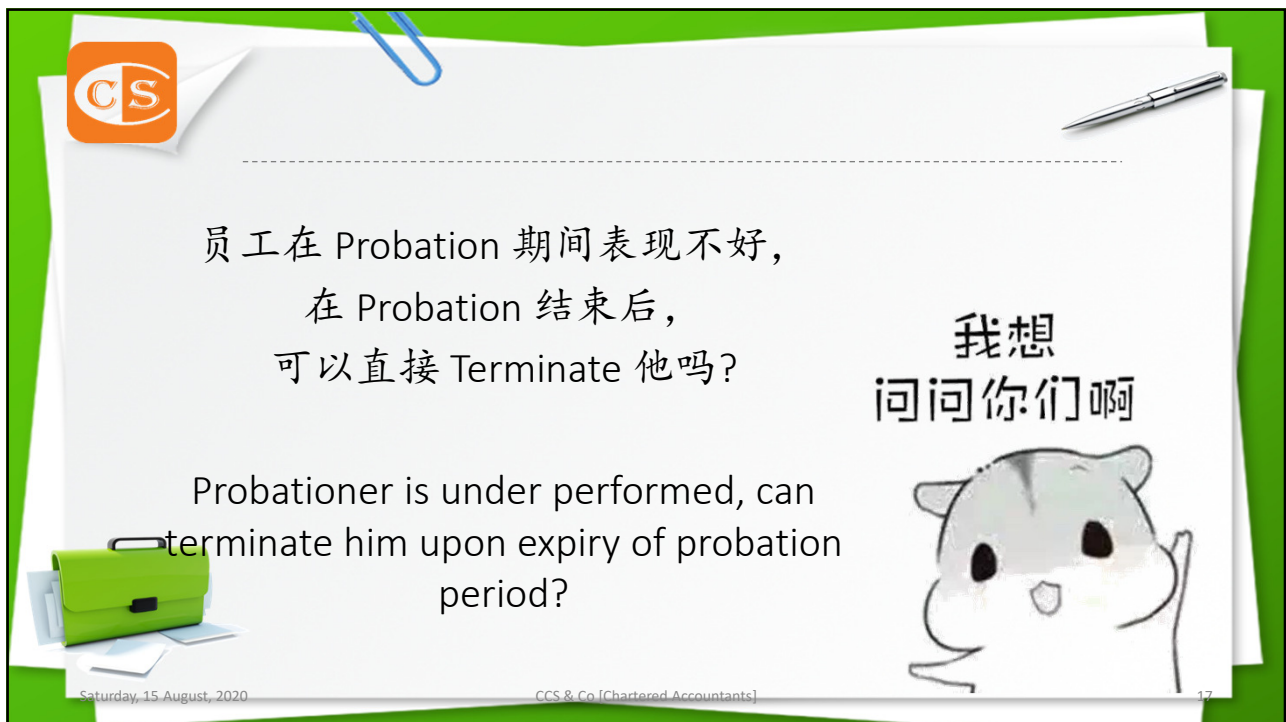
Slide 16 features a green background with a white paper overlay. The paper has a blue paperclip at the top left, a silver pen at the top right, and a green briefcase at the bottom left. The CCS & Co logo is in the top left corner. The text on the slide is centered and reads: "那些工作时间少于正常工作时间30%的，叫什么?" followed by "Those work less than 30% of normal hours of work, how do we call it?". On the right side, there is a cartoon hamster character with the text "我想问问你们啊" above it. The footer contains the date "Saturday, 15 August, 2020", the company name "CCS & Co [Chartered Accountants]", and the slide number "16".

那些工作时间少于正常工作时间30%的，叫什么?

Those work less than 30% of normal hours of work, how do we call it?

我想问问你们啊

Saturday, 15 August, 2020 CCS & Co [Chartered Accountants] 16



Slide 17 features a green background with a white paper-like texture. In the top left corner is the CCS logo (an orange square with 'CS' in white). A blue paperclip is at the top center, and a silver pen is in the top right. The main text is in Chinese: '员工在 Probation 期间表现不好, 在 Probation 结束后, 可以直接 Terminate 他吗?' (If an employee's performance is poor during the probation period, after the probation period ends, can we directly terminate him?). Below this is the English translation: 'Probationer is under performed, can terminate him upon expiry of probation period?'. On the right side, there is a cartoon hamster character with its hand raised, and the text '我想问问你们啊' (I want to ask you guys). In the bottom left corner, there is a green briefcase icon. The footer contains the date 'Saturday, 15 August, 2020', the company name 'CCS & Co [Chartered Accountants]', and the slide number '17'.

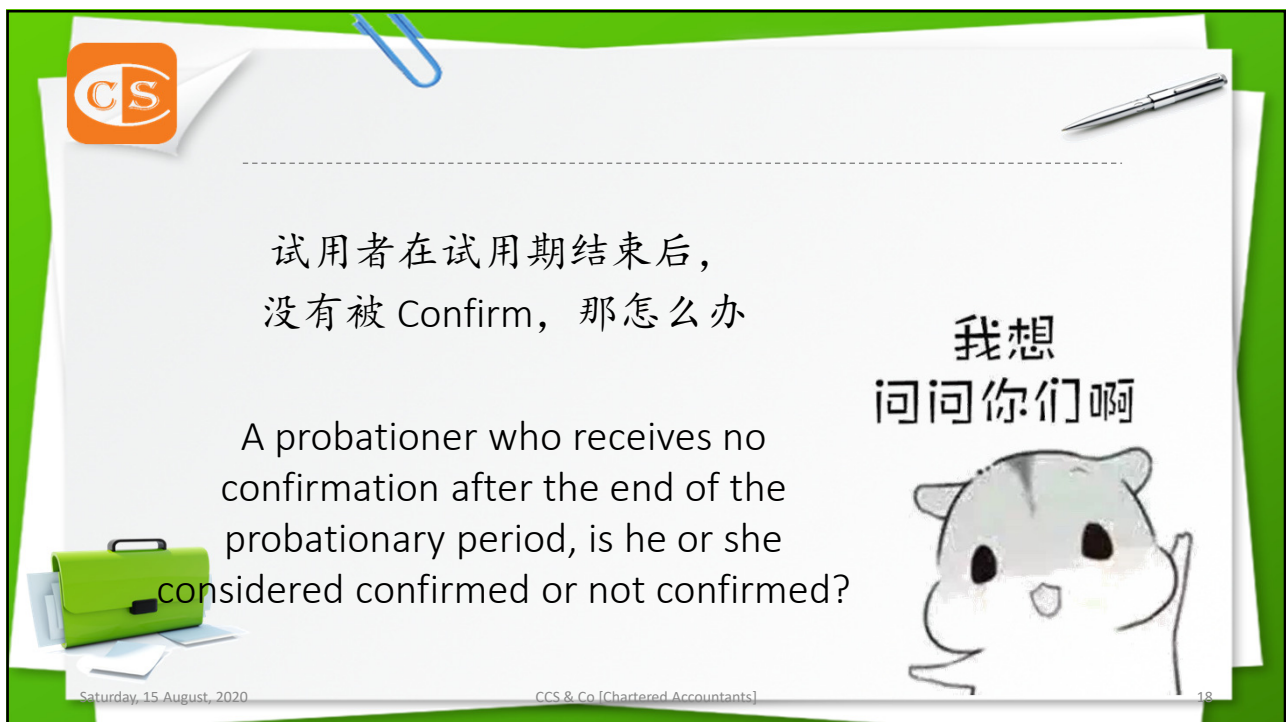
CS

员工在 Probation 期间表现不好,
在 Probation 结束后,
可以直接 Terminate 他吗?

Probationer is under performed, can
terminate him upon expiry of probation
period?

我想
问问你们啊

Saturday, 15 August, 2020 CCS & Co [Chartered Accountants] 17



Slide 18 has the same green background and white paper texture as slide 17. It includes the CCS logo, a blue paperclip, and a silver pen. The main text is in Chinese: '试用者在试用期结束后, 没有被 Confirm, 那怎么办' (After the probation period ends, if the probationer is not confirmed, what should be done?). Below this is the English translation: 'A probationer who receives no confirmation after the end of the probationary period, is he or she considered confirmed or not confirmed?'. On the right side, there is a cartoon hamster character with its hand raised, and the text '我想问问你们啊' (I want to ask you guys). In the bottom left corner, there is a green briefcase icon. The footer contains the date 'Saturday, 15 August, 2020', the company name 'CCS & Co [Chartered Accountants]', and the slide number '18'.

CS

试用者在试用期结束后,
没有被 Confirm, 那怎么办

A probationer who receives no
confirmation after the end of the
probationary period, is he or she
considered confirmed or not confirmed?

我想
问问你们啊

Saturday, 15 August, 2020 CCS & Co [Chartered Accountants] 18



Slide 19 features a green background with a white paper overlay. The paper has a blue paperclip at the top left, a silver pen at the top right, and a green briefcase at the bottom left. The CCS & Co logo is in the top left corner. The text on the slide is in both Chinese and English. On the right side, there is a cartoon hamster character.

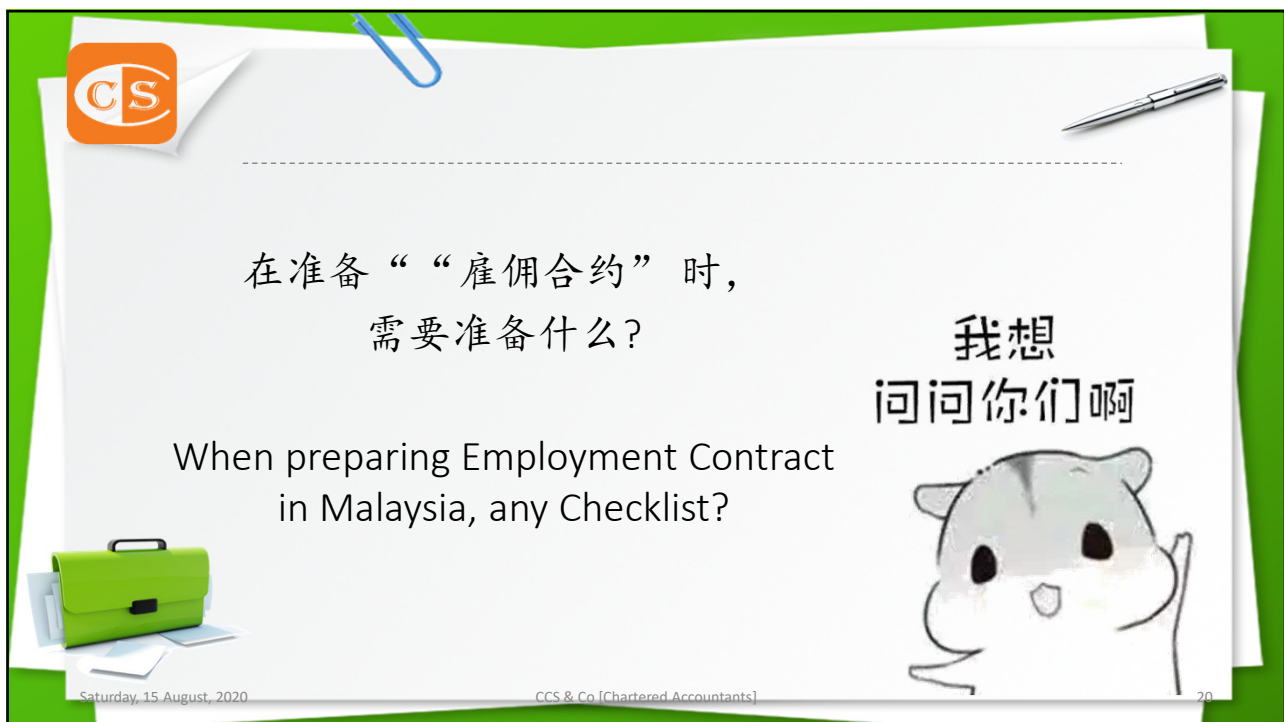
CS

雇佣合约有 Sample 吗

Any Sample of Employment Contract?

我想问问你们啊

Saturday, 15 August, 2020 CCS & Co [Chartered Accountants] 19



Slide 20 features a green background with a white paper overlay. The paper has a blue paperclip at the top left, a silver pen at the top right, and a green briefcase at the bottom left. The CCS & Co logo is in the top left corner. The text on the slide is in both Chinese and English. On the right side, there is a cartoon hamster character.

CS

在准备““雇佣合约”时，
需要准备什么？

When preparing Employment Contract
in Malaysia, any Checklist?

我想问问你们啊

Saturday, 15 August, 2020 CCS & Co [Chartered Accountants] 20

以上的 Slide 可以在
公司网站下载

All the slides above can
be downloaded from
our Company Website
www.ccs-co.com



以上的 Slide 也可以在
公司的 Telegram 下载

All the slides above can
be downloaded from
our Company Telegram
<http://bit.ly/YourAuditor>



25-7-2020

创业的起点系列之第五篇

劳工法 (Part 2)

你对劳工法了解多少呢?
懂点劳工法, 劳资不对立, 管理不犯错

创业路上

日期: 1/8/2020 (星期六)
时间: 8点晚上

f LIVE

Facebook Fan Page: GST十面埋伏/CCS十面埋伏

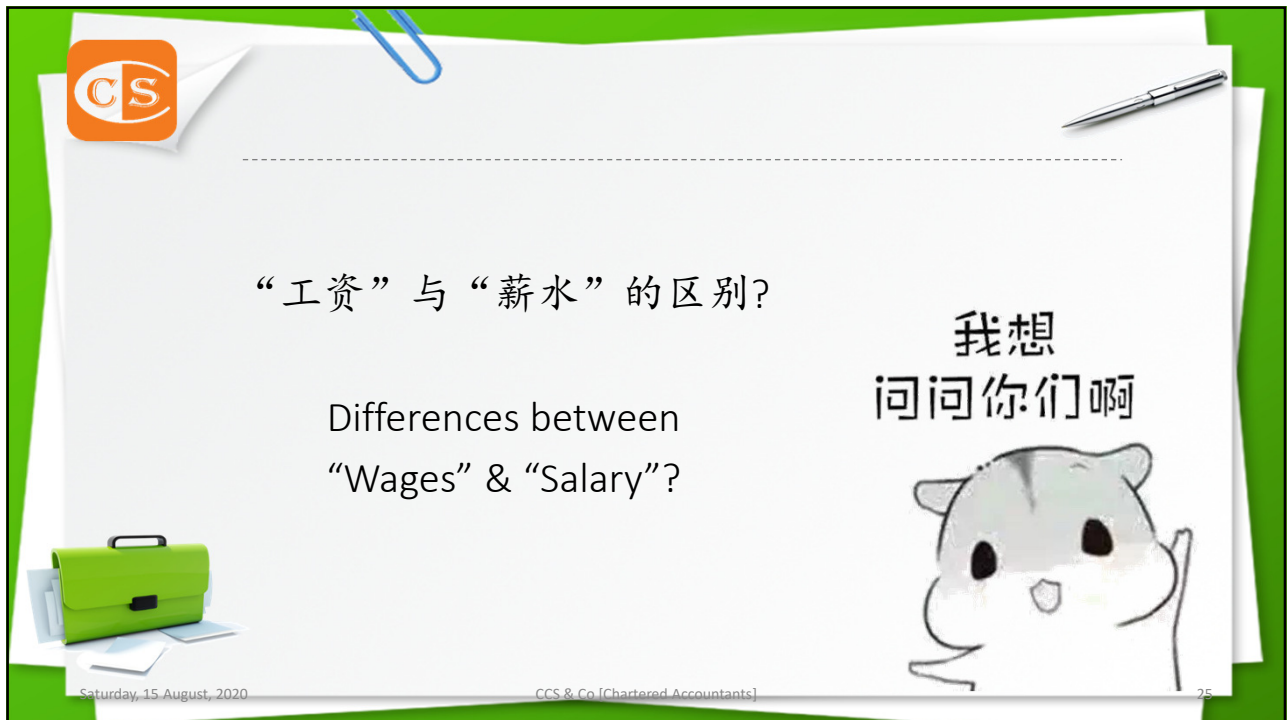
Chin Chee Seng
C.A.(M), ASEAN CPA, FCCA (UK), FCTIM

Saturday, 15 August, 2020
CCS & Co [Chartered Accountants]

通用工资

Ordinary Rate of Pay [ORP]

KIDS CHILDREN
MARK LINDLEY



Slide 25 features a green background with a white paper overlay. The paper has a blue paperclip at the top left, a silver pen at the top right, and a green briefcase at the bottom left. The CCS & Co logo is in the top left corner. The text on the slide is:

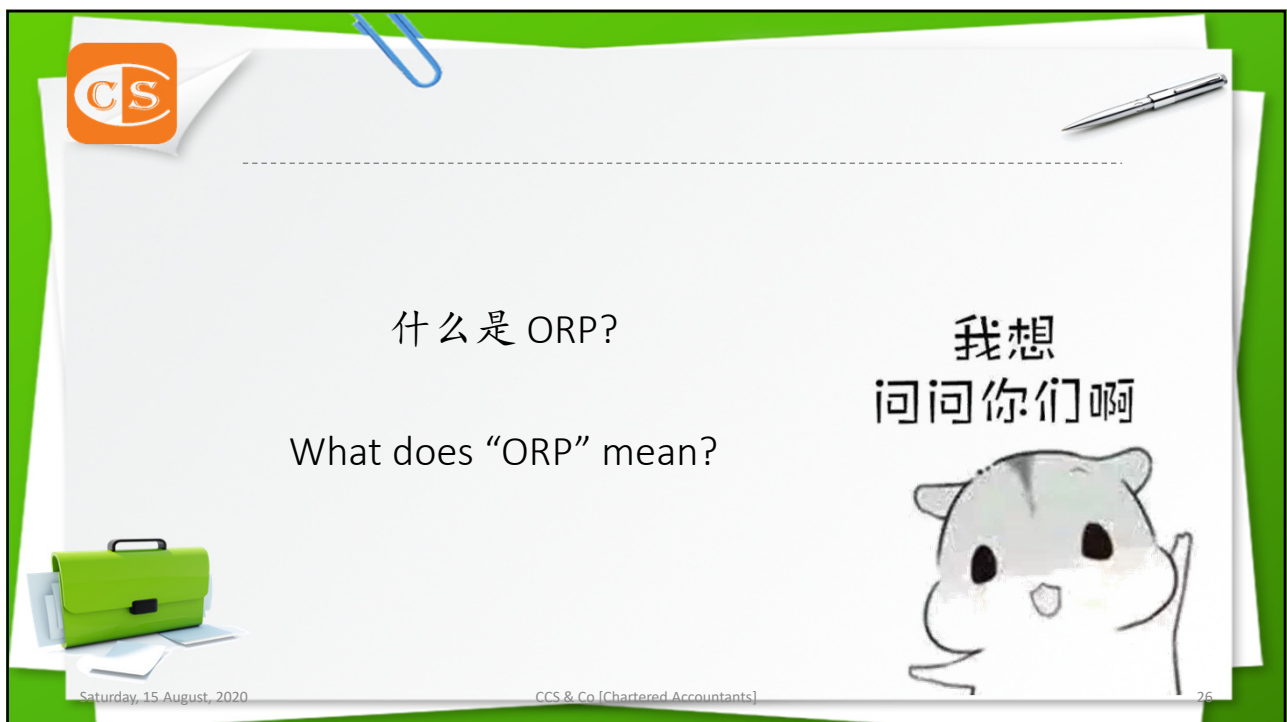
“工资”与“薪水”的区别?

Differences between
“Wages” & “Salary”?

我想
问问你们啊

25

At the bottom, there is a date 'Saturday, 15 August, 2020' on the left and the text 'CCS & Co [Chartered Accountants]' in the center.



Slide 26 features a green background with a white paper overlay. The paper has a blue paperclip at the top left, a silver pen at the top right, and a green briefcase at the bottom left. The CCS & Co logo is in the top left corner. The text on the slide is:

什么是 ORP?

What does “ORP” mean?

我想
问问你们啊

26

At the bottom, there is a date 'Saturday, 15 August, 2020' on the left and the text 'CCS & Co [Chartered Accountants]' in the center.



Slide 27 features a green background with a white paper overlay. The paper has a blue paperclip at the top left, a silver pen at the top right, and a green briefcase at the bottom left. The CCS & Co logo is in the top left corner. The text on the slide is:

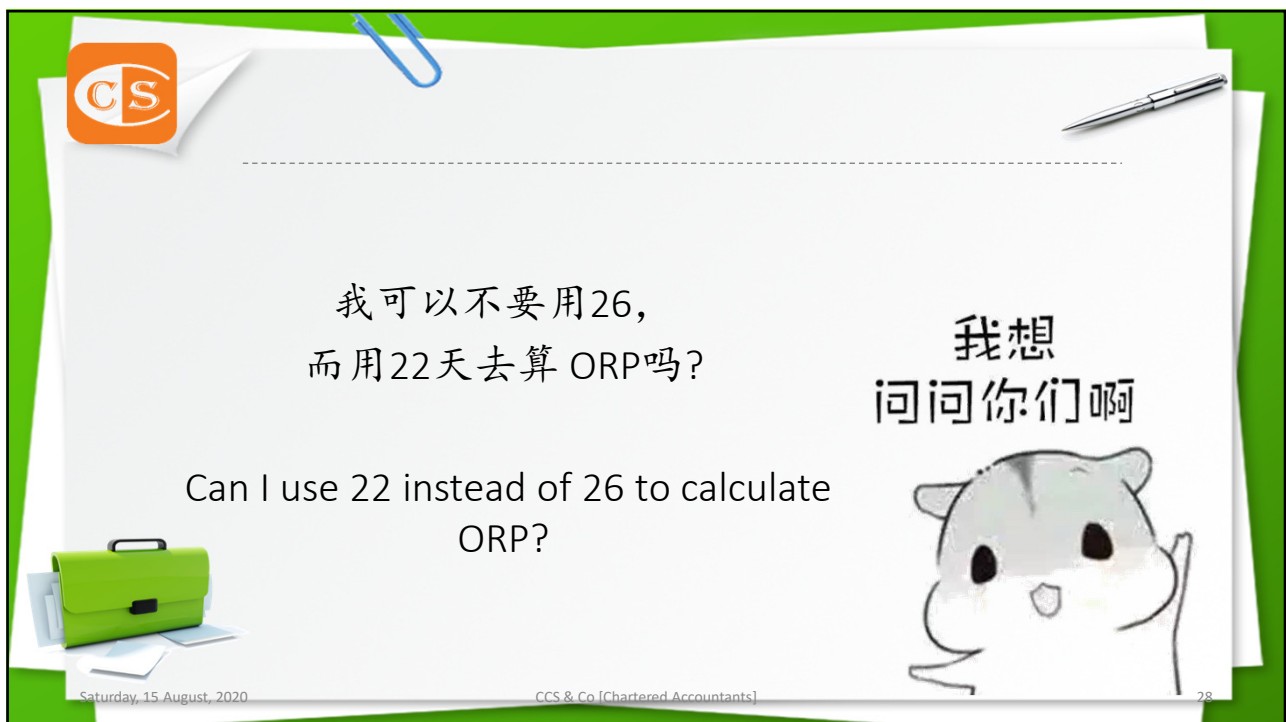
什么时候会用到 ORP?

When we have to use ORP

我想问问你们啊

27

Saturday, 15 August, 2020 CCS & Co [Chartered Accountants]



Slide 28 features a green background with a white paper overlay. The paper has a blue paperclip at the top left, a silver pen at the top right, and a green briefcase at the bottom left. The CCS & Co logo is in the top left corner. The text on the slide is:

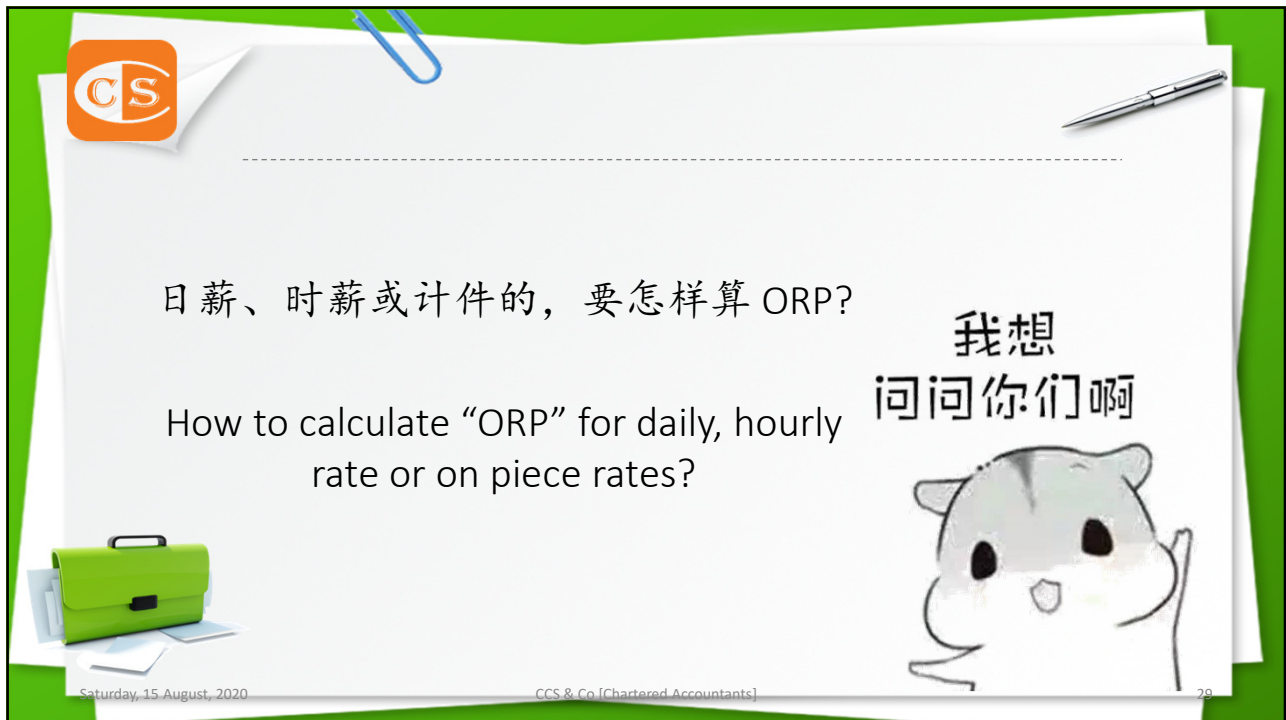
我可以不要用26,
而用22天去算 ORP吗?

Can I use 22 instead of 26 to calculate
ORP?

我想问问你们啊

28

Saturday, 15 August, 2020 CCS & Co [Chartered Accountants]



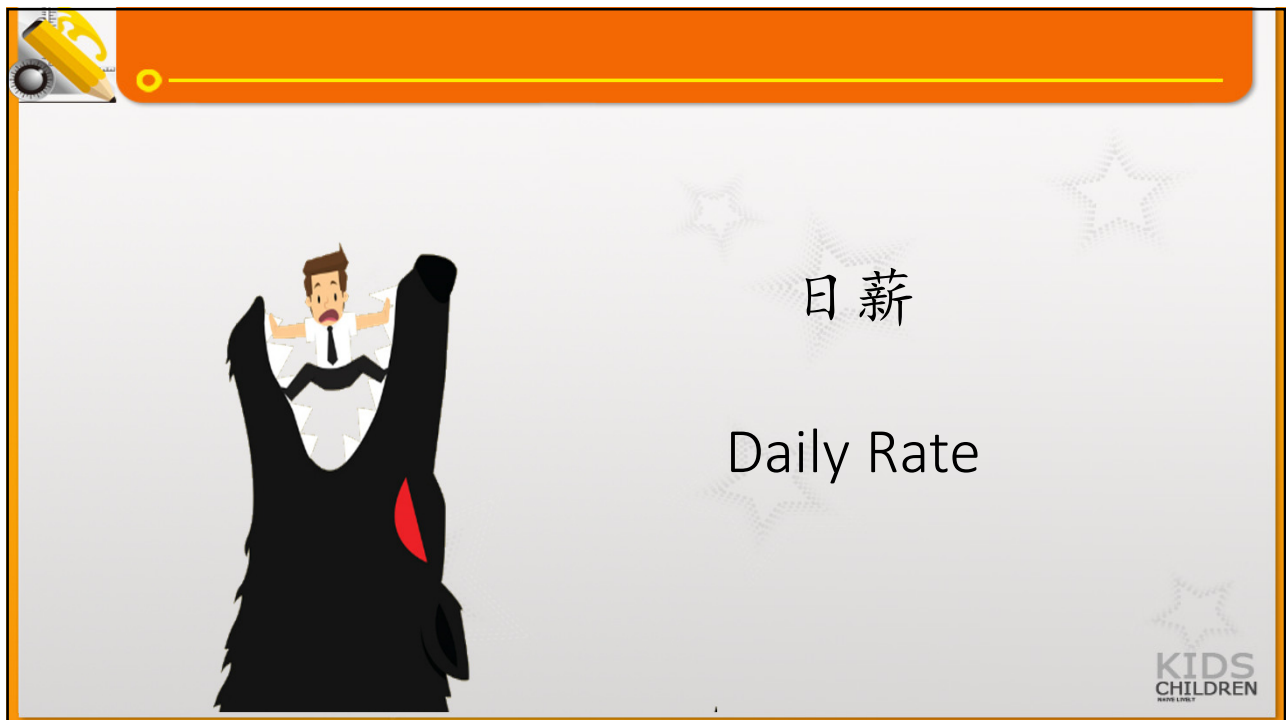
CS

日薪、时薪或计件的，要怎样算 ORP?

How to calculate "ORP" for daily, hourly rate or on piece rates?

我想问问你们啊

Saturday, 15 August, 2020 CCS & Co [Chartered Accountants] 29



日薪

Daily Rate

KIDS CHILDREN MAKE IT FUN

计算普通工资 – 日薪 To calculate ORP – Daily Rate



Name: Jialat Goh

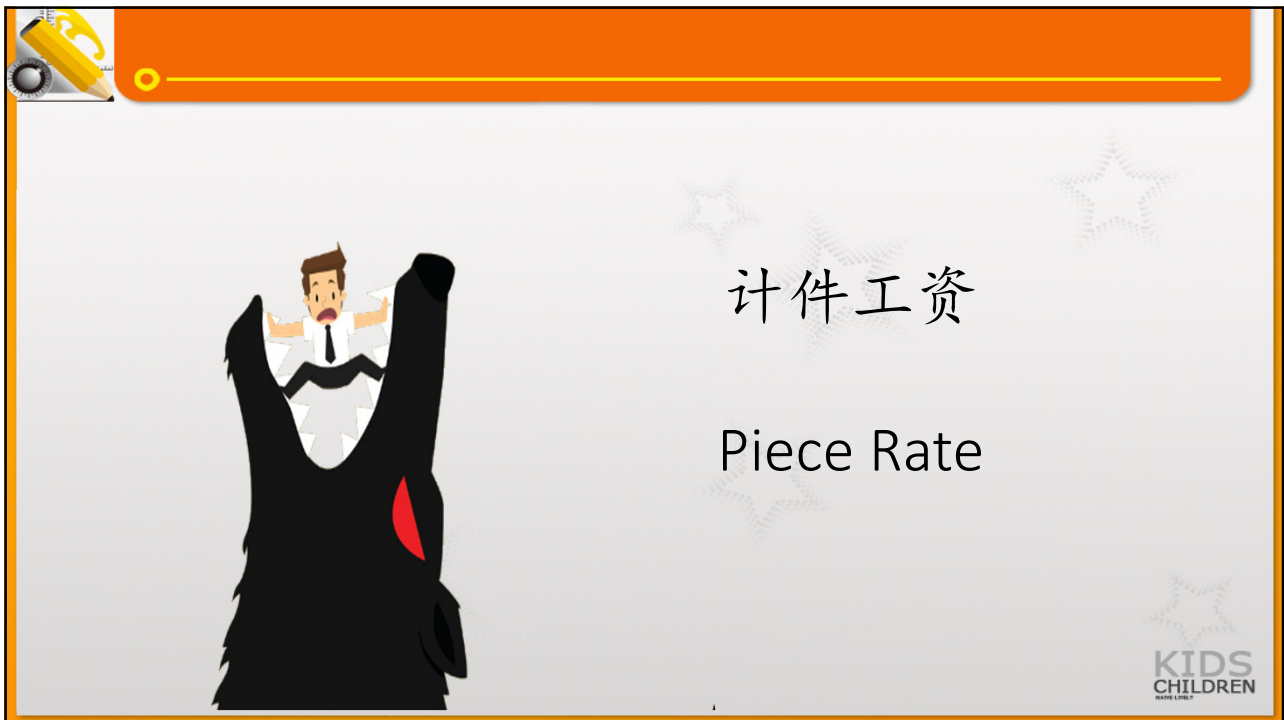
- Daily Pay: RM 50
- Work 22 days, including:
 - 31 July 2020 [Public Holiday]
 - 26 July 2020 [Rest Day]
- **ORP for June 2020** – RM 52



日薪 – 7月份 Daily Rate – July 2020



Date	Day	Hours	Wages	OT		Date	Day	Hours	Wages	OT
1	Wed	8				16	Thur	8		
2	Thur	8				17	Fri	8		
3	Fri	8				18	Sat – Off			
4	Sat – Off					18	Sun - Rest			
5	Sun - Rest					20	Mon - Leave	/		
6	Mon	8				21	Tue - Leave	/		
7	Tue	8				22	Wed	8		
8	Wed	8				23	Thur	8		
9	Thur	8				24	Fri	8		
10	Fri	8				25	Sat – Off			
11	Sat – Off					26	Sun - Rest	5		
12	Sun - Rest					27	Mon	8		
13	Mon	8				28	Tue	8		
14	Tue	8				29	Wed	8		
15	Wed	8				30	Thur	8		
						31	Fri - PH	8		



计件工资制 Piece Rate Pay



- 计件工资制是指按照生产的合格品的数量（或作业量）和预先规定的计件单价，来计算报酬，而不是直接用劳动时间来计量的一种工资制度。
- Piece rate pay occurs when workers are paid by the unit performed (e.g. the number of tee shirts or bricks produced) instead of being paid on the basis of time spent on the job.



Saturday, 15 August, 2020

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计算普通工资 – 计件工资制 To calculate ORP – Piece Rate Pay



Name: Fatty Cat

- 5-day workweek
- Daily Pay: RM 48
- Min Output per day: 6 pieces
- Rate of Pay: RM8 per piece
- ORP for June 2020: RM54



计件工资制 – 7月份 Piece Rate Pay – July 2020




Date	Day	Pieces	Wages	OT		Date	Day	Pieces	Wages	OT
1	Wed	5				16	Thur	7		
2	Thur	7				17	Fri	6		
3	Fri	8				18	Sat – Off			
4	Sat – Off					18	Sun - Rest			
5	Sun - Rest					20	Mon	6		
6	Mon	8				21	Tue	8		
7	Tue	5				22	Wed	8		
8	Wed	6				23	Thur	7		
9	Thur	8				24	Fri	6		
10	Fri	Sick				25	Sat – Off			
11	Sat – Off					26	Sun - Rest	5		
12	Sun - Rest					27	Mon	7		
13	Mon	8				28	Tue	7		
14	Tue	7				29	Wed - Leave	/		
15	Wed	6				30	Thur - Leave	/		
						31	Fri - PH	8		



员工没有做满
一个月的工作


Not Working For
Full Complete Month



员工请假，工钱要怎样扣？

If employee is taking unpaid leave,
how to calculate the Salary?

我想
问问你们啊







CS

Saturday, 15 August, 2020

CCS & Co [Chartered Accountants]


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不完整的月份呢?

What if incomplete month?

我想
问问你们啊




Saturday, 15 August, 2020 CCS & Co [Chartered Accountants] 39



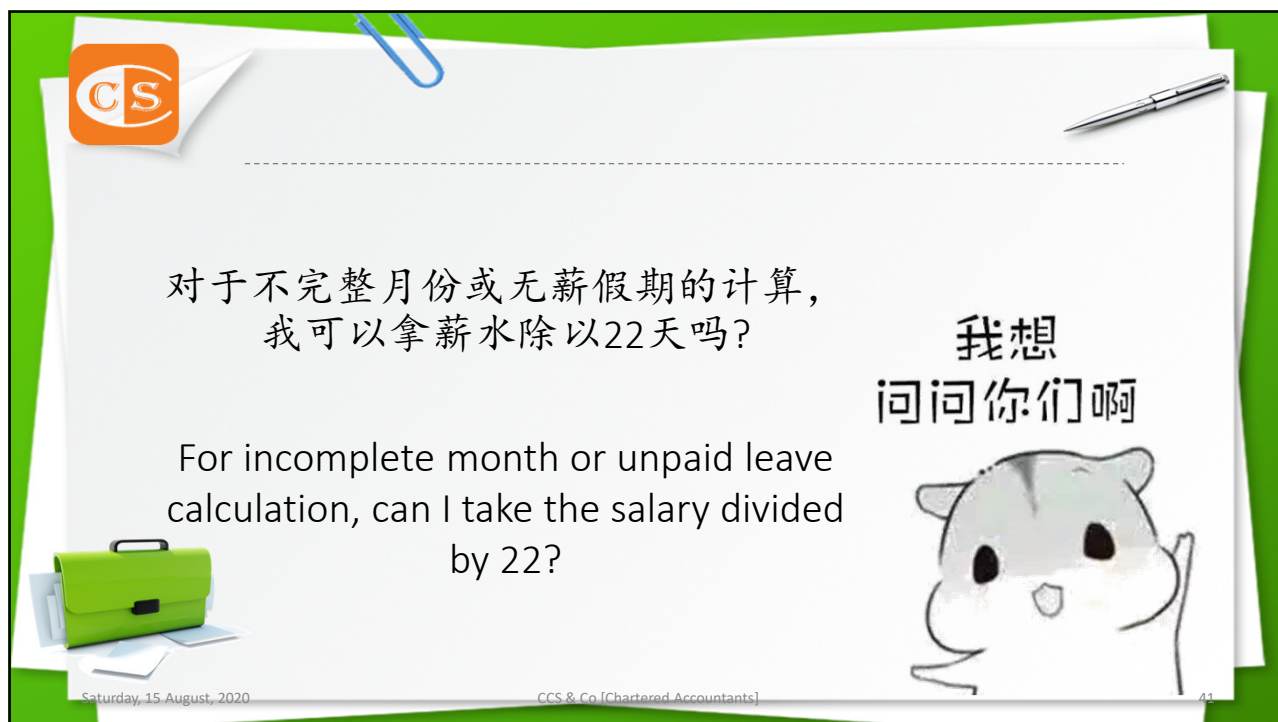
如果我的工资期不是在月底，
怎么办?

What if my Wage Period is not fall on
month end?

我想
问问你们啊



Saturday, 15 August, 2020 CCS & Co [Chartered Accountants] 40



Slide 41 features a green background with a white paper overlay. The paper has a blue paperclip at the top left, a silver pen at the top right, and a green briefcase at the bottom left. The CCS & Co logo is in the top left corner. The text on the slide is as follows:

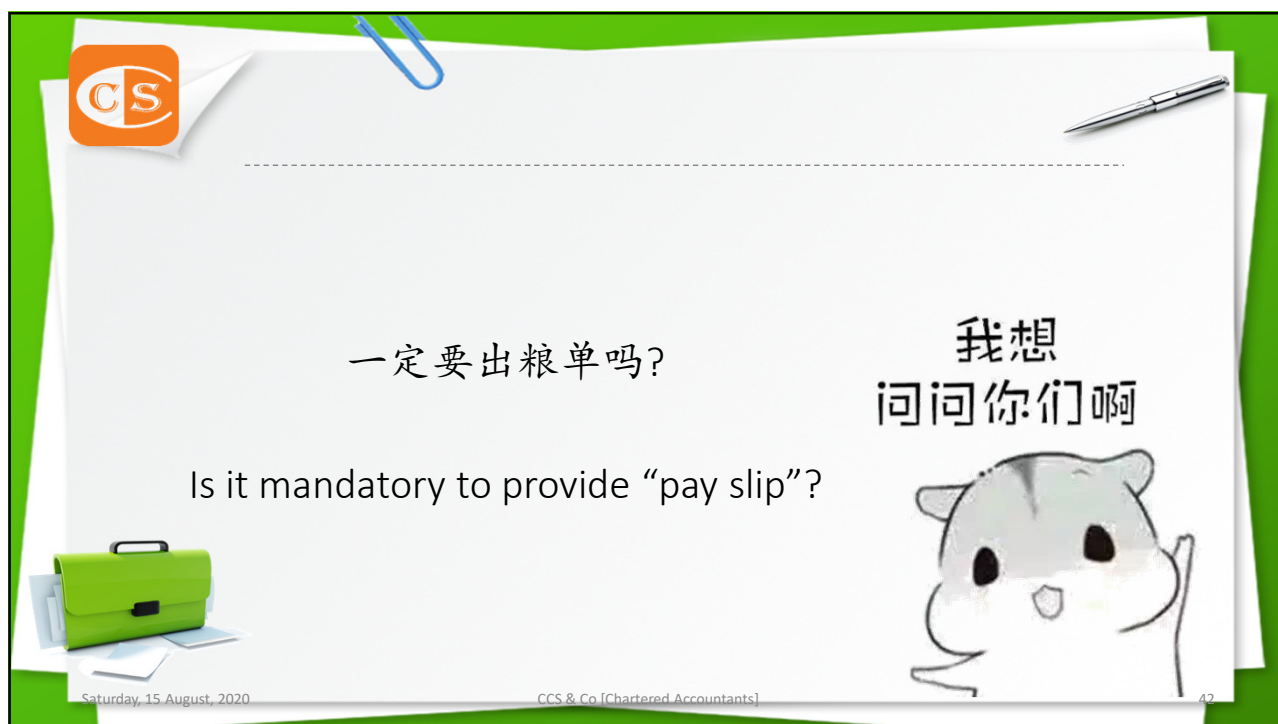
对于不完整月份或无薪假期的计算，
我可以拿薪水除以22天吗？

For incomplete month or unpaid leave
calculation, can I take the salary divided
by 22?

我想
问问你们啊

41

Saturday, 15 August, 2020 CCS & Co [Chartered Accountants]



Slide 42 features a green background with a white paper overlay. The paper has a blue paperclip at the top left, a silver pen at the top right, and a green briefcase at the bottom left. The CCS & Co logo is in the top left corner. The text on the slide is as follows:

一定要出粮单吗？

Is it mandatory to provide “pay slip”?

我想
问问你们啊

42

Saturday, 15 August, 2020 CCS & Co [Chartered Accountants]

一定要出粮单吗?

Is it mandatory to provide "pay slip"?



July 28, 2020

[CCS INSIGHTS: EMPLOYEE EMPLOYMENT INFORMATION FORM
[BORANG MAKLUMAT PENGGAJIAN PEKERJA]]

BAGIAN B

MAKLUMAT PEKERJAAN

	YA	TIDAK
a) Menyediakan daftar pekerja (<i>Employee Details</i>) di tempat pekerjaan? Sekiranya tidak, dimana daftar pekerja disimpan: _____	<input type="checkbox"/>	<input type="checkbox"/>
b) Memberi satu salinan syarat-syarat perkhidmatan (<i>Appointment Letter</i>) kepada pekerja	<input type="checkbox"/>	<input type="checkbox"/>
c) Memberikan penyata gaji (<i>Pay Slip</i>) kepada pekerja	<input type="checkbox"/>	<input type="checkbox"/>

Saturday, 15 August, 2020

CCS & Co [Chartered Accountants]

43

一定要出粮单吗?

Is it mandatory to provide "pay slip"?



July 28, 2020

[CCS INSIGHTS: EMPLOYEE EMPLOYMENT INFORMATION FORM
[BORANG MAKLUMAT PENGGAJIAN PEKERJA]]

Bahagian B

员工资料

- a) 有准备员工登记? [假设没有, 那么员工登记又收在哪里]
- b) 有给雇佣合约、聘请书给员工?
- c) 有给员工薪水单?

Saturday, 15 August, 2020

CCS & Co [Chartered Accountants]

44

一定要出粮单吗?

Is it mandatory to provide "pay slip"?



GST 十面埋伏

Published by Chee Seng [?] · 1d ·

1. 大家留意一下，劳工部 [Labour Office] 最近出动登门拜访商家，并呈上一份表格，要求商家们填写。
2. 这份表格总共5页，要填写的大概4页。
3. 我都翻译成中文给大家了... [See more](#)

劳工部登门拜访交封信

中小企业老板 HR 不知所措

Saturday, 15 August, 2020

CCS & Co [Chartered Accountants]

以上的 Slide 可以在
公司网站下载

All the slides above can
be downloaded from
our **Company Website**
WWW.CCS-CO.COM



以上的 Slide 也可以在
公司的 Telegram 下载

All the slides above can
be downloaded from
our Company Telegram
<http://bit.ly/YourAuditor>



创业的起点系列之第五篇

你对劳工法了解多少呢?
工作时间有没有限制呢?
懂点劳工法, 劳资不对立, 管理不犯错

日期: 8/8/2020 (星期六)

时间: 8点晚上

 **LIVE**  

Facebook Fan Page: GST十面埋伏/CCS十面埋伏

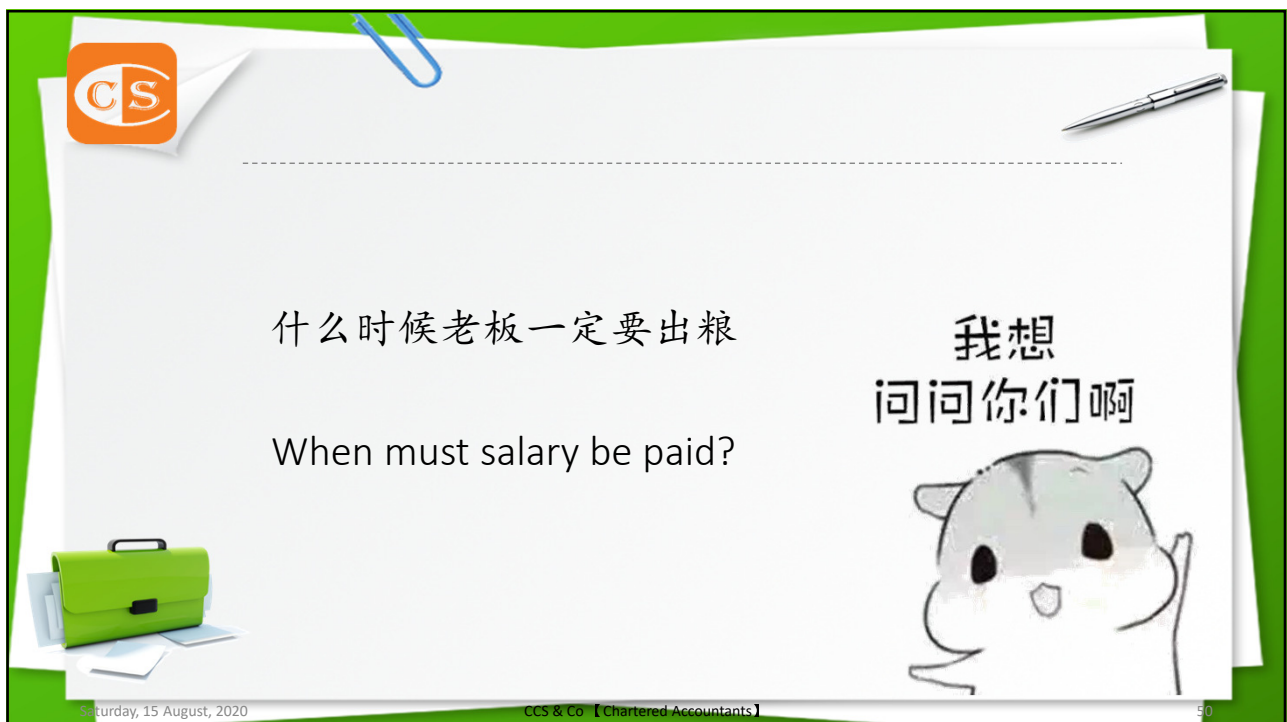
劳工法
(Part 3)

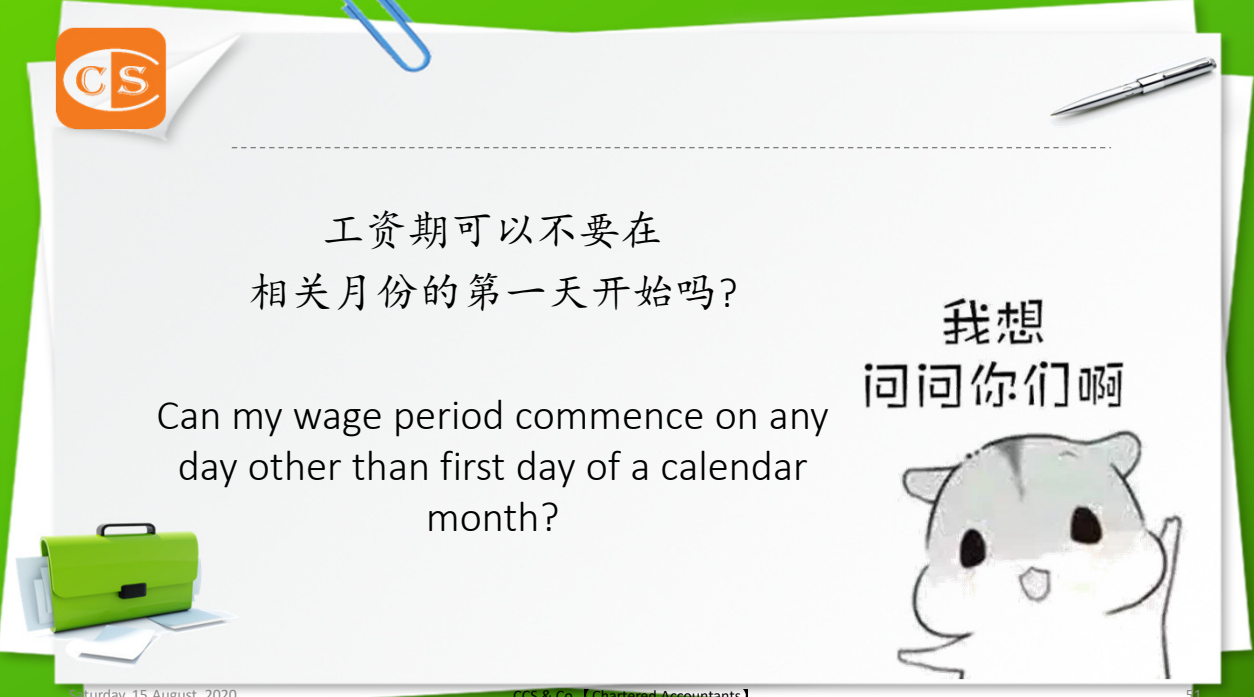
创业路上



Chin Chee Seng
C.A.(M), ASEAN CPA, FCCA (UK), FCTIM

Saturday, 15 August, 2020 CCS & Co [Chartered Accountants] 48



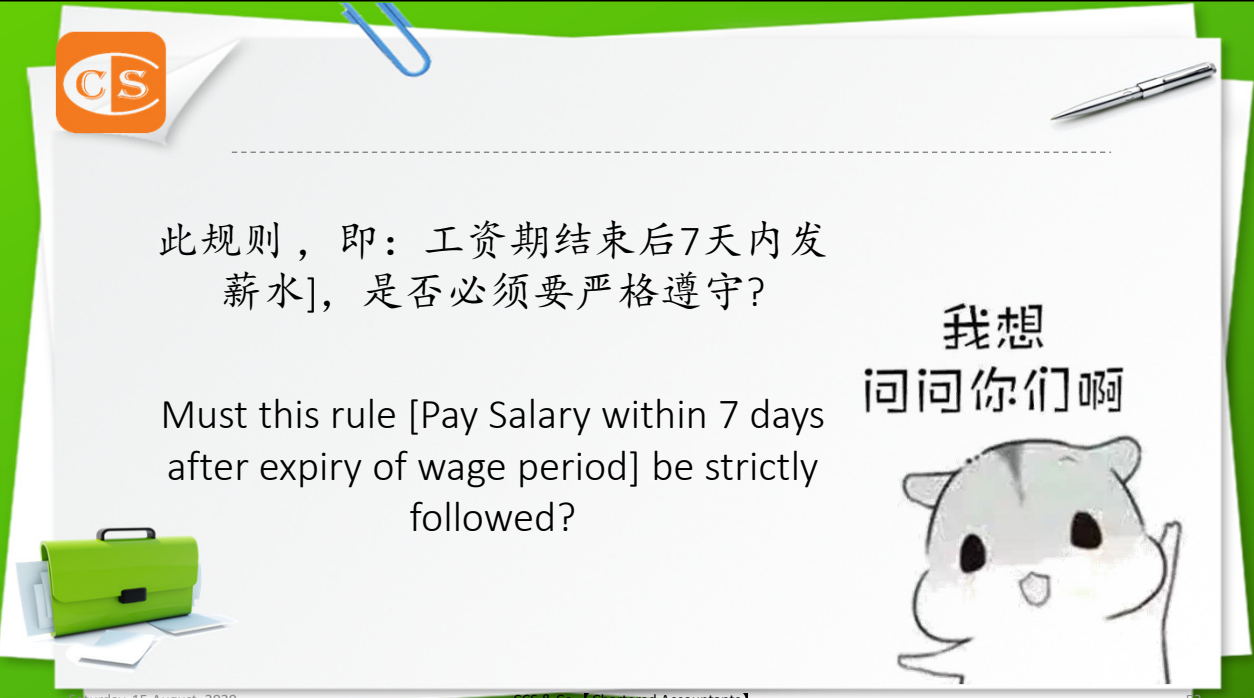


工资期可以不要
相关月份的第一天开始吗?

Can my wage period commence on any day other than first day of a calendar month?

我想问问你们啊

Saturday, 15 August, 2020 CCS & Co [Chartered Accountants] 51








此规则，即：工资期结束后7天内发薪水]，是否必须要严格遵守?

Must this rule [Pay Salary within 7 days after expiry of wage period] be strictly followed?

我想问问你们啊

Saturday, 15 August, 2020 CCS & Co [Chartered Accountants] 52










我可以将工资期
设置为每两个月一次吗?

Can I set my wage period to be
bimonthly?

我想
问问你们啊

Saturday, 15 August, 2020 CCS & Co [Chartered Accountants] 53



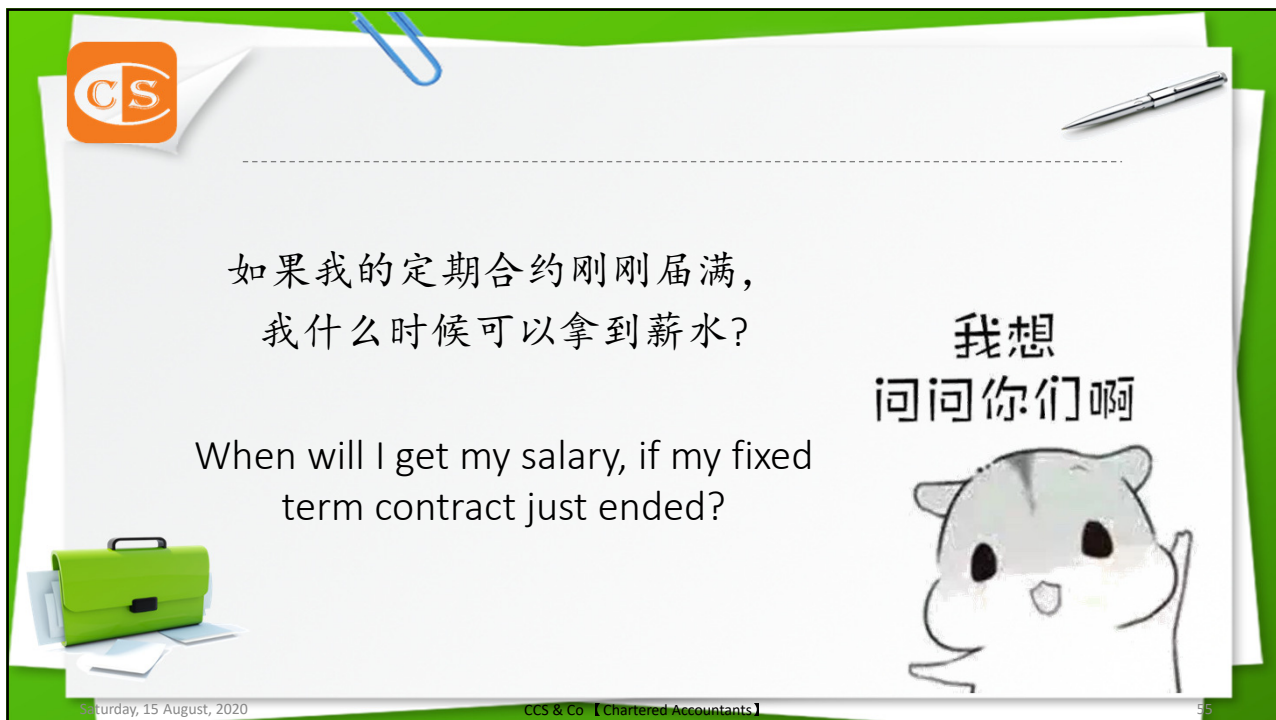


如果我没有办法在工资期结束的7天
内支付薪水，怎么办呢?

What if I am unable to pay wages within
7 days after the end of the wage period?

我想
问问你们啊

Saturday, 15 August, 2020 CCS & Co [Chartered Accountants] 54



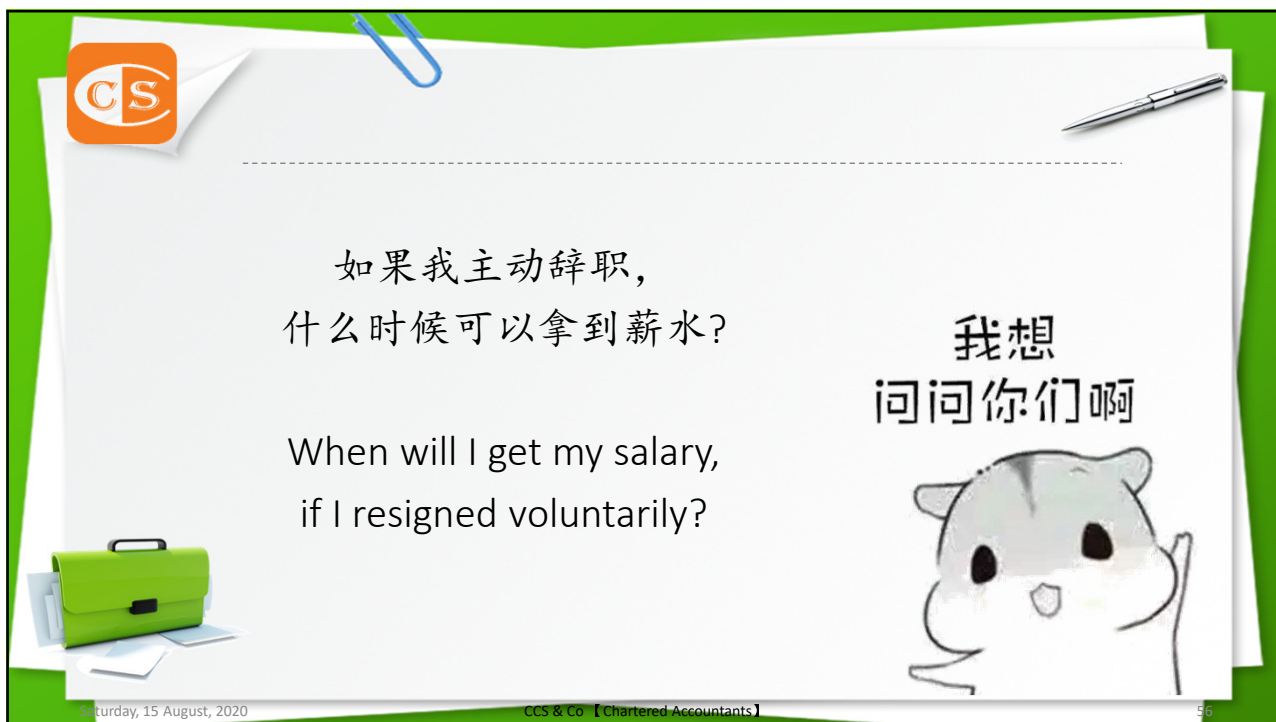
Slide 55 features a green background with a white paper overlay. The paper has a blue paperclip at the top left and a silver pen at the top right. In the top left corner of the paper is the CCS logo. The text on the paper reads: "如果我的定期合约刚刚届满, 我什么时候可以拿到薪水?" followed by "When will I get my salary, if my fixed term contract just ended?". To the right of the text is a cartoon hamster character with its hand raised, and above it, the text "我想问问你们啊". In the bottom left corner of the paper is a green briefcase. The footer of the slide includes "Saturday, 15 August, 2020", "CCS & Co [Chartered Accountants]", and the slide number "55".

如果我的定期合约刚刚届满,
我什么时候可以拿到薪水?

When will I get my salary, if my fixed
term contract just ended?

我想
问问你们啊

Saturday, 15 August, 2020 CCS & Co [Chartered Accountants] 55



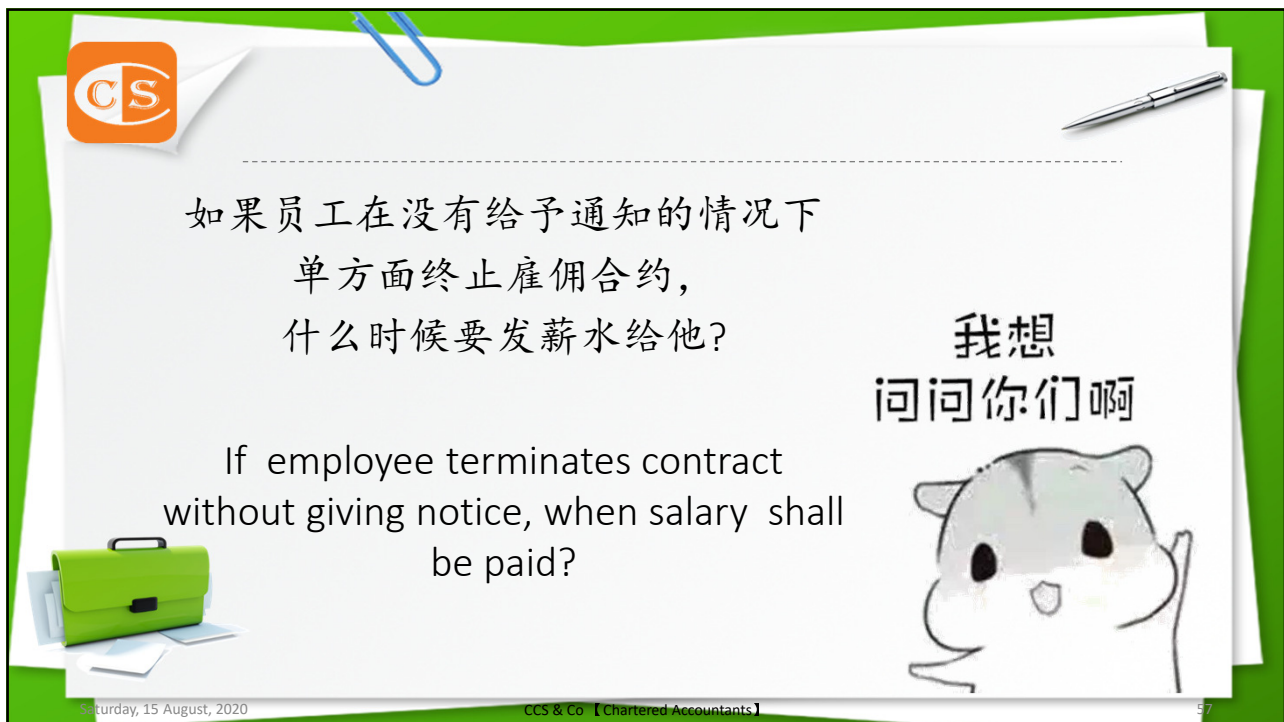
Slide 56 features a green background with a white paper overlay. The paper has a blue paperclip at the top left and a silver pen at the top right. In the top left corner of the paper is the CCS logo. The text on the paper reads: "如果我主动辞职, 什么时候可以拿到薪水?" followed by "When will I get my salary, if I resigned voluntarily?". To the right of the text is a cartoon hamster character with its hand raised, and above it, the text "我想问问你们啊". In the bottom left corner of the paper is a green briefcase. The footer of the slide includes "Saturday, 15 August, 2020", "CCS & Co [Chartered Accountants]", and the slide number "56".

如果我主动辞职,
什么时候可以拿到薪水?

When will I get my salary,
if I resigned voluntarily?

我想
问问你们啊

Saturday, 15 August, 2020 CCS & Co [Chartered Accountants] 56



如果员工在没有给予通知的情况下
单方面终止雇佣合约，
什么时候要发薪水给他？

If employee terminates contract
without giving notice, when salary shall
be paid?

我想
问问你们啊

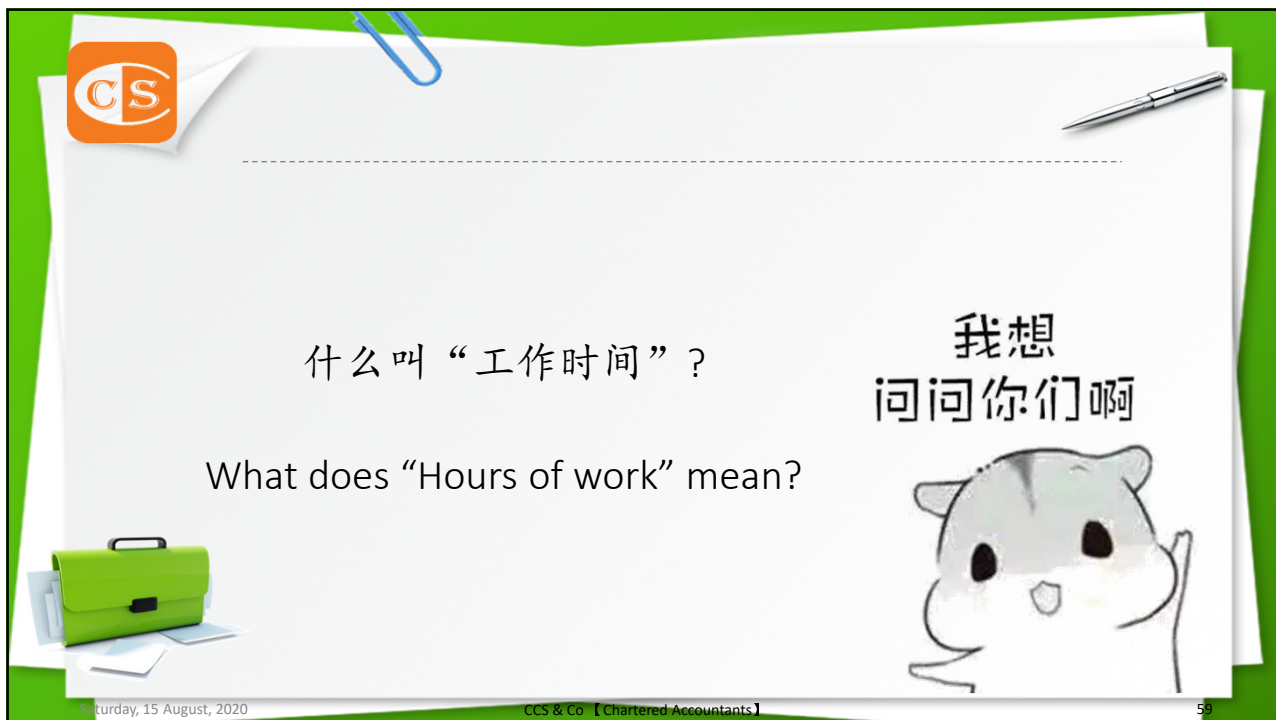
Saturday, 15 August, 2020 CCS & Co [Chartered Accountants] 57



工作时间

Hours of Work


KIDS CHILDREN



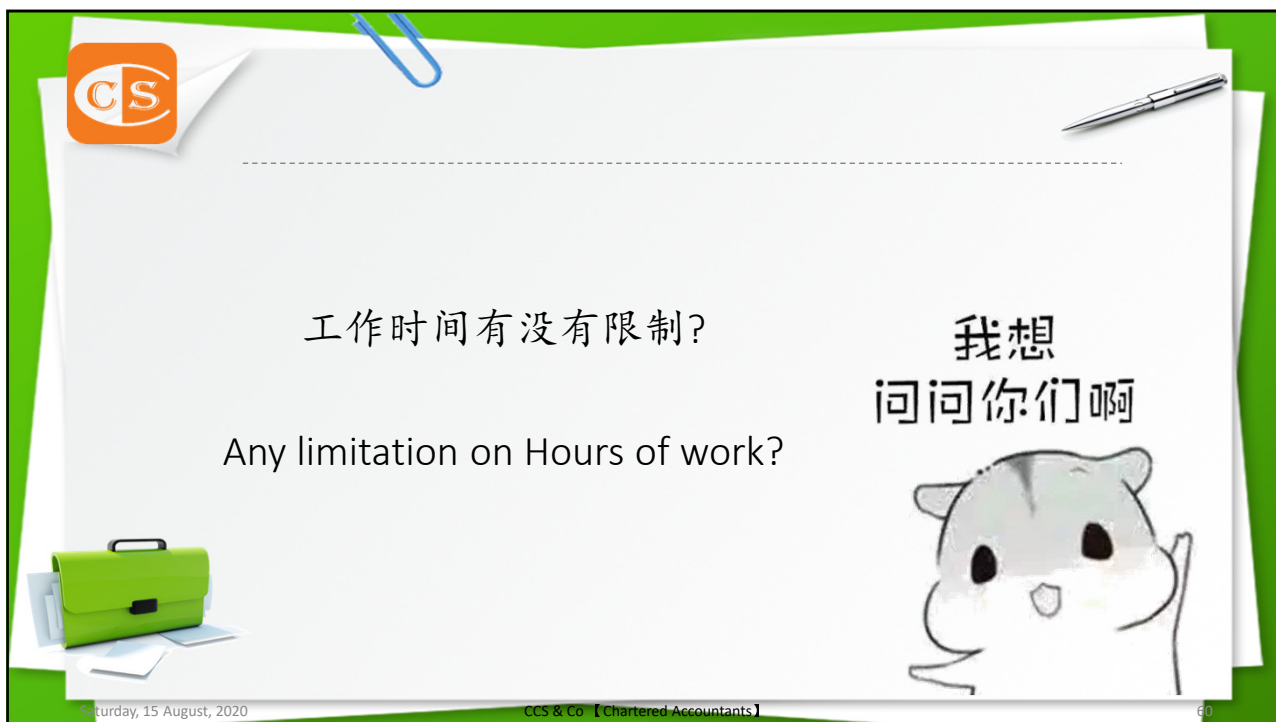
Slide 59 features a green background with a white paper overlay. The paper has a blue paperclip at the top left, a silver pen at the top right, and a green briefcase at the bottom left. The CCS & Co logo is in the top left corner. The text on the slide is:

什么叫“工作时间”？
What does “Hours of work” mean?

我想问问你们啊




At the bottom right is a cartoon hamster character. The footer contains the date 'Saturday, 15 August, 2020', the text 'CCS & Co [Chartered Accountants]', and the slide number '59'.



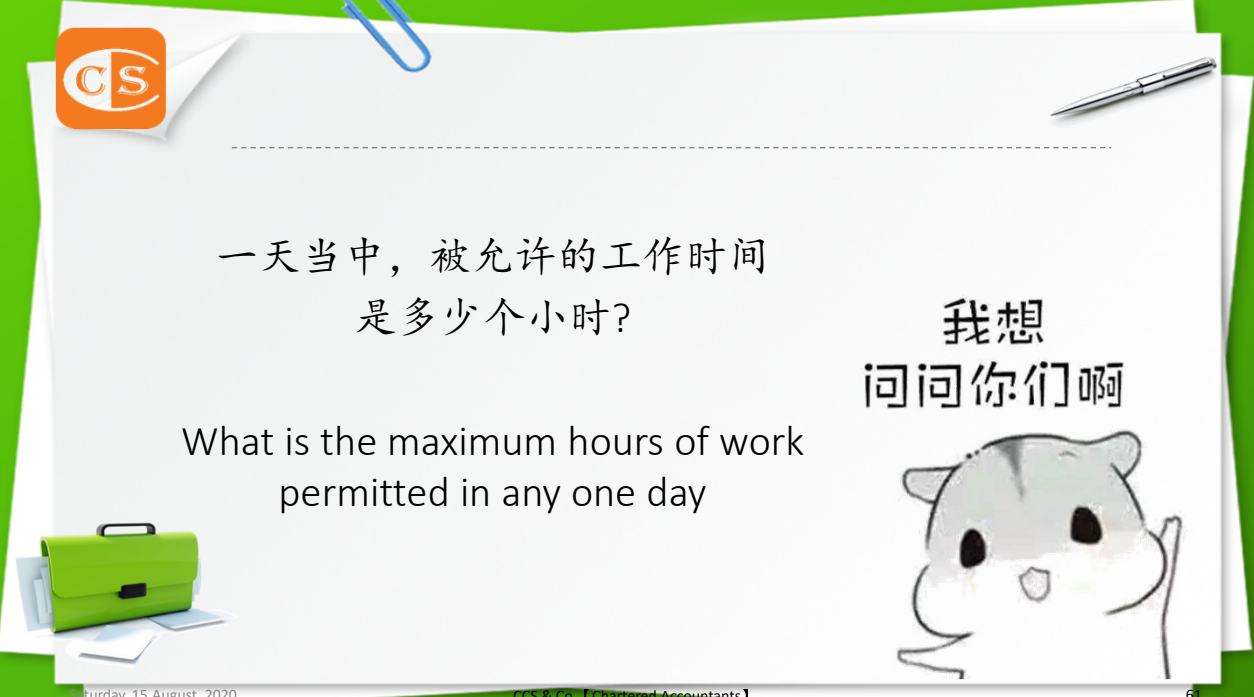
Slide 60 features a green background with a white paper overlay. The paper has a blue paperclip at the top left, a silver pen at the top right, and a green briefcase at the bottom left. The CCS & Co logo is in the top left corner. The text on the slide is:

工作时间有没有限制？
Any limitation on Hours of work?

我想问问你们啊



At the bottom right is a cartoon hamster character. The footer contains the date 'Saturday, 15 August, 2020', the text 'CCS & Co [Chartered Accountants]', and the slide number '60'.

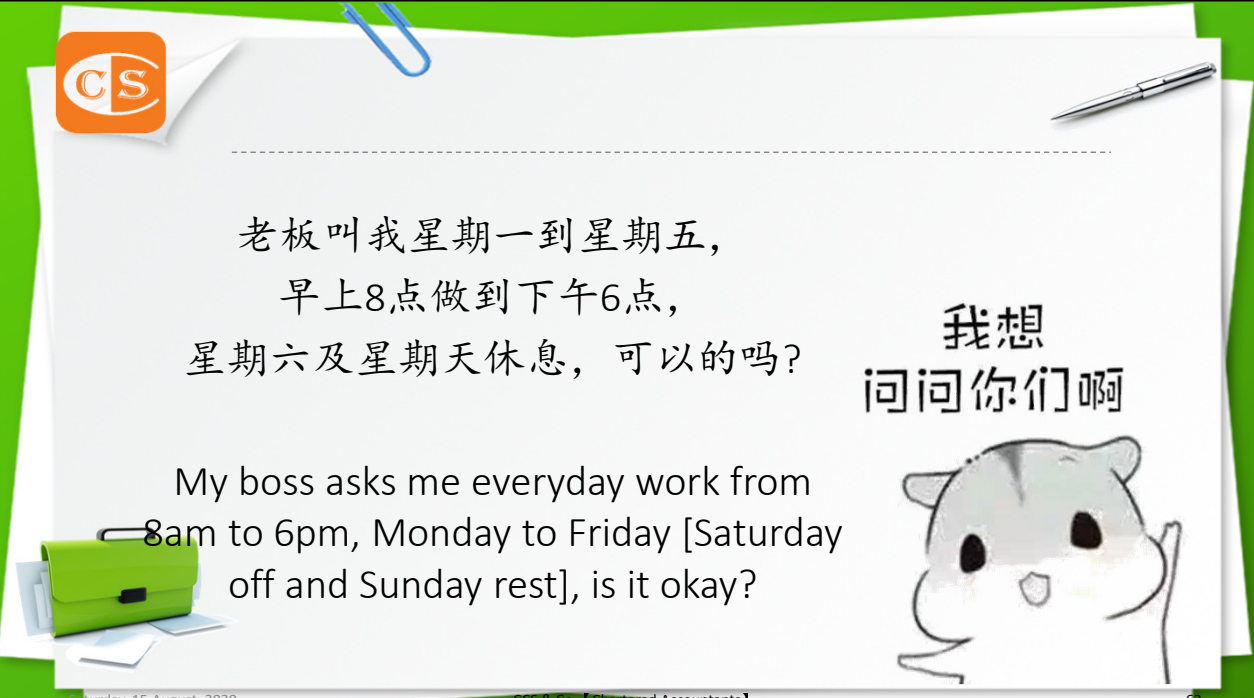


一天当中，被允许的工作时间
是多少个小时？

What is the maximum hours of work
permitted in any one day

我想
问问你们啊

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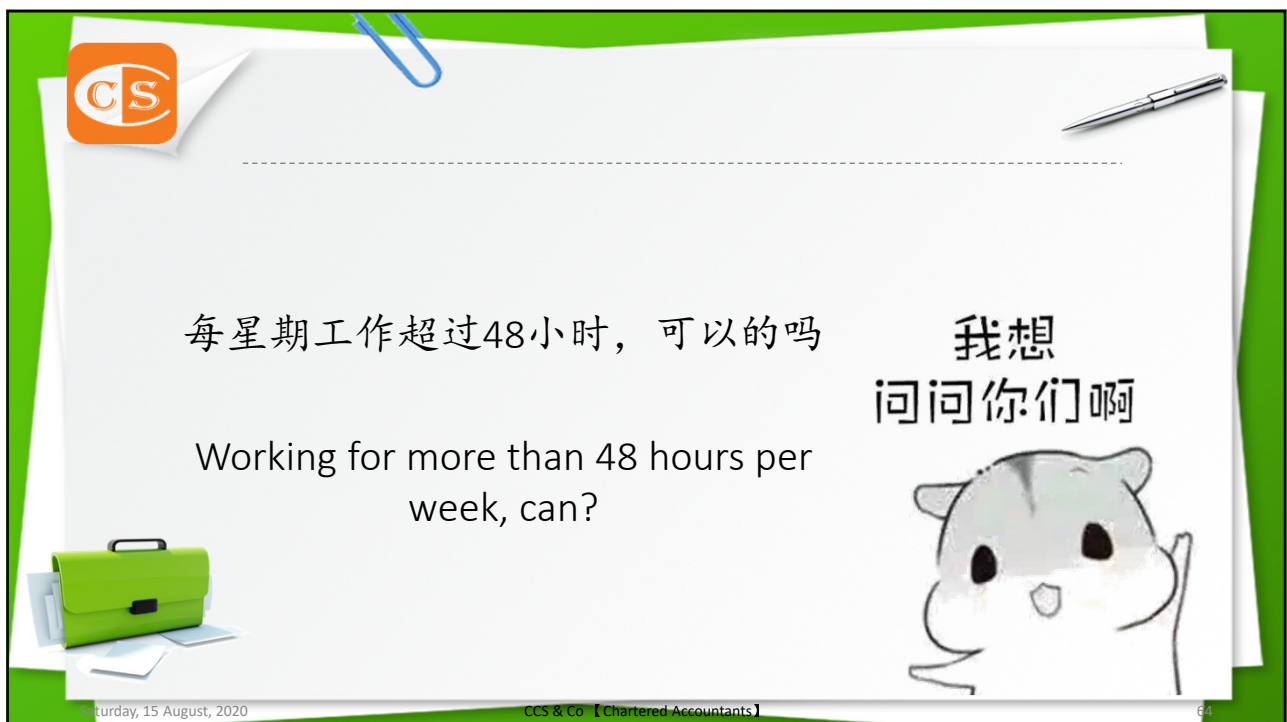
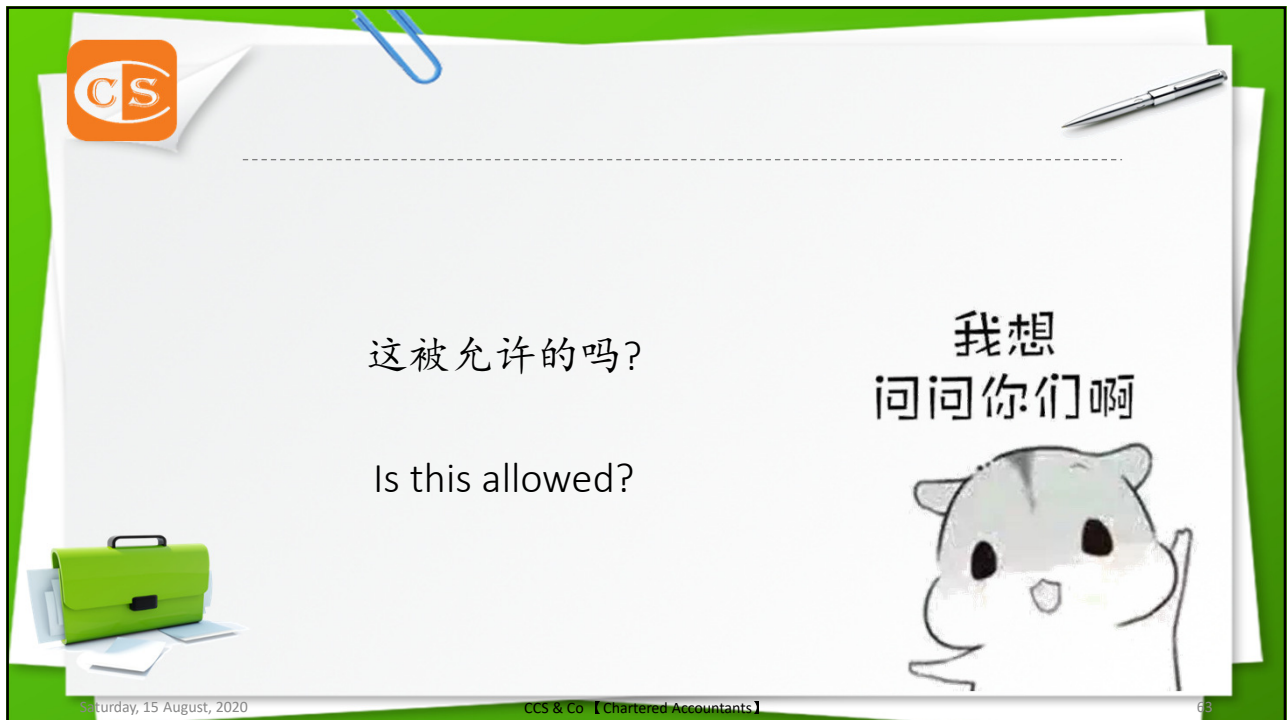






老板叫我星期一到星期五，
早上8点做到下午6点，
星期六及星期天休息，可以的吗？

My boss asks me everyday work from
8am to 6pm, Monday to Friday [Saturday
off and Sunday rest], is it okay?

我想
问问你们啊

Saturday, 15 August, 2020 CCS & Co [Chartered Accountants] 62









CS

工作超出正常的工作时间，怎么办？

Work carried out in excess of the normal hours of work, how ah?

我想问问你们啊

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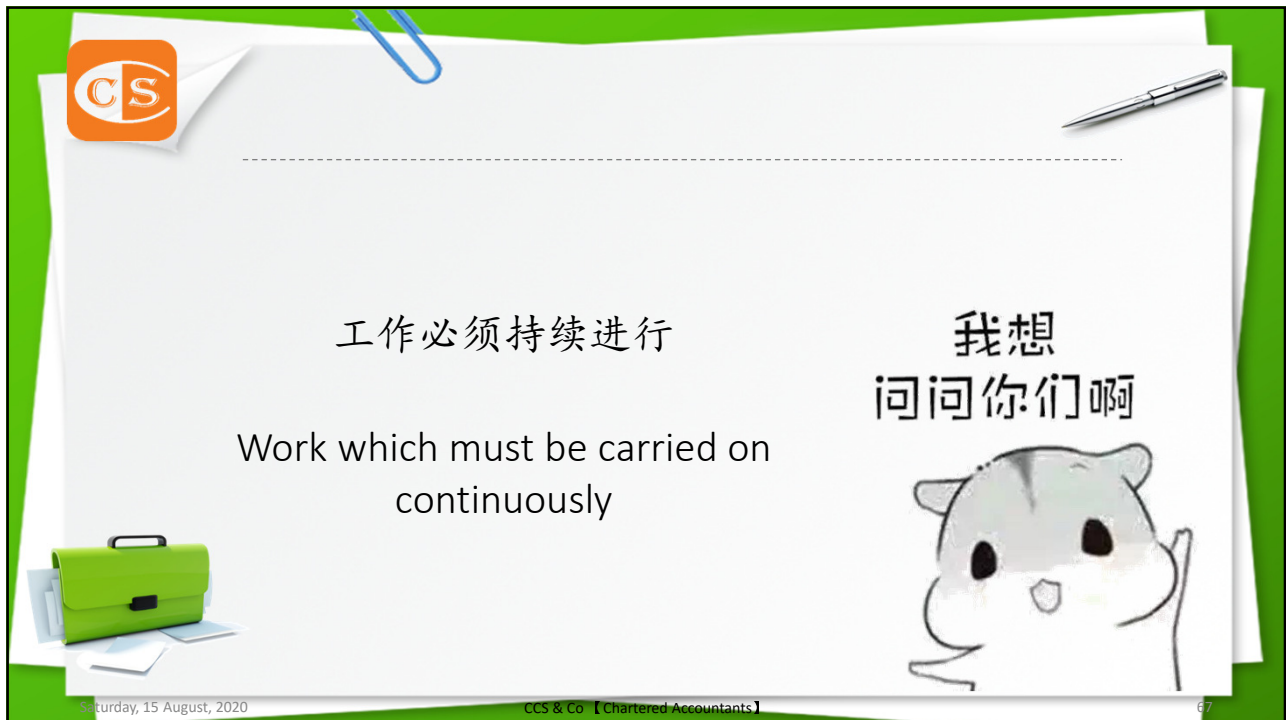
CS

每天工作时段超过10小时

Working in excess of a spread over period of 10 hours per day

我想问问你们啊

Saturday, 15 August, 2020 CCS & Co [Chartered Accountants] 66



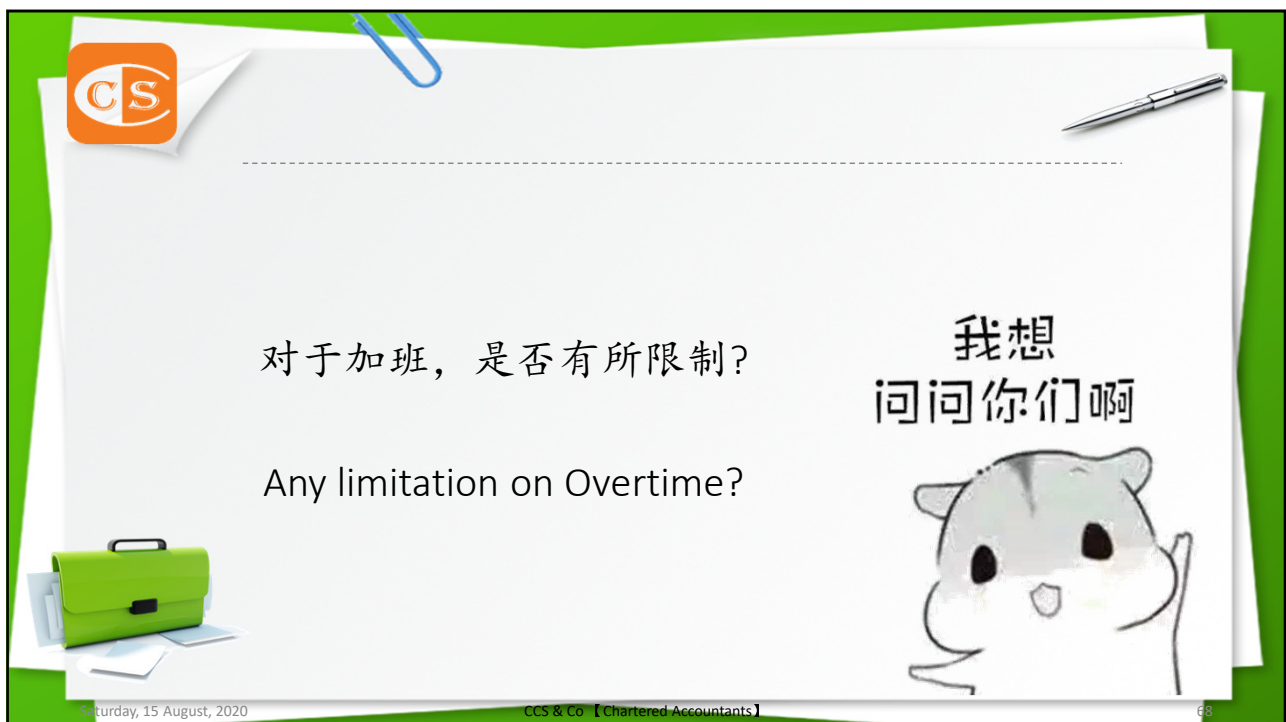
Slide 67 features a green background with a white paper overlay. The paper has a blue paperclip at the top left, a silver pen at the top right, and a green briefcase at the bottom left. The CCS & Co logo is in the top left corner. The text on the slide is:

工作必须持续进行

Work which must be carried on continuously

我想问问你们啊

67



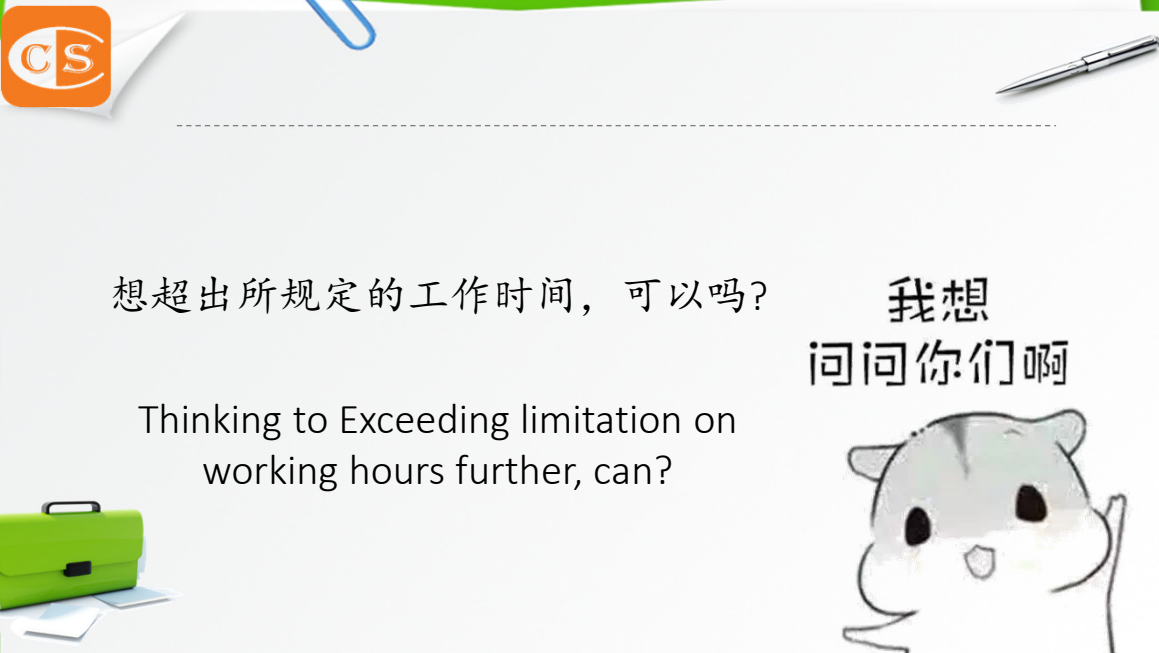
Slide 68 features a green background with a white paper overlay. The paper has a blue paperclip at the top left, a silver pen at the top right, and a green briefcase at the bottom left. The CCS & Co logo is in the top left corner. The text on the slide is:

对于加班，是否有所限制？

Any limitation on Overtime?

我想问问你们啊

68

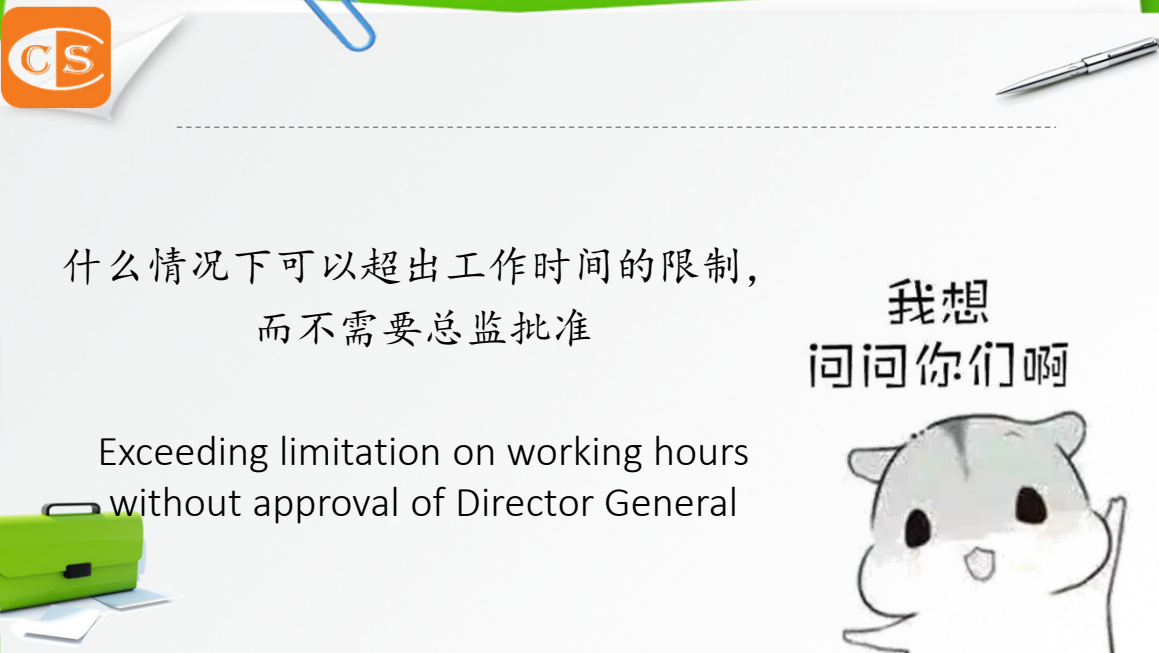


想超出所规定的工作时间，可以吗？

Thinking to Exceeding limitation on working hours further, can?

我想问问你们啊

Saturday, 15 August, 2020 CCS & Co [Chartered Accountants] 69

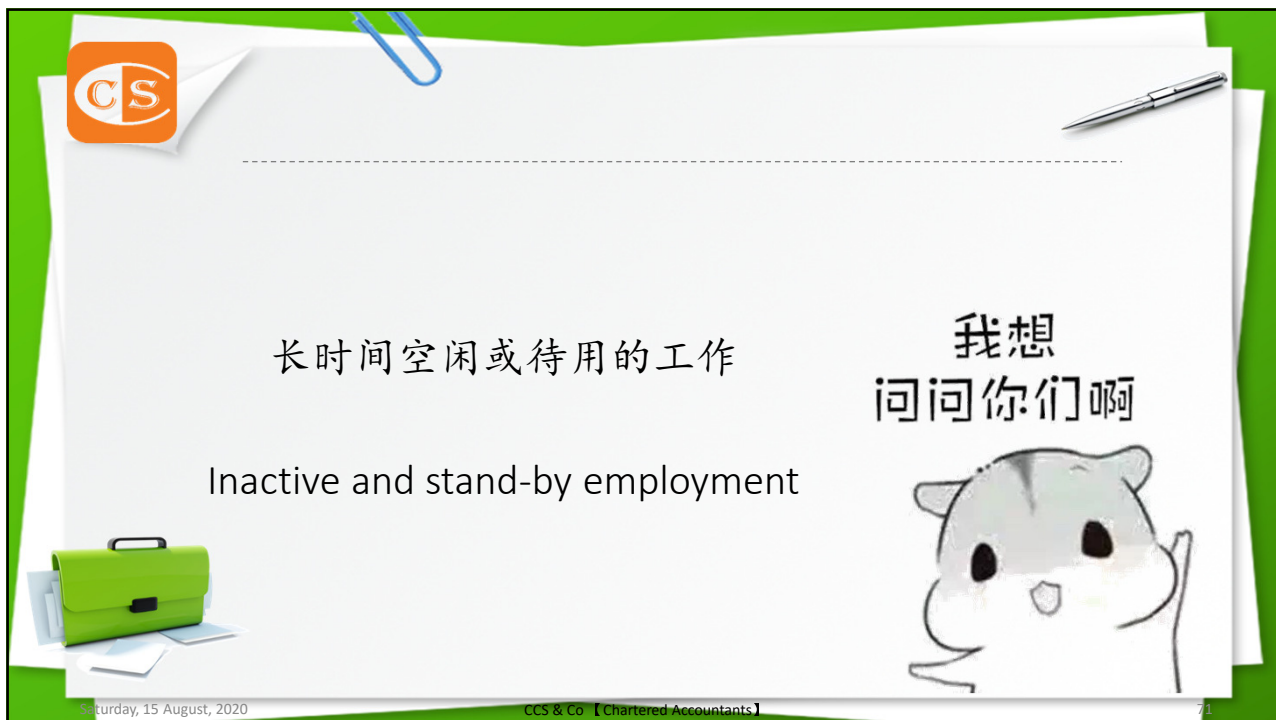


什么情况下可以超出工作时间的限制，而不需要总监批准

Exceeding limitation on working hours without approval of Director General

我想问问你们啊

Saturday, 15 August, 2020 CCS & Co [Chartered Accountants] 70

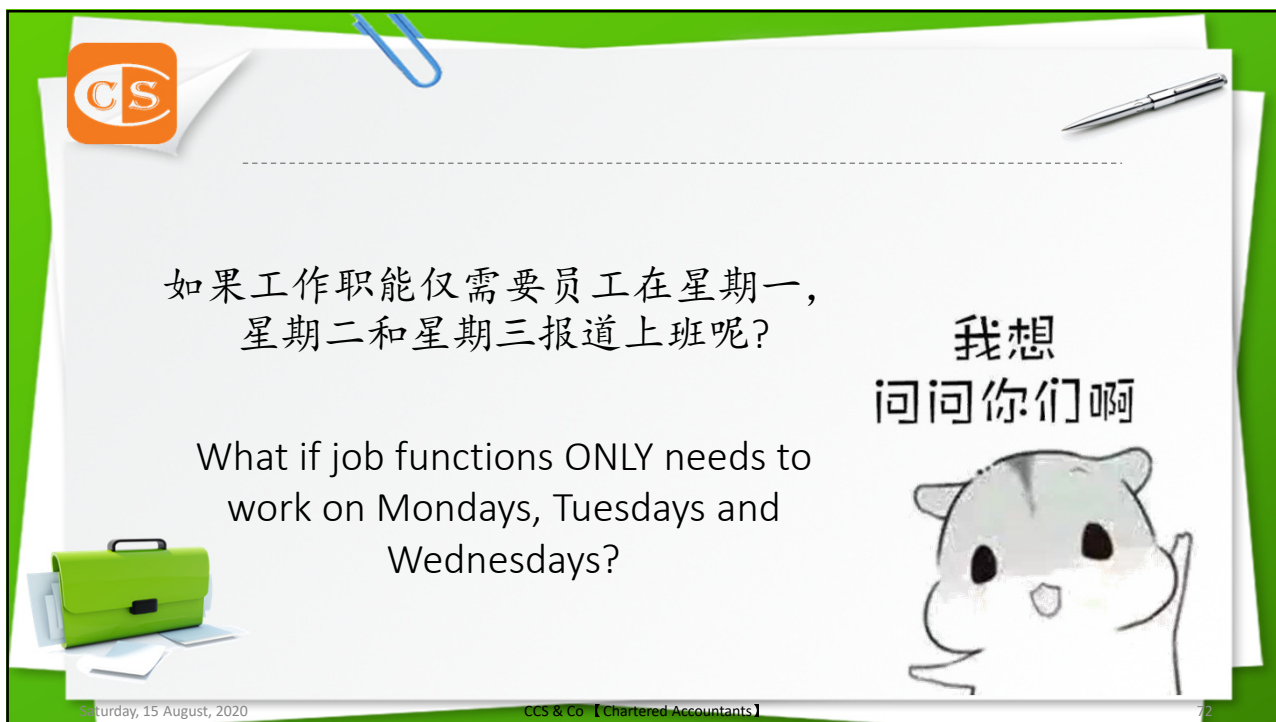


Slide 71 features a green background with a white paper overlay. The paper has a blue paperclip at the top left, a silver pen at the top right, and a green briefcase at the bottom left. The CCS & Co logo is in the top left corner. The text on the slide is in Chinese and English, with a cartoon hamster character on the right.

长时间空闲或待用的工作
Inactive and stand-by employment

我想
问问你们啊

Saturday, 15 August, 2020 CCS & Co [Chartered Accountants] 71



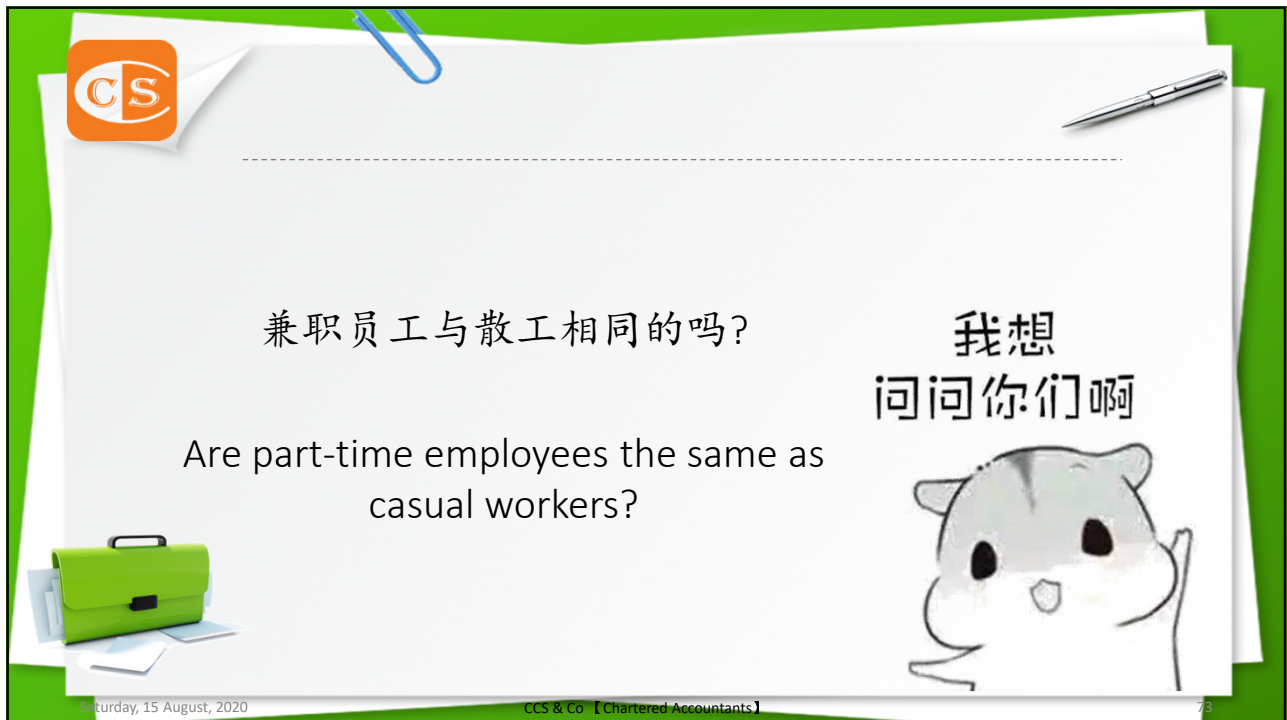
Slide 72 features a green background with a white paper overlay. The paper has a blue paperclip at the top left, a silver pen at the top right, and a green briefcase at the bottom left. The CCS & Co logo is in the top left corner. The text on the slide is in Chinese and English, with a cartoon hamster character on the right.

如果工作职能仅需要员工在星期一，
星期二和星期三报道上班呢？

What if job functions ONLY needs to
work on Mondays, Tuesdays and
Wednesdays?

我想
问问你们啊

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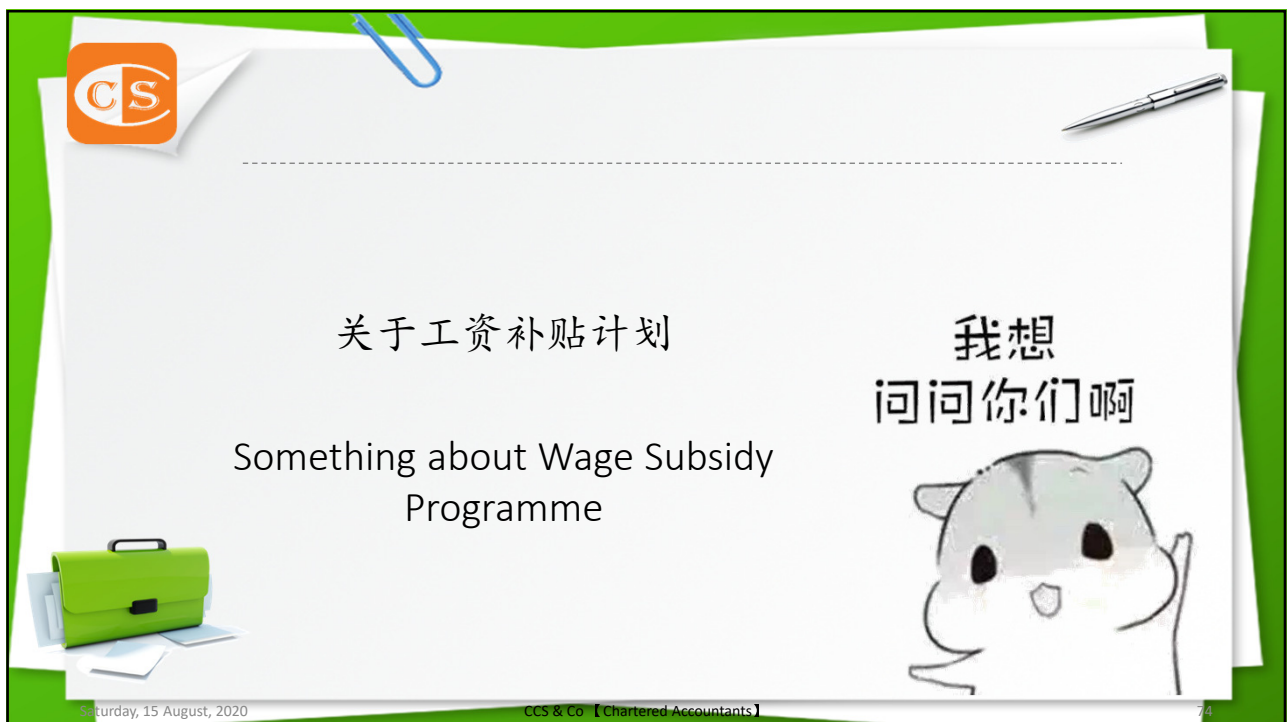
Slide 73 features a green background with a white paper overlay. The paper has a blue paperclip at the top left, a silver pen at the top right, and a green briefcase at the bottom left. The CCS & Co logo is in the top left corner. The text on the slide asks if part-time employees are the same as casual workers, with the Chinese text above the English text. A cartoon hamster is in the bottom right corner. The footer includes the date, company name, and slide number 73.

兼职员工与散工相同的吗?

Are part-time employees the same as casual workers?

我想问问你们啊

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Slide 74 features a green background with a white paper overlay. The paper has a blue paperclip at the top left, a silver pen at the top right, and a green briefcase at the bottom left. The CCS & Co logo is in the top left corner. The text on the slide asks about the Wage Subsidy Programme, with the Chinese text above the English text. A cartoon hamster is in the bottom right corner. The footer includes the date, company name, and slide number 74.

关于工资补贴计划

Something about Wage Subsidy Programme

我想问问你们啊

Saturday, 15 August, 2020 CCS & Co [Chartered Accountants] 74



聘请穆斯林员工，
有什么需要注意的吗？

Hire Muslim employees,
Is there anything to pay attention to?

我想
问问你们啊

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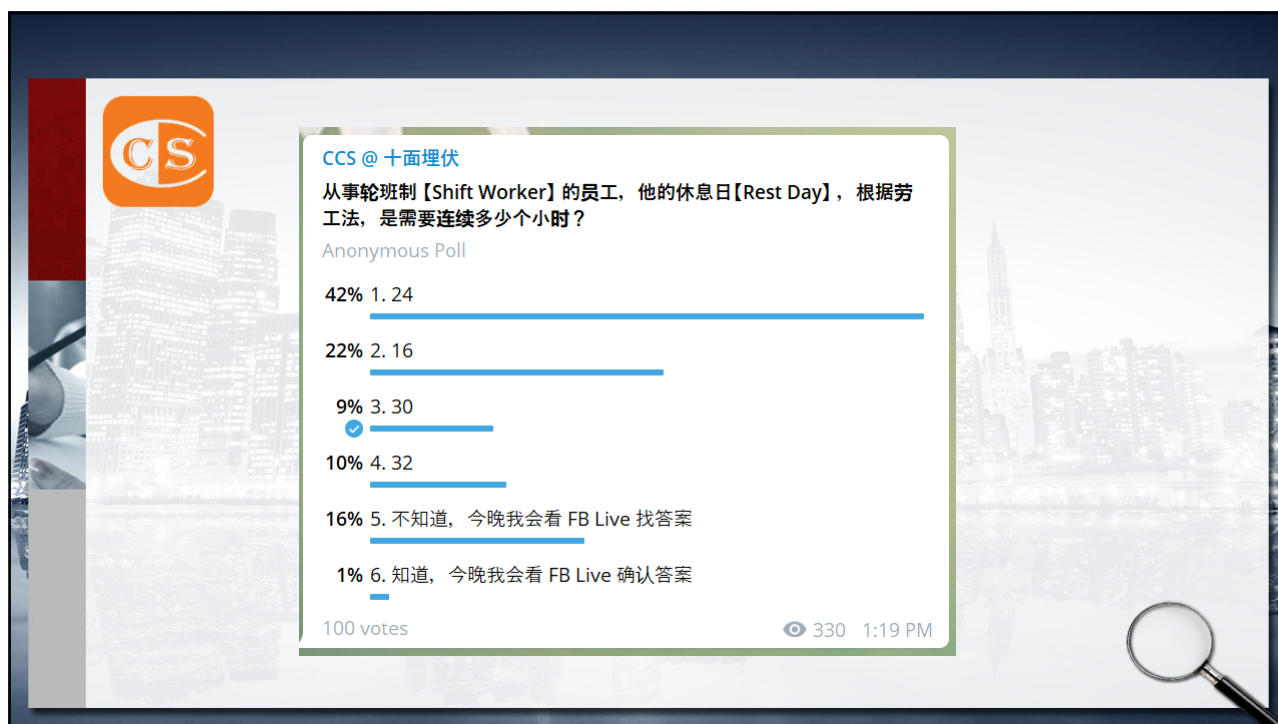
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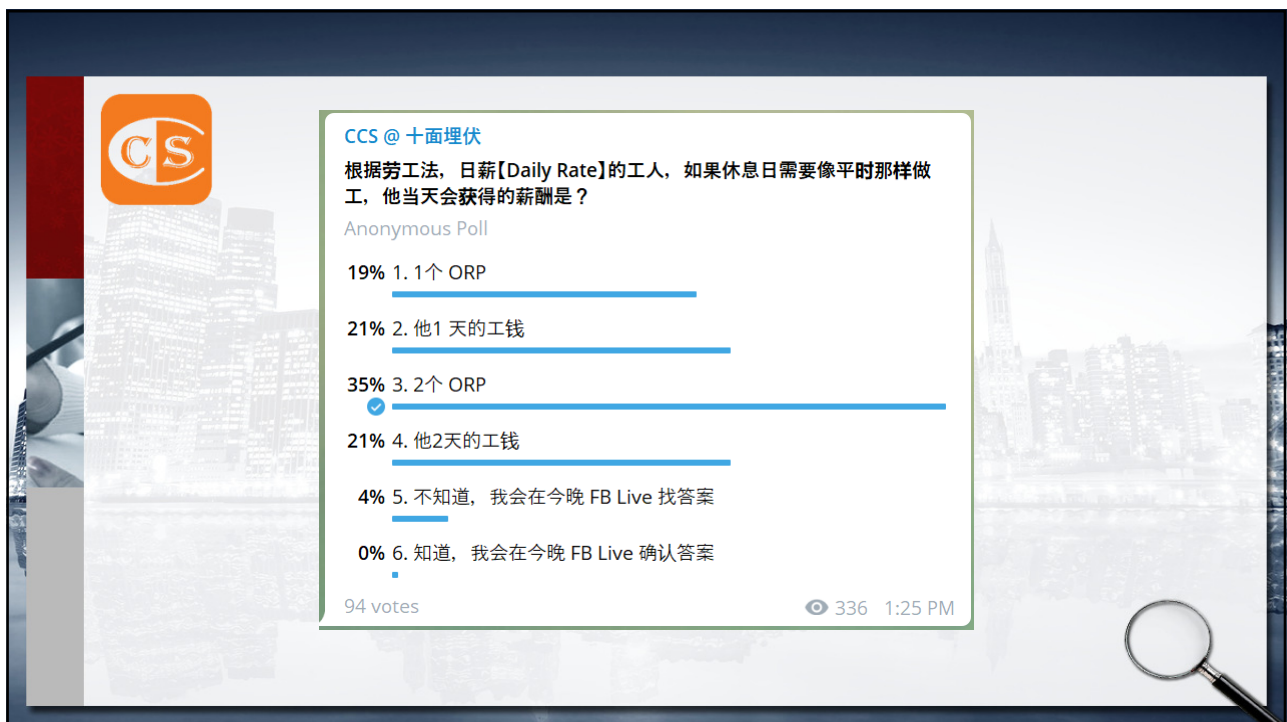
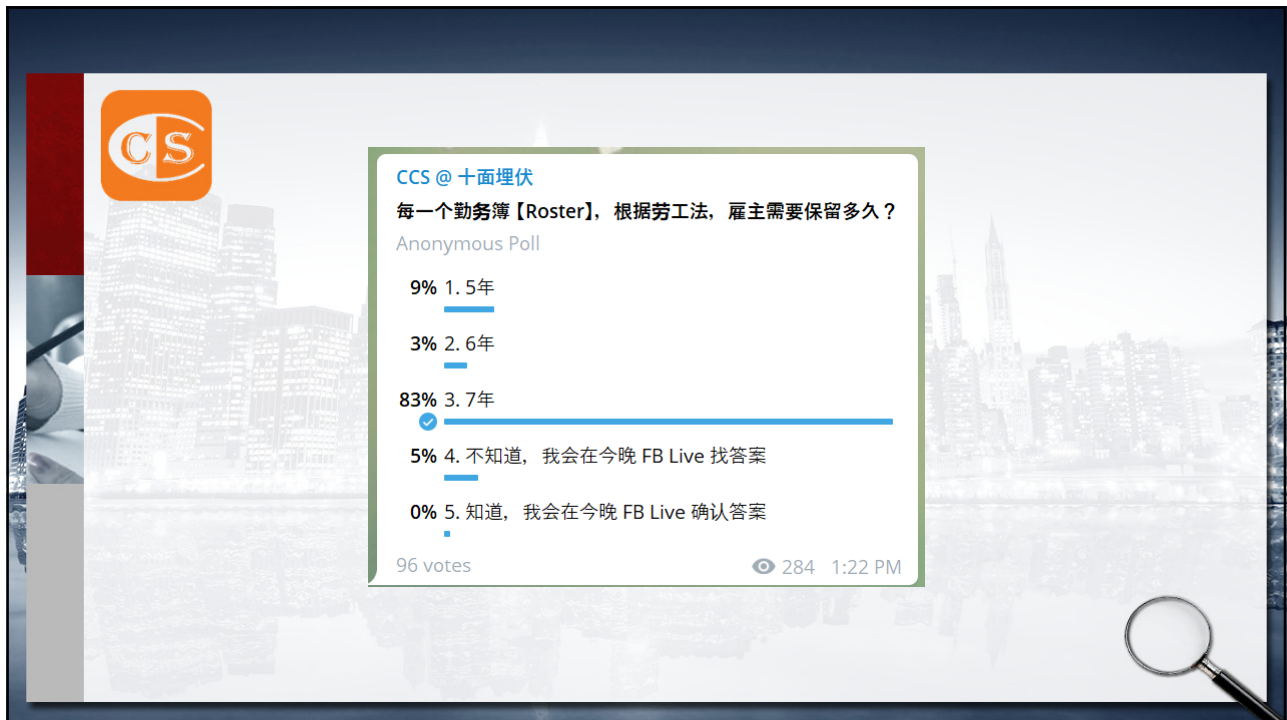


15-8-2020

直播









勞工法 休息日 如何处理?

Part 4

你对劳工法了解多少呢？
懂一点劳工法，
劳资不对立，管理不犯错

Medical Certificate

日期: 15/8/2020 (星期六)

时间: 8点晚上

Facebook Fan Page: GST 十面埋伏/CCS十面埋伏

创业的起点系列之第五篇

Chin Chee Seng
C.A.(M), ASEAN CPA, FCCA (UK), FCTIM



创业是一个不断学习和自我成长的过程，没有人真正准备好了才开始创业。







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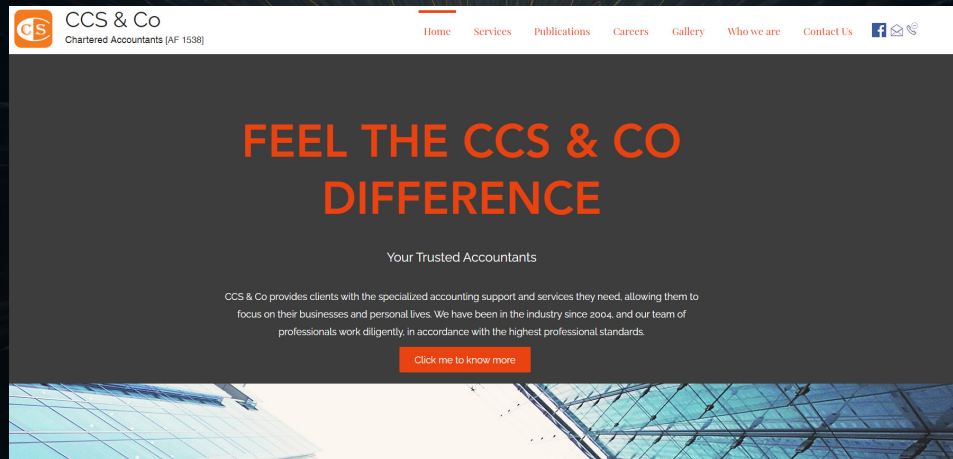


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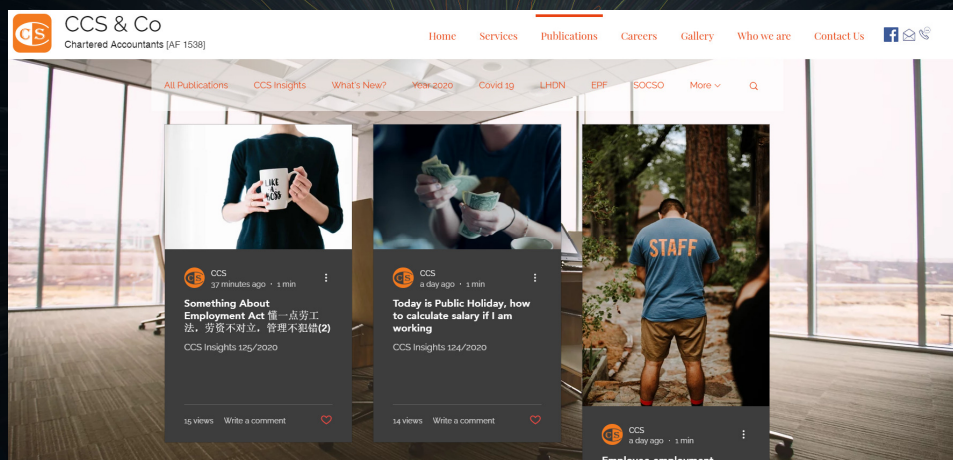


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57000 Kuala Lumpur
Monday to Friday
8am to 5pm
Lunch time: 1pm to 2pm

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Company name	Position
Company SSM registration number	Are you an existing CCS client?
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Tell us what would you like to know more? We will contact you shortly.	

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If You are not our client:
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4. CCS & Co @ 十面埋伏部落格 - 早期分享股票投资，现在是资料库，因为有 Index，方便寻找参考资料
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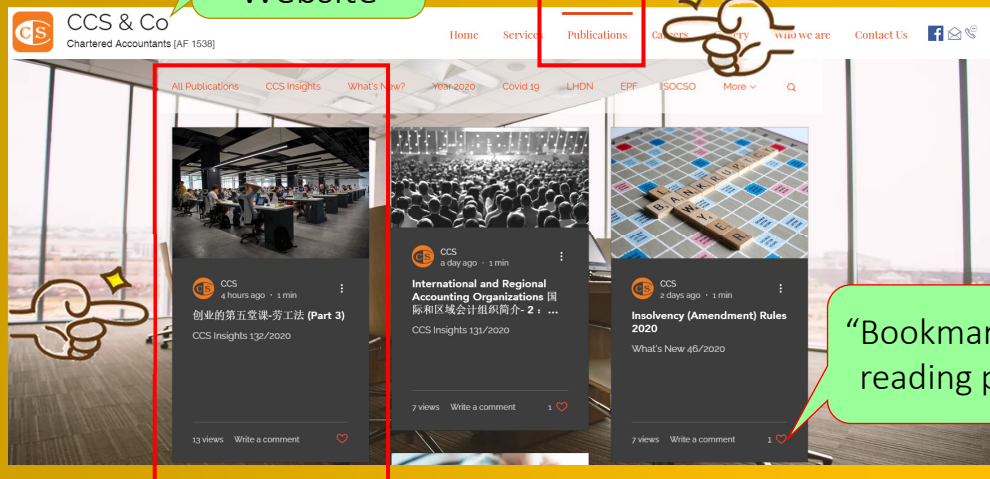
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穆斯林员工在工作时间礼拜指南

Guidelines on The Performance of Solat During Working Hours





Message Details:
 First Name: [REDACTED]
 Last Name: [REDACTED]
 Company name: [REDACTED] SDN.BHD.
 Position: Supervisor
 Company SSM registration numb: -
 Are you an existing CCS clien: No, I just want a free advisory service
 Email: [REDACTED] .com
 Phone [REDACTED]

Tell us what would you like t: 老师你好， 想请教您一些关于穆斯林工作
 时间祷告的问题。 1) 穆斯林祷告所花费的时间能算在工作时间内吗？
 2) 每一天祷告的次数一定要跟从吗？（一天三次，如果有over time四小
 时） *希望老师有时间的时候能帮我解惑，照顾身体。谢谢

Saturday, 15 August, 2020

CCS & Co 【Chartered Accountants】

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穆斯林员工在工作时间礼拜指南



Guidelines on The Performance of Solat During Working Hours

- 《国家原则》的其中一个信仰上帝。
- 这个原则体现了马来西亚人的宗教信仰，特别是马来西亚约1400万的本地或外籍劳动力，大多数是以穆斯林为主。
- One of the principles of the Rukun Negara is Belief in God.
- This principle embodies the religious tenure of Malaysians, especially to about 14 million workforce in Malaysia whether local or foreign, the majority of whom are Muslims.



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穆斯林员工在工作时间礼拜指南

Guidelines on The Performance of Solat During Working Hours



- 伊斯兰教要求穆斯林每天进行五次的礼拜，而男性雇员则必须在周五午间祈祷（Solat Zohor）。
- 《联邦宪法》第3条第（1）款文将伊斯兰教定为国教，虽然如此，在联邦【即：马来西亚】的任何其他地方，也可以和平与和谐地实践其他宗教，因此也包括允许穆斯林雇员去履行礼拜的责任。
- Islam requires upon Muslim to perform Solat of five times a day while male employees are obliged to perform Friday prayers during Zohor. In accordance with Article 3 (1) of the Federal Constitution which establishes Islam as the religion of the Federation but other religions may be practiced in peace and harmony in any part of the Federation, Muslim employees shall be allowed their obligation to perform the Solat.

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穆斯林员工在工作时间礼拜指南

Guidelines on The Performance of Solat During Working Hours



- 有鉴于此，马来西亚半岛劳工部（JTKSM）为了确保所有员工在工作和生活中取得平衡，因此发出了一份《工作时间进行礼拜》的指南，以作为雇主和雇员履行义务的最低参考。指南主要陈述穆斯林员工在工作时间内所需要进行的礼拜。
- In this regard, the Department of Labour, Peninsular Malaysia (JTKSM) in securing Work life Balance and the Decent Work Agenda for all employees, initiate this Guideline on the Performance of Solat during Working Hours as a minimum reference for employers and employees in facilitating the obligation on Muslim employees in performing Solat during working hours.

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伊斯兰教为联邦宗教

Islam As Religion Of The Federation



- 联邦宪法或州法颁布，没有在星期五进行礼拜是一项罪行，一旦定罪可处罚款或监禁。
- 此指南的目的是在指导雇主和雇员针对穆斯林雇员在工作时间内履行礼拜的义务，同时也遵守1955年劳工法令所规定的关于工作时间的限定
- The Federal Territory/State Government act/enactments generally state non-performance of Friday's Solat as an offence punishable with penalties or imprisonment.
- The objectives of this Guideline is to guide employers and employees in relation to the obligation on Muslim employees to perform Solat during working hours whilst observing specific provisions on working hours as stipulated under the Employment Act 1955

Saturday, 15 August, 2020

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工作时间的限制

Limitation on Hours of work



Hours of work

60A. (1) Except as hereinafter provided, an employee shall not be required under his contract of service to work—

- more than five consecutive hours without a period of leisure of not less than thirty minutes duration;
- more than eight hours in one day;
- in excess of a spread over period of ten hours in one day;
- more than forty-eight hours in one week:



Saturday, 15 August, 2020

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在工作时间内允许礼拜

Permission For The Performance Of Solat During Working Hours



- 在执行此指南的步骤时，雇主需要分配时间给穆斯林雇员以履行礼拜的任务：
 - 午间礼拜 [Zohor] 至少20分钟的时间；和
 - 星期五的礼拜，至少需要1小时30分钟。
- In executing steps under this Guideline, an employer shall allocate time for the Muslim employee to perform Solat for:
 - at least 20 minutes for each Solat time; and
 - at least 1 hour 30 minutes for Friday Solat.



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礼拜的时间表

Time Schedule For The Performance Of Solat



礼拜 [Solat]	礼拜时间 [Period of Solat]
晨礼 Subuh	介于 *5.40am – 6.40am
晌礼 Zohor	介于 *1.30pm – 4.00pm
星期五的礼拜 Friday's Solat (on Fridays only to replace Zohor's solat at the Mosque and mandatory for every Muslim male)	介于 *12.45pm – 2.15pm
晡礼 Asar	介于 *4.15pm – 7.00pm
昏礼 Maghrib	介于 *7.15pm – 8.30pm
宵礼 Isyak	介于 *8.30pm – 5.30am



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礼拜的设施

Amenities For SOLAT



- 除了分配时间履行礼拜外，雇主还需要在工作场所为礼拜提供空间，如下：
 - 适当大小、干净、舒适，靠近或在工作场所附近的有遮盖空间；
 - 为男女穆斯林雇员分开提供各别的礼拜房间；
 - 进行礼拜的基本设备，如：礼拜垫、垫子、地板套；
 - 靠近礼拜房间，提供沐浴的设备；和
 - 已通过国家 Mufti 部门认证的朝拜方向指示



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礼拜的设施

Amenities For SOLAT



- Apart from allocating time to perform solat, an employer also needs to facilitate in providing space for the performance of solat at the workplace as follows:-
 - special covered space in a suitable size, clean, comfortable and close or within the proximity of the workplace;
 - separate solat rooms for male and female Muslim employees;
 - basic equipment for performing solat such as prayer mat / mat / floor cover;
 - places to take ablution near the solat room; and
 - qibla direction certified by State Mufti Department



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Saturday, 15 August, 2020

非法外劳 Illegal Foreign Workers



Message Details:
 First Name: [REDACTED]
 Last Name: [REDACTED]
 Company name: SSM Student
 Position: SSM student
 Company SSM registration numb: -
 Are you an existing CCS clien: No, I just want a free advisory service
 Email: [REDACTED]
 Phone: [REDACTED]

Tell us what you like t: 老师感恩，看了您的劳工分享，受益良多。我这里有个问题想请教老师，市场上，还是很多公司用非法外劳或是其它的公司外劳证，那么请问公司要如何处理？希望可以得到老师您的回复。谢谢

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摘自:Mister Leaf

<https://www.misterleaf.com/11759/pendatang-tanpa-izin-pati/>

- 以下是根据大马的移民局法令等，在不同的情况下，聘请或收留非法外劳，将面对的惩罚，雇主老板得注意了！





MisterLeaf

- **罪名: 雇佣一位或多为不持合法准证的员工（不是大马公民或一位持有入境准证的人）**
 惩罚: 依据非法员工人数，每位罚款不少于 RM10,000，但是不超过 RM50,000；或坐牢不超过12个月或两者兼施。
- **罪名: 同一时间雇佣超过5位不持有合法准证的员工**
 惩罚: 坐牢不少于6个月，但是不超过5年，可被鞭刑不超过6鞭。
- **罪名: 允许任何非法移民，包括非法外籍劳工，进入或待在任何处所**
 惩罚: 依据处所中的非法移民人数:
 每位罚款不少于 RM5000，但是不超过 RM30,000；或坐牢不超过12个月或两者兼施。
 若是重犯，依据房地中的非法移民人数，每位罚款不少于 RM10,000，但是不超过 RM60,000；或坐牢不超过2年或两者兼施。

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112

摘自:Mister Leaf

<https://www.misterleaf.com/11759/pendatang-tanpa-izin-pati/>



- 以下是根据大马的移民局法令等，在不同的情况下，聘请或收留非法外劳，将面对的惩罚，雇主老板得注意了！



- 罪名: 窝藏任何确信或具有合理的理由相信已触犯移民法的人
惩罚: 每位罚款不少于 RM10,000，但是不超过 RM50,000。
- 罪名: 同一时间窝藏多过5位确信或具有合理理由相信已触犯移民法的人
惩罚: 坐牢不少于6个月，但是不超过5年以及鞭刑不超过6鞭。
- 罪名: 雇佣任何不持有合法准证的人或窝藏任何确信或具有合理理由相信已触犯移民法的人
惩罚: 承担将相关人士送出马来西亚的费用以及补偿政府在拘留和照顾相关人士的费用。

资料来源: Kesalahan Melindungi atau Menggaji PATI atau membenarkan PATI dalam Premis

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非法外劳 Illegal Foreign Workers



财经

股汇行情

时事

国际

地产

全球大抗疫

市场情报

视频

大千

财经

别再用外劳了!/拿督刘明

2020年05月22日

几天前在电视新闻上看到记者因2019冠状病毒病感染事件，采访士拉央大巴刹，想了解在外劳缺席下，如何继续运作。

镜头下的巴刹，没有想象中脏乱湿漉，受访的贩商说这景象让他感觉好像回到20多年前巴刹刚投入运作的时候，那么有条不紊和干净整洁，他很感动！



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非法外劳 Illegal Foreign Workers



时 财经

股汇行情

时事

国际

地产

全球大抗疫

市场情报

视频

大千

我国商家这么多年来都为劳工短缺伤透脑筋，尤其是在那些3D行业和需要长时间站岗的工作，如专柜售货员和保安人员等服务行业。

所谓3D，是指dirty（肮脏）、dangerous（危险）和difficult（高难度），如建筑、农业、工厂等工作。

根据雇主联合会执行董事三苏丁的说法，大马年轻人抗拒3D工作并不尽是工资问题，工作环境和社会大众的轻视眼光才是让人却步的主因。

至于服务业如专柜售货员，虽然工作较轻松但很多本地人嫌工作时间长，酬劳相对较低而不太愿意进入这行业。

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非法外劳 Illegal Foreign Workers



时 财经

股汇行情

时事

国际

地产

全球大抗疫

市场情报

视频

大千

服务业忌依赖外劳

希盟政府执政时鼓吹工业4.0，最重要的目的就是提高工业的生产效率，减少国人对外籍劳工的依赖。

这原本是一个非常好的政策方向，但事与愿违，推广了不到两年，成果初见，希盟政府就倒台了！

我记得几年前连锁协会邀请国内贸消部长为我们主办的加盟展主持开幕仪式，后来部长因有事离开，留下身为活动主委的我主持记者会。

当时政府大力取缔非法外劳引起商家争论，记者想要了解零售协会的立场，于是矛头对准了我，问我对此事的看法。

我记得当时是这样回答的：任何国家过度依赖外劳都不是好事，尤其是服务业。

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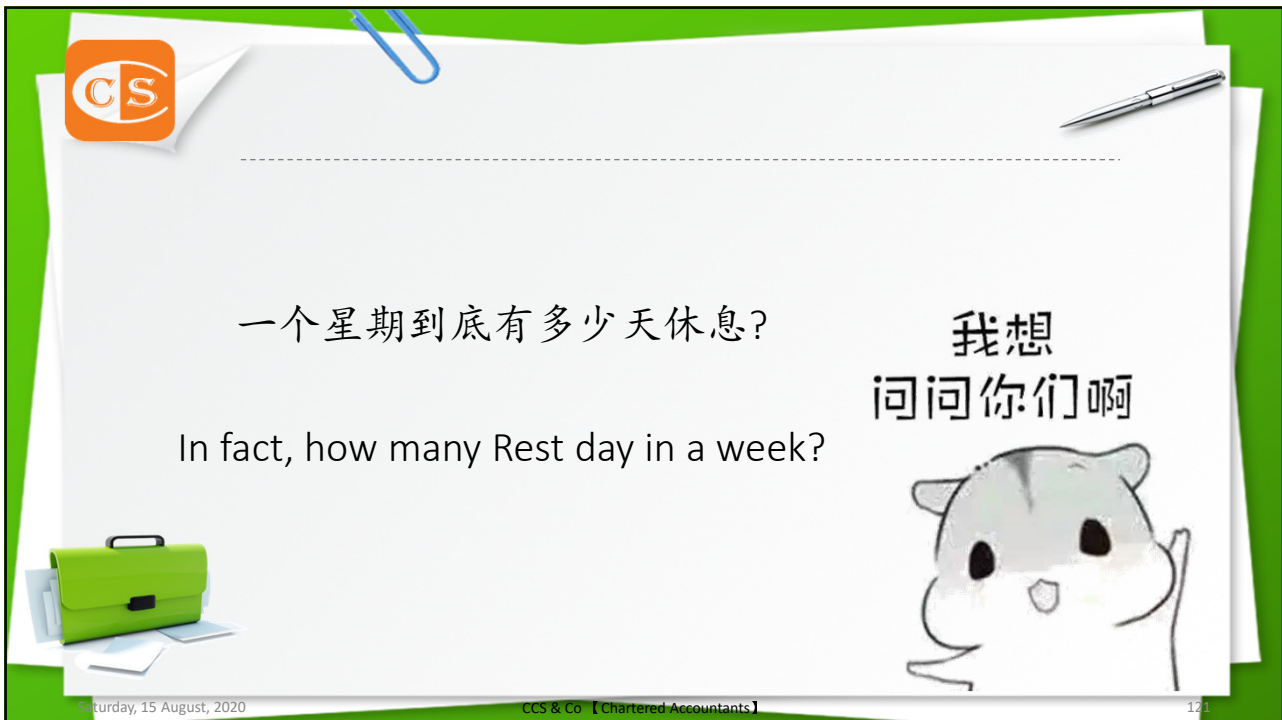
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<div> 就业法规 Employment Legislations </div> <div>CCS</div>			
The Laws Relating to Employment			
1	The Employment Act 1955	9	The Trade Unions Act 1959
2	The Sabah Labour Ordinance 1950	10	The Factories And Machinery Act 1967
3	The Sarawak Labour Ordinance 1952	11	The Workmen's Compensation 1952
4	The Minimum Retirement Age Act 2012	12	The Occupational Safety And Health Act 1994
5	The National Wages Consultative Council Act 2011	13	The Immigration Act 1963
6	The Minimum Wages Order 2012	14	Workers Minimum Standards of Housing And Amenities Act 1990
7	The Children And Young Persons (Employment) Act 1966	15	Pembangunan Sumber Manusia Bhd Act 2001
8	The Industrial Relations Act 1967	16	The Employees (Restriction) Act 1968

What are Employee Expectations






一个星期到底有多少天休息?


In fact, how many Rest day in a week?

我想问问你们啊

Saturday, 15 August, 2020 CCS & Co [Chartered Accountants] 121

休息日
Rest Day





Rest day

59. (1) Every employee shall be **allowed in each week a rest day** of one whole day as may be determined from time to time by the employer, and where an employee is allowed **more than one rest day** in a week the **last of such rest days** shall be the rest day for the purposes of this Part:

Provided that this subsection shall not apply during the period in which the employee is on maternity leave as provided under section 37, or on sick leave as provided under section 60F, or during the period of temporary disablement under the Workmen's Compensation Act 1952 [Act 273], or under the Employees' Social Security Act 1969.

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休息日
Rest Day



	Peninsular Malaysia and Labuan	Sabah	Sarawak
Legislation	Employment Act 1955	Sabah Labour Ordinance 1950	Sarawak Labour Ordinance 1952
Section	59(1)	104B(1)	105B(1)

Day of rest



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休息日 - 不适用
Rest Day – Shall Not Apply



WORK INJURIES



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6天制的公司 6-day workweek



Saturday, 15 August, 2020

6天制的公司
6-day workweek

Mon	Tue	Wed	Thu	Fri	Sat	Sun
26-8	27-8	28-8	29-8	30-8	31-8	1-9
Normal Day						Rest Day

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5天制的公司 5-day workweek



- Where an employee is entitled to two non-working days per week, the first day should not be called a Rest Day.
- The most common terminology used is



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5天制的公司

5-day workweek



5天制的公司，最后一天才算是休息日 [Rest Day]，另外一天则称为例假 [Off Day]

5-day workweek

Mon	Tue	Wed	Thu	Fri	Sat	Sun
26-8	27-8	28-8	29-8	30-8	31-8	1-9
Normal Day					Off Day	Rest Day

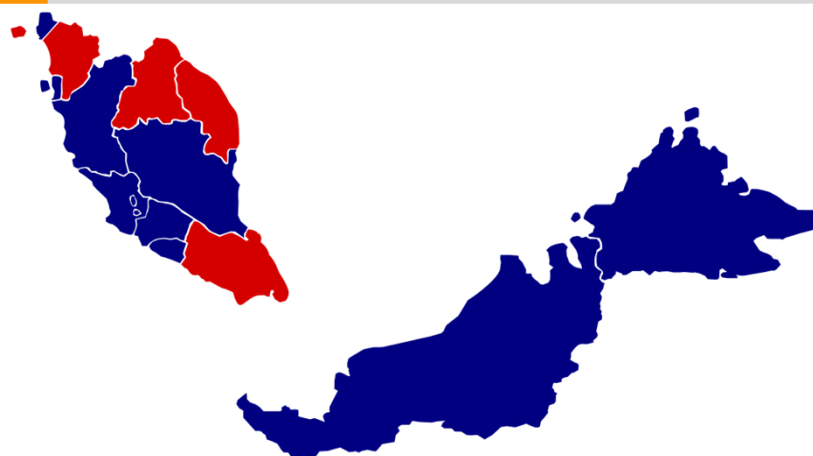


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各州之间的工作日及周末也有所不同

The workweek and weekend varies between states



■ States that observe a Saturday-Sunday weekend

■ States that observe a Friday-Saturday weekend

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遵守周五和周六为周末的州属

States That Observed a Friday & Saturday Weekend



Saturday, 15 August, 2020

6天制的公司

6-day workweek

Mon	Tue	Wed	Thu	Fri	Sat	Sun
26-8	27-8	26-8	27-8	28-8	29-8	30-8
ND	ND	ND	ND	ND	RD	ND

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遵守周五和周六为周末的州属

States That Observed a Friday & Saturday Weekend



Saturday, 15 August, 2020

5天制的公司,

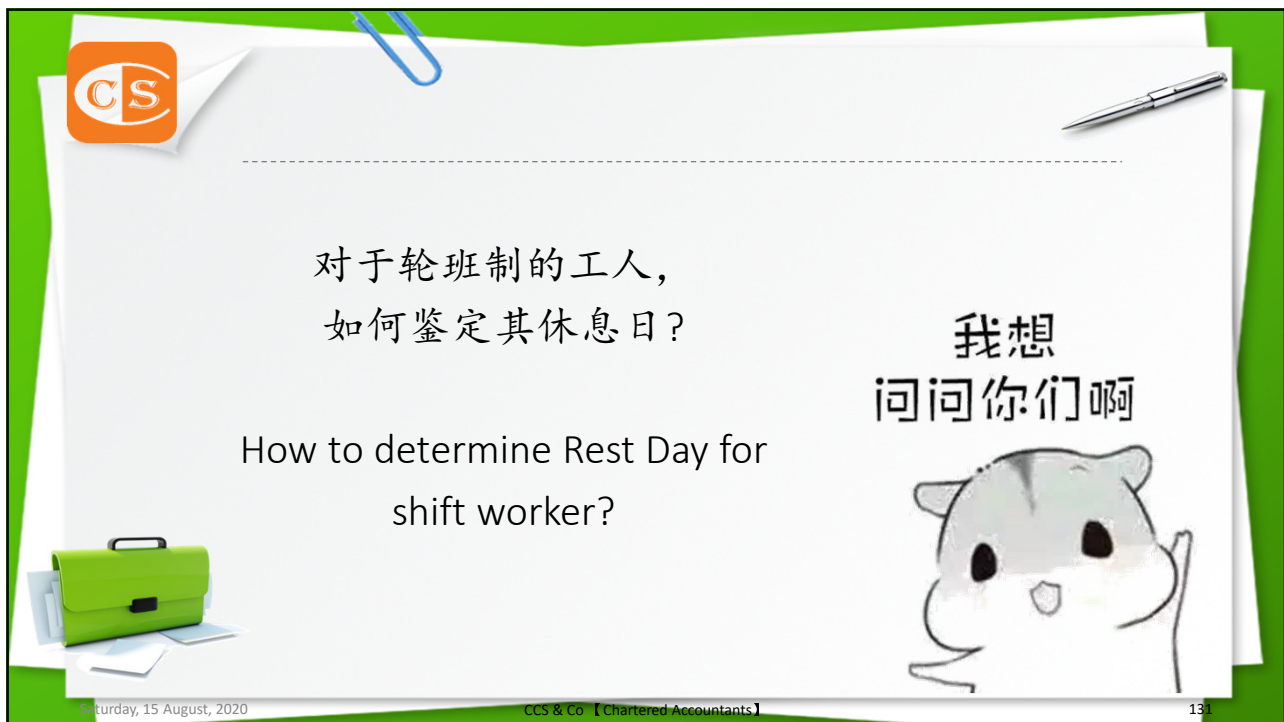
- 最后一天才算是休息日 [Rest Day]
- 另外一天则称为例假 [Off Day]

5-day workweek

Mon	Tue	Wed	Thu	Fri	Sat	Sun
26-8	27-8	26-8	27-8	28-8	29-8	30-8
ND	ND	ND	ND	OD	RD	ND

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对于轮班制的工人，
如何鉴定其休息日？

How to determine Rest Day for
shift worker?

我想
问问你们啊

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对于轮班制的工人，如何鉴定其休息日？
How to determine Rest Day for shift worker?



A Rest Day for non-shift workers is hours.

The interpretation of the expression "day" in section 2, in the case of an employee engaged in **shift work** any continuous period of not less than **hours** shall constitute a rest day.

对于**非轮班制**的工人，如何鉴定其休息日？
How to determine Rest Day for **Non shift** worker?



August 2020 Calendarpedia Your source for calendars

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
26	27	28	29	30	31	1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31	1	2	3	4	5

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对于**非轮班制**的工人，如何鉴定其休息日？
How to determine Rest Day for **Non shift** worker?



August 2020

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

www.jan-dec-calendar.com

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对于轮班制的工人，如何鉴定其休息日？
How to determine Rest Day for shift worker?



7AM-3PM	3PM-11PM	11PM-7AM	7AM-3PM	3PM-11PM	11PM-7AM
1	2	3	1	2	3

7AM-3PM	3PM-11PM	11PM-7AM	7AM-3PM	3PM-11PM	11PM-7AM
1	2	3	1	2	3

7AM-3PM	3PM-11PM	11PM-7AM	7AM-3PM	3PM-11PM	11PM-7AM
1	2	3	1	2	3

对于轮班制的工人，如何鉴定其休息日？
How to determine Rest Day for shift worker?



7AM-3PM	3PM-11PM	11PM-7AM	7AM-3PM	3PM-11PM	11PM-7AM
1	2	3	1	2	3

12/8

13/8

对于轮班制的工人，如何鉴定其休息日？
How to determine Rest Day for shift worker?



7AM-3PM	3PM-11PM	11PM-7AM	7AM-3PM	3PM-11PM	11PM-7AM
1	2	3	1	2	3

12/8

13/8

14/8

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对于轮班制的工人，如何鉴定其休息日？
How to determine Rest Day for shift worker?



	Peninsular Malaysia and Labuan	Sabah	Sarawak
Legislation	Employment Act 1955	Sabah Labour Ordinance 1950	Sarawak Labour Ordinance 1952
Section	59(1A)	104B(2)	105B(2)

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休息日一定是要在星期日或星期六的吗?

Must Rest Day always fall on Sunday/Saturday?

我想问问你们啊

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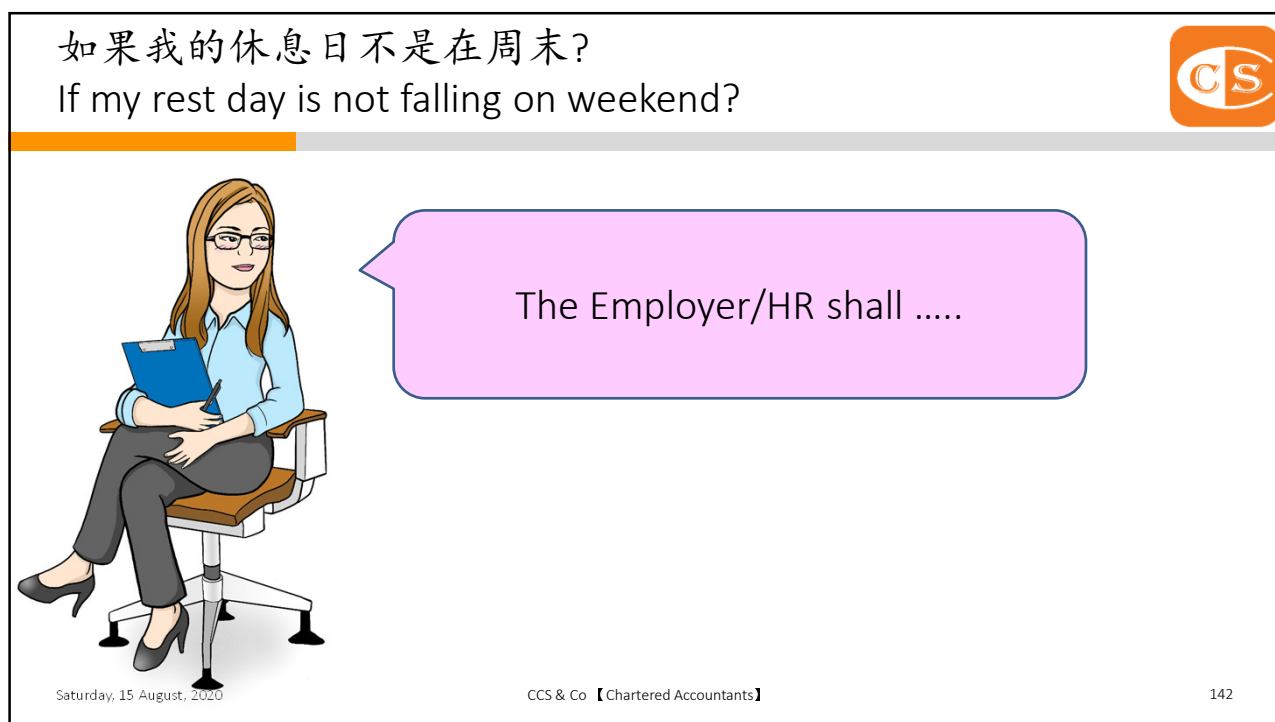
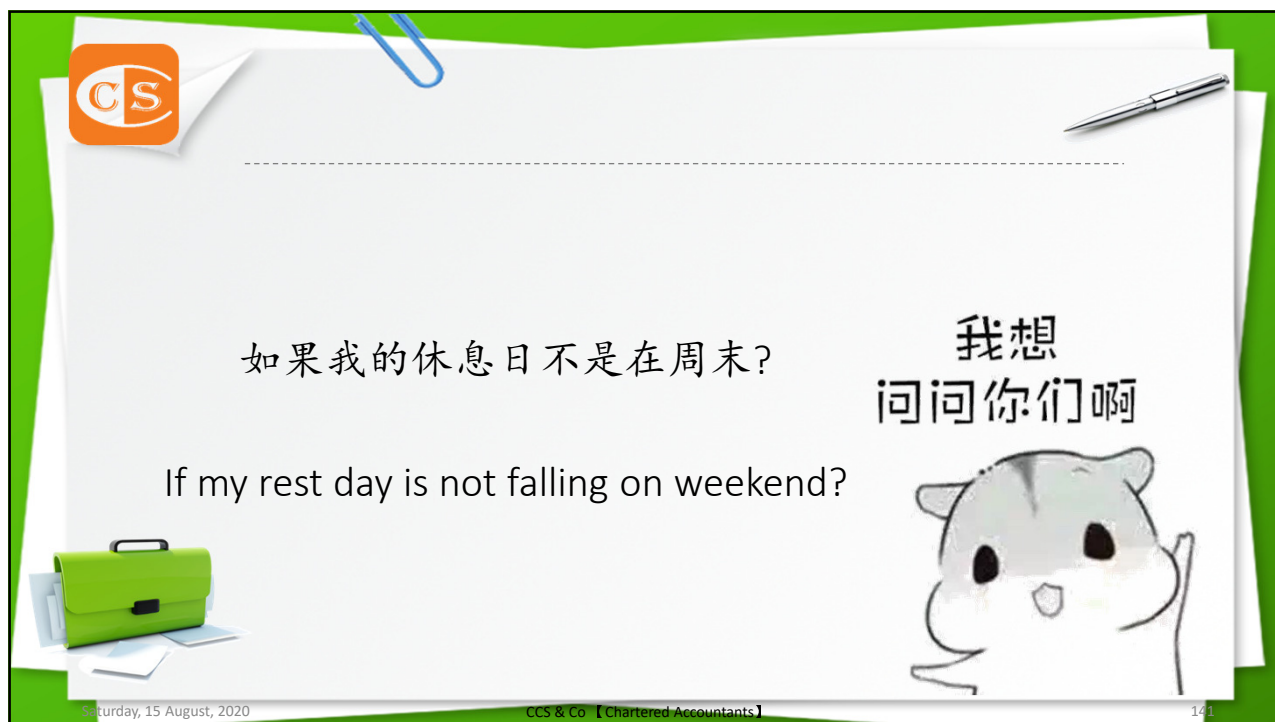


休息日一定是要在星期日或星期六的吗?

Must Rest Day always fall on Sunday/Saturday?

Not necessary, but

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6天制的公司 6-day workweek



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6天制的公司
6-day workweek

Mon	Tue	Wed	Thu	Fri	Sat	Sun
26-8	27-8	26-8	27-8	28-8	29-8	30-8
ND	ND	RD	ND	ND	ND	ND

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5天制的公司 5-day workweek



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5天制的公司，
 • 最后一天才算是休息日 [Rest Day]
 • 另外一天则称为例假 [Off Day]

5-day workweek

Mon	Tue	Wed	Thu	Fri	Sat	Sun
26-8	27-8	26-8	27-8	28-8	29-8	30-8
ND	OD	RD	ND	ND	ND	ND

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如果我的休息日不是在周末?
If my rest day is not falling on weekend?




	Peninsular Malaysia and Labuan	Sabah	Sarawak
Legislation	Employment Act 1955	Sabah Labour Ordinance 1950	Sarawak Labour Ordinance 1952
Section	59(1B)	104B(3)	105B(3)

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每一个勤务簿，
我应保留多久的时间？

For how long should I keep for the
roster?

我想
问问你们啊



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勤务簿 Roster			
	Peninsular Malaysia and Labuan	Sabah	Sarawak
Legislation	Employment Act 1955	Sabah Labour Ordinance 1950	Sarawak Labour Ordinance 1952
Section	59(3)	104B(5)	105B(5)

for a period not exceeding
six years


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我可以吩咐员工在休息日做工的吗?

Can I ask my employee to work on
Rest Day?

我想
问问你们啊





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我可以吩咐员工在休息日做工的吗?

Can I ask my employee to work on Rest Day?



	Peninsular Malaysia and Labuan	Sabah	Sarawak
Legislation	Employment Act 1955	Sabah Labour Ordinance 1950	Sarawak Labour Ordinance 1952
Section	60(1)	104C(1)	105C(1)

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我可以吩咐员工在休息日做工的吗?

Can I ask my employee to work on Rest Day?



Work on rest day

Sarawak : S 105(5)
Sabah : S 104(5)

60. (1) Except as provided in subsection 60A(2), no employee shall be compelled to work on a rest day unless he is engaged in work which by reason of its nature requires to be carried on continuously or continually by two or more shifts:

Provided that in the event of any dispute the Director General shall have power to decide whether or not an employee is engaged in work which by reason of its nature requires to be carried on continuously or continually by two or more shifts.



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不需要总监批准 Without approval of Director General



60A.(2) An employee may be required by his employer to exceed the limit of hours prescribed in subsection (1) and to work on a rest day in the case of—

- (a) any accident, actual or threatened, in or with respect to his place of work;
- (b) any work, the performance of which is essential to the life of the community;
- (c) work essential for the defence or security of Malaysia;
- (d) urgent work to be done to machinery or plant;
- (e) any interruption of work which was impossible to foresee; or
- (f) work to be performed by employees in any industrial undertaking essential to the economy of Malaysia or any essential service as defined in the Industrial Relations Act 1967:



Provided that the Director shall have the power to enquire into and decide whether or not the employer is justified in calling upon the employee to work in the circumstances specified in paragraphs (a) to (f).



Saturday, 15 August



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1967年工业关系法令下的基本服务 ESSENTIAL SERVICES Under Industrial Relations Act 1967



- 1) Banking services.
 - 2) Electricity services.
 - 3) Fire services.
 - 4) Port, dock, harbour and airport services and undertakings, including stevedoring, lighterage, cargo handling, pilotage and storing or bulking of commodities.
 - 5) Postal services.
 - 6) Prison services.
 - 7) Production, refining, storage, supply and distribution of fuel and lubricants.
 - 8) Public health services.
- 8A. Public waste management services.

<i>Laws of Malaysia</i>	ACT 177
FIRST SCHEDULE	
ESSENTIAL SERVICES	
[Section 2]	

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1967年工业关系法令下的基本服务

ESSENTIAL SERVICES Under Industrial Relations Act 1967



- 9) Radio communication services, including broadcasting and television services.
- 10) Telegraph, telephone and telecommunication services.
- 11) Transport services by land, water or air.
- 12) Water services.
- 13) Any service provided by any of the following Departments of Government:
 - (i) Chemistry.
 - (ii) Civil Aviation.
 - (iii) Customs and Excise.
 - (iv) Immigration.
 - (v) Marine.
 - (vi) Meteorology.
 - (vii) Printing.

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<i>Laws of Malaysia</i>	ACT 177
FIRST SCHEDULE	
ESSENTIAL SERVICES	
[Section 2]	

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1967年工业关系法令下的基本服务

ESSENTIAL SERVICES Under Industrial Relations Act 1967



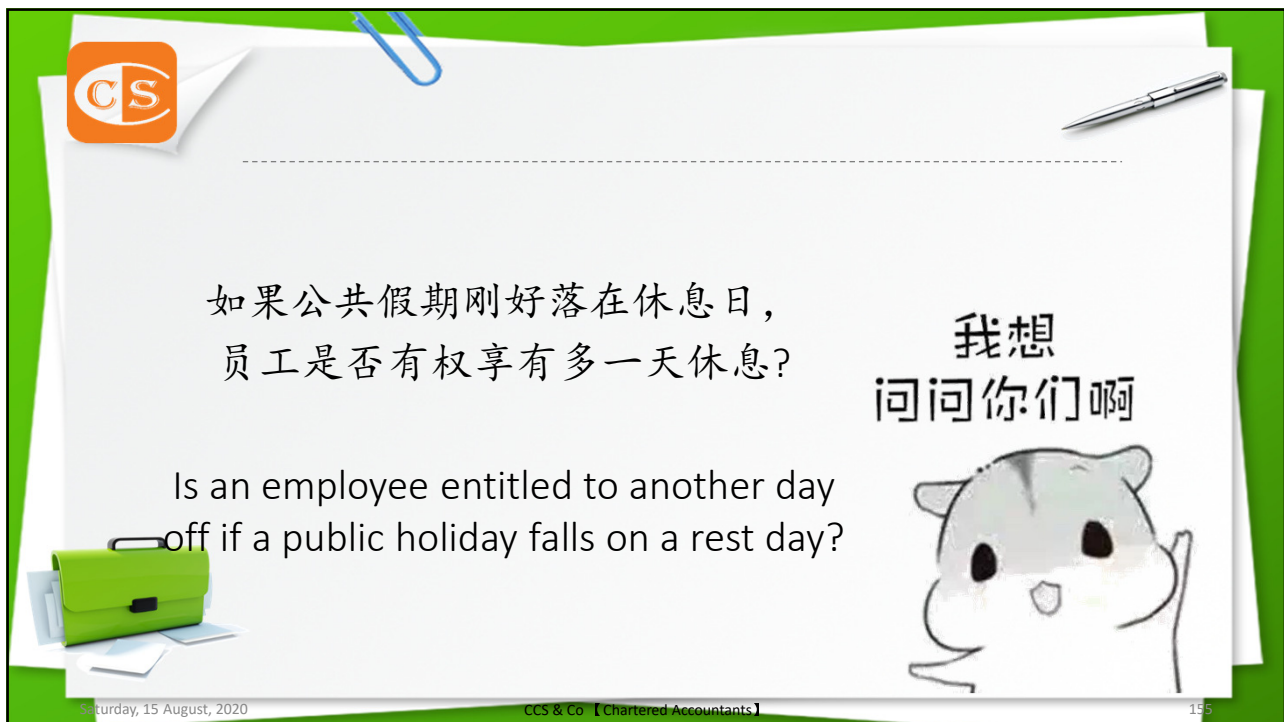
- 14) Services which are connected with, or related to, or which assist towards, the maintenance and functioning of the armed forces and the Royal Malaysian Police Force.
- 15) Businesses and industries which are connected with the defence and security of Malaysia.
- 16) Any section of any service, on the working of which the safety of the employees therein or of the establishment relating thereto depends.
- 17) Industries declared by the Minister by notification in the Gazette as industries essential to the economy of Malaysia

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<i>Laws of Malaysia</i>	ACT 177
FIRST SCHEDULE	
ESSENTIAL SERVICES	
[Section 2]	

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如果公共假期刚好落在休息日，
员工是否有权享有多一天休息？

Is an employee entitled to another day
off if a public holiday falls on a rest day?

我想
问问你们啊

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如果公共假期刚好落在休息日
If a public holiday falls on a rest day

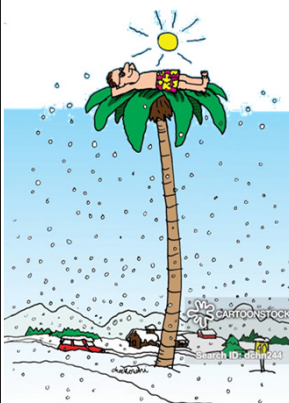


Yes, if the holiday falls on a rest day, the next working day is a paid holiday.

60D(1). Provided that if any of the public holidays referred to in paragraphs (a) and (b) falls on—

- (i) a rest day; or
- (ii) any other public holiday referred to in paragraphs (a) and (b),

the working day following immediately the rest day or the other public holiday shall be a paid holiday in substitution of the first mentioned public holiday.



如果公共假期刚好落在休息日
If a public holiday falls on a rest day



	Peninsular Malaysia and Labuan	Sabah	Sarawak
Legislation	Employment Act 1955	Sabah Labour Ordinance 1950	Sarawak Labour Ordinance 1952
Section	60D(1)	103(1)(b)	104(1)(b)

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如果公共假期刚好落在星期六，
员工是否有权享有多一天休息？

Do we get a replacement holiday if a
public holiday falls on Saturday?

我想
问问你们啊




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如果公共假期刚好落在星期六 If a public holiday falls on Saturday



- **Yes**, if the Saturday is a **rest day**, the next working day is a paid holiday.
- **No**, if Saturday is an **off day**.
 - However, the employer **may** decide to compensate the employee with an extra day's pay in lieu of that holiday or give the employee another day off as a holiday.



Saturday, 15 August, 2020

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可以将所有的休息日，
堆积在一起吗？

Can group all Rest Days into a single
block of days?

我想
问问你们啊



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可以将所有的休息日，堆积在一起吗？

Can group all Rest Days into a single block of days?



AUGUST 2020						
MON	TUE	WED	THU	FRI	SAT	SUN
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Calendargratis.com

Then I can go for long holidays



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可以将所有的休息日，堆积在一起吗？

Can group all Rest Days into a single block of days?



	Peninsular Malaysia and Labuan	Sabah	Sarawak
Legislation	Employment Act 1955	Sabah Labour Ordinance 1950	Sarawak Labour Ordinance 1952
Section	59(1B)	104B(3)	105B(3)

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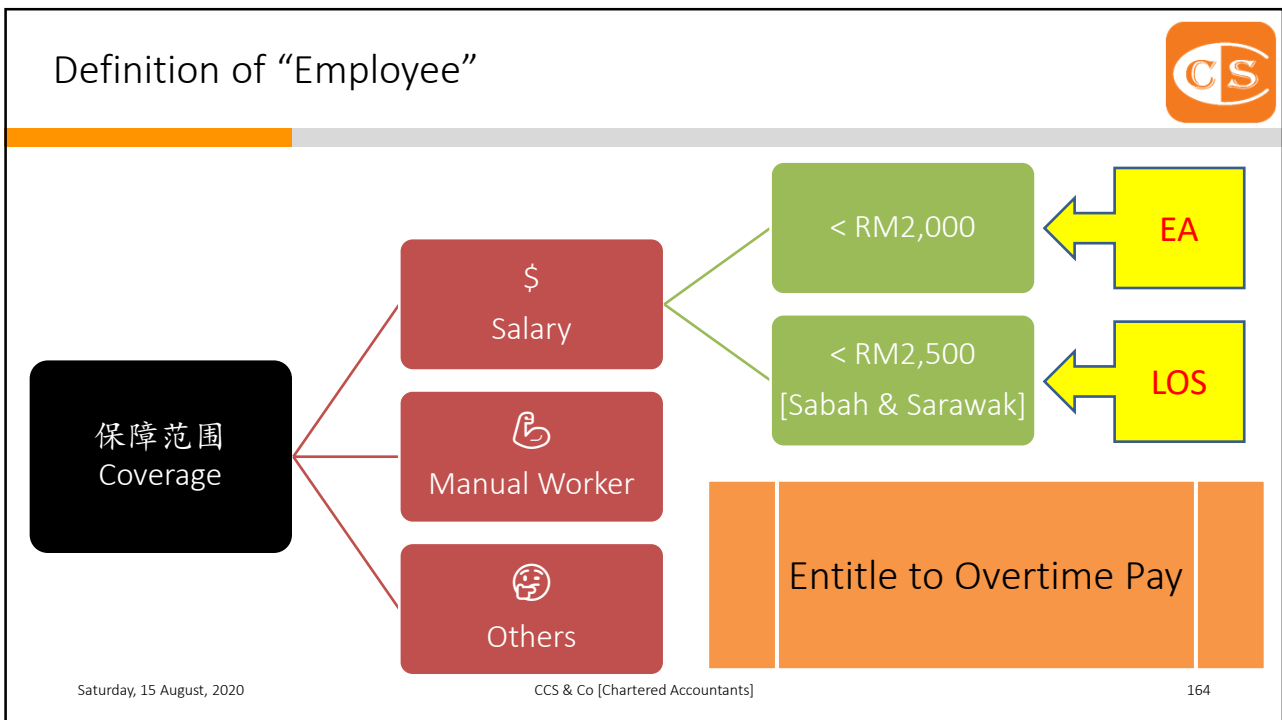
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假设员工需要在休息日工作呢?


What if employee has to work on Rest Days?

我想问问你们啊

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劳工法(3)



计算普通工资 – 月薪
To calculate ORP – Monthly Rate

Name: Jack Ma

- Basic Salary: RM 1,560 per month
- Normal Hours of Work : 8 hours a day
- Work on 26 July 2020 [Rest Day]:
 - For 4 hours
 - For 8 hours

雇主应向雇员支付多少的加班费 How much should an employer pay for Overtime		
发资类型 Type of Pay	工作时间 Hours Of Work	休息日 Rest Day
月薪 Monthly Rate [Normal Hours of Work : 8 hours a day]	首一半的工作时间 First half his normal hours of work i.e. First 4 hours	0.5 * ORP
	接下来的工作时间 Subsequent of his normal hours of work i.e. Next 4 hours	1 * ORP
	超过正常工作时间，每个小时 In excess of the normal hours of work	2 * HRP 【每小时】

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劳工法(3)




计算普通工资 – 日薪
To calculate ORP – **Daily Rate**

Name: Jialat Goh

- Daily Pay: RM 50
- Work 22 days, including:
 - 31 July 2020 [Public Holiday]
 - 26 July 2020 [Rest Day]
- ORP for June** 2020 – RM 52




雇主应向雇员支付多少的加班费
How much should an employer pay for Overtime



发资类型 Type of Pay	工作时间 Hours Of Work	休息日 Rest Day
日薪、时薪 Daily Rate, Hourly Rate [Normal Hours of Work : 8 hours a day]	首一半的工作时间 First half his normal hours of work i.e. First 4 hours	1 * ORP
	接下来的工作时间 Subsequent of his normal hours of work i.e. Next 4 hours	2 * ORP
	超过正常工作时间，每个小时 In excess of the normal hours of work	2 * HRP 【每小时】

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计算普通工资 – 日薪

To calculate ORP – Daily Rate



- (a) In the case of an employee employed on a daily, hourly or other similar rate of pay who works on a **rest day**, he shall be paid for any period of work--
 - (i) which does not exceed half his normal hours of work, one day's wages at the ordinary rate of pay; or
 - (ii) which is more than half but does not exceed his normal hours of work, two **days'** wages at the ordinary rate of pay.



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雇主应向雇员支付多少的加班费

How much should an employer pay for Overtime

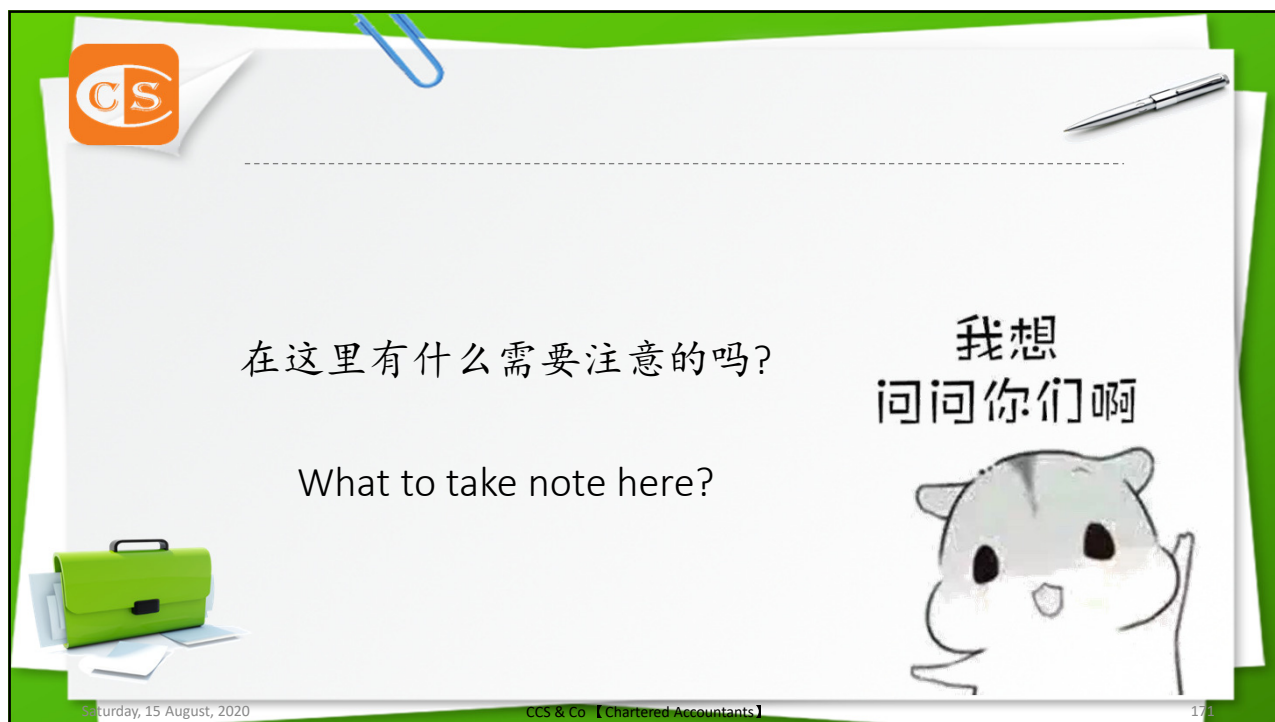


	Peninsular Malaysia and Labuan	Sabah	Sarawak
Legislation	Employment Act 1955	Sabah Labour Ordinance 1950	Sarawak Labour Ordinance 1952
Daily/Hourly	60(3)(a)	104C(2)	105C(2)
Monthly	60(3)(b)	104C(3)	105C(3)
In excess	60(3)(c)	104C(4)	105C(4)

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劳工法(3)



计算普通工资 – 月薪

To calculate ORP – Monthly Rate



Name: Jack Ma

- Basic Salary: RM 1,560 per month
- Normal Hours of Work : 8 hours a day
- Work on 26 July 2020 [Rest Day]:
 - For 1 hour



劳工法(3)



计算普通工资 – 日薪

To calculate ORP – Daily Rate




Name: Jialat Goh

- Daily Pay: RM 50
- Work 22 days, including:
 - 31 July 2020 [Public Holiday]
 - 26 July 2020 [Rest Day]
- ORP for June 2020 – RM 52




劳工法(3)




日薪 – 7月份

Daily Rate – July 2020




Date	Day	Hours	Wages	OT	Date	Day	Hours	Wages	OT
1	Wed	8			16	Thur	8		
2	Thur	8			17	Fri	8		
3	Fri	8			18	Sat – Off			
4	Sat – Off				18	Sun - Rest			
5	Sun - Rest				20	Mon - Leave	/		
6	Mon	8			21	Tue - Leave	/		
7	Tue	8			22	Wed	8		
8	Wed	8			23	Thur	8		
9	Thur	8			24	Fri	8		
10	Fri	8			25	Sat – Off			
11	Sat – Off				26	Sun - Rest	5		
12	Sun - Rest				27	Mon	8		
13	Mon	8			28	Tue	8		
14	Tue	8			29	Wed	8		
15	Wed	8			30	Thur	8		
31	Fri - PH	8							



你好像忘记了以计件
算工资的工人?

Look like you miss out Piece rated
employees?

我想
问问你们啊



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你好像忘记了以计件算工资的工人?

Look like you miss out Piece rated employees?



- For Piece rated employees, it is not necessary to ascertain whether they work less than 1/ day or more than ½ day or exceeding the normal hours of work.



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雇主应向雇员支付多少的加班费

How much should an employer pay for Overtime



	Peninsular Malaysia and Labuan	Sabah	Sarawak
Legislation	Employment Act 1955	Sabah Labour Ordinance 1950	Sarawak Labour Ordinance 1952
Piece Rated	60(3)(d)	104C(5)	105C(5)

An employee employed on piece rates who works on a rest day shall be paid twice his ordinary rate per piece.

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雇主应向雇员支付多少的加班费

How much should an employer pay for Overtime



- An employee employed on piece rates who works on a rest day shall be paid twice his ordinary rate per piece
- The word “piece”, it is not ORP.
- What is important is the number of pieces produced on the rest day.



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劳工法(3)



计算普通工资 – 计件工资制

To calculate ORP – Piece Rate Pay



Name: Fatty Cat

- 5-day workweek
- Daily Pay: RM 48
- Min Output per day: 6 pieces
- Rate of Pay: RM8 per piece
- Output for 26 July 2020 [Rest Day]: 5
- ORP for June 2020: RM54




劳工法(3)



计件工资制 – 7月份 Piece Rate Pay – July 2020




Date	Day	Pieces	Wages	OT	Date	Day	Pieces	Wages	OT
1	Wed	5			16	Thur	7		
2	Thur	7			17	Fri	6		
3	Fri	8			18	Sat – Off			
4	Sat – Off				18	Sun - Rest			
5	Sun - Rest				20	Mon	6		
6	Mon	8			21	Tue	8		
7	Tue	5			22	Wed	8		
8	Wed	6			23	Thur	7		
9	Thur	8			24	Fri	6		
10	Fri	Sick			25	Sat – Off			
11	Sat – Off				26	Sun - Rest	5		
12	Sun - Rest				27	Mon	7		
13	Mon	8			28	Tue	7		
14	Tue	7			29	Wed - Leave	/		
15	Wed	6			30	Thur - Leave	/		
31	Fri - PH	8							




为什么区分“例假”和“休息日”
是非常重要的?

Why it is so important to make such
distinction between
“off” and “rest” day?



我想
问问你们啊



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为什么区分“例假”和“休息日”是非常重要的？
Distinction between “off” and “rest” day?



1. Work on Rest Day



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为什么区分“例假”和“休息日”是非常重要的？
Distinction between “off” and “rest” day?



1. Work on Rest Day

2. Payment for work performed on Rest Day

Why?



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为什么区分“例假”和“休息日”是非常重要的?
Distinction between “off” and “rest” day?



1. Work on Rest Day
2. Payment for work performed on Rest Day
3. Exclusion of work on Rest Day when calculation ORP



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为什么区分“例假”和“休息日”是非常重要的?
Distinction between “off” and “rest” day?



1. Work on Rest Day
2. Payment for work performed on Rest Day
3. Exclusion of work on Rest Day when calculation ORP
4. Exclusion of work on Rest Day in computing the monthly overtime limit



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为什么区分“例假”和“休息日”是非常重要的? Distinction between “off” and “rest” day?



1. Work on Rest Day
2. Payment for work performed on Rest Day
3. Exclusion of work on Rest Day when calculation ORP
4. Exclusion of work on Rest Day in computing the monthly overtime limit
5. Substitution of Public Holidays that fall on a rest day



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W T MOHAMAD ATIKAT WAN SULAIMAN v KOMATRA SAJIAN SDN BHD



- The Claimant commenced work as “Pengurus Outlet” with the Company on 4 April 2018, with a salary of RM 2,250.00 and a telephone allowance of RM 100.00.
- On 18 June 2018, the Claimant reported for duty at about 8.00 a.m. but was prevented from entering the Company’s premises by a Demi-Chef, who acted upon the instruction from the COO.
- On 20 June 2018, the Claimant received a Show Cause letter (“the Show Cause letter”) and he was informed that he was being suspended for 14 days, from duties from of 18 June 2018.

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W T MOHAMAD ATIKAT WAN SULAIMAN v KOMATRA SAJIAN SDN BHD



JUNE 2018						
戊戌(狗)年四月大至五月小	WEEK 22	WEEK 23	WEEK 24	WEEK 25	WEEK 26	RAM - SYW 1439 Ramadan - Syawal 1439
星期日 Sun AHAD	15 RAM 四月二十	16 RAM 四月廿一	17 RAM 四月廿二	18 SYW 五月一	19 SYW 五月二	20 SYW 五月三
星期一 Mon ISNIN	4 四月廿一	5 四月廿二	6 四月廿三	7 四月廿四	8 四月廿五	9 四月廿六
星期二 Tue SELASA	11 四月廿八	12 四月廿九	13 四月三十	14 五月一	15 五月二	16 五月三
星期三 Wed RABU	19 五月五	20 五月六	21 五月七	22 五月八	23 五月九	24 五月十
星期四 Thu KHAMIS	26 五月十一	27 五月十二	28 五月十三	29 五月十四	30 五月十五	31 五月十六
星期五 Fri JUMAAT	3 五月十七	4 五月十八	5 五月十九	6 五月二十	7 五月二十一	8 五月二十二
星期六 Sat SABTU	10 五月廿四	11 五月廿五	12 五月廿六	13 五月廿七	14 五月廿八	15 五月廿九

The Company approved four days of leave, from 11 to 14 June 2018, for the Claimant in order to celebrate Hari Raya Aidilfitri.

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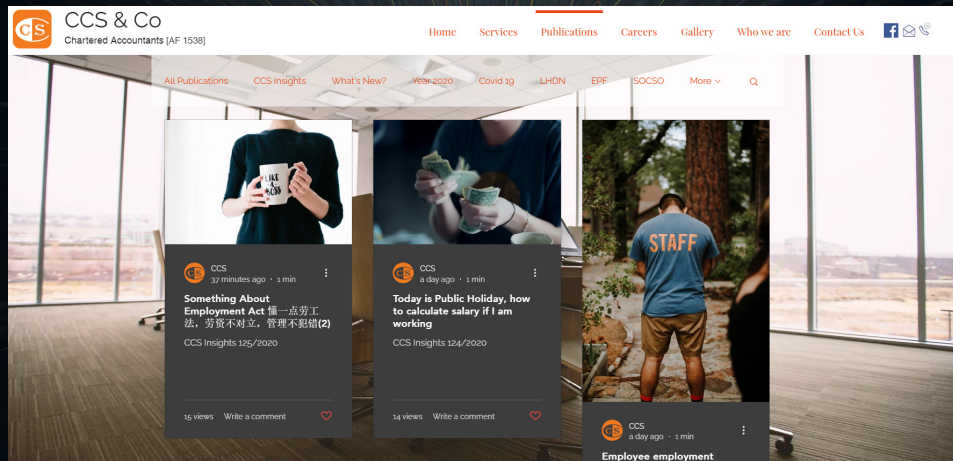


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