

MECA CENTRE FOR INDUSTRIAL RELATIONS SDN BHD

MECA PUBLIC COURSES

APRIL 2013

- ❖ **PERSONAL DATA PROTECTION ACT 2010 & WHISTLEBLOWER PROTECTION ACT 2010**
By Mr Dharmen Sivalingam
18 April 2013 AT EASTIN HOTEL, PETALING JAYA
- ❖ **MINIMUM RETIREMENT AGE ACT & MINIMUM WAGES ORDER**
By Mr Victor Gan
23 April 2013 AT EASTIN HOTEL, PETALING JAYA
- ❖ **UNDESTANDING EMPLOYERS RIGHTS**
By Mr Victor Gan
25 & 26 April 2013 AT EASTIN HOTEL, PETALING JAYA

COURSE FEES	One Day Course	Two Day Course
Early Bird Rate	: RM 795.00	RM 1195.00
Normal Rate	: RM 850.00	RM 1250.00
Group Discount	: RM 25.00	RM 45.00

- To qualify for Early Bird Rate, payment should be received **5 days** before the course;
- Group Discount are applicable should your organisation register **2 or more** participants;
- Financial assistance is available from **PSMB** under the **SBL Scheme**;

NOMINATION FORM

MECA FAX: 03-7877 8716

TEL: 03-7877 8714

Title of Course: _____ Date: _____

Name of Participant(s) (1) _____ (2) _____

(3) _____ (4) _____

Company's Name: _____

Company's Address: _____

Phone No: _____ Mobile No: _____ Facsimile No: _____

Email: _____ Contact Person: _____

COURSE CONTENT

Personal Data Protection Act 2010 (PDPA)

Introduction to the PDPA ;

- Overview of the PDPA
- Understanding Key Provisions
- Dealing with the various parties
- Data User
- Data Processor
- Data Subject
- How to deal with Sensitive Personal Data
- Procedures to be put in place to safeguard our organisation

PDPA Issues-Based for Business (teamwork)

- Consent in business transactions
- Notification in data processing
- Subject Access Request for data subjects in business
- Data Security for companies ranging from start up to conglomerate
- Data transfer in global business setting

Data Protection Formality and Enforcement

- The ideal data protection team
- Beyond ticking in the box exercise
- Who's who in enforcement
- Formality and enforcement strategies
- Global formality and enforcement

DEALING WITH THE 7 PRINCIPLES

Rule 1: GENERAL PRINCIPLE

Consent from data subject must be fairly and lawfully obtained before processing personal data.

Rule 2: NOTICE & CHOICE PRINCIPLE

The data subject must be made aware of the collection of the personal data.

Rule 3: DISCLOSURE PRINCIPLE

No personal data that is being processed or stored shall be disclosed save with the consent of the related data subject.

Rule 4: SECURITY PRINCIPLE

Practical steps are in operation to protect personal data from any loss, misuse, modification, unauthorized or accidental access or disclosure, alteration or destruction.

Rule 5: RETENTION PRINCIPLE

The personal data processed for any particular purpose shall only be kept for the duration of its intended purpose only.

Rule 6: DATA INTEGRITY PRINCIPLE

A data user shall take reasonable steps to ensure that the personal data is accurate, complete, not misleading and kept current by having regard to the purpose, including any directly related purpose.

Rule 7: ACCESS PRINCIPLE

A data subject shall be given access to correct his personal data where it is inaccurate, incomplete, misleading or not current.

Whistleblower Protection Act 2010

- Purpose behind the WBPA
- Overview of the WBPA
- Understanding Key Provisions
- Dealing with the various parties
- Whistle blower Protection mechanism
- Disclosure of Improper Conduct
- Protection of Confidential Information
- Immunity Provisions
- Dealing with Detrimental Actions
- Personal Liability
- Investigation & Enforcement
- Offences & Penalties
- Remedies

COURSE CONTENT

MINIMUM RETIREMENT AGE ACT 2012

- Effective date
- Interpretation
- Minimum Retirement Age, Premature Retirement, Optional Retirement
- Invalidity of term of contract of service and collective agreement
- Director General's Power
- Reference to High Court and question of law
- Appeal
- Non-compliance with direction of Director General
- Power to require attendance of persons acquainted with case
- Power to require production of document
- Exercise of Director General's powers by labour officer
- Prosecution, Compounding of Offences & Exemption
- Power to make regulations

MINIMUM WAGES ORDER 2012

- Effective date
- Non application
- Minimum wage rates
- Minimum wage rate for probationers
- Negotiation of restructuring of wages
- Revocation and savings

UNDERSTANDING EMPLOYERS RIGHTS

EMPLOYMENT ACT 1955

- Who comes under the scope of the Act?
- What is manual labour?
- Breach of contract
- Employers' rights in dealing with acts of misconduct
- Application and interpretation of S.15(2)
- Legal definition of wages
- Entitlement to wages during wrongful imprisonment
- Employment of women at night
- Maternity leave
- Rest days, hours of work and public holidays
- Annual leave, sick leave and ordinary rate of pay
- Calculation of deduction for unpaid leave
- Termination benefits
- Practical exercises

INDUSTRIAL RELATIONS ACT 1967

- Rights of workmen and employers
- Leave on trade union business
- Employers right to provide information to workers on a trade dispute
- Claim for recognition
- Collective bargaining and collective agreements
- Management rights
- Conciliation at the industrial relations office
- Procedure where worker is claiming to have been dismissed without just cause
- Role of the Industrial Court
- Reference of trade disputes to Industrial Court
- Interpretation and variation of awards and collective agreements
- Appealing against an award
- Illegal strikes
- Picketing
- Non compliance complaints