

# Domestic Inquiry

29<sup>th</sup> & 30<sup>th</sup> October 2008  
Vistana Hotel (Poolside Meeting Room)  
9, Jalan Lumut  
9.00 am - 5.00pm

Discipline at the workplace is important in any organization. While the vast majority of employees are well disciplined there are some exceptions to the rule that are a perpetual source of problems. Others may also breach company rules and regulations whether deliberately or through sheer negligence. Whatever the cause, these breaches of discipline have to be dealt with swiftly and firmly. However, failure to observe basic rules and procedures in investigating or holding an inquiry will be a waste of manpower, time, money and reputation which could lead to distasteful events.

## OBJECTIVE

This two day programme is designed to provide participants with the knowledge and ability to draft management letters, craft effective questions, write accurately the statements by witnesses and accused persons, and prepare the Notice of Inquiry. At the end of the workshop, participants will also be able to write concise Domestic Inquiry reports and to unravel the procedural tangles of domestic enquiry.

## TOPICS

### Actions Prior to a Domestic Inquiry

The Appropriate Inquisition & collecting of evidence.

## TO BE

### Holding a Domestic Inquiry

The role of the Participants and procedures.

## EXPOSED

### After the Domestic Inquiry

Choosing an appropriate penalty

### Who should participate?

- Business Owners/Company Directors
- Managers
- Head of Departments
- HR Manager/Executives

Participation fee : RM 1,500.00  
Early Registration discount : 10 %  
Group discount for 3 person or more : 15 %

Organiser:



**My Events Sdn. Bhd.**

Tel: +603 2035 5777 Fax: +603 2035 5797  
www.myevents.com.my

Amongst HR practitioners, the word Domestic Inquiry or DI is not uncommon. Often, whenever an employee is said to have committed misconduct, the first solution is to sack or dismiss the employee. Consequently, the employer might be hauled up to the Labour Office or Industrial Court when the employee files for wrongful or unfair dismissal, or unjust cause. As the onus rests on the employer to prove that a dismissal is just and fair, employers need to be mindful of not making hasty decisions of sacking an employee without justification unless they are prepared to face the consequences which could mean having to reinstate or pay the employee compensation. Often, the employee is in fact guilty but the employer loses the case in the Industrial Court merely because the employer had failed to follow proper procedures and kept no formal records to justify their case. Therefore the Domestic Inquiry procedure is compromised by weak and/or ineffective documentation. Hence, holding a proper Domestic Inquiry and documenting the proceedings of the DI is most advisable to HR practitioners. We believe that this training session will not only provide participants with the opportunity to learn more about the intricacies of a Domestic Inquiry but also to clarify on the many HR issues they have encountered at their workplace.

As mentioned above, the importance of conducting a proper domestic inquiry cannot be underestimated as the costs involved can vary substantially from thousands to possibly hundreds of thousands of ringgit. This training will teach employers how to build a firewall towards unfair industrial court action. All company staffs who is involved, including witnesses, must convene and discuss the issue before appearing at:

- Industrial Relations Department, Regional Office,
- Industrial Relations Department, Headquarters and
- The Industrial Court

The losses to the company can be direct and indirect.

1. Time lost in being present at the above mentioned places
2. The legal fees involved
3. The possible reinstatement and payment of back wages of the dismissed employee
4. The loss of focus and concentration for the staff involved each time when they have to be present at the above mentioned places.

Therefore this workshop is designed to provide a detailed step by step explanation of the various stages involved in the inquiry. These include:

- apprehension of misconduct
- framing of charge
- appointment of panel
- hearing of charge
- decision
- report
- punishment

It is recommended that this workshop be attended by all senior managers of your organization including managers, executives and supervisors as well as all human resource personnel.

## DAY 1 Training Itinerary

8.00 am	<ul style="list-style-type: none"> <li>• <b>Registration</b></li> </ul>
8.30 am	<ul style="list-style-type: none"> <li>• <b>Why and When a Domestic Inquiry Is Necessary</b></li> <li>• <b>Discipline and Employment Misconduct</b></li> <li>• <b>Misconduct relating to:</b> <ul style="list-style-type: none"> <li>- Duty</li> <li>- Discipline</li> <li>- Morality</li> </ul> </li> </ul>
10.30 am	<ul style="list-style-type: none"> <li>• <b>Tea Break</b></li> </ul>
10.45 am	<ul style="list-style-type: none"> <li>• <b>Condonation</b> <ul style="list-style-type: none"> <li>- What is Condonation</li> <li>- Concept of Condonation</li> <li>- Effect of Condonation</li> <li>- Prevention of Condonation</li> </ul> </li> <li>• <b>Preliminary Investigation</b> <ul style="list-style-type: none"> <li>- Condonation</li> <li>- Purpose of investigation</li> <li>- Methodology of investigation</li> <li>- Common defects in investigation</li> </ul> </li> <li>• <b>Framing of Charges</b> <ul style="list-style-type: none"> <li>- Drafting of charge</li> <li>- Service of charge</li> <li>- Methodology of investigation</li> <li>- Common defects in charges</li> </ul> </li> </ul>
	<ul style="list-style-type: none"> <li>• <b>Case Study &amp; Exercise On Framing of Charges</b></li> </ul>
1.00 pm	<b>Lunch</b>
2.00 pm	<ul style="list-style-type: none"> <li>• <b>The Holding of A Domestic Inquiry</b> <ul style="list-style-type: none"> <li>- Inquiry Officer / Board of Inquiry</li> <li>- Role of Prosecution Officer</li> <li>- Role of Trade Union Officials</li> <li>- Preliminaries to commencement</li> <li>- Application for extension of time / failure to attend</li> <li>- Ex-parte Inquiry</li> </ul> </li> </ul>
3.15 pm	<ul style="list-style-type: none"> <li>• <b>Tea Break</b></li> </ul>
3.30 pm	<ul style="list-style-type: none"> <li>• <b>Con'td</b> <ul style="list-style-type: none"> <li>- The conduct of Domestic Inquiry</li> <li>- Consideration for Panel of Inquiry</li> <li>- Findings and Grounds</li> <li>- Notes of Inquiry</li> <li>- Punishment</li> </ul> </li> <li>• <b>Exercise On Recording of Domestic Inquiry Proceedings</b></li> </ul>
5.00 pm	<ul style="list-style-type: none"> <li>• <b>Adjournment</b></li> </ul>

## DAY 2 Mock Hearing

9.00 am	<ul style="list-style-type: none"> <li>• <b>Briefing</b></li> </ul>
9.15 am	<ul style="list-style-type: none"> <li>• <b>Preparation for Mock Inquiry</b> <ul style="list-style-type: none"> <li>- Group One &amp; Group Two</li> </ul> </li> </ul>
10.45 am	<ul style="list-style-type: none"> <li>• <b>Tea Break</b></li> </ul>
11.00 am	<ul style="list-style-type: none"> <li>• <b>Domestic Inquiry Case (1)</b> <ul style="list-style-type: none"> <li>(Mock Hearing)</li> </ul> </li> </ul>
1.00 pm	<ul style="list-style-type: none"> <li>• <b>Lunch Break</b></li> </ul>
2.00 pm	<ul style="list-style-type: none"> <li>• <b>Domestic Inquiry Case (2)</b> <ul style="list-style-type: none"> <li>(Mock Hearing)</li> </ul> </li> </ul>
4.00 pm	<ul style="list-style-type: none"> <li>• <b>Panel Discussions</b></li> </ul>
4.30 pm	<ul style="list-style-type: none"> <li>• <b>Presentation of Certificates &amp; Closing Comments</b></li> </ul>
5.00 pm	<ul style="list-style-type: none"> <li>• <b>Tea</b></li> <li>• <b>Close</b></li> </ul>

### \*Methodology

Experiential learning through case studies, mock enquiry, group discussion and lectures.

## **Facilitator's Profile**

Dr.Wahab Salleh

Dr.Wahab obtained his PhD from USA with a major in Human Resource. He is a retired Senior Officer of the Ministry of Human Resources. Prior to his retirement he has held the positions of Senior Director of Labour and has a vast experience of more than 30 years service under the Ministry.

Dr.Wahab had presided over hundreds of Labour Court Cases and was made prosecuting officer in the Magistrate and Sessions Courts. He is also a labour investigator on various complaints pertaining to employment issues.

Dr.Wahab experience covers the entire spectrum of Human Resource, Industrial Relations and Administration Management. He has also successfully represented various companies in labor and industrial relations arbitration as well as leading the management team in Collective Bargaining negotiations. At the current moment he represents numerous Korean offshore companies, MNC and local company in Malaysia.

Dr.Wahab is the Human Resource Advisor at Samsung Group of Companies, Consultant and Trainer for Ministry of Industry & Primary Resources and Labour Department, Negara Brunei Darussalam, the International Project Advisor of Aricom Technology Berhad (Vietnam, Cambodia, Indonesia and Brunei), the Corporate Consultant of T&D Co. Ltd (Vietnam), the Chief Executive Officer of Montage Human Capital Sdn Bhd. He holds the position of Deputy President of Malaysian Association of Human Resource Consultants.



# Domestic Inquiry

29<sup>th</sup> & 30<sup>th</sup> October 2008



## REGISTRATION FORM

Names	Designation	RM
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
Total Amount (RM)		=====
Company/Organization: _____		
Address: _____		
_____		
Telephone: _____		Fax: _____
Email: _____	Contact Person: _____	

### Participation fee

- Fee is RM 1,500.00 per person inclusive of lunch and tea break
- Early registration is entitled for 10% discount
- Group discount for 3 person or more : 15%

### PAYMENT:

Payments are to be made to Account No: **14081202549056** CIMB Bank in favour of My Events Sdn. Bhd.  
 A copy of the transfer slip should be faxed to our fax number - **+603 2035 5797** together with this form or you can pay by cheque made in favour of My Events Sdn. Bhd. and mail this form together with your cheque to:

### My Events Sdn Bhd

Lot 3.03, Level 3, Bangunan KWSP,  
 Changkat Raja Chulan, Off Jalan Raja Chulan  
 50200 Kuala Lumpur  
 Tel: +603 2035 5777  
 Fax: +603 2035 5797

### Cancellation

If you are registered and wish to cancel your participation, we will refund your payment if the cancellation is done 2 weeks before the event. If you cancel your participation ONE week before the event - a 50% refund will be given. Less than 7 days before the event no refund but a set of conference documentation will be given.