



**KOLEJ YAYASAN PELAJARAN JOHOR
FINAL EXAMINATION**

COURSE NAME : EMPLOYMENT LAW
COURSE CODE : DHR2133
EXAMINATION : JANUARY 2024
DURATION : 3 HOURS

INSTRUCTION TO CANDIDATES

1. This question paper consists of **TWO (2)** parts:
PART A (20 Marks)
PART B (80 Marks)

2. Candidates are not allowed to bring any material to examination room except with the permission from the invigilator.

3. Please check to make sure that this examination pack consist of:
 - i. The Question Paper
 - ii. An Objective Answer Sheet
 - iii. An Answer Booklet
 - iv. Employment Act 1955

DO NOT TURN THIS PAGE UNTIL YOU ARE TOLD TO DO SO

*This examination paper consists of **11** printed pages including front page*

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PART A

This part consists of **TWENTY (20)** questions.

Answer All questions in Objective Answer Sheet.

1. What is an employment contract?
 - A A document that outlines the employee's job responsibilities.
 - B An agreement that guarantees lifetime employment for the employee.
 - C A contract that can be terminated by either party at any time without consideration.
 - D A legally binding agreement between an employer and employee that outlines the terms and conditions of their working relationship.

2. In which year was the Employment Act enacted?
 - A 1967
 - B 1955
 - C 1969
 - D 1957

3. Wilda is an operator in a factory and has been working there for 3 years. She later accepted an offer to work in another factory that that give more advantages to her. Based on the situation, which of the following statements is true?
 - A Wilda must give ten week's notice of termination.
 - B Wilda must give six week's notice of termination.
 - C Wilda must give four week's notice of termination.
 - D Wilda must give eight week's notice of termination.

4.

Manager	: Arief, I want you to find an outside contractor to clean our company's building area.
Arief	: Okay. May I know how long you need the contractor to do the cleaning work?
Manager	: I want the cleaning work to be done in just 3 weeks.
Arief	: Alright, Sir.

Dialogue 1

Based on **Dialogue 1**, why did the employer agree to hire an outside contractor to do cleaning work for his company?

- i. Payment is made based on the work done.
- ii. Reducing the cost of expenses required to run a business.
- iii. Discipline problems and absenteeism are easily controlled.
- iv. Requires preparation costs because the contractor does not have experience in performing the task.

- A** i, ii dan iii
B i, iii dan iv
C ii, iii dan iv
D i, ii, iii dan iv

5.

Every employer must pay wages to his employees no later than the 7th day after the last day of any wage period. However, at the employer's request, the Director General can extend the period if there is a reasonable reason.

Statement 1

Which of the following sections is related to the **Statement 1**?

- A** Section 16(1) Employment Act 1955
B Section 17(1) Employment Act 1955
C Section 18(1) Employment Act 1955
D Section 19(1) Employment Act 1955

6. Ashraf had to be laid off because his employer could not afford to continue his business operations. The period of payment of severance benefits to be made by Ashraf's employer following the termination of service to Ashraf is
- A 7 days after from the termination date.
 - B 14 days after from the termination date.
 - C 16 days after from the termination date.
 - D 21 days after from the termination date.
7. The employer has no authority to deduct the wages of any employee. However, deduction of employee wages is allowed for certain purposes as provided in section 24 (2) of the Employment Act 1955 which are
- i. deduction due to overpayment by employer.
 - ii. deductions for reimbursement of wage deductions.
 - iii. deductions because the employer cannot afford to pay.
 - iv. deductions upon the employee's written request to pay fees.
- A i,ii and iii
 - B i,ii and iv
 - C i,iii and iv
 - D i,ii,iii and iv
8. Kumari is a new employee who is working as a Human Resource Executive. She is confused about the public holidays that every company requires. One of the mandatory public holidays required in the Employment Act 1955 is
- A Hari Hol.
 - B Hari Gawai.
 - C Hari Pekerja.
 - D Hari Raya Haji.
9. Which of the following situations is **NOT** allowed by the Act for employees to work beyond the limitation hours?
- A Profit
 - B Emergency
 - C National defence
 - D Needs of the community

10. The limitation on advance wages as provided under section 22 of the Employment Act 1955 stated that where employers are prohibited from giving advance wages in excess of one month's salary to employees except for the following purposes:
- i. To buy land
 - ii. To buy poultry
 - iii. To buy a house
 - iv. To buy a motorcycle
- A i,ii and iii
B i,ii and iv
C i,iii and iv
D i,ii,iii and iv
11. What are common examples of disciplinary actions at the workplace?
- A Counselling session, probation, and pay cuts.
B Demotion, salary reduction, and reassignment.
C Performance improvement plans, fines, and demerits.
D Verbal warnings, written warnings, suspension, and termination.
12. What is the purpose of disciplinary action taken under employment law?
- A To promote a positive work environment.
B To reward employees for good performance.
C To provide opportunities for professional development.
D To address and correct employee misconduct or performance issues.
13. Identify which of the following actions are said to be honest and trustworthy?
- i. Not making any secret profits.
 - ii. Self-interest which does not conflict with duty.
 - iii. Comply with the employer's instructions.
 - iv. Keep confidential information of the employer.
- A i and ii
B ii and iii
C i,iii and iv
D ii,iii and iv

14. Which of the following situations illustrates the misconduct of provocation?
- A Basri does corruption without prejudice.
 - B Basri argued with the manager and slapped his face.
 - C Basri established a relationship with his manager personally.
 - D Basri stole the company's money without his manager noticing it.

15.

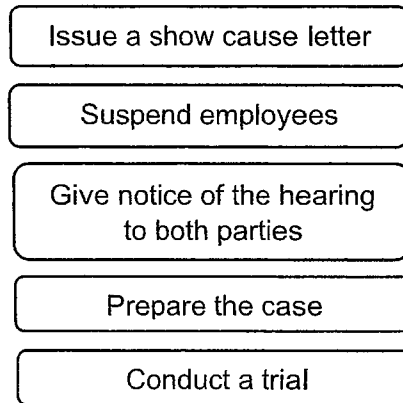


Figure 1

Which of the following principles is used when implementing the process in **Figure 1**?

- A *Res ipsa loquitur*
 - B *Audi alteram partem*
 - C *Lex iniusta non est lex*
 - D *Ignorantia juris non excusat*
16. Mr. Farhan is the manager of an Islamic bank and was arrested for falsifying documents in a large-scale operation by the Johor Islamic religious department. Which of the following actions can be taken by the Human Resource Manager?
- A Cut Mr. Farhan's salary.
 - B Reporting to the Trade Union.
 - C Conduct an internal investigation.
 - D Report to the employer's department.

17. The following payments are liable for Employee Provident Fund (EPF) contributions except
- A reward.
 - B commission.
 - C travel allowance.
 - D overtime payment.
18. What is the percentage of the Employee Provident Fund (EPF) deduction that will be contributed by the employer if the employee's wages are RM3000?
- A 9%
 - B 11%
 - C 12%
 - D 13%
19. SOCSO is mandated to provide treatment guarantees, rehabilitation facilities and protection to workers who are involved in accidents during the course of work. Which of the following is not an Act involved in the implementation of SOCSO?
- A Employees Social Security Act 1967
 - B Employees Social Security Act 1969
 - C Employment Insurance System Act 2017
 - D Self-Employment Social Security Act 2017
20. Mr. Omar is 49 years old and plans to make an EPF withdrawal for the purpose of building his home. What type of EPF withdrawal can Mr. Omar apply for?
- A Full withdrawal
 - B Part withdrawal
 - C Age 50 withdrawal scheme
 - D House building production scheme

PART B

This part consists of **EIGHT (8)** questions.

Answer ALL questions in Answer Booklet.

QUESTION 1

Every employer must complete salary payments to employees within 7 days after the last day of any wage period (with the exception of overtime, which must be paid not later than the last day of the next wage period). Wage periods are typically one month, but may vary with employment contracts.

Explain the meaning of wages or salaries based on the provisions under the Employment Act 1955.

(10 marks)

QUESTION 2

Mrs. Latifa has worked in a company for 4 years. The following are the wages that she has received for the past 4 years.

Year 1- RM30,000

Year 2- RM33,600

Year 3- RM36,000

Year 4- RM37,200

Statement 2

Based on **statement 2**, calculate the termination benefits that Mrs. Latifa will receive.

(? marks).

Questions 3-4 are based on the sample offer letter below

MELUR COMPANY NO.11 Jalan Jambu Taiping, Perak Telephone: 05-200 5000 Fax: 05-255 0190	
	Ref.:JLD10.22(2) Date: 24 November 2023
Mr. Mahmoud 14, Taman Gembira Johor Bahru, Johor	
Sir, POSITION OFFER AS ADMINISTRATIVE CLERK We are pleased to offer the position of Administrative Clerk in our company starting January 1, 2024 until December 31, 2024. Terms and conditions services are as follows:	
Wages and salaries	: RM1,800 monthly.
Working hours	: Monday-Friday 9.00am-6.00pm Rest hour 1.00pm-1.45pm
Annual leave / Medical leave	: Not entitled to annual leave or sick leave.
Public holiday	: Eligible for public holidays
EPF deduction	: Follow the set rate
Insurance	: Group accident insurance provided
Termination service notice	: During the probationary period , if you want to terminate the service, you are requested to send a notice within a period of seven (7) days. The company can terminate your service with notice within 24 hours. Upon confirmation, the notice of termination is one (1) month before the termination date. If you accept this offer, you must sign two copies this appointment letter. Thank you
Yours sincerely, <i>Azli</i> Human Resource Manager	

Sample offer letter

QUESTION 3

Explain the rights of Mr. Mahmoud if he takes an annual leave during his service period.

(10 marks)

QUESTION 4

Mr. Mahmoud is asked to work on two (2) Saturdays from 9.00 am to 6.00 pm. He has also worked overtime after 6.00 pm on a normal day for 4 hours.

Calculate the amount of salary that the employer has to pay to Mr. Mahmoud in January 2024.

(10 marks)

QUESTION 5

Explain the principle of *nemo iudex in causa sua* and give **two (2)** cases to support your answers.

(10 marks)

QUESTION 6

How does the principle of *audi alteram partem* applies in domestic investigation procedures?

(10 marks)

QUESTION 7

The Employees Provident Fund (EPF) is one of the world's oldest provident funds. Established in 1951, they help the Malaysian workforce to save for their retirement in accordance to the Employees Provident Fund Act 1991.

Explain **five (5)** types of schemes offered by The Employees Provident Fund (EPF).

(10 marks)

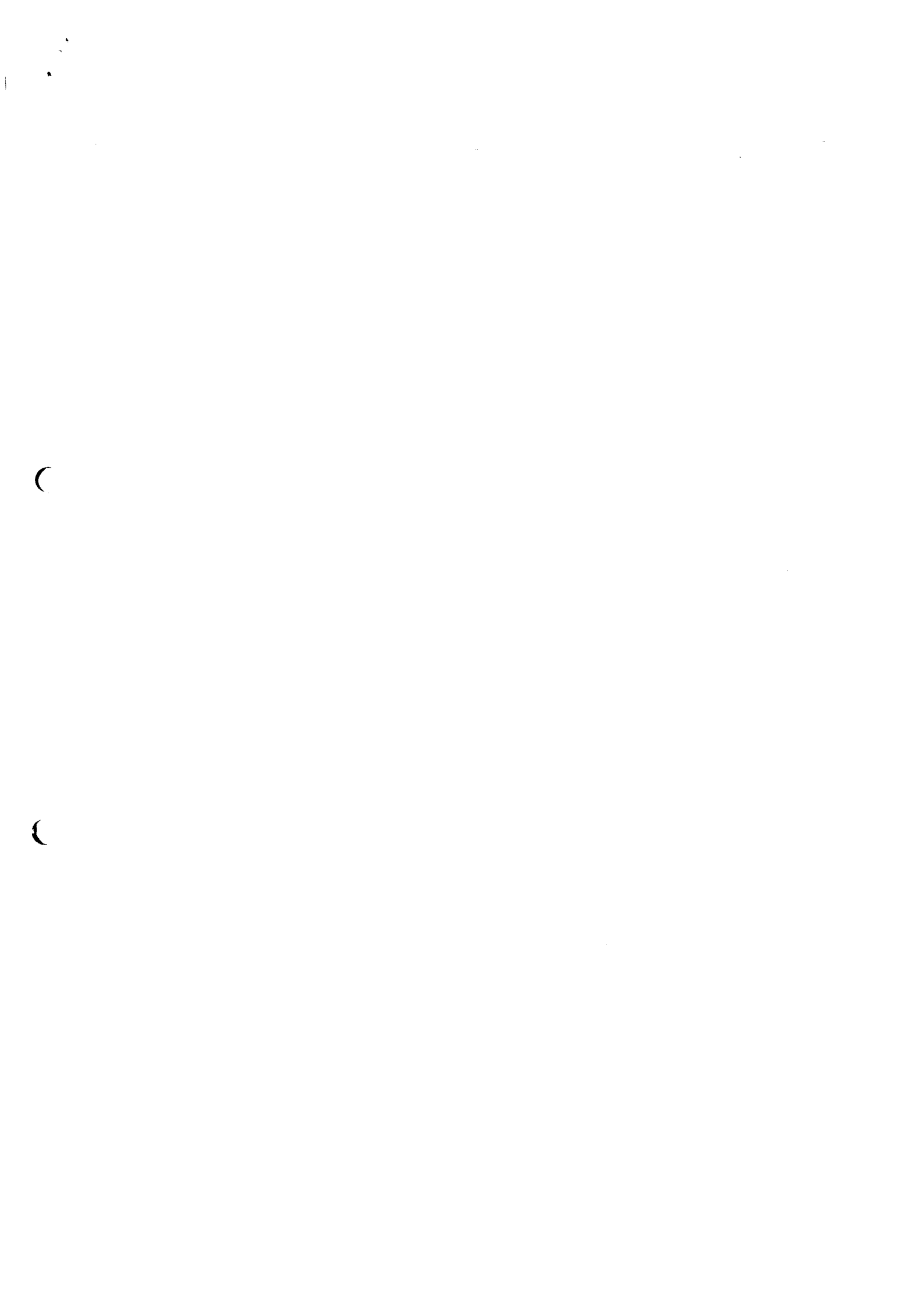
QUESTION 8

Mr. Roland is a long-time employee at PandaFood Company. While delivering food, he had an accident that resulted in the loss of both of his legs. As a Human Resources Officer at PandaFood Company, identify the benefits that Mr. Roland can receive.

(10 marks)



END OF QUESTIONS PAPER



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