

REPORTED CASES 2015 - 2019*

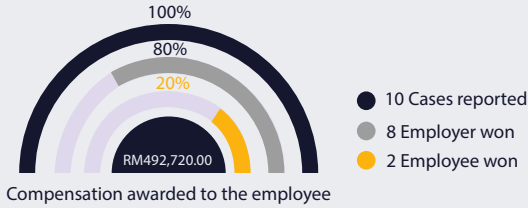
Kuala Lumpur

*Reported Cases In Labourlawbox

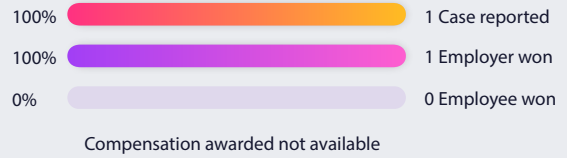


2015

Retrenchment cases

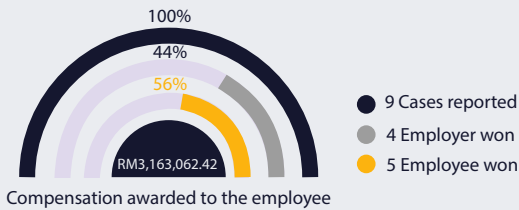


VSS cases

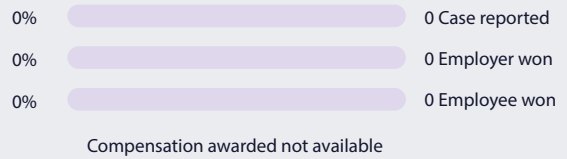


2016

Retrenchment cases

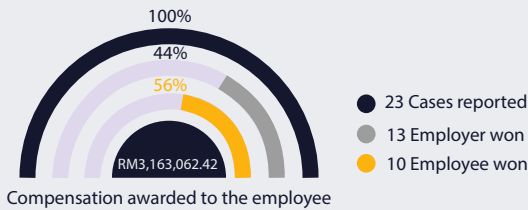


VSS cases

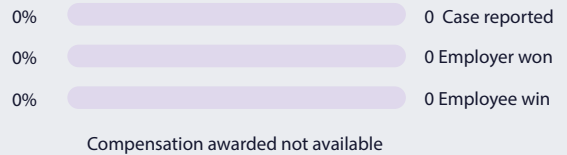


2017

Retrenchment cases

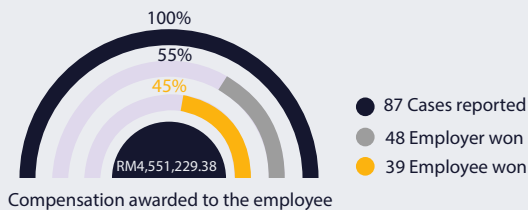


VSS cases

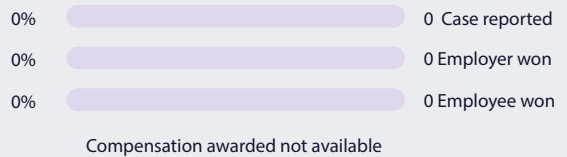


2018

Retrenchment cases

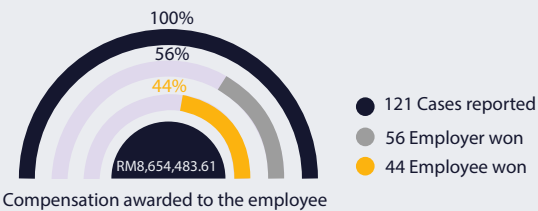


VSS cases



2019

Retrenchment cases



VSS cases



Total compensation
/ no. of cases won by employees

RM 8,207,011.80 ÷ 109 cases = RM 75,293.69

Why employers won ?

- The dismissal process was fairly done according to procedure.
- There was indeed financial difficulties.
- Clear misconduct by the employee.

Why employers lost ?

- Let's take out the first point as that is the conclusion of losing.
- Dismissal not according to procedure.
- No evidence that the company was facing financial difficulties.

REPORTED CASES 2015 - 2019*

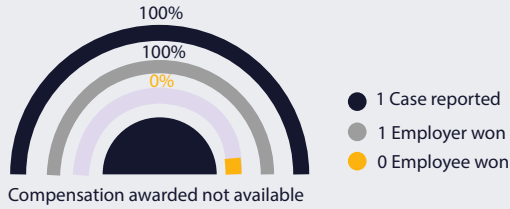
Johor

*Reported Cases In Labourlawbox

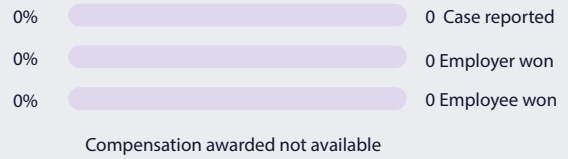


2015

Retrenchment cases

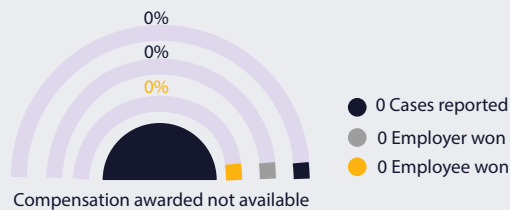


VSS cases

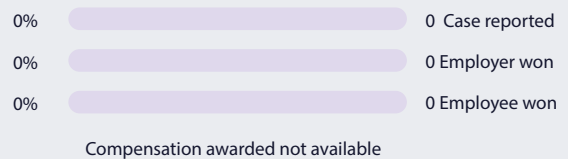


2016

Retrenchment cases

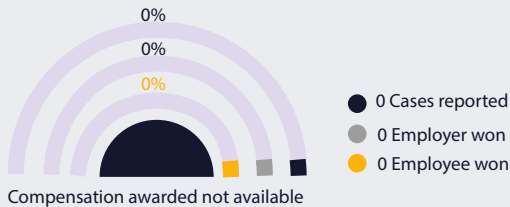


VSS cases

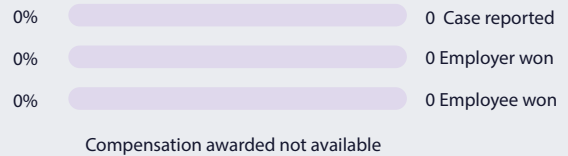


2017

Retrenchment cases

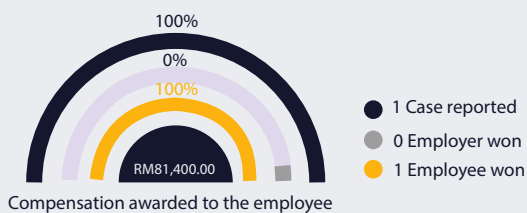


VSS cases

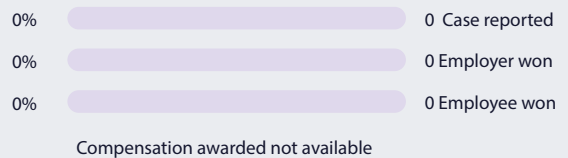


2018

Retrenchment cases

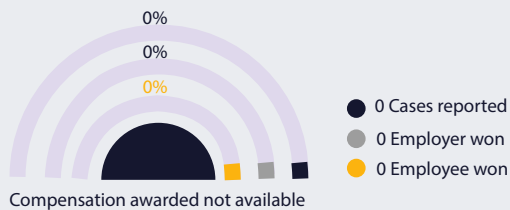


VSS cases

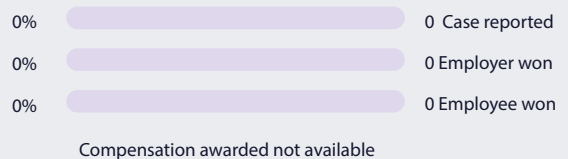


2019

Retrenchment cases



VSS cases



Why employers won ?

- There was evidence of financial difficulties due to the economic conditions.
- The employees could not be placed elsewhere.
- No subsidiary to transfer employees too.

Why employers lost ?

- Company could not prove that the role was redundant.
- Company could not rebut evidence that there were tasks of the employee that remained.

REPORTED CASES 2015 - 2019*

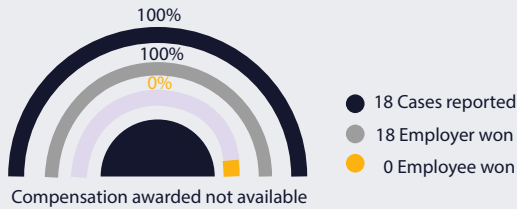
Penang, Alor Setar & Langkawi

*Reported Cases In Labourlawbox

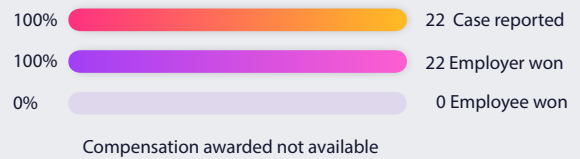


2015

Retrenchment cases

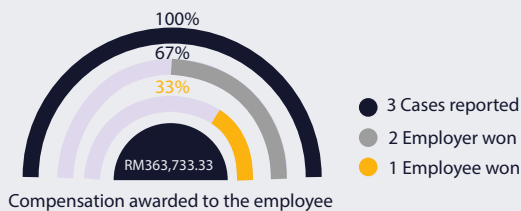


VSS cases

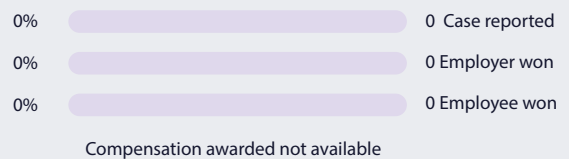


2016

Retrenchment cases

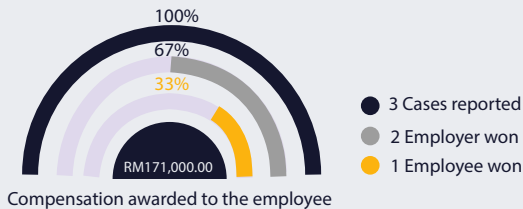


VSS cases

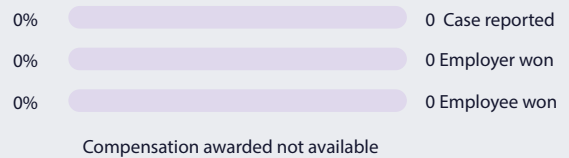


2017

Retrenchment cases

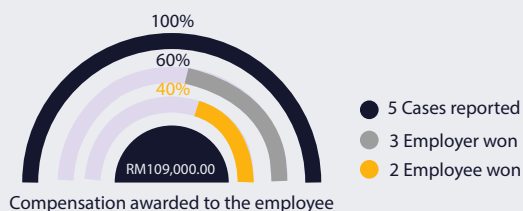


VSS cases

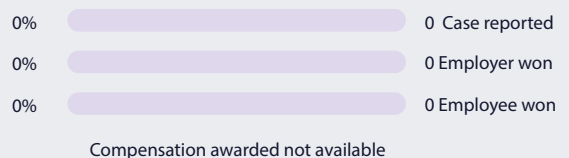


2018

Retrenchment cases

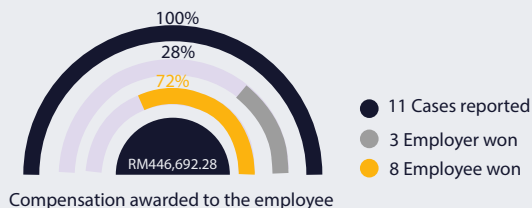


VSS cases

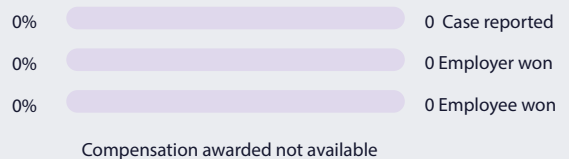


2019

Retrenchment cases



VSS cases



Why employers won ?

- Fair procedure complied with and there were no ulterior motives.
- Financial difficulties were prevalent.
- Company treated employees fairly with severance package

Why employers lost ?

- The retrenchment procedure was discriminatory in nature (had ulterior motives).
- Insufficient evidence/proof of redundancy, restructuring or Company was facing financial difficulties.
- The selection process was unfair.

REPORTED CASES 2015 - 2019*

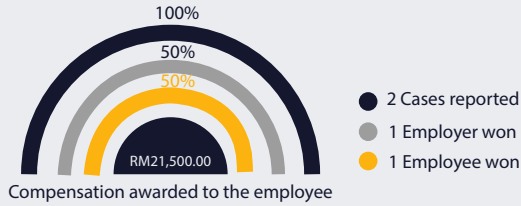
Ipoh

*Reported Cases In Labourlawbox

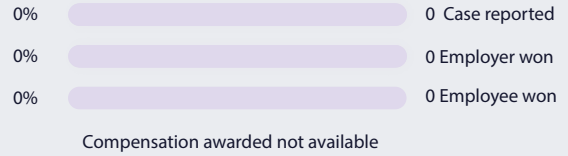


2015

Retrenchment cases

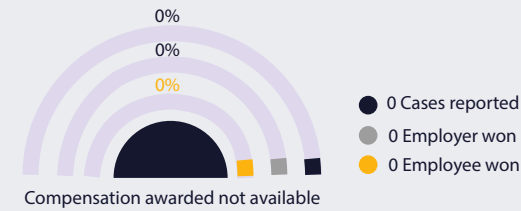


VSS cases

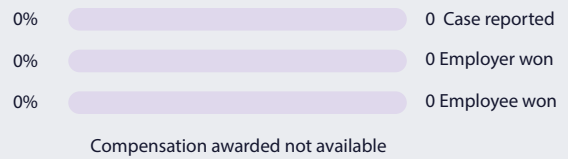


2016

Retrenchment cases

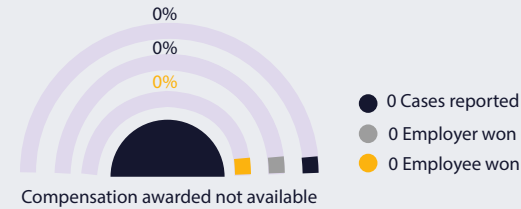


VSS cases

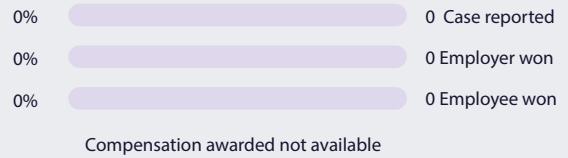


2017

Retrenchment cases

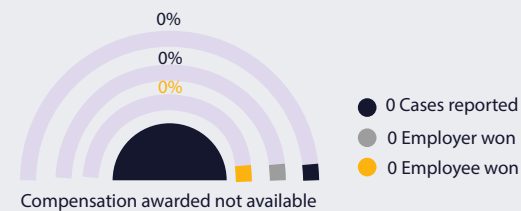


VSS cases

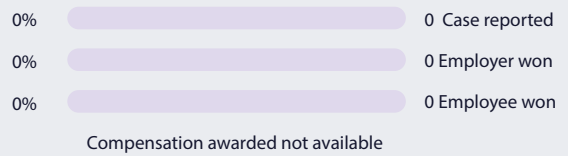


2018

Retrenchment cases

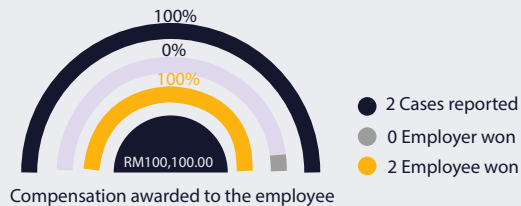


VSS cases

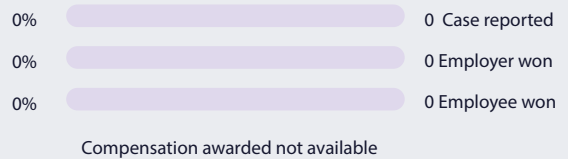


2019

Retrenchment cases



VSS cases



Why employers won ?

- Company proved the particular department was outsourced.
- Complaint to JPP was only made 2 months after the termination, hence after thought.
- No proof of mala fide.

Why employers lost ?

- Evidence adduced inconsistent with Company's claim of financial crisis, ceased operation etc.
- Failed to prove financial loss.
- Failed to provide reasonable grounds for not adhering to LIFO.

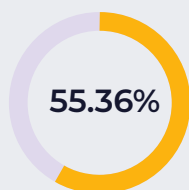
OVERALL RETRENCHMENT AND VSS CASES



2015

2768 cases

referred to the Industrial Court



54 reported cases

in West Malaysia for Retrenchment & VSS

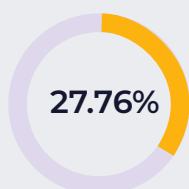


1.08%

2016

1388 cases

referred to the Industrial Court



12 reported cases

in West Malaysia for Retrenchment & VSS

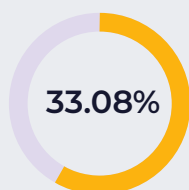


0.24%

2017

1654 cases

referred to the Industrial Court



26 reported cases

in West Malaysia for Retrenchment & VSS

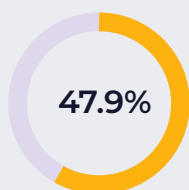


0.52%

2018

2395 cases

referred to the Industrial Court



93 reported cases

in West Malaysia for Retrenchment & VSS

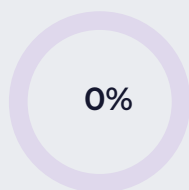


1.86%

2019

Not Available

cases referred to the Industrial Court



135 reported cases

in West Malaysia for Retrenchment & VSS



2.07%

SUMMARY

Total compensation awarded between 2015 and 2019 divided by the total number of cases lost by employers = Average sum spent by employer per employee.



RM8,207,011.80 ÷ 109 cases = RM75,293.69

Between 2015 and 2019, based on reported cases, on average an employer incurred RM75,293.69 per employee if it loses its case at the Industrial Court.