

MEDIA RELEASE

MEF: EMPLOYERS MUST PROVIDE SAFE AND CONDUCIVE WORK ENVIRONMENT FREE FROM SEXUAL HARASSMENT

PETALING JAYA: The Anti Sexual Harassment Bill, first proposed in 2011 was finally approved by the Dewan Rakyat recently. The first reading of the Bill was held on December 15 2021. The proposed Act expands the legal rights of victims of sexual harassment beyond provisions of existing laws including the Penal Code and Employment Act. The Act proposed the setting up of a tribunal to handle sexual harassment complaints, which will be headed by members of the judicial and legal services. The Act allows the victims to file claims against the alleged perpetrators to the Tribunal for Anti Sexual Harassment established under the Act.

The MEF President Datuk Dr Syed Hussain Syed Husman, PJN. JP. states that “MEF supports and appreciates that the Anti Sexual Harassment Bill has been passed by the Dewan Rakyat. MEF believes that employers must provide a safe place of work and a conducive environment where all staff are treated equal. Apart from safety and health, proper and conducive work environment demands that all forms of sexual harassment must be eradicated and eliminated. MEF knows that the majority of members have introduced inhouse policies on anti-sexual harassment and briefed all staff on the anti-sexual harassment policies.”

It is important to note that sexual harassment especially at the workplace must not be considered as trivial. If issues on sexual harassment at the workplace are not addressed appropriately, it has negative impact on the victims, especially mental wellbeing, and leaves them with trauma that could disrupt their life, and productivity.

Under the new Anti-Sexual Harassment Act the Tribunal for Anti-Sexual Harassment will be empowered to award compensation and direct the Defendants to issue an official apology to complainants. Among the penalties that may be awarded by the Tribunal will be compensation to be paid to the complainant not exceeding RM250,000. Defendants that fail to comply with the tribunal’s decision can be fined or sentenced to jail. The respondents can only challenge the compensations awarded by the Tribunal by filing an appeal at the High Court on the basis of serious irregularity.

Datuk Dr Syed Hussain Syed Husman states further that “Employers no matter small or big must all make effort to raise awareness and educate all staff on anti-sexual harassment policies. Only by working together can we have a wholistic team of employees working for common objectives. MEF will brief all members on the new Anti-Sexual Harassment Bill to raise awareness and to ensure that MEF members are updated on the latest developments on the Act.”

For further information, please contact the MEF Secretariat at 03-7955-7778 or fax 03-7955-9008 or email mef-hq@mef.org.my.

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