

## Navigating the Trade Unions Act 2023 Amendments: Challenges and Opportunities Ahead

PETALING JAYA: The Malaysian Employers Federation (MEF) successfully conducted its third conference in 2024, themed '**Challenges and Opportunities in the Implementation of the Trade Unions Act 1959, as Amended in 2023.**' The conference attracted over 200 participants from various sectors, reflecting significant enthusiasm and anticipation regarding the recent amendments and their implications on the future of businesses and trade unions movement.

MEF President, Datuk Dr Syed Hussain Syed Husman, P.J.N., J.P., stated, that understanding and addressing the recent amendments to the Trade Unions Act is crucial for several reasons. Firstly, as employers, understanding these changes and their implications is vital for effective navigation of the new legal landscape, minimising risks, and leveraging opportunities for improved industrial harmony. Secondly, with these new provisions the employers now have a clear and informed interpretation to prevent legal disputes and ensure smooth implementation, thereby maintaining productive relationships with their workforce. Additionally, as key players in the business community, embracing these changes and adapting to the evolving labour relations landscape ensures that employers keep abreast with regulatory developments, maintain industrial peace, and always prepared to thrive in a constantly changing industrial relations environment.

The conference emphasised the evolution of labour relations in the country, aligned with global standards set by the International Labour Organization (ILO). The amendments reflect the Malaysian government's commitment to ensuring workers' rights to association while fostering a legislative environment that supports fair labour practices that promote economic growth.

A culture of social dialogue among trade unions, employers, and the government is crucial for addressing labour market challenges and ensuring industrial harmony. Malaysia's recent ratification of Convention C155 underscores its commitment to a safe and healthy working environment.

The amendments to the Trade Unions Act reflect a commitment to inclusivity, addressing the needs of diverse employee groups, including parolees, the ageing workforce, and persons with disabilities, leveraging their potential to address labour shortages.

In 2024, MEF celebrates a remarkable milestone, marking 65 years since its establishment in 1959. This significant anniversary highlights MEF's enduring commitment to advocating for employers' interests and fostering positive labour relations in Malaysia. Over the past six and a half decades, MEF has played a pivotal role in shaping labour policies, promoting fair employment practices, and enhancing the overall business friendly environment. This journey reflects MEF's dedication to supporting economic growth and social justice, underscoring its vital contribution to Malaysia's labour landscape and its unwavering support for both employers and employees.

MEF has achieved a historic milestone by being appointed to the Governing Board of the International Labour Organization (ILO). This appointment marks the Federation's growing influence and active participation in shaping global labour policies. The President of MEF has been appointed as the Employer Co-Chair for the Social Justice program led by the Director-General of the ILO. This prominent role involves working closely with the ILO and other stakeholders to promote social justice, fair labour practices, and equitable employment opportunities.

Beyond these specific roles, MEF is known for its unwavering support for the activities of both the ILO and the International Organisation of Employers (IOE). MEF's active participation in various committees and initiatives across the region demonstrates its commitment to enhancing employer representation and influence in labour matters. Some of the MEF's council members actively participate in the Employers' Drafting Group, which plays a crucial role in formulating and negotiating employer positions on various international labour standards and policies. These involvements ensure that the perspectives and needs of employers are well-represented in the drafting and adoption of key international labour standards and policies.

MEF is also playing an increasingly significant role with the International Training Centre (ITC) in Turin, which is a key institution for education and training related to labour and employment matters. Through this engagement, MEF contributes to the development and dissemination of knowledge, best practices, and skills that benefit employers and workers alike.

At the regional level, the President of MEF has been appointed the President of Confederation of Asia-Pacific Employers (CAPE), demonstrating MEF's leadership and dedication to advancing employer interests across the Asia-Pacific region. This role involves spearheading initiatives, fostering collaboration among member organisations, and advocating for policies that promote a conducive environment for businesses in the region.

The following were the topics discussed: (1) Business and Trade Unions: International Labour Standards and Comparative Experiences which was delivered by Ms Natsu Nogami, Chief Technical Adviser/Project Manager for the ILO Labour Law And Industrial Relations Reform Project (LLR Project); (2) Overview of the Trade Union Amendments, Mr Junhamizan Bin Zainal, Senior Assistant Director, Legislation & Enforcement Division, Department Of Trade Union Affairs; (3) Multiplicity of Unions - Legal Aspects by Mr Rutheran Sivagnanam, Managing Partner, The Chambers of R Sivagnanam & Associates; and (4) Practical Aspects of Trade Union Amendments & Effective Negotiations- Dato' Hj Jalaldin Hussain, MEF Senior Principal Consultant – Industrial Relations. The Conference also covered a panel discussion on Effects & Implications of Trade Union Amendments with Datuk Hj Shamsuddin Bardan, MEF Executive Director; Mr N. Gopal Kishnam, Secretary General of National Union of Transport Equipment & Allied Industries Workers (NUTEAIW); and Mr Roslee Sabaruddin Abu, Deputy Director General of Department of Trade Union Affairs, Malaysia.



The MEF Conference also featured the launch of the MEF 65th Anniversary logo, accompanied by a brief yet meaningful celebration. It concluded with a call to action for businesses to embrace the changes brought by the Trade Unions (Amendment) Bill 2023, recognizing that a well-functioning trade union system contributes to a balanced and prosperous economy. By fostering dialogue, understanding, and collaboration, Malaysia can build a stronger future for both workers and employers.

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