



(MC) The Practical Aspects of Collective Agreement Negotiations

**Costing for CA Mandate, preparations and CA
Negotiations**

13-14 September 2022

Face to Face –

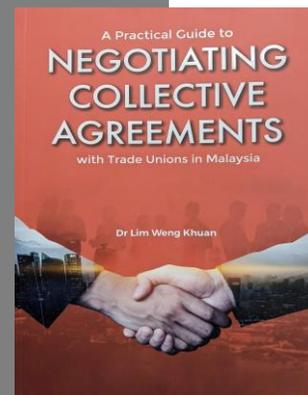
MEF Academy Sdn Bhd, PJ

9.00am – 5.00pm

Course Fees:

RM1,800 (Free Book)

(inclusive SST)



Registration

CLICK HERE

*HRDC Claimable / payable to MEF Academy Sdn Bhd

Objective

Participants will learn to:

- Understand the CCIH and the laws governing collective bargaining and collective agreements in Malaysia.
- Understand how to manage a union recognition claim, and to respond to invitation from a union to renew a CA.
- Understand how to prepare a proper costing of salary and benefits items for three (3) years and gather all relevant information for purpose of obtaining a mandate from management.
- Understand collective bargaining models/theories and how to position the opening offer to the union on salary and benefits items on a total package.
- Have a good working knowledge on how to respond to the union's offer from the early stages, including a deadlock if declared, to the final stages of negotiations leading to an amicable conclusion of the CA.
- How to foster a cordial and harmonious relationship with the union to build trust before, during and after CA negotiations.

Introduction

Many HR/IR practitioners have a general understanding of the law and practice on CA negotiations in Malaysia. However, many HR generalists and new IR practitioners are keen to understand the practical aspects, and apply the knowledge, process, law, and techniques on CA negotiations to successfully conclude the CA.

This 2-day program is designed to provide a practical and hands-on approach to HR/IR practitioners to manage union recognition claims, prepare a proper cost impact on salary and benefits items for three (3) years, and understanding the company's legal rights and options in managing issues if a deadlock is declared during CA negotiations. It covers the entire spectrum of CA negotiations from the company's 1st counteroffer till the conclusion of the CA.

Who Should Attend

- Owners of SMEs and Businesses.
- Business leaders, Heads of Finance/Accounts.
- HR Directors/Managers.
- Department Heads/Managers.
- HR Generalists & ER/IR Specialists.

Program Outline – Day 1

9am – 5pm Lunch: 1pm – 2pm

Module 1

- Code of Conduct for Industrial Harmony (CCIH), ILO Conventions on Collective Bargaining.
- Interpretation/Definition of Key Words.
- Relevant Sections of IRA 1967 & TUA 1959.
- Selected theories on Negotiating Behaviours.
- An overview of the number and type of unions and the union density in Malaysia, union recognition claims, and the renewal of CAs based on the IRA 1967.

Module 2

- CA preparations – actions and information needed prior to presenting mandate paper to management.
- Selecting company's chief negotiator and team, reviewing financial position of company, and conducting salary and benefits survey of companies in similar Industries.
- Studying CAs of companies in similar industry, working out the CPI increase in the last three (3) years prior to CA renewal.
- Prepare a compendium of Industrial Court Awards on CA disputes and amending problematic clauses in the CA and analysing and costing the union and management's proposals for proposed CA mandate paper.
- Grouping issues and setting objectives for Company and Union and planning strategies to achieve company's objectives.
- Preparing three (3) sets of documents on all status quo articles and a spreadsheet of union versus companies' proposals.

Program Outline – Day 2

9am – 5pm Lunch: 1pm – 2pm

Module 1

- **Group Activity:** Case Study

Module 2

- CA Negotiations – the entire process flow from start to end, including where a deadlock is declared.
- Briefing of company's financial position and preliminary discussion of union's proposals.
- Submitting company's package proposals to union and listening to union's response to company's proposals.
- Documenting all agreed articles and items for signing at next CA session and documenting sensitive issues in an MOU.
- Passing signals and watching out for signals from the union and offering concessions to union to encourage reciprocity.
- Establish linkage between issues, controlling the momentum continuum and analysing the rations of movement (ROM) of union and company.

Module 3

- Using information to revise company's CA strategy and managing the final momentum.
- Escalating and communicating finality of package offer.
- Looking out for signs of tacit acceptance by the union.
- Positioning the company for the close of CA negotiations.
- Deadlock in CA Negotiations – types of industrial actions.
- Options for company to explore in resolving a CA deadlock.

Module 4

- **Group Activity**
- Preparing CA for signing and cognisance by the Industrial Court and conducting a post-mortem on the entire CA negotiations.
- Analysing difficult issues for future CA negotiations and conducting post-CA briefing to operations team members.
- Maintaining open communications with trade union officers to build trust and cordial relations.

Facilitator Profile

DATO' DR. LIM WENG KHUAN started his early career as a Police Inspector serving in the Special Branch and Commercial Crime Divisions of the Royal Malaysia Police Force for over 9 years. He resigned from the Police Force in late 1989 and started his career in the private sector as the Senior Industrial Relations Officer in Maybank before moving on to other private sector organizations which include Lion Group, Hong Leong Group, Fraser & Neave Group, HSBC Bank Malaysia and Tan Chong Group.

Having acquired about 10 years of hands-on experience in covert and overt (criminal) investigations as an Investigations Officer in the Commercial Crime Division, he spent about 30 years of his career focusing in the specialized field of Industrial Relations (IR) and Human Resource Management (HRM) in the above large private sector organizations. He is certified in various Management Programs including "Train-The-Trainer" Program recognized by Human Resource Development Fund (HRDF), Assessment Centre Methodology and The 7 Habits of Highly Effective People. He had served as a member of the Industrial Court Panel for about 5 years (2004 till 2009), and is currently a member of the Industrial Relations Panel with the Malaysian Employers Federation (MEF).



He was elected as a Council Member of MEF in 2018 and 2020 and appointed as a member of the National Labour Advisory Council (NLAC) in Sep 2018. He was also appointed as Adjunct Professor (Law & Investigations) of Saito University College in August 2018.

He has many years of experience as Head of HR responsible for planning and execution of HR Strategy and Operations in the Companies he had served. He has on numerous occasions, been invited to be a Facilitator, Speaker and Moderator at IR & HR Workshops/Conferences.

Dato' Dr. Lim obtained his LLB degree from the University of London in 1988, Certificate in Legal Practice (CLP) from the Malaysian Qualifying Board in 1990, Masters of Business Administration (MBA) in General Management from the University of Hull, UK in 1995, and Doctor of Business Administration (DBA) from the University of South Australia (UniSA) in 2005.