

Remote Working – Managing Employees' Performance & Disciplinary Issues

2 September 2021 | 3 p.m. to 4 p.m.

It has been one and a half years since the COVID-19 pandemic first broke out and there is still no sign of abating. When the pandemic started, the Government implemented movement restrictions and introduced Standard Operating Procedures relating thereto. To this end, many companies have opted for full remote working, more commonly known as “work from home”. Some corporations have implemented a hybrid model for employees to work remotely and work on-premises. To top it all, some employees of certain industries might not even have the choice of going back to the office in the near future.

Since then, the big business debate of 2021 may be whether remote working is a boon or a bane for employers. A recent regional survey by a renowned human resources solutions agency found that most Malaysians preferred to work from home, citing various reasons including safety and health concerns.

Weighing the pros and cons of remote working, it will not be an overstatement to say that remote working is here to stay even when the pandemic ends. So, what can the employers do in anticipation of this change that is almost certain? In this session, we will share some tips on the ways to deal with the employees’ performance and disciplinary issues in the context of remote working.

The key points:

- How to measure the employees’ performance from a work-from-home perspective and what is required of the employers?
- What constitutes misconduct in the context of remote working?
- What are the challenges of carrying out a disciplinary process remotely and how to address them?

REGISTRATION LINK:

<https://us02web.zoom.us/meeting/register/tZYvfuCuqDgvHtVnYeRKW2fpBOXVgucUnxn>

A conversation with ganpartnership



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Gan Khong Aik is a dispute resolution partner with over 25 years' counsel experience before all levels of Malaysian courts. He is a Fellow of the Chartered Institute of Arbitrators (CIArb), United Kingdom, who sits on the panel of arbitrators in various Chinese arbitration institutes and international arbitration court. He is also a mediator with the Malaysian Mediation Centre.

Khong Aik's extensive practice experience includes corporate and commercial, insolvency and liquidation, land and property, anti-bribery and corruption, insurance and reinsurance claims, and employment and industrial relations disputes. He often represents directors, shareholders and companies in a wide range of high-value corporate disputes. His commercially practical and legally sound approach coupled with his responsiveness and humble personality made him an all-round counsel.

Asia Business Law Journal lists Khong Aik as one of Malaysia's Top 100 Lawyers in 2021. He is also recommended by The Legal 500 and Benchmark Litigation for dispute resolution. Khong Aik published widely in the area of dispute resolution, his latest publication is a book titled "Manoeuvring Corporate Governance in Malaysia: Litigation Perspectives". He is recently appointed to chair the International Conventions and Trade Agreements Subcommittee of International Commerce and Distribution Committee, International Bar Association.



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Ashley often acts and appears before all levels of Malaysian courts in the areas of corporate and commercial disputes, land and property disputes, employment and industrial relations actions as well as insurance and reinsurance claims. To date, she had acted for market leaders in several industries including aviation, construction & real estate, financial institutions, insurance, oil & gas, quarry & mining, and technology & telecommunications.

Ashley is highly skilled in employment and industrial relations matters. Her exceptional performance as a young practitioner has won her tremendous compliments and praises, where The Legal 500 described her as "*meticulous*" and "*plan ahead and provide sufficient and appropriate guidance*". Her works include reviewing and drafting of employment contract and employment handbook, advising on disciplinary actions and termination of employments, advising on recognition of trade unions and collective agreement, and representing employers and key management personnel in courts.