

CERTIFIED INDUSTRIAL RELATIONS PROFESSIONAL (CIRP)

# DOMESTIC INQUIRY

THE COMPLETE GUIDE  
(INVESTIGATION, PROSECUTION, PROCEDURE)



RM 2,800

MALAYSIA HR FORUM ACADEMY,  
MENARA PKNS PETALING JAYA



## MODULE OVERVIEW



In managing Human Capital's discipline, justice must not ONLY be done but must be seen to be done. The "Twin Pillars" of Natural Justice, being "No person shall be condemned unheard" and "No person shall sit in judgment in his own cause or in any in which he is interested", must be adhered to. The objective of holding a Domestic Inquiry has two-fold reasons. Firstly, to give the opportunity to the employer to prove the charges of misconduct against a delinquent employee before punishment is meted out, and secondly, to give the employee sufficient opportunity to defend himself / herself. This training is specially tailored for employees who are appointed to ensure the smooth running of DI with clear direction throughout the process.

## LEARNING OBJECTIVES

The learning objectives of this course are to enable participants to:

- Identify key processes in Domestic Inquiry from legal perspective
- Build competency in handling Misconducts & Domestic Inquiry issues and problems especially as Domestic Inquiry Prosecution Officer
- Understand the legal implication regarding employee, employer and Labour Department rights, responsibilities and jurisdictions within the Laws
- Apply appropriate Labour Laws section in managing Human Capital's discipline
- Manage the proper documentation for submission



## TARGETED PARTICIPANTS

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- Top Management
- Middle Managers
- Managers and professionals who are responsible for HR activities
- Non-HR professionals who are responsible for HR activities

## METHOD OF TRAINING

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A combination of various learning methodologies including lectures, group discussion, case study, group presentation and project discussion.

### Training Assessment

Pre and Post training assessments will be conducted to ensure the transfer of learning to participants.

### Pre-Requisite

- Minimum understanding of Employment Act
- Minimum understanding Industrial Relations Act

## LEARNING OUTCOMES

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Upon completion of the programme, participants will be able to:

- Identify key processes in Domestic Inquiry from legal perspective
- Build competency in handling Misconducts & Domestic Inquiry issues and problems especially as Domestic Inquiry Prosecution Officer
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## DURATION

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2 Days

## CONTENTS DAY 1 | 9 AM - 5 PM

### MODULE 1: MISCONDUCT

- What constitutes misconduct?
- Misconduct vs Grievances
- Balance of Probability

### MODULE 2: DISCIPLINARY PROCESS

- Application of Fair and Just Process
- Relevant Laws in Malaysian Context
- Act of Condonation

### MODULE 3: ACTIVITIES PRIOR TO A DOMESTIC INQUIRY

- Investigating Misconduct
- Framing charges
- Appointing a panel of inquiry, investigation officer, a secretary

### MODULE 4: HANDLING INVESTIGATION

- Investigation Procedures
- Collecting Evidences
- Preparing Investigation Paper



## CONTENTS DAY 2 | 9 AM - 5 PM

### RECAP AND REVIEW OF DAY 1

#### MODULE 5: ROLES AND RESPONSIBILITIES IN DOMESTIC INQUIRY

- Rules of Natural Justice
- Do's and Don'ts as Prosecution Officer
- Ethics in DI

#### MODULE 6: PROSECUTION OF CASES

- Order of Proceedings
- Rights of the accused employee
- The role of evidence in the domestic inquiry
- Common pitfalls in handling domestic inquiry

#### MODULE 7: DEVELOPING THE DI SEQUENCE

- Developing the case
- Building the potential questions
- Practice, Practice, Practice
- Examination and Cross-Examination
- Closing the Argument

#### MODULE 8: GRACEFUL QUESTION-HANDLING SKILLS

- Panel Report / Findings
- Mitigation
- Punishments
- Appeal

