

# Trade Union Act 1959, Amendments 2022 and Collective Bargaining

**Admission Fee:**  
**RM89.00**  
(includes e-Cert)  
(Non-HRDF Claimable)

## Details:

**Date: 23 April 2026 (Thursday)**

**Time: 9.00am - 5.00pm**

**Venue: Menara PKNS, PJ**



## Trade Union Act 1959, Amendments 2022 and Collective Bargaining

# Introduction

The Trade Unions (Amendment) Act 2023 was passed by the Dewan Rakyat on 10 October 2023 and the Dewan Negara on 28 November 2023. It received Royal Assent on 27 December 2023, was gazetted on 12 January 2024, and officially came into force on 15 September 2024, as appointed by the Minister of Human Resources. The amendments introduce significant changes to the trade union landscape in Malaysia, particularly allowing the multiplicity of unions within an organisation across Peninsular Malaysia, Sabah, and Sarawak.

Trade unions may now be formed across trade, occupation, or industry, and can represent employees in managerial, executive, confidential, security, or non-executive (bargainable) capacities. Recognition claims are now determined based on the scope of membership defined in the union's constitution, rather than the union's competence, and recognition will be granted when a union obtains majority support among employees in the relevant category.

Following the amendments to the Trade Unions Act 1959 and Industrial Relations Act 1967, when multiple unions exist within an organisation, the union that obtains majority support for a particular category of workmen will be granted sole bargaining rights under Section 12A of the Industrial Relations Act 1967 to negotiate the Collective Agreement. Another major change relates to the lowered threshold for strike action. Previously, a strike required approval from two-thirds of all members entitled to vote. Under the new amendment, a strike may proceed if more than half of the votes cast by at least 60% of eligible members support the proposed strike through a secret ballot.

### **By the end of this seminar, participants will be able to:**

- Explain the purpose and legal framework governing trade unions in Malaysia under the Trade Unions Act 1959 and its relationship with the Industrial Relations Act 1967.
- Understand the legal process for forming and registering a trade union, including the role and powers of the Department of Trade Union Affairs Malaysia.
- Identify the rights, limitations and responsibilities of trade unions and employers in representing workers' interests.
- Recognize common legal issues involving collective bargaining/collective agreement, union activities, including recognition, membership, and disputes.
- Apply practical approaches to manage employer–union relationships while maintaining industrial harmony and compliance with Malaysian labor laws. .



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# Course Contents

### Module 1 – The Awakening: Why Workers Form Trade Unions

The story begins when employees feel their collective voice is not heard. They start discussing the idea of forming a union.

- Purpose of trade unions in industrial relations
- Historical development of unionism in Malaysia
- Definition of trade union
- Types of unions (in-house, national, industry based)

Why Workers Form Trade Unions Recent Amendments to Trade Union Framework

- Overview of the Trade Unions (Amendment) Act 2023
- Introduction of multiplicity of unions within an organisation
- Expansion of union scope across trade, occupation or industry

### Module 2 – The Birth of a Union: Registration and Legal Recognition

Workers decide to formally establish a union and must comply with the law.

- Formation of a trade union
- Registration requirements
- Powers of the Director General of Trade Unions
- Grounds for refusal of registration

### Module 3 – The Power of Collective Voice: Union Rights and Functions

The union begins representing workers and engaging with management.

- Rights of union members
- Union funds and governance
- Union activities and lawful conduct
- Protection of union members



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### Module 4 – Collective Agreement & Collective Bargaining

Once the union is recognised, the next chapter begins – negotiation between employer and union to determine employment terms.

- Concept of collective bargaining
- Legal framework for collective bargaining in Malaysia
- Subjects of negotiation (wages, benefits, working conditions)
- Good faith bargaining principles
- Drafting and structure of a collective agreement
- Registration of collective agreement in the Industrial Court
- Legal effect of a collective agreement

#### Collective Bargaining

- Majority Support and Sole Bargaining Rights
- Where more than one union exists, the union with majority support obtains sole bargaining rights
- Implications for employers and union representation during negotiations

### Module 5 – The Industrial Drama: Disputes, Strikes and Legal Limits

Conflict arises between union and employer, leading to disputes and potential industrial action.

- Trade disputes and industrial action
- Legal restrictions on strikes and picketing
- Government intervention and dispute resolution

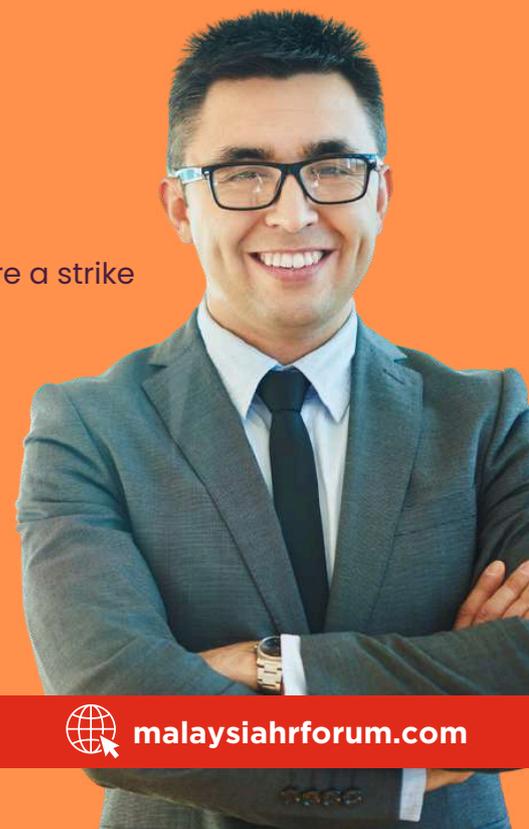
#### Industrial Disputes and Strikes

- Updated Strike Ballot Requirements
- Recent changes to the secret ballot threshold required before a strike can proceed
- Legal consequences of unlawful strike action

### Final Reflection – Lessons from Industrial Relations Conflicts

Key legal lessons:

- Balancing worker rights and employer interests
- Importance of lawful union activities
- Building sustainable employer–union partnerships



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### Trainer's Profile



#### Ahmad Reza Kamaruddin

**Ahmad Reza Kamaruddin** is an experienced HR and Industrial Relations professional with over 30 years of corporate and training experience. He holds a Bachelor of Laws (LL.B), an MBA, and certifications in Professional Coaching and Integrity.

He has 30+ years of experience in Human Resource and Industrial Relations across various industries including banking, oil & gas, aviation, and insurance. Ahmad Reza held senior leadership roles, including Director of Industrial Relations – Standard Chartered GBS, Vice President, Industrial Relations – AXA Affin, Chief Human Resource Officer – Malaysia Airlines (In-flight Catering), Group GM, HR – Nippon Wiper Blade Certified Integrity Officer (MACA) and Professional Coach (IAC USA). He specialises in Domestic Inquiry & Industrial Relations, Union Management & Collective Agreements Anti-Bribery Management System (ABMS)

