

Legal Knowledge of Legislated Employment Rights: An Empirical Study

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II. LITERATURE REVIEW

Abstract—This article aims to assess the level of basic knowledge of statutory employment rights at the workplace as prescribed by the Malaysian Employment Act 1955. The statutory employment rights comprises of a variety of individual employment rights such as protections of wages, statutory right to the general standard of working time, statutory right to rest day, public holidays, annual leave and sick leave as well as female employee's statutory right to paid maternity leave. A field survey was carried out to collect data by using self-administered questionnaires from Human Resource (HR) practitioners in the small and medium-sized enterprises (SMEs). The results reveal that the level of basic knowledge of legislated employment rights varies between different types of statutory rights from high level to low level.

Keywords—Employment legislation, Human Resource (HR) practitioner, legal knowledge, small and medium-sized enterprises (SMEs).

I. INTRODUCTION

THE Malaysian Employment Act (EA) 1955 was introduced with the primary aim of improving working conditions and enhancing workers' welfare. It guarantees the fundamental principles and rights at work and establishes the processes through which these principles and rights should be implemented and enforced. It has in fact provided guidelines and clarification in setting terms and conditions for the workforce. As there is an imbalance negotiating power between employer and employee, the Act's main objectives are to protect the rights and interest of the employees against exploitation and to establish a fairer relationship between the employer and employee. It lays down the minimum standard of benefits and security that should be given to employees [1]-[5]. Therefore, the EA does not only regulate the employment relationship between employer and employee but also legislates the minimum statutory terms and conditions of employment affecting the employer and employee [1], [2], [6], [7]. In its philosophies and aims, it can be said that the Act fulfills the employee's vision for advancing fair and decent treatment at the workplace. A fair and decent management of human resource is a critical factor in the process of growth and development of the country's economy.

In Malaysia, the key legislation, in relation to employment, is the EA 1955. The EA 1955 serves as a benchmark or reference point on the employer-employee relations and on the terms and conditions of employment [1]. It lays down the legal minimum standards on working conditions, which must be complied by the employer. This legislation covers a variety of individual employment rights such as protections of wages, statutory right to the general standard of working time, statutory right to rest day, public holidays, annual leave and sick leave as well as female employee's statutory right to paid maternity leave.

However, statutes are often complex and ambiguous and they do not remain static. Statutes continue to evolve according to the needs of the states and move with time. As society changes, the law changes; new statutes are enacted and existing statutes are amended and repealed. Repeated changes in the statutory language would result in stakeholders becoming largely unaware of many statutory imposed duties [8]. Study after study has documented high levels of ignorance of the most basic legal principles among lay people [9]. There are empirical evidence that organizations, particularly small and medium-sized enterprises (SMEs), exhibit lack of awareness of employment legislations [10]-[12] as they had insufficient internal staff with appropriate expertise and skill to deal with employment and human resource (HR) matters [13]-[16], [11]. Evidence from survey indicates that employers in smaller firms perceived employment regulations as burdensome [17], complex, ever changing and ever increasing [13], difficult to understand and time consuming [17]. Employers also often find the phrasing of the various clauses of the laws that regulate employment relations to be confusing and full of ambiguities [18]. This phenomenon could lead to resistant of legal regulations [10], non-compliance, breaching, violation and infringement of the law and would result in laws being denied to workers.

In Malaysia, SMEs provide a major source of employment opportunities in the private sector. However, the capability of SMEs to develop and enforce HR practices that reflect the spirit of the law is questionable. Despite, the importance of the sector as an employer, there is a significant absence of empirical evidence about the extent of basic knowledge amongst SMEs pertaining to employment laws at the local and international level. HR practitioners with sound knowledge of the law generally are more confident in asserting employment rights and applying legal principles in their decision-making process. These attributes could lead to speedy and effective solving of legal problems at the workplace.

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III. OBJECTIVES OF THE RESEARCH

The research aims to determine the level of knowledge among HR practitioners in SMEs with regards to fundamental legislated employment rights provided by the EA 1955, primarily focusing on the provisions governing wages, hours of work, rest day, public holidays, annual leave, sick leave and maternity protection. Knowledge of the law is crucial for HR practitioners in recognizing and upholding employees' right at work. There has been a paucity of evidence on HR practitioners' knowledge and understanding of this legislation at the domestic level, particularly in the SMEs. Since SMEs are playing increasingly important roles in the national economic performance, there is no reason why these sectors should be sidelined in academic research. Therefore, this study attempts to fill the existing gap in the literature regarding knowledge on employment rights and benefits and its practices among HR practitioners in SMEs.

IV. METHODOLOGY

A quantitative research method was used in the field study. The research utilized the research tools of self-administered questionnaire to collect empirical data from HR practitioners or those in similar capacity from various SMEs. Forty-six items were designed to measure HR practitioners' level of basic knowledge pertaining to legislated employment rights and benefits at the workplace. These items were developed based on the provisions of the EA 1955. In order to interpret the level of knowledge, a 5-level scale was developed. For each item, the respondents were required to choose whether they believed the statement to be "positively false," "somewhat false" (I think it is false), "don't know" (if they actually did not know the correct answer), "somewhat true" (I think it is true), or "positively true." The respondents' level of basic knowledge is assessed based on their answers to these specific questions.

The respondent for this study comprises of HR practitioners working in SMEs in Johor Bahru. As many as 280 set of self-administered questionnaires were distributed to selected respondents listed in the sampling frame which represent small and medium-sized enterprises in Johor Bahru. However, only 85 sets of questionnaires were returned, constituting a return rate of 30%.

The data from the survey were analysed using Statistical Package for the Social Sciences (SPSS). The primary objective of the survey is to measure the respondents' level of basic knowledge pertaining to legislated employment rights and benefits at the workplace. This objective was answered by calculating the mean score of the variables. In order to interpret the level of basic knowledge possessed by the respondents, a 3-level scale based on the mean score was developed. High level (3.68-5.00) indicates the respondent has extensive knowledge on the provisions of the law with high confidence about details. Moderate level (2.34-3.67) indicates sound knowledge but with some uncertainty about details while low level (1.00-2.33) indicates inadequate or less knowledge on the provisions of the law. The data concerning

the demographic characteristic of the respondents was analyzed using descriptive statistics and presented using simple frequency distributions and percentages.

V. RESULT

A. Demographic Profile

Table I details the characteristic of the respondents. The survey responses were strongly dominated by female respondents comprising 64%; with only 36% males. The majority of respondents (59%) were above 30 years of age. The distribution of the respondents' age group is as follows; 27% were between the age-range of 30 to 39 years, 22% were between 40 to 49 years old and 9% were above 50 years old. The remaining 41% were below the age of 30 years old.

Majority of the respondents (57%) were senior staff with more than 5 years of working experience in employee relations. Out of this percentage, 32% had 5 to 10 years of working experience and 25% had more than 10 years experience in employee relations. Meanwhile, 43% of the respondents were young junior staff with less than five years experience in employee relations.

As for the level of education, there seem to be quite a balanced distribution between those with bachelor's degree qualifications and those with diploma and school certificate qualifications. Nevertheless, the percentage of respondents with bachelor's degree was slightly higher (58%) compared to those with diploma and school certificate qualification (42%). Slightly more than half (58%) of the respondents possessed a bachelor's degree, 25% graduated with a diploma and 17% with a secondary school certificate. The degree and diploma earned are not only confined to the human resource discipline, but covers a wide range of discipline such as business administration, public administration and personnel management, finance, marketing, sociology, mass communication and economy.

Majority (58%) of the respondents who responded to the questionnaire and who deals with employment relations were human resource personnel/ administration, administration executive and officers followed by human resource/ administration managers and assistant managers (33%). Only 9% of the top management was involved in employment relations. This category consists of vice president, owner, managing director as well as administration and marketing director.

The companies in which the respondents were working comprised of a good range of small and medium-sized enterprises. 54% of the companies employed more than 100 but fewer than 150 employees, 6% employed 50-100 employees, 12% employed 21-49 employees, 23% employed 5-20 employees and 5% employed less than 5 employees. Nearly half (47%) of the companies were from the service and trading sectors, 44% were from the manufacturing sector, while the remaining 9% were from the construction and property sectors.

TABLE I
CHARACTERISTICS OF THE RESPONDENTS

Characteristics	N	%
<u>Sex</u>		
Male	31	36.5
Female	54	63.5
<u>Age</u>		
Under 30 years	35	41.2
30 to 39 years	23	27.0
40 to 49 years	19	22.4
50 years and above	8	9.4
<u>Involvement in Employee Relations</u>		
Less than 5 years	37	43.5
5 to 10 years	27	31.8
More than 10 years	21	24.7
<u>Level of Education</u>		
SPM	12	14.1
STPM	2	2.4
Diploma	22	25.9
Bachelor's Degree	49	57.6
<u>Present Position</u>		
Top Management	8	9.4
Manager	16	18.8
Assistant Manager	12	14.1
Executive	21	24.7
Officer	28	33.0
<u>Type of Employer's Business</u>		
Manufacturing	37	43.5
Services/Trading	40	47.1
Property	4	4.7
Construction	4	4.7
<u>Number of Employer's Workforce</u>		
Less than 5 employees	4	4.7
5 to 20 employees	20	23.5
21 to 49 employees	10	11.8
50 to 100 employees	5	5.9
101 to 150 employees	46	54.1

Note: n = 85

B. Level of Basic Knowledge

The respondents in this sample were asked to rate their knowledge of the specific individual legislated employment rights and their responses to a variety of provisions which prescribe such rights are shown in Tables II-VIII.

1. Basic Knowledge on Hours of Work and Rest Breaks

Table II shows the HR practitioners exhibited an extensive knowledge with high confidence about in-work rest breaks,

weekly working time limits, daily and monthly limit of overtime and the minimum rate of overtime on normal working days.

However, respondents exhibited solid knowledge with some insecurity regarding the maximum daily working hours. The same result was obtained regarding the issue as to whether an employer has the right to force an employee to work overtime where in fact the employer is not legally provided with such rights. The figure shows that 34% of the respondents provided incorrect responses and 17% provided "don't know" responses which clearly indicate that the respondents do not actually know the correct answer.

The fact that slightly more than a quarter (28%) of the respondents responded "don't know" to the statement relating to the monthly overtime limit provides a valuable insight into what the respondents actually do not know.

Overall, the respondents have a high level of basic knowledge regarding the general standard of working time and rest breaks.

2. Basic Knowledge on Rest Day

As regards to the statutory rights to rest day, the findings as detailed out in Table III, revealed a medium level of knowledge among the respondents regarding the issue of the legally recognized rest day if more than one rest day is given, whether employer has the right to force an employee to work on a rest day and whether the employee has a right to rest day during maternity leave, sick leave and temporary disablement period. The respondents were also found to have a moderate level of knowledge regarding the minimum rate of pay for working on a rest day.

The survey also indicated that the level of knowledge was particularly low on the issue whether the employer has the right to substitute a rest day where in fact the employer has no such rights. Nearly three quarter (72%) of the respondents provided incorrect responses which clearly indicate that the respondents do not know the correct answer and 11% provided "don't know" responses indicating that the respondents had no knowledge on that particular statement.

TABLE II
LEVEL OF BASIC KNOWLEDGE CONCERNING HOURS OF WORK AND REST BREAKS

N o	Item	You are positive this is false	You think this is false	You don't know this is true or false	You think this is true	You are positive this is true	Mean
1.	Daily working hours may exceed 8 hours but limited to the max. of 9 hours.	24 (28.2%)	10 (11.8%)	1 (1.2%)	26 (30.6%)	24 (28.2%)	3.19 Medium
2.	Minimum 30 minutes in-work rest break must be given after 5 hours work.	2 (2.4%)	3 (3.5%)	10 (11.8%)	27 (31.8%)	43 (50.6%)	4.25 High
3.	Maximum weekly working time is 48 hours.	6 (7.1%)	2 (2.4%)	5 (5.9%)	18 (21.2%)	54 (63.5%)	4.32 High
4.	Employer has no right to force an employee to work overtime (OT).	12 (14.1%)	17 (20.0%)	14 (16.5%)	14 (16.5%)	28 (32.9%)	3.34 Medium
5.	Normal hours of work inclusive OT cannot exceed 12 hours per day.	4 (4.7%)	4 (4.7%)	7 (8.2%)	22 (25.9%)	48 (56.5%)	4.25 High
6.	Monthly OT limit is 104 hours.	3 (3.5%)	2 (2.4%)	24 (28.2%)	16 (18.8%)	40 (47.1%)	4.04 High
7.	Minimum rate for OT on normal day is 1.5 hourly rate of pay.	4 (4.7%)	2 (2.4%)	1 (1.2%)	20 (23.5%)	58 (68.2%)	4.48 High
	Overall mean score						3.98 High

Note: n = 85

TABLE III
LEVEL OF BASIC KNOWLEDGE CONCERNING REST DAY

No	Item	You are positive this is false	You think this is false	You don't know this is true or false	You think this is true	You are positive this is true	Mean
1.	Worker is entitled to at least 1 rest day in a week.	3 (3.5%)	-	6 (7.1%)	15 (17.6%)	61 (71.8%)	4.54 High
2.	If more rest day is given, the 2 nd . day shall be the rest day.	10 (11.8%)	16 (18.8%)	25 (29.4%)	4 (4.7%)	30 (35.3%)	3.33 Medium
3.	Employer has no right to force worker to work on rest day.	9 (10.6%)	19 (22.4%)	12 (14.1%)	16 (18.8%)	29 (34.1%)	3.44 Medium
4.	No rest day during maternity & sick leave; temporary disablement period.	19 (22.4%)	7 (8.2%)	12 (14.1%)	13 (15.3%)	34 (40.0%)	3.42 Medium
5.	Employer has no right to substitute a rest day with any other day.	34 (40.0%)	28 (32.9%)	9 (10.6%)	9 (10.6%)	5 (5.9%)	2.09 Low
6.	Minimum rate for working normal hour on rest day is 1 day's wages-monthly rated	13 (15.3%)	9 (10.6%)	12 (14.1%)	21 (24.7%)	30 (35.3%)	3.54 Medium
7.	Minimum rate for OT on rest day is 2 times hourly rate of pay.	3 (3.5%)	2 (2.4%)	11 (12.9%)	14 (16.5%)	55 (64.7%)	4.36 High
Total mean score							3.53 Medium

Note: n = 8

In contrast, this sample exhibited an extensive knowledge with high confidence on the statutory right to at least one day of rest day a week as well as the minimum rate of overtime pay on a rest day.

Overall, the respondents possessed a moderate level of basic knowledge in relation to the statutory rights to rest day.

3. Basic Knowledge on Paid Public Holidays

Table IV shows that the respondents have an extensive knowledge with high confidence about the minimum

entitlement to public holidays per year, the four mandatory public holidays, the minimum rate of overtime during public holidays and the right to substitute a public holiday to the next working day if it falls on a rest day.

However, the respondents seem to have less knowledge on the law which required the employer to grant another day as a public holiday in substitution of a public holiday that falls on a sick leave.

TABLE IV
LEVEL OF BASIC KNOWLEDGE CONCERNING PAID PUBLIC HOLIDAYS

No	Item	You are positive this is false	You think this is false	You don't know this is true or false	You think this is true	You are positive this is true	Mean
1.	Employee is entitled to at least 10 public holidays (PH) per year.	6 (7.1%)	6 (7.1%)	7 (8.2%)	18 (21.2%)	48 (56.5%)	4.13 High
2.	Employee is entitled to 4 mandatory PH a year.	8 (9.4%)	6 (7.1%)	10 (11.8%)	16 (18.8%)	45 (52.9%)	3.99 High
3.	Mandatory to grant PH declared by YDPA/PM/Sultan.	11 (12.9%)	9 (10.6%)	16 (18.8%)	12 (14.1%)	37 (43.5%)	3.65 Medium
4.	If PH falls on a rest day, the next working day shall be a PH.	7 (8.2%)	2 (2.4%)	5 (5.9%)	12 (14.1%)	59 (69.4%)	4.34 High
5.	Have to replace a PH that falls on sick leave.	33 (38.8%)	23 (27.1%)	11 (12.9%)	5 (5.9%)	13 (15.3%)	2.32 Low
6.	If PH fall on annual leave, must grant another day as holiday.	23 (27.1%)	12 (14.1%)	15 (17.6%)	15 (17.6%)	20 (23.5%)	2.96 Medium
7.	Have to replace a PH that falls on off day.	28 (32.9%)	17 (20.0%)	16 (18.8%)	7 (8.2%)	17 (20.0%)	2.62 Medium
8.	Employer has the right to force employee to work on PH.	34 (40.0%)	12 (14.1%)	12 (14.1%)	17 (20.0%)	10 (11.8%)	2.49 Medium
9.	Minimum rate for working normal hours on public PH is 1 day's wages.	36 (42.4%)	15 (17.6%)	13 (15.3%)	7 (8.2%)	14 (16.5%)	2.39 Medium
10.	Minimum OT rate on PH is 3 times hourly rate of pay.	4 (4.7%)	4 (4.7%)	13 (15.3%)	18 (21.2%)	46 (54.1%)	4.15 High
Total mean score							3.30 Medium

Note. n = 85

The respondents answered correctly but with less confidence regarding the special public holiday declared by the Yang di-Pertuan Agong or the Prime Minister or a Sultan in respect of a State in accordance with section 8 of the Holidays Act 1951. The same level of confidence was also

demonstrated by the respondents regarding the right to substitute public holidays during annual leave or off day, the right to force an employee to work on public holidays and the minimum rate of pay for working on a public holidays.

Overall, Table IV indicates that the respondents' basic knowledge regarding statutory rights to public holidays are at a moderate level.

4. Basic Knowledge on Paid Annual Leave

The results in Table V show that the respondents were well aware that the minimum entitlement to paid annual leave depends on the length of service. The respondents were also very well aware that if an annual leave falls on a sick leave, then the annual leave is deemed not taken. In addition, they were also fully aware of the necessity to obtain an employer's permission before going on annual leave.

In comparison, although the respondents answered correctly, they did so with less confidence regarding the

eligibility period of annual leave and the legal prohibition in carrying forward annual leave to the following year.

Table V shows an overall mean score of 3.60 which indicates that the respondents possessed a moderate level of basic knowledge concerning paid annual leave.

5. Basic Knowledge on Paid Sick Leave

The data in Table VI show that there was a high level of knowledge of the minimum amount of paid sick leave with hospitalisation amongst the respondents. They were well aware that the minimum entitlement of paid sick leave is based on seniority and the law requires the employee to inform the employer of his absence within forty-eight hours from the commencement of the sick leave.

TABLE V
LEVEL OF BASIC KNOWLEDGE CONCERNING PAID ANNUAL LEAVE

No	Item	You are positive this is false	You think this is false	You don't know this is true or false	You think this is true	You are positive this is true	Mean
1.	Entitlement to paid annual leaves (AL) depend on length of service.	5 (5.9%)	2 (2.4%)	6 (7.1%)	23 (27.1%)	49 (57.6%)	4.28 High
2.	If AL falls on sick leave, then the AL is deemed not taken.	10 (11.8%)	4 (4.7%)	5 (5.9%)	20 (23.5%)	46 (54.1%)	4.04 High
3.	Employee is eligible to AL only after 12 months of continuous service.	18 (21.2%)	10 (11.8%)	11 (12.9%)	15 (17.6%)	31 (36.5%)	3.36 Medium
4.	Necessary to obtain employer's approval to be away on AL.	8 (9.4%)	8 (9.4%)	11 (12.9%)	15 (17.6%)	43 (50.6%)	3.91 High
5.	Employee cannot carry forward his AL to the following year.	27 (31.8%)	28 (32.9%)	11 (12.9%)	8 (9.4%)	11 (12.9%)	2.39 Medium
Overall mean score							3.60 Medium

Note: n = 85

TABLE VI
LEVEL OF BASIC KNOWLEDGE CONCERNING PAID SICK LEAVE

No	Item	You are positive this is false	You think this is false	You don't know this is true or false	You think this is true	You are positive this is true	Mean
1.	Employee is entitled to at least of 60 days paid sick leave (SL) with hospitalization.	7 (8.25%)	4 (4.7%)	10 (11.8%)	17 (20.0%)	47 (55.3%)	4.09 High
2.	The amount of SL without hospitalization depends on the length of service.	8 (9.4%)	7 (8.2%)	15 (17.6%)	16 (18.8%)	39 (45.9%)	3.84 High
3.	SL must be obtained only from the employer's panel doctors.	27 (31.8%)	17 (20.0%)	10 (11.8%)	9 (10.6%)	22 (25.9%)	2.79 Medium
4.	Employee must inform his SL within 48 hours of the commencement thereof.	3 (3.5%)	7 (8.2%)	7 (8.2%)	20 (23.5%)	48 (56.5%)	4.21 High
Overall mean score							3.73 High

Note: n = 85

However, slightly more than half (52%) of the respondents provided incorrect responses and 12% provided "don't know" responses which clearly indicates that majority of the respondents do not know the correct answer about the sequence of preference of medical practitioner in seeking treatment.

The overall mean score is 3.73 which indicate that the respondents possessed a high level of basic knowledge concerning paid sick leave.

6. Basic Knowledge on Maternity Protection

Table VII shows that the respondents have an extensive knowledge with high confidence pertaining to the minimum legal entitlement of paid maternity leave and the legal requirement to be employed for a certain period of time before qualifying for cash benefits during the maternity leave. The

respondents also displayed a solid knowledge regarding the distribution of the minimum sixty consecutive days of maternity leave to be taken before and after childbirth.

However, the respondents have a moderate level of knowledge with regards to the law which does not guarantee the payment of maternity allowance for each and every confinement. It should be noted that more than half (55%) of the respondents do not know the answer on this legal point.

Overall, Table VII shows a high level of the respondents' basic knowledge regarding female employees' statutory rights to maternity protection.

7. Basic Knowledge on Wages

Table VIII shows the respondents have good knowledge regarding wage period. The respondents were well aware that

the law prohibits an employer from making any deductions from employees' wages unless authorized by statute.

However, the respondents' knowledge about the latest period for payment of wages and the law on advances of wages is at a moderate level.

Overall, there is a high level of basic knowledge among the respondents concerning protection of wages.

TABLE VII
LEVEL OF BASIC KNOWLEDGE CONCERNING MATERNITY PROTECTION

No	Item	You are positive this is false	You think this is false	You don't know this is true or false	You think this is true	You are positive this is true	Mean
1.	Female employee is entitled to at least 60 consecutive days of maternity leave (ML).	2 (2.4%)	1 (1.2%)	5 (5.9%)	16 (18.8%)	61 (71.8%)	4.56 High
2.	Not eligibility for maternity allowance (MA) for every confinement.	17 (20.0%)	17 (20.0%)	13 (15.3%)	13 (15.3%)	25 (29.4%)	3.14 Medium
3.	To qualify for MA, employee must be employed for at least 90 days during the 9 months & anytime during the 4 months before her confinement.	6 (7.1%)	1 (1.2%)	17 (20.0%)	24 (28.2%)	37 (43.5%)	4.00 High
4.	ML may commence as early as 30 days before confinement.	8 (9.4%)	5 (5.9%)	23 (27.1%)	19 (22.4%)	30 (35.3%)	3.68 High
5.	The rate for MA is the employee's ORP per day /not less than RM6 per day.	7 (8.2%)	5 (5.9%)	24 (28.2%)	18 (21.2%)	31 (36.5%)	3.72 High
Overall mean score							3.82 High

Note: n = 85

TABLE VIII
LEVEL OF BASIC KNOWLEDGE CONCERNING WAGES

No	Item	You are positive this is false	You think this is false	You don't know this is true or false	You think this is true	You are positive this is true	Mean
1.	Wage period must not exceed 1month.	5 (5.9%)	2 (2.4%)	12 (14.1%)	14 (16.5%)	52 (61.2%)	4.25 High
2.	Wages must be paid the latest the 7 th day after each wage period.	10 (11.8%)	14 (16.5%)	14 (16.5%)	14 (16.5%)	33 (38.8%)	3.54 Medium
3.	Giving advances exceeding the worker's monthly wages is strictly regulated.	14 (16.5%)	6 (7.1%)	28 (32.9%)	20 (23.5%)	17 (20.0%)	3.24 Medium
4.	Deductions can only be made according to the law.	6 (7.1%)	3 (3.5%)	9 (10.6%)	16 (18.8%)	51 (60.0%)	4.21 High
Overall mean score							3.81 High

Note: n = 85

VI. CONCLUSION

The key objective of this empirically based research was to assess the basic knowledge among HR practitioners in SMEs concerning legislated employment rights as prescribe by the EA 1955. HR practitioners' knowledge on the law is essential to enable them to carry out their duties and responsibilities as required by the statute and thus avoid any violation of the rights of the stakeholders. The empirical data demonstrate that the HR practitioners in this study have different level of knowledge according to different types of employment rights. It was found that the respondents' possessed a high level of basic knowledge concerning statutory right to the general standard of working time and rest breaks, statutory right to paid sick leave, female employees' statutory right to maternity protection and statutory right to wages. With regards to the statutory right to weekly rest day, statutory right to paid public holidays and statutory right to paid annual leave, the respondents' knowledge was reported to be at a moderate level.

In looking into details of the specific employment rights, it was found that only two legal rights were perceived at a low level, which are, the right to substitute a rest day and the right

to substitute a public holiday during sick leave. This finding indicates that the respondents were not fully aware that once a rest day had been chosen or fixed, it cannot be then substituted to any other day. It was also found that the respondents were unaware that where a public holiday falls on a sick leave, the law required the employer to grant another day in substitution of the public holiday.

It is important to note although respondents acquired moderate levels of knowledge in relation to several important legal rights, the intensity were closer towards low levels. Four legal rights regarding paid public holidays fall within this category. These rights are the right to substitute a public holiday that falls either on an annual leave or off day, employers' legal right to require an employee to work on any public holidays and minimum rate for working normal hours during public holidays.

It was also found that although respondents acquired moderate levels of knowledge pertaining one legal right related to paid sick leave, the degree is inclined towards the low level. The said right is concerning the preference of medical doctors in the event the employee needing to seek treatment for illness.

The level of knowledge on the law exhibited by the HR practitioners has significant implications on the exercise of the legal rights in SMEs. Accordingly, the implications of the result could assist in identifying the target areas for future training involving HR practitioners in SMEs.

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