

FOREWORD

It is with pleasure and pride that the Malaysian Employers Federation presents its latest edition **“Legal & Practical Guide On Fixed Term Contract of Employment (2nd Edition)”**. The book provides an update to the law affecting fixed term contracts of employment. The emphasis has been on the legal and practical matters relating to fixed term contracts. The aim has been to present a systematic and integrated view of the legal and practical issues relating to fixed term contracts of employment. Industrial jurisprudence in Malaysia does not recognize fixed term contracts other than those which are genuine and conform to the needs of the business. This has been the emphasis by the Federal Court in *Ahmad Zahri Mirza Abdul Hamid V. Aims Cyberjaya Sdn Bhd* [2020] 3 ILR 233 wherein the Federal Court lays down three tests in determining whether a fixed term contract is genuine, which will be discussed further in this book.

It is hoped that this book will provide an updated and useful insight to employers, human resource practitioners and those who have interest in the subject, especially in dealing with issues relating to employment as well as the legitimate expectation of the substantial right to continuous employment in comparison to temporary fixed term contract of employment. We believe this book will provide an updated analysis of the rights of an employee to be in permanent employment and at the same time the requirements of business to have fixed term contracts of employment.

In writing this book we had in mind the need to provide greater understanding of this specific area of law and cases that complement the law based on decisions of the Courts of Malaysia as well as Courts of foreign jurisdictions. We convey our deep gratitude to all the sources from which we have obtained relevant materials in writing this book.

This book is dedicated to the members of Malaysian Employers Federation and is part of our effort to promote the development of excellence in human resource management to enable employers to meet current and future challenges. This book is part of our effort to provide knowledge and understanding of the various topics that encompass industrial law.

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