

## PREFACE

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This book analyses the rights and the status of probationers in the context of Malaysian employment law.

The probationary period is an opportunity for both the employer and the employee to decide whether they are suited for each other. Hence, a probationer is on trial to prove suitability for a place in employment.

Both the Industrial and Superior Courts have over the years ruled that an employee on probation enjoys the same rights as a permanent employee. Thus, the services of a probationer cannot be terminated without just cause or excuse. The prerogative of the employer to confirm must be exercised in a bona fide manner.

In this book, the authors analyse the key issues on the rights and status of probationers which includes the employer's right to confirm, extend or not to confirm the services of a probationer. It further explains the need to act in good faith when deciding on confirmation.

This book provides a reference guide to management and HR practitioners on the steps required to be taken before an employee is confirmed or not confirmed in employment.

It is hoped that this book will prove useful to employers and all others concerned to meet their responsibilities towards employees and for the maintenance of industrial harmony.

Editorial Board  
Malaysian Employers Federation