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Ah Lek: Don't be legalistic over holiday

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PETALING JAYA, Sat. - Human Resources Minister Datuk Lim Ah Lek today urged employers not to adopt a legalistic approach to the holiday declared for Sept 28 in conjunction with the successful 16th Commonwealth Games.

"This is a very special holiday which was declared by Datuk Seri Dr Mahathir Mohamad in recognition of the country's historic and rewarding achievements in the Games," he said.

Lim said since the holiday was meant for the whole nation, private sector employers are advised to treat it as a paid holiday for their employees.

"The ministry will propose to the Cabinet to amend the Employment Act 1955 with a view to requiring employers to treat additional holidays declared by the Government as paid holidays," Lim said at a Press conference after opening the 14th Malaysia Airlines Employees Union annual meeting at the MAS Academy.

Federation of Malaysian Manufacturers northern region chairman Datuk O.K. Lee said yesterday employers who refused to grant workers paid leave this Monday were not breaking any law.

Malaysian Trades Union Congress president Zainal Rampak had also issued a statement that many employers had refused to grant paid leave to their workers on Monday.

Lim clarified that an employer is required to grant 10 gazetted public holidays with pay each year to every employee.

This must include the National Day, the Yang di-Pertuan Agong's birthday, Sultan's birthday or Federal Territory Day and Workers' Day.

The employer, however, has the option of selecting the six other public holidays from the remaining gazetted holidays.

"The employer may, with the agreement of the employee, substitute any of the six other public holidays for any other day in the year," he said, adding that where the employee works on any of the 10 gazetted public holidays or any of the days substituted for the six public holidays, the employee has to be paid triple the day's wages.

Lim added that where the employer had already specified 10 or more public holidays in each year from amongst the gazetted public holidays, then such employer was not legally bound to grant the employees any additional public holiday.

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