

WORK LIFE BALANCE POLICY IN MALAYSIA: THE CURRENT POSITION AND THE WAY FORWARD

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Abstract

Work life balance policy or policies are becoming preferable trend adopted in many workplaces all over the world including Malaysia. With the increasing demand at work as well as the focus needed to be given for one family and personal life, it will require new policy or policies to be implemented which suit the modern workplace management which will allow the workers to balance their daily activities. A survey conducted in early 2015 by Kelly Global Workforce Index (KGWI) found that 67 per cent of workers polled in Malaysia said a career that centres on work life balance interested them more even than a fat paycheck. The survey clearly indicates that Malaysian workers are more interested to be in a workplace which implements work life balance policy or policies than securing higher salaries or career advancement opportunities. The KGWI surveyed approximately 230,000 people across 31 countries in the Americas, Europe and Asia Pacific regions. There have been many studies which indicate that workers in an organization or company which already implemented work life balance policy or policies enjoy significant benefits like ability to effectively manage multiple tasks or responsibilities both at work and at their home. Implementing the work life balance policy or policies will also equally benefit the organization or the company as well. It is the object of this research paper to examine further the idea or concept of the work life balance policy, identifying the advantages which the work life balance policy can offer, examine the existence of such policy under the existing laws and practices in Malaysia and proposing the way forward by having more work life balance policy or polices to be implemented in the country.

Keywords: Work, Life, Balance

1. INTRODUCTION

It is very important to know the meaning of the word or concept of work life balance before going further on the issue in the paper. The word or the concept of work life balance is an idea on having a balancing practice between individual work, career or ambition and their personal lifestyle which includes their personal health, family, leisure, spiritual development, and towards their own family. (Katherine Lockett, 2008, at pp. 10 & 11).

Work life balance policy or policies is about effectively managing the duties and responsibilities at work and at the same time able to spend quality time with family, taking part in sport and recreation, volunteering or undertaking further study, and others. (David Posen, 2010, pp. 42-45). With the arrival of new communication technology also it can allow certain work to be completed outside the perimeter of the traditional working space. (Rosazman Hussin & Balakrishnan Parasuraman, 2001, at pp. 110-125). Accordingly, the work life balance concept is not a modern invention as it been said that the concept of work life balance or work leisure dichotomy been created far back in the mid of 1800s (Burke, Peter (1995), pp. 136-150). By implementing the concept of work life balance, individual worker will have the opportunity to balance between the responsibility they been given at work and the focus which they also need to give towards themselves and their family. It has also been argued that the expression work life balance was started to be used in the United Kingdom in the late 1970s to describe the balance between the individual's work and their personal life and in the United States of America this phrase was said to have been first used in 1986. As for Malaysia, there have been no recorded materials which can properly identified the exact time period over the use of this concept. Though no actual time can be trace, there are some identifiable features of work life balance policies appear in the country labour statute like the Employment Act 1955 (Act 265) which will be elaborated further in this research paper.

Before going further, it is also crucial to know over the benefits in implementing the work life balance policy or policies. Since, the concept allow the individual worker to have a balance lifestyle towards their work and their personal life, it seems the concept provide a lot of advantages rather than disadvantages not only to the individual worker, but also to the company or organization where they work with. As for the individual worker or employee, with the implementation of work life balance policy or policies they would enjoy plenty of benefits such as ability to manage their life at home, workplace and in the community as a whole. (Suzan Lewis & Cary L. Cooper, 2005 at pp. 95-111). It will also allow them to be more committed with their work and at the same time retain their commitment with their family. (Abdul Aziz Yusof & Tan Fee Yean, 2014, p. 154). When this happen, it would certainly able to make the individual worker or employee as a happy worker. A happy worker would also producing a fit and healthy worker which is crucial to for them to do their job effectively thus will eventually bring more profit or increase the productivity for the company or organization which they belong to.

As for the company or organization, implementing the work life balance policy or policies would able them to get more committed worker into the company or organization as well retaining the workers they already have. To find and keep good staff can be difficult especially in a tight labour market. Employers who offer work life balance policy or policies are likely to have the competitive edge, gain access to a wider recruitment pool, and are more likely to hold onto existing staff. As indicated earlier, a survey conducted has been conducted in early 2015 by Kelly Global Workforce Index (KGWI) which have found that 67 per cent of workers polled in Malaysia said a career that centres on work life balance interested them more even than a fat paycheck. (Borneo Post, 1 May 2015). The survey clearly indicates that Malaysian workers are more interested being in a workplace which implements the work life balance policy or policies than securing higher salaries or career advancement opportunities. As such, a company or an organization which offer work life balance policy or policies will surely attract more worker to their place as well as retaining the one they already have as their main focus joining the company or organization is not because of more money being offered but rather due for having a right management approach which allow them to do their job efficiently and to live harmoniously.

It also can be argued that without having implementing the work life balance policy or policies within the company or organization can lead to absenteeism and low output amongst the worker. Having a work life balance policy or policies can also be consider as part and parcel for being a good human resource management as they will give priority to the welfare of their own worker. It is important for any human resource management to exercise good plan or practice in place. Without it, it can give rise to many unnecessary problems which will disrupt the worker personal relationships and affecting their quality time with family and friends and eventually would bring negative effects for employers and for the company or the organization in the long term. (Can refer to several writings by Roberts, Rashaun; Grubb, Paula L.; Grosch, James W. June 25, 2012 & Chua Bee Seok, Abdul Halim Othman & Mohammad Haji Yusof, 2001, pp. 2-5). This can also give rise to the issue of occupational stress faced by the individual worker in the workplace. (Can refer to several writings by Naghieh, Ali; Montgomery, Paul; Bonell, Christopher P; Thompson, Marc; Aber, J Lawrence, 2015 & Noraini Mohd Noor, 2006 at pp. 19-35) Employees' general health and wellbeing, work satisfaction and motivation are all likely to be improved where work life balance been implemented. (Katherine Lockett, 2008, at p. 19). By having work life balance policy or policies in place, workers are likely to be more committed and more responsive to the company or organization demands as well as able to fulfil

the customers' needs.

2. CURRENT POSITION IN MALAYSIA

The concept of work life balance policy or policies begin to appear in the country very recently when the country Prime Minister, Dato' Seri Mohd Najib Tun Abdul Razak announced a proposal to introduced and fully adopt the Flexible Work Arrangement (FWA) during the 2014 Malaysian budget announcement (The Star, 25 October 2013). The initiative has received the thumbs up by both workers in public as well as in private sectors in the country. The announcement pleased many employees as well; especially female's employees in the country, as they would now be able to balance between career and family commitments, and the move would also ensure a more supportive working environment. Starting from that moment, everybody started to talk and raise many ideas on implementing the concept of work life balance policy or policies in the workplace all over the country. However, this should not be regarded at the starting point over the birth of the work life balance policy or policies concept in the country. The idea over flexibly working arrangement has already been existed far back in 1998 during the time of then Prime Minister, Tun Dr. Mahathir Mohamed through the introduction of a public service circular which allow the public service members particularly in Federal Territory of Kuala Lumpur to adopt flexible working hour's arrangement. The rule then been extended to the newly form Federal Territory of Putrajaya in 1999. Ever since, several government ministries, agencies as well as private companies in the country had tried to adopt the approach. Though the concept of work life balance policy seems to have been developed over the last 20 years in the country, the structures, the ideas, or the principles over such policy or policies can be trace to much earlier. This can be seen though the existing labours laws in the country which will be elaborated further below

3. THE EXISTING LABOUR LAWS IN THE COUNTRY

All forms of forced labour and slavery are prohibited by virtue of Article 6(1) and (2) of the Malaysian Federal Constitution. Article 6(1) provides that "no person shall be held in slavery". The term 'no person' explicitly used in the above article reflects that neither local nor migrant workers shall be held in slavery or any form of servitude. Further article 6(2) provides that all forms of forced labour are prohibited. In light of the above constitutional guaranteed, there are various statues being design to protect the right and interest of the workers as well as protecting their wellbeing, health and safety in the workplace in the country. The labour statutes that currently being enforced in Malaysia are (i) Employment Act 1955 (the law applicable in the States of Sabah and Sarawak are the Labour Ordinance Chapter 67 and Chapter 76, respectively); (ii) Employment (Termination and Lay-Off Benefits) Regulation 1980 (iii) Employee's Provident Fund Act 1991; (iv) Employee's Social Security Act 1969; (v) Industrial Relations Act 1967; (vi) Trade Unions Act 1959 (Revised 1981); (vii) Factories and Machinery Act 1967; (viii) Occupational Safety and Health Act 1994; and (ix) Workmen's Compensation Act 1952. (Siti Zaharah Jamaluddin, 2000, pp. 153 – 177, Sharifah Suhanah Syed Ahmad, 2012, pp. 179 – 196, Ashgar Ali Ali Mohamed, 2014, pp. 35 – 74 & Marilyn Aminuddin, 1990 at pp 1-9). Having a long list of statutes, the main statute which seem to give much focus towards the concept or embraced idea or concept on work life balance policy or policies is the Employment Act 1955 (Act 265).

Act 265 is an important piece of legislation, enforced in Peninsular Malaysia, which prescribes the minimum protection of rights to workers in the country which can also be seen to have embodied the concept of work life balance policy or policies. This includes the payment of wages, restrictions in the deduction of workers' wages, maternity protection, protection of female workers by prohibiting them from carrying out night work, underground work and in certain places of work, prescribing the rest days in each week, maximum hours of work a day, prescribing public holidays each year, annual leave, sick leave and overtime rates payable for extra hours of work. As can be seen from the given explanations, the main object and the primary concern of Act 265 is more on "monetary benefits" such as annual leave, sick leave, maternity allowances and overtime, amongst others. The Act is administered by the Labour Department at the Malaysian Ministry of Human Resources (MOHR). Having said so, the Act is also bound to have its own weaknesses namely the limit coverage of the employee in terms of their employment and their wages as it only provide for employee under contract for service and those who received the amount of wages below RM2000 (USD \$480).

4. THE WAY FORWARD

It's time for the country to put the work life balance policy or policies agenda above all agenda when it comes to human resource management issue and improving the current working environment. As the nation is moving ahead to become fully develop nation 2020, the government and relevant administration agencies need to come out with more ideas and proposals to implement the work life balance concept in all workplace (Both in private and in public sectors). As such the following recommendation should be consider seriously by the relevant authority to make the work life balance concept a reality namely fully implementation of

flexible working arrangement (FWA), the creation of child care center in every workplace, possible reduction of the number of working hours in certain sectors, increasing the number of days for leaves for the workers, and others. The relevant parties may also consider having on-site seminars and workshops on such topics as reducing occupational stress, the importance for having balance nutrition, danger of smoking, proper way of communication and others, having more internal and/or external educational or training opportunities, and providing more fitness facilities, or provide fitness membership assistance as well as other facilities which can improve the worker health. Some of the mentioned suggestions have already been proposed, but it is still at early stage and yet to be fully implemented where it currently been cautiously examined by government and employers and employees associations as well as non – governmental organization (NGO) before any final decision and full implementation of such suggestions can take place. (Bernama, 23 August 2016, The Star, 23 August 2016, & The Malay Mail, 5 September 2016). At the same time, the policy maker should also be proactive by restraining themselves from making any policy or policies which can be seen to be against the concept of work life balance policy like increasing the number of age retirement or introducing any unrealistic activities or programs to the workers. Employer can also play their role to achieve the aim of the work life balance policy or policies by initiating a more realistic Key Performance Indicator (KPI) which can be realistically achieve by the company or organization and by the worker.

5. CONCLUSION

Work life balance policy becoming very important concept nowadays not only in Malaysia, but all over the world. The time has come for every company or organization especially employer to implement such policy in their workplace. As mentioned earlier, the policy will bring a lot of benefits and solve the ongoing problem in regards to the issue concerning occupational or work related stress which being faced by workers for the last many years. Occupational or work related stress issue must be tackle immediately as it will bring negative effect not only towards the individual worker themselves in terms of their physical, psychological and mental health, social life as well as family and personal relationship but also will affect the productivity and the reputation of the company or organization which the worker belong to. Effort can be taken through implementation of work life balance policy like implementing the flexible working hours, creating or offering more family environment facilities within the workplace, updating any archaic law which does not get along with current labour trend, and others.

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