

#132366

ERL MAINTENANCE SUPPORT SDN BHD

(Company No. 498574-T)



Effective Railway Operations; Reliable System Maintenance


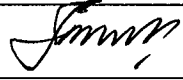

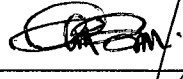

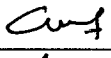



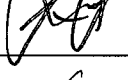
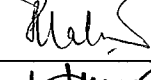
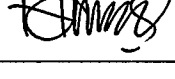

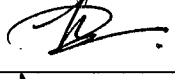
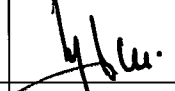
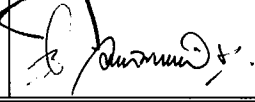
HUMAN RESOURCE DEPARTMENT

SHIFT PROCEDURE

Ref. No. G00.OMH.M11750.ZP.0006.E

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Release

Released:	Thomas Baake	Chief Executive Officer	10.8.16	
Acknowledged:	James L. Boudville	Operations	27.7.16	
Acknowledged:	Norhandee Nordin	Transportation	27.07.16	
Acknowledged:	Omar Zakir	Operation Control Centre	27.07.16	
Acknowledged:	Ham Mow Wai	Maintenance	9.8.16	
Acknowledged:	Azerul Fahmi	Project & Engineering	02.08.16	
Acknowledged:	Norazman Abu Hassan	Rolling Stock	19-Jul-2016	
Acknowledged:	Anthony Arokianathan	Signalling	2/8/2016	
Acknowledged:	Jayarajah Savarimuthu	Electrification	2/8/2016	
Acknowledged:	Sukhbir Singh	Safety & Security	10/08/16	
Acknowledged:	Mahalatchmy Paidathally	Material Management / Administration	2/8/2016	
Acknowledged:	Nauwalah Amat Mustakim	Finance	15/8/2016	
Acknowledged:	Gan Lee Hong	Procurement	26/7/16	
Acknowledged:	David Thiagarajan	Quality, Environment & Documentation	21/7/2016	
Checked:	Nor Hashimah Basri	Human Resource	12/7/2016	
Author:	Shila / Suriani Farisa	Human Resource	11-Jul-2016	
	Name	Department	Date	Signature

Amendments or additions to this procedure must be indicated with a vertical black line in the adjacent left margin.

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Change Record and Configuration Control

E	11-Jul-2016	Overall revision and amendments as shown in left margin. To reflect changes due to Company's decision and Employment Act 1955	AID/SUE
D	03-Mar-2010	Revision, update SIRIM logo and to reflect change as per E-MAS organization chart [Ref. No. G00.OMG.M11110.BB.0005. .]	IOS
C	25-May-2007	Overall revision and amendment shown in left margin. Remove the clause of Annual Leave, Medical Leave and Discipline as these are repeated in Leave Administration and Industrial Relations Procedure	LSH
B	27-Jan-03	REVISION	OHA
The version B of Shift procedure has been re-profiled under new subject code – as indicated above. The DOCS image (version A) with ref. Number G00.OMH.M11720.ZP.0001.A is no longer valid.			
A	14-Feb-2002	NEW	OHA
Revision	Date	Modification	Name

* Please refer to the latest version

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1 Purpose

This procedure explains the handling of Company's requirement for continuous work or work that requires to be manned 24 hours, or partly thereof. The Company shall observe shift provisions as stated in the Employment Act 1955 [EA55]. Any other additional provision that is not mandatory would be at the sole discretion of the Company.

2 Scope, Distribution and Access

This procedure covers all shift works as required by the Company. As the Company adopts rotating shift in view of its operational requirements, the procedure explains the type of shift and its related pattern. The Company's shift employees will be governed by EA55 where applicable, shift procedure and other related procedures stated in the Company Procedure Manual¹.

This procedure is applicable to department who has shift employees and access given to all employees.

3 Definition

Block Sign On	This is when shift employees sign on at the same time for the different duties or where shift employees sign on at the same time for any one shift.
Company Approved Public Holidays	These are the gazetted Public Holidays declared by the Federal Government and State Government and have been identified and approved/announced by the Company at the beginning of each calendar year. Paid Public Holidays, Additional Public Holidays and Special Public Holidays falls under this category. Refer Section: Appendices [Appendix 1 Public Holidays]
Company Holidays	From time to time, the Company will announce additional holiday known as Company Holidays. In such cases, the Company may entirely at its discretion grant such holiday as Compensation Leave
Cross over or Encroachment	This happen when a shift employee shift work performed cross over (encroached) from first day to second day, where for example the first day is a normal day and the second day is a Rest Day or a Public Holiday.
Daily Duty Schedule	Shows the work schedule for shift-employees including the Rest Day that is not fixed each week.
Day Duty	This is when signing on is between sun rise [7.00 am] to sun set [6.59 pm]
Double Working	Happens when a shift employee who has completed his work as per the Daily Duty Schedule and has rest hours <u>more than 6 hours but less than 12 hours</u> is requested to work in another shift on the same day.
Insufficient Rest Hours	Where the Sign Off to Sign On time is less than 8 hours. The 8 hours period between the Sign Off and the next Sign On is termed as Safety Rest. This requirement needs to be observed especially for Train Drivers and OCC employees.

¹ Refer to Appendices for information on referred documents

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Night Duty	This is when signing on is between sun set [7.00 pm] to sun rise (6.59 am)
Normal Daily Shift Duty	When shift employee is on duty other than on their Off Days/Rest Days
Normal Duty Hours or Schedule	This is a total of 8 hours continuous duty from time of reporting for duty to reporting off duty
On Call	When shift employee is either at home or elsewhere and whom would be ready to be called up for duty at any time when required.
Reporting for Duty [Sign On]	The time of reporting for duty as scheduled by the IS in the Daily Duty Schedule and/or any other directive as decided by the Company.
Reporting for Off Duty [Sign Off]	The time of reporting for Off duty as scheduled by the IS in the Daily Duty Schedule and/or any other directive as decided by the Company.
Rotating Shift	Rotating Shift work involves the employment of a specific number of workers/employees who carry out similar work but at different times of the day. Thus a shift may be described by the time of day i.e. morning shift, afternoon shift or night shift.
Safety Rest	The 8 hours period between the Sign Off and the next Sign On is termed as Safety Rest.
Shift Employee's "Day"	A shift employee's "day" begins at the point of time when he starts work on that day. Thus, if the shift employee's day begins at 8.00 pm, his day would end at 8.00 pm the next day [24 hours later].
Shift Employee's Maximum Working Hours	A shift-employee's weekly hours may exceed 48 hours provided that over a 3 weeks' period, or any other approved period by the Director General of Labour Department, his average number of hours worked does not exceed 48 hours per week. This excludes overtime performed.
Shift Pattern	A shift pattern may be of a 2 shift pattern, 3 or may be 4 shift pattern
Spread Sign On	This is when shift employees sign on as per their duty.
Through Working	Happens when a shift employee who has completed his work as per the Daily Duty Schedule and has rest hours <u>less than 6 hours</u> but is requested to work in another shift on the same day.
Work Beyond Normal Working Hour	Work performed by shift employee is said to be outside the normal working hours as per the Daily Duty Schedule when the shift employee is required to: <ul style="list-style-type: none"> • Work beyond the normal working hours that is rostered in the Daily Duty Schedule; • Work earlier than the working hours stated in the Daily Duty Schedule [termed as Under Rest]. In this case however, the Rest hours MUST first be met.

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4 Shift Duty Work Hours

- i. To maintain continuity, all shift employees shall remain on duty until relieved by either the succeeding shift employees or until permitted to leave by the Immediate Supervisor [IS] in charge.
- ii. The Company roster its shift patterns to meet its operational requirements. Head of Department [HOD]/IS must observe the average working hours over a 3 weeks period of 48 hours maximum. The recommended minimum working hours to be observed is between 41.5 hours and 45 hours per week on the average. For purpose of working hours' calculation, it shall exclude the normal meal break. However, meal break can be a paid meal break depending on the nature of the task.
- iii. The working hours shall be deemed to commence from the time an employee reports to his place of work and ends at the time he leaves his place of work in accordance with his roster.
- iv. Due to operational requirement, the :
 - a) First shift may fall before sunrise. This type of shift fall under category of Night Duty.
 - b) First and Second shift may be rostered overlapping to each other. These shifts fall under category of Day Duty.
- v. Working "double shifts" is in conflict with the EA55 and should be avoided. The maximum hours of work on any one-day, including overtime, must not exceed 12 hours. Therefore, if an employee was requested to work 2 shifts, one immediately after the other, with each shift being of 8 hours duration, then the employer has committed an offence under the Act.
- vi. As per stipulated in the EA55, Clause 60A. (2) an employee may be required to exceed the limit of hours work and to work on a rest day, in the case of:
 - a. Accident, actual or threatened, in or with respect to his place or work;
 - b. Work, the performance of which is essential to the life of the community;
 - c. Work essential for the defence or security of Malaysia;
 - d. Urgent work to be done to machinery or plant;
 - e. An interruption of work which it was impossible to foresee; or
 - f. Work to be performed by employees in any industrial undertaking essential to the economy of Malaysia or any essential service as defined in the Industrial Relations Act 1967.

5 Daily Duty Schedule / Rostering

- i. The Company will observe continental rostering i.e. where all days are treated the same for rostering purposes with no differentiation being made for Saturdays, Sundays and Public Holidays [PH].
- ii. The Daily Duty Schedule must be made known to the shift employees at least 10 days in advance before the next period roster begins. If there is any amendment to the Daily Duty Schedule, it should be done 48 hours before the start of the duty.
- iii. Employees on shift duty concerned must adhere to the amended Daily Duty Schedule if it is done 48 hours before the start of duty.

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- iv. No shift employee may demand or select the day/s or type of day/s they wish to perform their shift work.
- v. Rostering is at the sole discretion of the Company due to operational requirement.

6 Non Rostered Work

- i. This is when the shift employee is NOT rostered or scheduled in the Daily Duty Schedule.
- ii. No shift employee is allowed to demand for shift work/duty not scheduled in the Daily Duty Schedule. They are, however, allowed to **swap their duty** with another shift employee, which do not involve any cost and/or additional cost to the Company. Both parties must agree upon the swapping of duty and a written consent by both must be submitted to their IS at least 48 hours before the shift work starts.
- iii. For Train Drivers, the submission to their IS **MUST** be at least 48 hours before the shift work starts.
- iv. However, the requirement for other departments is as specified by them, which may be defined or changed as and when required due to operational requirement.

7 Through and Double Working

- i. If such condition arises, IS should consider split shifts. However, in cases where the above occur, the shift employee concerned will be paid Overtime [OT] accordingly. No shift allowance will be paid.
- ii. The Company must ensure that the above is to be considered for implementation only when there is a situation that falls under the exception as stated in EA55 [refer Section: Shift Duty Work Hours item (iv) and (v)].

8 Rest and Off Day

- i. Employees working on shift will be granted 1 [one] full day Rest period consisting of a minimum of 30 hours continuous, as rostered by their HOD/IS.
- ii. When the Sign-Off to the next Sign-On exceed 30 hours, the first day is considered as an Off Day while the next day is considered as a Rest Day.
- iii. Requesting/calling shift employees to return for duty during their Rest Day is to be avoided, UNLESS there is a situation that falls under the exception as stated in EA55 [refer Section: Shift Duty Work Hours item (iv) and (v)]

9 Insufficient Rest Hours

- i. The employee must be paid OT at a rate in accordance with the type of day, if he is requested to work during his safety rest hours and up to his next duty roster.
- ii. The Company must ensure that the above is to be considered for implementation only when there is situation that falls under the exception as stated in EA55 [refer Section: Shift Duty Work Hours item (iv) and (v)].

10 Friday Mid-Day Prayers

The Company strives to ensure that Muslim shift employees are rostered in a manner that he does not miss the Friday mid-day congregational prayers on 2 consecutive Fridays.

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11 Shift Allowance

A shift employee is entitled to shift allowance according to the shift that he is involved/rostered. Shift Allowance would only be paid if the shift-employee performs the particular shift.

11.1 Shift Allowance for Shift Employees

Approved quantum of shift allowances:

- i. 1st Shift – RM4.00 per shift and term as Day Duty Allowance
- ii. 2nd Shift – RM7.50 per shift and term as Day to Night Duty Allowance
- iii. 3rd Shift – RM11.00 per shift and term as Night duty Allowance

Under the EA55, an employer is not obliged to pay for shift allowance for shift categorized as Day Duty i.e. which starts immediately after sunrise. However, the Company has agreed that a smaller quantum to be paid out as shift allowance for this category of shift. Refer to Section: Appendices [Appendix 2 and 3] for examples of shift pattern and shift allowance quantum calculations.

11.2 Shift Allowance for Executive Grade and Employees not governed by EA55

Under the EA55, an employer is not obliged to pay for shift allowance for employees under the Executive Grade [i.e. E1 – E3] and those not governed by the EA55. However, the Company would consider when an employee on Executive Grade are:

- i. **Permanently rostered on 3 shift pattern** as per Operations Control Centre [OCC], they would be paid Shift Allowance.
- ii. **Only at times required to work on shift**, a quantum of shift allowance will be paid and the calculation will be as per Section: Calculation of Shift Allowance When Called Back on Off/Rest Day.

11.3 Calculation of Shift Allowance When Called Back on Off/Rest Day

If shift employee is called back on his off day/rest day, in addition to his off day/rest day pay, he will also be paid shift allowance, which will be calculated on the following basis:

- i. Up to 4 hours is calculated on 0.5 rate on the type of shift;
- ii. More than 4 hours is calculated on full amount of that shift performed

12 Company Holidays

If a shift employee is rostered to work on such a holiday or rostered to be on off/rest day or on annual leave, additional leave will be credited to the shift employee's Compensation Leave Entitlement. Please refer to Leave Administration procedure¹.

13 Public Holidays [PH]

13.1 Company Approved PH

There are 3 categories of Company Approved PH [refer Section: Appendices [Appendix 1]:

¹ Refer to Appendices for information on referred documents

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Category	Descriptions
Paid PH	These are PH, which have been specified in EA55 and that have been identified by the Company as Approved Public Holidays. Also, it includes any day declared as a PH under Section 8 of the Holidays Act 1951 i.e. any PH announced by the Government.
Additional Paid PH	These are the Company's Approved PH that the Company at its sole discretion has agreed to include them under the Paid PH. The Company, however, reserves the right to make changes either to reduce or increase the number of Paid PH if it deems necessary.
Special PH	This is Company Approved PH where the Company at its sole discretion agreed that any shift employee rostered or required to work on a Special PH to be given Compensation Leave [CPSL]. This CPSL will be automatically credited to the shift employee's Leave Entitlement at the beginning of each calendar year and it shall be rostered and utilized together with the annual leave entitlement throughout the year. Please refer to Leave Administration procedure ¹ [clause on PH] The Company reserves the right to make changes either to reduce or increase the number of such Special PH that is granted as CPSL in lieu, if it deemed necessary.

13.2 Working/Rostered on a Company Approved PH

Refer Section: Appendices [Appendix 1 and 2] :

Scenarios	Shift Employee Entitlement
If a shift employee is rostered on any of the Company's Approved PH	He would receive a PH rate for his daily wage i.e. additional 2 days wage for the work done on that PH [e.g. although the shift employee only managed to perform 2 hours out of his shift hours, he is still to be paid the PH rate for his daily wage].
If a shift employee's Rest Day falls on a Paid PH and Additional Paid PH	The working day following immediately the Rest Day shall be a paid holiday in substitution of that PH.
If the shift employee's Off Day falls on a Paid PH and Additional Paid PH	At the Company's discretion, he will be entitled for the working day following immediately the Off Day to be a paid PH in substitution of that PH.

14 Cross over or Encroachment

- i. When a cross over or encroachment happens, shift employees are NOT entitled to PH or Rest Day rates after midnight although the hours crossed over from one "day" to "another".
- ii. Due to shift employee's "day" term, his hours after midnight is not a PH and his payment should be computed based on his normal rate. If he had worked any overtime after the end of his shift, the rate would be 1.5 times his hourly rate of pay, i.e. the normal rate of overtime for a working day.

¹ Refer to Appendices for information on referred documents

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15 On Call

15.1 Call Back On Annual Leave [AL]

A shift employee who is on AL and is called back to work due to operational requirement, the Company has the options to either:

- i. Pay for the days of AL that he is required to work; OR
 - ii. Give a replacement day in lieu to be taken at a later date agreed by the Company
- Please refer to Leave Administration procedure¹

16 Work Beyond Normal Working Hour

16.1 Overtime [OT]

For shift based employees who are defined as manual workers under the EA55, they shall be paid OT payment accordingly if they are required to work outside the normal working hours or rostered hours as stated in the Daily Duty Schedule. The OT rate is defined in the EA55. Also refer Payroll And Salary Management procedure¹.

16.2 Working on Rest Day

Shift employee can be requested to work on their Rest Day in which case they must be paid at Rest Day rates. Please refer to Payroll And Salary Management procedure¹.

16.3 Working on Off Day

Shift employee can be requested to work on their Off Day in which case they must be paid at Normal Day rates. Please refer to Payroll And Salary Management procedure¹.

16.4 Working on Special Public Holidays and Company Holiday

All shift employees will be given CPSL for all the listed Section: Appendices [Appendix 1 - Special Public Holidays]. When working on Special PH and Company Holiday, it will be treated as normal day and any OT performed will be paid Normal Rate unless the shift employee has been rostered to be on Rest Day then he shall be paid a Rest Day rate.

16.5 Claim for Mileage and/or Compensation Leave

Shift based employees who are governed by the EA55 when required to work outside the normal working or rostered hours as stated in the Daily Duty Schedule, on any of the following days i.e. Off Days/Rest Days/PH/Special PH/Company Holidays are not allowed to claim either for mileage or additional CPSL.

17 Working Outside Normal Hours For Executive Grade and Employees not governed by the EA55

Executive grade employees and employee not governed by the EA55 will not be entitled for overtime if he is required to perform work on his Off Days/Rest Days/PH/Special PH/Company Holidays. But the Company may consider him to be given CPSL in lieu [in accordance to Leave Administration procedure¹]. This is however not applicable to employees under 'Section: Shift Allowance Quantum for Executive Grade and Employees

¹ Refer to Appendices for information on referred documents

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not governed by EA55' Item [1] who are **Permanently rostered on 3 shift pattern**. Quantum salary the overtime is calculated will be capped by per Company [in accordance to Payroll and Salary Management procedure¹].

18 Appendices

18.1 Appendix 1 : Public Holidays [PH]

Paid PH [1 day each]	Additional Paid PH [1 day each]
Agong's Birthday	
Chinese New Year	Chinese New Year
Christmas	
Deepavali	
Hari Malaysia	
Hari Raya Haji	
Hari Raya Puasa	Hari Raya Puasa
Labour Day	
National Day	
Sultan Selangor Birthday	
Wesak	
On any day declared as a PH under Section 8 of the Holidays Act 1951 i.e. any PH announced by the Government	

Special Public Holidays – 1 day each [Credited as Compensation Leave]	
Awal Muharram	Nuzul Quran
Maulud Nabi	Thaipusam

18.2 Appendix 2 : Example of Shift Calculation

Shift Patterns	Two Shifts Patterns	Three Shift Patterns
Shift A	06:00 hours to 14:00 hours	07:00 hours to 15:30 hours
Shift B	14:00 hours to 22:00 hours	15:00 hours to 23:30 hours
Shift C		23:00 hours to 07:30 hours

18.3 Appendix 3 : Shift Allowance Quantum

A. Normal shift		
1 st Shift	sign on at 07:00 hours	RM4.00 per shift
2 nd Shift	sign on at 15:00 hours	RM7.50 per shift
3 rd Shift	sign on at 23:00 hours	RM11.00 per shift

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B. First shift fall before sunrise
 [this is due to operational requirement; these type of shift fall under category of Night Duty]

1 st Shift	sign on at 04:45 hours	RM11.00 per shift
2 nd Shift	sign on at 12:45 hours	RM7.50 per shift
3 rd Shift	sign on at 20:45 hours	RM11.00 per shift

C. First and second shift rostered overlapping with each other
 [this is due to operational requirement; these type of shift fall under category of Day Duty]

1 st Shift	sign on at 07:15 hours	RM4.00 per shift
2 nd Shift	sign on at 09:45 hours	RM4.00 per shift
3 rd Shift	sign on at 15:30 hours	RM7.50 per shift
4 th Shift	sign on at 20:45 hours	RM11.00 per shift

18.4 Appendix 4 : Scenarios

18.4.1 Rostered to work Before Paid PH [Example Before May 1st]

No	Shift Hours	Outcome	Reason
1	Starts at 20:00 hours and ends at 05:00 hours on the following day [including 1 hour break]. The following day is a Paid Public Holiday.	He will be paid normal pay rate for the work done from 20:00 hours to 05:00 hour Any overtime performed after the work hours will be calculated on 1.5 times his hourly rate of pay [i.e. the normal rate of overtime for a working day].	Shift employee "day" starts from 20:00 hours and ends at 20:00 hours the following next day

18.4.2 Rostered to work on a Paid PH [Example on May 1st]

No	Shift Hours	Outcome	Reason
1	Starts at 08:00 hours and ends at 17:00 hours on the same day [includes 1 hour break]	He will be paid Public Holiday pay rate. Any overtime performed after the end of his shift hours will be calculated on PH rate of overtime	Shift employee "day" term and his shift starts on the same day, which is a PH
2	Starts at 20:00 hours and ends at 05:00 hours on the following day [includes 1 hour break]	He will be paid PH pay rate. Any overtime performed after the end of his shift hours will be calculated on PH rate of overtime	Shift employee "day" term. Paid PH rate although his shift ends on the next day which is NOT a PH.

18.4.3 Rostered as Rest Day on a Company approved Paid PH

Employee, however, was called back to work [example May 1st]:

Location	Reference	Rev.	Date	Page No.	Document Name
E-MAS Offices	G00.OMH.M11750.ZP.0006	E	11.07.2016	Page 14 of 14	Shift Procedure

No	Shift Hours	Outcome	Reason
1	Starts at 08:00 hours and ends at 17:00 hours on the same day [includes 1 hour break]	He will be paid Rest Day pay. Any overtime performed after the end of his shift hours will be calculated on Rest Day rate of overtime. The PH pay will be substituted in the next immediate working day.	Shift employee "day" term and his shift ends on the same day which is his Rest Day and also a PH.
2	Starts at 20:00 hours and ends at 05:00 hours on the following day [includes 1 hour break]	He will be paid Rest Day pay. Any overtime performed after the end of his shift hours will be calculated on Rest Day rate of overtime. The PH pay will be substituted in the next immediate working day.	Shift employee "day" term and his shift ends on the next day which is his rostered working day.

18.4.4 Rostered as Rest Day on Normal Day

Employee, however, was called back to work:

No	Shift Hours	Outcome	Reason
1	Starts at 08:00 hours and ends at 17:00 hours on the same day [includes one 1 hour break]	He will be paid Rest Day pay. Any overtime performed after the end of his shift hours will be calculated on Rest Day rate of overtime	Shift employee "day" term and his shift ends on the same day.
2	Starts at 20:00 hours and ends at 05:00 hours on the following day [includes 1 hour break]	He will be paid Rest Day pay Any overtime performed after the end of his shift hours will be calculated on Rest Day rate of overtime	Shift employee "day" term and his shift ends on the next day, which was supposed to be his rostered working day.

18.5 Appendix 5 : Related Procedures in EDMS

Reference Procedure / Manual / Form	Doc. No
Company Procedure Manual	G00.OMD.M11150.CA.0001.*
Leave Administration Procedure	G00.OMH.M11750.ZP.0001.*
Industrial Relations Procedure	G00.OMH.M11780.ZP.0001.*
Payroll And Salary Management Procedure	G00.OMH.M11760.ZP.0001.*
Note : * Refers to the latest revision	