



# Definition & legal background – Ethical Recruitment

### ***Ethical recruitment practices are in place***

*All recruitment practices are transparent and fair. All workers understand their terms of engagement, what is required of them and have written documentation in an appropriate language. The company has a due diligence system in place to ensure all third parties involved in recruitment (such as labour contractors or recruitment agencies) operate legally and responsibly.*

*- EF Respect of Workers Principles, Principle 5*

### **BACKGROUND**

Malaysia is a destination country for foreign labour originating from countries such as Bangladesh, Indonesia, India, Myanmar, Nepal, Philippines and Pakistan. Workers are mostly sourced through recruitment agents in Malaysia, or via direct recruitment in their home country.

In Peninsular Malaysia all workers, including foreign workers are covered under the Employment Act 1955. In East Malaysia (Sabah and Sarawak), foreign workers are covered under the Sabah Labour Ordinance and Sarawak Labour Ordinance respectively.

The official terms and conditions for the recruitment of foreign workers are found on the Immigration Department website. Employers are encouraged to keep up to date with this site: <https://www.imi.gov.my/index.php/en/main-services/foreign-workers.html>

*DISCLAIMER: The information in this document is prepared for a brief and general guideline on remedy and has been compiled using various sources publicly available. Efforts have been made to ensure that relevant information has been included; however EF does not claim that the information in this guideline is exhaustive. Further, this document does not purport to contain all the information that the end user or reader including but not limited to employers, buyers, importers, manufacturers, suppliers or distributors (collectively "End User") may desire to understand regarding the processes, practices or laws in Malaysia in respect of ethical recruitment. The intent of this document is to provide basic guidelines which may be of some help to the end user. With the help of this document, the end user should ensure that the relevant laws, rules, regulations and guidelines are applicable, suitable, updated and relevant to their company or business as a whole. EF, its subsidiaries, related corporation, affiliates, associates, business partners (collectively, "EF Group") and EF's directors, shareholders, officers, employees, agents, representatives and advisers ("Representatives") do not:- (i) make any representation, undertaking or warranty, express or implied, nor any of them, to the extent permitted by law, have any responsibility or liabilities whatsoever in respect of the truth, accuracy or completeness of, or omission from, this document or any related documents or information, whether written or oral, supplied at any time or in respect of any statement, disclosure, or opinion expressed or omitted; (ii) owe any duty of care or otherwise owed by EF Group or its Representatives to the End User in respect of or in connection with this document; (iii) have any obligation to update this document or to correct any inaccuracies, incompleteness or omissions therein; and (iv) accept any responsibility or liability to any reader or third party for any damages, loss, cost or expense, or any loss of profits, business or anticipated savings or for any consequential loss whatsoever, whether directly or indirectly, due to or in connection with any negligence, error, misstatement, misrepresentation or omission by EF Group or its Representatives.*