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Agreed Objectives Sufficient to Gauge Performance of Probationers

Mohd Noor bin Satapa v Cabot Materials Research Sdn Bhd
(Industrial Court Award No 2989 of 2019)

The claimant was employed as a Technical Manager. He was required to undergo a probationary period for six months. Prior to joining the company, the claimant had extensive experience working in the same industry as the company. When he joined, he had agreed to a set of objectives which he was to complete during his probationary period. At the end of the probationary period, he was not confirmed in permanent employment due to his failure to complete the agreed objectives.

The Industrial Court dismissed his claim that his dismissal was without just cause or excuse, and held that:

- (a) The claimant failed to achieve all of the agreed objectives.
- (b) Being a senior management employee, the claimant ought to be fully aware of what is required of him and fully capable of judging himself whether he is achieving the agreed objectives.
- (c) The claimant was informed about the areas of his performance which required improvement during formal assessments and informal meetings.
- (d) The claimant's acts of blaming others for not completing tasks within his purview depict an irresponsible and lackadaisical attitude.
- (e) The claimant had vast experience of 18 years in the technical field and 10 years in a similar industry as the company. His contention that he needs training for basic areas that he has dealt with in his previous employment was ludicrous. He was hired by the company based on those years of experience and ought to have known what his job entailed.

The company was represented by senior associate Amardeep Singh Toor, associate Gokul Radhakrishnan and supervised by partner Lim Heng Seng of [Lee Hishammuddin Allen & Gledhill](#).

The Industrial Court award may be viewed [here](#).

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