

Shariffullah Majeed

Shariffullah graduated with an LLB (Hons) from the International Islamic University of Malaysia in 2008. The following year, he was admitted as an advocate and solicitor of the High Court of Malaya. Since commencing practice, he has gained significant experience in industrial relations. His clients range from multi-national corporations and government-linked companies to small and medium-sized enterprises. While his primary areas of practice are industrial relations and employment law, Shariffullah has also acted in civil claims arising from employment contracts and tortious liabilities.

He collaborates closely with various government-linked and multinational corporations, providing expert counsel on critical matters such as the management of sexual harassment complaints, conducting impartial investigations into employees implicated in corruption cases by the MACC, safeguarding whistleblowers, and addressing a spectrum of employment-related issues. His professional portfolio extends to speaking engagements at Industrial Relations Law Conferences, where he delivers authoritative insights on subjects including intellectual property rights post-employment and ESG considerations in the employment domain, such as matters relating to mental health at the workplace and discrimination.

In line with the firm's continuous CSR efforts, Shariffullah also often collaborates with local universities by giving input to research papers and delivers lectures on subjects related to industrial relations and employment law.

Shariffullah was recently ranked as a "Leading Individual" in the **Legal 500 Asia-Pacific 2024 rankings**. He was also ranked "Band 4" in the Employment & Industrial Relations practice by **Chambers Asia-Pacific 2024**. Shariffullah has also been recognised by **Benchmark Litigation Asia-Pacific 2024** as a "Future Star" in the Labor and Employment category. He is also recognised as a "Notable Practitioner" in the Labour and Employment category by **Asialaw Profiles 2023/2024** Ranking.



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Qualifications

- LLB (Hons), International Islamic University of Malaysia
- Advocate & Solicitor of the High Court of Malaya

Practice Areas

- Industrial Relations
- Employment Law
- Administrative Law

Notable Transactions

- Successfully defended Lembaga Tabung Haji at the Court of Appeal in relation to the claim of gratuity payments by former employees who resigned through an early retirement scheme.
- Successfully established, on behalf of Hicom Holdings Berhad, one of the nation's largest and most diverse conglomerates mainly involved in the Automotive, Services, and Properties sectors, that the Chief Executive Officer was guilty of acting in conflict with the interests of the company, therefore warranting her dismissal.
- Successfully established, on behalf of Padiberas Nasional Berhad, at the Court of Appeal, the company responsible for managing and maintaining the National Rice Stockpile, involving three senior management members who failed to explain the loss of RM1.845 million at the Rice Milling Factory, shattered the trust and confidence reposed in them by their employer to discharge their duties.
- Successfully defended Perusahaan Otomobil Nasional Sdn Bhd, Malaysia's first car manufacturer, in an application for leave to appeal to the Federal Court by a former employee. The Federal Court upheld the decision of the Court of Appeal, which decided that the former employee was not entitled to consequential relief of back wages as of right.

- Successfully defended a Judicial Review Application filed by a former employee of Zurich Insurance Malaysia Berhad, a multinational insurance company, part of the Zurich Group, who had been retrenched following a company-wide reorganisation exercise in 2016.
- Successfully defended CIMB Bank Berhad, a Malaysian universal bank headquartered in Kuala Lumpur, which operates in high-growth economies in ASEAN countries, in appeals to the Court of Appeal filed by its former senior bankers who were dismissed for breaching the Bank's Customer Service Policy and Human Resource Policy. The Court of Appeal upheld both the High Court and the Industrial Court decisions, agreeing that while the appellants had been dismissed for a single act, the gravity of their misconduct that could not be negated by their length of unblemished service or excuse of oversight, warranting the punishment of dismissal.
- Successfully represented Perusahaan Otomobil Nasional Sdn Bhd in the Court of Appeal in an appeal against the Kuala Lumpur High Court's in dismissing its judicial review application. The employee was caught red-handed smuggling an industry-grade grinder from the Company's premises for his own home improvement works and admitted to doing so for at least 20 times. The Industrial Court and High Court held that the employee's misconduct was merely tantamount to an unauthorised removal of property, and not theft, as he would return the grinder to his workstation the next day. The Court of Appeal subsequently set aside the High Court's order and quashed the Industrial Court Award.
- Successfully represented Perodua Sales Sdn Bhd, the largest car manufacturer in Malaysia, in the High Court in three judicial review applications to quash the Industrial Court Awards, which allowed claims of constructive dismissal by three former employees. The Industrial Court chairman ruled that the Applicant had breached the employees' contracts of employment by unreasonably ordering the employees to transfer out of their "natural environment" as they had to relocate to a different state. The High Court found merit in the Applicant's challenge against the Awards of the Industrial Court and allowed the judicial review applications.
- Successfully defended UEM Builders Berhad, engineering & construction arm of the UEM Group with a strong track record in delivering infrastructure development projects, in a Judicial Review Application, filed its former Project Director, to challenge the Industrial Court decision which found that his dismissal by the Company was on the grounds of, among others, breach of his duty to provide full and frank disclosure when reporting to the Company's Board of Directors.
- Successfully represented ExxonMobil Exploration and Production Malaysia Inc., one of the major crude oil producers and supplier of natural gas in Malaysia incorporated in Delaware, United States of America, in a Judicial Review Application, filed by its former Maintenance Planning Clerk, to challenge the Industrial Court decision which dismissed his claim that he had been forced to resign from his employment.
- Successfully defended a subsidiary of FGV Holdings Berhad, which is a public listed company and one of the largest crude palm oil producers in the world, against eight unfair dismissal claims by its former employees. In holding that the company had acted in good faith in discharging the employees, the Industrial Court decided that the divestment by FGV of its subsidiary, which was a genuine business decision, had directly impacted the company, and thus rendering its inevitable closure. The Court also held that this is a case where the discharge of the claimants was inevitable as there would no longer be a business with the means or capacity to maintain any employee.

Publications

- Contributor - Malaysian Chapter of the Chambers Employment Global Practice Guide (2023)
- Contributor - Hishamudin Yunus: Celebrating Judicial Independence (2018)
- Contributing Author - Chapter on Trade Unions, Law & Practice of Employment Law in Malaysia (2021)
- Contributing Editor - The Annotated Statutes of Malaysia, Industrial Relations Act 1967 (2021)
- Contributing Editor - The Annotated Statutes of Malaysia, Trade Unions Act 1955 (2021)