

**INDUSTRIAL COURT OF MALAYSIA**

**CASE NO. 1/1-1369/13**

**BETWEEN**

**NATIONAL UNION OF EMPLOYEE IN COMPANIES  
MANUFACTURING RUBBER PRODUCTS**

**AND**

**ANSEL COMPANIES OPERATING IN MELAKA  
(ANSELL MALAYSIA SDN.BHD./ANSEL MEDICAL SDN. BHD./  
ANSELL N.P. SDN. BHD.)**

**AWARD NO : 1025 OF 2014**

**Coram : Y.A. PUAN SUSILA SITHAMPARAM - PRESIDENT  
MR. PREM KUMAR A/L APPUKUTTY - EMPLOYEES' PANEL  
ENCIK SIMUNIR BIN ABAS - EMPLOYERS' PANEL**

**Venue : Industrial Court, Kuala Lumpur.**

**Date of filing of Form S : 18 October 2013.**

**Dates of Hearing : 5 May 2014.  
23 and 27 June 2014.**

**Representation : Encik Sulaiman Amin  
Industrial Relations Officer  
for and on behalf the complainant/union.**

Mr. Dharmen Sivalingam  
Messrs Dharmen Sivalingam & Partners  
Counsel for the respondent.

## **AWARD**

This is an application for an order of non-compliance of article 32 clause (F) of the tenth collective agreement dated 6 February 2010, cognizance number 58/2010 (hereafter referred to as “the said collective agreement”) by the National Union of Employees In Companies Manufacturing Rubber Products (hereinafter referred to as “the said complainant”) against Ansell Companies Operating in Melaka namely Ansell Malaysia Sdn Bhd, Ansell Medical Sdn Bhd and Ansell N.P. Sdn Bhd (hereinafter referred to as “the said respondents”).

The preliminary objection which was raised by the respondents was heard on 5 May 2014 before a coram which comprised of the learned President, Encik Simunir bin Abas, the member from the Employers' Panel and Mr Ng Choo Seong, the member from the Employees' Panel. That coram dismissed the preliminary objection.

The continued hearing was fixed on 23 and 27 June 2014. Mr Ng Choo Seong informed the court subsequently that he was not available on those dates as he would be attending a conference overseas. The court appointed Mr Prem Kumar s/o Appukutty to replace him. Both parties had no

