

**INDUSTRIAL COURT OF MALAYSIA**

**CASE NO : 3/1-1342/07**

**BETWEEN  
ASSOCIATION OF BANK OFFICERS,  
PENINSULAR MALAYSIA**

**AND  
AFFIN BANK BERHAD**

**AWARD NO : 1177 OF 2008**

**Before :** **TUAN FRANKLIN GOONTING** - **Chairman**  
**MR. TER AKAU** - **Employer's Panel**  
**MR. MURUGAN A/L MANIAM** - **Employee's Panel**

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

**Date of  
Complaint** : 19.6.2007

**Dates of Mention** : 26.7.2007, 5.9.2007, 23.10.2007,  
13.11.2007, 28.11.2007, 13.12.2007,  
4.4.2008 and 17.4.2008.

**Date of Hearing** : 6.5.2008 and 4.7.2008

**Representation** : Mr. Ravindra Murugavell,  
From Messrs Murugavell Arumugam & Co.,  
Counsel for the Complainant

Mr. A. Ramadass &  
Ms. T. Kavitha,  
From Messrs Ramadass & Associates,  
Counsel for the Respondent.

**COMPLAINT :**

A complaint was lodged by the **Association of Bank Officers, Peninsular Malaysia (ABOM)** (“the Complainant”) on 19.6.2007 under Section 56 (1) of Industrial Relations Act 1967 that **Affin Bank Berhad** (“the Respondent”) did not comply with various articles of Collective Agreement Cognizance No. 51/2006.

**AWARD**

The ASSOCIATION OF BANK OFFICERS PENINSULAR MALAYSIA (ABOM) complained pursuant to section 56 (1) of the Industrial Relations Act 1967 that AFFIN BANK BERHAD had not complied with various articles of Collective Agreement Cognizance No. 51/2006 in respect of all those employees of AFFIN-ACF FINANCE BERHAD who had been offered continued employment by AFFIN BANK BERHAD with effect from 1<sup>st</sup> June 2005.

Hearing of the complaint proceeded on 6<sup>th</sup> May 2008 and 4<sup>th</sup> July 2008. On the said second date, midway cross-examining AFFIN BANK BERHAD’s witness, ABOM’s counsel, Mr. Ravindra Murugavell sought a short adjournment to take instructions, which was granted. When the Court reconvened he informed the panel that he had

instructions to withdraw the matter and file a fresh application for interpretation of the said Collective Agreement.

In the circumstances the Court struck off the said complaint.

**HANDED DOWN AND DATED THIS 8<sup>th</sup> DAY OF JULY 2008**

*Signed*

**( FRANKLIN GOONTING )  
CHAIRMAN  
INDUSTRIAL COURT, MALAYSIA  
KUALA LUMPUR**