

# Chapter 11

## Flexibility Redefined: Shaping the Future of Work in Malaysia's Oil and Gas Industry

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### **ABSTRACT**

*This chapter examines the alignment of Malaysia's employment regulations with the evolving preferences of the new generation workforce amid technological advancements. Using a socio-legal methodology, it conducts a doctrinal analysis of Malaysian employment laws, focusing on statutory provisions and Industrial Court decisions. The study also incorporates qualitative data from one-on-one interviews with two experienced human resource professionals and focus group discussions with five Generation Y and Z participants from the oil and gas industry. Findings reveal a mutually beneficial relationship between organizations and employees regarding workplace flexibility, highlighting its importance for social development and the future of work. This chapter contributes to the discourse on regulatory responsiveness in fostering adaptable employment frameworks that meet the evolving needs of Malaysia's workforce.*

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## **INTRODUCTION: DISCOVERING NEW HORIZONS IN FLEXIBILITY**

Flexible Work Arrangements (FWAs) are becoming more common in Malaysia. Many companies are changing their policies to fit this trend (Aminuddin, 2020). Employment (Amendment) Bill 2021 is a big step forward in the law because it adds Sections 60P and 60Q to Employment Act 1955 (EA 1955). These parts explain the exact situations in which employees may request for FWAs. Employers can say deny to these requests, but the law gives employees the right to request for FWAs starting on 01 January 2023.

The oil and gas sector, vital to Malaysia's economy, plays a crucial role in enabling the transition in the employment landscape towards FWAs. This research wants to look at the way FWAs are used in this industry, considering the laws and social trends that affect their use. Employment (Amendment) Bill 2021 puts more emphasis on the legal side of things by including provisions for FWAs. This creates new opportunities but also raises questions about how clear and effective the implementation will be. These factors are particularly relevant to the oil and gas industry due to its distinct requirements for safety, regulatory adherence, and uninterrupted operations. The research will identify deficiencies in the legislation that may hinder the fair and impartial implementation of FWAs, potentially affecting employee rights and employer responsibilities.

This research aims to fill in the gaps in the literature of what it takes to effectively use FWAs in the oil and gas industry, considering its unique challenges and opportunities. This makes it easier to understand how FWAs fit into Malaysia's legal and social systems. This gives each other a lot of useful information that can help us make policies and improve the way businesses work. It also helps create and spread knowledge for social and economic growth, especially when it comes to the Sustainable Development Goals (SDG).

## **LITERATURE REVIEW: FOUNDATIONS OF KNOWLEDGE**

It is crucial to underscore that only a new amendment to EA 1955 will sufficiently address or regulate the matter of FWAs in Malaysia. Previously, the acceptance and implementation of FWAs relied exclusively on government circulars and encouragement, which possess no legal authority (Meenu et al., 2020). Notwithstanding numerous regulations established to protect employees' rights and interests, the following still apply:

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