

Contact Partners:

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Employment

Lim Heng Seng
T: +603 6208 5861
E: lhs@lh-ag.com

Dato' Thavalingam C Thavarajah
T: +603 6208 5857
E: tt@lh-ag.com

Shariffullah Abdul Majeed
T: +603 6208 5881
E: sha@lh-ag.com

Integrity in the Banking Industry — Submitting a False Claim

Nur Naima Binti Nahayadin v Malaysia Building Society Berhad
(Industrial Court Award No 2434 of 2018)

| by Shariffullah Abdul Majeed and Rahul Thomas Dennis |

The claimant, an Account Relationship Manager, attended an event that was organised by the Company and held out of town. She travelled together with a colleague, who had driven his own car to the event. The claimant had lent her car to another colleague who also attended the event.

According to the Company's policy and procedure, if there is more than one employee travelling together, only the one driving the car can make the mileage claim. In spite of this, the claimant submitted a mileage claim and tried to justify it by saying that her superior had given her the approval to do so.

The Industrial Court dismissed her claim for unlawful dismissal and held that:

- (a) The travel claim submitted by the claimant was a false claim, made with intent to deceive the management of the Company and it amounted to a dishonest act; and
- (b) The claimant had broken the trust placed in her by the Company, making the penalty of dismissal a reasonable punishment made with just cause or excuse that was commensurate with the wrongdoing of the claimant.

The Company was represented by partner Shariffullah Abdul Majeed and associate Ahmad Addlan Nabil of [Lee Hishammuddin Allen & Gledhill](#).

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

Shariffullah Abdul Majeed and Rahul Thomas Dennis (Pupil-in-Chambers)

If you have any queries, please contact team partner [Shariffullah Abdul Majeed \(sha@lh-ag.com\)](#).

Lee Hishammuddin Allen & Gledhill

Level 6, Menara 1 Dutamas
Solaris Dutamas
No. 1, Jalan Dutamas 1
50480 Kuala Lumpur
Malaysia

T +603 6208 5888

F +603 6201 0122/0136

E enquiry@lh-ag.com

W www.lh-ag.com

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