

Malaysia: Job advertisement required for Employment Pass applications

October 28, 2020

In brief

As part of the Government of Malaysia's initiative in providing employment opportunities to local talents, the Department of Labour Peninsular Malaysia, under the purview of the Ministry of Human Resources, has introduced a new job advertisement requirement for companies in Malaysia seeking to employ expatriates.

Companies in Malaysia now are required to advertise job vacancies for the roles in Malaysia to local talents through the JobsMalaysia online portal before Employment Pass applications for foreign nationals can be submitted to the relevant immigration approving authority in respect of those roles.

In detail

On October 2, 2020, the Expatriate Services Division (ESD) of the Malaysian Immigration Department [issued an announcement](#) on behalf of JobsMalaysia, Department of Labour, stating that a company that intends to employ expatriates in Malaysia is required to advertise job vacancies to local talents through the [JobsMalaysia online portal](#).

Once the company has advertised the job vacancy on the JobsMalaysia online portal for a minimum period of 30 days, JobsMalaysia will issue an Acknowledgement Letter to the company if no local candidate has been successfully hired for the role advertised.

Key points for the job advertisement requirement:

- The job advertisement requirement applies to all Employment Pass applications, new and renewal, regardless of the Employment Pass category and role.
- The job advertisement requirement is not applicable to Residence Pass-Talent, Professional Visit Pass and Permission to Work applications.
- Companies are required to advertise job vacancies to local talents for the roles in Malaysia through the JobsMalaysia online portal and thereafter may proceed to submit the Employment Pass applications to ESD for approval.

Practical considerations

Companies should register with JobsMalaysia for the purpose of advertising job vacancies on the JobsMalaysia online portal. The registration process will involve setting up and activating the company's account on the JobsMalaysia online portal and thereafter companies may start advertising job vacancies to local talents on the portal.

The relevant authorities are still streamlining the processes. As such, we expect further updates from the authorities on this matter soon. At this stage, ESD is accepting submission of Employment Pass applications with proof of submission of the job advertisements on the JobsMalaysia online portal without the Acknowledgement Letter to be issued by JobsMalaysia.

Furthermore, in light of the Government of Malaysia's initiative in providing more employment opportunities to local talents, companies should be prepared to provide strong justifications to the authorities for the employment of expatriates, instead of locals, for these roles in their organisations.

The takeaway

The introduction of this job advertisement requirement should be factored into a company's employment process. Companies should take into consideration the additional lead time that will be incurred in order to complete the job advertisement process for the purpose of obtaining an Employment Pass. Therefore, companies should continue to effectively plan and strategize their workforce in Malaysia to ensure employment start dates can be met with this additional requirement in place.

Let's talk

For a deeper discussion of how this impacts your business, please contact your Global Mobility Services engagement team or one of the following professionals:

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