

GUIDELINES ON PERFORMING SOLAT DURING WORKING HOURS

One of the principles of Rukun Negara is Belief in God. This principle embodies the religious tenure of Malaysians, especially to about 14.85 million workforce in Malaysia whether local or foreign, the majority of whom are Muslims. Islam requires upon Muslim to perform *solat* of five times a day while male employees are obliged to perform Friday prayers during Zohor.

In accordance with Article 3 (1) of the Federal Constitution which establishes Islam as the religion of the Federation but other religions may be practiced in peace and harmony in any part of the Federation, Muslim employees shall be allowed their obligation to perform the *solat*. In this regard, the Department of Labour, Peninsular Malaysia (JTKSM) in securing Worklife Balance and the Decent Work Agenda for all employees, initiate this Guideline on the Performance of *Solat* during Working Hours as a minimum reference for employers and employees in facilitating the obligation on Muslim employees in performing *solat* during working hours.

OFFENCE FOR NON-PERFORMANCE OF SOLAT UNDER FEDERAL TERRITORY / STATE ACT / ENACTMENTS

The Federal Territory/State Government act/enactments generally state non-performance of Friday's *solat* as an offence punishable with penalties or imprisonment.

OBJECTIVE OF THIS GUIDELINE

The Department of Labour has received complaints from Muslim employees and inquiries from employers with regards to the implementation of *solat* during working hours which includes permitting time to perform *solat* during working hours and proper provision of facilities for the conduct of *solat*. The lack of accurate information has caused confusion between employers and employees, thus impedes the quest for the promotion of a sound workplace relations and cooperation. The objective of this Guideline is to guide employers and employees in relation to the obligation on Muslim employees to perform *solat* during working hours whilst observing specific provisions on working hours as stipulated under the Employment Act 1955.

WORKING HOURS UNDER SECTION 60 A (1) OF THE EMPLOYMENT ACT 1955

An employee shall not perform work for :

- ◆ more than 5 consecutive hours without rest for at least 30 minutes ;
- ◆ more than 8 hours in a day ;
- ◆ exceeding 10 hours in a day (spread over period of 10 hours); and
- ◆ more than 48 hours in a week.

PERMISSION FOR THE PERFORMANCE OF SOLAT DURING WORKING HOURS

In executing steps under this Guideline, an employer shall allocate time for the Muslim employee to perform *solat* for:

- ◆ at least 20 minutes for each *solat* time; and
- ◆ at least 1 hour 30 minutes for Friday *Solat*.

The implementation of the obligation on Muslim employees to perform *solat* during working hours may be adjusted by the employer according to the suitability of the employee's period of rest.

THE SCHEDULE FOR THE PERFORMANCE OF SOLAT

The following schedule shows the *solat* time for muslim employees :

SOLAT	PERIOD OF SOLAT
Subuh	between *5.40 am- 6.40 am
Zohor	between *1.30 pm - 4.00 pm
Friday's <i>solat</i> (on Fridays only to replace Zohor's <i>solat</i> at the Mosque and mandatory for every Muslim male)	between *12.45 pm - 2.15 pm
Asar	between *4.15 pm - 7.00 pm
Maghrib	between *7.15 pm - 8.30 pm
Isyak	between *8.30 pm - 5.30 am

The time to perform *solat* begins when the time for *solat* starts according to Schedules issued from time to time by the State Mufti Departments.

Early performance of *solat* and in congregation is additional and rewardable conduct and can escalate unionism and acquiescence among the employees, besides disciplining employees towards becoming better persons.

AMENITIES FOR SOLAT

Apart from allocating time to perform *solat*, an employer also needs to facilitate in providing space for the performance of *solat* at the workplace as follows :-

- ◆ special covered space in a suitable size, clean, comfortable and close or within the proximity of the workplace;
- ◆ separate *solat* rooms for man and woman Muslim employees;
- ◆ basic equipment for performing *solat* such as prayer mat / mat / floor cover;
- ◆ place to take ablution near the *solat* room; and
- ◆ *qibla* direction certified by State Mufti Department.

PENUTUP

Garis Panduan ini diharap dapat dilaksanakan sepenuhnya oleh semua majikan di negara ini bagi memastikan hubungan harmoni antara pekerja dan majikan di tempat kerja sentiasa dapat dipupuk dan dipelihara selain membantu memperkasa integriti dalam kalangan warga pekerja.

CONCLUSION

This Guideline is expected to be fully implemented by all employers in the country so as to enhance and maintain continued harmonious relations between employees and employers at the workplace besides instilling a high level of integrity among employees.

Sebarang persoalan berkaitan Garis Panduan ini, sila rujuk kepada:
Any question regarding this Guideline, please refer to:

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