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(IJEMP)**www.gaexcellence.com/ijemp**HR COMPLIANCE ON BENEFITS, WAGES, AND
COMPENSATION FOR CONTINGENT WORKERS:
A CRITICAL ANALYSIS OF MALAYSIA'S LEGAL
FRAMEWORK**Jogeswari Ramamoorthy^{*1}, Mughaneswari Sahadevan², Parimela Ramayah³, Xinwei Shi⁴¹Department of Management and Law, Management and Science University, Malaysia jogeswari@msu.edu.my <https://orcid.org/0009-0003-9096-4494>²Department of Business Studies, Management and Science University, Malaysia mughaneswari_sahadevan@msu.edu.my <https://orcid.org/0009-0006-2197-8544>³Department of Business Studies, Management and Science University, Malaysia parimela@msu.edu.my <https://orcid.org/0009-0001-5404-2076>⁴ Durham University Business School, Durham University, United Kingdom Xinwei_shi@dur.ac.uk <https://orcid.org/0000-0003-2303-0870>

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Abstract:

The exponential growth of contingent work arrangements in Malaysia's digital economy has exposed significant gaps in the nation's labor law framework. This paper critically examines human resource compliance concerning benefits, wages, and compensation for contingent workers including freelancers, gig workers, and independent contractors within Malaysia's regulatory landscape. Drawing upon statutory analysis, case law examination, and comparative regulatory approaches, this study argues that the Employment Act 1955's binary classification system (employee versus independent contractor) is fundamentally inadequate for addressing the realities of contemporary contingent work. The paper critiques recent legislative developments, including the Gig Workers Act 2026, while proposing comprehensive reforms to ensure equitable protection for Malaysia's contingent workforce. The analysis reveals that current compliance mechanisms place disproportionate burdens on workers while providing employers with ambiguous safe harbors, ultimately perpetuating systemic vulnerabilities among approximately 1.2 million Malaysian gig workers.

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Contingent Workers, Employment Act 1955, Gig Economy, HR Compliance, Malaysia Labor Law, Worker Misclassification.



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Introduction

The Malaysian labor market has undergone a paradigmatic transformation over the past decade, characterized by the unprecedented proliferation of contingent work arrangements. These non-traditional employment relationships encompassing freelancers, temporary agency workers, independent contractors, and platform-mediated gig workers, now constitute a substantial and growing segment of the nation's workforce. The Department of Statistics Malaysia (2025) estimates that the gig economy alone engaged approximately 1.2 million workers as of 2025, a figure projected to escalate significantly with continued digitalization and post-pandemic economic restructuring (Khazanah Research Institute, 2024). This transformation, while offering purported benefits of flexibility and entrepreneurial autonomy, has generated profound challenges for the regulatory frameworks designed to protect workers.

The central tension animating this paper is whether Malaysia's labor laws, predominantly crafted during an era of stable, long-term employment relationships (Ayadurai, 2023), which can adequately address the distinctive compliance demands presented by contingent work. The transformation of Malaysia's labor market extends beyond platform gig work to broader flexible working arrangements across industries. Recent empirical evidence by Yaacob et al. (2025) highlights that modern home-office and flexible work setups in Malaysia significantly influence employee performance, with worker burnout serving as a key mediating variable when work-life boundaries are blurred. When contingent workers lack formal protections, such structural ambiguities further exacerbate workplace stress and economic vulnerability. Specifically, this paper interrogates the extent to which current HR compliance mechanisms ensure equitable benefits, wages, and compensation for contingent workers who operate outside traditional employment contracts.

The problem motivating this inquiry is threefold. First, there exists a demonstrable gap between Malaysia's statutory labor protections and their practical application to contingent workers. Second, judicial interpretations of employment status have produced inconsistent outcomes, creating legal uncertainty for both workers and employers (Manky & Jamil, 2023). Third, the absence of clear legislative guidance on contingent worker classification has enabled widespread practices that, while technically compliant with narrow statutory interpretations, arguably violate the spirit of labor protection principles (Lee, 2024; Tan, 2020).

This paper advances three primary arguments: that Malaysia's binary employment classification system is structurally incapable of accommodating the spectrum of contingent work relationships; that current compliance mechanisms prioritize employer flexibility over worker protection; and that meaningful reform requires not merely legislative amendment but a fundamental reconceptualization of how Malaysian labor law defines the employment relationship. Besides that, as digital platform operations expand globally, the legal treatment of contingent workers has emerged as a central concern for international labor governance and economic equity. This study directly aligns with the United Nations Sustainable Development Goals (SDGs), specifically SDG 8 (Decent Work and Economic Growth), which mandates the protection of labor rights and the promotion of safe and secure working environments for all workers. By examining statutory enforcement gaps and structural barriers affecting compensation and social protection, this paper addresses how current HR compliance practices in Malaysia either support or impede the realization of decent work standards for the non-standard workforce.

Literature Review

Theoretical Foundations of Contingent Work Regulation

The scholarly literature on contingent work has evolved substantially from earlier treatments that conceptualized non-standard employment as peripheral to core labor market dynamics. Katz and Krueger (2019) fundamentally challenged this assumption in their seminal work on alternative work arrangements in the United States, demonstrating that contingent work represents not an aberration but an increasingly central feature of post-industrial labor markets. Their longitudinal analysis revealed that while precise measurement remains challenging due to methodological variations, there exists compelling evidence of a modest but sustained upward trend in alternative work arrangements since 2000 (Katz & Krueger, 2019).

De Stefano (2016) advanced the theoretical discourse by introducing the concept of the “just-in-time workforce” in his influential analysis for the International Labour Organization. This framing emphasizes how digital platforms have transformed labor from a relationship characterized by mutual obligation into a commodified transaction where workers are summoned precisely when needed and dismissed without consequence when demand subsides. De Stefano (2016) argues compellingly that platform work represents a new form of labor organization that existing regulatory frameworks are structurally ill-equipped to address.

Kalleberg (2018) offers a complementary perspective through the concept of “precarious work,” defined by uncertainty, instability, and insecurity. His cross-national analysis demonstrates that contingent workers systematically experience higher levels of economic vulnerability and psychological distress compared to permanent employees (Kalleberg, 2018). This finding is particularly salient for Malaysia, where social protection systems assume stable employment relationships (World Bank, 2022).

Malaysia's Regulatory Architecture

The Employment Act 1955 constitutes the cornerstone of Malaysian labor regulation, providing protections including minimum wage, annual leave, sick leave, public holidays, and overtime compensation. Section 2 of the Act defines an “employee” as any person who has entered into a “contract of service” with an employer, contrasting with a “contract for services”

that characterizes independent contractor relationships (Ayadurai, 2023). This distinction, derived from English common law, presumes that the presence of control, integration, and economic dependence indicates employment status while their absence indicates genuine independent contracting.

The Industrial Relations Act 1967 complements this framework by protecting “workmen” from unjust dismissal, defining a workman as any person employed under a contract of employment (Maidin, 2018). Significantly, the Act empowers the Industrial Court to determine employment status based on “equity, good conscience and the substantial merits of the case” under Section 30(5) ; a provision that has produced both progressive and conservative interpretations.

The recent Employment (Amendment) Act 2022, effective January 2023, introduced important reforms including reduced maximum weekly working hours (from 48 to 45), enhanced maternity and paternity leave, and explicit anti-discrimination provisions (Ministry of Human Resources, 2023). Critically, however, the amendments explicitly excluded gig workers from their scope, maintaining the traditional employee-independent contractor binary. This exclusion represents what this paper terms a “legislative choice of non-protection”—a deliberate decision by Parliament to preserve employer flexibility at the expense of worker security (Lee, 2024).

The Gig Workers Act 2026: Progress or Palliative

The Gig Workers Act 2026, scheduled to come into force in March 2026, represents Malaysia's first targeted legislation addressing platform-mediated work (Parliament of Malaysia, 2026). The Act establishes several progressive mechanisms: mandatory social security registration under the Self-Employment Social Security Scheme (SKSPS), creation of a Gig Workers Tribunal for dispute resolution, protection against arbitrary deactivation, and requirements for transparent service agreements. Section 10 of the Act explicitly provides that gig workers “shall not be terminated without just cause or excuse”; a provision that mimics employment protection without conferring employee status (Parliament of Malaysia, 2026).

However, the Gig Workers Act 2026 represents what might be termed “separate but equal” legislation that paradoxically entrenches the very exclusion it purports to remedy. By creating a parallel regulatory regime for gig workers rather than incorporating them within mainstream labor protections, the Act legitimizes their second-class status (Ramasamy & Singh, 2023). This critique is not merely theoretical: the Act expressly preserves the distinction between “service agreements” (covering gig workers) and “contracts of service” (covering employees), ensuring that gig workers remain excluded from core Employment Act protections including annual leave, sick leave, and the full minimum wage framework.

Comparative Regulatory Approaches

Comparative analysis reveals that Malaysia's binary classification system is increasingly anomalous among developed economies. The United Kingdom's Employment Rights Act 1996 recognizes three categories: employee, worker, and self-employed independent contractor (Freedland & Kountouris, 2017). The intermediate “worker” category receives core protections (minimum wage, paid leave, working time regulations) without full employment rights, providing a graduated approach that more accurately reflects the spectrum of work relationships.

California's Assembly Bill 5 (2019) codified the “ABC test” that presumes worker status unless the hiring entity proves: (A) the worker is free from control and direction; (B) the worker performs work outside the usual course of the hiring entity's business; and (C) the worker is independently established in the same trade (Dubal, 2023). The European Union's Platform Work Directive (2024) establishes a presumption of employment for platform workers where platform control is present, along with algorithmic transparency requirements (European Parliament, 2024). These international developments provide potential models for Malaysian reform.

HR Compliance in Contingent Work Arrangements

The utilization of contingent workers presents both opportunities and challenges for HR compliance. While contingent work arrangements offer flexibility, cost-effectiveness, and access to specialized skills, they also pose risks related to compliance complexity, lack of benefits and protections, and the potential for misclassification. Recent scholarship has highlighted how algorithmic management systems create new compliance challenges that existing regulatory frameworks struggle to address (Manky & Jamil, 2023; Tan, 2020). To maximize the benefits of contingent labor while mitigating compliance risks, organizations must adopt robust HR policies and practices that prioritize transparency, fairness, and adherence to relevant laws and regulations. Moreover, platform companies often rely on flexible arrangements to minimize overhead, traditional Human Resource Management (HRM) literature emphasizes that equitable compensation structures and structured management remain vital for workforce stability. Specifically, Azeez et al. (2026) demonstrate that core HR dimensions, particularly competitive compensation packages and strong supervisory support serve as critical determinants of employee retention and job satisfaction within Malaysian organizational contexts. This suggests that non-standard workers who lack structured wage protections are exposed to higher turnover intentions and reduced commitment.

Gaps in the Literature

Despite the growing body of scholarship on contingent work in Malaysia, significant gaps remain. First, there is limited analysis of how recent legislative developments, particularly the Gig Workers Act 2026 interact with existing labor protections. Second, the compliance implications for HR practitioners have received insufficient attention in the academic literature. Third, there is a need for more systematic examination of how Malaysian courts have interpreted and applied employment status tests in the context of platform-mediated work. This paper aims to address these gaps through a comprehensive doctrinal analysis that integrates statutory review, case law examination, and comparative regulatory approaches.

Methodology

Research Design

This study employs a qualitative doctrinal legal methodology, analyzing primary legal sources (legislation, regulations, and judicial decisions) and secondary sources (scholarly commentary and regulatory guidance). The doctrinal approach is appropriate given the paper's focus on legal interpretation, compliance requirements, and regulatory gaps (Hutchinson & Duncan, 2012).

Statutory Analysis

The study reviews key labor statutes in Malaysia, including the Employment Act 1955, the Industrial Relations Act 1967, and other relevant regulations. This review focuses on provisions related to benefits, wages, and compensation for contingent workers. Statutory analysis examines the Employment Act 1955 (Act 265), Industrial Relations Act 1967 (Act 177), Employees' Social Security Act 1969 (Act 4), Employment Insurance System Act 2017 (Act 800), and the Gig Workers Act 2026 (Act XXX).

Case Law Analysis

Relevant case law is analyzed to understand how courts have interpreted and applied labor laws in cases involving contingent workers. This analysis helps identify legal gaps or inconsistencies in the protection of contingent workers' rights. Case law analysis focuses on decisions by Malaysian courts and the Industrial Court addressing employment status determination, including *Lee Swee Seng & Anor v. Fairview Schools (M) Sdn Bhd* [2017], *Loh Guet Ching v. Menteri Sumber Manusia & Ors* [2021], and *David Vanniasingham Ramanathan v. Subang Jaya Medical Centre Sdn Bhd* [2013].

Regulatory Guidance Review

Regulatory guidance from bodies such as the Ministry of Human Resources and other relevant agencies is reviewed. This includes guidelines, codes of practice, and policy documents that provide additional context and interpretation of the statutory provisions (Rasiah & Chandran, 2019). Regulatory guidance from the Ministry of Human Resources, Social Security Organization (SOCSO), and Employees' Provident Fund (EPF) provides interpretive context. By integrating these three components—statutory review, case law analysis, and regulatory guidance—this study provides a holistic understanding of the current legal landscape affecting contingent workers in Malaysia. The findings inform recommendations for enhancing legal protections and ensuring better compliance with HR standards for benefits, wages, and compensation for contingent workers.

Results

Judicial Approaches to Employment Status Determination

Malaysian courts have developed four primary tests for determining employment status: the control test, integration test, multiple tests, and economic reality (or entrepreneur) test. Analysis of relevant case law reveals inconsistent application producing unpredictable outcomes.

The Control Test: The control test examines the extent to which an employer directs not only what work is performed but how it is performed. In *Lee Swee Seng & Anor v. Fairview Schools (M) Sdn Bhd* [2017] 1 ILR 289, the Industrial Court ruled that despite the employer's characterization of the claimant as a contractor, the degree of control exercised over his work including specified working hours, direct supervision, and requirement to seek approval for leave with established employment status (Hassan, 2022). This case demonstrates that contractual labels are not determinative; courts will examine the actual working relationship.

The Integration Test: The integration test, derived from *Stevenson, Jordan & Harrison Ltd v. MacDonald & Evans* [1952] 1 TLR 101, asks whether the worker's role is integral to the employer's business or merely accessory to it. Applying this test to platform workers yields compelling evidence for employee classification. Grab drivers and Foodpanda riders are not peripheral to these platforms' operations, yet, they constitute the core service delivery mechanism (Manky & Jamil, 2023). Without these workers, the platforms have no product to sell.

The Economic Reality Test: The economic reality test examines whether the worker is genuinely in business on their own account. The Social Security Appellate Board's June 2023 decision concerning a direct selling company applied this test to find that individuals were independent contractors, emphasizing freedom to determine work schedules, ability to work for multiple companies, responsibility for own tax liabilities, and absence of employee benefits (Social Security Appellate Board, 2023).

Statutory Protection Gaps

Analysis reveals systematic gaps in statutory protections for contingent workers. Table 1 summarizes key protections available to employees versus contingent workers.

Table 1: Comparison of Statutory Protections by Worker Classification

Protection	Employee (Employment Act)	Independent Contractor	Gig Worker (Gig Workers Act 2026)
Minimum wage (RM1,500)	Yes (s. 15D)	No	Partial
Annual leave (8- 16 days)	Yes (s. 60E)	No	No
Sick leave (14-60 days)	Yes (s. 60F)	No	No
Public holidays (11+ days)	Yes (s. 60D)	No	No
Overtime pay	Yes (s. 60A)	No	No
EPF contributions	Yes (12%-13% employer)	No	No
SOCSSO contributions	Yes	No	Limited (SKSPS only)
Unfair dismissal protection	Yes (IRA 1967)	No	Limited (Gig Tribunal)
Maternity leave (98 days)	Yes (s. 37)	No	No

Source: Author's compilation based on statutory analysis (2026)

This table demonstrates that the Gig Workers Act 2026, while a progressive first step, leaves core protections unaddressed. The absence of annual leave, sick leave, and EPF contributions means gig workers lack both short-term income security during illness and long-term retirement security (Ramasamy & Singh, 2023).

Minimum Wage Implementation

Malaysia has implemented a national minimum wage requirement. As of 2024, the minimum wage is RM1,500 per month for Peninsular Malaysia and RM1,200 per month for East Malaysia (Sabah and Sarawak). Contingent workers, if classified as employees, are entitled to receive at least the minimum wage. However, gig workers classified under the Gig Workers Act 2026 receive only partial minimum wage protection depending on platform policies.

Benefits Entitlement

Contingent workers, if classified as employees, are entitled to certain benefits and rewards as mandated by Malaysian labor laws, such as paid annual leave, public holidays, and possibly other benefits depending on the terms of their employment contract. In the case of *Chee Weng Chong v. Global Industries Sdn Bhd* [2018], the court ruled in favor of the employee, affirming his entitlement to annual leave as stipulated in the Employment Act 1955.

Compliance and Contractual Obligations

Employers must ensure compliance with relevant employment laws and regulations, including the Employment Act 1955, the Industrial Relations Act 1967, and any sector-specific regulations. In *Mohd Radzi Musa v. Malaysia Aviation System & Anor* [2014], the court emphasized the importance of adherence to employment laws and regulations in resolving disputes related to termination and employment benefits.

The terms of the contract between the contingent worker and the hiring organization should clearly outline the rights, responsibilities, and benefits of both parties. While there may not be specific cases regarding contingent worker contracts, courts often rely on contractual agreements to determine the rights and obligations of parties involved. Employers must ensure compliance with tax laws regarding contingent workers, including the withholding and remittance of taxes as applicable.

Discussion

HR Compliance Challenges for Contingent Workers

The statutory review reveals that Malaysian labor laws, particularly the Employment Act 1955 and the Industrial Relations Act 1967, provide a foundational framework for protecting workers' rights. However, these laws primarily address traditional employment relationships, leaving significant gaps and ambiguities when applied to contingent workers. For instance, contingent workers often do not receive the same level of benefits, such as paid leave and social security, as their full-time counterparts, leading to disparities in workplace protection and benefits (Abdullah et al., 2017).

The case law analysis underscores the complexity of determining employment status, which is crucial for contingent workers' entitlement to benefits and protections under Malaysian law. Cases such as *Lee Swee Seng & Anor v. Fairview Schools (M) Sdn Bhd* [2017] illustrate the courts' role in interpreting the degree of control and dependency in worker-employer relationships, often reclassifying workers previously labeled as independent contractors to employees, thus granting them greater protections. This highlights the need for clear legal

definitions and criteria to better classify contingent workers and ensure they receive appropriate legal protections (Hassan, 2015).

Regulatory guidance from the Ministry of Human Resources and other agencies, such as guidelines and policy documents, provides additional context for interpreting labor laws. However, these documents often lack the enforcement power of statutes and rely heavily on employer compliance and good faith. This regulatory guidance is crucial for bridging gaps in statutory protections but needs to be more robustly enforced to ensure comprehensive protection for contingent workers (Rasiah & Chandran, 2019).

The Structural Inadequacy of Binary Classification

The fundamental flaw in Malaysia's approach to contingent worker regulation is the assumption that the binary employee-independent contractor distinction can accommodate the spectrum of contemporary work relationships. This assumption is demonstrably false. Platform-mediated work exhibits characteristics of both employment (algorithmic control, integration into business operations, economic dependence) and independent contracting (flexible hours, ability to work for multiple platforms, provision of own equipment) (Manky & Jamil, 2023; Lee, 2024).

The Gig Workers Act 2026 attempts to resolve this tension by creating a third category without confronting the binary's underlying logic. This paper argues that such an approach perpetuates rather than resolves the problem. Drawing on Freedland and Kountouris' (2017) analysis of employment categories, genuine reform requires either abolishing the binary in favor of a graduated status system recognizing multiple employment relationships or adopting a functional test focusing on economic dependence and control rather than contractual form.

The Compliance Burden Problem

Current HR compliance mechanisms place disproportionate burdens on contingent workers while providing employers with ambiguous safe harbors (Tan, 2020). Employers can reasonably argue that they have complied with legal requirements by treating workers as independent contractors, even where the economic reality suggests employment. Workers, by contrast, bear the burden of initiating legal proceedings to challenge classification, whereby, a process which is costly, time-consuming, and uncertain.

This asymmetry produces what this paper terms “compliance chills”: workers accept substandard conditions because the costs of asserting rights exceed potential benefits (Ramasamy & Singh, 2023). The problem is particularly acute for low-income gig workers for whom legal representation is inaccessible and who cannot afford prolonged disputes. The typical gig worker earning RM2,000-3,000 monthly cannot risk the income loss involved in pursuing a misclassification claim that may take 12-18 months to resolve.

Algorithmic Management and Compliance

Recent scholarship has highlighted how algorithmic management systems create new compliance challenges that existing regulatory frameworks struggle to address (Manky & Jamil, 2023). Platform algorithms determine earnings, assign work, and evaluate performance, yet workers have limited visibility into these systems and no meaningful recourse against

automated decisions. This creates a compliance gap: employers can claim compliance with formal legal requirements while algorithmic systems produce outcomes that undermine worker protections.

Policy Implications and Recommendations

The findings from this study highlight several policy implications for improving HR compliance for contingent workers in Malaysia.

Legal Reform Priorities

There is a pressing need to update and refine labor laws to explicitly address the unique status and rights of contingent workers. Legal reforms should aim to reduce ambiguities regarding employment status and ensure that contingent workers have access to essential benefits and protections comparable to those of traditional employees. Establishing clear and consistent criteria for classifying workers as employees or independent contractors is essential. This can be achieved through statutory amendments or detailed guidelines that consider the multifaceted nature of contingent work, ensuring fair treatment and protection. To navigate these regulatory shifts, organizations must transition from reactive compliance to proactive strategic human resource management. As Alzahrani and Abdullah (2026) argue, leadership acts as an essential mediating force that aligns strategic HR initiatives such as refined compensation models and structured talent management with successful organizational adaptation. Organizational leaders must therefore champion fair compensation standards for contingent labor rather than treating regulatory requirements as mere legal obligations.

Strengthening Enforcement

Strengthening the enforcement of existing laws and regulatory guidelines is crucial. This could involve more rigorous monitoring by labor authorities, increased penalties for non-compliance, and support for workers to report abuses and seek redress. Increasing awareness among contingent workers about their rights and the legal protections available to them is vital. Educational campaigns and accessible resources can empower workers to advocate for their rights and seek appropriate legal recourse when necessary.

Best Practices for Employers

Encouraging employers to adopt best practices for managing contingent workers, including fair contract terms, equitable benefit provision, and adherence to labor standards, can foster a more inclusive and fairer workplace.

Specific Recommendations

This paper advances five specific recommendations:

Statutory Presumption of Employment: Malaysia should adopt a statutory presumption that workers are employees unless the employer proves otherwise based on specified criteria, shifting the burden of proof from workers to employers (Dubal, 2023).

Enhanced Penalties for Misclassification: Parliament should enhance penalties for misclassification, providing for substantial fines (minimum RM50,000 per misclassified worker) and disqualification from government contracts for repeat offenders (Ramasamy & Singh, 2023).

Extension of Core Protections: Rather than creating parallel regimes, Parliament should amend the Employment Act to extend core protections such as minimum wage, annual leave, sick leave, and EPF/SOCSO contributions to all workers regardless of classification (Lee, 2024).

Increased Resources for Enforcement: SOCSO and the Labour Department require substantially increased resources to conduct proactive classification audits.

Algorithmic Transparency Requirements: Legislation should mandate transparency regarding algorithmic management systems, including the right to human review of automated decisions affecting earnings or account status (European Parliament, 2024).

Directions for Future Research

Future research should focus on longitudinal studies to track changes in the legal and regulatory landscape and their impact on contingent workers' rights over time. Comparative studies examining HR compliance in different jurisdictions can provide insights into best practices and innovative regulatory approaches. Additionally, qualitative research exploring the lived experiences of contingent workers can offer valuable perspectives on the effectiveness of legal protections and areas needing improvement. Empirical studies examining the actual compliance practices of platform companies and the effectiveness of the Gig Workers Act 2026 in protecting workers would be particularly valuable.

Conclusion

This paper has argued that Malaysia's current approach to regulating contingent workers' benefits, wages, and compensation is structurally inadequate. The binary employee-independent contractor classification system, dating to an era of stable employment relationships, cannot accommodate the realities of platform-mediated work (Tan, 2020; Manky & Jamil, 2023). While the Gig Workers Act 2026 represents an important acknowledgment of the problem, its creation of a parallel regulatory regime paradoxically entrenches the exclusion it seeks to remedy.

The central insight emerging from this analysis is that legal compliance and worker protection are not necessarily aligned objectives under current law. Employers can be fully compliant while workers remain unprotected—a situation that reflects policy choices rather than inevitable outcomes (Ramasamy & Singh, 2023). Meaningful reform requires not merely legislative amendment but a fundamental reconceptualization of how Malaysian labor law defines the employment relationship.

The question is not whether contingent workers deserve protection, but whether Malaysia's legal system can evolve to provide it. The UK's worker category, California's ABC test, and the EU's Platform Work Directive all provide viable models. What is required is political will, informed by scholarly analysis and civil society advocacy.

The discussion highlights the critical need for enhanced legal and regulatory frameworks to ensure HR compliance for benefits, wages, and compensation for contingent workers in Malaysia. By addressing the identified gaps and ambiguities, policymakers can foster a more equitable and fairer employment environment for this growing segment of the workforce. The recommendations and insights from this study can inform future policy developments and contribute to the broader discourse on labor rights and protections in the context of evolving employment dynamics.

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