Chart 2.3.1 Application process flow for foreign workers

1. Issuance of Entry Visa
2. Arrival at any Authorized Point of Entry
3. Medical Checkup with FOMEMA (Immigration will issue COM to unfit worker, Employer can apply for replacement)
4. Issuance of PL(KS) @ Work Permit
5. Quota application
6. Issuance of Visa With Reference (VDR) @Calling Visa
7. Job Clearance System (JCS)
BOX 2: APPLICATION PROCEDURES FOR FOREIGN WORKERS

1. Application Procedures for Foreign Worker
a. Obtain approval and pay levy at the Local Centre of Approval, Ministry of Home Affairs.
b. Employers apply for Visa With Reference (VDR)

1. Documents required on submission of application: -
   i. An application letter from employer
   ii. Visa applications by reference form
   iii. Letter of approval from the Ministry of Home Affairs
   iv. Original receipts of payment of levy
   v. Form IMM.12
   vi. Payment form
   vii. VDR Application form for new foreign workers
   viii. Bank draft (payment PLKS, PROCESS AND VISA)
   ix. Deposit / Insurance Guarantee / Bank Guarantee (valid for at least 18 months)
   x. Copy of worker’s passport
   xi. Worker’s photograph (1 piece)
   xii. Stamped personal bond
   xiii. Medical report from the country of origin approved by the Ministry of Health

2. Additional documents:
   Copies of the employer registration form (Form 49 / Form B & D) Representative Company Card (Yellow Card) for Foreign Workers Application VDR (Employer / Company Representative)
The original approval letter for outsourced foreign workers, and certified copies of VDR application for outsourced foreign workers (outsourcing company)
Foreign workers should remain outside the country while the application is being processed. Foreign workers will only be allowed to enter Malaysia after the application for VDR has been approved. The permitted entry points are:
   i. Through the Kuala Lumpur International Airport 1 and 2 (KLIA 1 &2). Foreign workers must obtain a visa from Malaysian Representative Offices overseas
   ii. Other entry points: Foreign workers from Thailand and Indonesia must obtain a visa from the Malaysian Representative Office in that country
   iii. Conduct medical examinations at FOMEMA registered clinics to obtain a clean bill of health.
   iv. Obtain the Visitor’s Pass (Temporary Employment) sticker at the State Immigration Office or at the Malaysian Immigration Headquarters, Putrajaya.

Documents required:
   i. The original approval letter from the Local Centre of Approval, Ministry of Home Affairs
   ii. Original receipts of payment made
   iii. Worker’s passport
2.3.7 The Immigration Malaysia has recently implemented the Foreign Workers Centralised Management System (FWCMS). Effective 1st June 2014, all medical check-up at source country and VDR (Calling Visa) application will be processed online via the Foreign Workers Centralised Management System (FWCMS). It will be implemented in two phases:

- Phase 1 – effective 15 June 2014 (Foreign workers from Nepal, Sri Lanka, India, Pakistan)
- Phase 2 – effective 15 July 2014 (Indonesia, Thailand, Myanmar, Philippines, Vietnam, Cambodia, Laos and others)

Employers are advised to update the company's information with the Home Ministry's Foreign Worker Management Division and to register the company with the FWCMS portal, submit the VDR application and buy insurance via online.

FWCMS is an online integrated centralised system that link with all stakeholders namely the Government agencies, employers, source country embassies, recruitment agents and workers. All companies that wish to employ foreign workers are now required to register at FWCMS portal via www.fwcms.com.my. The FWCMS system is reproduced below:

3.1.7 As to who in the company initiates the employment of foreign workers, Chart 3.1.4 indicated that it is usually the heads of department (65%) that request Foreign Workers to meet the needs of the operation. This is followed by the HR Department that oversees the manpower requirements of the company.
BOX 4: APPLICATION PROCEDURES FOR EXTENSION OF WORK PERMIT

VP(TE) is valid for a period of 12 months. Employers can apply for VP(TE) extension 3 months before the expiry date.

- Employers must ensure the extension application is made before the VP(TE) expires. Any application submitted after the expiry date will be referred to the Immigration Enforcement Division for consideration.

- Application of VP(TE) extension must adhere to this checklist:
  
  • Passport of the foreign worker is still valid for 12 months and above
  • Application letter to extend the VP(TE)
  • Identification document of employee/company representative (SSM company / Form 49 / Form B & D / Card Company Representative / Form Company representatives have endorsed / copy of the employer’s identity card)
  • Security bond in a form of bank guarantee / insurance guarantee / deposit (validity period of bank guarantee / insurance guarantee is at least 18 months)
  • Insurance policy of Health Insurance Protection Scheme Foreign Workers (SPIKPA) – except for plantation sector
  • Slip of Foreign Workers Compensation Scheme (FWCS)
  • Foreign workers must undergo medical examination and certified fit by the clinic/medical centre registered with FOMEMA (for 2nd and 3rd year extension

Foreign workers are allowed to work in this country on a yearly basis up to 10 years. However, those registered under the 6P Program is allowed to work up to 3 years only.

- Upon completion or termination of employment, the employers must ensure that foreign workers are deported to their origin countries by using Check Out Memo. Security bond can be claimed provided the repatriation process is done accordingly through Check Out Memo.

Last Updated on Tuesday, 04 November 2014

BOX 5: RECRUITMENT PROCESS FOR DIRECT RECRUITMENT BY COMPANY

- APPROVAL FROM LOCAL LABOUR OFFICE • 2 Months
- MOHR WORK PERMIT APPLICATION • 1 Week
- ENGAGE FOREIGN EMPLOYMENT AGENCY • 2 Weeks
- SIGN JOB ORDER AT EMBASSY • 1 Week
- INTERVIEW AT FOREIGN COUNTRY • 2 Weeks
- RECEIVE BIODATA AND APPLY CALLING VISA • 1 Month
- SEND APPROVED CALLING VISA TO AGENT • 1 Week
- MIGRANT WORKERS ARRIVAL • 2 Weeks
- REPORT FOR DUTY, INDUCTION AND TRAINING

TOTAL – 5 MONTHS
BOX 6: PROCEDURE FOR OVERSEAS DIRECT RECRUITMENT OF FOREIGN WORKERS – ON-SITE RECRUITMENT

The arrangements are made by the source country labor supply agency contracted by the Company. There is an “Opening Meeting” held in the source country between the Company Team and local agent at least one day before the actual on-site recruitment.

1. On-Site Registration of Candidates, Introductory Briefing, Tests, Interviews and Selection (Assisted by Agent). Candidates gather at designated interview venue in source country for registration and preliminary vetting of their bio-data in accordance with the Company’s specification by appointed labour agent of the same source country. HR/IR Manager or representative shall explain in a language common to local candidates the introduction to the mission, main and standard employment terms, and conditions of offer. The local agent must be present on-site at all times to ensure the security of Company personnel. All valid permits must be available on-site. After checking and authenticating copies of relevant documents produced by candidates, selection and interviews commence.

2. Color Blindness Test – A non-negotiable employment condition (quality and safety concerns) that applies to all nationalities. All candidates must pass this Color Blindness Test conducted by HR personnel who have been trained in this competency using only an original “Ishihara Chart” brought to the site.

3 Mathematical Test - Candidates shall complete a Mathematical Test. Generally prefer those who have scored well.

4 Division/ Department Test (Optional) - some candidates may be required to complete Division/ Department Test customized to suit the needs of the user Division/ Department representative.

5. Interview with the candidates that have progressed until this stage (with or without the use of translator. This interview also provides a chance for interviewers to assess the interviewees’ psychological readiness, aptitude, attitude and physical fitness (for this not less than two years employment in Malaysia). The candidates too can have their own assessment first-hand of the Company and ask for employment information from the interviewers. This is all with a view for a good and lasting job-matching. The Company’s basic policy is “hide no fact, tell no lie”. It is usually encouraged for the interviewees to stay on after the interview to hear the outcome or else the outcome would be relayed to them later via the local agent.

6. Short listing of Interviewees & Closing Meeting with Local Agent. The Interview Team conclude the interview session and select those interviewed to be offered employment. Those selected shall also include certain numbers of interviewees as second choice back up. A Closing Meeting with its appointed agent to iron out and finalize formalities or documentation.
5.3 Medical Checkup

5.3.1 FOMEMA Sdn. Bhd. was awarded a 15-years’ concession in 1997 by the Government of Malaysia to implement, manage and supervise a nationwide mandatory health screening programme for all legal foreign workers in Malaysia. The objectives of the concession are to ensure that foreign workers in Malaysia are free of an identified list of communicable diseases and to ensure that Malaysia’s public health facilities are not burdened by foreign workers with medical conditions or diseases that require prolonged and extensive treatment. This includes pregnancy tests.
5.3.2 Registration Procedure

Every foreign worker has to undergo and pass this prescribed medical procedure upon first entry onto Malaysian soil for employment, and every year thereafter until the third year of service (with the same employer).

**First Time Registration**

- Original and Photocopy of the worker's passport;
- A copy of Immigration Department's letter of approval or visa;
- Medical report from country of origin;
- Registration fees payable to FOMEMA Sdn. Bhd. – RM190 for female and RM180 for male
  - Completed Registration Form.

Note: *(1) Selection of clinic based on the list of clinics displayed at FOMEMA's Branch Office

**Renewal Registration**

- Registration fees;
- Photocopy of the worker's passport (first page);
- Photocopy of work permit;
- Completed Registration Form.

5.3.3 Medical examination

Details of medical examination covered under the system as stipulated by the Ministry of Health are as follows:

1. Medical history
2. Physical examination
3. Systemic Examination
4. Laboratory tests – blood and urine
5. Chest x ray

The procedure is reflected in the Chart below:
5.3.4 Medical check results

Medical Examination Result can be obtained online. Foreign workers certified “UNFIT” shall be repatriated to home country at the earliest instance, with or without appeal to FOMEMA. Only those who are certified “FIT” shall be allowed to continue employment in Malaysia.
<table>
<thead>
<tr>
<th>Day</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Day 1</td>
<td>Arrival at KLIA and immigration clearance</td>
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<td></td>
<td>Hostel briefing</td>
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<td>Day 2</td>
<td>New employee orientation and opening ceremony</td>
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<td></td>
<td>Uniform distribution</td>
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<td></td>
<td>Take individual photo for employee card</td>
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<tr>
<td></td>
<td>Company rules and regulations</td>
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<tr>
<td></td>
<td>a. Request Company to safekeeping of passport</td>
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<td></td>
<td>b. Offer letter and signing</td>
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<tr>
<td></td>
<td>c. Collective Agreement and in house union</td>
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<tr>
<td></td>
<td>Briefing of hostel and transport Rules and Regulations</td>
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<tr>
<td>Day 3</td>
<td>Briefing on Company Code of Conduct and cases involving foreign workers</td>
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<tr>
<td></td>
<td>Briefing on sexual harassment</td>
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<td></td>
<td>Briefing on FOMEMA, SPIKA, FWCS and other matters</td>
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<tr>
<td>Day 4</td>
<td>Bank account registration</td>
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<tr>
<td></td>
<td>Briefing on ISO 9001</td>
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<td>Factory tour</td>
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<td></td>
<td>Briefing on ISO 14001</td>
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<td>Briefing on safety and health matters</td>
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<td>Day 5</td>
<td>Company culture</td>
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<td></td>
<td>Briefing by police</td>
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<tr>
<td></td>
<td>Handing over to departments where FW will be stationed</td>
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