

# FLEXIBILITY OF WORKING HOURS IN REDUCING CARBON FOOTPRINT : AN APPRAISAL ON MALAYSIAN LAWS AND POLICIES DURING THE COVID-19 PANDEMIC

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## Abstract

*The world today is facing numerous environmental impacts and disasters due to climate change. In several studies, the researchers found that during Covid-19 pandemic, there was a sudden reduction of carbon footprint. The government at their best has formulated new policies and campaigned to meet the needs of the new normal. This contributes to environmental healing when there is lesser carbon emission from vehicles, workplace and industrial areas. This paper employs desk research by analysing several literatures, related laws and policies to see whether flexibility of working hours may possibly mitigate the impact of climate change due to reduction in carbon footprint. At present, the policies relating to the new normal are seen to be relevant as most of the public and private sector are still implementing the hybrid approach especially in scheduling online meetings and activities. Therefore, the government sector is seen to be the best medium to promote flexibility of working hours to reduce carbon emission that ultimately could mitigate the impact of climate change and disaster. In Islam, harm must be eliminated thus, all kinds of efforts in reducing carbon should be promoted.*

**Keywords:** *Climate Change, Flexibility, Working Hours, Carbon Footprint, Islamic Perspective*

## INTRODUCTION

The Covid-19 pandemic, caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2), emerged in late 2019 and swiftly became a global health crisis. By early 2020, it had spread to every continent, challenging the resilience of countries, healthcare systems, economies, and societies worldwide. The first reported cases of Covid-19 emerged in Wuhan, China, in December 2019. The virus spread rapidly, prompting the World Health Organization (WHO) to declare it a Public Health Emergency of International Concern in January 2020. It quickly reached Europe, the Americas, Africa, and the rest of Asia including Malaysia, turning into a global pandemic (Elengoe, 2020).

The Covid-19 pandemic has had a significant impact on the sudden reduction of carbon in the atmosphere (Jackson, 2020) due to the implementation of lockdowns and travel restrictions. These measures, aimed at curbing the spread of the virus, led to drastic changes in human activities, resulting in reduced greenhouse gas emissions and air pollution. Indeed, the pandemic had influenced the sudden

reduction of carbon in the atmosphere in many ways due to various measures implemented by governments and changes in human behavior. The reduction in carbon emissions was an unintended consequence of the lockdowns and restrictions imposed to control the spread of the virus.

Most of the countries including Malaysia have had experienced of new normal when the government formulated and issued new laws and policies to control the outbreak of the Covid-19. Stay at home and work from home for non-essential services demand strict obedience by citizen. Evidently, there were fewer cars on the roads, the air and marine travel were reduced, the industrial transportation and the burning of fossil fuels were also decreased, declined in usage of energy due to partial or complete shutdowns of non-essential industries including manufacturing and construction. This paper seeks to study the possibility of adapting these policies to the current working practices especially the government sector to promote reduction of greenhouse gas that ultimately could possibly mitigate the impact of climate change and catastrophe. Besides, the significant of eliminating harm under Islamic jurisprudence is also addressed.

## THE LAWS AND POLICIES RELATING TO WORK FROM HOME (WFH)

Malaysia had implemented several policies related to work from home (WFH) both for government and private sectors in response to the Covid-19 pandemic. The Malaysian government implemented several phases of the Movement Control Order (MCO) to break the chain of Covid-19 infection and control the spread of the virus. During these periods, many non-essential businesses and services were required to close, and employees were encouraged to work from home whenever possible (Astro Awani, 2021).

**JABATAN PERKHIDMATAN AWAM**

**GARIS PANDUAN  
PENGOPERASIAN PEJABAT KERAJAAN  
DI BAWAH PERINTAH KAWALAN PERGERAKAN (PKP) 3.0**

**BERKUAT KUASA 25 MEI 2021** | **SEHINGGA 7 JUN 2021**

**20% KESELURUHAN KEHADIRAN KE PEJABAT TIDAK TERMASUK FRONTLINERS**

**Anggota Barisan Hadapan (Frontliners)**  
Menjaja kepada pegawai Perkhidmatan Awam yang terlibat secara langsung seperti:

- Pegawai-pegawai Kesihatan dan bukan Kesihatan yang mengurus pembendungan dan pengawalan wabak COVID-19;
- Pegawai-pegawai Keselamatan dan pegawai-pegawai Penguatkuasaan; dan
- Lain-lain kategori yang ditetapkan oleh Kerajaan dari semasa ke semasa.

Manamana anggota penguatkuasa yang melaksanakan aktiviti pengawalan perintah SOP dan memastikan kepatuhan umum juga termasuk daripada barisan sebanyak 20%.

- Ketua Syarikat/daerah dikehendaki melaporkan perubahan kehadiran pegawai di Kementerian dan jabatan-jabatan di bawahnya secara mingguan kepada Jabatan Perkhidmatan Awam pada setiap hari **JUMAAT** sebelum **12.00 tengah hari**.
- Semua Kementerian dan Jabatan hendaklah:
  - Memuat naik SOP dan Soalan Lazim (FAQ) PKP 3.0 bagi aktiviti di bawah bidang tanggungjawab masing-masing di laman sesawang Kementerian dan jabatan.
  - Membuka talian hotline bagi menjawab dan memperjelaskan apa-apa persoalan orang awam berkaitan SOP dan perkhidmatan utama (*core business*) Kementerian.
  - Memastikan pegawai-pegawai yang BDR membuat **forwarding call** ke telefon bimbit dalam tempoh masa bekerja bagi memastikan penyampaian perkhidmatan kepada pelanggan tidak terjejas.

Sila Imbas Kod QR Surat Edaran JPA 106/1/A/2 (10) 24 Mei 2021

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Source: KKM, 2021

In certain areas with lower Covid-19 cases, the MCO was relaxed to the Conditional Movement Control Order (CMCO). During this phase, some businesses and industries were allowed to operate with strict adherence to standard operating procedures (SOPs). However, companies were still encouraged to adopt WFH arrangements for their employees where feasible.

For high-risk areas or Covid-19 clusters, the Enhanced Movement Control Order (EMCO) was implemented with stricter restrictions. Most non-essential businesses in these areas were closed, and only essential services were allowed to operate. WFH was highly emphasized during the EMCO period to minimize the risk of transmission (MKN, 2023; Bernama.com, 2021).

**PKP 3.0 DIPERKETATKAN**  
**SOP SEKTOR PERDAGANGAN, PENGEDARAN**  
**BERKUATKUASA: 25 MEI 2021**

 <p><b>Waktu operasi premis peruncitan, pemborongan, pagedaran &amp; restoran</b></p> <p><b>8.00 PAGI – 8.00 MALAM</b></p>	 <p><b>Farmasi &amp; penjagaan diri</b> (tidak termasuk aktiviti tidak dibenarkan seperti spa, wellness &amp; penjagaan kuku)</p> <p><b>8.00 PAGI – 10.00 MALAM</b></p>	 <p><b>Had pelanggan semua premis termasuk kompleks beli-belah pada satu-satu masa</b></p> <p><b>1 ORANG BAGI SETIAP 4 METER PERSEGI</b></p>
 <p><b>Tempoh masa pelanggan dalam premis</b></p> <p><b>MAKSIMUM 2 JAM SAHAJA</b></p>	 <p><b>Pekerja di premis termasuk pengurusan, operasi &amp; sokongan</b></p> <p><b>60% KAPASITI</b></p>	 <p><b>Premis peruncitan/pusat beli-belah yang tersenarai dalam HIDE &amp; masih berisiko selepas penilaian KKM</b></p> <p><b>DITUTUP SERTA MERTA 3 HARI UNTUK PROSES SANITASI</b></p>

**DAPATKAN SOP & SOALAN LAZIM BERKAITAN DI:**  
[www.kpdnhep.gov.my](http://www.kpdnhep.gov.my)

PKP: Perintah Kawalan Pergerakan    SOP: Prosedur operasi standard  
HIDE: Hotspots Identification for Dynamic Engagement  
KKM: Kementerian Kesihatan Malaysia  
KPDNHEP: Kementerian Perdagangan Dalam Negeri & Hal Ehwal Pengguna

Sumber: Menteri KPDNHEP Datuk Seri Alexander Nanta Linggi

Diterbitkan: 23 Mei 2021  
Infografik Bernama

Source: KKM, 2021

The Malaysian government issued guidelines for employers to ensure a safe working environment for employees who needed to work on-site during the pandemic. These guidelines included implementing social distancing measures, providing personal protective equipment, and conducting regular sanitization of the

workplace. Whilst different sectors, such as manufacturing, retail, and services, were required to follow specific SOPs to resume operations during the pandemic.

Employers in each sector were encouraged to assess the feasibility of WFH for their employees and implement it where possible. In April 2020, the Malaysian government issued a directive for all public sector employees to work from home during the MCO period. This measure aimed to reduce the number of people commuting to offices and curb the spread of the virus.

In addressing the impact and aftermath of the COVID-19 pandemic in Malaysia, the Malaysian government finally passed the Temporary Measures for Reducing the Impact of Coronavirus Disease 2019 (COVID-19) Act 2020 (Act 829). The Act 829 provides for temporary measures to stem the fallout from the COVID-19 pandemic by modifying the provisions of 16 legislations i.e., the Limitation Act 1953, the Sabah Limitation Ordinance, the Sarawak Limitation Ordinance, the Public Authorities Protection Act 1948, the Insolvency Act 1967, the Hire-Purchase Act 1967, the Consumer Protection Act 1999, the Distress Act 1951, the Housing Development (Control and Licensing) Act 1966, the Industrial Relations Act 1967, the Private Employment Agencies Act 1981, the Land Public Transport Act 2010, the Commercial Vehicles Licensing Board Act 1987, the Courts of Judicature Act 1964, the Subordinate Courts Act 1948 and the Subordinate Courts Rules Act 1955 (Act 829). Thus, the Act 829 seeks to alleviate some of the contractual and other issues that arose from the COVID-19 pandemic and Malaysia's movement control orders as it provides legal certainties to resolutions of contractual disputes from the enforcement and litigation perspectives; and it reduces the financial and social impacts by way of making available reliefs to businesses and parties who have been unable to perform their contractual obligations due to the pandemic impact (Abu Daud, 2020).

## **METHODOLOGY**

This paper employs desk research by analysing literature published in journal, reports, documents that are available in libraries, websites, facts and data obtained from surveys that have already completed. Relevant policies and standard on WFH during Covid-19 pandemic are also studied to see whether flexibility of working hours may mitigate the impact of climate change due to reduction in carbon footprint. This paper also refers to the data stored in relevant organisations, government or non-government agencies that can be used for this purpose.

This research methodology aims at utilizing the existing data to justify the objective of this paper.

## **DISCUSSION**

In 2020, the global COVID-19 lockdowns caused fossil CO<sub>2</sub> emissions to decline by an estimated 2.4 billion tonnes. This is like taking 500 million cars off the world's roads for the year. (Jackson, 2020).

The shift to remote work or work from home for many employees during the MCO reduced the need for daily commuting, resulting in fewer carbon emissions

from vehicles. This trend also saved energy consumption in office buildings and reduced the overall carbon footprint associated with office operations. These practices more or less inspired some employers to keep the remote work policies to promote work-life balance and at the same time the employee's productivity remain the same as before the new normal. Apparently, the policies relating to the new normal are still seen to be in practice by some public and private sectors by implementing the hybrid approach especially in scheduling online meetings and activities. The hybrid approach is more flexible compared to previous routine of work before the new normal.

According to the 2019 data by CUEPACS, there are 1.7 million public servant in Malaysia. This signifies possible sudden reduction of carbon footprint during the Covid-19 outbreak where 80% of the public servant were instructed for remote work or work from home (Astro Awani, 2021). Hence, the adoption of remote work during the pandemic has shown that it can be an effective way to reduce carbon emissions related to commuting. Thus, encouraging flexible work arrangements particularly for government sector could be part of future emissions reduction strategies and eventually mitigate the impact of climate change.

The pandemic's impact on energy consumption patterns further influenced the reduction of carbon emissions. With a significant portion of the global population especially the public servants staying at home, energy consumption in government buildings and institutions declined. Office buildings, which typically contribute to a substantial portion of electricity consumption, experienced reduced energy usage due to remote work arrangements (Le Quéré et al., 2020). Additionally, the reduced economic activity in some sectors led to a temporary drop in power demand, further affecting emissions from power generation.

According to a survey by JobStreet, following the private sector HR experiences during the MCO, the employer is most likely to favour their employee to work from home due to several factors for instances employer of multinational businesses or corporation, employers with higher staff salaries, IT sector and also employer with high numbers of employee. With Malaysia well into the first phase of recovery following the lifting of the Movement Control Order (MCO), companies that prefer to work less hours from home now have more room to maneuver back to operating at their usual work spaces within the government's prescribed safety protocols. While working from home has had taxing effects on the work life of staff, 48% of employers cited reduced productivity in the same survey, there is still an opportunity for the employer to turn remote work into a valuable experience the employees as evidenced in JobStreet Malaysia's Laws of Attraction study (JobStreet, n.d.).



Source: JobStreet by SEEK

In Islamic perspectives, the concept of "elimination of harm" is derived from the broader principles of promoting benefit (maslahah) and preventing harm (mafsadah). Islam emphasises the preservation of life, well-being, and social harmony while prohibiting actions that may lead to harm or injustice. The principle of eliminating harm is deeply rooted in Islamic ethics and jurisprudence and is applicable to various aspects of life. Islam places great value on the sanctity of life and considers it a fundamental duty to protect and preserve human life. Any action that threatens the well-being and safety of individuals is considered harmful and is to be avoided (Fazlun, 1997).

Islamic teachings encourage believers to refrain from engaging in harmful behaviors and practices that may lead to negative consequences for oneself or others. This includes avoiding actions such as violence, deception, substance abuse, and other harmful activities. Islam also teaches believers to be responsible stewards of the environment. Actions that cause pollution, waste, or destruction of natural resources are discouraged as they can harm the environment and future generations (Osman, 2007). The concept of eliminating harm is central to Islamic ethics and jurisprudence. Islam advocates for the preservation of life, the avoidance of harmful practices, and the promotion of well-being for individuals and society as a whole. Muslims are encouraged to act responsibly and ethically, taking into account the principles of benefit and harm in their decision-making processes.

## CONCLUSION

The Covid-19 pandemic had a sudden and significant impact on reducing carbon emissions globally. Lockdowns, travel restrictions, industrial slowdowns, and changes in consumer behavior contributed to cleaner air and improved air quality in many regions. However, this reduction was temporary, and emissions rebounded as restrictions eased and economic activities resumed. Nevertheless, the pandemic

highlighted the feasibility of reducing emissions and the need for sustainable policies to address climate change effectively. At this juncture, it is crucial for the government to reduce the emission sustainably by promoting green initiatives for example electric car, solar panel etc. Accordingly, the government sector is seen to be the best medium to promote flexibility of working hours to reduce carbon emission that ultimately could mitigate the impact of climate change and disaster. In Islam, harm must be eliminated thus, all kinds of efforts in reducing carbon should be promoted. The lessons learned from the unprecedented experience of pandemic Covid-19 can indeed guide future efforts to combat climate change and transition towards a more sustainable and resilient world.

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