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From Priority to Payment: A Systematic Integrative Review of Employee Monetary Claims and Access to Recovery in Corporate Liquidation

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Abstract

Purpose This review examines how legal entitlements to employee monetary claims translate into recovery during corporate liquidation and identifies what the available scholarship leaves unresolved.**Design/methodology/approach** A systematic integrative review combined the original Scopus search, which yielded 15 eligible publications, with a later supplementary Google Scholar search limited to 50 relevance-ranked hits. Full-text assessment admitted 18 additions, producing 33 publications. Evidence was appraised and synthesised qualitatively. The search streams and unavailable reports are reported separately; no meta-analysis was conducted.**Findings.**Priority alone does not guarantee timely payment. Recovery also depends on notification, proof and verification, institutional administration, estate sufficiency and external protection. Earlier scholarship already connects these mechanisms. Comparable claimant-level evidence on verification, delay and payment remains limited, while doctrinal arguments, modelling and historical scheme totals require different interpretations. **Originality/value.**The review critically synthesises recovery mechanisms and distinguishes estate distribution from external payment. It separates pension evidence from ordinary

wages and identifies the claimant data needed to evaluate administration. Malaysian implications remain conditional on legal, institutional and fiscal assessment.
Keywords: Employee Claims, Corporate Liquidation, Insolvency Priority, Claim Verification, Wage Guarantees

Introduction

Corporate insolvency may leave employees with recognised claims but little or no recovery. Wages, notice pay, severance and other entitlements compete with secured claims, expenses and other creditors. A statutory preference therefore does not guarantee timely or full payment.

Scholarship approaches the problem through priority rules, directors' liability, guarantee schemes, pensions, comparative insolvency and employee participation (Anderson, 2008; Bidin et al., 2012; Bronstein, 1987; Gant, 2016; Nielson, 2009). The relationship between priority and payment is already explicit in comparative and policy work. Mucciarelli (2017) connects preferences, insurance and subrogation, while Kimhi (2015) examines unpaid wages despite legal priority. Recent Malaysian analyses also distinguish formal entitlement from recovery (Anuar & Atan, 2026; Atan et al., 2025, 2026).

Recovery also depends on whether employees learn of the process, file and prove claims, obtain verification and receive payment. Caps, competing priorities, insufficient assets and delay can interrupt that pathway. Liquidators, courts, government agencies, unions and guarantee institutions may shape the result.

External protection varies by jurisdiction. Some systems use wage guarantees or social-security institutions, while others rely mainly on the estate. Pension studies illustrate related but distinct protection issues and are treated separately from ordinary wage claims (Moran, 2023; Nielson, 2009).

The unresolved problem is therefore more specific than an absence of analysis connecting priority and payment. The retrieved scholarship offers overlapping legal explanations and competing protection models, but provides no common basis for comparing how notification, verification, institutional decisions and funding translate into claimant outcomes. Selected cases, modelled reforms, historical scheme totals and normative proposals answer different questions. A synthesis must identify which relation ships they support, where their sources overlap and which parts of the recovery pathway remain insufficiently measured.

This international review addresses that synthesis and evidence gap. Malaysia motivates the inquiry and informs later policy discussion, but does not define the search or evidence base. The review uses published scholarship only and does not draw on thesis interviews or findings. Its conclusions concern the retrieved corpus rather than the absence of research throughout the field.

The review 61 rioritized how legal and institutional mechanisms shape recovery from employee monetary claims in corporate liquidation and considers implications for employee protection and Malaysian compulsory winding-up. Its specific objectives are as follows:

To examine how employee monetary claims are defined, 62 rioritized and distributed in corporate liquidation.
To examine how notification, filing, proof and verification procedures affect employees' access to recovery.
To identify the institutional actors and administrative processes that contribute to delay, shortfall or inaccessibility.
To assess how guarantee funds, insurance, subrogation and collective representation address gaps in recovery.
To consider comparative and policy implications for employee protection and Malaysia's compulsory winding-up context.

The main review question is as follows.

How do legal and institutional mechanisms governing employee monetary claims in corporate liquidation shape employees' access to recovery across jurisdictions?

The supporting questions are:

1. How are employee monetary claims defined, prioritised and distributed in corporate liquidation?
2. How do notification, filing, proof and verification procedures affect access to recovery?
3. Which institutional actors and administrative processes contribute to delay, shortfall or inaccessibility?
4. How do guarantee funds, insurance, subrogation and collective representation address gaps in recovery?
5. What comparative and policy implications arise for employee protection and Malaysia's compulsory winding-up context?

Conceptually, the review distinguishes estate distribution from external payment and examines the administrative and financial conditions of each route. Its methodological contribution is a transparent account of heterogeneous evidence, source dependence and restricted uses, rather than a new review method. Comparative analysis identifies conditions and trade-offs instead of ranking national systems. The policy contribution is a set of questions for Malaysian claim administration and external protection, with specific claimant data needed to test their effects.

Review Scope and Conceptual Orientation

Corporate liquidation is the organising context. Relevant studies may use liquidation, winding-up, corporate bankruptcy or comparable employer-insolvency terms. Restructuring or rescue studies were retained only when directly connected to employee claims or recovery. Personal bankruptcy and ordinary employment disputes were outside scope. Employee monetary claims include unpaid wages, holiday and notice pay, severance, redundancy, benefits and related employment entitlements. Pension studies were included only when they directly examined employer insolvency and employee-benefit protection. They are analysed separately from ordinary wage claims.

Access to recovery is treated as a pathway from legal recognition through information, filing, proof, verification and participation to payment from the estate or an external mechanism. Outcomes may be full, partial, delayed or no recovery. Formal priority alone may be

ineffective if employees lack information or evidence, claims are disputed, assets are insufficient or payment is delayed. Guarantee or insurance arrangements may improve recovery when the estate cannot pay.

Procedural concerns include notification, verification, participation, consistency and delay. Distributive concerns include ranking, caps, secured-creditor priority and allocation of insufficient assets. These are interpretive lenses; the review does not assume that included studies measured justice outcomes. Malaysia is the motivating policy context, not a search filter. Its implications are considered after synthesis. The doctoral thesis is not evidence in this review. Review articles were screened separately from primary studies and did not replace the primary evidence base. A study was classified as a systematic review only where its full text supported that classification.

Method

Review Design

The review combines doctrinal, comparative, empirical, economic, actuarial and policy scholarship through qualitative framework synthesis, consistent with the integrative approach described by Whittemore and Knafl (2005). These forms of evidence do not share a common effect measure, so meta-analysis was not appropriate.

Search Sources and Search Concepts

The original search was conducted in Scopus using the TITLE-ABS-KEY field. The primary search combined four concepts.

1. Corporate insolvency processes
2. Employees and workers
3. Monetary claims and entitlements
4. Priority, administration and recovery mechanisms

The exact primary search string was:

```
TITLE-ABS-KEY (
 (
  ( corporat* OR compan* OR employer* ) W/3
  ( insolvenc* OR bankrupt* OR liquidat* )
  OR "winding up"
  OR "wound up"
 )
 AND
 (
  employee* OR worker* OR workforce OR labourer* OR laborer*
  OR "employee creditor*" OR "worker creditor*"
  OR "labour creditor*" OR "labor creditor*"
 )
 AND
 (
  wage* OR salary OR remuneration OR entitlement*
  OR "employment benefit*" OR "employee benefit*"
  OR severance OR redundancy OR pension* OR superannuat*
```

```
   OR "proof of debt" OR "employee claim*" OR "worker claim*"
   OR "labour claim*" OR "labor claim*"
  )
  AND
  (
   priorit* OR recover* OR payment OR distribution
   OR "claim verification" OR "claim admission"
   OR "claim administration" OR notification
   OR "guarantee fund*" OR "wage guarantee*"
   OR "insolvency insurance" OR subrogat*
   OR "secured creditor*" OR "insufficient asset*"
   OR "asset insufficien*" OR delay*
  )
)
AND ( LIMIT-TO ( SRCTYPE , "j" ) )
AND ( LIMIT-TO ( DOCTYPE , "ar" ) OR LIMIT-TO ( DOCTYPE , "re" ) )
AND ( LIMIT-TO ( LANGUAGE , "English" ) )
```

Two targeted searches within Scopus, labelled Sensitivity A and Sensitivity B, supplemented the primary search. They broadened the search terms within the same database and did not supply independent database coverage.

Sensitivity A focused on liquidation, employee monetary claims and priority.

```
TITLE-ABS-KEY (
  ( liquidat* OR "winding up" OR "wound up" )
  AND
  ( employee* OR worker* OR "employee creditor*" OR "worker creditor*" )
  AND
  (
   wage* OR entitlement* OR severance OR redundancy
   OR "proof of debt" OR "employee claim*" OR "worker claim*"
  )
  AND
  (
   priorit* OR distribution OR "secured creditor*"
   OR "claim verification" OR "claim administration"
  )
)
AND ( LIMIT-TO ( DOCTYPE , "ar" ) OR LIMIT-TO ( DOCTYPE , "re" ) )
AND LIMIT-TO ( SRCTYPE , "j" )
AND LIMIT-TO ( LANGUAGE , "English" )
```

Sensitivity B focused on wage-guarantee schemes and related external protections, including insolvency insurance and subrogation.

```
TITLE-ABS-KEY (
  ( insolvenc* OR bankrupt* OR liquidat* OR "winding up" )
  AND
  ( employee* OR worker* )
  AND
```

```
  (
    "wage guarantee*" OR "guarantee fund*"
    OR "insolvency insurance" OR subrogat*
    OR "employee entitlement*" OR "worker entitlement*"
  )
)
AND ( LIMIT-TO ( DOCTYPE , "ar" ) OR LIMIT-TO ( DOCTYPE , "re" ) )
AND LIMIT-TO ( SRCTYPE , "j" )
AND LIMIT-TO ( LANGUAGE , "English" )
```

No year, subject-area or geographic limits were applied. Malaysia and justice-theory terms were not search filters, since relevant insolvency studies may not use those terms. The primary and sensitivity searches were all conducted in Scopus; the sensitivity searches broadened terminology within that database rather than providing independent database coverage.

Search record and filters

The Scopus searches were run on 10 October 2026. The times below are the observed Malaysia times displayed on the search interface, not server-generated timestamps. GS-01 was conducted later and is documented separately in Supplement S17-04.

Table 1
Scopus search log

Search	Search ID	Observed Malaysia time	Visible result count
Primary	cbb03132-1ddf-43b9-b76f-73c8398e7184	08:15	19
Sensitivity A	22dcf72f-6368-4455-b339-26cfbea90376	09:12	6
Sensitivity B	ce1a61fa-a140-478c-a675-8c4fa8b1680e	09:25	11

Filters were Article or Review, Journal and English, with no year, subject-area or geographic restriction. Technical file timestamps are reported separately in the Supplement. Duplicate primary RIS B02 was preserved but not used.

The subsequent Google Scholar supplement, GS-01, was conducted on 16 October 2026 using the exact query "employee entitlements" insolvency priority. Default relevance ordering and no year restriction were used. Ranks 1-50 across five pages were inspected. The first-page observation was recorded at 07:51 Malaysia time; other page times were not captured. The approximate 634-result display was an estimate, not a screened denominator.

This was a bounded supplementary discovery exercise. It was not a second comprehensive database search, and absence from the original Scopus exports was not treated as proof of non-indexing. Retrieved publisher, repository or author-manuscript copies supplied full texts; these access routes did not constitute additional literature searches.

Eligibility Criteria

Studies were eligible where they:
concerned corporate insolvency, bankruptcy, liquidation, winding-up or a comparable employer-insolvency process addressed employees, workers or employee representatives
examined monetary claims, wages, entitlements, priority, recovery, delay, claim administration, guarantee funds, insurance, subrogation or related protection mechanisms
were scholarly journal articles or review articles
were written in English

Pension or retirement studies were eligible only where employer insolvency and employ benefit protection were directly examined. Such studies were classified and analysed separately from ordinary wage-claim evidence.

Studies were excluded where they:
concerned ordinary employment matters without a clear employer-insolvency connection
addressed only pensions or retirement benefits without directly examining employer insolvency and employee-benefit protection addressed only tax, general labour standards or employment surveys without a clear insolvency connection were not journal articles or review articles did not address employee monetary claims or access to recovery.

A comparable insolvency setting was retained only where it directly examined employee monetary protection, collective participation or institutional mechanisms relevant to access to recovery. Such evidence was classified as peripheral or comparative and was not treated as direct evidence of ordinary private-sector corporate liquidation.

The criteria were applied at title and abstract stage and then reassessed through full-text review. Unavailable target texts were recorded as reports not retrieved, not substantive full-text exclusions. The later Google Scholar supplement retained the same journal article/review and English-language criteria. Limited appraisal did not automatically exclude an otherwise eligible publication; disputed claims were withheld.

Consolidation, Screening and Retrieval

The original Scopus primary search produced 19 records. Sensitivity A produced 6 records and Sensitivity B produced 11 records, giving 36 raw records. These original search and screening figures are retained as a separate stream.

Deduplication followed three stages. First, DOI was used where available. Second, Scopus EID or an equivalent database identifier was compared. Third, records were compared using the normalised title, publication year and first author. Search-route information was retained for each record. The duplicate Primary RIS B02 file was not used. Primary RIS B01 was retained as the reference-management file.

After deduplication, 29 unique records remained for title and abstract screening. Seven records were excluded at title and abstract screening, and 22 reports proceeded to retrieval. Seventeen reports were obtained and assessed for eligibility. Two were excluded after full-text assessment: one did not provide substantive analysis of employee monetary claims or recovery in the relevant insolvency context, and one available full text was not in English. Five

reports were not retrieved despite final lawful-access checks. These were P3, B2, B3, B6 and B11; they remain in the reports-not-retrieved category and were not treated as substantive exclusions. The original Scopus evidence base consists of 15 eligible studies.

The 50 GS-01 hit rows were reconciled against the original 29 Scopus records. Their approved dispositions were 18 additions, 14 screening exclusions, five baseline-duplicate hit rows, one full-text exclusion and 12 reports not retrieved. The five confirmed duplicate hits map to four baseline publications. Possible version links remain flagged without an additional duplicate deduction. GS01-018 was excluded as a case comment outside the retained article/review criterion; GS01-009 was excluded at screening as the observed working-paper manifestation. Supplements S17-05 to S17-07 retain reasons and unresolved identities.

Data Extraction and Qualitative Appraisal

The data extraction recorded bibliographic information, corrected authorship, publication year, journal, DOI or Scopus identifier, jurisdiction, study type, method, insolvency process, employee claimant category, type of monetary claim, priority rule, notification and verification process, recovery mechanism, guarantee or insurance mechanism, causes of delay or shortfall, institutional roles, main findings, limitations, relevance and evidence category.

Substantive entries were supported by page references to the retrieved full text, preserving version-specific pagination. Doctrinal interpretation, empirical observation, modelling and policy proposals were kept distinguishable. Pension and retirement studies were classified as external-protection evidence and analysed separately from ordinary wage claims. P10 was treated as peripheral because its principal setting concerns public-sector bankruptcy. Authorship links and repeated source material were recorded to avoid treating publication counts as independent corroboration.

The appraisal was qualitative. A strong appraisal indicates that the study has a clear purpose, transparent legal or empirical method, adequate source or data basis, clear jurisdiction and insolvency process, direct relevance to employee claims and recovery, and useful treatment of institutional mechanisms. A moderate appraisal indicates useful but incomplete evidence. A limited appraisal indicates indirect relevance, narrow scope or substantial methodological constraints.

No generic medical risk-of-bias tool or artificial numerical score was applied. A numerical score would not adequately represent doctrinal analysis, comparative legal reasoning or policy scholarship. The resulting labels indicate usefulness within each design, not certainty about recovery outcomes. Source checks and claim restrictions are retained in Supplement S17-08.

The corresponding author conducted selection, extraction and appraisal, with co-author review of the manuscript. Independent duplicate screening or appraisal was not undertaken. Three included publications share authors with this review and contain conceptual or source overlap. They were assessed under the same criteria and retained as distinct publications, with their independence and claim restrictions recorded rather than treated as replicated outcome evidence.

Framework Synthesis

The extracted evidence was organised under seven analytical domains.

1. Formal entitlement and priority
2. Claim notification, proof and verification
3. Administration, institutional discretion and court supervision
4. Estate insufficiency, delay and recovery shortfall
5. Wage guarantees, insurance and subrogation
6. Collective representation and employee participation
7. Comparative reform and policy implications

For each domain, the synthesis compared supporting studies, differences, jurisdictional context and evidence limits. It distinguished core recovery evidence from comparative, external-protection and peripheral evidence.

Doctrinal, empirical, modelling and policy contributions were integrated analytically but kept distinct in interpreting the findings. The synthesis compared competing explanations and protection models, recorded shared data, and treated historical legal descriptions as evidence about their stated period rather than current-law certification. No statistical heterogeneity, effect pooling or numerical certainty assessment was undertaken.

PRISMA Reporting

The review uses applicable PRISMA 2020 reporting items (Page et al., 2021). Figure 1 preserves the original Scopus identification, screening, retrieval and eligibility flow. GS-01 is reported separately in Supplements S17-02 and S17-04 because its hit rows do not all represent verified unique reports. Table 4 provides a compact reporting crosswalk; Supplement S17-01 covers the complete item set and identifies procedures not undertaken.

Before the first Scopus search, no separate written protocol had been prepared and the review was not registered. The related thesis screening record is not presented as a prospective review protocol. GS-01 and its decisions were documented subsequently as a supplementary procedure. The reported 50-result boundary was observed, without a claim of a prospectively specified stopping rule or saturation.

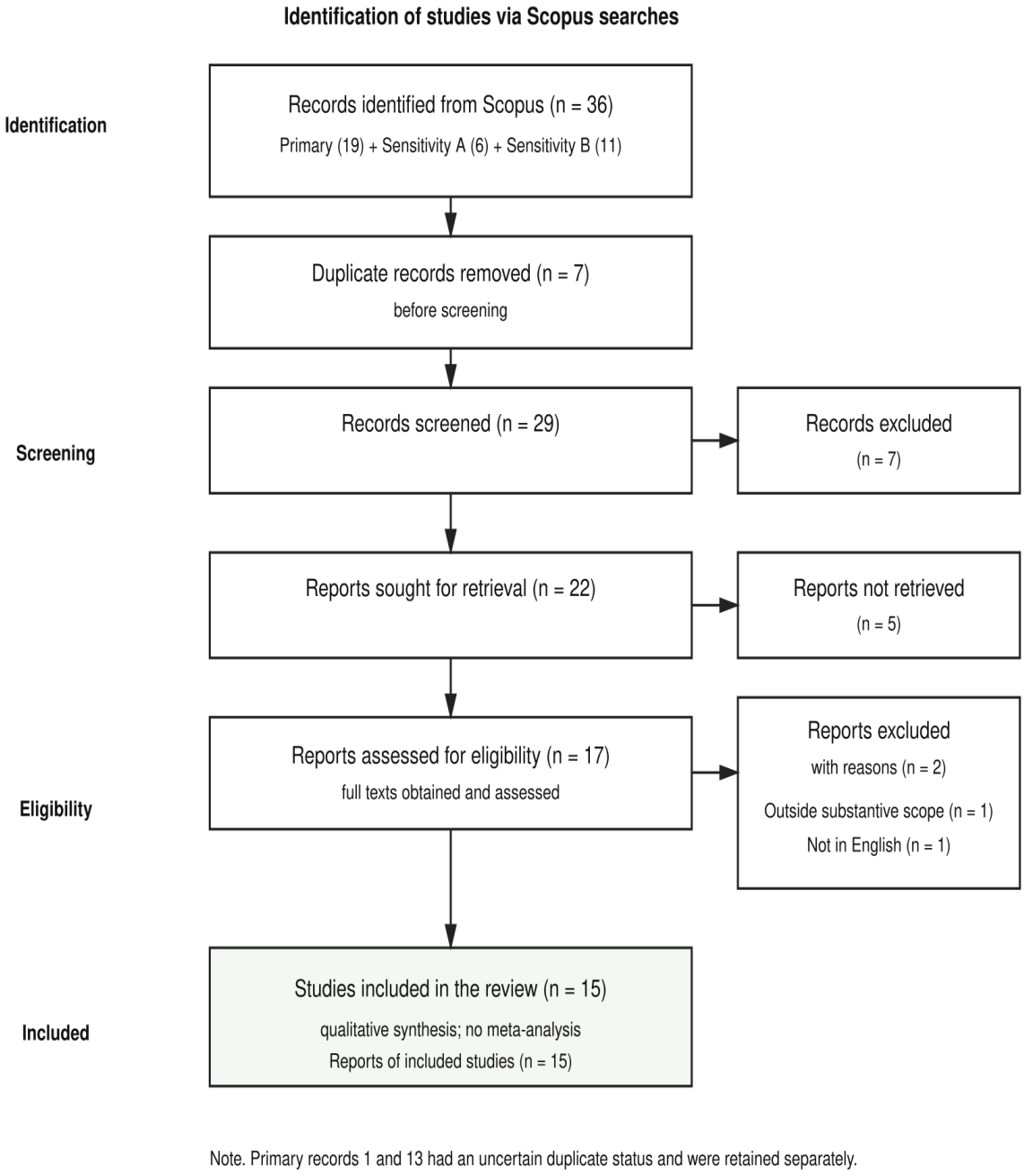


Figure 1. Original Scopus PRISMA 2020 flow

Figure 1 summarises the original Scopus flow from 36 identified records to 15 included publications. After deduplication, 29 records were screened, 7 excluded, 22 reports sought and 5 not retrieved. Seventeen reports were assessed, with 2 full-text exclusions. The separate GS-01 process contributed 18 approved additions, producing a 33-publication synthesis. Its 12 unretrieved hit rows are not added to the five Scopus reports as a unique report total.

Findings

The findings draw on 33 eligible publications, comprising the original 15 Scopus publications and 18 GS-01 additions. No substantive findings were inferred from unavailable target texts. The evidence is heterogeneous in method, jurisdiction and insolvency context.

The primary classification identifies 11 core publications on employee monetary claims and recovery, 19 comparative or policy publications, two on pension or external protection, and one peripheral public-sector study. Secondary relevance across analytical domains is retained. The appraisal totals are seven Strong, 20 Moderate and six Limited, each interpreted within the publication's design.

Table 2
Characteristics and qualitative appraisal of the 33 included publications

ID	Jurisdiction	Study type and method	Evidence category	Appraisal
A2	Australia	Doctrinal and policy	Core	Strong
B4	Canada, Alberta, British Columbia, Ontario and Saskatchewan	Empirical actuarial	External protection	Moderate
B9	Malaysia and international comparisons	Doctrinal and comparative	Core	Strong
P4	England and Wales, United Kingdom	Doctrinal	Core	Strong
P5	Indonesia and comparative jurisdictions	Normative and comparative	Core	Moderate
P6	United States and European jurisdictions	Comparative doctrinal and policy	Comparative or policy	Strong
P8	International comparative	Comparative doctrinal and policy	Comparative or policy	Moderate
P9	Indonesia	Normative legal	Core	Moderate
P10	Puerto Rico and United States	Socio-legal policy and case analysis	Peripheral	Limited
P11	England and Wales, United Kingdom	Doctrinal	Core	Strong
P14	Indonesia and China	Empirical legal and comparative document analysis	Comparative or policy	Moderate
P15	United States	Doctrinal and legal-policy	External protection	Limited

ID	Jurisdiction	Study type and method	Evidence category	Appraisal
P16	Tanzania and comparator jurisdictions	Documentary comparative legal	Comparative or policy	Moderate
P18	Australia	Empirical economic modelling	Comparative or policy	Moderate
P19	Indonesia	Normative juridical case analysis	Core	Moderate
GS01-001	France; Germany; UK	Comparative doctrinal and historical	Comparative or policy	Strong
GS01-005	Belarus and selected comparators	Insurance model and legal-policy analysis	Comparative or policy	Limited
GS01-006	Malaysia; UK; Australia	Interpretive comparison of selected judgments	Core	Moderate
GS01-016	New Zealand; UK; Australia	Doctrinal and comparative policy	Core	Moderate
GS01-019	US; Australia	Historical comparative and selected cases	Comparative or policy	Moderate
GS01-020	Australia	Legal-policy and illustrative financing	Comparative or policy	Moderate
GS01-023	Australia; UK	Historical doctrinal and policy	Comparative or policy	Moderate
GS01-028	International comparative	Economic and doctrinal policy	Comparative or policy	Moderate
GS01-029	Australia	Economic policy and proposed benefit accounts	Comparative or policy	Moderate
GS01-030	Malaysia; Australia	Doctrinal comparative case analysis	Core	Moderate
GS01-032	Nigeria	Doctrinal legal-policy commentary	Comparative or policy	Limited
GS01-035	Australia	Legal-policy and annual administrative totals	Comparative or policy	Moderate
GS01-036	Australia and comparators	Economic policy and stylised comparisons	Comparative or policy	Moderate
GS01-042	Malaysia; Australia; France	Conceptual and doctrinal review	Core	Limited
GS01-043	Belarus and comparators	Narrative policy and corporate reporting	Comparative or policy	Limited
GS01-045	Zimbabwe	Doctrinal and normative	Comparative or policy	Moderate
GS01-046	UK and theoretical comparisons	Normative insolvency theory	Comparative or policy	Moderate
GS01-048	United States	Legal-policy and secondary recovery figures	Comparative or policy	Strong

The appraisal is qualitative and fit for purpose. Strong indicates high usefulness within the study's own design, not proof of actual payment outcomes. Detailed references, page-supported extraction, version notes and claim restrictions appear in Supplement S17-08.

Table 3
Evidence categories used in the framework synthesis

Category	Studies	Role in synthesis
Core employee monetary-claim evidence	A2, B9, P4, P5, P9, P11, P19, GS01-006, GS01-030, GS01-042, GS01-016	Formal entitlement, ranking, administration and recovery barriers
Comparative or policy evidence	P6, P8, P14, P16, P18, GS01-001, GS01-032, GS01-045, GS01-048, GS01-005, GS01-019, GS01-020, GS01-023, GS01-028, GS01-029, GS01-035, GS01-036, GS01-043, GS01-046	Jurisdictional variation, guarantee models and reform trade-offs
Pension and external-protection evidence	B4, P15	Pension or retirement protection, insurance and underfunding, kept separate from ordinary wage claims
Peripheral public-sector bankruptcy evidence	P10	Collective participation and institutional voice, used cautiously

Characteristics of the included evidence

Most publications are doctrinal, comparative or policy-oriented, alongside actuarial analysis, economic modelling, selected cases and descriptive administrative totals. Nielson (2009) and Moran (2023) address pensions or retirement protection and remain distinct from ordinary wages. Velazquez (2025) concerns governmental bankruptcy and has a peripheral role. GS-01 broadens the geographical and conceptual coverage, including New Zealand, Zimbabwe, Nigeria and Belarus, but does not create a representative cross-country sample. Al Bhadily (2011) reports historical scheme aggregates; Kimhi (2015) draws on third-party recovery figures. These are empirical materials, although neither supplies comparable claimant-level verification and payment data across jurisdictions.

Formal entitlement and priority

The studies treat statutory recognition and preferential ranking as a starting point, not a guarantee of payment. Australian, Malaysian and United Kingdom analyses describe protection conditioned by claim type, statutory caps, timing and competing claims (Anderson, 2008; Bidin et al., 2012; Nyombi, 2013; Pollard, 2025). Indonesian studies examine wage, tax and distribution conflicts (Farahni, 2020; Nuryanto et al., 2024; Yitawati et al., 2019). Comparative work links preferences to guarantees and enforcement (Bronstein, 1987; Keeper, 2019; Mucciarelli, 2017; Mucheche, 2021). Anderson and Davis (2009) model a proposed priority reform rather than its implemented effects. Symes (2005) adds historical tax-priority analysis, not a measured recovery effect.

International standards also require source criticism. Atan et al. (2026, p. 35) incorrectly state that Australia has not ratified Convention No. 173. The parliamentary ratification table records 8 June 1994, and the International Labour Organization identifies Australia's acceptance of Part II only (Ghosheh, 2020, p. 3 n. 14; Senate Education and Employment References Committee, 2014, Appendix 3). Part II privilege protection must be distinguished from Part III guarantee obligations. This correction limits the source claim without excluding its interpretive analysis.

Claim notification, proof and verification

Claim notification, proof and verification receive less attention than substantive entitlement and ranking. Pollard (2025) examines notification within the United Kingdom moratorium, while Katumbaku and Nziku (2021) and Mucheche (2021) identify filing and proved-creditor participation in their legal contexts. The Malaysia-focused conceptual and case analyses also connect procedure with access (Anuar & Atan, 2026; Atan et al., 2025, 2026). These sources identify legal steps and possible barriers. They do not supply a common sample of employee claim files, rejection reasons, verification durations or subsequent payments. The gap concerns measurement and comparability, without establishing how often an administrative failure occurs.

Administration, institutional discretion and court supervision

Access to recovery is mediated by liquidators, curators, administrators, monitors, courts and guarantee bodies. The literature identifies classification, asset realisation, supervision and separate protection eligibility as relevant mechanisms (Anderson, 2008; Nyombi, 2013; Pollard, 2025). Jaelani et al. (2023) analyse legal documents comparatively, rather than observing a sample of claimants. Afubesor (2025) contributes Nigerian legal-policy concerns with Limited appraisal; disputed legal propositions do not support this synthesis. Karaleu (2018) connects corporate disclosure with insolvency protection through selected reports, but does not test whether disclosure improves payment. Institutional relevance is clearer than comparative administrative performance.

Estate insufficiency, delay and recovery shortfall

Insufficient assets recur as a reason why preferential status may not yield full recovery. The mechanisms identified include competing claims, costs, caps and estate depletion (Anderson, 2008; Bidin et al., 2012; Katumbaku & Nziku, 2021). Floyd (2003) compares Enron and One.Tel, but two selected collapses cannot establish national recovery rates or a causal union effect. Al Bhadily (2011) supplies historical annual scheme totals, and Al Bhadily and Hosie (2016) reuse part of that material. Payments and institutional recoveries in the same year are not necessarily from the same insolvency cohort. Their ratio cannot establish what an individual employee recovered or how much a crisis caused.

Wage guarantees, insurance and subrogation

Guarantee funds, insurance and social-security mechanisms can shift some payment responsibility beyond the insolvent estate (Bronstein, 1987; Mucciarelli, 2017). The alternatives differ materially. Kimhi (2015) proposes insurance with subrogation as a substitute for wage priority, whereas Mucciarelli (2017) explains how priority and insurance can complement one another. Bickerdyke et al. (2001), Karaleu (2016), Al Bhadily and Hosie (2016), and Casey and Gurrea-Martínez (2026) discuss safeguards and financing trade-offs,

without demonstrating a universally effective model. Davis and Burrows (2003) propose funded accounts for accumulated annual and long-service leave, not comprehensive wage protection. Pension evidence remains separate (Moran, 2023; Nielson, 2009).

Collective representation, participation and comparative reform

Unions, employee representatives and creditor committees may improve information access and participation, but the corpus does not establish a general causal improvement in payment. Etukakpan (2014) examines how competing insolvency theories accommodate employees; its deductions are normative and substantially rescue-focused. Gant (2016) and Jaelani et al. (2023) identify different national arrangements, while Velazquez (2025) supplies a contextual governmental-bankruptcy account. These sources support examining institutional voice and the conditions of comparative transfer. They do not establish that one participation model raises recovery in ordinary corporate liquidation.

Discussion

The review asked how legal and institutional mechanisms shape employees' access to recovery. The evidence supports an interdependent account of legal ranking, claim administration, institutional decisions, estate resources and external protection. This relationship is already recognised in earlier scholarship. The synthesis adds an appraisal of which elements are supported by legal reasoning, selected cases, modelling or administrative aggregates, and which outcome relationships remain untested.

The five supporting questions are therefore interdependent. Priority and distribution define the employee's formal position. Claim administration determines whether that position can be activated. Insolvency practitioners and courts mediate the claim. Estate insufficiency and delay determine whether an admitted claim can be paid. Guarantee funds, insurance, subrogation and collective participation may provide additional routes when the estate-based route is inadequate. The following discussion interprets those mechanisms without treating doctrinal propositions, modelled effects and empirical observations as equivalent evidence.

From formal priority to actual payment

The synthesis distinguishes estate distribution from external payment. Priority determines relative entitlement within the estate, while a guarantee or insurance institution applies its own coverage and proof requirements. External payment can operate without special employee priority over the estate; subrogation may reconnect the routes when the institution later seeks recovery. This distinction helps separate worker payment from the institution's subsequent recovery. It extends existing explanations by Mucciarelli (2017), Kimhi (2015), Atan et al. (2025, 2026) and Anuar and Atan (2026), without claiming to discover the priority/payment distinction. The methodological contribution is to keep designs, shared sources and restricted claims visible within a screened synthesis.

Claim administration as a missing link

The principal unresolved empirical gap is the administrative path from notice through filing, proof, verification and payment. Existing studies explain statutory categories and proposed mechanisms more often than claimant-facing procedures linked to outcomes. The review identifies that gap but cannot establish the frequency or effect of verification failures. Future work should connect claim files, amounts admitted and paid, reasons for rejection, processing

times, review routes and claimant accounts. Faster verification is a testable improvement objective, not an effect demonstrated here. Distinguishing first payment, final estate distribution and external advances would prevent unlike recovery measures from being conflated.

Institutional mediation and recovery shortfall

Practitioners classify claims and realise assets; courts resolve disputes and supervise distributions; guarantee bodies apply separate eligibility rules; representative organisations may assist participation. These roles vary across jurisdictions, and much of the evidence describes their legal design. Institutional mediation is therefore an explanatory mechanism supported by the literature, rather than a measured estimate of routine performance. The related Malaysian publications contribute distinct interpretive arguments but share authors and sources; repeated propositions among them are not independent corroboration.

Guarantee, insurance and subrogation mechanisms

External guarantees are one promising measure within a broader employee-protection package. They may reduce dependence on insufficient estate, but their performance depends on funding, covered claims, caps, proof requirements, processing capacity and subrogation. The complementarity/substitution disagreement changes who finances protection and which claim retains estate priority. Historical aggregates and illustrative insurance costs do not resolve that choice. A guarantee therefore requires accessible claim administration and a defensible funding model. Pension insurance can inform institutional questions but cannot establish the effectiveness of an ordinary wage guarantee.

Collective participation and comparative reform

The comparative contribution is to identify conditions for transfer rather than a hierarchy of national protection. A wage guarantee, creditor preference, funded benefit account or participation right operates through fiscal and legal institutions. Collective representation may facilitate information and voice, but the corpus does not establish its independent payment effect. Reform assessment should examine claim coverage, administration, secured credit, enforcement and funding together, and distinguish proposals from evaluated arrangements.

Implications for employee protection and Malaysian compulsory winding-up

For Malaysia, the policy implication is to examine entitlement, notice, proof, prompt verification, review of disputed claims and payment together. A wage-guarantee scheme warrants assessment as one option for shortfalls that estate-based priority cannot meet. Its design may require legislation and public-budget allocation, with attention to eligibility, administration, financing and subrogation. The earlier Malaysian scholarship supplies relevant conceptual and doctrinal arguments, but does not establish current administrative practice or the best reform. Those questions require updated primary-law analysis, fiscal assessment and claimant-linked evidence. The review's contribution is to specify that assessment, rather than to certify a scheme's feasibility.

Limitations

Several limitations qualify the findings. Scopus remains the sole bibliographic database searched, supplemented by one Google Scholar query limited to the first 50 relevance-ranked

hits. The two Scopus sensitivity searches broadened terms within Scopus; GS-01 broadened discovery beyond the original exports but did not establish exhaustive coverage or absence from Scopus. Relevance ordering, a single query, English-language and journal restrictions, indexing and access bias may omit relevant scholarship. Five original Scopus reports and 12 GS-01 hit rows were not retrieved, with possible version relationships preventing a unique combined count. Methodological and geographical heterogeneity, source dependence and scarce comparable claimant-level data prevent statistical pooling or effectiveness rankings. Historical law is not current-law certification. Pension and peripheral public-sector evidence have restricted reach. A single-reviewer extraction and selection process, without independent duplicate assessment, also permits interpretive error.

Conclusion

Formal priority alone does not secure timely or full employee recovery. The 33-publication synthesis connects ranking with claim notification, proof, verification, institutional decisions, estate resources and external protection. Earlier scholarship already recognises these connections; this review clarifies their evidential basis, competing protection models and unresolved administrative measurements. It supports evaluating prompt verification and wage guarantees together, with legislative, fiscal and institutional conditions made explicit. It does not establish current Malaysian practice, the causal effect of a particular mechanism or a universally preferable reform. The bounded supplementary search and unresolved retrieval/version issues remain material limitations. A priority-to-payment framework is most useful as a guide to comparative assessment and future claimant-linked research.

Declarations

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Conflict of interest. The authors declare no conflict of interest.

Appendix A Compact PRISMA 2020 checklist

Table 4

Compact PRISMA 2020 checklist

PRISMA item	Location in this manuscript
Title and structured abstract	Title and abstract
Rationale and objectives	Introduction; Review Scope and Conceptual Orientation
Eligibility, sources and search strategy	Method: Search Sources and Search Concepts; Eligibility Criteria
Selection, deduplication and exclusions	Consolidation, Screening and Retrieval; Figure 1 and Supplements S17-02 and S17-04
Extraction and appraisal	Data Extraction and Qualitative Appraisal; Table 2
Synthesis and reporting limitations	Framework Synthesis; Findings; Discussion; Limitations
Protocol, registration and records	No prospective written protocol or registration. Subsequent GS-01 procedures are documented in Method and Supplements S17-03 to S17-07.

The complete item-level PRISMA 2020 checklist, separate search-stream reporting and study-level evidence are supplied in Supplements S17-01 to S17-08.

References

Afubesor, O. B. (2025). Legal remedies available to employees during insolvency. *International Journal of Labour and Gender Rights Law*, *1*(1), 118-135. https://ijlgrl.com/index.php/ijlgrl/article/view/8

Al Bhadily, M. (2011). Measuring the impact of the financial crisis on the General Employee Entitlements and Redundancy Scheme. *Bond Law Review*, *23*(1), 1-20. https://doi.org/10.53300/001c.5573

Al Bhadily, M., & Hosie, P. (2016). Australian employee entitlements in the event of insolvency: Is an insurance scheme an effective protective measure? *Adelaide Law Review*, *37*(1), 247-281. https://hdl.handle.net/10018/1219255

Anderson, H. (2008). Directors' liability for unpaid employee entitlements: Suggestions for reform based on their liabilities for unremitted taxes. *Sydney Law Review*, *30*(3), 470-505.

Anderson, J., & Davis, K. (2009). Employee entitlements and secured creditors: Assessing the effects of the maximum priority proposal. *Australian Journal of Management*, *34*(1), 51-71. https://doi.org/10.1177/031289620903400104

Anuar, A., & Atan, M. Y. (2026). Judicial interpretation and employee compensation in corporate insolvency: A comparative analysis of Malaysia and Australia. *Laws*, *15*(5), Article 126. https://doi.org/10.3390/laws15050126

Atan, M. Y., Anuar, A., & Kamaruddin, S. (2025). Examining procedural and legal exclusion of employees in Malaysian corporate insolvency. *Malaysian Journal of Social Sciences and Humanities (MJSSH)*, *10*(8), Article e003539. https://doi.org/10.47405/mjssh.v10i8.3539

Atan, M. Y., Anuar, A., & Kamaruddin, S. (2026). Employee priority and the moral foundations of insolvency proceedings: A comparative inquiry. *Juris Politica*, *2*(1), 32-41. https://doi.org/10.66978/8w75n395

Bickerdyke, I., Lattimore, R., & Madge, A. (2001). Safeguards for workers' entitlements. *Agenda: A Journal of Policy Analysis and Reform*, *8*(2), 155-170. https://doi.org/10.22459/AG.08.02.2001.05

Bidin, A., Khan, S., & Tan, O. (2012). Protection of employees' entitlements in cases of employer insolvency in Malaysia. *International Journal of Business and Society*, *13*(2), 209-223. https://www.ijbs.unimas.my/repository/pdf/Vol13No2-paper9.pdf

Bronstein, A. S. (1987). The protection of workers' claims in the event of the insolvency of their employer: From civil law to social security. *International Labour Review*, *126*(6), 715-731. https://researchrepository.ilo.org/esploro/outputs/journalArticle/The-protection-of-workers-claims-in/995274786602676

Casey, A. J., & Gurrea-Martínez, A. (2026). Rethinking priority rules in insolvency. *Emory Bankruptcy Developments Journal*, *42*(3), 369-414. https://scholarlycommons.law.emory.edu/ebdj/vol42/iss3/4/

Davis, K., & Burrows, G. (2003). Protecting employee entitlements. *Australian Economic Review*, *36*(2), 173-180. https://doi.org/10.1111/1467-8462.00277

Etukakpan, S. E. (2014). The lost voice in insolvency: Theories of insolvency law and their implications for the employees. *Nottingham Law Journal*, *23*, 34-65. https://www.ntu.ac.uk/__data/assets/pdf_file/0029/795035/Volume-23%2C-2014.pdf

Farahni, F. N. (2020). The bankruptcy of foreign capital companies and Indonesian labor protection. *Jurnal Hukum Bisnis Bonum Commune*, *3*(1), 120-127. https://doi.org/10.30996/jhbbc.v3i1.3007

Floyd, L. W. (2003). Enron and One.Tel: Employee entitlements after employer insolvency in the United States and Australia - (Australian renegades championing the American dream). *SMU Law Review*, *56*(2), 975-1004. https://doi.org/10.25172/smulr.56.2.10

Gant, J. L. L. (2016). Studies in convergence? Post-crisis effects on corporate rescue and the influence of social policy: The EU and the USA. *International Insolvency Review*, *25*(1), 72-96. https://doi.org/10.1002/iir.1246

Ghosheh, N. (2020, May 18). *Protection of workers' wage claims in enterprise insolvency*. International Labour Organization. https://www.ilo.org/media/390331/download

Jaelani, A. K., Nuryanto, A. D., Fenitra, R. M., Mujib, M. M., & Luthviati, R. D. (2023). Legal protection of employee wage rights in bankrupt companies: Evidence from China. *Legality: Jurnal Ilmiah Hukum*, *31*(2), 202-223. https://doi.org/10.22219/ljih.v31i2.25874

Karaleu, Y. (2018). Social responsibility aspects of companies' insolvency. *Journal of Corporate Responsibility and Leadership*, *5*(4), 7-26. https://doi.org/10.12775/JCRL.2018.020

Karaleu, Y. Y. (2016). Insurance for handling employee entitlements in the event of employer insolvency (bankruptcy). *Nauki o Finansach / Financial Sciences*, *2*(27), 38-48. https://doi.org/10.15611/nof.2016.2.03

Katumbaku, F. C., & Nziku, D. K. (2021). Protection of employees upon corporate liquidation: A case of the Companies Act, [Cap. 212 R.E. 2002]. *African Journal of Applied Research*, *7*(2), 44-56. https://doi.org/10.26437/ajar.10.2021.04

Keeper, T. (2019). An analysis of the mechanisms in New Zealand law to protect employee entitlements in the event of employer insolvency and their effectiveness. *Journal of the Australasian Law Academics Association*, *12*, 57-72.

Kimhi, O. (2015). Getting more than justice on paper: Bankruptcy priorities and the crisis of unpaid wages. *Hofstra Law Review*, *44*(1), 107-149. https://scholarlycommons.law.hofstra.edu/hlr/vol44/iss1/5/

Moran, B. (2023). How federal government policy helped create retirement insecurity. *Florida Tax Review*, *26*(2), 56-86. https://doi.org/10.5744/ftr.2023.2002

Mucciarelli, F. M. (2017). Employee insolvency priorities and employment protection in France, Germany, and the United Kingdom. *Journal of Law and Society*, *44*(2), 255-282. https://doi.org/10.1111/jols.12025

Mucheche, C. (2021). Protection of the rights of employees in insolvency law: A Zimbabwean perspective. *University of Botswana Law Journal*, *29*, 66-91. https://journals.ub.bw/index.php/ublj/article/view/2393

Nielson, N. L. (2009). Examining the effects of guarantee funds on pension plans. *North American Actuarial Journal*, *13*(2), 157-169. https://doi.org/10.1080/10920277.2009.10597545

Nuryanto, A. D., Kusumaningtyas, R. O., & Habibullo, B. (2024). The imperative of social justice on the insolvency and workers' wage. *Journal of Sustainable Development and Regulatory Issues*, *2*(3), 209-232. https://doi.org/10.53955/jsderi.v2i3.48

Nyombi, C. (2013). Employees' rights during insolvency. *International Journal of Law and Management*, *55*(6), 417-428. https://doi.org/10.1108/IJLMA-08-2012-0026

Page, M. J., McKenzie, J. E., Bossuyt, P. M., Boutron, I., Hoffmann, T. C., Mulrow, C. D., Shamseer, L., Tetzlaff, J. M., Akl, E. A., Brennan, S. E., Chou, R., Glanville, J., Grimshaw, J. M., Hróbjartsson, A., Lalu, M. M., Li, T., Loder, E. W., Mayo-Wilson, E., McDonald, S., . . . Moher, D. (2021). The PRISMA 2020 statement: An updated guideline for reporting systematic reviews. *BMJ*, *372*, Article n71. https://doi.org/10.1136/bmj.n71

Senate Education and Employment References Committee. (2014). *Government's approach to re-establishing the Australian Building and Construction Commission*. Commonwealth of Australia. https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Education_and_Employment/ABCC_Reference/Report/index

Pollard, D. (2025). Insolvency Act 1986: The new Part A1 moratorium: Impact on employees and pensions. *Journal of Business Law*, (3), 192-215. https://www.wilberforce.co.uk/wp-content/uploads/2025/07/DNP-Part-A1-Moratorium-article-2025-JBL-192.pdf

Symes, C. F. (2005). Reminiscing the taxation priorities in insolvency. *Journal of the Australasian Tax Teachers Association*, *1*(2), 435-449. https://hdl.handle.net/2440/66202

Velazquez, A. (2025). Bargaining for the common good in bankruptcy. *Labor Studies Journal*, *50*(4), 314-336. https://doi.org/10.1177/0160449X251324433

Whittemore, R., & Knafl, K. (2005). The integrative review: Updated methodology. *Journal of Advanced Nursing*, *52*(5), 546-553. https://doi.org/10.1111/j.1365-2648.2005.03621.x

Yitawati, K., Sulistiyono, A., & Pujiono. (2019). A model for the distribution of bankruptcy assets of a company involving tax debt and labor debt based on the principle of justice. *International Journal of Advanced Science and Technology*, *28*(20), 306-309. https://sersc.org/journals/index.php/IJAST/article/view/2726