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"You may not control all the events that happen to you, but you can decide not to be reduced by them."

-Maya Angelou

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HAPPY women's DAY

HAPPY women's DAY

UCS POV | REDUNDANCY IN EMPLOYMENT

—SHAIJU MATHEW
CHIEF OPERATING OFFICER

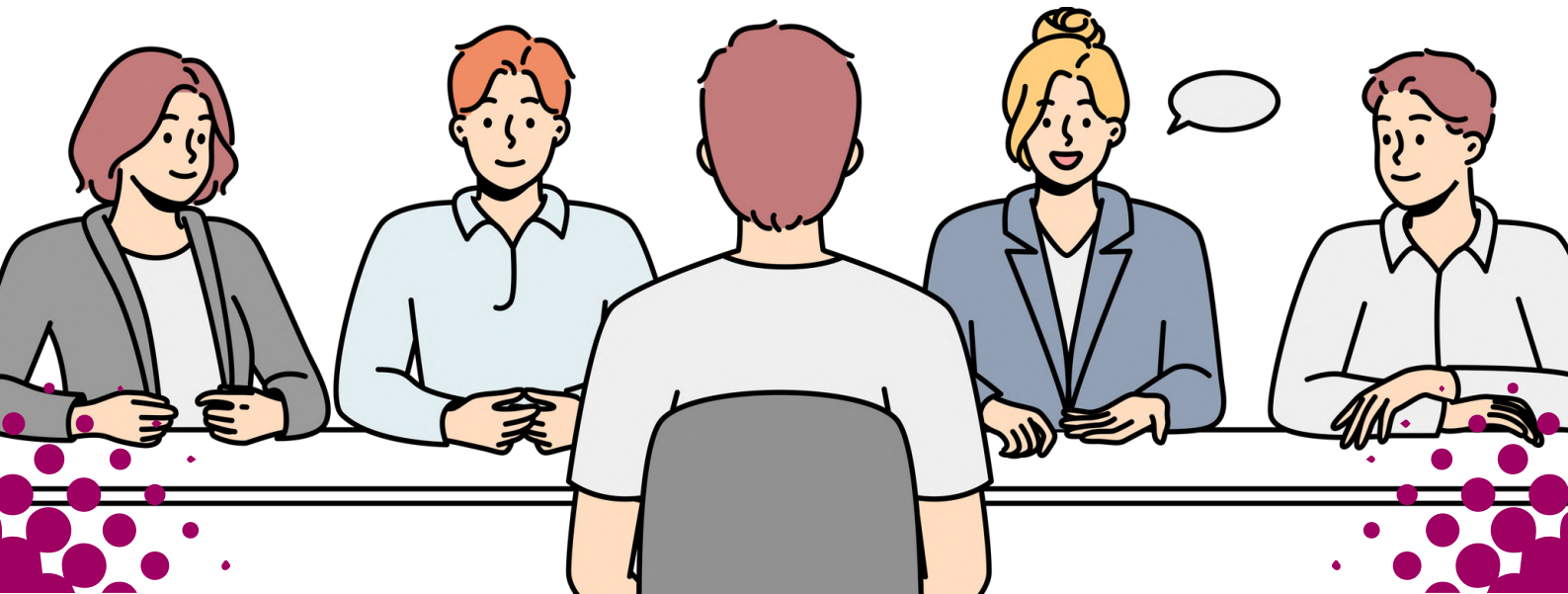
Employment redundancy is a common occurrence in industries, particularly in the IT/ITES sector where the companies reduce their workforce due to various reasons. The Indian labour law prescribes detailed procedures to which companies need to adhere in the event of retrenchments/lay-offs. Many IT/ITES companies may not be following procedures laid down in the Industrial Dispute (ID) Act of 1947 considering the ambiguity in the definition of “Industry” and “Workmen” under the Act. However, the government has not given a blanket exemption to any industry on the procedures to be followed in the event of redundancy.

As per the provisions of the ID Act 1947, (Ref. Sec.25N, 25F, and 25FF) companies need to provide a notice period to the affected employees and intimate the concerned labour authority where an application is submitted stating reasons for the intended retrenchment. The labour authority is then to arrange a reconciliation meeting between the employer and affected employees to verify the possibilities of accommodating such employees in any other process within the company. The appropriate authority after considering all relevant factors may grant or refuse to grant permission to retrench and the decision is communicated to the employer and the affected employees. In case the appropriate authority does not communicate the decision regarding the filed application within sixty days the permission applied for is deemed as granted. In case the position is redundant and these employees cannot be accommodated in an alternate process, the labour authority may insist on the ‘last come, first go’ approach. In addition, the company must provide a severance pay equivalent to fifteen days’ wages for each year of service that is completed, apart from the notice period. Even though there is no exemption given by the government for the intimation procedure, many companies choose to not follow the same perhaps to avoid authority intervention or maybe because they are opting for an amicable settlement of compensation that is at par or more than the severance pay as prescribed in the Act.



The Central Government published a draft of the model standing order in 2018 and directed the state governments to frame a policy for fixed-term employment. Moreover, The Code on Social Security has factored a clause for gratuity for fixed-term employees after completing one year of service and five years of eligibility criteria shall not apply to them. The government's objective is to promote more employment opportunities in various private sectors on fixed-term employment or project-based employment. In such a scenario, these fixed-term employees shall benefit equivalent to the severance pay in the form of gratuity after completing one year of service (as such fixed-term employees shall not be covered under the retrenchment procedure of the ID Act and their employment will cease to exist after the expiry of the contract period). However, these labour codes are yet to be implemented and clarity on the date of implementation is awaited.

Given the above, companies may have to take careful consideration with their legal in the event of opting for redundancy of employment.



DOES YOUR EMPLOYER OFFER EQUAL PAY FOR EQUAL WORK, ASKS GOVT SURVEY TO ASSESS WOMEN-FRIENDLY WORKPLACES

The EPFO, India's retirement fund body whose membership is an indicator of formal employment in the country, has distributed the questionnaire to its 30 crore subscribers. The Employees' Provident Fund Organisation, in coordination with the ministries of Labour and Employment as well as Women and Child Development, has been sending out surveys via text messages to assess employers on their support for women's participation in the workforce. With the objective of evaluating and rating employers based on their commitment and support for women's participation in the workforce, the employer rating survey asks the respondent to choose 'Yes', 'No' or 'Not Applicable' to questions such as does your company have policies or initiatives for women such as internal complaints committee for prevention of sexual harassment at workplace (POSH), creche facilities for children, equal pay for equal work, flexible or remote working hours for women, and transportation facilities during late hours.



According to the labour ministry, the 28 lakh women registered with the EPFO in 2022-23 is the highest so far. This is a part of initiatives taken under the "Saksham Nari Sashakt Bharat - Women in the Workforce for Viksit Bharat" event in New Delhi to chart a path for women-led development. Union Minister for Women & Child Development and Minority Affairs Smriti Irani had said that the Employer Rating Survey will provide a robust understanding of working conditions based on the feedback from women. This comes as India has among the lowest female labour force participation rates in the world. The government's Periodic Labour Force Survey (PLFS) shows that the female participation rate rose to 27.8% in 2022-23 from 17.5% in 2017-18, but a major chunk of this is of the women reported as "helpers in household enterprises" who do not receive regular salary for their work. Private agency Centre for Monitoring Indian Economy (CMIE) pegs female labour force participation rate to have reduced to 8.73 per cent in 2022-23 from 11.80 per cent in 2017-18.

Further, it showed that female LFPR in rural areas declined to 9.68 per cent in 2022-23 from 12.16 per cent in 2017-18, and fell to 6.90 per cent in 2022-23 from 11.10 per cent in 2017-18 in urban areas. India ranks 127th among 146 countries in World Economic Forum's Global Gender Gap Index 2023 for its score of 64.3% parity. India has climbed eight spots over the previous year, but is still way behind Sri Lanka, Bangladesh and Nepal. In contrast, Iceland is the most gender-equal country in the world and the only country to have closed more than 90% of its gender gap. It is followed by Norway, Finland, New Zealand and Sweden which have closed at least 80% of their gap.

Interestingly, India has achieved 100% parity of men and women on the educational attainment sub-index, according to the report. But the chasm widens when it comes to the economic participation and opportunity sub-index, where the country has only achieved 36% parity.

Source : Business Today

CANNOT DENY FULL MATERNITY LEAVE, EVEN IF NOT ON CONTRACT: CALCUTTA HIGH COURT

An employer cannot deny a woman employee her right to childbirth and avail herself of maternity leave, Calcutta High Court observed, clarifying that it did not matter whether the employee was regular or contractual, and even whether her contract had any provision for such leave. The single-judge bench of Justice Raja Basu Chowdhury has directed the Reserve Bank of India (RBI) to compensate an executive intern, whose maternity benefit claim it had denied previously, on the ground that her three-year contract did not have any such provision. The judge struck down RBI's argument that only regular employees could avail themselves of maternity leave, saying that violated a person's fundamental right to equality, as ensured by Article 14 of the Constitution. Not allowing someone maternity leave was "discriminatory", the judge said, one that "seeks to create a class within a class, which is not permissible." If this were to be allowed, the judge said, it would be tantamount to "compel an employee to work during her advanced pregnancy" even though that may endanger both her and her foetus. The judge was deciding on case that's more than a decade old. In 2013, Neeta Kumari had moved the HC against the Centre and RBI, saying she had joined RBI as an executive intern on a three-year contract in August 2011. When she got pregnant, she applied for 180 days' maternity leave in Nov 2012. In her application, she had asked for leave from Dec 3, 2012, because the doctor had advised her bed rest and her expected delivery date was the first week of Jan 2013.

'Healthy mom, child ensure nation's development'

RBI did not immediately respond to her Nov 2012 application for maternity leave, Neeta Kumari had told the court. In March 2013, the bank said she was not entitled to the leave because of her contact, and that her absence would be treated as leave without pay, asking her to apply for medical expense benefits, as applicable to junior-most officers of the bank. The Calcutta High Court said RBI had "acted illegally" and asked it to compensate "in form of leave with pay" to Kumari "for the period for which the same was denied."

Justice Raja Basu Chowdhury - rising above the legal arguments and counter-arguments of the applicability of the Maternity Benefit Act 1961, when an employee had herself signed a pre-joining contract allowing her 15-day annual medical leave and compensation - said such discrimination was also against the object of social justice.

"If it's permitted, the object of social justice would stand deviated. Further, the same would be detrimental to the future of our country. A healthy mother and a healthy child not only ensure the growth and development of the child but of the nation as well, as the child of today would be the force behind tomorrow's development. Depriving such benefits to the mother and the foetus or child would be tantamount to depriving the nation of its future," the judge said.



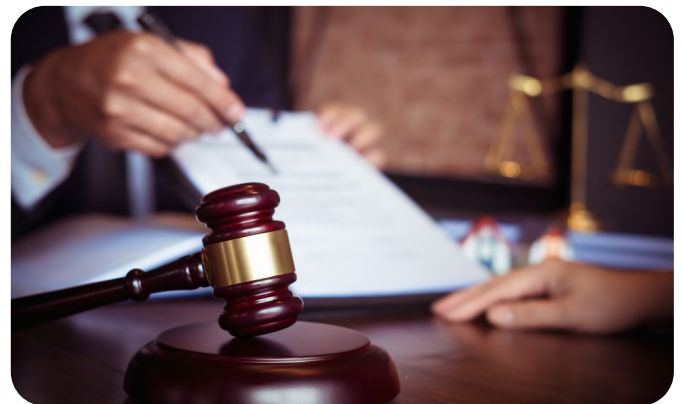
Source : Times Of India

NO RECOVERY OF EXCESSIVE PAYMENT OF ALLOWANCE FROM EMPLOYEE: ORISSA HC

The Orissa High Court held that the government cannot be allowed to recover excess payment of allowances if the said payment was made by applying a wrong principle for calculating the pay. It has been held in the case of Union of India & Ors v. Md. Ahmed Baig.

The employee was working as a Mail Man and he would have been entitled to the benefits of financial upgradation under the Modified Assured Career Progression Scheme (MACP scheme) after completion of 30 years of service. He was erroneously granted the said sum before his retirement and this discrepancy was pointed out by the internal audit report.

Subsequently, after the employee's retirement from service, his leave encashment benefits were withheld for recovery of the excess amount paid to him under the MACP scheme. A Division Bench of Chief Justice Chakradhari Sharan Singh and Justice S.K. Sahoo observed, "It is no more res integra that the government cannot be allowed to recover excess payment of emoluments/allowances if the said payment was made by the employer by applying a wrong principle for calculating the pay or on the basis of erroneous interpretation of the rules."



The Court held that the "authorities erred in deducting the excess payment made to the opposite party from the leave encashment benefits and thus, the action of the authorities cannot be countenanced and the same is invalidated."

Source : Business Manager

DON'T HANDLE TERMINATIONS BRUTALLY, HERE ARE WAYS TO IMPROVE LAYOFFS

So far in 2024, there have been 269 layoffs at tech companies with 51,065 people impacted (1,135 people per day). In 2023, there were 2,001 layoffs at tech companies 428,836 people impacted (1,175 people per day). We have also seen many Layoffs on Social Media, how brutally tech companies laid off their employees last year in 2023.

Employee Termination is quite a terrifying word in the Corporate World! A lot of questions come to mind while doing this or when we listen to this.

Termination is the act of ending the Employment Contract from either party, Employee or Employer but generally, the "Termination" terminology is used in the organization while ending the Employment contract by the Employer so we will further discuss in context to that only. If we talk about improving the termination process, it's not only taking care of the phase of termination but we should examine the entire process from joining to Exit.

Reasons for Termination

Let's first comprehend the Reasons for layoffs and employee termination. Broadly, there are only two reasons why termination happens;

1. Directly Related to Organization and its Performance: Downturn in business because of change in business dynamics, Organization Restructuring, Business disruption Merger or Acquisition, etc.
2. Directly Related to Employees' Behavior and Performance: 1- Non-performance: Lack of Job-Related Skills, Inadequate work performance. And 2- Misconduct: Integrity, Regular or persistent unpunctuality, unauthorized absence, Negligence of Duties, Fraudulent Action



Improving Termination Process

Now, let's talk about how we can improve the termination process focusing on the entire process from Joining to Exit.

At the time of Joining

- Employee Handbook with Brief on HR Policy: An employee handbook is a compilation of the policies, procedures, benefits, and expectations of the employment relationship, professional behavioral expectations, and more that guide employee actions in a particular workplace. A copy of this should be handed over to employees so that they are aware of the HR Policies and other rules and regulations to avoid disciplinary issues in the future to some extent.
- Code of Conduct and Ethics: There should be a proper Code of Conduct defined in the organization depending on the nature of the business. It helps in maintaining the standards of business and as well employee conduct and also ensures compliance at the workplace. The purpose of this is to promote ethical conduct by setting the tone of good governance and deterring wrongdoing. It should be aligned with the values and commitment of the organization which should force each employee to conduct business with integrity, and in compliance with applicable laws. It should include the conduct of Dealing with people within the organization as well as dealing with the clients, Legal compliance, and also Personal conduct which includes Dos and Don'ts within the organization, Ethical Practice, Ownership and responsibility, Acts amounting to Misconduct, etc. It should be readily available to all employees and a copy of this should be signed by each employee at the time of Joining so that they are bound to adhere to the compliance and it should support termination also when required.
- Exit Policy: There should be a proper Exit Policy defined in the organizations that clarify the company's position on all separation-related issues and also clarifies the employee about his/her position on the same. This makes employees aware of the termination process on account of non-performance and Misconduct, Notice period, Full and final settlement process, etc so that It shouldn't be a surprise to them while doing the termination of employment and they should not object to the process while doing it.
- KRA Sheet: Employees should have their Position Description OR the KRA Sheet at the time of joining which should be signed and accepted by them to ensure awareness of the employees on performance expectations by the organization and in case of Non-performance, it should work as evidence to discuss further on performance enhancement plan.

While on the Job

- **Performance Management System:** It is important to establish clear performance objectives by facilitating open communication. It works towards the improvement of the overall organizational performance by managing the performances of teams and individuals.
- **Quarterly/half-yearly performance review and Critical Incident Record:** It regularly provides open and transparent feedback to the employees and also Critical Incident record is necessary to capture the particular incident of non-performance and in-disciplinary issues so that it works as evidence while termination and termination happens smoothly without arguments.
- **Performance Enhancement Plan:** In case of non-performance, before taking any action it is advised to keep those employees under PEP and should put extra effort and time to help them to enhance their performance. The goal of the performance Enhancement plan is to help increase the performance to meet the goals set by the business at the same time it is good compliance to maintain before taking action on termination on account of Non-performance.
- **Corrective Action Plan:** Employee should be kept under the Corrective action plan on account of Absconding from Work, Unscheduled absenteeism, behavioral Conduct, Integrity Issues, etc. Warning letters should also be issued if there is no improvement. Also, proper guidelines in case of non-adherence to this should be underlined to support any termination process thereafter.



During Termination

- **Enough Evidence:** Be prepared with the complete Documentation of non-performance and Disciplinary Issues with the facts to prove non-performance and misconduct against the employee.
- **Employment Termination Meeting:** The meeting for doing the termination should be well planned according to the employee's situation also while calling the person for issuing the termination, make sure the Line Manager of the employee is also aware.
- **Fair treatment:** Terminating an employee is never welcome so whatever reason is there for termination, the employee should be fairly treated and communicated about the facts. The time for discussion and issuing the letter of termination should depend on a case-to-case basis but one has to ensure a smooth termination at the end. Employment termination because of major Cost Cutting, Business Downturn, Restructuring Merger or Acquisition, etc. Now the question is when Employment termination has to be done in mass or in phases perhaps which is a natural situation in case of business downturn, acquisition, and restructuring, then how to make it less negative and less unpleasant for employees.



Can we make Layoffs less unpleasant and hassle-free?

Here are a few ways to make layoffs less unpleasant and hassle-free

1. Facilitating them to get a new job in terms of updating CVs, and circulating to known companies that are hiring.
2. We may provide some kind of training programs to our surplus employees to upgrade their skills or training to face interviews and increase the success rate.
3. We may advertise our redundant staff on various job sites with a special message by the employer to put this on a positive note for them.
4. We may increase the notice period to 1 or 2 months in case of termination to make it more acceptable on moral grounds.

Source : Sight In Plus

UNDER-EMPLOYMENT IS A PROBLEM FOR INDIA, SAYS ARVIND PANAGARIYA

Pitching for labour reforms, the chairman of the 16th Finance Commission and former NITI Aayog Chairman Arvind Panagariya said that "unemployment," is not a problem for India but "under-employment" is. Speaking at a session 'The Economic Whisper: how to fuel growth with jobs' at the concluding day of the two-day ABP Network's 'Ideas of India Summit 3.0' here, he also sounded optimistic that the jobs problem in the country will be solved over the next 10 years.

"Unemployment is really not India's problem in my view. Our problem is underemployment, so productivity is low. So the job that can be done by one person often gets done by two people or maybe three people. And that is where I think, the real challenge of jobs is creating well-paid high-productivity jobs," he said. Stating that in the economy's jargon, India is a labour-abundant and capital-scarce country, he said, "What we have done is to put much of the capital in very selective sectors which are in any case very capital intensive".



"We got the situation where much of the capital is working with very few workers. And then you have a host of workers in agriculture in micro and small enterprises where the capital is hardly present. So then you got a lot of workers working with very little capital. And when that is the case, it translates into low productivity," Panagariya said. The country still needs to fix labour and trade laws, he said, adding that, "compared to other countries, protection level is higher that needs to come down."

"In India, building consensus is a part of the democratic reform process, which makes passing laws a slower process," he said. "During (Atal Bihari) Vajpayee's Prime Ministership labour laws were tabled. Subsequently, no government showed the courage. With the Modi Government, the laws have been passed. It is now the states that have to write the rules and regulations to implement the laws," he stated.

Talking about reforms, he said, "Implementation of labour laws, privatization of public sector enterprises and banks are some of the important reforms that need to be brought about."

"Nevertheless, on the whole, we are in a fantastic sweet spot. These are problems. I think we'll get sorted out over the next 10 years. I am very optimistic that the jobs problem will be solved as well," Panagariya said. He said that since 1991 economic reforms "we have had upside down but the trend has been towards liberalization. If we take away COVID years, we have grown about 8.8 per cent in real dollars for the past 20 years, which we could not imagine in the 1980s."

"The conditions are perfectly there for India to take the world by storm. India is now the only economy, which is growing strongly," he added.

On the country's demographic dividend, Panagariya said, "The population is large and the population is young. The size of the population will help us. We don't have that kind of dependency ratio as China has."

Source : The Economic Times

TIGHTENING GAPS IN THE EXISTING POSH FRAMEWORK

December 9, 2023 marked ten years since the enforcement of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013, or the "POSH Act", as we commonly call it, and its corresponding rules. The POSH Act had been passed on the basis of the Vishaka guidelines laid down by the Hon'ble Supreme Court in 1997 in a public interest litigation. While adjudicating cases involving workplace sexual harassment, the Indian judiciary has laid down several precedents to facilitate employers in upholding the letter and spirit of the POSH Act requirements. Multiple Indian companies have adopted robust best practices to ensure that they go beyond the statutory requirements to prevent, redress, and reduce workplace sexual harassment incidents.

As the Hon'ble Supreme Court has aptly observed in the recent case of Aureliano Fernandes vs. State of Goa & Ors. decided on May 12, 2023, although India had made remarkable progress in the implementation of the POSH Act, certain ambiguities still needed to be clarified, rendering it debatable whether the actual intent of the POSH Act had been accomplished. In this article, we attempt to highlight the glaring gaps in the existing statutory framework under the POSH Act, which indicate the necessity for an all-encompassing and meaningful review in the form of a much-needed regulatory overhaul.

Although the POSH Act extensively defines a “workplace”, companies still face several challenges in ensuring effective redressal of workplace sexual harassment complaints due to the ambiguities in law. Currently, “workplace” in the context of an office is broadly understood to include the confines of a physical space or structure, the places visited by employees in the course of work, interactions on digital/online platforms, events organized by employers and/or their clients, and transportation provided by the employer. While “workplace” in respect of sports activities includes a sports complex, there is no statutory provision to deal with complaints relating to incidents of sexual harassment that have allegedly occurred in common areas or at the entrance/exit points of large office complexes, business hubs, corporate campuses, or within co-working spaces, and the corresponding rights and obligations of the respective employers or internal committees of the aggrieved woman, the accused, and the security agency in charge of such complexes, hubs, and campuses.

Similarly, the POSH Act is silent on the handling of anonymous complaints of sexual harassment. Under the POSH Act, employers are not authorized or obliged to redress anonymous complaints or take suo motu cognizance of unreported workplace sexual harassment incidents that come to their attention. Hence, while certain employers treat such incidents as a code of conduct issue and take necessary action to ensure workplace safety, others do not take cognizance of such complaints until they receive a formal written complaint as per the terms of the POSH Act. This raises pertinent questions: Does an employer stand absolved of its statutory liability under the POSH Act if its internal committee declines to entertain an anonymous complaint of sexual harassment?

How does the employer provide a safe working environment at the workplace or ensure safety of its employees from persons coming into contact with an unsavoury character at the workplace in an objectionable situation? What are an employer’s obligations where a victim calls upon the employer to take necessary action against the alleged perpetrator but refuses to file a formal complaint with its duly constituted internal committee under the POSH Act? How should an employer handle a situation where a victim proceeds to file complaints against the organization and its internal committee before the National/State Commission for Women, Ministry of Women and Child Development and/or the jurisdictional District Officer without filing a formal complaint of sexual harassment with the employer or its duly constituted internal committee? Another area that needs urgent attention is the handling of sexual harassment complaints where the victim and perpetrator belong to different organizations. Should the internal committee of the victim’s organization be hearing such complaints, or should the internal committee of the perpetrator be hearing the complaints, or should the two organizations be constituting a joint internal committee to hear a sexual harassment complaint that involves two organizations?

Besides, the question of binding effect and enforceability of the recommendations made by such internal committees also needs attention. Local committees in certain jurisdictions have exceeded their jurisdiction under the POSH Act by overtaking the internal inquiry process. They have taken cognizance of sexual harassment complaints that are not against the employer and directed the duly constituted internal committees to stop the internal inquiry process, thereby compelling such employer to approach the courts for relief. Legal recognition of the LGBTQIA+ community highlights the requirement of protecting them from workplace sexual harassment.



No statutory timeline is provided under the POSH Act either for conducting a conciliation or implementing the settlement, if any, arrived at through conciliation. Hence, the acceptable time gap between the date of submission of written reply to a complaint of sexual harassment by the accused and the initiation of an inquiry is not specified and needs clarification. Further, the POSH Act excludes monetary settlements to arrive at conciliation, thereby overlooking the vital need for checks that prevent unscrupulous employers from misusing the conciliation provisions to avoid an inquiry and, instead, coerce a victim to opt for conciliation that settles the issue discreetly. Further, the concerned parties cannot appeal against an order of settlement arrived at through conciliation. The POSH Act does not specify the important distinction between healthy sexual attraction and sexual harassment that is unwelcome and unsolicited. The failure to do so overlooks the clarity of what constitutes an intra-office consensual relationship between work colleagues and how such mutually consenting intimate relationships could lead to workplace sexual harassment complaints. The above shortcomings in the POSH Act emphasize the urgent need for legislators to address the glaring lacunas in the existing law so that the objectives of the POSH Act to create a safe, secure, equitable, and enabling work environment for women are fully met. This has become essential to accommodate the changing landscape of the contemporary Indian workplace.

Source : HR World - Economic Times

EPFO REJECTS EVERY THIRD CLAIM IT RECEIVES, SAYS REPORT

In a startling revelation, it has been revealed that the Employees' Provident Fund Organisation (EPFO) has rejected every third claim that it received, reported Indian Express. A number of subscribers have raised their grievances relating to delay in claim settlement on the official X handle of EPFO, which is the world's largest social security organisation with over 277 million accounts and a corpus of nearly ₹20 lakh crore. The pension body, in response to one such query, stated that it normally takes 20 days to settle a claim or release the PF amount if the same submitted to the concerned EPFO office is complete.

Out of the total 73.87 lakh claims received for final PF settlement in financial year 2022-23, 33.8 per cent (24.93 lakh) were rejected. At the same time, 46.66 lakh were settled and 2.18 lakh remained as closing balance, shows official data. This was considerably higher than the rate of rejection in 2017-18 and 2018-19, when it stood at nearly 13 per cent and 18.2 per cent, respectively. The rate of rejection, in percentage terms of rejected claims out of total applications for claims, jumped further to 24.1 per cent in 2019-20 and 30.8 per cent in 2020-21 for final settlement claims. Moving to 2021-22, the rate of rejection for final settlement claims rose to 35.2 per cent i.e., more than one-third of the total number of claims that the pension body received.



Working Under Pressure

Meanwhile, officials from the Employees' Provident Fund Organisation (EPFO) in October last year had expressed their concern about being under "extreme pressure". This pressure stems from the recent reversion to manual annual account updates by the EPFO, while they are held accountable for any delays in claim settlements beyond the stipulated 20-day timeframe. The chief cause of this issue was attributed to the organisation's outdated IT system, which was perceived as obsolete by the staff of pension fund body

Announcement Of Interest

Additionally, the Central Board Trustees EPFO on Feb 10 recommended an annual rate of interest of 8.25 per cent to be credited on EPF accumulations in members' accounts for the financial year 2023-24.

The Board also recommended a distribution of income of ₹1,07,000 crores to EPF members' accounts on a total principal of around ₹13 lakh crores. The total income recommended for distribution was the highest so far.

Source : Live Mint

OUT OF 17.5 LAKH APPLICANTS, ONLY 9 RETIREES HAVE RECEIVED HIGHER PF PENSIONS IN COUNTRY SO FAR

Only nine persons who retired from the same company have so far received the higher PF pensions in the country, in accordance with the Supreme Court verdict issued 15 months ago. The pensions were given to former employees of the Himachal Pradesh Tourism Development Corporation (HPTDC). RC Gupta and others, who are presently engaged in a legal dispute regarding pension matters, are all former employees of HPTDC. They have approached the court, raising concerns about the methodology employed in calculating the pensions. It was on November 4, 2022 that the Supreme Court issued a verdict to provide higher pension to the EPF members on the basis of their accurate salaries. The deadline for availing the option was extended multiple times. 17.5 lakh persons applied for it. Balak Ram Chauhan, who retired from HPTDC last December, was the first person to receive the pay order for the higher PF pension. Following that, Jabe Ram and Hari Ram also received the pay orders. But sadly, Jabe Ram passed away after receiving his first pension. On February 19, 2024, six more persons received the pay orders. Even though procedures have been initiated in other states, including Kerala, for issuing higher PF pensions, no pay orders have been delivered so far.

Legal Battle

The employees of the HPTDC will wage a legal battle against the method of cutting down on pensions by differentiating between the service periods prior and post September 2024. This is very much in contradiction to the Supreme Court verdict of determining the pensions based on the average salary of the last 60 months in service. Former HPTDC employee Madan Sharma, the latest person to receive the pay order, told Mathrubhumi that he will file a writ petition against the particular EPFO action at the Himachal Pradesh High Court. In total, 650 employees of HPTDC, who had retired after September 2014, are planning to approach the high court with similar concerns.

Source : Mathrubhumi



**Karnataka
Minimum Wages
For The Year
2024-25**

**Notification Granting
S&E To Remain Open In
The State Of Assam
During Certain
Festivals In 2024
Under The Provisions
Of The S&E Act**

**ESI Maternity
Benefits New
Facility
Introduced**

**Totalization
Agreement Signed
Between India And
Federative
Republic Of Brazil**

**EPFO - Para 26.6
Joint Declaration
New circular**

**Haryana Issues Orders
Appointing DLC, ALC
And Welfare Officers
Under Certain
Provisions Of Payment
Of Wages Act,1936 To
Be The "Authority"**

**Haryana Issues Orders
Appointing DLC, ALC
And Welfare Officers
Under Certain
Provisions Of Minimum
Wages Act,1948 To Be
The "Authority"**

**Haryana Issues Orders
Appointing DLC, ALC
And Welfare Officers
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1923 To Be The
"Authority"**

**Minimum
Wages**

**ESIC – The Permanent
Disablement Benefit
And Dependent
Benefit Enhanced
Under ESI Act**

**Holiday List
(NFH) 2024**



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ABOUT US



United Consultancy Services is one of the leading consulting firms in India providing compliance, advisory and audit services in the field of Labour Laws, Human Resource Development and Legal matters pertaining to Industrial Relations. We provide meaningful, forward looking and compliance oriented solutions to help organizations grow while being compliant under labor laws. Proactive teams led by domain experts, use insight, experience and best practices to understand complex issues of publicly listed and privately owned clients and simplify compliance.

With over 30 years of existence and with more than 200 professionals the firm provides robust compliance services and solutions on complex requirements under Labour law. The information shared in the newsletter is on the basis of Government notifications and newspaper articles. This is for general information purposes only and does not constitute legal advice. Please reach out to your UCS contact or the Company legal counsel before taking any action.

We Simplify Compliance For You.



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