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UCS POV: A Decade of Inadequate Enforcement, Supreme Court Mandates Reform of POSH Act

- Manoj Vats,  
Associate Vice President

The **Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013 (POSH)** was enacted to safeguard women from sexual harassment in the workplace. However, recent events have highlighted significant shortcomings in its implementation. In a landmark judgment, the Supreme Court in *Aureliano Fernandes v. the State of Goa* (Civil Appeal No. 2482 of 2014, decided on May 12, 2023) expressed deep concern over the Act's ineffective enforcement and issued directives to improve its implementation.

### Key takeaways of the judgment:

- **Inadequate Enforcement:** The Court criticized the lack of stringent enforcement of the POSH Act, leading to a culture of impunity for perpetrators.
- **Procedural Challenges:** The Act's procedures have been deemed cumbersome and time-consuming, often discouraging victims from coming forward.



- **Lack of Awareness:** The Court highlighted a lack of awareness among both employers and employees about their rights and responsibilities under the POSH Act.
- **Need for Reform:** The Supreme Court has called for a comprehensive review of the Act and its rules to address these shortcomings and ensure effective protection for women in the workplace.

**Action Initiated by State Governments:**

In light of the Supreme Court’s judgment, state governments are proactively overseeing the compliance of government and private establishments with their annual reporting requirements. This heightened scrutiny is evident in the increased frequency of reviews conducted by state authorities. One notable move, for instance, has been the state government of Haryana's request for in-person meetings with senior officials of various establishments. These face-to-face interactions provide a more comprehensive and direct evaluation of a firm's compliance accuracy and adherence to regulatory standards. This increased vigilance from state governments demonstrates how crucial compliance and transparency are becoming to the corporate world.

**Actions to be taken by Establishments to Comply with the POSH Act:**

- **Formation of the Internal Complaints Committee (IC):** Establishments must ensure the IC committee is formed as per the mandate laid in the Act. There must be mechanisms in place to ensure the IC members are easily reachable and responsive.

There must be a platform for grievances to be heard and resolved in a structured manner.

- **Increased Awareness:** Establishments must mandatorily conduct training to sensitise all employees and promote awareness. The employees must be aware of what constitutes sexual harassment and the procedures for filing complaints. Increased awareness will help the companies to create a safe place to work.
- **Setting Up a Legal Framework and Support:** Establishments should implement preventive measures like having clear policies in place, a code of conduct, a supportive work environment, and provisions.

**Latest Notifications & Updates**

**Haryana Revised the Date of General Election from October 1st to October 5th, 2024**

**Holiday Declared on Account of Bye Election In Rajasthan**

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Establishments may review and audit their compliance status to identify areas for improvement. They must provide support to victims through counselling, rehabilitation, and follow-ups.

In summary, the Supreme Court's judgment is a significant step toward ensuring the effective implementation of the POSH Act. It highlights the importance of fairness, due process, and transparency in handling workplace harassment cases. The directives issued by the Court apply to both government and private establishments, emphasizing the need for all employers to comply with the Act's provisions and create a safe and respectful work environment for women.



## Needed: A Common State Law For Unorganised Workers' Social Security

The proposed Karnataka Platform-Based Gig Workers' (Social Security & Welfare) Bill 2024, which was expected to be passed in the last session of the Karnataka legislature, was not passed reportedly due to objections from aggregators, since the Union's four labour codes are also in the offing. This stalling of the gig workers' Bill may be a fortuitous development as it gives time to rethink the framing of sector-specific laws in Karnataka for social security, like the one for gig workers. Several similar laws creating sector-specific boards for social security are supposedly in the pipeline for weavers, vendors, etc. The proposed gig workers' Bill also contains several provisions for 'regulating working conditions' along with social security and welfare, though the title of the Bill does not say so. But the experience with the Building & Other Construction Workers' Welfare Board, for example, has shown that sector-specific boards do not regulate working conditions and occupational safety and health (OS&H) but only provide social security as they lack the manpower and reach at the grassroots level for these tasks.



This is not to deny the need for a separate law for regulating working conditions and OS&H, supplemented by sector-specific provisions, but that needs a separate article. Since no unorganised worker, including a platform-based gig worker, works continuously or permanently in one sector, creating sector-specific laws for social security will make portability of registration and benefits across sectors difficult. Notably, even the Employees' State Insurance Corporation (ESIC) for organised workers maintains all social security contributions in a single fund and provides the same benefits to all workers, and not on a sector-specific basis.

Then why these separate sector-specific boards and funds for unorganised workers' social security?

In the last few decades, there were three national commissions that looked into the issue of social security for unorganised workers: the National Commission on Rural Labour (1991); the Second National Commission on Labour (2003); and the National Commission on Enterprises in the Unorganised Sector (NCEUS) of 2007. It is significant that none of them recommended the creation of multiple sector-specific boards and funds for providing social security to unorganised workers. The NCEUS, for instance, recommended a single National Social Security Board (NSSB), one National Social Security Fund (NSSF), one National Social Security Scheme (NSSS) and single state-level boards and funds. Given such recommendations and also models of composite laws framed by them, it is not understandable why sector-specific laws are still being framed in our state.

The above national commissions and also the Union government, by enacting the four labour codes in 2020, tried to bring in much-needed integration and rationalisation of multiplicity of laws and schemes that were in existence. But their efforts still failed to bring universality of coverage and benefits. By again creating sector-specific laws and boards for social security, we will be going back to the era of multiplicity of laws and still fail to universalise social security. There are more than 1.5 crore unorganised workers in the state. So, how many funds and boards shall we create covering just a few lakh workers under each? There is a need to realistically estimate the number of boards required to cover 1.5-plus crore workers sector-wise, the administrative cost involved, and the time-frame that will be required to cover all unorganised workers in this manner. And the bigger question is whether this pattern of law-making will lead to universalisation of social security at all!

There are adequate laws for organised sector workers in the Union's Social Security Code of 2020. But since it does not provide anything concrete for unorganised workers, it is a golden opportunity for Karnataka to fill this gap by passing a comprehensive, common state law that will provide universal social security for all unorganised workers of the state. It is possible for the comprehensive law to have an in-built source of funds — through contributions from employees,

cesses on employers and a levy on several state taxes to provide government's contribution — pooled into a common fund for social security covering all workers. It is desirable to also delineate within the Act all the nine benefits, or at least a minimum floor of benefits, and their quantum, as per ILO Convention 102 on Social Security. The ILO had recommended that in India, where more than 93% workers work in the unorganised sector, an 'area-based approach' rather than a sector-specific approach was preferable. It is significant that the Karnataka Labour Department and the German Society for International Cooperation (GIZ) had implemented a pilot project on 'social security benefits for unorganised workers' in six districts of Karnataka from 2009 to 2014, pioneering the concept of such an area-based 'single-window approach' to facilitate social security benefits for unorganised workers.



As many as 250 Workers' Facilitation Centres (WFCs) at gram panchayat and urban ward level were set up. The above pilot project was directed to be upscaled to all taluks of the state by the Labour Department itself through a GO in 2014. One does not know why this model went into oblivion, but there is a need to revive this model that was piloted in Karnataka on an 'area-based approach' and not on a sector-specific basis. The GO of 2014 also directed establishment of a state-level steering committee, a state-level implementation committee, district-level and taluk-level coordination committees to oversee implementation of social security in an 'area mode' instead of a sector-specific mode. These were, however, committees with only officials. These can be easily converted into tripartite committees with representation from trade unions and CSOs to enable proximity to all unorganised workers, irrespective of sector, for collective bargaining, enforcement of wages and social security, regulation of working conditions and OS&H and grievance redressal at a local level. This system can effectively replace the sector-specific approach which cannot provide any of this. Can one expect the political will to emerge in Karnataka to revive this 'area-based approach' and be a model to the rest of the country by universalising social security to all 1.5 crore unorganised workers?

*Source : Deccan Herald*

## **EPFO Wage Ceiling Revision Soon! Private Sector Employees May Get Up To Rs 10,050 As Monthly Pension Under EPS**

After a much-needed pension reform with the unified pension scheme in the government sector, private sector employees are also expected to receive good news, as there is a proposal to raise the wage ceiling for the calculation of provident fund and pension contributions under the Employees' Provident Fund Organisation (EPFO). Sources in the government have said that the Finance Ministry may soon make a decision on the proposal it received from the Labour Ministry, which recommended raising the wage ceiling to Rs 21,000 from the current Rs 15,000. "The proposal (increasing wage ceiling for EPF contributions) was sent in April and the Finance Ministry will soon take a final decision on this," according to the sources.

The Employees' Pension Scheme (EPS), managed by the Employees' Provident Fund Organisation (EPFO), has had a wage ceiling of Rs 15,000 for calculating pensions since September 1, 2014.

However, the proposed increase could bring much-needed relief and improved benefits to employees.

If the proposal to raise the wage ceiling from Rs 15,000 to Rs 21,000 is approved, it will have several key impacts on the pension and EPF contributions of private sector employees.

### **Step-by-step calculation of the increased pension:**

#### **Current EPS pension formula:**

**Formula:  $EPS \text{ Pension} = (\text{Average Salary} \times \text{Pensionable Service}) / 70$**

**Average salary: Basic salary + dearness allowance (DA)**

Maximum pensionable salary: Currently Rs 15,000

Maximum Pensionable Service: 35 years

With the current wage ceiling of Rs 15,000, the maximum EPS pension is calculated as:

EPS Pension = Rs 15,000 x 35 / 70 = Rs 7,500 per month

**Proposed wage ceiling increase:**

If the wage ceiling is increased to Rs 21,000, the new pension calculation would be:

EPS pension = Rs 21,000 x 35 / 70 = Rs 10,050 per month

This indicates an increase of Rs 2,550 per month in the EPS pension, significantly boosting the retirement income for eligible employees.

**Contribution breakdown:**

**Employer Contribution:** Under EPS, the employer contributes 8.33% of the employee's salary, which would now be calculated on the revised wage ceiling.

For a basic salary of Rs 21,000, the maximum contribution to EPS by the employer would be:

EPS contribution = Rs 21,000 x 8.33% = Rs 1,750 per month

**EPFO contribution:**

Consider an employee joining a company in October 2024 with a basic salary of Rs 21,000. The total EPF contribution for the month of October, considering both the employee's and employer's share, would be Rs 3,290. This increase in wage ceiling would ensure a higher contribution to both the EPF and EPS, ultimately leading to a larger pension post-retirement.

The proposed increase in the EPS wage ceiling to Rs 21,000 would substantially raise pension amounts, enhancing financial security for retirees. This adjustment, increasing pensions from Rs 7,500 to Rs 10,050 per month, aligns benefits with current economic realities, providing a stronger retirement safety net for organized sector employees.

**Impact on take-home salary:**

Employees may see a slight reduction in their take-home salary due to the higher deductions for EPF and EPS contributions. However, this is offset by the long-term benefits of a larger retirement corpus and higher pension.

*Source: Financial Express*

**Ministry of Labour & Employment launches Building and other Construction Workers (BoCW) Management Information System (MIS) portal**

15th meeting of BoCW Monitoring Committee was held recently with all States/UTs under chairpersonship of Secretary, Ministry of Labour & Employment. Various issues related to BoC workers data integration & utilisation of BoCW Cess Fund for welfare activities were discussed during the meeting. The meeting was attended by Principal Secretaries/ Secretaries/ Labour Commissioners/ Welfare Commissioners of States/UTs, besides senior officers of the Ministry.



In a landmark initiative aimed at welfare of the BoC workers and unorganized workers, BoCW Management Information System (MIS) Portal was also launched by Smt. Sumita Dawra, Secretary, Ministry of Labour & Employment. The portal will function as the centralized data management system for compilation and analysis of the data obtained from BoCW Welfare Boards of the States. This will in turn enable the States/UTs to make informed decisions and frame better welfare policies for BoCW workers. The States/UTs were asked to register on the portal and update their details, including fund utilization, onboarding of data on registration of the workers under various central and state schemes, pertaining to social security benefits, insurance, health benefits, housing schemes, etc.

It was noted that presently there are around 5.7 crore workers registered with Building and Construction Workers Welfare Boards of various States & UTs across the country, as on 30th June 2024. A cumulative cess amounting to around Rs. 1.15 lakh crores have been collected by Boards, out of which more than Rs. 66,000 crores have been spent by the Boards for providing benefits under various welfare schemes to these workers. The Ministry is also working with the State BoCW Welfare Boards to extend the benefits of various central government schemes to BoC workers by utilizing BoCW cess fund. As a result, Ayushman Cards for health benefit have been approved for 1.3 crore BoCW workers under Pradhan Mantri Jan Arogya Yojana (PM-JAY) scheme. More than 85000 workers have been covered with insurance under Pradhan Mantri Jeevan Jyoti Bima Yojana (PM-JJBY) scheme, and another 1.24 lakh workers have been covered for protection against disability under Pradhan Mantri Suraksha Bima Yojana (PM-SBY) scheme.

Many states including Uttar Pradesh, Assam and Madhya Pradesh have undertaken construction of schools through cess funds for wards of BoC workers. Other states were also urged to undertake similar initiatives. The States and UTs were also requested to expedite the integration of BoC workers' data with e-Shram portal of the Ministry, to enable access to various schemes as a one-stop-solution for unorganized sector workers.

Preparedness of States/UTs with respect to harmonization and finalization of draft rules under four Labour Codes was also reviewed during the meeting as a follow up to the earlier similar meeting held on 20th June 2024. The Ministry highlighted the gaps and divergences in the draft rules of States/UTs. The States were requested to streamline their rules with the draft Central rules to ensure consistency across the country. The States/UTs shared their views, suggestions and concerns during the meeting which were duly clarified. The Secretary, Ministry of Labour and Employee informed the participants that the collaboration amongst States/UTs and Central Government towards labour reforms will be strengthened further. In this direction, the Ministry will be organizing 06 Regional Meetings with the States/UTs over the next two months at different locations.

**Source : Press Information Bureau**



## Outsourced But Not To Be Forgotten

Do contract employees working for the government have constitutional and legal rights concerning their service conditions? A recent judgement by Justice M G S Kamal of the Karnataka High Court, (reported in DH, August 16), addressed this issue. The judge criticised the Department of Agriculture for granting maternity leave to an contract employee working as an accountant at a Raitha Samparka Kendra in Huvinahadagali, Vijayanagar district, but not allowing her to rejoin duty after the leave expired. The government argued that since the employee was outsourced on an annual contract, there was no 'employer-employee relationship.' The court rejected this argument. Justice M G S Kamal made the following pointed observations in his judgement: "Merely because the State has set up 'outsourcing contracts,' 'manpower outsourcing agencies,' and 'intermediary contracts' and is conveniently and interchangeably using the same, the entitlement of the petitioner guaranteed under the Constitution and the statute for maternity leave and other benefits cannot be ignored. This is nothing but a well-thought-over modus operandi adopted by the respondent state to shirk its responsibility of complying with various constitutional and statutory obligations in the domain of public employment." The HC directed the agriculture department to continue the petitioner's services until a regular employee is appointed in her place.



Outsourced government employees, also known as contract workers, face uncertain working conditions and limited rights. Although they may perform tasks similar to those of regular government employees, they often lack access to basic rights and benefits, such as job security, fair compensation, social security benefits, health insurance, paid leave, workers' compensation, unionisation, and collective bargaining. The specific rights and protections available to outsourced government employees vary depending on the jurisdiction, laws, and regulations. However, it is essential to recognise that these workers deserve fair treatment, dignity, and respect for their contribution to public services.

The International Labour Organisation (ILO) has expressed concerns about the working conditions and rights of outsourced workers, including those employed by governments. The ILO emphasises the need for the following:

**Decent Work:** Ensuring that outsourced workers receive fair compensation, safe working conditions, and access to social security and benefits.

**Non-Discrimination:** Protecting outsourced workers from discrimination and ensuring they receive equal treatment compared to regular employees.

**Freedom of Association:** Allowing outsourced workers to form and join trade unions and bargain collectively.

**Transparent Contracts:** Ensuring clear and transparent contracts that specify working conditions, wages, and benefits.



**Accountability:** Holding governments and contractors accountable for upholding labour standards and protecting workers' rights.

**Social Dialogue:** Encouraging dialogue between governments, contractors, workers, and unions to address concerns and improve working conditions.

The ILO's core labour standards and conventions, such as the Private Employment Agencies Convention (No. 181), the Contract Labour (Regulation and Abolition) Convention (No. 105), and the Decent Work Agenda, provide a framework for protecting the rights of outsourced workers. The ILO also provides guidance and support to governments, employers, and workers to promote fair and decent working conditions for all workers, including those in outsourced employment arrangements. Apart from the ILO, several expert reports and studies have examined the rights and working conditions of outsourced government employees. Some notable examples include:

International Trade Union Confederation (ITUC) reports, which highlight violations of workers' rights in outsourcing arrangements, emphasising the need for unionisation and collective bargaining. Amnesty International's reports on exploitation and human rights abuses in outsourcing, particularly in sectors like cleaning, security, and construction. The Organisation for Economic Co-operation and Development guidelines on responsible business conduct, which include recommendations for protecting workers' rights in outsourcing. World Bank studies on public-private partnerships and outsourcing in public services, which emphasise the need for safeguards to protect workers' rights.



Academic research on the impact of outsourcing on workers, which examines issues such as job insecurity, wage disparities, and lack of social protection. National Human Rights Institutions such as India's National Human Rights Commission (NHRC), which highlight concerns and advocate for better protections. Reports from civil society organisations such as the Workers' Rights Consortium, which focus on labour rights abuses in outsourcing and advocate for improved working conditions. These expert reports and studies offer valuable insights for addressing the challenges faced by outsourced government workers and promoting their rights and well-being. Governments and contractors must ensure that outsourced employees receive fair compensation and benefits, safe working conditions, access to training and development opportunities, protection from discrimination and harassment, a clear understanding of their employment status and rights, and a grievance mechanism to address concerns. By addressing these issues, we can promote fairness, equity, and justice for outsourced government employees, recognising their value and contribution to public services.

**Source: Deccan Herald**

## IT Employee Union Stages Protest Against Increasing Working Hours In Bengaluru

Information technology employee union Karnataka State IT/ITeS Employees Union (KITU) staged a protest in Bengaluru's Freedom Park on August 3 against increasing working hours. Manjunath G, Additional commissioner, Labour Department, assured protestors that the demands would be taken up for consideration by the government, after being handed over documents opposing the proposed bill. Karnataka government's controversial proposal to extend working hours for the IT/ITes employees has drawn widespread criticism. The state government is considering amending the Karnataka Shops and Commercial Establishments Act, 1961, which would allow companies to extend overtime by 3 hours, taking the total to 12 hours a day for an employee. However, the basic working hours remain unchanged at 9 hours a day. The government says this aims to increase the state's share of Global Capability Centres (GCCs) in India from 45 percent to 50 percent, according to the documents accessed by Moneycontrol. Additionally, the document mentions that the maximum overtime hours are fixed at 125 hours over three months, to ensure that such extended shifts are infrequent.

Suhas Adiga, General Secretary, KITU, said that the proposed amendment is an attack on workers' basic right to personal life and said that the union will resist any efforts to implement this change. He urged the government to withdraw the proposal and warned that any move to proceed with the amendment would be met with strong resistance from IT and ITES sector employees. "This is completely unacceptable, the government cannot treat IT employees this way, Bengaluru will cede ground to other emerging IT hubs if this becomes law," said one protestor on the condition of anonymity.



Meanwhile, a scuffle broke out at the venue as workers of another IT employee union displayed their banner. Police, present at the site, scouted three workers out of the protest venue to calm the situation down. The bill assumes significance for the state as nearly 18 lakh IT professionals are employed across 8,785 IT/BT firms in Karnataka. The tech industry employs over 50 lakh professionals in the country, implying a disproportionate 40 percent of the total base is located in Karnataka alone. The move also comes at a time when Karnataka is set to become the first state in the country to introduce a Global Capability Centres (GCC) policy. Karnataka has set a target to host more than 15 percent of the GCCs of the world's top 2,000 companies by 2030, which will generate over 1 million jobs. A GCC is a dedicated offshore unit established by a company in a foreign country to in-source IT and other related business functions.

### Earlier Protests

In the run-up to the protest, KITU has been staging protests across the IT parks in the Silicon Valley of India for the last couple of days to build momentum for the protest. On July 22, KITU conducted street campaigns and gate meetings in 29 locations, including in front of Accenture's office in Koramangala, IBC Knowledge Park on Bannerghatta Road, and Bosch Global Software Technologies in Adugodi.

In March 2024, KITU staged a protest in front of the labor commissioner's office (Karmika Bhavana), demanding that the state government end the exemption provided to the IT/ITeS sector. State labour minister Santosh Lad had stated last year that the government may not provide the exemption.

### **Other Unions**

It is not just KITU which is protesting, several IT staff unions including the Nascent Information Technology Employees Senate (NITES) have opposed the proposal to extend the working hours. Pune-based IT industry body NITES President Harpreet Singh Saluja had earlier told Moneycontrol that the government should disclose which companies or industry lobby is pressuring the establishment into making such laws. Saluja further said the proposed bill is a hogwash as none of the IT companies pay overtime to employees. On July 24, Information Technology and Biotechnology minister Priyank Kharge said the extension of the working hours rule won't apply to all companies after the government faced flak. "The proposal will be applicable to sectors like manufacturing and service-oriented industries that require longer working hours," Kharge told the legislative council on July 23.

The IT industry body National Association of Software and Service Companies (Nasscom) said it has not requested a 14-hour workday or a 70-hour workweek.

**Source: Money Control**

## **EPFO Issues New Rules For Inoperative, Inactive EPF Accounts To Stop Frauds: Check the latest details**

To make life easier for the Employees' Provident Fund (EPF) account holders, the Employees' Provident Fund Organisation (EPFO) has issued new guidelines for inoperative and transaction-less EPF accounts. According to a circular issued on August 2, 2024, the EPFO said, "In order to handle transaction-less and inoperative accounts, the field offices should do a stronger due diligence so that, cases of impersonation/identity theft or otherwise do not occur." According to EPFO, transaction-less accounts are those accounts where no transaction (no debit or credit of contribution other than crediting of periodic interest) has taken place in three years. The transaction-less accounts can be considered inactive accounts due to no transactions taking place for three years.



As per the amended definition, an account becomes inoperative after 58 years, i.e., 36 months after the retirement age of 55 years. As per the amended definition, an account shall be classified as Inoperative after the member attains the age of 58 years.

As per the EPFO circular, the unblocking of such EPF accounts can take up to 20-25 days from the date of submission, depending on the type of account and verification process required.

### **In the case of transaction-less accounts**

As per the circular from EPFO, different situations regarding the presence of a Universal Account Number (UAN) may arise in an account with no transactions. Instances may occur where existing UANs are present but are not linked with Aadhaar or KYC compliant.

If there are no UAN in transaction-less accounts, then the first step is to generate UAN. However, UAN cannot be generated via normal, routine processes for these accounts. This is because these accounts have been inactive for a long time. An EPF account holder has to visit the field office physically to generate a new UAN or link the EPF account to the existing UAN. EPF members can schedule an appointment via the EPFiGMS portal before a physical visit. An EPF member will be given an appointment token number, date, time, and place for biometric verification. An SMS regarding the same will also be sent to the EPF member. Other verification such as photo capture of the EPF member should be done before the generation or linking of UAN. In case the EPF member is unable to visit the field office due to physical disability, old age etc., they can generate a request for UAN generation on the EPFiGMS portal. A representative of the EPFO will visit the member's home for biometric verification and UAN generation. In the case of transaction-less accounts, UAN can only be generated by field offices. The EPFO field offices are required to ensure that there is no active UAN before generating one for the transaction-less accounts.



Once the EPF account is linked to the UAN, the next step is the KYC seeding of all such accounts. If the former employer is still operational, it is necessary for an EPF member to contact them to link their KYC. If the employer does not complete the KYC within 15 days, the field offices have the authority to perform the KYC directly. If the previous employer no longer exists, the field offices are permitted to directly carry out the KYC process.

KYC will be done via PAN, Aadhaar and bank account of the EPF member. Once the UAN is linked to the EPF account and the KYC process is completed, the EPF member is required to request for the unblocking of the EPF account. The EPFO circular emphasises the need for more thorough verification of EPF members with transaction-less accounts. It highlights the importance of gathering information from multiple sources, and proposes sending a verification alert to the active UAN holders working in the same establishment during the same period to confirm the PF membership of the claimant. A notification or message will be sent to 20 active UAN holders who have worked during the same period as the claimant on a random basis. The message will contain details and a photo of the claimant being verified. Confirmation of 5 active UAN holders will be needed for verification purposes. An EPF member can file online claims once the EPF account is linked to UAN, KYC seeded and unblocked by the EPFO authorities.

To further prevent fraud in these accounts, another level of security will be put in place.

### **Inoperative Accounts**

The inoperative accounts that are also transaction-less accounts will be dealt with via the process mentioned above. However, there are different guidelines for inoperative accounts that are not transaction-less accounts. Inoperative accounts for less than 3 years linked to UAN (KYC seeded): Such EPF members can file online requests to unblock their inoperative accounts. The online request must be approved by the employer and/or field offices. If the request is accepted, then the EPF account will be unblocked. Else if rejected then reasons for the same will be given. Inoperative accounts for more than 3 years linked to UAN (KYC seeded): For such EPF accounts, unblock requests can be submitted either online via the member portal or physical visit to a field office. Once the request is submitted, the same process as verification of transaction-less accounts will be followed. Online claims or transfer claims can be filed only once the request has been approved.

Inoperative accounts linked to UAN (KYC not seeded): If the KYC is not done in inoperative accounts, then EPF members are required to approach their old employer for this. If the old employer currently does not exist, then the EPF member has to physically visit the field office to get the KYC done. Once the KYC is done, the unblock request can be submitted online.



### **In case of the death of an EPF member**

For EPF accounts where an EPF member has passed away, the nominee can file the claim for the amount lying in the PF account. The field offices shall do the UAN generation and KYC seeding before processing the claim. The biometric authentication of the concerned nominee shall also be done. The nominee can file an online claim if there is an e-nomination or else visit the concerned field office for submission of documents. The documents must be verified by the old employer. If verification is not possible by the employer, then the documents may be attested by the competent authorities.

**Source : Economic Times**



## Union Minister of Women and Child Development launches new She-Box Portal to make Workplaces safer for Women

The Ministry of Women and Child Development, under the leadership of Union Minister Smt. Annpurna Devi, has launched the new SHE-Box portal, a centralized platform for registering and monitoring complaints of sexual harassment of women at the workplace. The launch event was held in New Delhi recently. She also launched the new website of the Ministry during the event. Minister of State for Women and Child Development Smt. Savitri Thakur and Secretary for Women and Child Development Shri Anil Malik alongwith other officials of the Ministry were also present on the occasion. The new She-Box portal serves as a centralized repository of information related to Internal Committees (ICs) and Local Committees (LCs) formed across the country, encompassing both the government and private sectors. It offers a common platform to file complaints, track their status and ensure a time-bound processing of complaint by ICs. It provides assured redressal of complaints and streamlined process for all stakeholders. The portal through a designated nodal officer will enable real-time monitoring of complaints.

As India approaches its centenary in the next 25 years, the Government of India, led by Prime Minister Shri Narendra Modi, is committed towards "Viksit Bharat" by 2047. To achieve this, the Government has placed significant emphasis on women-led development over the past decade, recognizing the pivotal role of women's leadership in driving inclusive economic growth. A cornerstone of this initiative to enhance women's participation in the workforce is ensuring that workplaces are safe and secure, enabling women to thrive and succeed.



The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013, serves to protect women from sexual harassment in the workplace and address their grievances. In line with this commitment, the new SHE-Box portal represents a significant step forward in addressing and managing complaints of workplace sexual harassment. In addition to the SHE-Box portal, the Ministry also launched a newly developed website tailored to meet the needs of the Government of India. This website aims to establish a cohesive visual identity across digital platforms, enhancing the government's engagement with national and global audiences. As digital platforms become the primary point of contact for citizens, maintaining a strong and compelling brand presence is essential. Speaking at the event, Smt. Annpurna Devi stated, "This initiative is a critical step forward in providing a more efficient and secure platform for addressing workplace-related sexual harassment complaints. It furthers the government's commitment to creating a safer and more inclusive working environment for women across India." She expressed confidence that the portal will ensure that complaints can be safely registered without personal information being publicly accessible.

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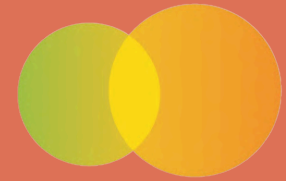
UCSCompliTool is a technology to ease the complexities of navigating through the changing Labour laws. With our past experiences and feedbacks, we have developed an in-house Software solution and have created this robust mechanism which represents our motto – Compliance simplified. It provides a real time and 360-degree view of compliance status for the Principal employer (CompliTool - Compliance) and with risk matrix to monitor the contractors (CompliTool - Audit). We have developed a Role Based Access Control model and being a cloud-based system, we are offering an absolute security and protection of data.

Following are some of the major benefits of the Tool:

- Real Time Statistical Data
- Informative Tool
- Transparency
- Ease of Documentation
- Ease of Monitoring
- Highlighting of Critical Points
- Security and Data Confidentiality
- Centralization of Data
- Readily Available Documents
- Data Integrity
- Extensive Reporting
- User friendly Dash Boards
- Overall compliance review from front end maneuver

For Demo, Please write to us at [enquiry@ucsdcl.com](mailto:enquiry@ucsdcl.com) or Call us @ 0124 2656864

[UCSCompliTool.com](http://UCSCompliTool.com)



## 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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