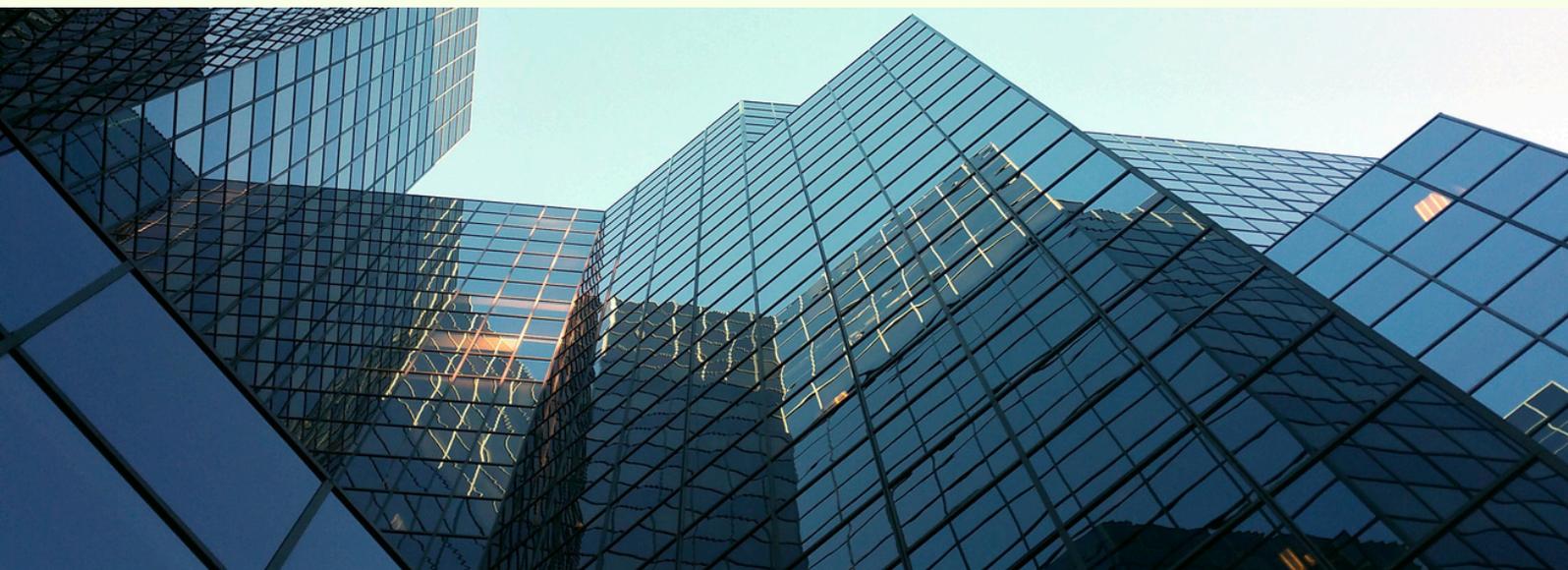


# THE COMPLIANCE WATCH

QUALITY | WILL TO WIN | BUILDING & LEVERAGING RELATIONSHIPS

NEWSLETTER EDITION | MARCH 2026



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# UCS POV | THE ROAD AHEAD: BALANCING NEW LABOUR RULES WITH BUSINESS REALITY

- MANOJ VATS  
ASSOCIATE VICE PRESIDENT

The introduction of the new Labour Codes is a major change for India, aimed at providing greater security to workers. However, as we move through this transition in 2026, many companies are finding that these rules bring significant financial and administrative challenges. One of the biggest concerns is the new definition of "wages," which limits allowances to 50% of an employee's total pay. This change automatically increases the base for calculating Gratuity, PF, and ESI. For most businesses, this means a sudden jump in labour costs—sometimes by more than 25%—without any change in actual business growth.

Beyond the rising costs, several operational challenges now require immediate attention. A major hurdle is the 2-Day Full & Final (F&F) Window, which forces companies to settle all employee dues within 48 hours of their exit—a timeline that is incredibly tight for most HR and Finance departments. Compliance is further complicated by the new definition of Inter-State Migrant Workers, which now includes self-migrated individuals. If these workers earn ₹18,000 per month or less, they are entitled to specific travel allowances and benefits, creating a complex new layer of tracking and administration.

Furthermore, strict Core Activity Restrictions generally prohibit the use of contract labour for a company's primary business functions, limiting operational flexibility. When combined with the cumbersome headers in the new consolidated Registers & Returns, these rules make it especially difficult for startups and gig-economy platforms to remain viable. Given these pressures, we believe the Government should step in to share the welfare burden. Instead of placing the entire financial and administrative weight on private companies, the State should introduce its own welfare schemes for factory, building, and gig workers to ensure the industry remains sustainable.

We truly appreciate that the Government provided a 45-day window for companies to share their suggestions and objections. That was a vital period for the industry to speak up about practical difficulties, such as the 2-day settlement rule and migrant worker tracking. We are hopeful that the authorities will listen to the feedback raised by the business community and consider these objections before finalising the rules. Only by working together can we create a system that protects workers while allowing businesses to remain strong and successful.



## GOVT PUBLISHES HANDBOOK ON EMPLOYER COMPLIANCE UNDER LABOUR CODES

The Labour and Employment Ministry has released a compliance handbook for employers to understand norms of labour codes and comply with them in a new regime.

"Compliance Handbook for Employers Under the Four Labour Codes (Central Government Sphere)" lists 23 actions that employers must fulfil regularly under the Code on Wages, the Industrial Relations Code, the Code on Social Security, and the Occupational Safety, Health, and Working Conditions Code.

Actions sought include foundational compliance, such as fixing the wage period and starting social security registrations for eligible workers, as well as monthly compliance actions such as timely payment of wages, issuing wage slips and deducting and depositing Employees' Provident Fund Organisation and Employees' State Insurance Corporation contributions.

The list also mentions periodical or annual compliance needs, such as updating minimum wage if it is revised and annual health examinations for specified employees, besides event-based compliance like issuing appointment letters to every new recruit, and settling final dues within two days of an employee's exit.

"This primarily covers provisions of the codes for the establishments for which the appropriate government is the central government. Further, details will be prescribed in the Rules that the Central government will notify under the respective codes," said the handbook.

It said that provisions under the labour codes shall prevail in case of any discrepancy with the contents of the handbook.



The handbook has chapter-wise breakdowns of the four codes and explains certain definitions such as "wages" and "worker" in detail.

"The government's proactive initiative in releasing this Compliance Handbook as a ready reckoner is highly appreciated as it bridges the crucial gap between complex legislation and practical on-ground implementation," said Balasubramanian A, senior vice-president at TeamLease Services.

"By distilling dense legal changes into a clear, time-bound roadmap, from foundational setups to event-based actions, it empowers companies to confidently transition to the new labour codes while significantly minimising the risk of inadvertent compliance errors," Balasubramanian said.

The consultation period for the draft rules of the codes ended last week and the finalised rules are expected to come out before the end of the current financial year, according to a senior official aware of the matter.

Apart from seeking clarity on new provisions, industry representatives also reached out to the government during the consultation period, raising concerns over a potential rise in costs under the new labour laws.

Higher gratuity payouts, leave encashment and faster settlement of dues to resigning employees are among some of the provisions that companies have been worried about.

"Beyond gratuity payouts, provisions relating to increased employer contributions to provident fund, leave encashment, and uniformity in wage definitions are likely to further weigh on profitability. These changes, while progressive from a worker-protection standpoint, require companies to recalibrate their cost structures," said Hardeep Sachdeva, senior partner at AZB & Partners.

*Source - Business Standard*

## **NEW LABOUR CODES: FROM LAYOFF GUIDELINES TO TIMELY WAGES; NEW CHECKLIST ISSUED FOR EMPLOYERS**

Labour and employment ministry has detailed a compliance checklist for employers in order to tighten accountability and minimise legal disputes. The ministry has listed almost two dozen requirements under the four labour codes: the Code on Wages, the Code on Social Security, the Industrial Relations Code and the Occupational Safety, Health and Working Conditions Code.

A senior government official told ET that although most of the requirements existed under the earlier labour framework, the newly prepared handbook is meant to remove ambiguity and clearly spell out employer responsibilities during the transition.

"It will act as a to-do list for establishments to ensure that no evasion on compliances happens for lack of clarity due to transition from the old labour laws to the new labour codes," the official said on condition of anonymity.

The four labour codes came into force on November 21, 2025, replacing 29 central labour laws with a unified structure.

Under the new system, employers must complete seven foundational compliances from the time a business is set up or a new worker joins. Beyond this, establishments are also required to meet four monthly and five annual compliance obligations. The framework further specifies six event-related compliances that become applicable in situations such as workplace accidents, disease outbreaks, employee exits, maternity benefit cases, large-scale layoffs, and lockouts or strikes within factory premises.

Officials indicated that the ministry is in the final phase of finalising central rules under the four codes. The government's intent is to ensure employers begin complying with statutory requirements early, thereby reducing the scope for litigation later.

Among the basic obligations are registering the establishment and securing required licences, maintaining key records on attendance, wages, deductions and overtime, fixing wage periods, ensuring minimum workplace safety standards, enrolling eligible workers for social security, and forming work committees along with grievance redressal bodies.

Every month, employers must ensure timely wage payments, deposit social security contributions with the Employees' Provident Fund Organisation and the Employees' State Insurance Corporation, and provide wage slips to workers.

On an annual basis, establishments are required to file a unified return, revise minimum wages where applicable, renew licences, carry out safety audits, and conduct annual health check-ups for specified employees aged 40 years and above.

In event-based scenarios, employers must report workplace accidents or disease occurrences within 24 to 72 hours, clear final dues within two days and gratuity within 30 days, obtain government approval for layoffs, retrenchment or closure in units employing more than 300 workers, extend maternity benefits where applicable, and issue lockout notices to workers and the relevant authority.

*Source - Times Of India*

## **GOVT TO SOON DECIDE INCREASED EPFO, ESIC WAGE CEILINGS: MANDAVIYA**

The Ministry of Labour and Employment will soon make a decision on raising the wage ceilings under the Employees' Provident Fund Organisation (EPFO) and Employees' State Insurance Corporation (ESIC), fixing a floor wage, and increasing the minimum pension under the Employees' Pension Scheme, 1995 (EPS), Union Labour Minister Mansukh Mandaviya said recently.

Speaking at the 21st All India Triennial Conference of the Bharatiya Mazdoor Singh (BMS), Mandaviya said the issues had been flagged in recent meetings with the Centre and would be examined in the interest of workers.

Currently, the EPFO wage ceiling stands at ₹15,000 per month, while for ESIC the threshold is ₹21,000. Meanwhile, the minimum pension for the EPS is ₹1,000 per month.

According to the ILOSTAT database, India's social security coverage in 2025 rose to 64.3 per cent, up from 19 per cent a decade ago. The EPFO's Central Board of Trustees (CBT) has discussed the issue of raising the minimum wage ceiling for EPFO and ESIC in several recent meetings but a decision has not yet been reached, according to people aware of the matter. Trade unions and industry representatives differ in their suggestions for what the new ceilings should be.



Mandaviya said conflicts between industry and workers are detrimental to the country's development and stressed the need for cooperation for the welfare of workers, He said that the Labour Codes will promote coordination between industry and unions.

The new Codes will also ensure equal pay between men and women and end discrimination in wages, he added.

The Code on Social Security, 2020 lays down the new provisions for social security coverage in the country, replacing nine older labour laws. The Code on Wages, 2019 states that the Centre will fix a national floor wage that would apply uniformly across all states, but a threshold is yet to be notified by the state.

*Source - Business Standard*

## **NEW LABOUR CODES IMPACT: EMPLOYEES FACING A WEAK TAKE-HOME SALARY JUMP THIS YEAR - KNOW WHY**

The rollout of the new labour laws has changed the way companies structure salaries. With basic pay now required to be at least 50% of total remuneration, employers are facing higher contributions towards provident fund (PF), gratuity and other statutory benefits.



This has sparked a big question among employees ahead of the appraisal cycle – will companies moderate salary hikes citing higher compliance costs?

While the reform strengthens long-term retirement benefits, it may reshape take-home salary and increment patterns in the short term.

### **What has changed under the 4 new Labour Codes?**

Effective November 21, 2025, the new wage definition mandates that basic pay must form at least 50% of total cost-to-company (CTC). Any allowance beyond that cap is added back for calculating statutory contributions like PF, ESIC, bonus, overtime and gratuity.

This restructuring has multiple effects:

- Higher PF and gratuity contributions
- Increased employer manpower costs (estimated 5-10%)
- Lower in-hand salary if overall CTC remains unchanged
- Greater retirement corpus over time

In sectors like IT and BPO, where margins are already tight, companies may feel more pressure during appraisal season.

### **Will annual increments and bonuses be affected?**

According to Rishi Agrawal, CEO and Co-Founder of Teamlease Regtech, the shift is more structural than discretionary.

“The unified wage definition under the Code on Wages, 2019 standardises how wages are calculated across social security laws. It mandates that statutory wages must be at least 50% of total remuneration. Allowances beyond this cap are added back for the purpose of calculating PF, ESIC, bonus, overtime, and gratuity.”

He explains that if companies keep the total CTC unchanged, higher statutory contributions will reduce in-hand salary.

“If companies maintain the same overall CTC, higher statutory contributions will reduce in-hand salary. Annual increments and performance bonuses will need to be recalibrated within this framework. The shift is structural, not discretionary. Once salary architecture is realigned, the transition becomes a one-time reset.”

In simple terms, employees may not see a drastic fall in total CTC growth, but take-home pay growth could be slower this year.

## **Can companies legally moderate salary hikes?**

One concern among employees is whether employers can justify softer increments by citing compliance costs.

Agrawal clarifies: "There is no legal prohibition on moderating salary hikes due to increased statutory costs. Employers are required to comply with the revised wage definition and contribution rules. How they structure increments within that framework is a managerial decision in line with the demand and supply situation of the specific sector, subject to contractual commitments and applicable standing orders."

However, he stresses that statutory benefits cannot be diluted.

He also points out that companies with historically low basic pay and high allowance structures will see the steepest impact. Once they restructure to comply with the 50% rule, gratuity calculations rise automatically – increasing long-term liabilities.

From a governance perspective, he underlines that transparency is critical. If organisations absorb the additional cost, employees' take-home remains protected. If not, the impact shifts to employees.

## **Gratuity liability to rise sharply for some firms**

The increase in gratuity burden could materially affect company balance sheets, especially for firms that previously kept basic pay low.

Mr. Zubin Billimoria, President of BCAS, explains the accounting angle: "Wages" as defined in the code (comprising Basic Pay, Dearness Allowance, and Retaining Allowance) to mandatorily constitute at least 50% of the total remuneration. Since gratuity is calculated on last drawn wages, this definitional change would substantially increase gratuity obligations for those entities whose wages, as defined above, were less than 50% of the total remuneration. These changes would be construed as plan amendments as defined in AS-15 and Ind AS-19 to be treated as past service costs to be treated as under:

a) For entities applying AS-15, these need to be expensed on a straight line basis over the average vesting period and expensed off immediately to the extent already vested (Para 94 of AS-15).

b) For entities applying Ind AS-19, these need to be expensed off over the earlier of the plan amendment date or when restructuring costs are recognised (Para 103 of Ind AS-19). Accordingly, the impact would be greater for such companies."

This means some companies may see a one-time spike in payroll-related liabilities, especially during the transition year.

## **Big boost for retirement benefits**

While short-term take-home pay may feel tighter, the long-term benefits are significant.

Agrawal says: "Yes, the long-term impact is significant. A higher statutory wage base increases PF contributions and raises gratuity liability. Gratuity will now be computed on the revised statutory wage base rather than a lower basic component, increasing terminal benefits across tenure.

For example, if an employee completes 10 years of service, gratuity on a ₹15,000 monthly wage would be approximately ₹86,500. On a ₹25,000 monthly wage base, it increases to roughly ₹1.44 lakh. Even though the law operates prospectively, gratuity is calculated on the last drawn wage if the employee exits after implementation. This means the higher wage base applies to the entire completed tenure for computation purposes, creating a meaningful uplift in terminal benefits."

This clearly shows the trade-off: lower liquidity today versus stronger retirement security tomorrow.

## **Fixed-term employees gain**

Another major shift is that fixed-term and contract employees will now be eligible for gratuity after completing just one year of service, compared to the earlier five-year threshold for permanent staff. This improves parity and strengthens social security coverage. So, will appraisals be weak this year? The answer is nuanced. Total CTC growth may not collapse. High performers are likely to continue receiving differentiated hikes. However, take-home salary growth may slow. Margin-sensitive sectors may offer more conservative increments.

Companies with high allowance-heavy structures face greater short-term stress.

The reform is essentially a structural reset of salary architecture. Once companies absorb and provision for the higher PF and gratuity exposure, the system is expected to stabilise.

For employees, the key is understanding that while monthly cash in hand might feel tighter, retirement benefits are set to improve meaningfully under the new framework.

*Source - Financial Express*

## EPFO PLANS INSTANT UPI WITHDRAWALS: LAUNCH TIMELINE, CLAIM TIME AND KEY DETAILS

If you have ever waited days, or even weeks, to access your Provident Fund (PF) money, a major change could be on the way. The Employees' Provident Fund Organisation (EPFO) is preparing to launch a new mobile app by April 2026 that may allow you to withdraw eligible PF funds instantly using UPI, according to a PTI report.

The move is part of EPFO's wider EPFO 3.0 upgrade and aims to make PF access as simple as using a banking app.

For millions of members, PF is often their biggest long-term saving. In the past, withdrawing it meant paperwork, office visits and long delays. Over the years, online claims and the UAN system improved things. Now, EPFO is trying to take the next step, instant, app-based access.

### HOW THE UPI WITHDRAWAL SYSTEM MAY WORK

Under the proposed system, you could transfer eligible PF money directly to your linked bank account using your UPI PIN. This means you may no longer need to file a traditional withdrawal claim and wait for processing.

Early discussions suggest each UPI withdrawal could have a cap of around Rs 25,000 per transaction. The app is also expected to clearly show how much of your balance is eligible for withdrawal. To protect long-term savings, at least 25% of your total PF balance may remain locked for retirement.

The new facility will be available through a dedicated EPFO app and is expected to work alongside popular UPI platforms. Officials are currently testing the system on 100 dummy accounts to fix technical issues and ensure safe transactions before a wider rollout.

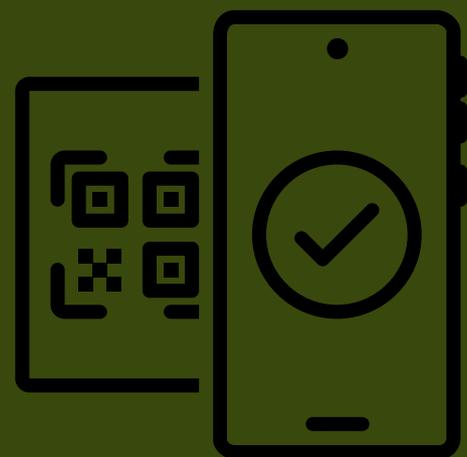
### WHY THIS REFORM COULD MATTER TO YOU

This upgrade could change how quickly and easily you access your PF money.

First is speed. Even today's faster auto-settled claims can take up to three days. With UPI-based access, eligible funds can reach your bank account almost instantly.

Second is convenience. Instead of filling out forms, you would manage withdrawals directly from your phone through a paperless process.

Third is scale. EPFO processes more than five crore claims every year. A UPI system could reduce delays and improve overall service efficiency.



### PF WITHDRAWALS ARE ALREADY GETTING SIMPLER

You may have already noticed that PF withdrawals have become easier in recent years. EPFO introduced auto-settlement of claims up to Rs 5 lakh, quicker online approvals and advance withdrawals for needs such as illness, education, marriage and housing. Aadhaar and bank verification have also helped cut delays.

The upcoming UPI-enabled app aims to remove the final waiting period. If rolled out as planned, it could bring PF access closer to the speed and simplicity you expect from modern digital banking.

*Source - India Today*

## ESIC BEGINS HEALTH CHECK-UP FOR MIDDLE-AGED CITIZENS

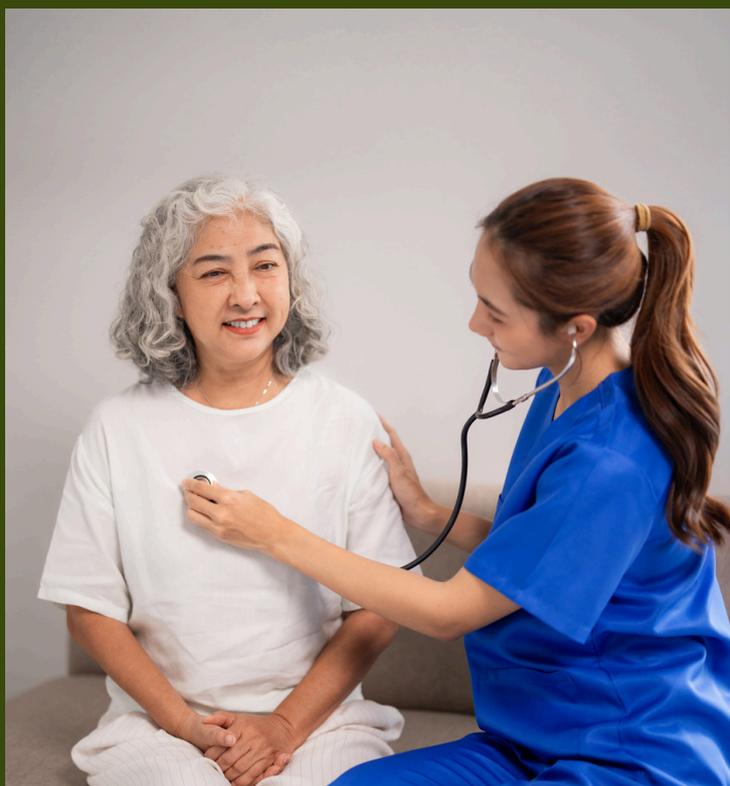
The Employees State Insurance Corporation (ESIC) recently announced the commencement of the annual health check-up for workers above 40 years of age, which is mandated under the new labour codes. The move is expected to benefit over one crore workers who are covered under ESIC.

"ESIC need to ensure availability of medicines, equipment and doctors across all hospitals. Also, it needs to minimize referrals by strengthening in-house facilities and ensuring that staff members are delivering their duties with due diligence," said labour minister Mansukh Mnadaviya.

Eligible workers will be able to avail of this facility in all the ESIC hospitals, dispensaries and the Ayushman Bharat empanelled private hospitals as well.

The healthcare provider covers nearly 3.5 crore workers in over 20 lakh establishments. The Code on Occupational Safety, Health and Working Conditions has provided for all employers to undertake free annual health checkups for all workers above the age of 40 years to promote timely preventive healthcare.

*Source - Times Of India*



## CAN YOUR EMPLOYER REFUSE GRATUITY IF YOU GET PENSION? HERE'S WHAT EMPLOYEES MUST KNOW

Payment of Gratuity Act, 1972 says gratuity is a legal right for eligible employees. Yet many workers still wonder: if an employer is already paying a pension, can a gratuity be refused? A recent court ruling has settled this confusion and delivered a clear message, i.e., pension does not cancel gratuity.

### COURT DRAWS A CLEAR LINE BETWEEN PENSION AND GRATUITY

In a key decision, the Madras High Court ruled in *Chevalier T. Thomas Educational Trust v. The Joint Commissioner of Labour* that an employer cannot deny statutory gratuity just because an employee receives a pension. The Court rejected the argument that paying both would amount to a "double benefit". It said gratuity is a lump-sum statutory benefit and stands separate from any pension scheme created by an organisation.

Pratik Vaidya, Managing Director and Chief Vision Officer, Karma Management Global Consulting Solutions Pvt. Ltd., explains, "Gratuity and pension are two separate matters in the private sector. A gratuity payment stands alone under the law and must be paid after five years of continuous service, regardless of whether the employee is receiving pension or other dues."

The judges made it clear that gratuity is a lump-sum statutory payment made when service ends, while pension is a separate arrangement. Internal company schemes or contracts cannot override the law. Only a formal government exemption under the Act can relieve an employer from paying a gratuity.



## WHEN CAN GRATUITY LEGALLY BE DENIED?

Although gratuity is a statutory right, the law allows forfeiture in limited and serious situations. The Supreme Court of India has clarified that employers may deny gratuity in cases involving misconduct linked to moral turpitude, such as fraud or falsification of records, as well as damage to company property or violent behaviour.

According to Vaidya, "A gratuity payment can be denied only in cases of moral turpitude. The latest Supreme Court view allows employers to proceed with forfeiture in such dismissals, provided due process is followed, and the employee is given an opportunity to respond."

He adds that pension payments by themselves are not a valid ground to refuse gratuity. Damage to company property or violent behaviour may also justify partial or full forfeiture, but these are tightly defined exceptions.

## WHAT CAN AFFECTED EMPLOYEES DO?

Employees who were previously denied gratuity solely because they were receiving a pension may still be able to challenge that decision. The law requires employers to provide written reasons for any forfeiture, and workers have the right to contest such actions before the appropriate authority.

"If a gratuity was denied only on the ground of pension, employees can legally question that decision," says Vaidya. "Pension cannot replace a statutory gratuity unless the employer has obtained a valid exemption from the government."

"If a gratuity was denied only on the ground of pension, employees can legally question that decision," says Vaidya. "Pension cannot replace a statutory gratuity unless the employer has obtained a valid exemption from the government."

There is, however, a separate position for certain central government employees governed by pension rules. In specific cases, courts have held that such employees may fall outside the scope of the gratuity law because they are covered by different service rules.

## WHY THIS RULING MATTERS

The recent ruling reinforces a simple principle, i.e., gratuity is not a discretionary perk but a statutory right. Pension schemes, however generous, do not cancel that obligation. For employers, it is a reminder that internal policies cannot dilute legal duties. For employees, it offers reassurance that their long-term service benefits are protected by law.

In practical terms, pension and gratuity run on parallel tracks. Receiving one does not erase the other. And unless serious misconduct or a valid government exemption comes into play, gratuity remains payable.

*Source - India Today*

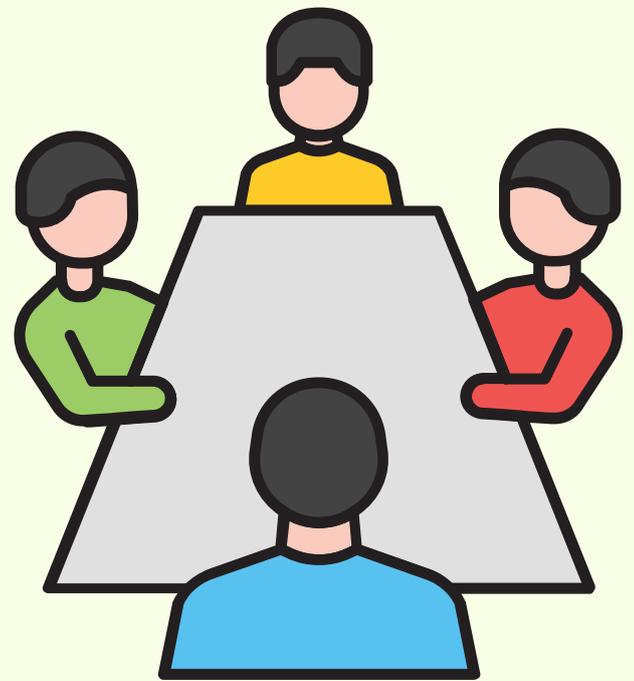
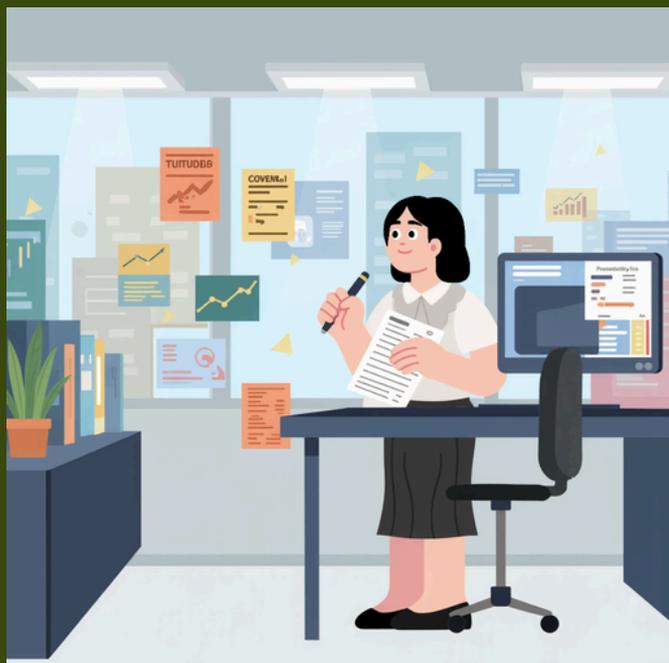


## SHE-BOX REPORT 2025: 254 WORKPLACE HARASSMENT COMPLAINTS FILED ON GOVT PORTAL

A total of 254 women filed formal complaints of workplace sexual harassment on the government's revamped 'SHe-Box' portal in 2025, according to data shared by the Ministry of Women and Child Development in Parliament. The portal, which was launched in a new avatar in August 2024, has become a critical digital tool for ensuring the robust implementation of the POSH Act, 2013, across both public and private sectors.

### Centralized Monitoring and Real-Time Redressal

The SHe-Box (Sexual Harassment electronic Box) serves as a single-window platform, allowing women to report incidents with full confidentiality. Since its revamp, the portal has recorded a total of 296 complaints, with 254 of those occurring in the 2025 calendar year. Minister of State for Women and Child Development, Savitri Thakur, informed the Rajya Sabha that 105 of these cases have already been disposed of. To ensure accountability, the system triggers automated "freeze messages" and SMS alerts to nodal officers. This happens if a complaint remains pending beyond the statutory 90-day inquiry period.



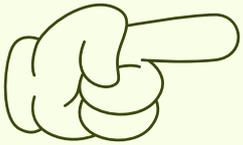
### Expanding the Institutional Safety Net

The government has made significant strides in onboarding institutions to the platform. This effort aims to create a **central repository** of Internal Committees (ICs) and Local Committees (LCs). As of February 2026, over 1,48,700 workplaces have been registered, including approximately 92,400 government establishments and 56,300 private firms. Currently, details for over 60,700 Internal Committees are active on the portal. Details for Local Committees across 777 districts have now been uploaded. This ensures that women in the unorganized sector, including domestic workers, have a designated pathway for redressal.

### SHe-Box Portal Strengthening Workplace Culture

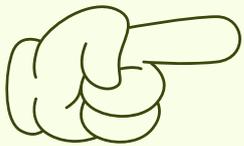
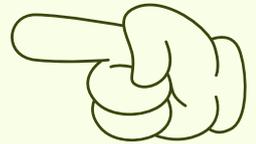
To further bridge the gap between policy and practice, the Ministry recently hosted a national conference on workplace safety. The initiative focuses on enhancing digital literacy for the portal. It also ensures that every district in India has functional Local Committees. The SHe-Box portal now features multilingual support and real-time tracking. These additions help evolve the platform from a simple reporting tool into a comprehensive governance framework aimed at fostering a "zero-tolerance" culture toward harassment in the Indian workforce.

Source - SightsInPlus



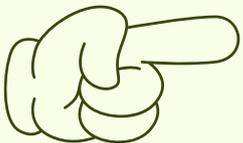
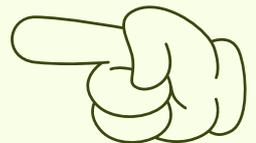
**GIG WORKERS WELFARE FEE - KARNATAKA  
GOVERNMENT ORDER (13/02/2026)**

**KARNATAKA - MINIMUM WAGES DEARNESS  
ALLOWANCE EXPECTED INCREASE 2026-27**



**COMPLIANCE HANDBOOK ON LABOUR CODES -  
MINISTRY OF LABOUR & EMPLOYMENT**

**MAHARASHTRA STATE TAX ON PROFESSIONS, TRADES,  
CALLINGS AND EMPLOYMENTS (AMENDMENT) RULES,  
2026**



**MINIMUM WAGE UPDATES**



# UCS CompliTool®

## Streamline Compliance & Risk

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.

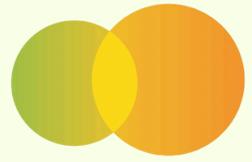
### **FOLLOWING ARE SOME OF THE MAJOR BENEFITS OF THE TOOL:**

- 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

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Unit No. 852 - 856, 8th Floor,  
JMD Megapolis, Tikri, Sector-  
48, Sohna Road, Gurugram,  
Haryana-122018.



0124 2656864



[enquiry@ucsdel.com](mailto:enquiry@ucsdel.com)



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