

The Insight

Weekly Newsletter from HR Vidyalaya (Vol-62.....02nd May 2021)

Live as if, you were
living a second
time, and as though
you had acted
wrongly the first
time

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Amount amended –
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Dear Readers,

While the entire country is reeling under tremendous pressure during this exigency, few motivational statements, which can boost our morale:

1. When we are no longer able to change a situation - we are challenged to change ourselves.
2. Suffering becomes beautiful when anyone bears great calamities with cheerfulness, not through insensibility but through greatness of mind. *Aristotle*
3. All the world is full of suffering. It is also full of overcoming. *Helen Keller*
4. To live is to suffer, to survive is to find some meaning in the suffering. *Friedrich Nietzsche*
5. We shall draw from the heart of suffering itself the means of inspiration and survival. *Winston Churchill*
6. I postpone death by living, by suffering, by error, by risking, by giving, by losing. *Anais Nin*

PAIN IS INEVITABLE. SUFFERING IS OPTIONAL.....

ANONYMOUS

We would highly appreciate it if you could give your feedback or other contributions to this Newsletter @ service@hrvidyalaya.in.

Warm Regards
Insight Team



HR Vidyalaya Corporate Services LLP

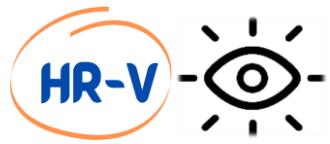
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{ News for the Week }



HR Vidyalaya Corporate Services LLP

In Partnership with

SRM Institute of Science and Technology

College of Management

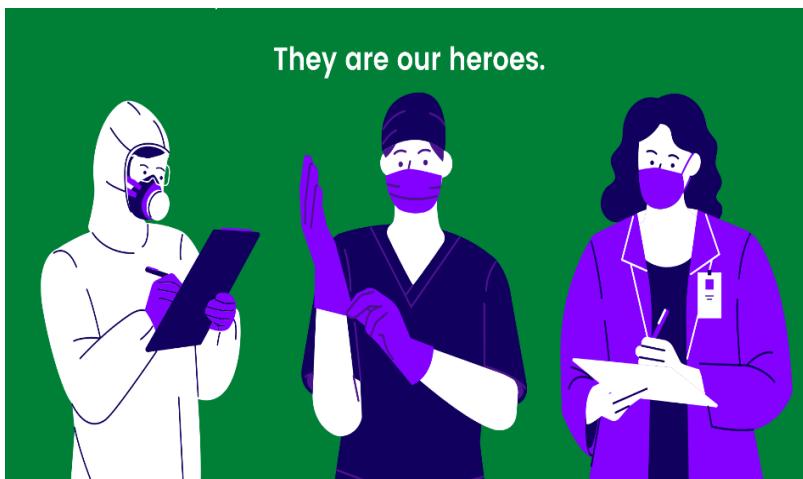
(Ramapuram Campus)



Fresh Participations are invited.....

HR EXCELLENCE AWARDS 2020

Finals Postponed due to Prohibition of Programs in Auditoriums



HR Vidyalaya Salutes,
Front-Line Health Workers



May Month Compliance

1. ESIC – Half yearly returns – May 12
2. Other regular monthly compliances under PF/ESI/PT

A Good Corporate Governance is nothing but... *Enhanced Trust and Confidence of all Stakeholders*

INVESTORS

EMPLOYEES

CUSTOMERS

SUPPLIERS

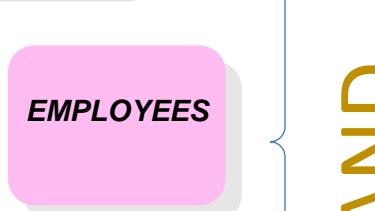
GOVT. &
REGULATORS

Develop People into "Achievers"
than just "Performers"

Deal Ethically with
'Customers', 'Business Partners'
and 'Government'

Maintain and update,
Professional Management
culture in System and
Processes

AND



SOCIETY

For those who missed my Update..... (please subscribe at hr.vidyalaya@gmail.com, for regular HR Compliance updates)

**EDLI Maximum Assurance amount is enhanced to Rs.7.00 Lakhs.....
Following is the computation sample**

Amendments: (refer to gazette notification)

1. Service of previous employment also (if any) to be considered
2. 30 times becomes 35 times
3. 1.50 lakh minimum becomes 1.75 L
4. Maximum Assurance benefit is 7 Lakhs
5. Penalty (for non-compliance) enhanced to Rs.5000.00

Sample calculation – on death of an employee...

New Formula.....EDLI = 35 x average monthly PF wages (restricted to PF ceiling wages) + 50% of average EPF balance in the deceased account subject to the ceiling of Rs.1.75 lakhs

Sample-1

PF wages: Rs.13,000; EPF Balance: Rs.2.5 lakhs

Calculation: $35 \times 13,000 + 1,25,000 \dots \text{i.e } 4,55,000 + 1,25,000 = \text{5,80,000}$

Sample-2

PF wages: Rs.14,000; EPF Balance: Rs.5 lakhs

Calculation: $35 \times 14,000 + 1,75,000 \text{ (though 50% is 2,50,000)} \dots \text{i.e } 4,90,000 + 1,75,000 = \text{6,65,000}$

Sample-3

PF wages: Rs.55,000; EPF Balance: Rs.10 lakhs

Calculation: $35 \times 15,000 + 1,75,000 \text{ (though 50% is 5,00,000)} \dots \text{e } 5,25,000 + 1,75,000 = \text{7,00,000}$
(maximum benefit)



Is your company being a Public Place? Following legislation is statutorily mandatory....

Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 and Prohibition of Smoking in Public Places Rules, 2008

Mandatory Conformations:

1. The owner, proprietor, manager, supervisor, or officer in charge of the affairs of the company (which falls within the definition of a public place) shall ensure that no person smokes in private offices/Workplaces.
2. Display of “NO SMOKING” Board
3. Display the Name of Person to whom a complaint can be made



ESI – Titbits

Whether consultants are employees?

Consultants do not work in the premises of the establishment. Their work is carried out in their own places. They are engaged as consultants in the matter of carrying on the business of the respondent just as retaining tax consultants such engagement cannot create employer-employee relationship

Does conveyance allowance form part of wages within the ambit of Section 2(22) of the Act? Since the employer is paying a certain fixed amount as conveyance allowance to every employee working in his concern, in terms of contract of employment , there is not impediment to hold that the definition of Section 2(22) of the Act

Does the Act apply to an apprentice? The definition of "employee" as amended by Act 29 of 1989 now includes "any person engaged as an apprentice not being an apprentice engaged under the Apprentices Act or under the Standing Orders of the establishment". Thus, even after the amendment the ESI Act would not apply to a person engaged as an apprentice under the Apprentices Act of the Standing Orders

Is a Managing Partner of a partnership business or a Managing Director of a company an employee within the meaning of Section 2(9) of the Act? A Managing Partner of a partnership business or a Managing Director of a company cannot be treated as an employee. The same person cannot occupy the position of both employer and employee

Who is an "exempted employee"?

Exempted employee means an employee who is not liable to pay the employee's contribution by reason of the fact that his average daily wages are below Rs. 176.00 but who at the same time is entitled to the benefits under the Act. {Section 2(10) & Regulation 52}

Does the Act apply to employees working in the Head Office or Branch Office of factories covered by the Act?

The Act does apply to employees working in the Head Office or the Branch Offices of factories covered by the Act if such employees are doing work connected with the administration of factories

Is an employee, who was assaulted at the bus stop while he was waiting for the bus to his house, entitled to disablement benefit? It cannot be stated that the injury sustained by the employee due to assault of some person will come under the purview of employment injury as defined in Section 2(8) of the Act. Unless an employee can establish that the injury was caused or had its origin in the employment, he cannot succeed in a claim based on Section 2(8) read with Section 46(1)(c) of the Act

Is it permissible for any person to draw a benefit of the same kind under the ESI Act and also under any other Act? When a person is entitled to any of the various benefits provided under the ESI Act, he will not be entitled to receive any similar benefit admissible under any other enactment. An insured person or his dependent is also not entitled to receive any compensation or damages under the Workmen's Compensation Act in respect of any employment injury sustained by the insured person. {Sub-Section 53 & 61}

Workplace Coaching and Performance Management

Do you want to Better Manage People.....

It commences from the time the resource is recruited. He/She shall be developed from such stage, to the expectation of the Management

Performance improvement is part of Performance Management

It is to deal with the process of agreed changes to the way we do things is essential to give the system some rigor... also to ensure people are dealt with professionally in the process of development

Do you expect miracles (from the worker) by just changing the name of Supervisor... to Team Leader or Line Manager???

Their role shall be facilitators who can assist the work group through greater involvement

What is Right Recruitment in Performance Management?

Spend (quality) time with the Resource (even to Freshers / Interns) by setting Tasks to assess competence and seek responses for performance Expectations of the Management

Specific qualities required for Workplace Coach....

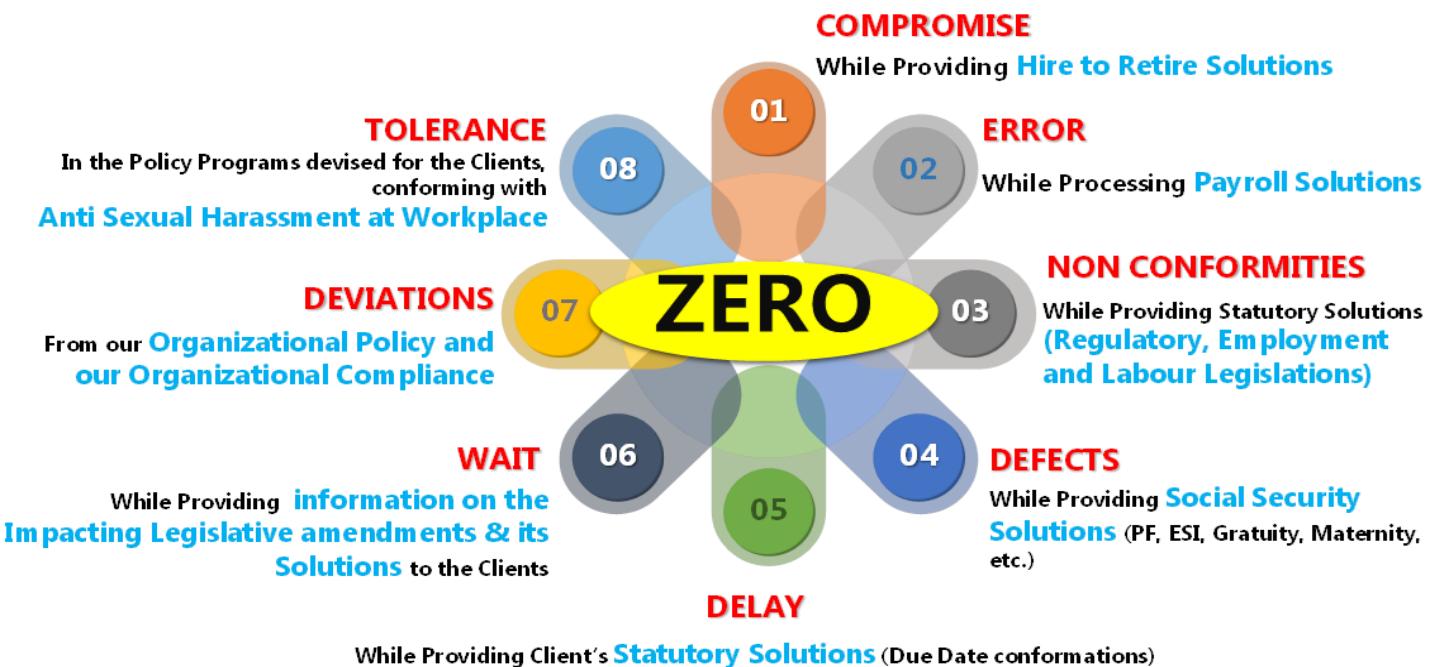
Communicator... who can deliver the message clearly and be an Active Listener... and behaves in a manner which is consistent with message that is being delivered...

Qualities of Coach

- Reinforce Define expectations Plan how to improve Implement plan
- Involve Recognize Member



Where an Organization is delighted if there is ZERO DEFECT of its Products/ Services or ZERO ACCIDENT in their Shop Floor/Workplace; We as a Proud Partner in providing HR Services to our Client's, would like to brand (and ensure) **ZERO based Solutions**



HR VIDYALAYA CORPORATE SERVICES LLP

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- (a)...Factories (b)...Shops & Commercial Establishments (c)...Contract Labour
- (d)...Catering Establishments, etc.

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