

The Insight

Weekly Newsletter from HR Vidyalyaya Corporate Services LLP

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Latest News

Government of India, Ministry of Electronics, and Information Technology (MEITY) has devised THE DIGITAL PERSONAL DATA PROTECTION BILL, 2022. This legislation is to protect the individuals from Harm and Misuse. As the personal Data is used by platforms and intermediaries, the Data and the personal Data must be subject to a framework of rules and do's & Don'ts.

Hence the Legislation - which frames out the rights and duties of the citizen (Digital Nagrik) on one hand and the obligations to use collected data lawfully of the Data Fiduciary on the other hand.

To understand the Provisions of the Bill, MEITY has notified an explanatory note.

Digital Personal Data Protection Bill, 2022 is in place of already withdrawn Personal Data Protection Bill, 2019.

In this legislation, The Government considered the global best practices, including review of the personal data protection legislations of Singapore, Australia, European Union and prospective federal legislation of the United States of America.

Non-compliance provisions, includes Penalty of minimum up to Rs.50 crore and maximum up to Rs.250 crore, which is huge, when compared to current conditions.

The least penalty of up to Rs.10,000 is levied on the Individual person who is defined as Data Principal - A Data Principal shall not register a false or frivolous grievance or complaint with a Data Fiduciary or the Board. In such cases he/she will be penalised with a maximum of Rs.10,000.00

This legislation (BILL) is yet to be presented in the Parliament.



Smooth Workplace to Perform, is one of the Women's Rights

DEI in Employment

Diversity: A workplace which intentionally employs a diverse workforce comprised of individuals with a range of characteristics, (a) Age (b) Religion (c) Race (d) Geographical Location-Domicile (e) Education (f) Physical ability (g) Linguistic ability (h) Sexual Orientation (i) Education (j) Ethnicity, etc.

Equity: Without discrimination providing Fair Opportunities for all... Recognizing all employees with (a) Skill Based Hirings / Promotions / Trainings (b) Equitable access and benefits (c) Equal wages

Inclusivity: Making sure that everyone feels they have the same opportunity to advance and make an impact. Ensure everyone is valued (do not have a practice which can unfairly benefit only one group.)

P.S.: Dear Employers, do not Claim yourself as Diversity Champion / DEI Champion, where you restrict Hiring only thru Campus (that too only from Tier-1 institution) and advertising that you discourage people over 45 years, discourage just married woman, etc.

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AskSree



The column on “*AskSree*” answers your questions regarding work life. **Organizational Psychologist *Gayathiri Sridharan*** uses Psychological Research to answer your everyday dilemmas.

She received her training from *Loughborough University, UK*. As an Organizational Development Consultant with almost a decade of experience in various realms of Strategic Human Resource Management, she is committed to help organizations maximize their effectiveness. You may please send your queries @ itsmegayathiri@gmail.com

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AskSree

Dear Sree,

I am working in a software company for the last five years. I always dream about doing PhD and building a new career as a researcher but somehow, **I am not able to make a decision of quitting this job** and starting a new journey. Could you please help – **Swetha**

Dear Swetha,

You might find inspiration in a study by Steven Levitt, an economist at the University of Chicago, who examined people’s overall happiness after making important life changes.

Levitt, set up a website where people described various dilemmas they were facing in their lives – from getting a tattoo to moving house, returning to education or quitting their jobs. The participants were then asked to flip a coin, the outcome of which would tell them whether or not to make the change.

Following up with the participants over the following months, Levitt found many people had taken the plunge; if the coin toss had told them to take action, they were more likely to make the life change. And they reported being significantly happier than those who had simply carried on as before (regardless of whether the coin had told them to or not), without quitting, moving or getting that tattoo.

We can guess that, before the study, most of these participants had already been thinking carefully about the situation at hand, but their worries about making the wrong choice had prevented them from taking the plunge. The coin had simply acted as a small nudge to take the decision.

The moral of the study, then, is not that we should make all decisions on the whim of a tossed coin. It is that breaking through your hesitancy and doubt will leave you happier than you might imagine. **“A good rule of thumb in decision making is, whenever you cannot decide what you should do, choose the action that represents a change, rather than continuing the status quo,”** concluded Levitt.

If tossing a coin is difficult, you may choose chit method which has been in our custom for a very long time. Write your wishes in a paper, pray, fold it and offer to God and ask someone else to take it. Take decision accordingly.

Reference/s: Levitt, S. D. (2021). Heads or tails: The impact of a coin toss on major life decisions and subsequent happiness. The Review of Economic Studies, 88(1), 378-405.

News Bites

1. Provision Sections 194C, 194J, 194N (through Form 26Q) are also being scrutinized by the ESIC / EPFO, for contractor's compliance. Where the Principal employer claims that the legislation is not applicable, Authorities determine the applicability of Act through the number of contract labour engaged in a month.
2. Recently, Parts of Odisha and entire Salem, Chengalpattu, Dindigul of TN are also covered.... Soon entire Kanchipuram, Tiruvallur (of TN) to be covered.
3. Following States have published List of Holidays for the year 2023
 - * Kerala,
 - * Tamil Nadu,
 - * Pondicherry,
 - * Goa,
 - * West Bengal,
 - * Himachal Pradesh,
 - * Bihar
 - * Odisha
 - * Gujarat
 - * Uttar Pradesh
 - * Telangana

(Need a copy? Visit: <http://hrvidyalaya.in/holiday-list-2023/>)

4. Wish to get a copy of
 - * Important Updates
 - * Judgments on Labour Legislations

kindly visit the following link:

[Circulars | Judgements | Labour legislation – HR VIDYALAYA CORPORATE SERVICES LLP](#)

In commemoration of



**United
Nations**

**International Day for the Elimination
of Violence against Women
25 November**

The International Day for the Elimination of Violence Against Women will mark the launch of the **UNiTE** campaign (Nov 25- Dec 10) — an initiative of 16 days of activism concluding on the day that commemorates the **International Human Rights Day (10 December)**.

Theme for 2022

UNiTE! Activism to End Violence against Women & Girls

Violence against women and girls (VAWG) is one of the most widespread, persistent and devastating human rights violations in our world today remains largely unreported due to the impunity, silence, stigma and shame surrounding it.

In general terms, it manifests itself in physical, sexual and psychological forms, encompassing:

- intimate partner violence (battering, psychological abuse, marital rape, femicide)
- sexual violence and harassment (rape, forced sexual acts, unwanted sexual advances, child sexual abuse, forced marriage, street harassment, stalking, cyber- harassment)
- human trafficking (slavery, sexual exploitation)
- female genital mutilation; and
- child marriage

Every day, we are reading news items on the above.... Continuously..... something or other is happening in

- Domestic,
- Workplace,
- Public places, and
- Everywhere....

Let Us STOP Violence



@ Workplace

Dear Employer,

1. Have specific workplace policies and procedures - separately for other Harassments and Sexual Harassment.
2. Create Trust in Woman to come forward to make the Complaint - it is not only good for them, but also for your Organizational Culture
3. Complaint procedures | Disciplinary procedures needs to be according to the provisions of Law of the Land
4. If you have specific procedures for “High Value Employees”, you are not running an organization.
5. What is expected from you are:
 - ✦ A communication which repeatedly states that - Sexual Harassment is not acceptable, and it is a Misconduct
 - ✦ A simple complaint mechanism
 - ✦ Where the intention of the harasser is good or bad, if the woman feels sexually harassed, there should be an opportunity for her to make a complaint
 - ✦ Victim’s Safety
 - ✦ Ensuring Confidentiality
 - ✦ Being aware that the Perpetrator may be unhappy if the behavior was brought to his notice
 - ✦ The approach should be Victim-centered
 - ✦ Many times, there shall be informed decision, but a few times, appropriate action shall be taken without consent of the victim (if the perpetrator is a repeated harasser)
 - ✦ Ensuring Non-Retaliation in the workplace

Why (continuous) Awareness is required?

- ✦ It will change the Behavior | Attitude of the person (@ workplace)
- ✦ Employees will be more accountable
- ✦ Reduce re-incidence
- ✦ Future cases will be NIL

Recent research on “Convictions” of Sexual Harassment Cases....

Some are spill-over of Domestic Violence

- a) A continuity from house (extended, in workplace also)
- b) Inability (showing power on woman) @ house (trying out in workplace)

@ Workplace

Dear Woman Employee,

1. What is expected from you is.....

Speak out.....



✳ If you are not going to speak for the following reasons, perpetrator will become bold..... he can repeat without hesitation.

- Nothing is going to happen
 - » (Action by the Employer) or
 - » (Action by the Authorities) or
 - » (Action by Enforcement personnel)

- Fear of Retaliation (responding with injury to injury)
- Fear of Losing Job
- Fear of Social Stigma (negative association)
- Fear of Backlash (simple reaction)
- Reaction from Family (self / respondent's)
- Hesitant due to Repercussions (fear)
- Fear of people do not believe it
- No evidence hence not filing complaint
- Identified, Ridiculed | Intimidated

@ Workplace

Why Aggrieved Woman Should Complain?

1. It is better for the woman employee and for her colleagues
2. The “Man” (usually, as a nature) may continue to do the same, if you do not say Stop or make a Complaint against him
3. In a (Diverse) country like India,
 - * You may not like hugging while meeting, but (nowadays) the male colleague at times does that, as he feels it is normal, when he meets friends or colleagues
 - * When you do not tell him to stop, he may not deter himself.....and if you do it, then he may think twice before doing the same, to any other women employee....
4. Where you feel that an action/s of a male colleague, are uncomfortable and even after saying STOP, if it continues, you must REPORT.....
5. REPORT to the Internal Committee, where your complaint shall be handled confidentially.
6. If you feel the Employer may not be confidential, report to Local Committee or Ministry of Woman and Child Development (SHe Box)
7. When the perpetrator learns such lesson, he may not repeat the same to other women employees.....he will behave for himself...
8. Please do remember that **SILENCE is acceptance**....
9. Do not be afraid, if the person is your senior or from another department... always please remember

That, it is you, who is getting upset/uncomfortable/unpleasant, and you are the only person who must react to the circumstance and stop this from replicating

Women should seek Justice Not favors

..... Mahatma Gandhi

CODES

Centre for Organizational Development, Excellence & Strategy

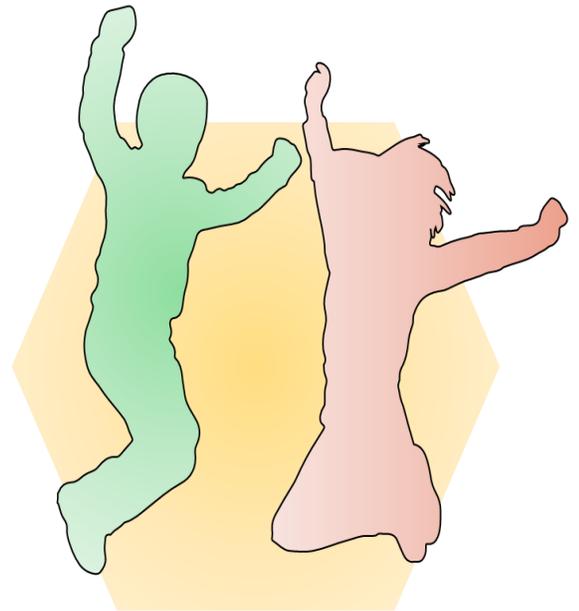
A Conglomeration of Entities, Entrepreneurs & Enterprising individuals

**An Affiliate to encourage development of Organization & Individuals
through initiatives from Industry & Government**

Objectives

- ✧ **A partner in progress for any individuals**
 - **Students**
 - **Entrepreneurs**
 - **Employees / Workers**
 - **Women**
 - **Disabled Individuals / Transgender**
- ✧ **Guiding the way to success in their life (for business) or career**
- ✧ **Reskilling, Enhancing Competencies of individuals**
- ✧ **Associate with them for Innovation and Growth**
- ✧ **Lead them light, for prosperity**
 - **for themselves**
 - **for industry and**
 - **for nation**
- ✧ **A partner in progress for entities and entrepreneurs in**
 - **Strategic Management**
 - **Service and Operational Excellence**
 - **Creating Opportunities for furthering their Business**

A diligent connect between People & Business



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