

HR Vidyalaya Corporate Services LLP

Is proud to state that we have successfully Completed our First-ever, Competency Development Program for Internal Committee Members, under The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

@ Chennai on 21<sup>st</sup> January 2023

Besides, we are also proud to state that the attendance of Participants is 46

And the Women's participation is 85%

A Great and Grand way to kick-off the campaign of ensuring Smooth Working Place for Woman

Looking forward to more such programs in Bengaluru, Mumbai and Hyderabad, very soon.

**THANKS PARTICIPANTS**



**Advance Happy  
INDIAN REPUBLIC  
DAY - 2023**

**To all our**

- **Readers,**
- **Patrons,**
- **Subscribers and**
- **Clients.....**

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**DISCLAIMER**

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# THE INSIGHT

Weekly Newsletter from HR Vidyalaya Corporate Services LLP

Volume – 152 Dated 22<sup>nd</sup> January 2023 www.hrvidyalaya.in



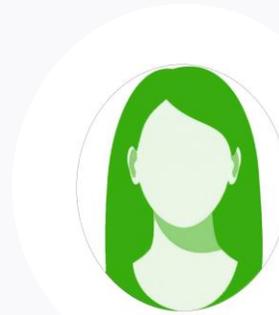
Dear “The Insight” Readers,

We launched “AskSree” column to answer your questions regarding Work Life.

Renowned Organizational Psychologist

**Gayathiri Sridharan** uses psychological researches to answer your everyday dilemmas. She received her training from Loughborough University, UK and a thorough HR professional with almost a decade of praxis in various realms of Strategic Human Resource Management. You may please send your queries to the email ID: [itsmegayathiri@gmail.com](mailto:itsmegayathiri@gmail.com)

Solutions will be published in “The Insight”



AskSree



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## Quest

Dear Sree,

I am working as a Graphic Designer which requires prolonged sitting. I wish to do some stretching exercise whenever possible, but I need some guidance. Could you please tell how much time should I allocate on a day and how should I go about it

– Vetri

## Solution

Dear Vetri,

A study by Columbia University exercise physiologists has an answer: just five minutes of walking every half hour during periods of prolonged sitting can offset some of the most harmful effects. The study, led by Keith Diaz, PhD, associate professor of behavioral medicine at Columbia University Vagelos College of Physicians and Surgeons, was published online in *Medicine & Science in Sports & Exercise*, the journal of the American College of Sports Medicine.

Diaz's study tested five different exercise: one minute of walking after every 30 minutes of sitting, one minute after 60 minutes; five minutes every 30; five minutes every 60; and no walking. Each of the 11 adults who participated in the study came to Diaz's laboratory, where participants sat in an ergonomic chair for eight hours, rising only for their prescribed exercise snack of treadmill walking or a bathroom break. Researchers kept an eye on each participant to ensure they did not over- or under-exercise and periodically measured the participants' blood pressure and blood sugar (key indicators of cardiovascular health). Participants were allowed to work on a laptop, read, and use their phones during the sessions and were provided standardized meals.

The optimal amount of movement, the researchers found, was five minutes of walking every 30 minutes. This was the only amount that significantly lowered both blood sugar and blood pressure. In addition, this walking regimen had a dramatic effect on how the participants responded to large meals, reducing blood sugar spikes by 58% compared with sitting all day.

So, Vetri, we need to move regularly at work every half hour for 5 minutes for optimal health, in addition to a daily exercise routine. This will significantly lower our risk of heart disease & other chronic illnesses."

**Reference/s:** Duran, Andrea T.1; Friel, Ciaran P.2; Serafini, Maria A.1; Ensari, Ipek3; Cheung, Ying Kuen4; Diaz, Keith M.1. Breaking Up Prolonged Sitting to Improve Cardiometabolic Risk: Dose-Response Analysis of a Randomized Cross-Over Trial. *Medicine & Science in Sports*

## A (LIVE) CASE STUDY - ON CLRA

### QUERY

- △ An Employer, who engaged contractual employees in his establishment, found few employees suitable to be made permanent.
- △ Employer decided to convert them into their roll, retrospectively (3 months earlier), to get a new Project.
- △ Employer wants to know whether it is correct to take them on the Rolls from the past period. Whether it is statutorily correct?

**CLARIFICATION:** Statutorily it cannot be correct, for the following reasons:

1. PF and ESI (if any) would have been paid through other company's code, who had paid wages. Hence considering the employees in the rolls of PE cannot be done.
2. Period for Gratuity and Bonus cannot be considered for such period - the employee who had worked with the Vendor company
3. Date of joining cannot be considered as retrospective date
4. LWF, PT, Income tax (if any) or any other statutory computation cannot be considered in the Principal Employers' books of accounts

### OUTSOURCING OF SECURITY SERVICES IN ANY ESTABLISHMENT – TO DO

- » ANY EMPLOYER can outsource Security Services only to those who obtained License under PSARA Act, 2005 (Private Security Agencies Regulation Act), which is valid for such City/State
- » It applies to persons working as Security Personnel in any Factory or any other Establishment, but who are not direct & regular employees of the Factory/Establishment, as the case may be
- » For Establishment in cities of Maharashtra, The Maharashtra Private Security Guards (Regulation and Employment and Welfare) Act, 1981 is applicable
- » Every License is having Validity Period & permission to perform in particular location
- » Training for 100 hours of classroom & 60 hours of field training, which includes Fire Fighting, First-Aid, Disaster Management, use of equipment, etc
- » Agency has the responsibility to recruit Personnel as per the REGULATIONS

# THE INSIGHT

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**DRAFT TEMPLATE**  
**POSH Return**

(On the Letter Head of the Establishment)

**Annual Report of the Internal Committee in respect of Complaints received during the year 2022**

**Under Section 21 (1) of The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013 and**

**Under Rule No.14 of The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Rules, 2013**

To,

**District Officer / Commissioner of Labour / District Magistrate**

Dear Sir/Madam

Ref: Annual Report as per the Rule 14, framed under as per Section 21 (1) of Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013, for the year ended December 2022

We furnish below the Annual Return (All India) as per the Rule 14, framed under Section 21(1) of Sexual Harassment of Woman at Workplace (Prevention, Prohibition, and Redressal) Act 2013, with regards to Complaints received and their Redressal for the year ended 31st December 2022

a)	No. of Complaints of Sexual Harassment received during the year 2022	
b)	No. of Complaints disposed off during the year	
c)	No. of Cases pending for more than 90 days	
d)	No. of Workshops or Awareness Programmes against Sexual Harassment carried out during the year 2022	
e)	Nature of action taken by the Employer or District Officer	

Thanking You,

Yours sincerely,

**(Presiding Officer)**

**Internal Committee constituted**

**Under The Sexual Harassment of Women at Workplace (PPR) Act, 2013**

**Copy to: Employer**

**Encl: Evidence for Conduct of Awareness Programs**

## Conditions for employment of WOMEN in GENERAL as well as in NIGHT shifts - State of Maharashtra (S&E)

- ❖ All the measures and safeguards to prevent or deter the commission of the Acts of sexual harassment
- ❖ In case of a sexual harassment at the instance of a third party, take all necessary and reasonable steps to assist the affected women workers in terms of support and preventive action.
- ❖ Provide proper lighting and illumination inside the establishment & also surroundings and to all places where the women worker may move out of necessity in the course of such shift
- ❖ Shall maintain a complaint box.
- ❖ Display the phone numbers of local police station/control room/ women help line prominently establishment.
- ❖ A sufficient number of woman security guard shall be engaged in establishment employing not less than ten women workers. (The Police verification of such women security guard shall be mandatory)
- ❖ Separate urinals & latrines shall be maintained for women workers with safety locking facility only from inside

### Additionally, the Employer shall take following appropriate actions:

- ❖ Woman workers shall be allowed to work during 9.30 p.m. ~ 7 a.m. only after obtaining her consent in Form 'L'.
- ❖ The number of women workers employed in the night shift shall not be less than three at any point of time.
- ❖ To provide safe and secure separate transportation facility for all the women workers working in the night shift from the place of workplace to the doorstep of their residence and vice-versa
- ❖ In addition to the other holidays, every women worker who works in night shift as per her shift schedule, shall be eligible for one additional paid holiday for every two months in a year.
- ❖ There shall be not less than twelve consecutive hours of rest or gap between the last shift and night shift whenever a women worker is changed from day shift to night shift and also from night shift to day shift.
- ❖ No women worker shall be allowed to work in night shift during the period of twenty-four weeks before and after her childbirth, of which at least twelve weeks shall be before the expected child birth
- ❖ Shall annually submit an undertaking to the Facilitator that he shall provide all the facilities as mentioned in the Rules.

## National Holiday - Indian Republic Day

**Case study:** Contractual employees worked on January 26, 2023 for getting ready of office – Housekeeping, Engineering and IT Hardware in as many locations in India. What we must pay to those (employees and contractual employees) who were performing duty today to comply under the Regulatory legislation. We want to know whether we can pay those contractual employees, directly.

1. It is a declared holiday by the employer for the branches in All States. Hence it is a paid holiday for those employees, including Contractual employees.
2. If anyone works on this day shall be considered performing duty on an Official Granted holiday. Thus, if an employee works, then he/she is eligible for (State-wise)

### Chennai & Hyderabad

- ⇒ Double the Ordinary Rates of Wages (or) Wages for the day (as being paid to every other employee who is on leave) and a substituted holiday with wages within 3 days immediately before/after the day of work

### Karnataka

- ⇒ Double the Ordinary Rates of Wages (or) Wages for the day (as being paid to every other employee who is on leave) and a substituted holiday with wages

### Pune & Ahmedabad: Double the Ordinary Rates of Wages & a substituted holiday with wages

### Gurugram: Double the ordinary rates of wages

3. The above is for both on-roll & contractual employees.
4. But the contractual employees can be paid only through the vendors & not directly by the Principal Employer. Notwithstanding, all the above, can be considered only upto 8 hours of working today.
5. Any hours more than 8 hours has to be substituted with leave or permission (with wages) only.
6. There are no provisions in any employment legislation to define “overtime computation and payment” on a National or Festival Holiday.

**HAPPY REPUBLIC DAY**