

THE INSIGHT

HR VIDYALAYA CORPORATE SERVICES LLP

March 05 2023, | Vol.158

Weekly Newsletter

www.hrvidyalaya.in

This volume of Newsletter is Dedicated to
Women's Rights and their Power

**Way to Celebrate the
International Women's Day - 2023 by us.....**

பட்டங்கள் ஆள்வதும் சட்டங்கள்
செய்வதும்

பாரினில் பெண்கள் நடத்தவந்தோம்;

எட்டு மறிவினில் ஆணுக் கிங்கேபெண்

இளைப்பில்லை காணேன்று
கும்மியடி!



WHAT'S IS INSIDE....

The Constitution of India not only grants equality to women; but also empowers the State to adopt measures of positive discrimination in favour of women..... Few are below.....

1. Equality before law (Article 14)
2. The State not to discriminate against any citizen on grounds only of religion, race caste, sex, place of birth or any of them (Article 15(i))
3. The State to make any special provision in favour of women and children (Article 15(3))
4. The State to direct its policy towards securing for men and women equally the right to an adequate means of livelihood (Article 39(a)); & equal pay for equal work for both men & women (Article 39(d))
5. The State to make provision for securing just and humane conditions of work and for maternity relief (Article 42) To promote harmony and the spirit of common brotherhood amongst all the people of India and to renounce practices derogatory to the dignity of women (Article 51(A)(e))

Women's day Special Messages.....

DISCLAIMER
The views and opinions expressed herein, are in no way to be considered legal or consultative advice. The thoughts merely represent the respective author's opinion and for information purpose only. It cannot be treated as Legal Advice. Neither the Author nor HR Vidyalaya Corporate Services LLP makes any representation or warranties on the information published

FULL DAY CLASSROOM SESSION NUANCES OF CONDUCTING A **POSH INQUIRY**

After our Successful Journey in Chennai..... Now in Bengaluru

Bengaluru
Zion - a Luxurious Hotel
31, W.H. Hanumanthappa Road,
5th main, Gandhinagar,
Bangalore-560009

HR Professionals & IC members

Anandan Subramaniam
POSH Trainer & External Member

OVERCOMING CHALLENGES

- 1. Challenges Faced
- 2. Admitting complaint
- 3. Allay Fears of Aggrieved
- 4. Confidence to Respondent
- 5. Smooth Proceedings
- 6. Consensus with IC
- 7. Report writing

Process | Timeline Conciliation Ex-Parte

Proceedings Cross-examination Quorum

Report Writing; Recommendation; Retaliation

ROLE PLAY; CASE STUDIES

Is everything OK?

ACCEPTABLE TO ALL?

1. Principles of Natural Justice
2. Lawful
3. A decision / recommendation which will be unobjectionable and be acceptable even in Higher Legal Forum (appeal)

As per Law?

Registration open...fill your details to participate
Participation Fee: Rs.4,000 (incl. of GST)

<https://forms.gle/oAtePXhBpsaMkmfb6>

Date: 25th March 2023 (Saturday)
Time: 09.30 am to 5.00 pm

POSH INQUIRY

Competency Development Program for Internal Committee (IC)

09.15 am to 09.30 am
09.30 am (2 min.30 secs)
09.45 am

REGISTRATION
State Anthem
Session Commences

PROGRAM SCHEDULE	09.45 am to 10.45 am	SH - AWARNESS -- Definitions -- Social Stigma -- Why no complaints? -- Duties of Employer
	10.45 am to 11.00 am	COFFEE BREAK
	11.00 am to 12 noon	COMPLAINT RECEIVED -- What Next? -- Situations & Solutions -- Types of complaints -- Duties of IC
	12 noon to 1.00 pm	PROCEEDINGS -- Conciliation -- Natural Justice ** Petitioner ** Respondent -- Privilege's ** Petitioner ** Respondent -- Interpretations
	1.00 pm to 1.30 pm	LUNCH BREAK
	1.30 pm to 2.45 pm	Obligations of IC Report Writing -- Arriving Consensus -- Consolidation -- Final Recommendation
	2.45 pm to 3.30 pm	
	3.30 pm to 3.45 pm	TEA BREAK
	3.45 pm to 4.30 pm	Case Studies FAQ
	4.30 pm to 5.00 pm	Vote of Thanks/ National Anthem

Bengaluru
Zion - a Luxurious Hotel
31, W.H. Hanumanthappa
Road,
5th main, Gandhinagar,
Bangalore-560009

Organized by



The name
You can
Trust for

HR **Vidyalaya**
Corporate
Services LLP

HR **Operations**
Compliance
Solutions

age | 2



Dear "The Insight" Readers,

We launched "**AskSree**" column to answer your questions regarding Work Life.

Renowned Organizational Psychologist, **Gayathiri Sridharan** uses psychological research 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

Solutions will be published in "The Insight."

Quest

Dear Sree,

I am working as a HR head for a media organization in Bombay. Regarding interviewing skills, I understand that there are multiple ways like mirroring and would like to know the effect of using different strategies in one candidate to build rapport?

- Lalit

Solution

Dear Lalit

Eric Novotny, a postdoctoral research associate at the Grady College of Journalism and Mass Communication studied the effectiveness of verbal and nonverbal techniques in building rapport.

During the experiment, Novotny performed one-on-one interviews with 80 participants involving their personal histories. He practiced active listening -- using simple indicators of agreement (e.g., "uh-huh," "I see"), that encouraged the subject to continue -- with all participants, but used four different strategies.

With **one group**, Novotny used verbal commonalities, disclosing information about his own life (both real and fabricated) to establish common ground. Previous research indicates that people tend to like and feel similar to those who disclose information to them.

With a **second group**, Novotny used a nonverbal technique called mirroring, the largely nonconscious imitation of another person's body postures and movements, a strategy that has long been linked to an increase in rapport among interactive partners. He attempted to mimic the body postures and arm/leg placements of the participant (e.g., arms on the table and legs crossed) within approximately two seconds of witnessing it.

With a **third group**, Novotny combined the verbal commonality and mirroring strategies.

With the **fourth group**, or control group, he did not employ either strategy.

Prior to being interviewed, participants completed a document that required them to rank 10 topics (academics, athletics, family, finances, friends, leisure, medical history, mental health, pet ownership, romance) in terms of how personal they were. The interviewer used these responses to choose topics for the interview. After the interviews, participants rated how willing they were to continue discussions with the interviewer, as an indicator of rapport.

Results of his study indicated that participants were more willing to discuss personal topics when verbal commonalities were used alone, versus in conjunction with nonverbal mirroring.

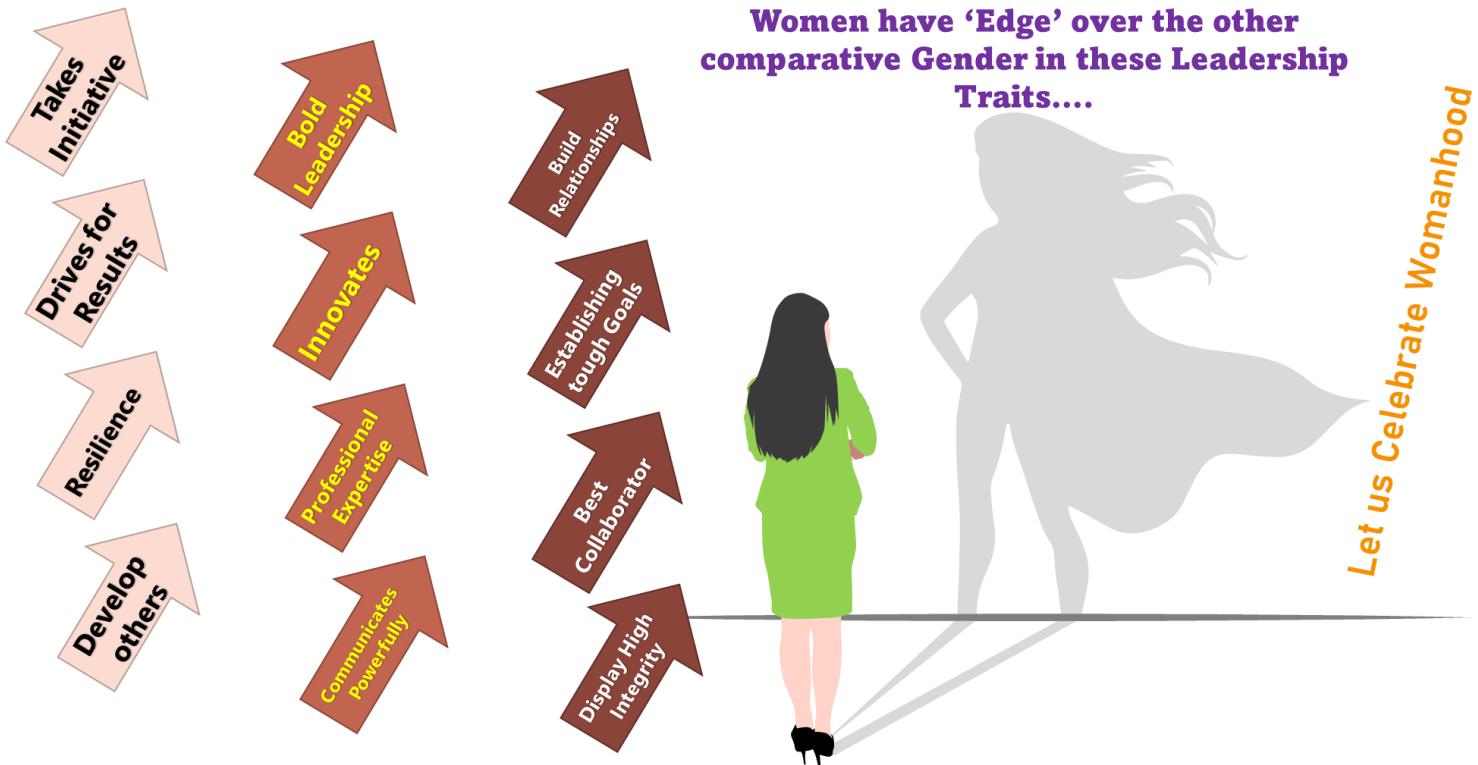
So, Lalit, Sometimes less is more, at least when it comes to building rapport during interviews. You can choose what comes best to you so that you can bring the best in your candidate.

Reference/s: Eric Novotny, Mark G. Frank, Matthew Grizzard. A Laboratory Study Comparing the Effectiveness of Verbal and Nonverbal Rapport-Building Techniques in Interviews. *Communication Studies*, 2021; 72 (5): 819 DOI: [10.1080/10510974.2021.1975141](https://doi.org/10.1080/10510974.2021.1975141)

Significance of Employment of Women Employees

	Restraint from Dismissal/Discharge	No Women employee can be discharged or dismissed or punished when she has absented herself from work on Sickness under ESI or Maternity under MB/ESI Act
	Prohibition of employment	<ul style="list-style-type: none"> ■ Near machinery under Motion, Cotton Opener ■ Underground in Mines
	Withdrawal from PF	Non-Requirement of 2 months - for Full Withdrawal from PF, in cases of Female members resigned for the purpose of getting married
	Maternity benefit under ESI even after separation of employment	The definition under ESI Act - "Insured Person" includes an "Insured Women" - by virtue of definition of this term, even after she has left insurable employment - Every woman is entitled to the payment of maternity benefit under this Act, where she satisfies the contributory condition relevant to the said benefit period/s.
	Unlike Male employee	<ul style="list-style-type: none"> ■ Woman employees can Exclude Husband in Gratuity (Male cannot ignore nomination of Spouse) ■ In EPF & Gratuity woman can nominate their parents also.
	Appointment of Directorship /Committee Members	<ul style="list-style-type: none"> ■ Mandatory appointment of Woman Director on the Board under Section 149 of Companies Act, 2013 and Companies (Appointment and qualification of Director) Rules, 2014 ■ POSH -ICC Committee, the Presiding Officer & 50% members shall be women ■ Grievance Redressal Committee under ID Act shall have women members
	Maternity leave to be considered as Deemed worked days	<ul style="list-style-type: none"> ■ Consideration for Annual Leave/EL/PL ■ Continuous service under ID Act, Gratuity Act, Conferment of Permanent Status Act
	Provision of Creche	<p>Provision of Creche to the woman employee if,</p> <ul style="list-style-type: none"> ■ 30 or more women employees are engaged in Factory establishment (changing in OSH Code) ■ 50 or more employees are engaged in any other Shop or Establishment

Women have 'Edge' over the other comparative Gender in these Leadership Traits....



Let us Celebrate Womanhood

Recognizing Women's power is a Success Factor for an Organization

Women are Not Supplementary Earners

They are also Primary Breadwinners Of a Family

Women are Not Backend Supporters

They lead anything and everything to Grand Success

Empower Women

Not only March 08th but all days.....

The name
You can
Trust for

Benefit Construction

- When a word is ambiguous i.e. if it has multiple meanings, which meaning should be understood by that word? This is the predicament that is resolved by the principle of Beneficial Construction. When a statute is meant for the benefit of a particular class, and if a word in the statute is capable of two meanings, one which would preserve the benefits and one which would not, then the meaning that preserves the benefit must be adopted.
- In the case of B Shah vs. Presiding Officer, AIR 1978, where Section 5 of Maternity Benefits Act, 1961 was in question, where an expectant mother could take 12 weeks of maternity leave on full salary. In this case, a woman who used to work 6 days a week was paid for only $6 \times 12 = 72$ days instead of $7 \times 12 = 84$ days. Hon'ble SC held that the words 12 weeks were capable of two meanings and one meaning was beneficial to the woman. Since it is a beneficial legislation, the meaning that gives more benefit to the woman must be used.



Welfare Measures (Non-Exploitation)

- Payment of Remuneration at Equal Rates to Men and Women Workers and Other Matters
- Duty of employer to pay equal remuneration to men and women workers for same work or work of a similar nature
- No discrimination to be made while recruiting men and women workers
- Women can also work as Bartenders (Lawful serving) (As per Hon'ble SC Order)

Welfare Measures (Privileges)

- Creche & Nursing breaks
- Extended leave due to Maternity Illness
- In addition to Maternity, paid leave avail leaves for Tubectomy, Miscarriage, etc.
- Exclusive, Washing, Bathing, Lavatory, Dining Desks & Lockers
- Additional leave in Few States if a woman employee performs night shift
- Provision of Napkins in the Washrooms for the use of Women employees

Welfare Measures (Prohibition)

- Night shift working (only with safety precautions)
- Not in Hazardous Occupations including Cotton openers.
- No Dismissal during Maternity
- No Hardship jobs during Maternity

Welfare Measures (Privileges)

- Representation in Works Committee constituted by the employer.
- Only Woman can Preside over the Internal Committee under PoSH Act and more than men or equal representation in the Committee.
- Complainant woman has the right to ask for a transfer or upto 3 months paid leave during pendency of PoSH enquiry.

How the Female Brain Works?

For many decades, the *female brain* and *women's brain health* has been most under-researched, underdiagnosed, and underrated fields in medicine.

Thanks to Lisa Mosconi, a neuroscientist and director of the Women's Brain Initiative at Weill Cornell Medical College in New York City, who has come up with a book "**The XX Brain: The Groundbreaking Science Empowering Women to Maximize Cognitive Health and Prevent Alzheimer's Disease**," based on her years of research.

In this book she explains the differences between the female and male brains and explores the different ways the brain affects women's health. She discusses about the unique risk's women have for developing *Alzheimer's diseases* and also offers practical tips to optimize brains health and the actions which can be taken to prevent it.

The book is a detailed research-based guide, and the author has written this book in a way and a level which can be understood by those of us who do not hold a medical degree.

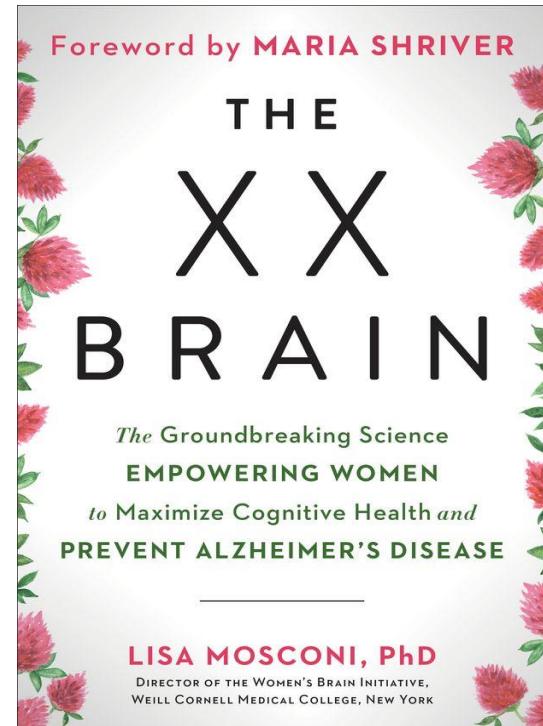
The book will be helpful for those who want to negotiate life's hormonal transitions with resilience and grace. This book will be especially useful for women approaching midlife and *all those men who loves to take care of their women*.

Getting interested in knowing more about this book? Come, let's have a quick summary of the book.

How are female brains different than male brains?

In the book, the author explains that compared to men, women are twice as likely to have anxiety and depression, three times more likely to be diagnosed with an autoimmune disorder, four times more likely to suffer from migraines and headaches, and much more prone to developing brain tumors and dying from a stroke. Based on her study, she states that **menopause** plays a key role in the brain function.

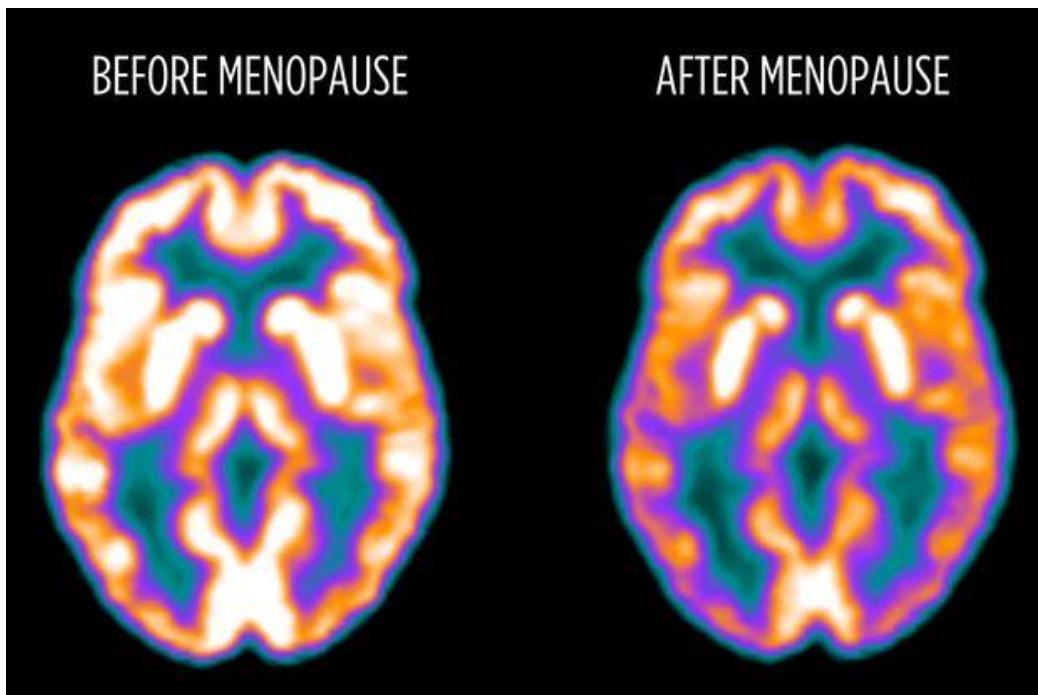
.....contd...



The Connection between Brain's Health and Menopause

The hormones (estrogen for women and testosterone for men) serve a number of functions in the brain, primarily with brain energy. Both estrogen and testosterone literally push neurons to burn glucose to make energy. Men's testosterone doesn't run out until late in life. However, for women, *estrogen drops in midlife during menopause*. The dropping level of estrogen has consequences in women's brain because estrogen supports energy metabolism in the brain and is also involved in growth, plasticity, and immunity. Basically, **estrogen keeps women's brain younger and healthier**. There are various issues for women during and after menopause like *hot flashes, sleeplessness, stress, mood swings, forgetfulness*. The researchers state that these issues are not just something happening on the reproductive system, but they are actually happening because of the impact created in the brain regions like *hypothalamus, brain stem and hippocampus*.

Image of the Women's brain before and After Menopause



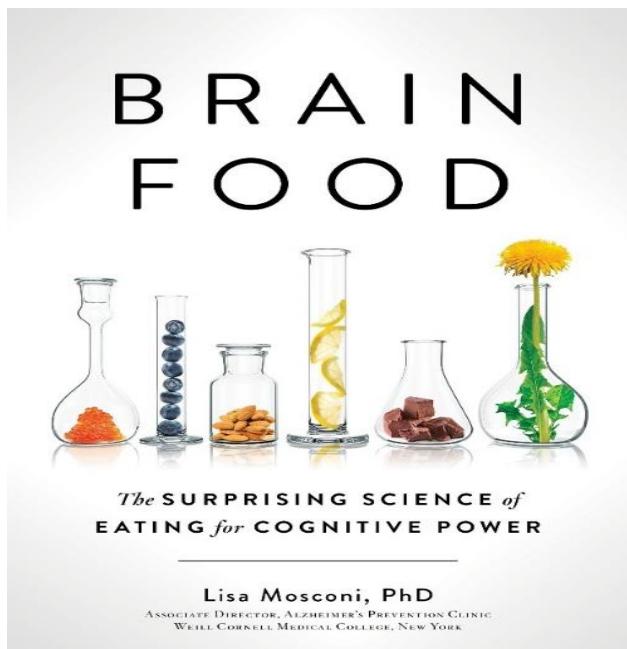
The left side image was taken for the research before the women got her menopause and the right side of the image was taken after menopause. If we have a closer look, the left side is bright and nice. But after menopause, the bright yellow turns yellow and almost get purple and that's 30% drop in the brain energy level. However, **there was nil impact on the cognitive performance of the brain**. The brain may get tired but **they are sharp**.

.....contd....

How to Protect the Brain?

Based on her studies, the author states that avoiding processed foods, regular exercise and meditation can impact hormones positively. Studies have shown that Mediterranean diet promotes women health. Women on Mediterranean diet are said to have lower risk of cognitive decline, depression, heart disease, stroke and cancer, and fewer hot flashes. The author specifically recommends the in-take of flax seeds, sesame seeds, dried apricots, legumes, fruits and dark chocolates as they have estrogens or act like mild estrogens in female body.

A well-fed brain is one of the greatest assets when it comes to career. Science says, our diet plays a crucial role. Lisa Mosconi has also written a book on the connection between diet and brain function: "**Brain Food: The Surprising Science of Eating for Cognitive Power**". Of course, this book will be helpful for *all men and women* out there.



Give it a try, if you wish to dive-in for more information.

{ Ms. Gayathiri Sridharan }

References:

1. Brinton, R. D., Yao, J., Yin, F., Mack, W. J., & Cadena, E. (2015). Perimenopause as a neurological transition state. *Nature reviews. Endocrinology*, 11(7), 393–405. <https://doi.org/10.1038/nrendo.2015.82>
2. Mosconi, L., Berti, V., Quinn, C., McHugh, P., Petrongolo, G., Varsavsky, I., Osorio, R. S., Pupi, A., Vallabhajosula, S., Isaacson, R. S., de Leon, M. J., & Brinton, R. D. (2017). Sex differences in Alzheimer risk: Brain imaging of endocrine vs chronologic aging.
3. Mosconi L, Rahman A, Diaz I, Wu X, Scheyer O, Hristov HW, et al. (2018) Increased Alzheimer's risk during the menopause transition: A 3-year longitudinal brain imaging study. *PLoS ONE* 13(12): e0207885. <https://doi.org/10.1371/journal.pone.0207885>

We join the Celebration of the “Women Power” on the auspicious of International Women’s Day 2023



ASSCOD

Association for Sustainable Community Development is a voluntary organization having its presence since 1994 in several districts of Tamilnadu.

We believe that the society develops only when the women get equal opportunity. We work predominantly for improving the social and economic status of women in rural regions in various aspects such as Education, Microfinance, and disaster management. The major development activities are based on the United Nation's then Millennium Development Goals (MDGs) now known as Sustainable Development Goals (SDGs).

Our Mission

To work with rural women through Self Help Groups (SHGs) by imparting training including financial literacy to enhance their economic skills and to increase their income to attain economic and social empowerment of the groups.

Thus, enable women as agents of social change and empowering them to lead the prosperity of their community.

Our Vision

Economically empower rural women below poverty line to lead their families and bring prosperity to the Community.



Over 4000 families were benefitted with our Initiatives. ASSCOD is a duly Approved Non-Governmental Organization by appropriate authorities. We support Industries/Establishments for CSR initiatives also.

Loganathan
0091-44-27567115
0091-98423-60428

asscod@yahoo.co.in <https://www.asscod.org/>

Anandan
89395-89165

The name
You can
Trust for

**Operations
Compliance
Solutions**

age | 10



22 April 2023

10.00 am~ 4.30 pm

Chennai



HR EXCELLENCE AWARDS

CATEGORIES FOR EVENT

- TECHNOLOGY IN HR**
- IR INITIATIVES**
- DEI - THE SPOTLIGHT**
- CHANGE MANAGEMENT IN HR**
- POSH - CHALLENGES & SOLUTIONS**

நீங்கள் தமிழ்
மொழியிலும்
வழங்கலாம்

**Best and Next
Best
(02) Awards in
each Categories**

**Certificates for
ALL Participants**

Nominations Open

**Fill the Form by clicking the following
link and make the payment to participate
& WIN**

<https://forms.gle/ExxBDbK6rLDtzXNw9>

{ Jointly Organized by }



Who Can Participate?

- HR Professionals - for ALL segments**
- Senior Management Professionals for DEI segment**
- Internal Committee members for POSH segment**



HR
**Vidyalaya
Corporate
Services LLP**

The name
You can
Trust for

HR
**Operations
Compliance
Solutions**

age | 11



Maternity Benefit – Some specific insights

01

- While a Woman employee joins an Organization, (Employer to) ensure collecting the details of – (i) no. of children (ii) no. of Maternity Benefits already availed, if any
- This is required to decide on Benefit to be given, in case, such employee is going to claim benefit in this Organization (i.e. 26 weeks or 12 weeks)

02

- In case an employee, who is supposed to avail Maternity Benefit, unfortunately has to undergo Miscarriage, such benefit, made available to her, will not be considered as maternity benefit (for consideration of number of child, in determining the number of weeks)

03

- For adopting mothers and commissioning mother, the Maternity benefit is only 12 weeks, irrespective of First or Second or Third or after

The term “week” means a cycle of seven days including Sundays;
B. Shah V. Presiding Officer, A.I.R. 1978 S. C. 12.

Maternity Benefit – Some specific insights

04

- No Employer can Employ (recruit) any Woman Employee, before Six Weeks of Date of Delivery
- Also Employer cannot either Employ (recruit) or ask Woman employee to work immediately after Six Weeks of Date of Delivery (or) Miscarriage (or) Medical Termination of Pregnancy

05

- For First 2 Pregnancies (in her lifetime), woman employee can avail 26 weeks (in one establishment or in 2 different establishments)
- All further pregnancies, in one establishments or with different establishments, it is 12 weeks only
- There is no limit for availing Maternity benefit of 12 weeks

06

- A Woman employee, while applying for Maternity Leave, shall appoint a Nominee, to receive benefit in case of her unfortunate demise, during pregnancy
- In case of death of such Woman employee, leaving the child (including still born), the Benefit is payable, fully (26 weeks or 12 weeks)
- If both mother & child dies, Benefit is payable upto the date of death of child

**In Every Stage of Life
We desire, this Holy Gender,
Possesses Autonomy, Option,
Possibilities, Safety
and whatever is available
for any human being**



Let us Resolve on this day March 8, 2023
INTERNATIONAL WOMEN'S DAY



**8 Women
8 Perspectives
8 March 2023**
06.30 pm to 07.30 pm

Just Click and Join
<https://meet.google.com/cin-xuwb-fri>

Topics

1. Occupation Segregation by gender and wage gaps - is it still practiced by Indian establishments?
2. Does best HR Practices gear Women to join the mainstream jobs?
3. Has Woman gained access to Managerial / Executive Roles?
4. General Impediment to Women's growth at workplace
5. Denial of opportunities to women - do the organization really stand to lose something?
6. Future of Women at Work
7. India Legislation for Women at Workplace
8. Education, Skill, Financial independence, Access to healthcare, etc. - which is critical for women at workplace?