

Current Updates having Business Impacts

1. State of Kerala decided to extend the Maternity Benefit Act, 1961, to Private Educational Institutions - Kerala Labour Department
2. Catering Establishments in Tamilnadu - Statutory register formats changed
3. Occupation Safety, Health & Working Conditions, major Standing committee recommendations:
  - a. Not paying wages? - it may be a Penal provision under Occupational Code.
  - b. Common Creche facilities to be allowed for cluster of small-scale industries
  - c. Specific needs of women workers in Software and textile firms to be taken care
4. Factories in Karnataka can renew/obtain new License upto 15 years, as per the recent amendment
5. Currently, those PF members who (unfortunately demises) had not continuously worked in a same establishment for 12 months were not eligible for minimum claim of Rs.2.5 lakhs under EDLI. This provision was amended and now even those members were eligible for minimum cover.

Work from Home - an Extended workplace?

- On a mutual agreement between Employer and Employee, an employee can be allowed to perform his/her duties from home, (May not be possible for Facility / Safety / Accounting, Marketing, Few areas of HR, etc. in offices & any service in Manufacturing industries). (A home can be any safe place for the individual to perform his/her duty)
- Employee needs to report to his/her superior as mutually agreed - over phone/mail/logon - and be available to his superior always during agreed hours
- Any reimbursement for, telephone calls or internet shall be agreed before commencing WFH option
- Employer shall not be accountable to any injury during such agreed hours (of WFH), though ESI or Medical insurance, if any can be claimed employee
- ESIC covered employees can claim "employment injury" in case of any injury arising out of WFH, (if both employee & employer agree option in writing)
- Overtime, in case of extended hours, is payable, even if the employee works from home
- Any woman employee who is on confinement or maternity CANNOT be asked to WFH, during benefit period (26/12 weeks); allowed after such period.
- Employer reserves right to cancel the option any time
- Where there is a regulation from the Authorised Government to keep the establishment closed, employer can ask those employees whoever can perform their duties from home can continue to work. Since it is a regulatory advice, wages are to be paid to All employees, irrespective of performance of job through WFH or not.



**Prevention is the Key**

1. Repeatedly wash your hands (with soap)
2. NO Hand Shake while greeting/meeting
3. Use tissue/cloth while Sneezing/Cough - dispose it safely
4. Keep distance from those who Sneeze or Cough
5. Avoid crowded place

**Covid**

As per new regulation, it is automatic registration of EPF & ESIC through MCA portal, for new companies. Where ESIC has given option to commence coverage, between (1) reaching the threshold limit (2) six months, whichever is earlier.

Have any default / Error REMITTANCE issues in PF the FY 2019-2020? Pay it before 31<sup>st</sup> March 2020. Else reconciliation of remittance in EPFO will take time, if paid later.

**Be Ready to implement from April 2020**

- △ Few States in India will revise Minimum Wages (Delhi, HP, MP, Odisha, Telangana UP, Tamilnadu, AP etc and the Central Government).
- △ Option by employees on Income Tax option (New or Old tax regime)
- △ Any employee wishes to commence or cease -VPF option
- △ Can amend PF monthly contributions - restrict to 15000 or actual PF basic wages

