

## LEAVE POLICY

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**APPLICABLE TO:** B&S GROUP COMPANIES (INDIA)

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**DISCLAIMER:** B&S reserves the right to revise the present policy from time to time, so make sure you have always the latest version.

All staff is expected to familiarize themselves with the policy. If any member of staff requires further guidance, please refer your queries to the relevant member of Human Resources.

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**1. POLICY STATEMENT**

- 1.1 Leave is a provision to stay away from work for genuine reasons with prior approval by the management. It may be granted for a casual purpose or a planned activity, on medical grounds or in extra-ordinary conditions.
- 1.2 Leave cannot be claimed as a matter of right. Leave should be pre-agreed with the line manager and always be in line with the business and department's needs.
- 1.3 This particular policy gives details about the different types of leaves and how they can be availed of.
- 1.4 All employees are entitled to leave in accordance with the relevant awards or agreements and statutory provisions. Where the entitlements or practices in this document conflict, the applicable award, workplace agreement, employment contract or employment law takes precedence.
- 1.5 All planned leave has to be mutually agreed, and take into account workloads and the employee's needs. Leave must be approved in advance, except when the employee can't anticipate the absence. Any documents regarding leave will be kept on the employee's personnel file. Further approved leave in advance should be simultaneously conveyed to Human Resource Department.
- 1.6 This policy will be reviewed and modified periodically. When using this policy, please remember that while we have attempted to make it as comprehensive as possible, situations might arise on which you might need to seek assistance from the relevant member of Human Resources department.
- 1.7 Leaves policy is not combined with public holidays, which are legally bounded and should be taken separately at specific labour law dates and should not be taken on other date.
- 1.8 Leaves calendar year is from 1<sup>st</sup> January to 31<sup>st</sup> December.
- 1.9 It is very essential to give prior notice before proceeding to any leave. Leaves during the first year of service will be proportionately computed and credited from the date of joining for the first year.
- 1.10 Leaves cannot be availed after resignation and accumulated or considered for shortfall of notice period calculation at the time of final settlement on separation.
- 1.11 At the time of resignation of service or retirement or separation only un avail Privilege Leave will be encashed. Further excess availed leaves amount will be recovered from Final settlement in case of leaving the services before completion of calendar year.

**2. CASUAL LEAVE (7 DAYS)**

- 2.1 Casual Leave (CL) is to be normally availed with prior approval and should not exceed two days in row. If, however, for some important reason prior approval cannot be taken, then the Department's BU Head and HR should be informed verbally on call.
- 2.2 Casual Leave cannot be combined with any other leave.
- 2.3 During Casual leave intervening Week off shall be counted as Casual Leave.
- 2.4 Probationers are not avail Casual Leave.
- 2.5 Casual Leave will be encashed at basic salary rate with extra 10% incentives on un avail leaves at the end of the year

**3. SICK LEAVE (7 DAYS)**

- 3.1 Sick leave (SL) can be used for the purpose of sickness or medical ground and not for any other purpose.
- 3.2 Application for Sick leave should be submitted on the date of resumption of duty along with supporting medical certificate.
- 3.3 The company may, at its discretion, ask an employee to appear for medical examination by the company Medical officer or by a Medical officer nominated by the company. Failure on the part of the employee to do so will disqualify him/her from Sick leave usage.
- 3.4 During Sick leave intervening Week off shall be counted Sick Leave.
- 3.5 Probationers are not avail Sick Leave.
- 3.6 Sick Leaves will be encashed at basic salary rate with extra 5% incentives on un avail leaves at the end of the year.

#### **4. PRIVILEGE LEAVE (13 DAYS)**

- 4.1 Privilege Leave is also termed as Annual Leave (AL) and / or Earned Leave (EL)
- 4.2 Probationers are only entitled for one Privilege Leave per month.
- 4.3 Before proceeding to Privilege Leave a person has to inform at least 15 days in advance.
- 4.4 Employees are eligible to Privilege Leave only when he / she completes 240 working days during a calendar year. Otherwise his/her Privilege Leave will be considered on a pro-rata basis.
- 4.5 The intervening Week off shall be counted PL.
- 4.6 At the time of resignation of service or retirement the balance privilege Leave will be encashed at the time of Full and Final settlement.

#### **5. MATERNITY LEAVE**

- 5.1 B&S's policy is to comply with for the spirit of the law on maternity leave and statutory maternity pay. Main object is to inform all female employees of their entitlement to statutory maternity rights and to ensure that those rights are understood by employees who qualify.
- 5.2 Maternity leave is eligible to all female employees and is a statutory leave. All female employees will be entitled to maternity benefits as per the provision of the Maternity Benefit Act, 1961 with amended act 2017 and the prevailing State rules.
- 5.3 An employee must notify the company of her pregnancy in writing no later than the end of the 8th week before her baby is due (the expected week of childbirth (EWC)) asking for maternity leave and benefit and specifying that she will not be working during the time she receives the benefit.
- 5.4 Maternity Leave must be recorded in the time Sheet as "Maternity Leave".

Under the Maternity Benefits Act of 1961, the employee is entitled to maternity benefits at the rate of her average daily wage for the period of her absence, for a maximum period of 26 weeks (8 weeks before delivery and 18 weeks after). The employee can only claim this compensation only if she has worked at least 80 days in the company. The average daily wage means the average of the employee's wages during the three months' period immediately before the maternity leave starts.

- 5.5 Right to payment of maternity benefit: According to the provisions of the Maternity Benefit Act, every female employee shall be entitled to, and her employer shall be liable for, the payment of maternity benefit at the rate of the average daily wage for the period of her actual absence immediately preceding and including the day of her delivery and for the Eight weeks immediately following that day.
- 5.6 The average rate wage means the average of the employee's wages payable to her for the days on which she has worked during the period of three months immediately preceding the date since she is absent due to maternity.
- 5.7 If the employee is willing to proceed on leave beyond the stipulated time, she needs to get special approval from the BU Head & Management.
- 5.8 Once a line manager has been notified or has become aware of an employee's pregnancy, the employee should be referred to the HR Team, who will check her entitlement.
- 5.9 The employee must provide medical evidence of her EWC in the form of a maternity certificate. The maternity benefit for the period preceding the EWC shall be paid in advance to the employee under the precondition of providing maternity certificate and the maternity benefit should be paid within the following 3 days.
- 5.10 A pregnant employee is entitled to 26 weeks' maternity leave, that is to say, eight weeks up to and including the day of her delivery and Eighteen weeks immediately following that date, depending on length of service. No female employee shall be entitled to maternity benefit unless she has actually worked in the company whom she claims maternity benefit, for a period of not less than 80 days in the 12 months immediately prior to her expected delivery.
- 5.11 In case of miscarriage or medical termination of pregnancy, a female employee is eligible for a period of six weeks immediately after the day of her miscarriage under the prerequisite of providing a relative medical certificate.
- 5.12 Maternity leave can be extended up to one month's period only with a certificate from a Qualified Medical Practitioner and the relative approval of HR division. The days that exceed the above period, will be charged to the Privilege Leave.
- 5.13 Maternity Leave may be combined with Privilege Leave & Sick Leave. Employees should contact the BU Head as soon as possible if they need to make use of this provision.
- 5.14 The employee must provide medical evidence of her EWC in the form of a maternity certificate.

- 5.15 The company will carry out risk assessments to assess any possible risks to new and expectant mothers. Where the company feels there may be a risk, then the company will do all it can to eliminate that risk and to warn the employee of the potential dangers.
- 5.16 To qualify for Statutory Maternity Leave and Statutory Maternity Pay (SMP) the employee must:
- (a) inform the Department's BU Head and HR team that she is pregnant
  - (b) inform the BU Head and HR team of her EWC
  - (c) give notice to the HR Team of when she intends to commence her maternity leave – this notice must be given Two month before commencement of Leave.
  - (d) in the case of a premature birth, she must advise the Department's BU Head and HR Team of that fact as soon as is reasonably practicable and produce doctor certificate, which is obtainable from her doctor.
- 5.17 During both ordinary and additional maternity leave the contract of employment continues as normal, except for any terms relating to salary or wages.
- 5.18 During maternity leave, the employer will maintain contact with the employee in order to keep her informed of developments in the workplace and to discuss (at an appropriate time) her plans to return to work.
- 6. RETURNING TO WORK AFTER MATERNITY LEAVE**
- 6.1 An employee returning to work during/or at the end of ordinary maternity leave has the right to return to the same job as the one she had prior to the commencement of her leave.
- 6.2 An employee returning to work from additional maternity leave is entitled to return to the job in which she was employed prior to her maternity leave period began, unless that is not reasonably practicable, in which event, the company is duty-bound to offer her suitable alternative employment on terms and conditions no less favourable to her than those she enjoyed prior to her having taken maternity leave.
- 6.3 If the employee does not give correct notice the company is entitled to postpone her return to work until the correct notice has been provided (but will not postpone her return beyond the date her full maternity leave entitlement would have come to an end in any event).
- 6.4 If the employee is ill and therefore unable to return on the due date, she must notify the Department's BU Head and HR Team and the sickness absence policy and procedure will apply.

- 6.5 Where the employee does not wish to return after her maternity leave she must give notice of termination, as provided for in her contract of employment, to the Department's BU Head and to HR Team.
- 6.6 If an employee wishes to return to work immediately after the end of her full maternity leave entitlement she is not required by law to give advance notice. However, in order to enable the company to plan effectively for her return, it would be helpful if she could let the company know that this is her intention.
- 6.7 Nursing Breaks: Every woman delivered a child who returns to duty after such delivery shall, in addition to the interval for rest allowed to her, be allowed in the course of her daily work two breaks of 15 minutes for the prescribed duration for nursing the child until the child attains the age of fifteen months.

## **7. PATERNITY LEAVE**

B&S recognises that more and more employees want to be involved in supporting their partner around the time of their child's birth or, in the case of adoption, the child's placement. Paternity leave gives employees the opportunity to both spend time with their partner and get to know their new child.

Employees who meet certain qualifying conditions have a statutory right to take five days' paid paternity leave on the birth or adoption of a child for which they have or expect to have responsibility. Therefore, the leave must be used to provide care and support to the mother and/or the child and not for any other purpose.

- 7.1 All permanent male employees shall be entitled to Paternity Leave up to 5 working days within one month of birth, failing in which balance Paternity Leave will be lapsed.
- 7.2 No credit / accumulation / encashment of this leave are permissible.
- 7.3 The employee shall submit the application at least one month in advance, along with a certificate from the doctor specifying the exact date of delivery, to his Supervisor with the copy to HR Department.

Note: Granted to male employees having and / or adopting a child.



**8. LEAVE ARRANGEMENTS**

- 8.1 The employee shall apply for approval for all kinds of leave using the HR Module, failure to do so will result in leave without pay.
- 8.2 In the case of Sick Leave, employee must complete the return to work procedure with Human Resource Department, once resume to his/her duties.
- 8.3 During the probation period you are entitled to one PL per month only.

**9. PAID HOLIDAY (08 DAYS UK BANK HOLIDAYS)**

- 9.1 As we are UK based company, It's mandatory to work as per UK working hours and UK working days.
- 9.2 We have 8 days UK bank holidays in a year.
- 9.3 If the employee is scheduled to work on the UK bank holiday with prior authorisation from their BUH, then the holiday will be considered as paid holiday and will get paid for the same day 'One day in lieu'.
- 9.4 Intervening holidays between leaves shall not be clubbed / merged.