

STAUTORY COMPLIANCES & SA 8000 PROVISIONS

Statutory and SA 8000 Compliance Requirements by Business Associates (BAs):

- 1) **Appointment Letter:** To be given to all the employees at the time of Joining specifying terms and conditions of employment (including all Benefits, details of Salary, Leave, OT and other Terms of Working/Service). The language of appointment letter should be the language easily understood by the employee to whom it is given i.e. Hindi/English as the case may be.
- 2) **EPF:**
 - a) Contribution to be deducted as per new amendment in PF Act i.e. mandatorily for all employees whose salary is less than or equal to the wage ceiling as per EPF & MP Act (Currently Rs.15000/-).
 - b) **UAN** to be provided and shared to all employees', alongwith activation of UAN and Updation of "KYC Documents".
 - c) **Form XI:** To be obtained from all employees and a copy of the same to be submitted to TATA Power - DDL for record purpose, if sought.
 - d) **Separate ECR & Challan** to be submitted every month for all employees deployed in TATA Power - DDL.
- 3) **ESI:**
 - a) All eligible employees drawing gross salary as per wage Ceiling of ESI Act (Currently less than or equal to Rs.21,000/-) to be covered under provisions of ESI.
 - b) **All eligible** employees not covered earlier **to be first registered under ESI and then deployed in Tata Power -DDL.** Temp-I Card to be issued to each employee, before their deployment in TATA Power-DDL.
 - c) **All Employees having old ESI Card/ ESI IP No.** to be registered under the **ESI Code of employer** with the ESI Card before deployment in TATA Power -DDL.
 - d) Aadhaar Number of all Employees covered under ESI to be updated in ESI Records in lieu of Biometric Pehchan Card.
- 4) **Working Days:**
 - a) Total working days in a month are 26 Days for a month comprising 30/31 days.
 - b) 1 day of rest /weekly off after 6 days of working to be compulsorily given.
- 5) **Working Hours:**
 - a) Adhere to daily working of 8 hours per shift and 48 hours a week.
 - b) Provide mandatory **Weekly Off** to all employees after 6 days of Working. Shift periods include Night Shift.
 - c) **Continuous working without Break & Double Shifts is not allowed.**
 - d) Roster (if required) to be prepared and followed in such manner that the prescribed working hours per week limit is not violated.
- 6) **Overtime:**
 - a) Overtime for extra working hours to be paid at Premium Rates, of Notified Minimum Daily Wages (as per provisions of Law).
 - b) Payment of Over Time through Bank only and with Salary for the month **and its details to be mentioned in Salary Slip. (NO CASH PAYMENT TO BE MADE)**
 - c) Max Working Hours – Not to exceed the prescribed limits as per law/ SA 8000 provisions.
- 7) **Leave:**
 - a) 15 Earned Leaves & 12 Sick plus Casual Leaves to be given as per Shops & Establishment Act total 27 Days a year.
 - b) No Deductions of wages to be done if Employees avails entitled Earned leave, Casual Leave or Sick Leave.

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- c) Prorated Leave in the first year to be given / Unutilized Earned leave to be en-cashed at the end of Calendar Year / Carry Forwarded to the employee as per provisions of Shops & Establishment Act.
 - d) Salary Slip to Contain Leave Details: Entitlement of Leave, Leave (Type of Leave Availed) , Balance of Leave.
- 8) Wages:**
- a) Wages to be paid on or before 07th / 10th of every Month.
 - b) Wages not to be paid less than specified Minimum Wages for the relevant category i.e. Skill Level & Education.
 - c) Over Time is Part of wages so it has to be paid with monthly Wages.
 - d) Payments other than Wages and Over-time to be mentioned under head Allowances in Salary Slip.
 - e) All Payments to be made only through Bank Transfer / Cheque and no cash payment is to be done.
- 9) Mode of Payment:** Wages to be paid only through Bank/Cheque including OT by 7th / 10th of every month. (Bank A/c No. to be mentioned in Wage Slip)
- 10) Wage Slip:** Wage Slip to be issued every month as per required format comprising *Name of Employee, Date of Joining, Skill Level, Wage Rate, ESI & PF / UAN No., Bank A/c. No, Earnings, Deductions, Allowances, Number of Days Worked, Details of Leave Availed (EL ,CL,SL etc.) and Leave balance, Over Time Details, Gross & Net Wages.*
- 11) Bonus:**
- a) Bonus to be paid @ one month's minimum wage i.e. 8.33% of Wages to be paid as per the latest amendment of Payment of Bonus Act to all eligible employees as per timelines specified.
 - b) Bonus to be paid through Bank Transfer only.
 - c) Submission of Returns w.r.t Bonus Payment to be submitted in BA Relations.
 - d) Weekly Off + National Holidays + Maternity Leave + Paid Leave (EL, CL SL) + Absence due to accident arising out of and in course of employment ARE CONSIDERED as days worked for Calculating number of Days Worked in a Year.
- 12) Payment of Gratuity /Retrenchment compensation** to be paid to employees as the case may be at the time of ending of employment.
- 13) Web Site Compliance:** Every contractor has to mandatorily create its own web site & upload following details on a monthly on the web site : 1) List of Employees , 2) Details of Wage Category and Wages , 3) Wage Sheet cum muster roll with Bank A/c Details , 4) Bank Transfer of salary Details , 5) PF Challans , 6) ESI Challans.
- 14) Building & Other Construction Workers Act (BOCW) (Wherever Applicable) :**
- a) Registration under BOCW Act.
 - b) Registration of all Employees deployed in TPDDL and Providing BOCW Pass Books & Pass Books to be renewed annually.
 - c) Assisting Employees in Getting Various Benefits as per Eligibility. i.e. Filling up of Requisite Forms and Submitting them to BOCW dept.
- 15) Labour License:** If manpower proposed to be deployed is greater than or equal to 20 - License has to be taken before commencement of work and **Display of copy of Labour License on work Site**. Renewal to be done before expiry of the current license and copy of the same to be provided to BA Relations.

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16) Sub-Contracting :

- a) Work to be subcontracted only if allowed in PO and only after permission has been taken from EIC/PO in prescribed Format and submission of same along with Indemnity Bond in BA Relations.
- b) Subcontractor to also comply with all Statutory Provisions applicable to Contractor like - PF ,ESI , Minimum Wages, Payment of wages through Bank/cheque on or before 7th of every Month , Working Hours, OT , Wage Slip, Attendance marking in IN & OUT Attendance Register , Payment of Bonus ,Gratuity / Retrenchment Compensation.

17) CSMS Policy: All Business Associates falling under the ambit of CSMS Policy to Obtain Insurance for all its employees deployed in TATA Power –DDL and get it renewed in a timely manner and copy of the Policy to be submitted with BA Relations.

18) Display of List of Holidays for the Year: List of Holidays in a Year (other than Earned Leave, Casual Leave & Sick Leave) provided to employees to be prominently displayed at all work sites.

19) Marking of Attendance in Register: Proper In and Out Time Attendance registers to be maintained at all sites and to ensure that attendance is being marked on daily basis.

20) Statutory Registers: All Statutory Registers viz: OT , Leave, Advance registers to be maintained properly and produced whenever required.

21) C3 to be taken before commencement of work (** details as given below)

22) I-Card (Process owner DOSEC / S& DM): As per process Medical Testing & Training has to be Imparted before the I Card is issued and before renewal of the same.

23) Compliance to any other applicable Law & Provisions thereof and Amendment /Change/ Modification of the provisions of Law and processes mentioned above.

II - Following documents are required for obtaining Form C3: To be taken before commencement of Work and also for release of 1st Bill:-**

- I. Form C1 & Form C2
- II. Form VIA (duly signed by the project-in-charge)
- III. PO Copy
- IV. Submission of Insurance Policy as mentioned in GCC pertaining to CSM and Undertaking /Indemnity by BA w.r.t. compliance of CSM.
- V. Web Site details to be provided to BA Relations (thereafter all statutory documents to be uploaded on monthly basis).
- VI. Copy of Labour License – if applicable – Copy of Form IV (4 nos.) + list of leave on Letter head to be submitted to BA Relations for obtaining Form V. This needs to be done before start the work.
- VII. PF & ESI Challan – from the date of commencement work
- VIII. Wages Sheet – from the date of commencement work
- IX. Delhi Labour Welfare Fund/EPF/ESIC Returns – if applicable.

(All the documents except those mentioned at Sl. No VII to XI are to be submitted before the start of the work.)

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IV - For the purpose of obtaining NOC: For release of Final Bill :-

1. Form XI – on letter head
2. Form VIA (duly signed by the Project-In-Charge)
3. PO Copy.
4. All statutory compliances for the relevant period.
5. Web Site Compliances.

V - Business Associate has to submit following statutory documents as per the timelines mentioned against them:-

1. Monthly EPF/ESIC Challans. - **To be submitted by 20th of every month for the preceding month.**
2. Monthly Wages Sheets. - **To be submitted by 20th of every month for the preceding month.**
3. Challan of Delhi Labour Welfare Fund - **To be submitted by 30th July and 30th January respectively**
4. Copy of Labour License (if engaged 20 or more employees) : Before Commencement of Work & its renewal before expiry .)
5. Half Yearly Contractor Return (In case of Labour License by 30th July and 30th January every year)

We hereby confirm that we have understood the above mentioned Statutory Compliance & SA 8000 Requirements and accept it. We also confirm that we will follow all Statutory & SA 8000 Compliance Requirements during the contract period.

Signature & Stamp of Business Associate

Date:

M/s.....

Name:

Designation:

Mobile no.:

Email ID:

