



## JSA Newsletter

### Employment Law

January 2026

This edition of the JSA Employment Newsletter provides a brief roundup of latest key regulatory and legislative developments in the Indian employment space for the fourth quarter of 2025 (October, November and December 2025), released *inter alia* through amendments, notifications and orders. It also broadly discusses implementation and intricacies of the recently notified Code on Wages, 2019; the Industrial Relations Code, 2020; the Code on Social Security, 2020; and the Occupational Safety, Health and Working Conditions Code, 2020 (together, the “**Labour Codes**”). The newsletter also discusses some recent judicial precedents across several employment legislations.

### Regulatory updates

#### Employees’ Provident Funds Organisation issues direction for prominent display of Form 5-A at entrance of establishments

The Employees’ Provident Funds Organisation (“**EPFO**”) issued a direction on October 7, 2025 (“**Direction**”), mandating that all establishments falling within coverage of the Employees’ Provident Funds and Miscellaneous Provisions Act, 1952 (“**EPF Act**”) must display an extract of Form 5A (*Return of Ownership to be sent to the Regional Commissioner*), either at the entrance of the establishment or on their website and mobile application. The critical information to be displayed include: (a) EPF code; (b) registered name (of the establishment); (c) date of coverage; (d) number of branches of establishment along-with primary branch address; and (e) details of regional office. The Direction mandates compliance within 15 (fifteen) days of its issuance date. Failure to comply would subject the concerned establishment to legal action under provisions of the EPF Act and schemes formulated thereunder.

As a response to an application submitted under the Right to Information Act, 2005 on November 10, 2025, seeking clarification on whether the display requirement extended to all offices of an establishment, the EPFO clarified on December 12, 2025, that the aforementioned extract has to be displayed at the registered office/head office as well as all branch offices of covered establishments.

#### Ministry of Labour and Employment introduces the Employees’ Enrolment Campaign, 2025

The Ministry of Labour and Employment (“**MoLE**”) has introduced the Employees’ Provident Funds (Amendment) Scheme, 2025 (“**Amendment Scheme**”), through a notification dated October 10, 2025, amending the Employees’ Provident Funds Scheme, 1952 (“**EPF Scheme**”). The Amendment Scheme inserts paragraph 86B which discusses various provisions of the Employees’ Enrolment Campaign, 2025. The Amendment Scheme is a continued effort (*a previous edition was successfully completed in 2017*) of the MoLE to encourage enrolment of eligible employees under social security framework prescribed under the EPF Act and schemes framed thereunder. All employers who secure

registration or declare new employees under the Amendment Scheme will thereby become eligible to avail benefits under the *Pradhan Mantri-Viksit Bharat Rojgar Yojana*, subject to certain terms and conditions.

Key take-aways of the Amendment Scheme are as follows:

1. the Amendment Scheme came into force on November 1, 2025, and will cease to operate on April 30, 2026;
2. employers have the option to (a) register for coverage if they are not currently covered, and/or (b) register employees who are alive and were hired during the period between July 1, 2017, and October 31, 2025 ("Eligible Period"), and are currently employed but were previously not registered under the EPF Scheme, where relevant. These declarations must be submitted exclusively *via* the online platform made available by the EPFO;
3. for the abovementioned newly registered employees, compliance obligations will begin from the month in which the employer submits the declaration (*accepted only through portal of the EPFO*) under the Amendment Scheme, subject to a condition that no employee contributions were previously withheld and retained by the employer. Employers must remit all contributions dating back to each such employee's joining date as stated in the declaration but will solely be responsible for remitting the employer share of the contributions, together with applicable interest for the retroactive period and administrative fees, as applicable. The employees' share for the Eligible Period will be waived, provided the quantum has not already been deducted by employer;
4. all employers intending to avail benefits under the Amendment Scheme should create a face authentication technology-authenticated Universal Account Number through Unified Mobile Application for New-age Governance (UMANG) application for each of the employees declared under the Amendment Scheme and remit contributions through an electronic challan-cum-return along with payment of lump-sum penal damages of INR 100 (Indian Rupees one hundred);
5. all covered establishments under the EPF Act are qualified to enrol under the Amendment Scheme irrespective of whether they are subject to ongoing inquiries under Section 7A of the EPF Act or under paragraph 26B of the EPF Scheme or under paragraph 8 of the Employees' Pension Scheme, 1995. If the declaration pertains to the period of inquiry, then benefits under the Amendment Scheme will be limited to notional damages for defaults committed in respect of eligible employees. Concluded assessments of inquiries under aforementioned provisions will not be considered under Amendment Scheme for limiting damages to a fixed and nominal penalty; and
6. the EPFO will not undertake *suo moto* compliance action against those establishments who avail benefits under the Amendment Scheme with respect to those employees who were employed during the Eligible Period but who have exited the organisation as on the date of declaration, provided an undertaking is submitted wherein – (a) all existing and eligible employees have been declared, and (b) no amount regarding existing or exited employees' contributions which was previously deducted from their salaries is pending deposit with the EPFO.

## Legislative updates

### Labour Codes notified to be in effect from November 21, 2025

The MoLE, Government of India has on November 21, 2025, notified the Labour Codes—effective the same day. While the Labour Codes have come into force, the implementation of certain provisions will be phased i.e. provisions having dependency on Central and/or State rules are likely to be implemented and enforced with effect from the date on which such rules or their related provisions are notified. Notification of the Labour Codes marks a significant step in simplifying and consolidating India's labour law framework by subsuming 29 (twenty-nine) existing statutes into a single cohesive structure.

The Labour Codes introduce several transformative measures aimed at improving compliance and worker welfare. Notable reforms include a uniform definition of 'wages', mandatory issuance of appointment letters, timely payment of wages, and expanded social security coverage for gig workers, platform workers, and fixed-term employees.

Employers may benefit from reduced compliance burdens through a single registration structure, licensing, and return system, replacing multiple filings. These changes are designed to enhance ease of doing business, promote employment generation, and ensure comprehensive wage and social security protections for all categories of workers.

Key worker-centric provisions include annual health check-ups for eligible employees, gender-neutral pay and job opportunities, equal opportunities for women to work in all establishments including night shifts (*subject to certain safety measures, etc.*). By simplifying compliance, enhancing penalties and streamlining enforcement, the Labour Codes aim to foster transparency, job security, and improved working conditions across sectors. For a detailed analysis on the Labour Codes, please refer to the [JSA Prism of November 23, 2025](#).

On December 30, 2025, in exercise of powers conferred under applicable sections of each of the Labour Codes, the MoLE *via* gazette notifications (“**Notifications**”) released draft Central rules under each of the Labour Codes (“**Draft Rules**”), and has invited objections and suggestions from the public on the same. These Notifications are intended to be taken into consideration after expiry of a period of 30 (thirty) days (for the Central rules under Industrial Relations Code, 2020) and 45 (forty-five) days (for the Central rules under the remaining Labour Codes) from the date on which copies of the official gazette in which the Notifications are published are made available to the public.

## **Haryana Government releases notification permitting engagement of female workforce in night shifts in factories and establishments**

The State Government of Haryana, through a notification dated October 8, 2025, permitted engagement of female contract workers during night shift between 7:00 PM to 6:00 AM in factories and between 8:00 PM to 6:00 AM in shops and commercial establishments. Employers may apply online through prescribed portal for an exemption from Rule 25 (ix) of the Haryana Contract Labour (Regulation and Abolition) Rules, 1975 (*which prescribes that female contract labour cannot be engaged during the night shift between the hours of 7:00 PM and 6:00 AM*), within 2 (two) weeks of start of night shift and the exemption status will be notified in auto mode pursuant to self-certification. This exemption is subject to conditions outlined for factories, in the notification dated July 4, 2025, published by the State Government of Haryana, that must be complied with by employers while engaging female contract labour in factories. Validity of the exemption is for a period of 1 (one) year from the notification issuance date.

Additionally, *vide* notification dated October 13, 2025, the State Government of Haryana has issued a list of guidelines to be complied with by employers for engaging female workers (including female contract labour) during night shifts in establishments. The list of guidelines include, among others, the following conditions: (a) obtaining consent of the female worker in writing to undertake work during night shift, (b) institution of adequate security and safe transport facilities including drop-off and pick-up of female workers in the manner prescribed, (c) maintenance of CCTV facilities in all areas of the establishment where the concerned worker may move in the course of night shift, (d) adherence to provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (“**POSH Act**”), (e) setting up adequate medical facilities through tie-ups with nearby hospitals to meet any medical emergencies that may arise, along with display of emergency numbers for hospitals, ambulances *etc.*, at all prominent places in the establishment, and (f) provision of boarding and lodging facilities exclusively for female workers. Similar guidelines are prescribed for engagement of female contract labour in factories as well.

## **Government of Delhi amends exemption provisions under its Shops and Establishments Act**

On November 24, 2025, the Labour department of the Government of the National Capital Territory of Delhi (“**Delhi Government**”) issued a notification<sup>1</sup> superseding its earlier notification dated August 7, 2025, amending conditions applicable to exemptions granted under Sections 14, 15, and 16 of the Delhi Shops & Establishments Act, 1954 (“**Delhi**

<sup>1</sup> Notification No. 28/Addl.LC/Exemp./S&E,Act/2021/4304-4310

**S&E Act**"). These provisions relate to employment of women during night shifts, opening and closing hours of establishments, and weekly closing days. The amendment seeks to balance operational flexibility for businesses with enhanced safeguards for employees.

Under the amended conditions, employers intending to engage women employees in night shifts must obtain their written consent for work between 9:00 PM and 7:00 AM during the summer season and between 8:00 PM and 8:00 AM during the winter season. Employers are mandated to ensure safe working conditions, which include installation of CCTV cameras, provision of secure transportation between workplace and home, and availability of separate restrooms, washrooms, and lockers. Additionally, establishments must comply with the provisions of the POSH Act, as amended from time to time.

These amendments under the revised notification reinforce the Delhi Government's commitment to promoting gender inclusivity while safeguarding employee welfare. While the exemptions under Sections 14, 15, and 16 of the Delhi S&E Act enable businesses to operate with greater flexibility, compliance with the prescribed safety conditions is mandatory. Employers must review their internal policies and infrastructure to ensure adherence to these requirements before availing the exemptions.

### **Government of Haryana introduces amendment to its Shops and Establishments Act; enhances coverage, worker protections, digital compliance, etc.**

On November 11, 2025, the Governor of Haryana promulgated the Haryana Shops and Commercial Establishments (Amendment) Ordinance, 2025 ("Ordinance"), which came into effect on November 12, 2025. The Ordinance significantly revised the Haryana Shops and Commercial Establishments Act, 1958 ("Haryana S&E Act"), with a focus on expanding coverage, digitising compliance, promoting ease of doing business and strengthening worker protections. On December 18, 2025, the Governor of Haryana published the bill for Haryana Shops and Commercial Establishments (Amendment) Act, 2025 ("Haryana S&E Bill"), which repealed the Ordinance and is deemed to come into effect on November 12, 2025.

The Haryana S&E Bill introduces a tiered compliance framework: establishments employing 20 (twenty) or more workers remain subject to all provisions of the Haryana S&E Act, while establishments with less than 20 (twenty) workers will need to only submit an online intimation of commencement of business. Establishments employing 20 (twenty) or more workers are required to register their establishments online within 1 (one) month of commencing operations, and any updates in particulars are to be reported within 7 (seven) days of such change. Working-hour norms have been liberalised, increasing daily limits from 9 (nine) hours to 10 (ten) hours, increasing continuous work after which an interval for rest is to be provided from 5 (five) hours to 6 (six) hours, and expanding overtime limits from 50 (fifty) hours to 156 (one hundred and fifty-six) hours per quarter. Employers of covered establishments must issue appointment letters with photographs and identity cards to all employees, and penalties for non-compliance have been substantially increased, with fines ranging from INR 3,000 (Indian Rupees three thousand) to INR 10,000 (Indian Rupees ten thousand) for first offences and higher penalties for repeat violations. Employers are required to review their working-hour policies to ensure compliance with the revised norms, particularly in light of overtime implications in accordance with stipulations under the Labour Codes.

### **Government of Karnataka introduces Menstrual Leave Policy**

Government of Karnataka, through government order dated November 12, 2025 ("Order"), has introduced the Menstrual Leave Policy ("Policy"), under which, female employees are granted 1 (one) day of paid menstrual leave per month in a calendar year. The Policy applies to establishments governed by the Factories Act, 1948, the Karnataka Shops and Commercial Establishments Act, 1961, the Plantations Labour Act, 1951, the Beedi and Cigar Workers Act, 1966, and the Motor Transport Workers Act, 1961 and covers women employees aged 18 (eighteen) to 52 (fifty-two) years, whether permanent, contractual, or outsourced.

Eligible employees can avail 1 (one) day menstrual leave each month without furnishing a medical certificate, however the leave must be utilised within the same month and cannot be carried forward. The Policy aims to enhance health, efficiency, and morale of women employees during their menstrual cycle, and follows recommendations from an expert committee comprising government officials, industry representatives, medical professionals, and social organisations, and was approved by the Karnataka State cabinet.

The Order has been challenged through writ petitions filed by Management of Avirata AFL Connectivity Systems Ltd.<sup>2</sup> and Bangalore Hotels Association<sup>3</sup> before the Karnataka High Court. The petitioners have challenged legality of the Order and have argued that the Karnataka Government lacks legislative authority to mandate menstrual leave *via* an executive order without amending relevant statutes. The petitioners have also contended that the Order was issued without stakeholder consultation, violates principles of natural justice, and imposes additional financial burdens on employers. Initially, the Karnataka High Court granted an interim stay on the Order on December 9, 2025, but later recalled the stay at the Karnataka Government's request.

### **Government of Gujarat promulgates ordinance amending its Shops and Establishments Act and easing compliances**

The Governor of Gujarat, *vide* notification dated December 16, 2025, promulgated the Gujarat Shops and Establishments (Regulation of Employment and Conditions of Service) (Amendment) Ordinance, 2025 ("**2025 Ordinance**") with an intent to ease compliances under the Gujarat Shops and Establishments (Regulation of Employment and Conditions of Service) Act, 2019 ("**Gujarat S&E Act**") and promote ease of doing business in Gujarat.

For the period of operation of the 2025 Ordinance, the Gujarat S&E Act is intended to remain operational along with the amendments introduced *via* the 2025 Ordinance, which aims to reduce certain regulatory burden for shops and establishments in the State by (a) increasing applicability threshold of the Gujarat S&E Act and rules, (b) easing business hours and overtime limits, and (c) strengthening existing safeguards for women to work at night. For a detailed analysis on the on the 2025 Ordinance, please refer to the [JSA Prism of December 30, 2025](#).

### **Government of Rajasthan promulgates ordinance amending its Shops and Establishments Act**

The Governor of Rajasthan, *vide* notification no. F.4(4) Vidhi/2/2025 dated December 18, 2025, promulgated the Rajasthan Shops and Commercial Establishments (Amendment) Ordinance, 2025 ("**Rajasthan Ordinance**") to amend the Rajasthan Shops and Commercial Establishments Act, 1958. Through the Rajasthan Ordinance, the minimum age of apprentices has been increased from 12 (twelve) years to 14 (fourteen) years. Further, the Rajasthan Ordinance bans employment of children below the age of 14 (fourteen) years in any shop or commercial establishment, to prevent child labour. Adolescent children between the ages of 14 (fourteen) years to 18 (eighteen) years, are prohibited from working at night. Earlier, this prohibition only applied to children between the ages of 12 (twelve) years to 15 (fifteen) years.

The Rajasthan Ordinance increased the daily working hour limits from 9 (nine) hours to 10 (ten) hours, and the maximum period of continuous work after which a break has to be provided has been increased to 6 hours from the previous 5 (five) hours. The quarterly overtime limits have been raised to 144 (one hundred and forty-four) hours from the previous limit of 50 (fifty) hours, thereby causing a major shift in allowing for extended overtime work in case of business exigencies. The Rajasthan Ordinance is temporary in nature and will cease to operate upon expiration

<sup>2</sup> Writ Petition no. WP 37122/2025

<sup>3</sup> Writ Petition no. WP 36659/2025

of 6 (six) weeks from the date on which the Rajasthan Legislative Assembly reassembles unless it is earlier withdrawn or is replaced with an amendment by the Rajasthan Legislature within this period.

## Case law ratios

### Supreme Court holds that complainants under POSH Act can approach internal committee of their own workplace to lodge complaints against an employee of different workplace

On December 10, 2025, a Division Bench of the Hon'ble Supreme Court of India ("Supreme Court") in *Dr. Sohail Malik vs. Union of India and Anr*<sup>4</sup> held that a woman can approach the Internal Committee ("IC") constituted under the POSH Act of her own workplace even if the alleged respondent is employed in a different organisation or department. The present case involved 2 (two) central government employees – the aggrieved woman, who was a senior officer in the Indian Administrative Service, who at the relevant time was posted as Joint Secretary, Department of Food and Public Distribution, New Delhi, and the respondent, who was an officer in the Indian Revenue Service working as an Officer on Special Duty, Investigation, Central Board of Direct Taxes, New Delhi. Both persons were employed in different government departments.

The aggrieved woman alleged that on May 15, 2023, the respondent sexually harassed her at her workplace, following which she filed a complaint of sexual harassment with the IC constituted by her workplace, i.e. the Department of Food and Public Distribution, on May 24, 2023. When the aggrieved woman's IC summoned the respondent, he challenged the jurisdiction of the IC at the Central Administrative Tribunal, and subsequently with the Delhi High Court. Upon rejection of his jurisdictional challenge at both forums, he appealed to the Supreme Court in the present case. The principal issue before the Supreme Court was whether the IC of the aggrieved woman's workplace could conduct an inquiry when the respondent employee belonged to another organisation or department, or whether jurisdiction was confined only to the IC of the respondent's own workplace. The respondent argued that Section 11 of the POSH Act contemplated inquiry only by the IC of the respondent's employer.

The Supreme Court analysed the meaning of the phrase "*where the respondent is an employee*" in Section 11(1) of the POSH Act and rejected that "*where*" refers to a physical place or departmental jurisdiction. The Supreme Court held that "*where*" operates as a conditional conjunction—similar to "if" or "in that case". It is merely a procedural trigger instructing the IC to apply the service rules applicable to the respondent, it is not a jurisdictional constraint limiting a particular IC to hear the complaint.

The Supreme Court also held that the term "workplace" under Section 2(o) of the POSH Act is to be interpreted expansively, encompassing any place visited by an employee in the course of, or arising out of, employment. The Supreme Court while dismissing the appeal, concluded that the IC of the aggrieved woman's workplace is empowered to undertake the fact-finding inquiry under the POSH Act, emphasising that the statutory definition does not require the respondent to be employed at the same workplace as the aggrieved woman. The Supreme Court further explained that the implementation of disciplinary action—where the respondent is governed by separate service rules—may be carried out by the respondent's employer based on the IC's report.

### Bombay High Court rules that a presiding officer's seniority over respondent is not essential

In *Dr Shyam Bihari vs. Nuclear Power Corporation of India Limited and Others*<sup>5</sup>, the Bombay High Court ("Bombay HC") ruled that the presiding officer of an IC constituted under the POSH Act need not possess seniority over the respondent against whom the complaint of sexual harassment has been filed. In the present case, the petitioner was

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<sup>4</sup> 2025 INSC 1415

<sup>5</sup> Writ Petition no. 11696 of 2025.

accused of sexually harassing the aggrieved woman while conducting her medical examination. Consequently, the IC of the concerned establishment took cognisance of the matter to inquire into allegations of sexual harassment. Pursuant to conclusion of the inquiry in which the petitioner had participated and the subsequent issuance of an adverse inquiry report, the petitioner contended that the IC constitution was not in compliance with provisions of the POSH Act, stating that (a) the presiding officer was not senior to the petitioner as per Section 4(2)(a) of the POSH Act (*which prescribes that the IC should be headed by a presiding officer who is a woman employed at a senior level in the organisation*); and (b) the IC did not include a member from a non-governmental organisation or association committed to the cause of women or any person familiar with the issues of sexual harassment, as required by Section 4(2)(c) of the POSH Act, as the person appointed in such position reported to the petitioner's employer.

The Bombay HC noted that the petitioner did not raise any objections during the inquiry proceedings and only raised them after around 9 (nine) months, when he received an unfavourable report after acquiescing to the inquiry. Further, by applying the literal rule of interpretation, the Bombay HC found no ambiguity in Section 4(2)(a) and stated that it does not specify that the presiding officer of the IC must be senior to the petitioner, rather it only prescribes appointment of a senior woman employee in the IC. The Bombay HC also negated the other contention, stating that the external member was a consultant engaged with the petitioner's employer and not an employee and therefore, her appointment was in compliance with applicable law. The Bombay HC therefore upheld the constitution of the IC as well as validity of the IC report while dismissing the writ petition.

### **Bombay HC rules that dismissed employee is estopped from challenging dismissal following acceptance of full and final settlement**

In ***Suprabhat Lala vs. National Stock Exchanges Limited and Others***<sup>6</sup>, the Bombay HC ruled that a dismissed employee cannot challenge his dismissal pursuant to settling and accepting all final dues in accordance with contract and applicable law. In the present case, a dismissed employee challenged his termination on grounds that it was illegal, unfair, arbitrary and in violation of his constitutional rights, and pleaded the Bombay HC to undertake a judicial review of the matter under Article 226 of the Constitution of India. The petitioner sought reinstatement in his original post, along with continuity of service with consequential benefits and full back wages.

The facts state that the petitioner was terminated from his services on July 24, 2023, in accordance with terms of his appointment letter, on account of redundancy of his role as a consequence of business restructuring. Clause 11 of his appointment letter provided that petitioner's services can be terminated at three months' notice on either side or equivalent pay in lieu thereof. Accordingly, he was paid salary in lieu of his notice period, along with gratuity and other emoluments, which was accepted by the petitioner.

Considering the petitioner had proceeded through a writ petition, requesting the court to issue a writ of mandamus to quash the termination order, Bombay HC at the outset ruled on its jurisdiction to hear the matter. Bombay HC opined that this was a purely contractual matter without a modicum of public law element involved, as contractual and commercial obligations are enforceable by ordinary civil action and not by judicial review under Article 226 of the Constitution of India. Further, Bombay HC held that employment contracts generally cannot be enforced through writ petitions, as they are contracts of service and can only be enforced where there exists an aspect of public law to be infringed. Additionally, Bombay HC observed that the petitioner had already accepted the full and final settlement amount that was paid to him following termination of his employment without any protest, and at this juncture, he cannot proceed to challenge the termination without basis.

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<sup>6</sup> Writ Petition no. 4018 of 2024.

## Delhi High Court upholds EPF applicability to, and mandatory contributions for international workers

On November 4, 2025, a Division Bench of the Delhi High Court in ***Spice Jet Limited vs. Union of India***<sup>7</sup> and ***LG Electronics India Pvt. Ltd. vs. Union of India***<sup>8</sup> upheld validity of two key notifications issued by the EPFO in 2008<sup>9</sup> and 2010<sup>10</sup> (“Notifications”), which introduced and later modified Paragraph 83 of the EPF Scheme under the EPF Act. These notifications mandate that international workers (“IWs”) employed in India must become EPFO members and contribute on their full monthly pay, without being subject to the wage ceiling of INR 15,000 (Indian Rupees fifteen thousand) applicable to domestic employees.

The petitioners challenged and sought quashing of the Notifications on two grounds:

1. violation of Article 14 of the Constitution of India – Requiring IWs to contribute to the EPFO irrespective of their income, while domestic employees contribute only if earning up to INR 15,000 (Indian Rupees fifteen thousand), was discriminatory; and
2. withdrawal restrictions – It was contended that limiting withdrawal of employee provident fund (EPF) contributions until retirement at the age of 58 (fifty-eight) was arbitrary, given that IWs typically work in India for short durations (2–5 (two - five) years).

The Delhi High Court held that equality under Article 14 of the Constitution of India applies to persons similarly situated. IWs form a distinct class due to shorter employment tenures, reciprocal social security arrangements under bilateral social security agreements, and absence of long-term economic dependence on Indian retirement benefits. Further, the Delhi High Court upheld paragraph 69 of the EPF Scheme, which permits withdrawal only upon retirement or in limited circumstances for the reason that the EPF is designed for long-term retirement security, not short-term liquidity, and the exceptions provided are adequate.

Accordingly, the writ petitions were dismissed, the Notifications were declared constitutionally valid, and EPFO enforcement actions, including demand notices, were sustained. The present judgment aligns with the Bombay High

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<sup>7</sup> Writ Petition no. W.P.(C) 2941/2012

<sup>8</sup> Writ Petition no. W.P.(C) 6330/2021 & CM APPL. 19949/2021

<sup>9</sup> Notification bearing number GSR 706(E) dated October 1, 2008

<sup>10</sup> Notification bearing number GSR 148 dated September 3, 2010

## Employment Practice

JSA has a team of experienced employment law specialists who work with clients from a wide range of sectors, to tackle local and cross-border, contentious and non-contentious employment law issues. Our key areas of advice include (a) advising on boardroom disputes including issues with directors, both executive and non-executive; (b) providing support for business restructuring and turnaround transactions, addressing employment and labour aspects of a deal, to minimize associated risks and ensure legal compliance; (c) providing transaction support with reference to employment law aspects of all corporate finance transactions, including the transfer of undertakings, transfer of accumulated employee benefits of outgoing employees to a new employer, redundancies, and dismissals; (d) advising on compliance and investigations, including creating compliance programs and policy, compliance evaluation assessment, procedure development and providing support for conducting internal investigations into alleged wrongful conduct; (e) designing, documenting, reviewing, and operating all types of employee benefit plans and arrangements, including incentive, bonus and severance programs; and (f) advising on international employment issues, including immigration, residency, social security benefits, taxation issues, Indian laws applicable to spouses and children of expatriates, and other legal requirements that arise when sending employees to India and recruiting from India, including body shopping situations. JSA also has significant experience in assisting employers to ensure that they provide focused and proactive counselling to comply with the obligations placed on employees under the prevention of sexual harassment regime in India. We advise and assist clients in cases involving sexual harassment at the workplace, intra-office consensual relationships, including drafting of prevention of sexual harassment (POSH) policies, participating in POSH proceedings, conducting training for employees as well as Internal Complaints Committee members, and acting as external members of POSH Committees.

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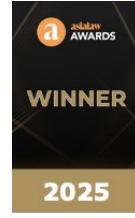


19 Practices and  
40 Ranked Lawyers

7 Ranked Practices,  
21 Ranked Lawyers

14 Practices and  
12 Ranked Lawyers

13 Practices and  
49 Ranked Lawyers



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