



Leave Policy

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1. Distribution List

Issued to all employees of Capgemini (including its subsidiaries and affiliates) in India (collectively referred to as “Capgemini” solely for the purposes of this document).

2. Version History

Version	Date	Description
1.0	1-Jan-2016	Initial Release post integration
2.0	1-Dec-2016	Consolidated policy in India.
3.0	27-Jun-2017	Adoption leave eligibility updated as per statute PL & Adoption leave bucket to apply in system changed from 180 to 3 months LWP – excluded public holiday

3. Objective

The objective of this document is to provide guidelines on the Leave Policy and outline the associated processes.

4. Scope

The policy will be applicable to all employees of Capgemini.

5. Policy details and Guidelines

5.1. Definitions:

“Year” - For the purpose of this policy, it shall mean the calendar year (i.e. January to December).

5.2. Leave category and number of days available under each category

Sr. No.	Type of Leave	No. of days*
1	Privilege Leave	22 working days credited on pro-rata basis as per date of joining.
2	Maternity Leave	184 Calendar days (up to 2 children) 90 Calendar days (beyond 2 surviving children)
3	Miscarriage Leave	45 days - Calendar days
4	Paternity Leave	5 working days.
5	Leave for Adoption	A woman who legally adopts a child below the age of three (3) months or a commissioning mother shall be entitled to maternity benefit for a period of ninety (90) Calendar days from the date the child is handed over to the adopting mother or the commissioning mother, as the case may be. Women employees who adopt a child - sixty (60) calendar days if the child adopted is below one (1) year and above three (3) months of age and thirty (30) calendar days of leave if the child adopted is above one (1) year of age. Male employees who adopt a child - 5 working days
6	Bereavement Leave	5 Continuous Working days
7	Leave without pay	Case to case basis

* This is subject to change depending on a change in law.

5.3. Application of leave

Employees are required to apply for leave on the Leave Management System (LMS). Any employee whilst on leave is prohibited to take up any alternative employment.

5.4. Privilege Leave (PL)

Eligibility

Leave is calculated from the date of joining on a pro-rata basis.

Accrual process

Every month, 2 privilege leaves get accrued in the employee's leave balance except for the months of June and December, where only 1 leave is accrued.

Employees joining after 15th of the month will have 1 day of leave accrual for that particular month except for the months of June and December; where, no leave accrual will happen.

The leave cycle is from January to December.

Leave will be accrued in the first week of the month.

An employee can apply for 5 days' leave advance (leave overdrawn**) even if the accrued leaves are zero. The leaves so availed will be adjusted against the leaves credited in the following months. Employees on notice period are not eligible for 5 days advance leave benefit.

***Advance leave is at the discretion of the Company and will be granted on a case to case basis. Salary will not be deducted in cases where advance leave is granted and an adjustment is being made with subsequent leave credit.*

Leave Carry Forward and accumulation

At the end of each calendar year, the unutilized balance of that year's accrued leave - up to maximum of 15 working days - will be carried forward to the following year. Any additional balance over 15 days will lapse. Such carry forward over consecutive years can continue until employees accumulate a maximum of 30 working days of leave. There would be no further accumulation beyond 30 days and any unutilized leave balance at year end (after 30 days of accumulation) would lapse.

Example:

- i. Assume in the first year an employee has accrued 22 days of leave and has used 9 days; The remaining 13 days would be carried over to the second year; If the same process were to happen in the second year, the employee would carry forward 26 (13 + 13) days of accumulated leave into the third year. Assuming the same process for the third year, the employee would carry an additional 4 days (out of the unused 13 days) i.e. a total of 26+4 = 30 days accumulated leave, into the fourth year. 9 days of unused leave from the third year's balance would lapse.*
- ii. Assume in the first year an employee has accrued 22 days of leave and has used 5 days; Of the remaining 17 days 15 would be carried over to the second year and 2 would lapse; If the same process were to happen in the second year, the employee would carry forward 30 (15 + 15) days of accumulated leave into the third year. If the same process repeats for the third year, the employee would carry forward 0 days (out of the unused 17 days) i.e. a total of 30 + 0 = 30 days accumulated leave, into the fourth year. 17 days of unused leave from the third year's balance would lapse.*

Application of advance leaves

Treatment of the balances for leaves applied for next calendar year:

Employees are allowed to apply for leave in advance including leave for the subsequent year. However the carry forward of accumulated leave (into the subsequent year) at the Year-end would be done as illustrated by these examples.

Example 1

- *Leave balance at the end of 2016 - 38 days*
- *Balance allowed to be carried forward on 1st Jan 2017 - 30 days*
- *Leave applied / approved in 2016 for 2017 - 8 days*
- *Leave balance as on 1st Jan 2017 would be - 30 days minus 8 days i.e. 22 days*

Example 2

- *Leave balance at the end of 2016 - 21 days*
- *Balance allowed to be carried forward on 1st Jan 2017 - 21 days*

- *Leave applied / approved in 2016 for 2017 - 8 days*
- *Leave balance as on 1st Jan 2017 would be - 21 days minus 8 days i.e. 13 days*

Leave Encashment

Only Privilege Leave is encashable. Encashment is allowed only at the time of cessation of employment up to a maximum of 30 days. No other leave is en-cashable. Any balance over and above 30 days will lapse.

The encashment shall be made on Total Base Compensation. Total Base Compensation is defined as:

Total Fixed Pay *minus* Company contribution towards PF & ESI and Gratuity

Payout per day will be calculated based on calendar days in the year. Leave encashment is paid along with Full and Final settlement.

Intervening Public Holiday and Weekends during leave period

All intervening Weekend and Public Holidays during the Privilege Leave period shall not be counted as leave

Example - Leave applied from: Thursday to Monday.

No. of days counted as leave: 3 days i.e. Thursday, Friday and Monday.

Secondment/ Long Term/ Short Term

During the period of secondment, this Leave Policy will not be applicable to such employees who have been seconded to other Capgemini entities outside India. The same shall be made applicable to them upon their return to India.

The same rules of carry forward and accumulation shall apply.

Leaves during Notice Period

Any leave during notice period will be based on mutual understanding between the employee and supervisor / manager.

Leave Application

Privilege leave is to be applied under PL Category. Employees are required to apply for leave before proceeding on leave. LMS system will not allow employees to apply leaves which are backdated beyond 3 months. 3 months to be read as current month plus past 2 months as per the accrued balance (on the date of application) of the employee in LMS.

Example: If the employee has availed leave in June, it should be applied in system before end of August. In September system will not allow to backdate and apply leave for June month.

Approval

The defined Leave Approver

5.5. Maternity Leave

Women employees of Capgemini are eligible for the following benefits in line with the Maternity Benefits Act, 1961.***

Eligibility

Women employees are entitled to a maximum of 184 days of paid maternity leave of which not more than 56 days can precede the date of delivery/ expected delivery.

Maternity leave shall be granted only when a woman employee has worked in the organization for at least 80 days in the twelve months immediately preceding the date of expected delivery.

Please note that if the woman employee already has 2 or more surviving children then she shall be entitled to a maximum period of 90 days of paid maternity leave of which not more than 45 days shall precede the date of expected delivery.

Intervening Public Holidays and Weekends during leave period

All intervening Weekends and Public Holidays during the maternity leave period shall be counted as leave.

Leave Application

This leave is to be applied under maternity leave up to a maximum of 184 days on LMS. Duly filled Form 2, as available with HR must be attached with the Leave Application.

Medical Bonus:

Employees proceeding on maternity leave are also eligible for a Medical Bonus of INR 3,500/-**, upon submission of following physical documents within stipulated time Location HR Shared Services team:

- Form 3, which is available with HR must be duly attested by the treating doctor.
- Copy of child's Birth Certificate issued by Municipal Corporation or Appropriate Govt. authority

*** and/ or as amended from time to time.

5.6. Miscarriage Leave or Leave for Medical Termination of Pregnancy

Eligibility

In case of miscarriage or medical termination of pregnancy, the concerned employee shall be entitled to leave of up to a maximum of 45 calendar days with pay from the day of such an event.

Miscarriage date cannot be a future date.

Intervening Public Holidays and Weekends during the leave period

All intervening Weekends and Public Holidays during the leave period will be counted as leave.

Leave Application

This leave is to be applied under miscarriage leave up to a maximum of 45 calendar days on LMS.

Employee needs to submit Doctor's certificate while applying for leave.

5.7. Paternity Leave

Eligibility

Male employees are entitled to five (5) working days leave at the time of the birth of a child, which should be availed within a period of six months from the date of birth of the new born.

The leave cannot be utilized in parts and will automatically lapse after 6 months from the date of birth of new born.

Paternity leave can be applied for a maximum of two times in the entire tenure of employment.

Paternity leave cannot be availed for future dates. The child's date of birth cannot be a future date; it has to be a current date or past date. It is recommended to upload either of the documents while applying for leave – Doctor's Certificate / Discharge Certificate / Birth Certificate.

Leave Application

This leave is to be applied under Paternity leave up to a maximum of 5 days on LMS.

5.8. Adoption Leave

Eligibility

In case of legal adoption of a child

- A woman who legally adopts a child below the age of three (3) months or a commissioning mother shall be entitled to maternity benefit for a period of ninety (90) Calendar days from the date the child is handed over to the adopting mother or the commissioning mother, as the case may be.
- Women employees will be entitled to sixty (60) calendar days of paid leave if the child is below one year of age and to thirty (30) calendar days of paid leave if the child is above one year of age.
- Male employees will be entitled to five (5) working days of paid leave.

LMS system will not allow employees to apply leaves which are backdated beyond 3 months. 3 months to be read as current month plus past 2 months as per the accrued balance (on the date of application) of the employee in LMS.

Example: If the employee has availed adoption leave in June, it should be applied in system before end of August. In September system will not allow to backdate and apply leave for June month.

Intervening Public Holidays and Weekends during the leave period

All the Weekends and Public Holidays falling during the leave period shall be counted.

Leave Application

Legal documents of adoption should be uploaded in LMS while applying for leave.

5.9. Bereavement Leave

In the event of any death in the employee's immediate family, the employee may be granted five working days of bereavement leave.

Immediate family is defined as parents, spouse, children, siblings, spouse's parents and siblings.

If the employee is not at his/ her Capgemini base location but at a client site when such bereavement occurs in his/ her immediate family, the Company shall pay for the entire airfare from client location to his / her Capgemini base location.

How to claim the travel fare

The ticket should be booked through Travel Desk. Exception if any to the process, due to emergency situation, should be best prior approved in writing by Travel Desk. Employee to ensure that he/ she retains Air Ticket, Boarding Pass, Copy of Death Certificate of family member. The cost needs to be booked on the employees' respective BU cost code.

Bereavement Leave should be taken within 10 days of the incident and should be taken at a stretch.

Bereavement date cannot be a future date.

5.10. Leave without Pay

Any leave applied for in excess of the existing leave balance of the employee will be deemed as Leave without Pay (LWP) i.e. LWP can only be applied against zero balance of PL.

Calculation of LWP

For the purpose of calculation of LWP, all the intervening and succeeding weekend days excluding public holidays will be counted as LWP.

e.g. If LWP is applied from Thursday to Monday, and following Tuesday is a public holiday the days counted as leave would be Thursday, Friday Saturday, Sunday & Monday totaling to five (5) days.

LWP is calculated on your Total Cash Compensation (TCC)[#].

PF and Bonus amount will be deducted proportionally.

PL Accrual during LWP

For employees who are on LWP for more than 15 days in a month, there would not be any leave accrued to them in the subsequent month.

For employees who are on LWP for more than 5 days and less than 15 days, there would be only 1 leave accrued to their leave balance in the subsequent month, except for June & December where there would be no Leave accrued.

For employees who are on LWP for less than 5 days, there would be regular PL accrual.

Approval

LWP is not an entitlement and will be granted for a reasonable period only in exceptional situations on the recommendation of the immediate superior.

Any LWP exceeding 30 days is to be additionally approved on mail by the BU Head.

LWP should be applied for within a maximum period of 90 days from the date of availing such leave or for availing it within a maximum period of 90 days from the current date

5.11. Unauthorized Absence (UA)

Unauthorized Absence is not a form of leave. It is an absence which has not been authorized by the immediate supervisor of the employee and is treated as breach of discipline and may lead to initiation of disciplinary action against the employee.

In case an employee does not report to work for more than 3 consecutive days without any intimation/ communication, his/her manager must apply for UA for the employee in the leave management system till such time the employee resumes work.

Calculation of UA

For the purpose of calculation of UA, all the intervening, preceding and succeeding weekend days and public holidays will be counted as UA.

e.g. If UA is applied from Thursday to Monday, the days counted as leave would be Thursday, Friday Saturday, Sunday and Monday, adding to five (5) days.

For the purpose of payroll, UA is treated as "Leave Without Pay" i.e. no component of salary is payable for such days of absence.

PL Accrual during UA

For employees who are on UA for more than 15 days in a month, there would not be any leave accrued to them in the subsequent month.

For employees who are on UA for more than 5 days and less than 15 days, there would be only 1 leave accrued to their leave balance in the subsequent month, except for June & December where there would be no Leave accrued.

For employees who are on UA for less than 5 days, there would be regular PL accrual.

Approval

UA application beyond 90 days in the past or future is not permissible.

5.12. Holiday List

At the start of every Year, list of Public Holidays (as approved by the management) will be announced and uploaded on the Intranet and LMS.

Employees working in client sites will have to follow client's list of public holidays, as applicable and the same will be updated in LMS.

In some cases, depending on the project requirement, employees working out of Capgemini locations may also be required to follow client's holiday list.

5.13. Special Note

The concerned project manager/ BU Head/ SBU Head are responsible for controlling absences and should ensure that the time sheets accurately reflect all absences. The updated record is maintained on LMS.

5.14. Clubbing of Leaves

TYPE OF LEAVE	CLUBBING OF LEAVES							
	Privilege Leave	Maternity Leave	Miscarriage Leave	Paternity Leave	Leave for Adoption	Bereavement Leave	Relocation Leave	Leave Without Pay
Privilege Leave	*	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Maternity Leave	Yes	*	No	NA	NA	No	No	Yes
Miscarriage Leave	Yes	No	*	NA	NA	No	No	Yes
Paternity Leave	Yes	NA	NA	*	No	No	No	Yes
Leave for Adoption	Yes	NA	NA	No	*	No	No	Yes
Bereavement Leave	Yes	No	Yes	No	No	*	No	Yes
Relocation Leave	Yes	No	No	No	No	No	*	Yes
Leave Without Pay	Yes	Yes	Yes	Yes	Yes	Yes	Yes	*

5.15. Auto approval of leaves

Any Leave not approved will be auto approved on the 15th day from the date of application or on 31st December, whichever is earlier.

6. Compensatory-Off

6.1. Introduction

In cases of business exigencies, employees may be required to work on Company holidays or weekly offs. This policy provides guidelines for compensating an alternate day off for those employees who work on such days. This policy will facilitate the grant, monitoring and provision of "Compensatory Off" (CO) (as applicable).

6.2. Scope

The policy is applicable to all employees of Capgemini except those who are required to follow the policy/ process set out by the respective project/ account.

6.3. Definition

- Compensatory off: Any such day that is provided to employees as an alternative day off for having worked on a Company holiday and/ or a weekly off.
- Company holiday: All such days as are pre-approved and published by Capgemini for a calendar year and includes Statutory holidays.
- Statutory holiday: All such days as are declared to be holidays under state specific laws as national holidays or public holidays.

6.4. Operating/ Business Guidelines

▪ Eligibility

- An employee will be eligible to avail a “CO” if the employee has worked on a weekly off or on a Company holiday for a duration of normal office hours i.e. 9 hours and 30 minutes, based on prior approval from the manager. For the avoidance of doubt, only in cases where employees are required to work on Statutory holidays, they will be entitled to benefits as entitled under applicable laws.
- No monetary value is attached to CO and it does not qualify for any encashment during service period or at the time of separation. Neither can it be carried forward to the next calendar year.
- CO will not be applicable for employees “working from home” on a weekly off and/ or Company holiday.
- CO will not be applicable against training (both internal and external training), Capgemini organized events (such as off-sites, meetings, team/ corporate events etc.) attended by employees on their weekly off and/ or Company holiday.

▪ Availing CO

CO shall be computed as under:

1. Employee has to apply for CO for the day he/she has worked on a weekly off/ public holiday by choosing the date worked. LMS system will check the in-out time (including regularized time for client location employees) and only then allow the employee to proceed with application.
2. CO will be computed based on normal office hours i.e. 9 hours and 30 minutes being put in by employees in office or while on deputation at client location in a single day, only on days considered as weekly off as per the roster and/ or Company Holiday.
3. Availing of CO must be planned and advance approval of Supervisor/ Project Manager must be obtained on LMS. It must be used only as one complete day and no half days are permissible.
4. Employees may combine the allotted CO with their PL. Further, CO can be prefixed or suffixed to weekly offs and/ or public holidays. However, at any given point of time, not more than 5 COs can be availed of consecutively.

▪ Accumulation of CO

- Accumulation of CO will be allowed till the calendar year end and no carry forward or encashment of CO shall be permitted. Therefore, employees cannot apply for a CO for a weekly off and/ or Company holiday worked in the previous calendar year^{##}.
- However, for weekly off and/ or Company holidays worked in the month of December of that calendar year, the CO must be availed off until 31-Jan of the subsequent year.

CO earned in 2016 cannot be applied in 2016 to be availed in 2017.

7. Management Rights

Capgemini reserves the right to amend this policy from time to time, without prior notice.