



# India Leave Policy

(V2.0)

## INDIA LEAVE POLICY (V2.0)

	Prepared By	Reviewed by	Approved By
Name	Aakriti Jain 767986	Shruthi Sridharan 366476	Shantanu Jha 866640
Date	Dec 9, 2020	Dec 11, 2020	Dec 11, 2020
Policy Owner	India HR Benefits		
Version History			
V 1.0	Introduction of India Leave Policy		
V 1.1	Annual review and process changes, if any, incorporated		
V 1.2	Changes incorporated in eligibility and approvals		
V 1.3	Clarification on leave policy, eligibility and accrual during onsite assignment and on onsite payroll		
V 1.4	Introduction of Four months of Paid Maternity leave. Removal of EML option & No documentation requirements to apply for MLOP MLOP can be availed for reasons of Child care after ML or before ML if medically warranted		
V 1.5	Introduction of Child Adoption leave for Men Introduction of ML entitlement for onsite returnees to India Payroll		
V 1.6	Extension of ML to 26 weeks as per the Maternity Amendment Act, 2017 Extension of Adoption leave to 84 days for women associates adopting a child whose age is less than 3 months Changes incorporated as part of the annual review.		
V 1.7	Introduction of commissioning leave as per the Maternity Benefit (Amendment) Act, 2017 Amendment to LOP guidelines		
V 1.8	Introduction of earned leave encashment benefit		
V 1.9	Introduction of Paternity Leave		
V 2.0	Amendment to EML and Miscarriage Leave guidelines, entitlements of EL / SL / CL Annual review of policy		

# Contents

- 1. Overview ..... 3
- 2. Scope ..... 3
- 3. Definitions..... 3
- 4. Eligibility ..... 3
- 5. Approvals..... 13
- 6. Procedure ..... 13
- 7. Responsibility Matrix..... 14
- 8. Exception Handling ..... 14

---

# India Leave Policy (V2.0)

## 1. Overview

- 1.1 The Leave policy enables Associates to avail time off from work in order to relax / recover from illness, maternity, or for personal reasons
  - 1.2 This version of the policy will be effective from January 1, 2021
- 

## 2. Scope

- 2.1 The policy applies to all associates, including trainees, on the payrolls of Cognizant India and its Indian affiliates
- 

## 3. Definitions

- 3.1 **Tubectomy:** Permanent surgical method of birth control for women
  - 3.2 **Commissioning mother:** Biological mother who uses her egg to create an embryo planted in any other woman
- 

## 4. Eligibility

As part of Cognizant's leave policy, Associates on India payroll are entitled to the following benefits:

### 4.1 National and Festival Holidays

Cognizant observes ten national holidays including festival holidays each year. The 4 national holidays are fixed and will be observed every year.

- 4.1.1 Republic Day
- 4.1.2 Independence Day
- 4.1.3 May Day
- 4.1.4 Gandhi Jayanthi

There are six regional holidays which are fixed for a year & may vary from one location to other. These are decided every year by the Location leadership team, in consultation with the respective Center Heads and should be in line with the regional Govt. notification.

**Note:** To view the holiday schedule for the year, navigate to *Holiday List in One Cognizant*

---

## 4.2 Earned Leave (EL)

- 4.2.1** Associates are entitled to 18 days of earned leave per year
- 4.2.2** Associates are entitled to 1.5 days of earned leave in a month, provided they are on Cognizant India payroll (or) have joined the organization, on or before 15<sup>th</sup> of the month
- 4.2.3** If an Associate joins the organization on or before 15<sup>th</sup> of a month, the respective leave credit would happen during the first week of subsequent month. For example, if an Associate has joined work on 13<sup>th</sup> of April, the Associate's earned leave will be credited during first week of May
- 4.2.4** If an Associate joins after the 15<sup>th</sup> of a month, there would not be any leave credit for that month. For example, if an Associate has joined work on 16<sup>th</sup> of April, the Associate will not be entitled to leave credit for the month of April

### 4.2.5 General Information

- 4.2.5.1** There will be no earned leave accrual when an Associate is on LOP / Job Abandonment for more than 15 days in a month. Below are few scenarios as an example:

From Date	To Date	Accrual
January 1	February 1	Earned Leave accrual will occur for February since the number of LOP days is less than 15 days
January 31	March 1	Earned Leave accrual will occur for January and March since the number of LOP days is less than 15 days in those months
January 16	March 15	Earned Leave accrual will not happen for January & February since LOP days is more than 15 days and accrual would be provided for March

- 4.2.5.2** Earned Leave will be accrued for an Associate on Notice Period
- 4.2.5.3** Earned Leave cannot be availed while on Notice Period
- 4.2.5.4** Associates can accumulate up to 18 days of Earned Leave in one calendar year
- 4.2.5.5** Any unused Earned Leave in the current year can be carried forward to the subsequent calendar year only, after which the leave lapses
- 4.2.5.6** Associates must raise a request for leave through the Enterprise Absence Management System (EAMS) at least a week prior to their vacation and obtain their Reporting Manager's approval

#### 4.2.6 Encashment of Earned Leave:

- 4.2.6.1** Encashment of Earned Leave will be applicable for the Associates who submit their resignation on / after 01-Jul-2018
- 4.2.6.2** Primary option is to adjust the Earned Leave balance against the notice period (NP) at the BU discretion. Earned Leave balance as on the date of resignation will be considered for this purpose
- 4.2.6.3** Remaining Earned Leave (EL) balance available as on the last working day (LWD), will be considered for encashment on the last drawn Basic pay
- 4.2.6.4** Notice period adjustment eligibility and sum eligible for encashment, based on the number of available Earned Leave (EL) balance at the time of separation:

Scenario	Eligibility for Notice period adjustment	Sum eligible for encashment
Earned Leave balance as on the date of resignation is $\geq 7$ days and earned leave balance (post NP adjustment) as on the LWD is $< 7$ days	Yes	$[(\text{No. of available EL as on LWD} \times 7/5) - (\text{EL adjusted in NP})] \times [\text{Last drawn Basic} / 365]$
Earned Leave balance as on the date of resignation is $< 7$ days and earned leave balance (post NP adjustment) as on the LWD is $\geq 7$ days	Yes	$[(\text{No. of available EL as on LWD} \times 7/5) - (\text{EL adjusted in NP})] \times [\text{Last drawn Basic} / 365]$
Earned Leave balance as on the date of resignation is $\geq 7$ days and earned leave balance (post NP adjustment) as on the LWD is $\geq 7$ days	Yes	$[(\text{No. of available EL as on LWD} \times 7/5) - (\text{EL adjusted in NP})] \times [\text{Last drawn Basic} / 365]$
Earned Leave balance as on the date of resignation is $< 7$ days and earned leave balance (post NP adjustment) as on the LWD is $< 7$ days	Yes	$[\text{No. of available EL post adjusting with the NP as on the LWD}] \times [\text{Last drawn Basic} / 365]$
Zero Earned Leave balance as on the date of resignation	No	$[\text{No. of available EL as on the LWD}] \times [\text{Last drawn Basic} / 365]$

- 4.2.6.5** Encashment of leave will be processed as part of the Full and Final settlement

#### 4.3 Casual Leave (CL)

Associates can avail casual leave for unforeseen personal emergencies or for personal time off. This also includes any leave taken to celebrate festivals of faith that have not been declared as a holiday by the organization. Associates are entitled for **6** working days of paid casual leave per year which will be credited on January 1<sup>st</sup>, of every year

- 4.3.1** For Associates who have joined the organization during the year, leave credit will be prorated, for every quarter

- 
- 4.3.2** For example, an Associate joining work on 13<sup>th</sup> of April, which falls in the first half of Q2, i.e., before 15<sup>th</sup> of the second month of the quarter, will be entitled to overall 4.5 days of casual leave during that calendar year. An Associate joining work on 2<sup>nd</sup> of June, which falls in the second half of Q2, will be entitled to overall 3 days of casual leave during that calendar year
  - 4.3.3** The Associate must raise a request for leave through EAMS at least a week prior to their absence and obtain their Reporting Manager's approval, unless it is an emergency
  - 4.3.4** The Associate's unused casual leave cannot be carried forward and will get lapsed on December 31<sup>st</sup> of the same year
  - 4.3.5** Casual Leave cannot be availed while on Notice Period
  - 4.3.6** Associates cannot encash their casual leave

#### **4.4 Sick Leave (SL)**

- 4.4.1** Associates are entitled for 1 day of sick leave in a month, provided they are in Cognizant India payroll (or) have joined the organization, on or before 15<sup>th</sup> of the month
- 4.4.2** If an Associate joins the organization on or before 15<sup>th</sup> of a month, the respective leave credit would happen during the first week of the subsequent month. For example, if an Associate has joined on April 13<sup>th</sup>, the Associate's sick leave entitlement will be credited during first week of May
- 4.4.3** If the Associate joins after the 15<sup>th</sup> of a month, there would not be any leave credit for that month. For example, if an Associate has joined work on April 16<sup>th</sup>, the Associate will not be entitled to leave credit for the month of April
- 4.4.4** Associates can accumulate up to 12 days of Sick Leave in one calendar year
- 4.4.5** Associates can accumulate up to 18 days (over 1.5 years) of sick leave; anything greater will lapse automatically
- 4.4.6** There will be no Sick Leave accrual when an Associate is on LOP / Job Abandonment for 15 days or more in a month
- 4.4.7** Associates cannot encash sick leave
- 4.4.8** Associates must keep their Reporting Manager informed if they are unable to attend work due to any illness and must apply for sick leave in EAMS on the day they return to work
- 4.4.9** Associates need to produce relevant medical reports / certificate for availing continuous sick leave of more than 3 days



- 
- 4.4.10 Associates who have to undergo a planned hospitalization must apply for sick leave in the EAMS, prior to availing their leave. They are strongly encouraged to keep their Reporting Manager informed of the progress of their health
  - 4.4.11 Cognizant reserves the right to ask its Associate to undergo a comprehensive check-up by specified doctors, to ensure that Associates are fit to resume work

#### 4.5 Compensatory Off

- 4.5.1 Compensatory off refers to a day off taken against extra work done due to project requirements
- 4.5.2 Associates need to record the days worked on a holiday or weekend, which could be a Saturday or Sunday (depending on their work week schedule), in EAMS
- 4.5.3 The Reporting Manager should approve the additional day(s) worked, upon which the Associate becomes eligible to avail compensatory off leave
- 4.5.4 Associates can avail compensatory off leave upon Manager's approval
- 4.5.5 Associates can avail a maximum of three continuous compensatory off leave in a single transaction
- 4.5.6 Compensatory off should be availed within 60 calendar days from the day on which they have worked; else their leave will get lapsed
- 4.5.7 Associates should record the day on which they have worked in the timesheet
- 4.5.8 Associates will be eligible to avail compensatory off while on Notice Period
- 4.5.9 Associates cannot encash compensatory off leave or combine it with their earned or casual leave

#### 4.6 Maternity Leave (ML)

- 4.6.1 **Eligibility:** Women Associates, who have been on the rolls of Cognizant India or its Indian affiliates for at least 80 calendar days before the expected date of delivery can apply for maternity leave
- 4.6.2 Associates are entitled to 182 days (26 weeks) of paid maternity leave (ML) for the first two surviving children  
*Note: Associates need to apply ML eight weeks in advance in leave system*
- 4.6.3 Associates having more than two surviving children, applying ML for the third child or so on, shall be entitled to 84 days (12 weeks) of paid maternity leave  
*Note: Associates need to apply ML eight weeks in advance in leave system*



- 
- 4.6.4** Maternity leave is inclusive of all intervening Saturdays, Sundays and any other holidays declared by the organization
- 4.6.5** ML start date should be eight weeks preceding the expected date of delivery for first two instances
- 4.6.6** For the wellbeing and safety of the Associate and the child, it is recommended to avail maternity leave at least 14 days prior to expected date of delivery
- 4.6.7** Associates are required to fill Maternity Details in below navigation before availing Maternity Leave (Employee Self Service >> Personal Information >> Maternity Details)
- 4.6.8** Associates are eligible for 30 days of paid extended maternity leave. However, extended maternity leave (EML) is not a privileged leave under Maternity Act. Associates who wish to avail EML should submit a certificate from a certified medical practitioner detailing on the following:
- 4.6.8.1** Active line of treatment
  - 4.6.8.2** Reason to be on extended leave citing the cause of illness
  - 4.6.8.3** Tentative period to be on extended leave (end date of leave)
- Note:**
- *EML is applicable only for the following instances:*
    - *Associate's criticality during or due to maternity*
    - *Critical medical condition of the new born*
  - *Approval of EML is at the discretion of the organization after scrutinizing the documents submitted by the Associate*
  - *In case of concealment of facts / false claim stating unwarranted illness / reason for extended leave is not in line with the active line of treatment / forged documents, necessary action would be taken as per the clauses stated in the [Misconduct and Disciplinary action Policy](#)*
- 4.6.9** Associates can further avail Maternity Loss of Pay (MLOP) leave of up to six calendar months (180 calendar days)
- 4.6.10** MLOP can be availed in parts, either before or after ML, provided that the total duration of MLOP does not exceed 6 calendar months
- 4.6.11** Associates must submit the medical certificate issued by a doctor indicating the expected date of delivery, for availing ML (or) for availing the MLOP before ML
- 4.6.12** Associates should exhaust the available earned, sick and casual leave balance, before applying for MLOP
-

**4.6.13** Associates can avail all the leave types (ML, EL, CL, SL, MLOP), on account of maternity, as per their need, on a continuous basis, without any breaks or working day in between

ML scenario	Leave Entitlement
Associates applying for ML for the first two surviving children	<ul style="list-style-type: none"><li>• 182 days of paid ML</li><li>• 30 days of paid EML (in case of medical emergency)</li><li>• 180 days of MLOP</li><li>• (ML + EML + Available earned / sick / casual leave + MLOP) shall not exceed 365 days (inclusive of weekends)</li></ul>
Associates applying for ML for the third surviving child and so on	<ul style="list-style-type: none"><li>• 84 days of paid ML</li><li>• 30 days of paid EML (in case of medical emergency)</li><li>• 180 days of MLOP</li><li>• (ML + Available earned / sick / casual leave + MLOP) shall not exceed 365 days (inclusive of weekends)</li></ul>

**Note:** Cognizant reserves the right to collect relevant documents if warranted

**4.7 Miscarriage Leave:** On submitting a medical certificate, Associates are entitled to six weeks of paid leave immediately from the date of the miscarriage

**Note:**

- In case of birth of still born child post 36<sup>th</sup> week of gestation period, Associate shall be eligible for Maternity Leave as applicable
- EML / MLOP will not be applicable in this scenario

**4.8 Tubectomy:** Women Associates are entitled for two weeks of paid leave immediately from the date of surgery on submitting the medical certificate in EAM.

**Note:** Tubectomy leave cannot be availed while on Maternity leave and / or MLOP

**4.9 Commissioning Leave:**

**4.9.1** Women Associates commissioning a child are eligible for 84 days (12 weeks) of commissioning leave

---

**4.9.2** The following are the documents to be submitted to avail commissioning leave

- Birth certificate of the child possessing the name of the commissioning mother
- Discharge summary from the hospital at the time of birth of the child

#### **4.10 Paternity Leave**

**4.10.1** Paternity leave is applicable for new and expectant fathers

**4.10.2** This leave can be availed by Associates whose child is born on or after Oct 16, 2019

**4.10.3** Associates who fall under this category will be eligible for leave of 5 continuous business days.  
This leave cannot be availed in parts

**4.10.4** This entitlement is applicable (can be availed) **for up to two instances** of child birth during the Associate's entire tenure with Cognizant India and its Indian affiliates

**4.10.5** Paternity leave may be availed either ten calendar days prior to the expected date of delivery or within 90 calendar days from the date of birth of the child (Start date of this benefit is for child birth on or after Oct 16, 2019)

**4.10.6** Associates on notice period will be eligible for Paternity Leave

**4.10.7** Associates can apply for Paternity Leave through EAM under Paternity Leave category

**4.10.7.1** Documents Required: *(It is mandatory to submit any one of the three documents listed below)*

- **Medical certificate from certified medical practitioner; stating child birth date** with reference to father's name, in case of availing paternity leave post hospitalization period
- **Medical certificate from certified medical practitioner; stating expected delivery date** with reference to declared spouse's name, in case of availing paternity leave before child birth
- **Birth certificate**, in case of availing paternity leave post child birth

**Note:**

- *Approval of Paternity leave is subject to review and approval of documents as submitted by the Associate*
- *In case of concealment of fact(s) / submission of a doctored / false leave request / forged / falsified documents, necessary action would be taken as per the clauses stated in the [Misconduct and Disciplinary action Policy](#)*
- *This category of leave is not eligible for encashment*

---

#### 4.11 Child Adoption Leave:

**4.11.1** All Associates are entitled to six weeks (42 calendar days) of leave from the date of legal adoption of the child

**4.11.2** Women Associates adopting a child whose age is less than 3 months are entitled to 84 days of paid adoption leave

**4.11.3** Documents required to avail the benefit:

- Legal adoption certificate (or)
- Application form filed in the court + Certificate from the agency confirming the adoption

**4.12 Loss of Pay (LOP):** This leave type can be availed only after exhausting all the available leave (EL, SL, CL). Any unauthorized leave is considered as LOP, and is to be initiated by the Reporting Manager. LOP cannot be adjusted against future leave accruals and cannot be reversed

##### 4.12.1 LOP approval matrix:

Duration	Approvals	Reason for availing LOP
Up to 30 days of LOP	HCM supervisor	Any personal reason
LOP ranging 31 – 90 days	BU / SBU head (D+) and BU TM (SM+)	Any personal reason
LOP ranging 91 – 180 days	BU / SBU head (AVP+) and BU TM (SM+)	Only for critical illness (Self)

**Note:** For LOP beyond 180 days on exception, request needs to be validated with HR Benefits team and approval sought from BU / SBU Head (VP+) and India HR Head

**4.12.2** Approval of LOP shall be at the discretion of the business unit

**4.12.3** LOP is inclusive of all intervening Saturdays, Sundays and any other holidays declared by the organization

**4.12.4** Associates availing LOP for more than 30 calendar days can be moved to the Corporate Deployable Pool (CDP Leave Project) only on grounds of medical reasons for self, post validation of necessary documents by the CDP team

**4.12.5** Associates requesting for LOP for more than 90 calendar days for critical illness, should provide valid medical documents. The same shall be validated by the HR Shared Services team / CDP team, before approval of the leave

- 
- 4.12.6** The cumulative number of days of LOP (even if availed in breaks) in a calendar year shall not exceed 90 days for any personal reason or 180 days in case of critical illness
- 4.12.7** Associates availing more than 90 calendar days of LOP in the last quarter of the year, i.e. Q4 (Oct-Dec), shall wait for 3 months until next application of LOP
- 4.12.8** Associates will be on LOP for any unauthorized absenteeism

**4.13 Associates Travelling on International Assignments with Payroll Transfer from / to India**

- 4.13.1** The Associates' leave entitlement will be governed by the leave policy / guidelines of respective geographies, where the Associate is deputed to. These will be in addition to any other entitlements specifically mentioned in the assignment letter or related Statement of Benefits or Employee handbook. The leave entitlement will be prorated for the duration of their stay in the deputed country
- 4.13.2** Associates cannot use their accumulated India leave while on International assignments and vice versa
- 4.13.3** Leave accrual in India will be suspended effective the start date of International assignment and will restart once the assignment ends and the Associate returns to India
- 4.13.4 Earned Leave, Casual Leave:** Associates can use their available earned and casual leave balance, either before the assignment start date or only after they return back to India and are on India payroll, provided that these leave have not lapsed as per the carry forward guidelines of this policy
- Earned Leave can be carried forward for a period of one calendar year, after which the leave will get lapsed
  - Casual Leave will get lapsed by December 31<sup>st</sup> of the same year
- 4.13.5 Sick Leave:** The accrual of sick leave will stop for the assignment duration. Sick leave balance up to a maximum of 18 days will be retained till the Associate returns to India and can be availed by the Associates once they return
- 4.13.6 Maternity Leave:**
- Maternity leave can be availed as per the eligibility criteria mentioned above, only if the Associate is active on India payroll.
- Associates travelling from an onsite geography to India payroll are entitled to avail the differential paid Maternity leave in India. For example, an Associate who has availed 45 days of paid maternity leave in the onsite geography, on returning to India payroll can avail the differential paid maternity leave which is 137 days (182 days – 45 days) in India

- 
- Associates who have availed unpaid maternity leave in the onsite geography, on travelling to India are entitled to 182 days of paid maternity leave. However, the number of days of unpaid leave availed in the onsite geography will be reconciled with MLOP in India. For example, an Associate who has availed 45 days of unpaid maternity leave in the onsite geography, on returning to India payroll can avail the 182 days of Maternity Leave and 135 days (180 days – 45 days) of MLOP in India
  - Associates who have availed paid leave (earned leave, casual leave or sick leave) in the onsite geography for the purpose of maternity, on returning to India payroll are entitled 182 days of maternity leave in India. For example, an Associate who has availed 10 days of earned leave for the purpose of maternity in the onsite geography, on returning to India payroll can avail 182 days of paid maternity leave in India

**Note:**

- *Associates should submit the proof of ML availed in the onsite geography, as per the tracking system followed either by the respective Talent Managers or Shared Services team in that geography*
- *Associates travelling from an onsite geography to India payroll are eligible to avail paid maternity leave in India within 3 months from the date of delivery*

**4.13.7 Compensatory off:** Leave under this category earned in India needs to be availed in India itself within 60 calendar days from the day on which the Associate has worked irrespective of the current location of the Associate

For more information, visit Leave under 'Personal life event' on Navigator

---

## 5. Approvals

**5.1 Reporting Manager:** Approve leave requests submitted by the Associate in EAMS

**5.2 HRSS:** All types of parental leave including Maternity leave, Tubectomy, Miscarriage, Adoption leave and Paternity Leave will be finally approved by the HRSS team post Reporting Manager approval in the system

---

## 6. Procedure

**6.1** All Associates must submit their leave requests through EAMS and have the leave approved by their Reporting Manager

**6.2** Medical certificates wherever required, have to be submitted

---

---

## 7. Responsibility Matrix

**7.1 Associate:** Timely submission of leave application through EAMS

**7.2 Reporting Manager:** Approve leave submitted by the Associate

---

## 8. Exception Handling

8.1 The benefits of this policy are governed by the terms and conditions of employment in practice at Cognizant. This is subject to change from time to time. Cognizant reserves the right to amend its policies as necessitated. All statutory requirements are applicable as mandated by law

8.2 All exceptions to this will be directed to HR India Benefits

---

### **Note:**

*\*\*The above document provides guidelines on the usage of leave available for Associates in India.*

*Please reach out to your HR Talent Manager / Business Partner for immediate assistance / queries on India Leave Policy.*