**ESIGNATION, TRANSFER AND DISCHARGE**

**1.9.1. Resignation**

**Procedure for Resignation:**

Any employee who wishes to resign from the services of the organization shall submit his / her resignation on the Cybage MIS. Link: <http://cybagemis.cybage.com/Framework/Iframe.aspx>

**a. Notice Period:**

An employee intending to resign from the services of the Organization has to serve a notice period as applicable to ensure a smooth transition of responsibilities and tasks to team members. The notice period also allows the Organization to complete all the recruitment activities as required due to the imminent separation of the employee. The notice period to be served by all employees is as follows:

|  |  |
| --- | --- |
| **Level** | **Notice Period** |
| 1-2 | Minimum two months |
| 3 and above | Minimum three months |

**Here are the exceptions to this rule:**

           1. Employees who are at level 3 and are playing the role of an Analyst will serve a notice period 2 months.

           2. However, those playing the role of an Analyst in the Technical Support Department would need to serve a notice period of 3 months.

        b. Acceptance of Resignation:

When an employee resigns from the services of the Organization, his/her Manager shall discuss the handover/takeover plans with the employee. The Manager will approve the resignation request of the employee however, the Last Working Date (hereinafter referred as LWD) of the employee will be approved by the Delivery Head/Delivery Manager/Vice President/Head of the Department. This approved LWD is the employee’s LWD in the project i.e. employee’s release date from the project. The HR Department maintains the prerogative to determine the employee’s LWD in the Organization.   
  
Also, the overall professional behavior and attitude of the employee will be borne in mind before he/she is allocated to any further projects.   
  
In case of Manager's absence/unavailability, the employee shall send a resignation mail to his/her Manager’s Manager, keeping his/her Manager in Cc in the following format:   
  
Employee Code:  
Designation:  
Date of Joining at Cybage:

Date of Resignation:  
Requested LWD (last working day) from the company:  
Name of present project:  
  
Also, he/she shall tender the resignation through the ECS (Exit & Clearance System) on MIS.

**c. Last working Day:**

1. The last working day of an employee in the project will be decided by the Manager and respective Delivery Manager/Delivery Head/Department Head.
2. The Company reserves the right and has the prerogative of releasing the employee with immediate effect from the Company prior to the employee’s last working day which is carried out by the HR.
3. The employee shall be paid salary up to his last working day in the Company. In no circumstance the Company shall be liable to pay salary in lieu of notice period in case Company releases the employee early from the organization.

**Further, the following points for shortfall calculation should be considered:**

1. If the employee is under the service agreement or if there is any shortfall in the notice period then the requisite amount will be calculated and reflected in the final settlement of accounts and deducted from the employee’s financial statement i.e. from the salary and other dues (if any) payable to the employee.
2. In case the shortfall payable by the employee is more than the salary and the dues payable to him / her then, the employee will have to pay such a differential amount to Cybage. This amount will be payable in cash/cheque (Issue of Relieving Letter is subject to realization of the cheque).

**d. Leaves during the Notice Period:**

1. An employee is not entitled to any leaves and floating holidays during the notice period. However, as an exception, if there is a need to avail leave or floating holiday, then, the number of leaves and/or floating holidays approved/unapproved, during the notice period, will have to be compensated by the resigning employee, by extending the last working day. Extension of the employee’s LWD in such cases will be the Manager’s prerogative.

**Note:**All unapproved leaves and floating holidays availed by an employee will be treated as Leave Without Pay

1. The Leave Adjustment on the LWD of the employee will be proportionate.

**Illustration:**An employee who is leaving on 15th Nov, would be entitled to 2 planned leaves for that quarter; instead of the 4 planned leaves which are credited for the whole quarter on 1st Oct.

1. Unutilized leave from the employee leave balance account can be set-off against the notice period subject to an approval from the HRD. The leaves which are set-off against the notice period will not be eligible for encashment.
2. Unutilized leaves will be encashed proportionately in the full and final settlement document.
3. At the time of full and final settlement, encashment and recovery of leaves shall be done at the rate of 100% of the employee’s gross salary.

**For Planned Leaves:**  
  
Available Leave Balance – Quarterly Addition + Eligible Balance\*  
**Illustration:**An employee’s LWD is 30th November. He has served the notice period as applicable to him. His current planned leave balance on the MIS is 12, which includes the quarterly addition of 4 leaves for the fourth quarter. Thus, his planned leave balance on his LWD will be calculated as:   
Available Leave Balance – Quarterly Addition + Eligible Balance  
12 – 4 + 2.5 = 10.5

**For Unplanned Leaves:**  
  
Available Leave Balance – Yearly Addition + Eligible Balance\*  
**Illustration:**An employee’s LWD is 30th June. He has served the notice period as applicable to him. His unplanned leave balance on the MIS is 4.Thus, his unplanned leave balance on his LWD will calculated as: Available Leave Balance – Yearly Addition + Eligible Balance   
4 – 5 + 2 = 1

1. Any unutilized balance of Cybage holidays, will not be encashed during the Leave Clearance.

**Note:**Any negative leave (planned and unplanned) balance will be recovered from the employee’s salary i.e. if the employee has a negative unplanned leave balance and a positive planned leave balance , the negative balance of unplanned leaves cannot be adjusted against the positive balance of planned leaves and vice versa. Such negative balance will be recovered from the employee’s salary during the final settlement of accounts.  
  
\*Available Leave Balance: Employee’s leave balance as per the Cybage MIS on his / her LWD  
**Quarterly / Yearly Addition:**Addition of the leaves on quarterly / yearly basis  
Eligible Balance: Proportionate leave balance on his / her LWD i.e. pro rated leave balance calculated till the LWD of the employee.

**e. Pay Day:**  
  
All remuneration to employees for the previous month will be paid, by the 1st day of each month. In case the “first day of the month” falls on a bank holiday or on a Sunday, the salary would be processed on the next working day. On every payday, the employees will receive an earnings statement (Salary slip) itemizing their gross salary, withholding for tax purposes and other authorized deductions. Certain exceptional cases are mentioned below:  
  
**Exceptional cases:**   
In resignation cases where the employee is serving the notice period and where the amount receivable from the employee is more than amount payable to him/her, the salary payable after the date of resignation shall be put on hold for adjustment of any dues payable by the employee. These dues may pertain to loans, service agreement, shortfall in notice period, onsite bond, training cost recoverable etc. Such dues shall be adjusted at the time of full and final settlement. Amounts, if any, due from the Company to the employee after such adjustments shall be paid at the time of full and final settlement and the relieving letter shall also be issued to the employee as per the process. If the employee owes any amounts to the Company after such adjustment, then the same shall be intimated to him/her by the Finance Department as part of the full and final settlement process. Such an employee shall receive the final relieving letter only after the employee settles such outstanding amounts intimated to him/her, within the stipulated time period, as prescribed in the policy\*.   
  
\*Kindly refer to the Task Table, Page11, Point No.13, Clause on- “Issue the Relieving Letter” in the Exit and Clearance Process.  
  Link: [Exit and Clearance Process](http://cybintranet:8085/QMS%202.0/Documents/Department%20Manual/Human%20Resource/Employee%20Separation%20Process/Employee%20Exit%20and%20Clearance%20Process%203.1.pdf)

**f. Completion of Formalities:**  
  
All employees are expected to serve the requisite Notice Period as applicable and complete the clearance formalities on their approved LWD. On completing the clearance formalities, the Finance Department shall email the exiting employee details regarding the pending dues (as applicable) to him/her.   
  
The employee shall be given a time span of maximum 10 working days from the date of receiving this email communication from the Finance Department to clear the requisite dues (as applicable). In case the employee fails to pay the dues in the aforesaid time span, Cybage reserves the right to issue a qualified Relieving Letter to such employee.   
  
However, in case any employee:

1. Fails to serve a notice and exits the Company or
2. Fails to serve the duration of his/her Notice Period (which stands approved by their appropriate Manager on the System) and exits the Company prior to the Approved LWD (as mentioned by their Manager) then,

In such cases the dues payable (as applicable) to the employee shall be appropriately adjusted against any dues receivable from the employee for notice shortfall or breach of Service agreement, if any. Also, such an employee will receive a qualified Relieving Letter only after he/she contacts the Company and pays applicable dues to the Company as intimated by Company’s Finance Department.

**1.9.2. Transfer**

All employee transfers have to be routed through the HR Department. Employees or the Manager of the employee being transferred are requested to get in touch with the HR Department atleast 3 working days in advance to understand the procedure for transfer. At Cybage the Transfers are classified as:

Permanent Transfer : Transfer for a period of more than one year

Please refer the Permanent Transfer Process:<http://cybintranet:8085/QMS%202.0/Documents/Department%20Manual/Human%20Resource/Employee%20Transfer%20Process/Employee%20Transfer%20Process.pdf>

Interim Transfer Process: Transfer for period of less than one year

Please refer the Interim Transfer Process:<http://cybintranet:8085/QMS%202.0/Documents/Department%20Manual/Human%20Resource/Interim%20Transfer%20Process/Interim%20Transfer%20Process.pdf>

**1.9.3. Discharge/Termination of Services by Cybage:**

               Cybage reserves the right to terminate the services of an employee:

          With or without cause by providing one month’s notice or one month’s salary instead of the notice.

          Without notice in the following cases:

                a)    If the employee is absent or on unauthorized leave without notice in writing or without sufficient reasons for seven days or more;

                b)    If the employee goes on a strike or supports a strike in contravention of any law for the time being in force; or

                c)     The employee causes damage to the physical or intellectual property of Cybage or any of its clients/ associates.

Please refer: Disciplinary Action Process:<http://cybintranet:8085/QMS%202.0/Documents/Department%20Manual/Human%20Resource/Disciplinary%20Action%20Process/Disciplinary%20Action%20Process.pdf>

**1.9.4. Employment Verifications**

Employee verifications are done exclusively by the HRD department. Managers are advised not to entertain any outside calls on verification of ex-employee's performances.  All feedback from Managers must be routed strictly through the HRD department only