

Unauthorized Absence and Absconding Process

HRCB-PO503, Ver. 1.2

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1. OBJECTIVE

To define and lay down guidelines to discipline and mitigate unplanned absenteeism appropriately manage it to minimize impact. This policy aims at defining a process to be followed for associates who are either absent or abscond from work without prior notice and/or approval.

2. SCOPE

The provisions of this policy are applicable to all associates on regular and fixed term contract role irrespective of Band, in India including associates deputed to India. Unauthorized exit / unapproved absence (from work) for more than seven working days will be considered as absconding. This is applicable for IT associates only.

Benefits mentioned in this policy do not apply for any interns during their assignment/internship period,

3. ACRONYMS AND DEFINITIONS

Term/ Acronym	Explanation
HR	Human Resources
PS	People Soft
BHR	Business Human Resources Partner
AS	Associate Services
CS	Corporate Services
TIM	Technical Infrastructure Management
RM	Reporting Manager
SPOC	Single Point of Contact
CPO	Chief People Officer

4. PROVISIONS**4.1 ABSENTEEISM**

- An associate's absence would be treated as unauthorized (non-availability of swipe data / timesheet not filled/ Unapproved Leave) in case he/she absents himself/herself from work without prior notification or approval.
 - Three consecutive working days of unapproved / unscheduled absence would result in the issuance of a **warning letter** along with those days being treated as **Loss of Pay**. This may also result in the associate's case being referred for disciplinary action.
 - If associate does not return to work after warning letter will be treated as abandonment of service with the Associate being considered '**absconding**' and the relevant process as mentioned in the policy be invoked.

THE BUSINESS HR WILL SEND AN ENQUIRY NOTICE TO THE ASSOCIATE FOR ANY UN-AUTHORIZED exit / unapproved absence (from work) for more than 3 working days. In the event of associate not reporting to the Office for more than 7 working days, HR will initiate absconding action against the associate.

4.2 ABSCONDING PROCESS

Below are the guidelines for Absconding Process

Steps	Process guidelines	Timelines	Owner	Remarks
1	BHR SPOC to raise a call on HUB Portal within 2 working days after RM intimates BHR, BHR makes an effort to reach out to the associate before raising a call. BHR SPOC to provide last reporting date of associate & the background of the case (<i>Regular Absconding / Absconding after resignation etc.</i>), BHR to specify last reporting date/last date of approved leave as per the case	<=Day 1 – 2	BHR	BHR SPOC to ensure that all required information is provided (template will be prepared)
2	Call assigned to AS – Exit Team	<=Day 1-2	AS-Exit team	Helpdesk portal auto assigns the calls
3	AS - Exit Team to disable the LAN ID / Physical access for the associate by contacting the local CS/TIM team/Hold salary same day	<=Day 1-2	AS-Exit team	AS team to confirm hold salary action
4	AS-Exit SPOC to check if all details are provided by BHR SPOC. If not, the call status should be changed to 'Clarification Awaited'	<=Day2/3	AS-Exit team	In absence of response from user within 24 hours, if no information from BHR it will be escalated to their manager on email and the call will be in pending status and an action will be taken once details are provided.
5	AS-Exit team to update hold salary action in PS9	<=Day 2/3	AS-Exit team	

6	AS-Exit Team will try to establish the contact with the associate and subsequently if he/she is unreachable send absconding letter to associate giving associate 5 working days' time to return to work. (Address – Current and permanent address as per PS-9), AS-Exit team to ensure courier/registered post is sent on time	<=Day 2 - 4	AS-Exit team	AS-Exit Team will update on remedy the action taken by AS- Exit team. BHR will get Auto trigger email with an update
7	If the associate returns, that period will be considered as Leave without Pay for the associate and the disciplinary action is taken as per process Also customers need to be updated regarding the same by the business, in case the associate is billed to the client.	<=Day 05	AS-Exit team	None
8	The full and final settlement will be completed within 45 days from the date the associate has been separated from the company.	<=Day 45	AS-Exit team	
9	If there is any recovery from the associate, the first letter will be sent to associate within 5 working days of full and final settlement being done for recovery of any outstanding amount The 2 nd letter for recovery will be sent after 5 days from the date of the dispatch of 1 st letter for recovery.	<=Day 50 <=Day 55	AS-Exit team AS-Exit team	
10	If the associate does not respond to the 2 nd letter for recovery, an advocate notice will be sent to the associate after one month	<=Day 85	AS-Exit team	

	from the date of dispatch of 1 st letter of recovery.			
11	The company may move to the court against the associate if the associate does not return the outstanding amount to the company or doesn't respond to the advocate notice sent by the company.	<= Day 100	AS-Exit team	

5. DEVIATIONS**5.1 PROCESS DETAILS**

All the transactions related to absconding associates will be done through the Exit Management System only as per the exit policy and process applicable including Full and Final Settlements.

Any deviation from the policy will need to be approved by the CPO including out of court settlements.

6. ROLES AND RESPONSIBILITIES

Who	What/When/How
Reporting Manager	To inform and keep BHR posted incase associate is on unscheduled / unapproved leave for more than 3 consecutive days To inform and keep posted the customers, in case the associate is billed to a specific client account, after intimating the BHR to prevent any unauthorized use of client data and systems.
BHR	To update the HUB within 2 days after RM intimates on unscheduled / unapproved leave
Exit Team	To update the system about unscheduled / unapproved leave including STOP salary and separation in the system
Legal	To facilitate communications with associates and initiate legal notices/action for recovery. Manage legal process for any financial recovery or just cause. Provide legal consultation if Associate is under Service Agreement Specify the amount to be paid by the Associate as settlement of dues

7. GENERAL PROVISIONS

- Any associate terminated on grounds of absconding from work will not be reconsidered for employment with Tech Mahindra anytime in future.
- No experience certificate or relieving letter will be given to absconding associates.
- In the event of any outstanding dues including assets such as laptop, data card & other IT devices not being returned or closed by absconding associate dues and asset value will be adjusted against the Full and Final Settlement to be included in any recovery action initiated as per the Exit Process.
- Client confidential data / information if any, available with the absconding associate will be addressed by Legal.
- The deletion / blocking of access and rights in non-integrated systems to be handled by HR / AS / TIM along with the appropriate function including that of client access.

Service Agreement:

- If an associate covered under the Service Agreement resigns before completing his/her full commitment, as per the terms and conditions of service agreement, he/she will be liable to pay the full liquidated damages (if any), without any pro-rata calculations.

Training Agreement:

In case an Associate is covered under a Training Agreement, the terms and condition of the training agreement shall prevail and following is the process to be followed:

- All relevant documents and necessary information will be forwarded to Legal team for making necessary calculations.
- The Legal support unit, based on the request received from the Associate through e-mail / letter, will inform the Associate of settlement of dues / amounts payable to the Company towards liquidated damages and other expenses as agreed in the Service Agreement at the time of joining the organization, and terms and conditions annexed to the appointment letter. However, this does not include other payments due by associate to company.
- In case of an out-of-court settlement, the Associate will need to approach Legal support unit to arrive at the compromise amount. After receipt of the settlement amount from the Associate, the Legal support unit will inform HR about the settlement arrived at, the copies of letters exchanged and the receipt issued by the Finance Circle, acknowledging the receipt of compromise amount. However, this does not include other payments due by associate to the company.

Not under Service Agreement:

- Intimation about settlement of dues will be forwarded to the associate along with the process to be followed for settlement.
- In case of non-payment, the Associate's case will be forwarded to the Legal Circle for necessary legal action, corporate services and other role players.

8. DOCUMENT HISTORY

Version	Date	Author (function)	Reviewed by	Approved by	Nature of changes
Issue 1.0	16-June-2014	Process Owner	Function Head (Benefits)	Function Head	First issue effective 1 st June 2014
Issue 1.1	14-Sept-2015	Process Owner	Function Owner	Function Head (Benefits)	Document Formatting
Issue 1.2	02-March-2017	Process Owner	Function Owner	Function Head (Benefits)	Updated Scope (Section 2), Absconding Process (Section 4.2) and Roles & Responsibilities (Section 6)