

ProEves Creche Compliance and Trends Aug 2019

Building an Engaging and Compliant Childcare Benefit Practices



Compliance Clauses	Compliant (Companies fully complying)	Intent to Comply (Companies showing high degree of intent to comply)
Daycare Provision	1. Daycare Tieup @ 500 meters 2. Onsite Daycare	In absence of any compliant practice available as an option <ol style="list-style-type: none"> 1. Daycare Tieup at the nearest safest distance 2. Daycare at home in compliance with the only available official agency reported till now (National Minimum Guidelines)
Funding	100% Daycare Fee Funding	In absence of 100% funding, its important to become primary or equal contributor towards Daycare Fee <ol style="list-style-type: none"> 1. Meals & Refreshment should not be part of exclusions in the Daycare fee amount or cap decided as long as the cap is being met
Working Hours	Daycare and Nightcare operations to support working mothers (in all states) and parents (in Maharashtra & Karnataka)	In absence of Nightcare options near to Office or Onsite, companies are letting employees chose night care near home that provides 24x7 support . <ul style="list-style-type: none"> - Partnering with network providers like proeves to work towards increasing centres that can provide night care support and letting employees discover such centres on their own

Building an Engaging and Compliant Childcare Benefit



Compliance Clauses	Compliant (Companies fully complying)	Intent to Comply (Companies showing high degree of intent to comply)
Medical Records	<ol style="list-style-type: none"> 1. Medical checkups of Child and Mother as per law 2. With no definition of Medical checkups its difficult to qualify what could be such medical checkups, but companies are interpreting this to the best of their abilities and providing this thru their Medical facilities 	<p>Since Medical checkup is a very personal decision. Companies are providing an option to opt out by way of declaration :-</p> <ol style="list-style-type: none"> 1. Parents are declaring they don't want themselves and the child to be subjected to any medical checkups as part of the Childcare/Daycare Benefit Policy
Staff in Daycare	<ol style="list-style-type: none"> 1. All Daycare Tieups should have teachers that are ECCE, NTT or TCH qualified or certified 	<p>Most daycares might not have such teachers due to limited pool of resources. Infact increasingly brands are opening their own teacher training courses to train their own teachers</p> <ol style="list-style-type: none"> 1. Companies have started educating their partners on the need of this 2. Companies are letting employees chose near to home options also as that lets the employee chose the daycare, instead of recommending non compliant daycare tieups (with non qualified staff) as the only option available

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Compliance Clauses	Compliant (Companies fully complying)	Intent to Comply (Companies showing high degree of intent to comply)
Transport Provision	<ol style="list-style-type: none">1. Four breaks to be provided2. Transport support and assistance wherever possible	In case companies don't want to get into Transport insurance and Transport payouts as they may be bigger cost than the Daycare cost , they are providing an option of Near home in addition to Near office so that the employees can chose the option that works for them from a travel perspective

Childcare Benefit – Evolving Models (Flexible Benefits beyond compliance)



Onsite/ Near Office Daycare Tie-Ups

- Onsite Daycare for HQ (preference to feeding mothers / less than 2 years)
- Nearsite Network of Daycares for branches and offices
- Counselling/Decision support
- Funding support for women employees
- Medium complexity, Low utilisation

Near Home Daycare Access

- Expand daycare access network to include near home
- Increased benefit awareness and flexibility
- Counselling/ Decision support
- Funding for women employees, extended to men
- Medium complexity, High utilisation and impact

Childcare Vouchers

- Flexibility to employees to use any daycare as per their choice
- Increased benefit awareness with focus on utilization
- Counselling/decision support
- Fixed cost (estimated in advance) by the Employer
- Low complexity, High utilisation and impact

Did you Know this !



While daycare admission numbers are still maturing in India, the benefit is seeing a huge interest on Queries, Counselling support

1 of 5 women using the benefit consider exit due to distance as the child takes time to settle down in daycare when travel distances are long

2 of 3 women using the benefit feel the benefit has helped them a lot as a working mother

Grievances in Near site Tieup are 3 times more than those in Near home daycare

Around 30-40% of the companies are looking at Daycare benefit outsourcing expert for managing the benefit to elevate the benefit experience and show a process check (constant feedback, monitoring etc)

The Legal Landscape

What is the Mandate? Creche Rules & Regulations Summary In India



- Amended Maternity Benefit Act 2017 states **creche** for all offices with **greater than 50 employees**
 - Any office qualifies for creche provision by having **50 permanent and contracted employees**
- Govt issued multiple **RTI's** clarifying that Creche by definition is an **employer sponsored benefit** which means employers need to fully or predominantly fund the benefit
- Maharashtra and other **states provide clarifications**(Haryana, Karnataka, Kerala) and provide their own guidelines emphasising Govt's commitment
 - Haryana draft rules released in August for feedback
 - Karnataka draft rules are notified in August
- Non compliance results **in imprisonment/community service for Directors** or fines
- **National Minimum Guidelines is the official support agency for reference in absence of state clarity or non compliance**

Karnataka Maternity Benefit (Amendment) Rules-2019 Notified as part of Karnataka Gazette



AGE CLARIFIED 6 months to 6 years

- The employer shall provide and maintain a creche for children under **age of six years**

EMPLOYEES COVERED

- Permanent, temporary, regular, daily wage, contract
- The act repeatedly refers Mother or Parent, which means like Maharashtra guidelines there would be an obligation to cover dads as well

LOCATION : 500 meters near office

- A creche shall be located within the premises of the establishment or within five hundred (500) metres from the entrance gate of the establishment

LOCATION : Near home could be considered (evidence needed for daycare usage)

- Careful consideration shall be given by the employer, while deciding on the location of the creche. The expert advice from the State or National support agencies shall be availed as part of the decision making process by the employer. ***(Building & Facilities clause mentions National minimum guidelines as an official support agency)***

BUILDING & FACILITIES

- Rules prescribed around floor, walls, height of the room, ventilation, kitchen, uniform, washroom, playground, creche interiors, materials and consumables

Further employer adheres to standards & norms fixed by Central & State Governments or their **“official agencies”** for creche, ***such as the National Minimum Guidelines for setting up and running creche published under the Act by the Ministry of Women and Child Development, Government of India.***

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1 CRECHE FOR EVERY 30 children

- There shall be one creche for every thirty children
- More relevant for Onsite Daycares, in Tieups this encourages multi site centres tieups (with varied capacity)

WORKING HOURS

Creche should be open as per working hours of the parents

STAFF

- 1:10 & 1:15 Staff: Child ratio
- Qualified creche teachers (ECCE/TCH) and attendants (Midwifery)

MEDICAL RECORDS

- Medical Records to be maintained for each child(Vaccination, Height, Weight, BMI)
- Medical checks once in two months

MEALS & REFRESHMENT

- Meals and Milk to be provided to children, obligation of employer

OUTDOOR PLAY

- Access to outdoor play area / parks with adequate security

MONITORING & AUDIT

- The creche building shall be periodically inspected in order to see that it is safe and is being maintained under sanitary conditions, with decent decoration.

- **Every establishment having fifty or more employee**
- **Location: walk-able distance i.e. five hundred meter from the entrance gate of the establishment**
- **Four visits a day to the crèche by the woman employee(20 minutes) till 15 month old child**
- **Regular, temporary, daily wages, contractual, consultant and other such employees covered under these rules**
- **Creche Building & Facilities rules provided**
- **Working Hours similar to that of parents**
- **Staff : female attendant, cook, sweeper, chowkidar and trained nurse**
- **Medical Records of child and mother every two months**
- **Exceptions Notification**
- If the Chief Inspector is of opinion that the conditions in any establishment are such as to render compliance with the provision of these rules not reasonably practicable, he may be order in writing and subject to such conditions, as he may specify therein exempt the establishment from the provision of any sub-rule.
- If in any case, the Chief Inspector is satisfied that no inconvenience shall be caused to the employees concerned, if a single crèche is provided to serve neighboring establishments, he may authorize by order in writing the employer of such establishments to provide jointly a single crèche and on such conditions, as he may specify in the order.

Thank You !