

SECTION V

LEAVE RULES

LEAVE RULES

General Rules:

Any leave other than casual leave shall be applied in writing and shall be made 15 DAYS in advance. (Exception illness- unforeseen circumstance). Request for extension of leave should be in writing (giving full postal and telegraphic address) and made well before the expiry of the leave granted. Leave is not a matter of right. Where an employee is called back before the expiry of leave, the bank will pay him to and fro travelling expenses from the place of recall. If his family has accompanied him during leave period they are also eligible for such travelling expense. Gazetted holidays (other than Sundays) cannot be prefixed or suffixed to any leave without the sanction of the competent authority. For leave purposes a calendar year is from 1st January to 31st December of each year.

Privilege Leave (Clause 30 of 10th B.P.S.)

In partial modification to Clause 13.20 of Bipartite Settlement dated 19.10.1966 (other than State Bank of India) and para 7.20 of Settlement dated 31st March 1967 (in case of State Bank of India), an employee other than a member of the Executive Committee of a registered trade union of the employees of the Bank shall not be entitled to take privilege leave on more than four occasions in a calendar year.

Where however, the reasons for the request by an employee for leave on more than four occasions in a year are adequate and genuine and it is not administratively inconvenient, such leave may be granted.

Privilege Leave should be applied not less than 15 days before the proposed date of commencement of such leave.

In partial modification to Clause 8 of Bipartite Settlement dated 29.6.1990, Privilege Leave accruing to an employee on or after the date of this settlement, shall be allowed to be accumulated beyond 240 days up to a maximum of 270 days. However, encashment of privilege leave shall be restricted up to a maximum of 240 days.

Maternity Leave (Clause 31 of 10th B.P.S.)

Clause 30 of Bipartite Settlement dated 27th April 2010 shall be substituted by the following:

- (a) Maternity leave, which shall be on substantive pay, shall be granted to a female employee for a period not exceeding 6 months on any one occasion and 12 months during the entire period of her service.
- (b) Within the overall period of 12 months, leave may also be granted in case of miscarriage/abortion/MTP.
- (c) Within the overall period of 12 months, leave may also be granted in case of hysterectomy upto a maximum of 60 days.
- (d) Leave may also be granted once during service to a childless female employee for legally adopting a child who is below one year of age, for a maximum period of six months, subject to the following terms and conditions:
 - (i) Leave will be granted for adoption of only one child.
 - (ii) The adoption of a child should be through a proper legal process and the employee should produce the adoption-deed to the Bank for sanctioning such leave.

- (iii) The permanent part-time employees are also eligible for grant of leave for adoption of a child.
- (iv) The leave shall also be available to biological mother in cases where the child is born through surrogacy.
- (v) The leave shall be availed within overall entitlement of 12 months during the entire period of service.

Paternity Leave (Clause 32 of 10th B.P.S.)

With effect from the 1st June 2015, male employees with less than two surviving children shall be eligible for 15 days Paternity Leave during his wife's confinement. This leave may be combined with any other kind of leave except Casual Leave. The leave may be availed upto 15 days before or upto 6 months from the date of delivery of the child.

Casual Leave: (Clause 33 of 10th B.P.S.)

In supersession of Clause 13.22 of Bipartite Settlement dated 19.10.1966 (in case of State Bank of India, Clause 7.22 of the Settlement dated 31st March 1967), an employee shall be entitled to Casual Leave up to a maximum of 12 days in each calendar year, provided that not more than 4 days may be taken continuously. It is reiterated that holidays and weekly offs prefixing/suffixing or falling within the period of Casual Leave will not be treated as part of Casual Leave.

UCL can be availed without production of medical certificate for Max. 10 days in a year subject to no balance in C.L. account in the relevant year. Such leave can be availed for Max. 3 days per occasion.(Under Bank's own scheme -1999)

UCL can be availed without Medical Certificate maximum one day at a time irrespective of balance of C/L (Under industry level Bipartite Settlement)

(HO:P/IR/CMR/I-101 B-4 dated 19.04.2002)

Sick Leave: (Clause 34 of 10th B.P.S.)

"In partial modification to Clause 27 of Bipartite Settlement dated 27.3.2000, Casual Leave converted into Sick Leave may also be availed without production of medical certificate for 4 days at a time once in a year or two days at a time, twice a year. "

One month for every year of service. Maximum 18 months during entire service.

Sick leave will be on half substantive pay. However, if requested by employee such leave can be granted by entering as twice the amount of leave taken in his sick leave account. Sick leave can be granted upon production of medical certificate acceptable to the bank.

Sick leave can be availed without production of medical certificate after exhausting Casual leave. This is subject to a maximum of 3 days on an occasion and 10 days in a calendar year.

Where service of an employee is more than 24 years an additional 1 month for every year of service in excess of 24 years subject to 3 months of additional sick leave.

35. Special Sick Leave (Clause 35 of 10th B.P.S.)

With effect from the 1.6.2015, Special Sick Leave up to 30 days may be granted to an employee once during his/her entire period of service for donation of kidney/ organ.

36. Extraordinary Leave (Clause 36of 10th B.P.S.)

In partial modification of Clause 13.34 of Settlement dated 19th October 1966, (in case of State Bank of India, Clause 7.34 of Agreement dated 31st March 1967) in exceptional circumstances, Extraordinary Leave may be sanctioned (without wages) not exceeding 3 months on any one occasion and upto a maximum of 24 months during the entire period of an employees' service.

37. Joining Time (Clause 37 of 10th B.P.S.)

It is agreed by and between the parties that with effect from the date of the Settlement, joining time of six days allowable under Para 511 of Sastry Award may be granted either immediately after relieving or within three months after joining the new place of posting.

38. Holidays (Clause 38 of 10th B.P.S.)

In terms of understanding dated 23rd February 2015 reached between IBA and Workmen Unions, **every second and fourth Saturday of the month will be a holiday and other Saturdays will be full working days.** IBA has initiated steps to get clearances from the Reserve Bank of India and Government of India. The change will be effective after approval by the Reserve Bank of India and Notification of the change issued by the Government of India.

Special Leaves:

Special Leave for home guard duty. Maxi. 365 days in entire service and will be deducted for accrual of PL.

One day Special Casual Leave on the day of Blood donation. He has to produce a certificate from the medical officer of the hospital.

Where an employee was not able to attend the office on account of imposition of Curfew either at the place of residence or at the place of work, the absence should be treated as Special Casual Leave.

Special Casual Leave.

If employee is summoned to attend courts or departmental enquiries outside the bank for giving evidence on behalf of the bank, he should be granted special Leave.

If employee attend trekking programme, he can be granted Maxi. 30 days leaves per year. Such course should be approved by Indian Mountaineering Foundation.

One day Special Casual Leave to female employee who had IDU insertion.

Special Leave in case of injury on duty fully reimbursed with medical cost and treatment/or hospitalization over & above of his/her normal entitlement

Guidelines for considering Special Casual Leave to Bank Employees for casting their votes during General / Bye-election of Lok Sabha / State Assemblies:

In terms of present guidelines, where the elections are being held, the concerned Government Authorities have declared public holiday on the date of voting for the establishments falling under the concerned constituencies under the provisions of N.I.Act,1881.

However, there may be cases where an employee is ordinarily resident of the constituency and registered as an elector, outside the constituency having a general /bye-election. It is clarified that in such a situation, the concerned employee may be granted Special Casual Leave, if his / her office / branch does not happen to be closed on that particular day , to enable him / her to exercise his / her franchise.

Needless to mention, that the concerned employees are not entitled to reimbursement of any other expenses and the Special Casual Leave so granted will be restricted to the

actual day of voting. The leave sanctioning authority will verify casting of vote by the concerned employee, if he has sought Special Casual Leave for the same.

(Ref. No. - H.O.:HR:IR:MSS:033 dated 16.04.2014)

Notes:

A. For calculation of S.L. Please Refer HO/P/IR/CMR/518 B-4 dated 12.07.02.

B. Calculation of PL take active service (excluding leave availed i.e. PL,SL,Spl. Leave, EOL, Strike) – (Ref. No.H.O. Br. Cir. No 80/172 dated 27.06.86.

PL encashment on Resignation: If P.F option - 50 % of bal or 120 day Maxi. Otherwise if pension option balance of P L or max. 240 days, whichever is less.

(H.O. Branch Cir No:95/16 dated 18.5.01).

Special Casual Leave not more than 10 days in a calendar year, subject to exigencies of work, to the differently abled employees as defined in Person with Disability (equal opportunities, protection of right and full participation)Act 1995 for participating in Seminars/ workshop/ conferences and training related to Disability and Development organized by Central Govt. and State Govt.

(Head Office Branch Circular: 102/49 dated 19.06.2008) and (Head Office BranchCircular No: 84/51 dated 31.05.90, 85/140 dated 02.09.91)

Sabbatical Leave:

BANK OF INDIA SABBATICAL LEAVE SCHEME FOR FEMALE EMPLOYEE (BOISLFE)

Application under BOISLFE can be made for the following purposes :

For own medical reasons;

To take care of family members / children;

For higher studies in India or abroad;

For visiting spouse in India or abroad

Any other purpose acceptable to the Bank

Period of Leave : Minimum 3 months and 2 years maximum during the entire service. Leave can not be taken more than once in a year. The application of leave shall be sent one month in advance and once sanctioned the said leave, the same shall be irrevocable.

Competent Authority:

Award Staff Members working in Head Office	Assistant General Manager (HR/IR), Head Office
Award Staff Members working in the Zones	Zonal Manager
Award Staff Members working in LCB/MCB/DMO/NBG	General Manager posted at respective NBG
Employees (Award Staff and Officers) who have not completed 5 years of service	General Manager (HR) Head Office

(Ref. No.- Head Office Branch Circular No.- 106/20 dated 25.04.2012)

"On Duty" / Special Leave to Sports Persons / Officials who participate in various level tournaments / championship may be granted for the following purpose :

When a sports person from the Bank represents the State in Senior Nationals or represents the country in any series / match against another country (with Govt.'s approval), he may be granted Special Leave. There is no limit on the number of days leave can be granted in a year for such participation.

When a sports person from the Bank is representing either the Bank or Bank's Sports Board in any Inter-Bank Tournament or any open Tournament which may be city level or State level or which may be called or deemed as National or International level, he may be granted Duty Leave.

If a Sports Person does not fall within the aforesaid (i) & (ii) clauses and is participating in a tournament in his individual capacity, he need not be granted any Special Leave or

Duty Leave.

A Sports person appointed as Umpire / Referee / Judge / Tournament Director / Arbitrator for National Level / International Level Tournaments or appointed as Coach / Manager of National / International Level Teams, may be granted Special Leave for the actual no. of days of tournament as also the time spent in travelling by the direct route.

(Ref. No. H.O. IOM No.- P:IR:AVD:582 dated 07.09.1996)

Leave for Trade Union Purposes :

Duty Leave granted to the Office bearers and Executive Committee Members of the Federation of Bank of India Staff Unions and also to its affiliates are as under :

1. Office Bearers & Executive committee : 4 days for attending Executive Members of Affiliates of FOBOISU Committee Meeting in a calendar year
2. Office Bearers & Executive committee : 2+2 =4 days for attending Executive Members Committee meeting in a calendar year
3. Delegates for attending General Body Meeting of FOBOISU : 2 days

These Leaves are exclusive of time spent on journey.

Grant of Special Casual Leave to the differently abled Central Government employees

Special Casual Leave for not more than 10 days in a calendar year, subject to exigencies of work, to the differently abled employees, as defined in the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 for participating in Conferences / Workshops / Seminars / Trainings related to Disability and Development organized by the Central Government, State Government, Union Territories and the following National and State level agencies:-

- (i) Central and State / UT Government Institutions / Agencies;
- (ii) International Agencies like UN, World Bank etc.;
- (iii) Universities & Educational Institutions set up by Central / State Government, recognized as predominant centers for education or rehabilitation of persons with disabilities; and
- (iv) Recognised institutes for persons with disabilities under Chapter X (Section 56) of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995

(Ref. No.- Head Office B.C.No.- 102/49 dated 19.06.2008)

Absence of employees on account of Political bundhs, agitation, strikes, curfew, floods, breakdown of public transport system etc. is guided by Head office IOM No.- P:IR:MMD:3383 dated to 09.04.1988.

INCLUSION OF STRIKE PERIOD SALARY FOR THE PURPOSE OF CALCULATION OF PENSION

The issue which was placed before the working group of IBA in its meeting held on 18th April 2000 was the procedure to be adopted for calculating average emoluments for the purpose of pension where the employee concerned had participated in strike/s during the last 10 months before his retirement from service.

Having regard to the fact that any reduction in pension can only be effected following proceedings instituted against the employee either while he was in service following provisions of service rules or in terms of pension regulations, 1975 after his retirement from services, the working group was of the view that the participation of an employee in strike/s during the last 10 months before retirement should not affect his pension for all time to come and therefore, average emoluments for the purpose of arriving at pension payable in such cases may be arrived in terms of the provisions of sub-regulation (4) of Regulation 38 of Bank (Employees) Pension Regulation,1995.

In as much as the above decision is in the nature of a clarification in the matter not necessitating amendment to any provision of Bank (Employees) Pension Regulation,1995. We are of the view that the benefits of the decision are to be passed on to all similarly placed retirees of the Bank.

(Ref. IBA's Letter No.- PD/GSN/SBT/1214 dated 25/02/2004)

AWARD STAFF - Mode of Credit of Privilege Leave and Sick Leave.

Branch Circular No.80/172

Date: 27th June, 1986

Subject: Personnel/ 86/18

MANAGERS ALL INDIAN BRANCHES

Dear Sir,

Mode of credit of privilege leave and sick leave - Award staff

We invite your attention to the following Branch Circulars containing certain modalities, while considering giving the benefit of pro-rata privilege leave, sick leave as also the provisions of the Fourth Bipartite Settlement dated 17th September, 1984 with regard to sick leave which are effective from 1st July, 1983 and the important changes made thereby were brought out:

- i) Branch circular No.78/38 dated 15th February, 1984
- ii) Branch circular No.78/77 dated 23rd April, 1984;
- iii) Branch circular No.78/208 dated 9th October, 1984
- iv) Branch circular No.78/252 dated 18th December, 1984.

2. Relevant provisions of the aforesaid Branch circulars are once again recapitulated here for your ready reference:

Privilege leave/Pro-rata Privilege leave

Keeping the Bipartite Settlement provisions intact, i.e. permitting the workman to avail privilege leave earned only after 11 months of service (not necessarily active service), the benefit of pro-rata credit of privilege leave for the broken period of service can be given to an employee for availment of privilege leave at any time during the subsequent years, in deserving cases only. The discretionary powers in this regard will rest with the Zonal authorities. Mode of calculation of privilege leave in such deserving cases was explained by an illustration given below :

ILLUSTRATION :

Mr. A joins the Bank on 1st January, 1986. The date of his first accrual of privilege leave will be 11 months after that i.e. 1st December, 1986. He applies for privilege leave from 1st July, 1987.

Number of days of active service from 1.1.86 to 30.11.86 will be	335 days
Thus, Mr. A will be getting his first credit as on 1st December, 1986 equivalent to 335/11	30 days (A)
Remainder of 5 days will be carried forward	
Now, no. of days of active service from 1st December, 1986 to 30th June 1987 will be	212 days
5 days of balance carried forward ...	217 days
Less: Sick leave availed ...	8 days
Thus, pro-rata credit of further privilege leave will be 209/11..	19 days(B)
Total balance of privilege leave as on 1st July, 1987	49 days(A+B)

Hence, Mr. A can avail of privilege leave to the maximum extent of 49 days as on 1st July, 1987.

Sick leave/pro-rata leave

- a) In terms of the Fourth Bipartite Settlement dated 17th September, 1984, the maximum period of 12 months' sick leave on half substantive pay permissible during the entire period of service of an employee has since been increased to a period of 18 months on half substantive pay.
- b) Sick leave shall be granted on pro-rata basis during the first year of service. Further, as advised by Indian Banks' Association, earlier, sick leave due to an employee on any particular day may be calculated on the basis of total period of service as on that date at the rate of 30 days on half substantive pay for each completed year of service and pro-rata for broken period. This was made effective from 31st January, 1983.

ILLUSTRATION:-

Mr. A joins the Bank on 1st January, 1986.

He falls sick and applies for 11 days sick leave from 1st September, 1986. In this case, his entitlement of sick leave will be 20 days on half substantive pay. (He has not availed any kind of other leave nor was he on unauthorised absence etc.) Since he is confirmed employee as on 1st September, 1986, he will be entitled to convert sick leave of 20 days on half substantive pay into 10 days sick leave on full substantive pay. Accordingly, his 10 days sick leave will be considered on full substantive pay and the remaining one day will be treated as extraordinary leave on No Pay and No Allowances.

- c) Casual leave not availed of during the first calendar year of service also will be convertible into sick leave.
- d) All employees will be entitled to convert sick leave on half substantive pay into full substantive pay (except additional sick leave, admissible for service in excess of 24 years); irrespective of the period of service put in by them.
- e) No sick leave beyond what is provided herein above will now be granted by the Bank. Thus, the provisions contained in clause 13.32 of the first Bipartite Settlement dated 19th October, 1966, granting sick leave on 1/4th substantive Pay stands deleted.
- f) Needless to say, that all sick leave shall be granted on production of a medical certificate acceptable to the Bank.

3. It is, however, observed that, different systems/ practices are in vogue in various zones, with regard to giving credit of privilege leave and sick leave every year.

4. For the sake of uniformity in all zones, It has been decided that, henceforth, privilege leave and sick leave will be reckoned in a calendar year, i.e. January to December, every year and credit will be given on the 1st of January, of every year. Accordingly, Where the Privilege/Sick leave is already credited to the individual leave account of the award staff member on the anniversary date of joining or on any other date as per earlier practice, the Same may not be disturbed. However, additional accrual of privilege leave/sick leave from the date of last credit till 31st December, 1986, may be credited to the individual account on 1st January, 1987.

5. To make this clear, illustrations with regard to mode of credit of privilege/sick leave are given herebelow:

I. Privilege leave

Mr.A joins the Bank on 1st January, 1986. The date of his first accrual of privilege leave will be 11 months after that i.e. 1st December, 1986 (as per clause 13.17 of First Bipartite Settlement dated 19th October, 1966). As per revised administrative instructions, Mr. A will get his next credit of privilege leave on 1st January, 1987, thereafter on 1st January, 1988 and so on i.e. leave due will be credited on the 1st January of each year.

II. Sick leave

Sick leave can now be granted on pro-rata basis during the first year of service in terms of the Fourth Bipartite Settlement, Instead of the first calendar year of service as done earlier, in terms of clause V(iii) of the Bipartite Settlement dated 8th November, 1973. After the first year of service, the next and subsequent credit will be given on the 1st January, of each year.

ILLUSTRATION

Mr. A Joins the Bank on 1st February, 1986. In confirmity with the Bipartite provision as stated above, he would be eligible to avail sick leave on pro-rata basis unto 31st January,.1987. Thereafter next credit of sick leave for Mr.A will accrue on 1st January, 1986. However, we reiterate that, during the subsequent years of service (after completion of first year of service) sick leave due to an employee on any particular day may be calculated on the basis of total period of 'service as on that date at the rate of 30 days on half substantive pay for each completed year of service and pro-rata for the broken period.

Notwithstanding, the system of credit of privilege leave and sick leave to be given henceforth on 1st January, of every year, for the preceeding year, the benefit of pro-rata credit of privilege leave will 'continue to be extended in deserving cases, modalities of which have been detailed in the circular mentioned in pars one.

6. Having regard to the foregoing, we advise you to take necessary steps in the matter of crediting privilege leave and sick leave as on 1st January, of every year.

7. If you have any doubt/difficulty regarding the above, you should write to Head Office through the Zonal Manager, for required clarifications after giving full particulars of the cases that may arise.

Yours faithfully
SD-GENERAL MANAGER

BANK OF INDIA HEAD OFFICE
PERSONNEL DEPARTMENT
REF: P:IR:MMD:

Branch Circular No.80/271
Subject: Personnel/86/33
13th November 1986

The Chief Manager/Manager, All Indian Branches,
Dear Sir,

AWARD STAFF - Mode of Credit of Privilege Leave and Sick Leave.

We invite your attention to our Branch Circular No. 80/172, dated 27th June, 1986 (Subject: Personnel/86/1P) recapitulating provisions of certain Branch Circulars for your ready reference as well as advising you to take necessary steps in the matter of crediting Privilege Leave and Sick Leave as on 1st January, of every year.

2. We now give, herebelow, certain changes/ clarifications to our aforesaid Branch Circular dated 27th June, 1986, for your future guidance

a) Privilege Leave/Pro-rata Privilege Leave.

In the illustration , it is mentioned that, while calculating the number of days of privilege leave, remainder (fraction of the number of days of active service divided by 11) will be carried forward. However, it has since been decided that, fraction of a day of earned leave, if any, shall be taken as a full day. Accordingly, Mr.'A' will be getting his first credit as on 1st December, 1986, equivalent-to 31 days instead of 30 days as stated earlier.

b) Sick Leave/Pro-rata Sick Leave

As advised earlier, Sick Leave due to an employee on any particular day may be calculated on the basis of total period of service as on that date at the rate of 30 days on half substantive pay for each completed year of service and pro-rata for the broken period. This was made effective from 31st January, 1983.

The aforesaid advice implies that, the employee can avail Sick Leave irrespective of the fact, whether he is on probation or he is a confirmed employee. Moreover, availment of other types of leave or being on unauthorised absence, does not in any way effect the calculation of the Sick Leave. As such, the following portion in the illustration would stand deleted :-

" (He has not availed any kind of other leave nor was he on unauthorised absence etc.) Since he is confirmed employee as on 1st September, 1986 ...

3. We are also aware that by advising to credit Privilege Leave and Sick Leave as on 1st January of every year, the total number of days of Privilege Leave in the account of some employees may exceed 180 days. However, we clarify that, our Branch Circular dated 27th June, 1986, was issued well in advance to take care of all such eventualities.

4. All other terms and conditions stated in our Branch Circular dated 27th June, 1986, shall remain unchanged.

5. If you have any doubt/difficulty in the matter, please write to us for clarifications through your Zonal Manager, after giving full particulars of the cases that may arise.

Yours faithfully,

sd/-

GENERAL MANAGER.

(Ref. Branch Circular No.80/271 dated 13th November 1986)

Clarification: (ON LEAVE TO PROBATIONERS)

1. A probationer can avail of casual leave during probation. The mode of calculation of entitlement of Casual Leave during probation shall be on the basis of one day for each completed month of service or part thereof. The casual leave so earned during probation can be availed by a probationer subject to fulfilling other terms and conditions for availment of casual leave. If a probationer avails of casual leave as per his /her entitlement of Casual Leave during probation, it shall not have the effect of postponement of probation period beyond 6 months.
2. A probationer can avail of a maximum of 15 days Sick Leave during probation on half pay and allowances. The mode of calculation of entitlement of Sick Leave during probation shall be on the basis of 2 and 1/2 days for each completed month of service. If a probationer avails of Sick Leave as per his /her entitlement during probation, it shall not have the effect of postponement of probation period beyond 6 months. One day sick leave can be availed of without production of fitness certificate from a Registered Medical Practitioner. If one intends to avail of Sick leave for more than one day, he/ she shall have to produce satisfactory fitness Medical Certificate from a Registered Medical Practitioner. Such leave availed by a probationer shall have the effect of postponement of probationary period.
3. A probationer is not entitled to either Privilege leave or Extraordinary leave. The absence from duties during probation, if any, shall have the effect of postponement of probation and may also invite Disciplinary Action.

Dinesh Jha Lallan