

SALES PROMOTION EMPLOYEES (CONDITIONS OF SERVICE) ACT, 1976 & THE RULES CHECKLIST

Object of the Act

To regulate certain conditions of service of sales promotion employees in certain establishments.

Applicability of the Act

Whole of India with effect from 6.3.1976

Applicability of other Acts

- Workmen's Compensation Act, 1923
- Industrial Disputes Act, 1947
- Minimum Wages Act, 1948
- Maternity Benefit Act, 1961
- Payment of Bonus Act, 1965
- Payment of Gratuity Act, 1972

Maintenance of register

- A register of sales promotion employees in Form B.
- Service Books for every employee in Form C
- A register of service books in Form D
- Leave account of each employee in Form E.

Sec. 7 Rule 23

Wages for weekly day of rest

Entitled to wages on weekly days of rest as if he was on duty.

Rule 7

Affixing of holidays to leave

Premixing or suffixing of any leave not permissible

Rule 11

Quarantine leave

Upto 30 days on the recommendations of authorized medical attendant or Public Health Officer.

Rule 16

• Leave

- Earned leave and cash compensation on earned leave not availed of.
- On full wages for not less than 1/11th of the period spent on duty.
- Leave on medical Certificate
 - On one-half of the waves for not less than 1/18th of the period of service.
- Cashable on voluntary relinquishment or termination other than by way of punishment.

Sec.4

Number of holidays in a year
10 in calendar year

Rule 4

Compensatory holidays

Within 30 days of the day when he was required to work.

Rule 5

Application for leave

When other than casual leave, not less than one month before commencement of leave except for urgent or unforeseen circumstances.

Rule 9

Holidays intervening during the period of leave

Except casual leave granted or day of weekly rest, other holidays shall be part of leave.

Rule 12

Extraordinary leave

At the discretion of the employer

Rule 17

Maximum limit upto which earned leave

- Can be accumulated 180 days of which the employee can avail himself 90 days at a time.
- Encashment of leave 120 days.

Sec.14

Issue of Appointment Letter in Form A

- Within three months from the commencement of the Act and in other case on appointment.

Sec.5 Rule 22

Wages for holidays

To be entitled for wages on all holidays as if he was on duty.

Rule 6

Recording of reason for refusal or postponement of leave.

Rule 10

Medical leave

On production of medical certificate.

Rule 15

Casual leave

15 days in a calendar year.

Rule 15

PENALTY

On contravention of provisions relating to 'Leave' Issue of Appointment Letter or Maintenance of Registers fine upto Rs.1000

Sec. 9