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India Inc taking credentials seriously before hiring

As the economy rebounds and hiring begins to pick up pace, companies are going to unprecedented lengths with sweeping background checks of prospective employees. The scope of pre-employment screening, which has been traditionally limited mainly to senior executives and involved basic searches to verify the accuracy of the resume, the educational background and biographical data, is now getting vastly expanded. All job applicants, not just those at senior levels, are being scrutinised with a fine toothcomb. And almost no area is off limits.

While false claims about education and employment are among the main triggers for

rejection, some job applicants have been tripped up by their personal lives. One such was denied a job after an agency specialising in background verification discovered that the individual was having an extra-marital affair. The agency asked the prospective employer, a multinational company, to put the application on hold by filing a 'pink' report and the employer obliged.

Greed to make more money, temptation to earn more, either by fair or foul means, has included many persons to fudge exaggerated information and also, suppressing the particulars.

R.S. Jagdev



Judicial Decision Pertaining to EMPLOYER-EMPLOYEE RELATIONS to be reported in January, 2010

- Employee not the employer has to prove continuous working for entitlement of gratuity. All. HC (Code No.1)
- No employee has a right to be promoted, at best he has a right to be considered for promotion. P&H HC (Code No.2)
- Merely because the contractor employing 20 workers was not having a licence no absorption can be directed. Bom. HC (Code No.3)
- Nature of duties and not designation of an employee is criterion to determine as to whether he is a 'workman' or not. Del. HC (Code No.4)
- ESI Act will be applicable upon an establishment when, in addition to 7 employees, there were three paid directors. P&H HC (Code No.5)
- Services of a probationer can be terminated during or at the end of the probation period without assigning any reason. Jhar. HC (Code No.6)
- A defaulting employer is rightly proceeded ex-parte by the Assistant Provident Fund Commissioner for determination of money. Jhar. HC (Code No.7)
- For incorrect calculation, no plea for rectification can be taken that there is no provisions under the Pensions Scheme. Mad. HC (Code No.8)
- Reinstatement not a rule even when retrenchment compensation is not paid at the time of termination. All. HC (Code No.9)
- A daily wager cannot challenge his termination alleging it violative of sections 25 F and 25 G of the I.D. Act. P&H HC (Code 10)
- Merely that the workers have worked for 240 days in a calendar year, it will not give any right for absorption/regularisation. Jhar. HC (Code No.11)
- 30% instead of 50% back-wages on reinstatement would be appropriate to a driver whose termination has been set aside. Supreme Court (Code No.12)

Source : Labour Law Reporter

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