



GSTIN : 29AABAK0318H1ZW

Off : 080 - 26613091 / 26607167
42103360 / 26761877

Email : kea@kea.co.in
Web : www.kea.co.in

KARNATAKA EMPLOYERS' ASSOCIATION

Date: 15-07-2020

CIRCULAR NO - 129/2020

To
All Members of the Association

KEA ADDRESSES LETTER TO GOVERNMENT REQUESTING TO KEEP IN ABEYANCE THE KARNATAKA CRECHE RULES

Karnataka Employers' Association (KEA) has addressed a letter to the Principal Secretary (Department of Labour) requesting to keep in abeyance the Government of Karnataka Creche Rules No. LD.127.LET .2018 dated 21.07.2018 during the COVID period.

The Association has also welcomed the initiative of the Director of Factories and Boilers in collecting data regarding the utilization of the creche facilities due to COVID situation.

Members may also submit their letters to the Government with a similar request as above with a copy to the Association.

A copy of the letter dated 14-07-2020 is attached.

For Karnataka Employers Association

Sd/-
B C PRABHAKAR
PRESIDENT



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KARNATAKA EMPLOYERS' ASSOCIATION

NO.74, 2nd FLOOR, SHANKARA ARCADE, VANIVILAS ROAD,
BASAVANAGUDI, BENGALURU - 560 004
Reg. No. TU 507 / 20-3-1962

B.C. Prabhakar, B.A., B.L.,
President

14.07.2020

To:

Principal Secretary
Department of Labour
Government of Karnataka
Bengaluru

Respected Sir,

**Sub: Request for keeping in abeyance the Government of
Karnataka Creche Rules No. LD 127 LET 2018 dated
21.07.2018**

**Office Reminder No. Legal-2/Misc/CR-12/2020-21 dated
04.07.2020 issued by the Director of Factories and Boilers**

We wish to bring to your kind notice the following:

- 1) The Government of Karnataka has notified Creche Rules pursuant to the Maternity Benefit Amendment Act, 2017.
- 2) Elaborate guidelines have been issued to all the establishments having 50 or more employees to provide creche facilities.
- 3) Many establishments have provided creche facilities as per the guidelines. However, due to COVID-19 situation, it has been observed that employees are reluctant to bring their children to the establishment and utilize the creche facilities.
- 4) This is because of the health precautions that have become necessary in view of the pandemic and the need to protect children from being

exposed to risk if they are brought to the creche provided by the establishments.

- 5) The COVID-19 guidelines issued by the Ministry of Home Affairs, Government of India also mandates that children below 10 years should be prevented from being allowed to go out except for medical reasons.
- 6) As a result of this, it is found that the creche facilities are being under utilized and in most cases, not utilized at all after the re-opening of the establishments following Unlock-1 announced by the Government.
- 7) Many establishments have outsourced creche facilities from external service providers with whom they have entered into contract for the purpose of providing such facilities for their eligible employees.
- 8) Now due to the COVID-19 situation, since outsourced creche facilities are not being utilized, establishments are finding it burdensome to continue the contract for retaining such creche facilities.
- 9) Further, the cost of such creche facilities being very high, the establishments are facing heavy financial burden without any corresponding utility for their employees thus affecting the profit margins of the establishments.
- 10) In view of the above, it is requested that the establishments are provided with the flexibility of providing creche facility or the equivalent cost to the eligible employees only upon a specific request instead of maintaining the facility as per the Act and Rules.
- 11) If this flexibility is provided, no eligible employee would be deprived of the creche facility and at the same time, the establishment is freed from the onerous burden of maintaining the creche facility at an enormous cost without it being put to use, thereby saving avoidable cost to the establishments.

We welcome the initiative of the Director of Factories and Boilers in collecting data regarding the utilization of the creche facilities due to COVID situation.

We also request the Government to relax the provisions of the creche rules on the basis of the above request at least for the next one year in view of the pandemic situation.

For KARNATAKA EMPLOYERS' ASSOCIATION

B. C. Prabhakar

**B.C. PRABHAKAR
PRESIDENT
Mob: 98440 33348**