

SII recommendations for DG ESI (SUGGESTIONS 1-4 CAN BE IMPLEMENTED QUICKLY WHILE 5/6 MAY TAKE LONGER)

S.no	Problem Statement with evidence	Current Process Issue as observed in Gurgaon-Manesar	Recommendations for improvement in Process
1	<p><b>IMPROVEMENT IN PDB PROCESS (see Appendix 1 and 2):</b> Complicated and lengthy process for Medical Board and PDB benefit. Worker has to make <b>at least ten visits</b> and suffer bureaucratic internal delays during the PDB process. 60% of PDB cases registered with SII are <b>atleast one year old, where</b> the worker has visited BO/SRO more than 10 times and in many visits, he returns having made no progress and <b>deferred to the 'next date'</b>. In 72% of these cases which are more than 12 months old, they have also visited Suvidha Samagam at least once. This is despite that fact there is usually unquestionable evidence that worker is injured, his injury obvious and visible and his TDB has already been cleared. After many visits to Branch office/Suvidha samagam only 25% of SII cases have been completely resolved, remaining 75% are still waiting either for their Medical Board or their first monthly pension amount.</p>	<p><b>See Appendix 1 for pictorial representation:</b> After receiving TDB amount, the injured worker has to request for Medical board for which he has to visit Branch office. Sometimes worker delays this visit because he is not able to sustain himself in the city post-accident, This is a major issue due to which many workers don't get their PDB benefits</p>	<p><b>See Appendix 2 for pictorial representation:</b> Bi1a Form should be filled along with RM-3 on the same day when he come for fitness check for TDB. There should be no need to visit again and request for Medical board. When he comes to submit fitness certificate, he should get RM-3 Form with the half-completed Bi1a because the process for filling both the forms is the same. In both the Forms, initial parts are filled by Branch manager at BO and for remaining worker has to visit Dispensary to be completed by the Medical Officer. By this practise ESI could reduce the workers first three visits to BO .</p>
		The "RM process" takes atleast a month in 90% of our cases.	
		Most of the cases are stuck between ESIC SRO and BO and there is no accountability/systemetic follow up procedure on either side and the worker goes around in circles. In one-third of cases, BO has sent incomplete/erroneous documents to SRO between the two without any side taking on the responsibility to resolve the internal issues. In one-third of cases, BO has sent incomplete/erroneous documents to SRO.	There should be a time limit in which BO/SRO has to answer or complete the documents (maximum 3/4 weeks), after which the worker should be given benefit of doubt and his process assumed to be completed.
			BO should have a clear checklist of documents required at every stage and staff trained on it (SII sample attached - Appendix 3)
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2	<p><b>Leave Certificates Process (See Appendix 4):</b> Every Injured worker has to follow an unnecessarily lengthy, repetitive and rigid Leave Certificate process until he is declared fit.</p>	For every period of leave approved by a doctor, <b>a sick or an injured worker has to go to four places every time</b> E.g. a worker with total 28 days leave over four weeks, may have to make 13 visits to get and submit four Leave Certificates for amounts as small as Rs 5000-8000.	Automate at Hospital linking all Hospital-Dispensary-Branch systems.
		Every step also adds additional work and cost to ESIC staff.	
		Very often, due to this complexity and deadlines (eg. <b>an injured worker needs to be in a distant Dispensary within 24 hours after Hospital Visit, irrespective of his health and injury!</b> ). As a result, many workers lose a lot of their Sickness Benefit/TDB making their situation worse.	Until the Process has to remain manual, create a Leave Certificate Desk at the Hospital itself where the worker gets the Certificate immediately after seeing a Doctor.

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3	Documents submitted are not acknowledged creating subsequent delays, "missing files" and reason for corrupt practices.Receptionist to receive documents (Missing Files and Documents in ESIC Offices)	We have several cases, where workers were told that there files were completely missing and they had to resubmit their documents.	The best solution is to make this process online. The workers should be able to submit a copy of the document online, and if necessary some of these documents can then also be physically submitted.If the processes were genuinely implemented online such physical files will not be needed in the interim
		In many cases, documents that workers confirmed were submitted by them, ESIC officials could not locate them and advised them missing.	Until the online system is implemented, All ESIC offices should have a Receptionist as required by the Regulations and this Receptionist should not and cannot refuse to acknowledge the receipt of documents on a photo-copy of the same document. Such acknowledgements should have a clear date, time and person who received it. Documents should be accepted from workers and/or their representatives.
		There does not appear to be a standard Reception Desk in ESIC Offices despite the norm to have one in each BO/SRO. Instead, workers themselves find a staff member as advised at these offices and hand over documents to them directly on trust. Such staff members mostly refuse to acknowledge the documents to workers or even SII.	In case of a missing document after acknowledgment, ESIC should have no right to ask the worker to get it again but must obtain it directly from employer, contractor, etc and this should be assumed to be received and claims process progressed without delay.
			All ESIC staff should have their names in Hindi/regional language clearly displayed on their tables and should have a name-tag on their shirts so that the workers can record who they gave the documents to and/or interacted with. Name tags could have the 'Make in India' logo, inculcating a culture that ESIC's good work supports Indian workforce without which there will not be a successful 'Make-in-India'
4	Poor and inconsistent advice on process and its status by ESI staff to workers on day to day basis	ESIC staff rarely provide accurate and timely feedback to workers on process. Our data and worker focus groups suggest that:	Provide a standard check-list to ESIC staff to provide feedback (see Appendix as an example of check-list being used by SII to provide needed clarity to workers regarding ESIC process.
		Such advice is not uniformly provided.	
		Often the workers do not understand the technicalities explained hurriedly and the brochures are in very complicated language.	
		Advice can be wrong and/or incomplete. In almost all cases, the information provided is ad hoc, unstructured and piecemeal. All documents required are not asked once but on every subsequent visit more documents are asked.	Review Help Desk strategy and processes for both Hospitals and Offices, and make them more effective. Measure their effectiveness by how busy they are and the type of help they are providing.
		The help desk at ESIC Manesar Hospital does not appear to be busy most times, which is surprising given the number of cases that come to SII looking for advice and support. On many occasions, we have observed that the main Help desk officer is out on duties not related to Help Desk.	

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5	Reg. 11 and 14: Declaration by persons in employment on appointed date (form 1) within 10 days of a worker joining being misused.	We are also aware of the issue that Employers do not register workers for ESI immediately on employment as such registration also starts the much more expensive Provident Fund Cycle. The government and workers are the losers on account of this seemingly/ presumably corrupt/ bad practice and it should not be tolerated	Remove the 10 day rule. Factories should not be allowed to have any worker in their premises without ESI cover being provided (Or register max within 24-48 hours of the day of joining). The online system provides the company HR/admin the functionality to register online within a few minutes of a worker joining. They should use the worker information as per his Aadhar Card and not a different name, spelling, etc.
		The penalty for non-compliance is an insignificant amount that does not deter the poor behaviour.	Penalty for non-compliance should be substantially higher. We suggest at least Rs100, 000 per unregistered worker. Again, the SSO will be effective here and the SSO costs can be paid from these penalties.
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6	Despite ESIC efforts, processes remain manual and documentation physical. The online systems have failed to be effective/useful for both ESIC staff and workers.	The regulations are drafted mainly for physical movement of documents e.g. by post, which is still being followed at least in Gurgaon-Manesar, and anecdotally in many other parts of the country rather than the online systems introduced by ESIC. This is causing inefficiency, delay in claims, severe inconvenience to injured workers (In 280 files with us, workers have visited ESIC 10-20 times) and higher cost of operations for ESIC. More often than not workers are being asked to move documents from one ESI location to another and resubmit documents, all of which should not be required in online systems and is in fact ESI staff responsibility.	Update the Regulations with the online system instructions and enforce implementation.
		It would also appear on surface that manual systems are attractive for some of the ESI staff who can then claim to have not received the documents or ask workers to do things they should be doing themselves.	

Benefits to workers and ESIC
Fewer visits are good for both worker and ESIC efficiency/costs.
Accountability culture is critical to help the injured worker get his dues overall improvement of ESIC.
It will reduce worker visits and ESIC costs.
Benefits to workers and ESIC
Reduces the Worker load of ESI staff
No need for worker to go place to place just to get and submit Leave Certificates. This temporary respite is important for someone injured and seriously sick.

Benefits to workers and ESIC
Faster process.
Reduced cost for ESIC.
Reduced cost for workers, ESIC and employees who also have to spend time following up on duplicates.
Name Tags will result in not only identification of poor employees but also good employees who will get better feedback from workers.
Improves the process for both workers and ESIC staff.
Reduced traffic at ESIC BO and SRO.

Benefits to workers and ESIC
Better risk cover for workers.
Higher cost of accident for factories and therefore improved safety standards.
Benefits to workers and ESIC
Reduced complexity and delays for workers and ESIC workers once trained and instructed to use the system.
Lower cost of operations for ESIC.
Lower chances of corrupt practices in ESIC.