

# State Banks' Staff Union (Kerala Circle)

(Affiliated to All India State Bank of India Staff Federation)

Reg. No. 01-36-2000

Circular No.20/22  
To All Unit Secretaries



State Bank of India  
Local Head Office  
Poojappura  
Thiruvananthapuram-695 012  
Date 27.01.2022

Dear Comrade,

## **MEDICAL FITNESS: NEW RECRUITS / PROMOTEES** **GENDER DISCRIMINATION & VIOLATION OF RIGHT FOR EMPLOYMENT**

We reproduce hereunder the full text of letter No. GS/TVPM/FED/303/22 dated 24<sup>th</sup> January 2022, addressed to the General Secretary, All India State Bank of India Staff Federation, the contents of which are self explicit. We have also represented to the Circle Management to escalate the matter to Corporate Centre.

Yours comradely

(Philip Koshy)  
General Secretary

“We invite your kind attention towards e-Circular no. CDO/P&HRD-IR/81/2021-22 dated 31/12/2021 regarding the medical fitness of new recruits and promotees. It is understood from the circular that the bank has made serious amendments to the guidelines with regard to the employment of women candidates in our bank.

2. Earlier in State Bank of India, pregnancy was a bar for an immediate appointment. In 2009, because of the pursuance of State Banks' Staff Union (KC) and All India State Bank of India Staff Federation, the Corporate Centre has reviewed the then existing guidelines associated with the women employees at the time of recruitment/promotion. We append here below the existing and revised guidelines for your ready reference.

### **Present Guideline:**

*They may be appointed in the Bank upto 6 months of pregnancy, provided the candidate furnishes a certificate from specialized gynaecologist that her taking up Bank's employment at that stage is in no way likely to interfere with her pregnancy or the normal development of the foetus, or is not likely to cause her miscarriage or otherwise to adversely affect her health.*

**Proposed Amendment:**

*In the case of a pregnancy that completed a period less than 3 months, the candidate will be considered as fit. However, if pregnancy is of more than 3 months, she will be considered temporarily unfit and she may be allowed to join within 4 months after the delivery of the child.*

3. In the present competitive world, a candidate successfully gets shortlisted for employment/promotion only with their commitment and efforts. Delaying the joining of candidates who are pregnant is very much prejudiced and it leads to loss in service, service seniority, social & financial security and will also affect the morale of the candidates.

4. Also as per the proposed amendment, a woman employee has to rejoin the bank for accepting a promotion, within 4 months after delivery, which is against the existing facility of six months maternity leave facility extended to woman employees in our bank.

5. Being pregnant is only a biological condition for the prolongation of the human race. In a civilised society, where gender equality and justice should be the motto, women who are willing and able to take up employment/promotion should be guaranteed various facilities and support to engage in workplaces. We understand that the proposed guidelines deny the woman candidates their fundamental right to acquire employment/promotion uniformly with other candidates.

6. The proposed guidelines has to be construed as the violation of Article 14 of the Constitution of India which guarantees equality before law and equal protection of laws and Articles 20 & 21 which guarantee right to life and livelihood. The constitutional provision in Articles 15(1) and 16(2) (non-discrimination on grounds of sex) also uphold the rights of a woman candidate as well as protection from gender bias.

7. Considering the above facts, we feel that as a model employer bank may consider appropriate amendments to these provisions to empower the idea of gender justice in State Bank of India.

8. Hence we request the Staff Federation to take up the matter with Corporate Centre to initiate necessary measures to review the proposed provisions and consider the pregnant woman candidates/employees equally with other candidates on the matter of their appointment/ promotion in Bank's service."

STATE BANKS' STAFF UNION (KERALA CIRCLE) .....	ZINDABAD
ALL INDIA STATE BANK OF INDIA STAFF FEDERATION.....	ZINDABAD
NATIONAL CONFEDERATION OF BANK EMPLOYEES.....	ZINDABAD
UNITED FORUM OF BANK UNIONS.....	ZINDABAD
INQUILAB.....	ZINDABAD