

III.6.16 Maternity leave

Business owner Rojkov, Ms. Kate (WDC) | Effective Date: Tuesday, 11 November 2014

Purpose

10 The purpose of maternity leave is to allow an eligible staff member a period of paid leave before and after giving birth, to prepare for and recover from the delivery and to take care of the newborn.

Eligibility

20 Staff members holding service, fixed-term and temporary appointments shall be entitled to maternity leave with full salary and allowances.

30 Maternity leave is granted to staff members who work on a part-time basis in the same proportion as their employment percentage bears to that of a full-time staff member. Part-time staffs continue to receive their part-time salary and allowances during maternity leave.

Entitlement

40 In accordance with Staff Rule 760.2, staff members holding fixed-term appointments of one year or more shall be granted maternity leave for a period of 16 weeks.

45 In accordance with Staff Rule 760.3, staff members holding temporary appointments shall be granted maternity leave for a period of 8 weeks.

50 Maternity leave shall commence six weeks prior to the anticipated date of birth upon submission of a certificate from a duly qualified medical practitioner or midwife indicating the expected due date. In no case shall maternity leave terminate less than 10 weeks after the actual date of birth.... This does not apply to staff holding temporary appointments.

60 If the pre-delivery period is more than 6 weeks, due to a miscalculation of the actual date of birth on the part of the medical practitioner or midwife, the mother is allowed a post-delivery leave of no less than 10 weeks. At the request of the mother, an earlier date of return may be permitted provided a minimum period of 6 weeks following delivery has elapsed.... This does not apply to staff holding temporary appointments.

70 At the request of the staff member, and conditioned upon medical approval, maternity leave may commence less than six weeks but not less than two weeks before the expected due date. The staff

member must make a request for the pre-delivery leave in the leave and absence system indicating start and end dates and provide a medical certificate attesting to her fitness to work during this period. The leave requested is submitted to the Health and Wellbeing Unit for approval.

80 If the staff member so requests, she may be permitted to work part-time between the 6th and 3rd week inclusive preceding the expected delivery date. For example, instead of taking the 6 weeks of pre-delivery full-time maternity leave, the staff member may request half-time maternity leave, combined with half-time work, for the first 4 weeks. In such cases, the half days of absence shall be charged to the staff members maternity leave entitlement. Staff members who work on a part-time basis during this period will not be granted sick leave for any problem associated with the pregnancy. The staff member makes an amended maternity leave request as indicated above.

90 If less than six weeks of pre-delivery leave is approved, or if the staff member is authorized to work part-time and it becomes apparent that she is not fit to continue work, the matter should be immediately referred to the Health and Wellbeing Unit. The staff member shall be required to commence her pre-delivery leave immediately when the PAHO Medical Director determines that the staff member is not fit to continue to work. In such cases, HRM will inform the staff member's unit of the date of commencement of full-time maternity leave. The Absence Administrator makes the necessary amendment to the staff member's leave and absence record.

100 A staff member who has completed 6 weeks of post-delivery maternity leave may opt to combine maternity leave with half-time work for the remainder of the maternity leave.

110 Brief absences due to common ailments do not trigger the start of maternity leave.

120 In the unfortunate event that the child dies during or after birth, the staff member is entitled to the full duration of maternity leave.

Shared maternity leave

130 When both parents of a newborn child or newborn children are PAHO staff members holding fixed-term appointments, any unused portion of the maternity leave to which the mother would otherwise have been entitled may be used by the other parent, provided that:

A minimum period of six weeks post-delivery maternity leave has been taken by the mother...;

The maximum period of unused maternity leave which may be converted to shared maternity leave is four weeks...; this would be without prejudice to any paternity leave;

Any request for shared maternity leave should be made in the leave and absence system and must be accompanied by a written statement from the mother that she agrees to the proposed use by the other parent of the unused portion of the maternity leave and to the consequent reduction in the maternity

leave to which the mother would otherwise have been entitled. The mother amends her leave records accordingly.

140 Shared maternity leave is granted with full salary and allowances.

Leave and absence records

150 All maternity leave requests are recorded in the leave and absence system.

Loss of maternity leave

160 When an eligible staff member does not exercise part of her maternity leave, subsequent to the minimum post-delivery period of 6 weeks..., because she requests an earlier date of return, the remaining entitlement is lost. She does not receive:

payment in lieu of; nor

additional annual leave credit.

Relationship with other Entitlements, Benefits and Options

Annual leave

170 A staff member continues to accrue annual leave while on maternity leave.

180 Staff members are not required to exhaust accrued annual leave prior to proceeding on maternity leave.

190 Subject to the needs of the Organization, requests to combine half-time work with annual leave following maternity leave, will be given favorable consideration. For example, instead of taking 6 weeks of full-time annual leave following maternity leave, the mother may request half-time annual leave over a 12-week period, combined with half-time work.

Sick leave

200 Sick leave is not normally granted for maternity cases except when serious complications arise and upon presentation of a medical certificate.

210 When an expecting mother is absent for an extended period of time of more than one month due to serious complications with the pregnancy prior to the 6 weeks preceding the due date, the period of absence in excess of one month up to the start date of the 6 weeks pre-delivery period will be charged to special leave with full pay so as not to prejudice sick leave.

220 There may be cases where health complications of the mother (related to the birth) or the newborn, may require continuing hospitalization not allowing for the release of mother and child at the same time. Such cases may be referred to the Manager of Human Resources Management (HRM) upon the advice of the PAHO Medical Director, for decision whether the 10 weeks post-delivery period may be extended by a period of special leave with full pay corresponding to the period of hospitalization of either the mother or the child. The period of special leave with full pay will be for up to 4 weeks and exceptionally for up to 8 weeks. If the complications are related to the health of the mother, any additional period of absence will be charged to sick leave. A request must be accompanied by a medical report for review by the PAHO Medical Director.

230 If a staff member is unable to return to duty on expiration of maternity leave because of ill health, a sick leave request is submitted accompanied by a medical certificate.

Service Credit

240 A staff member accrues service credits for all purposes during maternity leave.

Extension of Appointments

250 In accordance with Staff Rule 1040.2, when a fixed-term or temporary appointment is due to expire during a period of maternity leave, paternity leave where applicable, or adoption leave, and renewal of the appointment is not contemplated, the appointment may be extended for a period of time that is no later than the end date of the staff member's approved leave.

260 The staff member shall be informed in writing by HRM that the contract will be extended to cover maternity leave.

Termination of Appointments

270 In accordance with Staff Rule 1083, notice of termination under Staff Rules 1030 (Reasons of Health), 1050 (Abolition of Post), 1060 (Non-confirmation of Appointment), 1070 (Unsatisfactory Performance or Unsuitability for International Service), and 1080 (Abandonment of Post) will not be served to a staff member on maternity leave.

Special Leave without Pay (Staff Rule 650)

280 Subject to exigencies of service, requests from a staff member for special leave without pay to take care of a newly-born child following maternity leave will be given favorable consideration normally not to exceed one year.

290 Requests for special leave without pay to care for a child are initiated by the staff member for approval by the supervisor. If the request is granted, HRM notifies the staff member of the conditions of the special leave without pay including the conditions which apply to reintegration in the workforce.

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Part time work

320 Subject to the needs of the Organization, requests to work part-time to take care of a newly- born child following maternity leave will be given favorable consideration.

Flexi-time

330 Subject to exigencies of service, where flexible working arrangements are in place, requests for flexi-time, following maternity leave will be given favorable consideration.

Nursing Leave (Time off for breastfeeding)

335 A nursing mother must present her request for nursing leave, along with a certificate from her baby's pediatrician certifying the child's age and that the child is being breastfed, to the Health and Wellbeing Unit (HRM/CW) who will authorize nursing leave in six-month increments. Every six months, thereafter, the nursing mother must present an updated certificate from the child's pediatrician. A nursing mother may take a maximum of two hours of nursing leave a day until the child reaches its second birthday.

340 Breastfeeding has important health benefits for the infant and the mother. As the Organization is supportive of nursing mothers, supervisors are expected to be flexible in agreeing to that working schedule that best suits the nursing mother and her child; however, the nursing mother is expected to

work at least six hours a day, or if she works less than six hours in a given day, charge her absence to the appropriate leave category.

345 A nursing mother is only entitled to take nursing leave on those days that she actually reports for duty. If she requests a full day of annual or sick leave, she will be charged eight hours of leave.

350 The following options are available:

A nursing mother may choose to avail herself of time off for up to two hours per day for the purpose of breastfeeding her infant, inclusive of commuting time. Subject to the exigencies of the service, managers are encouraged to respect the staff members' wishes as to the period of the day which they wish to take time off for breastfeeding; alternatively,

A nursing mother working on a full-time basis may instead opt to work on a part-time schedule at 75% with payment of full salaries and allowances. In this case the working schedule must be agreed with the staff member's supervisor. Should the mother wish to change the initially agreed working schedule, she may do so in consultation with her supervisor.

355 Once the work scheduled has been approved by the supervisor, a nursing mother must provide a written work schedule to her supervisor and timekeeper showing when she will be out of the office on nursing leave.

360 Either of the two options mentioned above may be taken for as long as the mother continues to breastfeed her infant but not beyond the date on which the child turns two years of age.

370 Time off for breastfeeding is recorded in the leave and absence system.

Breastfeeding facilities

380 When there is a breastfeeding facility on premises providing private space and a refrigerator, staff members may use it during the workday to breastfeed, or to express and store milk.

Travel of Infant

390 Please see III.6.19 – Duty travel with an infant.