October 16, 2009

The Honorable Isaac V. Figir
Speaker
16th FSM Congress
Palikir, Pohnpei State, FM 96941

Dear Speaker Figir:

I am pleased to inform you that I have designated the following Congressional Act as Public Law No. 16-15:

Congressional No. 16-13, “AN ACT TO FURTHER AMEND TITLE 52 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA, AS AMENDED, BY AMENDING SECTION 145 SUBSECTION 1 THEREOF, TO DELETE MATERNITY AS A REASON FOR LEAVE OF ABSENCE, AND BY ADDING A NEW SUBSECTION 3 TO ALLOW PAID MATERNITY LEAVE FOR PUBLIC EMPLOYEES OF THE NATIONAL GOVERNMENT, AND FOR OTHER PURPOSES.”

This issue of maternity leave has been a reoccurring concern that has resurfaced on several occasions and was left without any further attention. I am quite pleased that Congress has finally revisited the issue and deliberated on the potential implications it may have on the operation of our government. I am hopeful, with this new law, eligible employees for maternity leave will assist them cope with their new born baby and at the same time keep them productive in our government and responsible parents at home.

Now that Congress has acted upon maternity leave, my concern now rests on paternity leave. Perhaps equal consideration and treatment should likewise be afforded by Congress in due time.

Sincerely,

Manny Mori
President

xc: Chief Justice, FSM Supreme Court
Secretary, Department of Justice
Director, Office of SBOC
Legislative Counsel, CFSM
Library, CFSM
PIO, FSM
October 05, 2009

His Excellency Manny Mori
President
Federated States of Micronesia
Palikir, Pohnpei FM 96941

Dear President Mori:

I have the honor to transmit herewith Congressional Act No. 16-13, "AN ACT TO FURTHER AMEND TITLE 52 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA, AS AMENDED, BY AMENDING SECTION 145 SUBSECTION 1 THEREOF, TO DELETE MATERNITY AS A REASON FOR LEAVE OF ABSENCE, AND BY ADDING A NEW SUBSECTION 3 TO ALLOW PAID MATERNITY LEAVE FOR PUBLIC EMPLOYEES OF THE NATIONAL GOVERNMENT AND FOR OTHER PURPOSES.", which was passed by the Sixteenth Congress of the Federated States of Micronesia, Second Regular Session, 2009, by a two-thirds vote of all the State delegations as required and as duly certified.

Sincerely yours,

Liwiana K. Ramon
Chief Clerk, Congress of the Federated States of Micronesia

Enclosures
An Act

TO FURTHER AMEND TITLE 52 OF THE CODE OF THE FEDERATED STATES OF MICRONESIA, AS AMENDED, BY AMENDING SECTION 145 SUBSECTION 1 THEREOF, TO DELETE MATERNITY AS A REASON FOR LEAVE OF ABSENCE, AND BY ADDING A NEW SUBSECTION 3 TO ALLOW PAID MATERNITY LEAVE FOR PUBLIC EMPLOYEES OF THE NATIONAL GOVERNMENT AND FOR OTHER PURPOSES.

INTRODUCED BY SENATOR: JOSEPH J. URUSEMAL
DATE: MAY 25, 2009

REFERRED TO: HEALTH AND SOCIAL AFFAIRS COMMITTEE
FIRST READING: SEPTEMBER 28, 2009
SECOND READING: SEPTEMBER 29, 2009

Liwiana K. Ramon
Chief Clerk, FSM Congress
ACT NO. 16-13

(CONGRESSIONAL BILL NO. 16-20, C.D.1)

We hereby certify that on September 29 the foregoing act passed Second and Final Reading of the Sixteenth Congress of the Federated States of Micronesia, Second Regular Session, 2009, by a two-thirds vote of all the State delegations as required under article IX, section 20, of the Constitution of the Federated States of Micronesia.

Isaac V. Figir
Speaker
Congress of the
Federated States of Micronesia

Liwiana K. Ramon
Chief Clerk
Congress of the
Federated States of Micronesia
AN ACT

To further amend title 52 of the Code of the Federated States of Micronesia, as amended, by amending section 145 subsection 1 thereof, to delete maternity as a reason for leave of absence, and by adding a new subsection 3 to allow paid maternity leave for public employees of the National Government and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

Section 1. Section 145 subsection 1 of title 52 of the Code of the Federated States of Micronesia, is hereby amended by deleting maternity as one of the reasons for leave absence to be granted to employees of the National Government. The new subsection 1 shall read as follows:

"Section 145. Leaves of absence.

(1) Leaves of absence with pay may be granted to employees by management officials for reasons of vacation, illness, training, or education, or for such other reason as will be in the best interests of the public service. Eligibility for such leaves, the method and rate of earning such eligibility, and the duration of the leave shall be established by regulations.

(2) Leave of absence without pay may be granted for such reasons as management officials may deem proper and consistent with the best interests of the public service. Regulations may prescribe the characteristics of such leaves.
(3) Paid maternity leave of absence shall be granted to an employee for a period of six consecutive weeks per twelve month period:

(a) For purposes of this section, "maternity leave" means leave in connection with the birth of a child of the employee.

(b) Paid maternity leave shall not be considered to be annual leave or sick leave accrued in a calendar year.

(c) Paid maternity leave shall not accumulate for any subsequent use if not used by an employee before the end of each calendar year.

(d) The employer through its management officials may require the employee to provide a doctor's certificate indicating general condition during pregnancy and the expected delivery date.
Section 2. This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

10/16, 2009

Manny Mori
President
Federated States of Micronesia