A BILL FOR AN ACT

To amend section 145 of title 52 of the Code of the Federated States of Micronesia (Annotated), as amended, by expanding the applicability of maternity leave to all national government employees and fixing it at 12 consecutive weeks, and for other purposes.

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

Section 1. Section 145 of title 52 of the Code of the Federated States of Micronesia (Annotated), as amended, is hereby amended to 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] twelve 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. Maternity leave applies to all national employees, regardless of employment status, whether permanent or probationary status, and whether a public service or exempt 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.

Date: 3/29/21

Introduced by: /s/ Florencio S. Harper

Florencio S. Harper (by request)