

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:

1           Section 1. Section 145 of title 52 of the Code of the  
2 Federated States of Micronesia (Annotated), as amended, is hereby  
3 amended to read as follows:

4                   "Section 145. Leaves of absence.

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

13                   (2) Leave of absence without pay may be granted for  
14 such reasons as management officials may deem proper  
15 and consistent with the best interests of the public  
16 service. Regulations may prescribe the  
17 characteristics of such leaves.

18                   (3) Paid maternity leave of absence shall be

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1 granted to an employee for a period of [~~six~~] twelve  
2 consecutive weeks per twelve month period:

3 (a) For purposes of this section, "maternity  
4 leave" means leave in connection with the birth of a  
5 child of the employee. Maternity leave applies to all  
6 national employees, regardless of employment status,  
7 whether permanent or probationary status, and whether  
8 a public service or exempt employee.

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

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

15 (d) The employer through its management  
16 officials may require the employee to provide a  
17 doctor's certificate indicating general condition  
18 during pregnancy and the expected delivery date."

19 Section 2. This act shall become law upon approval by the  
20 President of the Federated States of Micronesia or upon its  
21 becoming law without such approval.

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23 Date: 3/29/21

Introduced by: /s/ Florencio S. Harper  
Florencio S. Harper  
(by request)

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