



Employees' Guide to Enhanced Leave Schemes

Marriage & Parenthood Package



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SUPPORTING WORK-LIFE HARMONY AND ENCOURAGING SHARED PARENTAL RESPONSIBILITY

Singaporeans are at the heart of our nation and family is the bedrock of our society. To provide more comprehensive support for Singaporeans in getting married and starting their families, the **Marriage and Parenthood (M&P) package** was announced in January 2013.

A key component of the 2013 package is the enhancement and introduction of new work-life measures to help working couples balance work and family commitments as well as enable fathers to play a bigger role in bringing up their children. The enhancements include:

- i) Government-Paid Paternity Leave (PL)
- ii) Government-Paid Shared Parental Leave (SPL)
- iii) Government-Paid Extended Child Care Leave (ECL)
- iv) Enhanced Maternity Protection
- v) Government-Paid Maternity Benefit (GPMB)
- vi) Government-Paid Adoption Leave

The provisions for these enhancements are made under the Child Development Co-Savings Act (CDCA). This booklet aims to provide working parents with more details on each of these enhancements in an easy-to-read question and answer format.

For more information on the leave schemes, please visit www.profamilyleave.gov.sg.

For information on the full M&P Package 2013, you may also visit www.heybaby.sg.

You could also reach us via these enquiry lines:

Enquiries on:	Telephone Number:
Government-Paid Maternity Benefit	1800 227 1188
Claim Procedures and Reimbursement under Government-Paid Leave	1800 227 1188
Leave Measures	6438 5122

SUMMARY OF M&P MEASURES

For easy reference, the key features of the M&P measures are summarised in the table below.

Measures	Details
NEW Government-Paid Paternity Leave (PL)	<p>Working fathers will be entitled to 1 week of paternity leave. Adoptive working fathers can also apply for paternity leave if they meet all the respective qualifying criteria.</p> <p>The leave is to be taken in a continuous block of 1 week within 16 weeks after the birth of your child. It can also be taken flexibly in days within 12 months from the birth of the child, subject to mutual agreement between you and your employer.</p>
NEW Government-Paid Shared Parental Leave (SPL)	<p>Working fathers will be eligible to share 1 week of the mother's maternity leave, subject to her agreement.</p> <p>The leave is to be taken either in a continuous block of 1 week, or flexibly in days (subject to mutual agreement between you and your employer), within 12 months from the birth of the child.</p>
NEW Government-Paid Extended Child Care Leave (ECL)	<p>Working parents with a child aged 7-12 years (inclusive) will be eligible for 2 days of paid extended child care leave per year. The total extended childcare leave entitlement is capped at 12 days.</p>

Payment	Qualifying Criteria
<p>Government-paid: 1 week, capped at \$2,500 (including employer's CPF contributions)</p>	<ul style="list-style-type: none"> a) Your child is born, or has an Estimated Date of Delivery (EDD), on or after 1 May 2013; b) Your child is a Singapore Citizen; c) You are lawfully married to the child's mother; and d) You have served your employer for a continuous duration of at least 3 months immediately preceding the birth of your child <u>or</u> have been self-employed for a continuous period of at least 3 months immediately preceding the birth of your child.
<p>Government-paid: 1 week, capped at \$2,500 (including employer's CPF contributions)</p>	<ul style="list-style-type: none"> a) Your child is born, or has an EDD, on or after 1 May 2013; b) Your child is a Singapore Citizen; c) The child's mother qualifies for Government-paid maternity leave; and d) You are lawfully married to the child's mother.
<p>Government-paid: 2 days, capped at \$500 per day (including employer's CPF contributions)</p>	<ul style="list-style-type: none"> a) Your youngest child is aged 7-12 years (inclusive); b) Your child is a Singapore citizen; and c) You have served your employer for a continuous duration of at least 3 months <u>or</u> have been self-employed for a continuous period of at least 3 months.

SUMMARY OF M&P MEASURES

Measures	Details
<p>EXISTING</p> <p>Government-Paid Child Care Leave</p>	<p>Working parents with a child below the age of 7 will be eligible for 6 days of paid childcare leave per year with an overall cap of 42 days.</p> <p>Note: If you have more than 1 child, the total child care leave entitlement will be based on the youngest child.</p> <p>E.g. (1) Parents with children in both age groups, i.e. those below 7 years, as well as those between 7 and 12 years (inclusive), will have total child care leave entitlement capped at 6 days per year.</p> <p>E.g. (2) Parents with more than 1 child aged below 7 years will also have total childcare leave entitlement capped at 6 days per year.</p>
<p>EXISTING</p> <p>Government-Paid Maternity Leave (GPML)</p>	<p>Working mothers will be eligible for 16 weeks of paid maternity leave. The 16 weeks of leave are to be consumed over a continuous period. Mothers can start consuming maternity leave up to 4 weeks before the date of delivery. However, if there is mutual agreement between you and your employer, the last eight weeks (9th to 16th week) of the maternity leave can be taken flexibly over a period of 12 months from the date of delivery.</p>
<p>NEW</p> <p>Enhanced Maternity Protection</p>	<p>From 1 May 2013, the maternity protection period for working mothers who are retrenched or dismissed without sufficient cause will be extended to cover the full pregnancy period.</p>

Payment	Qualifying Criteria
<p>Employer-paid: First 3 days per year</p> <p>Government-paid: Last 3 days per year, capped at \$500 per day (including employer's CPF contributions)</p>	<ul style="list-style-type: none"> a) Your youngest child is aged below 7 years; b) Your child is a Singapore citizen; c) You have served your employer for a continuous duration of at least 3 months <u>or</u> have been self-employed for a continuous period of at least 3 months; and d) The child's parents are lawfully married. <p>NEW ◀ <i>From 1 May 2013, (d) no longer applies</i></p>
<p><u>For 1st & 2nd confinements</u></p> <p>Employer-paid: First 8 weeks</p> <p>Government-paid: Last 8 weeks, capped at \$10,000 per 4 weeks (including employer's CPF contributions).</p> <p><u>For 3rd confinement onwards</u></p> <p>Government-paid: Full 16 weeks, capped at \$10,000 per 4 weeks (including employer's CPF contributions).</p>	<ul style="list-style-type: none"> a) Your child is a Singapore Citizen; b) You are lawfully married to the child's father; and c) You have served your employer for a continuous duration of at least 3 months immediately preceding the birth of your child <u>or</u> have been self-employed for a continuous period of at least 3 months immediately preceding the birth of your child.
<p>Employers will be required to pay maternity leave benefits to the employee if she is dismissed without sufficient cause or retrenched during any stage of the pregnancy.</p>	<ul style="list-style-type: none"> a) You have served your employer for a continuous duration of at least 3 months prior to receiving the notice of dismissal or retrenchment; and b) You are certified pregnant by a registered medical practitioner prior to receiving the notice of dismissal or retrenchment.

SUMMARY OF M&P MEASURES

Measures	Details
<p>NEW</p> <p>Government-Paid Maternity Benefit (GPMB)</p>	<p>Economically active mothers who do not meet the eligibility criterion of “having served an employer for at least 3 months immediately preceding the child’s birth” and thus do not qualify for paid maternity leave may receive GPMB if they have worked at least 90 days in the 12 months preceding childbirth.</p> <p>Employment periods for different employers over the past 12 months preceding childbirth can be added up to qualify for GPMB. Claims will have to be made within 15 months from the birth of the child.</p>
<p>NEW</p> <p>Government-Paid Adoption Leave</p>	<p>Previously, employers who voluntarily provided adoption leave to eligible employees would receive reimbursement from the Government for 4 weeks of adoption leave. Employers are now required by law to provide adoption leave.</p> <p>Adoptive working mothers with an adopted infant aged below 12 months will be eligible for 4 weeks of adoption leave. This can be taken in a single continuous period, or flexibly within 12 months from the child’s birth, subject to mutual agreement between you and your employer.</p>
<p>EXISTING</p> <p>Unpaid Infant Care Leave</p>	<p>Working parents with a child below the age of 2 will be entitled to 6 days of unpaid infant care leave per year.</p>

Payment	Qualifying Criteria
<p>Government-paid: 8 weeks for the 1st and 2nd child; 16 weeks for the 3rd and subsequent confinement.</p> <p>Computed based on the total monthly gross rate of pay in the 12 months preceding the birth of the child, divided over 365 days.</p>	<p>The mother will be eligible if:</p> <ul style="list-style-type: none"> a) Her child is born, or whose EDD is, on or after 1 Jan 2013; b) Her child is a Singapore citizen; c) She is lawfully married to her child's father; d) She does not qualify for paid maternity leave ; and e) She has been in employment for a total of at least 90 days in the 12 months preceding the birth of her child.
<p>Government-paid: 4 weeks, capped at \$10,000 (including employer's CPF contributions)</p>	<ul style="list-style-type: none"> a) Your adopted child is below 12 months of age; b) Your adopted child is a Singapore citizen, or in cases where the adopted child is not a Singapore citizen, at least one of the adoptive parents must be a Singapore citizen; c) You are lawfully married/widowed/divorced at the point of formal intent to adopt#; d) You have served your employer <u>or</u> have been self-employed for a continuous period of at least 3 months immediately preceding the point of formal intent to adopt; and e) The adoption order is granted within 1 year from the point of "formal intent to adopt" and the adopted child obtains Singapore Citizenship within 6 months after the adoption order is passed.
<p>Unpaid</p>	<ul style="list-style-type: none"> a) Your youngest child is aged below 2 years; b) Your child is a Singapore citizen; c) You have served your employer for a continuous duration of at least 3 months immediately preceding the birth of your child <u>or</u> have been self-employed for a continuous period of at least 3 months immediately preceding the birth of your child; and d) The child's parents are lawfully married. <p>NEW ◀ From 1 May 2013, (d) no longer applies</p>

#"Formal intent to adopt" refers to (a) the date the court application to adopt a child is made (earliest point for a Singapore Citizen (SC) child); or (b) the date of the issuance of the dependant's pass in respect of the adoptive child by the Ministry of Social and Family Development (earliest point for a child who is not a Singapore Citizen), including a document to show that the application for the Dependant's Pass for the adopted child has been approved.

GOVERNMENT-PAID PATERNITY LEAVE (PL)

Eligibility

Q1:	Is there a minimum employment duration to qualify for paternity leave (PL)?
A1:	Yes. The child's father must have served his employer for a continuous period of at least 3 months immediately preceding the birth of the child or if self-employed, have been engaged in his business, trade or profession for at least 3 months immediately preceding the birth of the child.
Q2:	I am a fixed-term contract/temporary/part-time employee. Am I eligible for PL?
A2:	Yes, you will be eligible if you meet all the eligibility criteria. You will be paid at the gross rate for each day that you would normally have been required to work under your contract of service.
Q3:	Am I eligible for PL if I am still on probation at work?
A3:	Yes. Your probationary status will not affect your eligibility for PL as long as you meet all the eligibility criteria.
Q4:	My wife had a stillbirth. Am I eligible for PL?
A4:	Yes, if you meet the eligibility criteria for PL and provide a notification of still birth issued by the hospital to your employer.
Q5:	My wife had a miscarriage. Am I eligible for PL?
A5:	No, this is similar to the treatment for maternity leave which does not apply to miscarriage cases.
Q6:	I am a foreigner/PR working in Singapore. Am I eligible for PL?
A6:	You will be eligible for PL if your child is a Singapore Citizen and you meet the other eligibility criteria.
Q7:	I am the father of a non-Singapore Citizen child. Am I eligible for PL?
A7:	No. Eligibility for PL is based on the child's citizenship status, not the parents'.

Eligibility

A7: Should the child obtain Singapore Citizenship status within 12 months from delivery, you will be eligible for PL from the point all eligibility criteria is met. However, you will have to consume the leave within 12 months of the child's birth, subject to mutual agreement between you and your employer.

General Procedures

Q8: **Am I required to give advance notice to my employer before taking PL?**

A8: You are expected to adhere to your company's HR policy (as per annual leave application policy) in the application of PL. This will help your employer to better plan and manage business operations. There is no legal requirement for a notification period for PL. You will need to declare your eligibility to your employer before taking the leave.

Q9: **How is the 1 week of PL defined?**

The leave entitlement of "1 week" is defined in terms of your "work week". For example, a father who works a 5-day work week will be entitled to 5 days of paternity leave, while one who works a 6-day work week will be entitled to 6 days of paternity leave.

A9: For work patterns which are irregular, the definition of "work week" is taken as the average number of days worked over the period of 3 weeks immediately preceding the child's birth, or the date where the couple becomes lawfully married, or the date the child becomes a Singapore Citizen, whichever is later.

Q10: **Can I take PL and SPL consecutively, i.e. in a continuous block of 2 work weeks?**

A10: There is no specific order for PL/SPL to be taken. However, the respective leave entitlements should be taken within their corresponding consumption period. Specifically, PL is to be consumed within 16 weeks from the child's birth, or within 12 months of the child's birth if mutually agreed upon by you and your employer. SPL is to be consumed within 12 months from the child's birth.

On whether PL and SPL can be taken consecutively in a continuous block of 2 work

General Procedures

A10: weeks, please discuss your leave plans with your employer before making leave arrangements.

Q11: **I changed to a new employer without fully consuming my PL. Will I be entitled to the balance with my new employer?**

A11: No, any remaining unconsumed PL will be forfeited.

Q12: **Can PL constitute the notice period in the event of resignation or termination of contract?**

A12: No. Similar to annual leave, the PL period should not be used as notice of termination unless there is mutual agreement between you and your employer to do otherwise.

Q13: **Do employers who already offer PL to employees before the government policy was introduced now have to provide the 1 week Government-paid paternity leave on top of what is already being offered?**

From 1 May 2013, employers will have to provide at least 1 week of PL for fathers of citizen newborns to meet legislative requirements. This 1 week of PL will be paid by the Government.

A13: We note that some companies may already provide paternity leave on a voluntary basis to their employees. We will leave it to the employers to discuss how the new Government-paid Paternity Leave will fit into existing leave provisions with their employees. For unionised companies with paternity leave benefits provided in collective agreements, this will be subject to negotiation between the respective employers and unions on how the legislated paternity leave will affect the existing paternity leave benefits.

Payment

Q14: **How will I be paid if I qualify for and take PL?**

A14: Your employer will first pay for your leave (as with other paid leave), and in turn submit a claim for reimbursement from the Government. The reimbursement is capped at \$2,500 for 1 week (including employer's CPF contributions).

Handling Retrenchments, Dismissals & Disputes

Q15: If I am retrenched or dismissed, is my employer still required to pay for my PL benefits?

A15: The payment of PL is up to the last day of employment, any unused PL would not be encashable.

Q16: What if my employer refuses to grant me my PL?

A16: If you have been denied of your PL without reasonable cause, you may approach the Ministry of Manpower (MOM) for assistance. You may contact MOM at 6438 5122 to provide details of your case so that the Ministry can look into the matter.

GOVERNMENT-PAID SHARED PARENTAL LEAVE (SPL)

Eligibility

Q1: I have just started work with a new employer. Is there a minimum employment duration to qualify for SPL?

A1: No. There is no minimum employment duration for you to qualify for SPL as long as your wife meets the criteria to be eligible for Government-paid Maternity Leave (GPML), and you have not been allocated SPL under your previous employer for the same child.

Q2: I am a fixed-term contract/temporary/part-time employee. Am I eligible for SPL?

A2: Yes, you will be eligible if you meet all the eligibility criteria. You will be paid at the gross rate for each day that you would normally have been required to work under your contract of service.

Q3: Am I eligible for SPL if I am still on probation at work?

A3: Yes. Your probationary status will not affect your eligibility for SPL as long as you meet all the eligibility criteria.

Eligibility

Q4:	My wife had a stillbirth. Am I eligible for SPL?
A4:	Yes, if you meet the eligibility criteria for SPL and provide a notification of still birth issued by the hospital to your employer. Your wife would also need to qualify for GPML.
Q5:	My wife had a miscarriage. Am I eligible for SPL?
A5:	No, this is similar to the treatment for maternity leave which does not apply to miscarriage cases.
Q6:	I am a foreigner/PR working in Singapore. Am I eligible for SPL?
A6:	You will be eligible for SPL if your child is a Singapore Citizen and you meet the other eligibility criteria. Your wife must be eligible for paid maternity leave.
Q7:	I am the father of a non-Singapore Citizen child. Am I eligible for SPL?
	No. Eligibility for SPL is based on the child's citizenship status, not the parents'.
A7:	Should the child obtain Singapore Citizenship status within 12 months from delivery, you will be eligible for SPL from the point you meet all the eligibility criteria and if your wife has not taken the full 16 weeks of maternity leave by that time. However, you will have to consume the leave within 12 months of the child's birth, subject to mutual agreement between you and your employer.
Q8:	I did not consume my allocated SPL with my previous employer. What will happen to my allocated SPL in my new employment?
	If you have not started to consume your allocated SPL before you leave for your new employment, you can either return the allocated SPL to your spouse so that she continues to enjoy the full 16 weeks of maternity leave, or transfer the SPL to your new employment.
A8:	If you wish to return the SPL to your spouse, you or your spouse will have to notify the CPF Board (through email or letter) of your job termination and the return of SPL to your spouse. The following supporting documents are required: a) Your employer's termination letter; b) Certification that you have not taken any SPL; and

Eligibility

A8:

c) Declaration that your spouse will no longer be sharing SPL with you and that this is the final decision.

CPF Board will update your SPL allocation on your behalf. Your wife should give her employer reasonable advance notice before consuming the returned SPL, in accordance with her employer's annual leave application policy.

Q9:

I changed jobs and started working with a new employer before I was able to fully consume my allocated SPL. Will I be able to consume the remaining duration of my SPL in my new employment?

If you have consumed part of the SPL, the remaining leave will be forfeited when you change employer. This is similar to the treatment of maternity leave.

A9:

If your new employer decides to grant you the remaining SPL, it will be on an ex-gratia basis. Your new employer will not be entitled to government reimbursement.

General Procedures

Q10: How do my spouse and I apply for SPL?

The application process is as follows:

- a) You and your spouse should decide on your leave arrangements;
- b) If you decide to share the leave, notify your respective employers in advance;
- c) The mother will need to register the decision to allocate shared parental leave to the father on the Shared Parental Leave Allocation System (SPLAS) available on www.profamilyleave.gov.sg;

A10:

- d) Once registered, the system will enable the mother to print out a declaration form;
- e) A copy of this form should be handed to your respective employers when you apply for GPML or SPL.

You can proceed to take SPL in accordance with your company's leave taking procedures. You will need to declare your eligibility to your employer before taking the leave. Parents should carefully consider their allocation of SPL before registering it, as changes are not allowed.

General Procedures

Q11: When can we start to indicate our decision to allocate SPL?

Before birth of child:

Parents may indicate their decision to allocate SPL to the father at any point during the pregnancy once they are aware of the Estimated Delivery Date (EDD) of child. This is because the EDD is required for the SPLAS.

A11:

After birth of child:

Parents may choose to indicate their decision within 12 months of the child's birth. Parents should ensure that the father still has sufficient time to consume the leave as SPL will be forfeited at the end of the child's 12th month.

Q12: Am I required to give advance notice to my employer before taking SPL?

You are expected to adhere to your company's HR policy (as per annual leave application policy) in the application of SPL. This will help your employer to better plan and manage business operations. There is no legal requirement for a notification period for SPL. You will need to declare your eligibility to your employer before taking the leave.

A12:

Q13: Can I share a few days of maternity leave rather than 1 full week of leave with my spouse?

No, SPL is allocated in a 1-week block. The mother can choose to allocate 1 week of her paid maternity leave to the father as SPL, or none at all.

A13:

However, once allocated, the father can choose to consume the leave in a continuous block of 1 week, or flexibly (i.e. taking a few days at a time), as long as there is mutual agreement with the father's employer. Any part of allocated SPL which is not taken at the end of the child's 12th month will be forfeited.

Q14: Can SPL constitute the notice period in the event of resignation or termination of contract?

No. Similar to annual leave, the SPL period should not be used as notice of termination unless there is mutual agreement between you and your employer to do otherwise.

A14:

General Procedures

Q15: My spouse and I work a different number of days per week. How is the 1 week of SPL defined?

“1 week” of SPL is defined in terms of the “work week” of the respective employee. For example, a mother has a 5-day work week, while the father has a 6-day work week. When the couple decides to allocate one week of the GPML to the father as SPL, the mother’s maternity leave will be reduced to 15 weeks (based on a 5-day work week). The father’s allocation will be 1 week (based on a 6-day work week).

A15:

For work patterns which are irregular, the definition of “work week” is taken as the average number of days worked over the period of 3 weeks immediately preceding the child’s birth, or the date where the couple becomes lawfully married, or the date the child becomes a Singapore Citizen, whichever is later.

Payment

Q16: Will the father be paid at his salary or the mother’s salary when he takes SPL?

The father will be paid at his salary. The employer will first pay for the leave (as with other paid leave), and in turn submit a claim for reimbursement from the Government. The reimbursement is capped at \$2,500 for 1 week (including employer’s CPF contributions).

A16:

Handling Retrenchments, Dismissals & Disputes

Q17: If I am retrenched or dismissed, is my employer still required to pay for my PL benefits?

The payment of SPL is up to the last day of employment, any unused SPL would not be encashable.

A17:

Q18: What if my employer refuses to grant me my SPL?

If you have been denied of your SPL without reasonable cause, you may approach MOM for assistance. You may contact MOM at 6438 5122 to provide details of your case so that the Ministry can look into the matter.

A18:

GOVERNMENT-PAID EXTENDED CHILD CARE LEAVE (ECL)

Eligibility

Q1:	I am a fixed-term contract/temporary/part-time employee. Am I eligible for ECL?
A1:	Yes, you will be eligible if you meet all the eligibility criteria.
Q2:	Am I eligible for ECL if I am still on my probation at work?
A2:	Yes. Your probationary status will not affect your eligibility for ECL as long as you meet all the eligibility criteria.
Q3:	Am I eligible for ECL if I am divorced/widowed/a step-parent?
A3:	Yes, if you meet the eligibility criteria for ECL.
Q4:	Am I eligible for ECL if I am a non-citizen with a Singaporean child aged between 7 and 12 (inclusive)?
A4:	Yes, if you meet the eligibility criteria for ECL. Eligibility for ECL is based on the child's Singapore citizenship status, not the parent's.
Q5:	I am a part-time employee, what is my ECL entitlement?
A5:	You will be entitled to 2 days of ECL based on your respective work schedule if you meet all the eligibility criteria. For example, if your working arrangement is 4 hours a day, your ECL entitlement will be equivalent to 8 hours (2 days).
Q6:	Will I be eligible for ECL benefits if I have an adopted child?
A6:	Yes, the ECL benefits cover both adopted children as well as step-children, as long as the child is a Singapore citizen. You must also have served your employer for at least 3 months or have been self-employed for a continuous period of at least 3 months.
Q7:	My youngest child will be turning 7 years old, how many days of childcare leave do I qualify for?
A7:	A parent with a youngest qualifying child who turns 7 is eligible for up to 6 days of

Eligibility

A7:

paid childcare leave in the relevant period (a calendar year by default, or any period of 12 months as agreed between you and your employer) if the total childcare leave consumed in respect of this child has not exceeded the total cap of 42 days for the first 7 years.

The ECL entitlement of 2 days will commence in the relevant period when your child turns 8.

Q8:

If my youngest child is turning 13, do I qualify for the ECL of 2 days?

A8:

Yes, you will qualify for 2 days of ECL if your youngest Singapore citizen child is below the age of 13 in the relevant period. You may take the ECL anytime in the year your child turns 13, as long as it is within the relevant period agreed between you and your employer and if the total ECL consumed in respect of this child has not exceeded the total cap of 12 days for the 7th-12th (inclusive) years.

Q9:

Will I be eligible for another 2 days of paid ECL when I change employers within the same relevant year, even though I have already consumed 2 days of leave with my previous employer?

A9:

You will be eligible for ECL if you meet the qualifying criteria. However, please note that the total ECL entitlement is capped at 12 days over 6 years. If you consume more than 2 days of ECL entitlement within the same relevant year (even if under different employers), you would maximise the overall 12 day cap earlier, i.e. before your child turns 12.

General Procedures

Q10:

How do I apply for ECL?

A10:

You are expected to adhere to your company's HR policy (as per annual leave application policy) in the application of ECL. This will help your employer to better plan and manage business operations. There is no legal requirement for a notification period for ECL. You will need to declare your eligibility to your employer before taking the leave.

General Procedures

Q11: How can I take ECL? Do I have to produce a child medical certificate?

A11: No, a medical certificate is not required. You have flexibility to take ECL to spend time with your child, as long as you meet the respective qualifying criteria. For example, you may use it to accompany your child to school, or to care for your child personally when the usual childcare arrangement is not available.

Q12: Can ECL be pro-rated?

A12: No, there will be no pro-ration of the 2 days of ECL as long as you meet all the eligibility criteria.

Q13: Can unused ECL be encashed or carried over to the next year?

A13: No, unused ECL at the end of the yearly entitlement period will lapse, and cannot be encashed or carried over to the next year.

Q14: Can I use ECL to offset my notice period if my employment is terminated?

A14: No. Similar to annual leave, the ECL period should not be used as notice of termination unless there is mutual agreement between you and your employer to do otherwise.

Q15: Can my employer reject my application for ECL if there is urgent work to be completed during those days?

A15: Yes. As with all other forms of paid leave, you should discuss with your employer and mutually agree on a suitable time to take ECL so that your entitlement of 2 days of paid ECL is not affected. If you need the leave to attend to matters that cannot be postponed (e.g. child immunisation, school registration), your employer is strongly encouraged to grant the leave.

General Procedures

Q16: If my company already provides some form of family or child care leave benefits, does the employer still need to provide 2 days of ECL on top of this?

From 1 May 2013, employers will have to provide at least 2 days of ECL to eligible employees to meet legislative requirements. The 2 days of ECL will be paid by the Government.

A16: We note that some companies may already provide paid family/childcare leave on a voluntary basis to their employees specifically to benefit their children aged 7 to 12 (inclusive). We will leave it to the employers to discuss with you how the new ECL will fit into your existing leave provisions. For unionised companies with family/child care leave benefits provided in collective agreements, this will be subject to negotiation between the respective employers and unions on how the legislated ECL will affect the existing family/child care leave benefits.

Q17: What can I do if my employer refuses to grant me ECL?

A17: If you have been denied of your ECL without reasonable cause, you may approach MOM for assistance. You may contact MOM at 6438 5122 to provide details of your case so that the Ministry can look into the matter.

ENHANCED MATERNITY PROTECTION

Q1: I have served my employer for a continuous duration of at least 3 months before receiving the notice of dismissal or retrenchment. Do I qualify for the enhanced maternity protection?

A1: In order to qualify for the enhanced maternity protection, you must be certified pregnant by a registered medical practitioner prior to receiving the notice of dismissal or retrenchment, in addition to having served your employer for a continuous duration of at least 3 months.

Q2: If my contractual probation period is longer than the 3 months minimum qualifying period, will I enjoy maternity protection?

A2: Yes. Your probationary status will not affect your right to maternity protection as long as you meet all the eligibility criteria.

Q3: What are my rights if I am dismissed or retrenched during my pregnancy?

If you are dismissed without sufficient cause or retrenched from service, your employer will be required to pay you the maternity leave payment which you are eligible for.

A3: In the case of a dispute, you should first talk to your employer to understand the reason for dismissal or seek your union's help (if you are a member of a trade union). You may seek assistance and advice from the Ministry of Manpower or alternatively, you may also submit an appeal to the Minister for Manpower on the dismissal within 2 months from the date of childbirth.

However, should the termination of employment be due to the expiry of contract; you could apply for GPMB if you satisfy the eligibility criteria.

GOVERNMENT-PAID MATERNITY BENEFIT (GPMB)

Eligibility

Q1: Who will qualify for GPMB?

GPMB provides economically active women who do not qualify for paid maternity leave with a cash benefit provided that they meet the eligibility criteria. GPMB beneficiaries could include:

- A1:**
- a) A pregnant employee whose fixed-term contract expires prior to delivery but has worked at least 90 days in the 12 months preceding childbirth;
 - b) A pregnant employee who was dismissed prior to delivery and does not qualify for the enhanced maternity protection but has worked at least 90 days in the 12 months preceding childbirth;
 - c) A female employee whose fixed-term contract expires before maternity leave is fully consumed.

Q2: Can I claim GPMB and enjoy paid maternity leave at the same time?

No, an employee who qualifies for paid maternity leave under her latest employment will not be able to claim GPMB.

A2:

However, working mothers who have received some maternity leave benefits but whose contracts naturally expired after delivery may also qualify for GPMB. If the employee is employed on a fixed-term contract and her contract naturally expires after the birth of the child before she has consumed 8 weeks of maternity leave (1st and 2nd confinement) or 16 weeks of maternity leave (3rd and subsequent confinement), she will be able to enjoy paid maternity leave and also be eligible to claim for GPMB.

These employees can receive pro-rated GPMB such that the total benefits (maternity leave benefits and GPMB) is 8 weeks for the 1st and 2nd confinement or 16 weeks for the 3rd and subsequent confinement.

Eligibility

		Birth Order	
		1 st and 2 nd child	3 rd Child
A2:	Total maternity benefits eligible (maternity leave benefits + GPMB)	Capped at 8 weeks	Capped at 16 weeks
	Total maternity leave benefits received until contract expiry	3 weeks	10 weeks (last 2 weeks: employer can seek government reimbursement)
	GPMB eligibility	$(8 - 3) = 5$ weeks	$(16 - 10) = 6$ weeks
<p>For information on submission of claim and other queries, please send them to employer@cpf.gov.sg or contact CPF Board's hotline at 1800 227 1188.</p>			
Q3:	Do adoptive mothers qualify for GPMB?		
A3:	No. However, adoptive mothers may qualify for the Government-Paid Adoption Leave if they meet the eligibility criteria.		
Q4:	In cases of still birth or if the child has passed away, will the mother qualify for GPMB?		
A4:	Yes, GPMB is applicable to a stillbirth (with a notification of stillbirth issued by the hospital) or for a situation where the infant has passed away if the mother meets the eligibility criteria for GPMB. Claims will have to be made within 15 months from the birth of the child.		

General Procedures

Q5: How are the 90 days of service in the 12 months before delivery calculated?

If you are under a term contract, the tenure of the contract (inclusive of the start date, end date, weekends and public holiday) would be used to compute the period of service. Employment duration under different terms can be amalgamated.

A5: If you are a daily rated employee, the duration employed would be computed based on the actual number of days worked.

For all employees, should you work for multiple employers over the same period, the overlapping period would only be counted once in computing the length of service.

Q6: How will the amount which I will be receiving for GPMB be calculated?

GPMB is calculated based on the mother's level of economic activity in the year preceding delivery:

$$\frac{\text{(Gross rate of pay over 12 months + ECPF) + Net Trade Income}}{365 \text{ days}} \times (\text{X*days})$$

Subject to a cap of \$10,000 for every 4 weeks, i.e. 28 days, where:

Gross rate of pay over 12 months = Aggregate gross rate of pay received by applicant over the 12-month period before delivery. It includes commission-based income but excludes bonuses.

X*days = 56 (for 1st and 2nd confinement) or 112 days (3rd and higher confinement).

A6: ECPF = Contribution which an employer is liable to make to the Central Provident Fund in respect of the amount of gross rate of pay for the female employee.

Net trade income = Net trade income derived by the applicant from her business, trade or profession in Singapore over the 12-month period before delivery.

For example, if a mother works for 4 months at a rate of \$5,000 per month (including employer CPF contributions) in the 12 months (or 365 days) preceding delivery, and gives birth to her first child (i.e. 8 weeks or 56 days), her GPMB will be: $(4 \times \$5000) / 365 \text{ days} \times 56 \text{ days} = \$3,068.49$.

Should you work for multiple employers over the same period, the overlapping period would only be counted once (using both salaries) in computing the length of service. However, both salaries will be used in the computation to reflect the total income earned in the 12 month period.

GOVERNMENT-PAID ADOPTION LEAVE

Q1: When can I start taking adoption leave?

You have to first reach a mutual agreement with your employer on the start and end date of your adoption leave. You can officially begin to consume your leave from the point of your “formal intent to adopt” which is:

a) If the child is a Singapore Citizen (SC): from the date an adoption application is submitted to the Court to commence the legal adoption process.

A1: b) If the child is not a Singapore Citizen: from the date the Ministry of Social and Family Development (MSF) issues a Dependant’s Pass (DP) for the child, which includes a document evidencing the approval of the DP (i.e. In-principle Approval for Dependant’s Pass).

Your eligibility for adoption leave will be subject to the passing of the Adoption Order. Should the Adoption Order not be passed within 1 year from either of the points above, or your child does not obtain Singapore Citizenship within 6 months after the Adoption Order is granted, the Government will recover the payment for the leave from you as a civil debt.

Q2: How can I take the 4 weeks of adoption leave?

A2: You may take the 4 weeks of adoption leave continuously or flexibly within 12 months from the child’s birth, subject to mutual agreement between you and your employer.

Disclaimer: The information provided in this document is accurate at time of printing and has no legal standing. In any case of doubt, reference should be made to the Employment Act and the Child Development Co-Savings Act.

Information is correct as of February 2014.