



Employers' 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 employers of 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 the 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 employee.</p> |
| NEW Government-Paid Shared Parental Leave (SPL) | <p>Working fathers will be entitled 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 employee) 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 entitled to 2 days of paid extended childcare 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> | <p>A male employee will be eligible if:</p> <ul style="list-style-type: none"> a) His child is born, or has an Estimated Date of Delivery (EDD), on or after 1 May 2013; b) His child is a Singapore Citizen; c) He is lawfully married, within 12 months from his child's date of birth, to the child's mother; and d) He has served your company for a continuous duration of at least 3 months immediately preceding the birth of his child for a continuous period of at least 3 months immediately preceding the birth of his child. |
| <p>Government-paid: 1 week, capped at \$2,500 (including employer's CPF contributions)</p> | <p>A male employee will be eligible if:</p> <ul style="list-style-type: none"> a) His child is born, or has an EDD, on or after 1 May 2013; b) His child is a Singapore Citizen; c) His child's mother qualifies for Government-paid maternity leave; and d) He is lawfully married, within 12 months from his child's date of birth, to the child's mother. |
| <p>Government-paid: 2 days, capped at \$500 per day (including employer's CPF contributions)</p> | <p>An employee will be eligible if:</p> <ul style="list-style-type: none"> a) His/her youngest child is aged 7-12 years (inclusive); b) His/her child is a Singapore citizen; and c) He/she has served your company for a continuous duration 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 entitled to 6 days of paid childcare leave per year with an overall cap of 42 days.</p> <p>Note: If your employee has 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 are entitled to 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 employee, 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> | <p>An employee will be eligible if:</p> <ul style="list-style-type: none"> a) His/her youngest child is aged below 7 years; b) His/her child is a Singapore citizen; c) He/she has served your company for a continuous duration of at least 3 months; and d) The child's parents are lawfully married. <p>NEW From 1 May 2013, (d) no longer applies.</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> | <p>A female employee will be eligible if:</p> <ul style="list-style-type: none"> a) Her child is a Singapore Citizen; b) She is lawfully married to the child's father; and c) She has served your company for a continuous duration of at least 3 months immediately preceding her delivery date. |
| <p>You will be required to pay maternity leave benefits to your employee if she is dismissed without sufficient cause or retrenched during any stage of the pregnancy.</p> | <p>A female employee will be eligible if:</p> <ul style="list-style-type: none"> a) She has served your company for a continuous duration of at least 3 months prior to receiving the notice of dismissal or retrenchment; and b) She is 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 employees 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 employee.</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> | <p>A female employee will be eligible if:</p> <ul style="list-style-type: none"> a) Her adopted child is below 12 months of age; b) Her adopted child is a Singapore citizen, or in cases where the adopted child is not yet a Singapore citizen, at least one of the adoptive parents must be a Singapore citizen; c) She is lawfully married/widowed/divorced at the point of "formal intent to adopt"; d) She has served your company for a continuous duration of at least 3 months immediately preceding the point of formal intent to adopt. 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> | <p>An employee will be eligible if:</p> <ul style="list-style-type: none"> a) His/her youngest child is aged below 2 years; b) His/her child is a Singapore citizen; c) He/she has served your company for a continuous duration of at least 3 months before taking leave; 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

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| Q1: | Is there a minimum employment duration for my employee to qualify for paternity leave (PL)? |
| A1: | Yes. Your employee must have served you for a continuous period of at least 3 months immediately preceding the birth of the child. |
| Q2: | My employee is a fixed-term contract/temporary/part-time employee. Is he eligible for PL? |
| A2: | Yes, your employee will be eligible if he meets all the eligibility criteria. He will be paid at the gross rate for each day that he would normally have been required to work under his contract of service. |
| Q3: | Is my employee eligible for PL if he is still on probation at work? |
| A3: | Yes. Your employee's probationary status will not affect his eligibility for PL as long as he has met all the eligibility criteria. |
| Q4: | Is my employee eligible for PL if his wife had a stillbirth? |
| A4: | Yes, if your employee meets the eligibility criteria for PL and provides a notification of still birth issued by the hospital. |
| Q5: | Is my employee eligible for PL if his wife had a miscarriage? |
| A5: | No, this is similar to the treatment for maternity leave which does not apply to miscarriage cases. |
| Q6: | My employee is a foreigner/PR working in Singapore. Is he eligible for PL? |
| A6: | Your employee will be eligible for PL if his child is a Singapore Citizen and he meets the other eligibility criteria. |

Eligibility

Q7: My employee is the father of a non-Singapore Citizen child. Is he eligible for PL?

No. Eligibility for PL is based on the child's citizenship status, not the parents'.

A7: Should the child obtain Singapore Citizenship status within 12 months from delivery, your employee will be eligible for PL from the point all eligibility criteria is met.

General Procedures

Q8: Is my employee required to give advance notice before taking PL?

A8: Your employee is expected to adhere to your company's HR policy (as per annual leave application policy) in the application of PL. There is no legal requirement for a notification period for PL. Your employee will need to declare his/her eligibility to you before taking the leave.

Q9: How is the 1 week of PL defined?

The leave entitlement of "1 week" is defined in terms of the "work week" of your employee. 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: Is there a specific order in which PL/SPL has to be taken? Can I ask my employee to take PL first before using other types of leave, for instance?

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 employee. SPL is to be consumed within 12 months from the child's birth.

General Procedures

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| Q11: | Can PL constitute the notice period in the event of resignation or termination of contract? |
| A11: | 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 employee to do otherwise. |
| Q12: | If my new employee has joined my company without fully consuming his PL in his previous company, will he be entitled to the balance in my company? |
| A12: | No, any remaining unconsumed PL will be forfeited. |
| 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? |
| A13: | <p>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.</p> <p>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.</p> |

Payment and Reimbursement

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| Q14: | Do I need to pay my employee his salary during PL, since it is fully Government funded? |
| A14: | You have to provide paid leave to your eligible employee upfront, according to the usual salary payment schedule. There should be no differentiation in the salary payment to an employee who takes PL. |

Payment and Reimbursement

A14:

After the leave is consumed, you can submit a claim for Government reimbursement with the CPF Board. The reimbursement cap is \$2,500 for the 1st week (including employer's CPF contributions); you are not required to pay above \$2,500 although you may voluntarily do so.

Q15:

How do I claim for reimbursement of PL?

A15:

You can claim for reimbursement from CPF Board. Please refer to the following website for detailed claim procedures: www.profamilyleave.gov.sg.

Handling Retrenchments, Dismissals & Disputes

Q16:

Do I have to pay PL benefits if I dismiss/retrench an employee?

A16:

No. The payment of PL is up to the last day of employment, any unused PL would not be encashable.

Q17:

Can I dismiss/retrench my employee while he is on PL?

A17:

There should be a valid reason for the dismissal/retrenchment. Employees who feel that they have been unfairly dismissed by their employers may appeal to the Minister for Manpower to be reinstated to their former employment.

GOVERNMENT-PAID SHARED PARENTAL LEAVE (SPL)

Eligibility

Q1:

Is there a minimum employment duration for my employee to qualify for SPL?

A1:

No. There is no minimum employment duration for your employee to qualify for SPL as long as your employee's wife meets the criteria to be eligible for Government-paid maternity leave, and your employee has not been allocated SPL under his previous employer for the same child.

Q2:

My employee is a fixed-term contract/temporary/part-time employee. Is he eligible for SPL?

A2:

Yes, your employee will be eligible if he meets all the eligibility criteria. He will be paid at the gross rate for each day that he would normally have been required to

Eligibility

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| A2: | paid at the gross rate for each day that he would normally have been required to work under his contract of service. |
| Q3: | Is my employee eligible for SPL if he is still on probation at work? |
| A3: | Yes. Your employee's probationary status will not affect his eligibility for SPL as long as he meets all the eligibility criteria. |
| Q4: | Is my employee eligible for SPL if his wife had a stillbirth? |
| A4: | Yes, if your employee meets the eligibility criteria for SPL and provides a notification of still birth issued by the hospital. Your employee's wife would also need to qualify for GPML. |
| Q5: | Is my employee eligible for SPL if his wife had a miscarriage? |
| A5: | No, this is similar to the treatment for maternity leave which does not apply to miscarriage cases. |
| Q6: | My employee is a foreigner/PR working in Singapore. Is he eligible for SPL? |
| A6: | Your employee will be eligible for SPL if his child is a Singapore Citizen and he meets the other eligibility criteria. His wife must also be eligible for paid maternity leave. |
| Q7: | My employee is the father of a non-Singapore Citizen child. Is he eligible for SPL? |
| A7: | No. Eligibility for SPL is based on the child's citizenship status, not the parents'. Should the child obtain Singapore Citizenship status within 12 months from delivery, your employee will be eligible for SPL from the point he meets all the eligibility criteria and if his wife has not taken the full 16 weeks of maternity leave by that time. However, your employee will have to consume the leave within 12 months of the child's birth, subject to mutual agreement between you and your employee. |

Eligibility

Q8: What is the application process for SPL?

For fathers' employers:

- a) Your employee should notify you of the intention to take SPL in advance.
- b) Your employee's spouse will register her decision to allocate SPL online at the "Shared Parental Leave Allocation System" (SPLAS) available on the Pro-family Leave website (www.profamilyleave.gov.sg). Once the decision is registered, your employee's spouse will be able to print out a confirmation letter.
- c) When your employee applies for SPL, you will need to verify his eligibility. You should receive a copy of the confirmation letter to confirm the SPL allocation and also a declaration form of the mother's eligibility for maternity leave (which can be downloaded from the Pro-family Leave website).

A8:

For mothers' employers:

- a) The application and claim procedures for maternity leave remain the same. However, if she chooses to share 1 week of maternity leave with her spouse, your employee will need to register her decision to allocate SPL online at the SPLAS available on the Pro-family Leave website (www.profamilyleave.gov.sg). Once registered, your employee will be able to print out a declaration form. Those without Singpasses can write in to the CPF Board for a hard copy form, and then submit the form to CPF Board to update the decision in the SPLAS.
- b) You should receive a copy of this form to confirm the SPL/maternity leave allocation.

Employees will not be allowed to change the allocation once it is registered in the SPLAS.

Q9: When can my employee start to indicate the decision to allocate SPL?

Before birth of child:

A9:

As the decision registered in the system is irrevocable, parents are advised to consider their decision carefully and discuss it with their respective employers before making the allocation.

General Procedures

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| A9: | <p><u>After birth of child:</u></p> <p>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.</p> |
| Q10: | <p>Is my employee required to give advance notice before taking SPL?</p> |
| A10: | <p>Your employee is expected to adhere to your company' HR policy (as per annual leave application policy) in the application of SPL. There is no legal requirement for a notification period for SPL. Your employee will need to declare his/her eligibility to you before taking the leave.</p> |
| Q11: | <p>Can my employee share a few days of maternity leave rather than 1 full week of leave with her spouse?</p> |
| A11: | <p>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.</p> <p>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.</p> |
| Q12: | <p>Can SPL constitute the notice period in the event of resignation or termination of contract?</p> |
| A12: | <p>No. Similar to annual leave, the SPL period should not be used as a notice of termination unless there is mutual agreement between you and your employee to do otherwise.</p> |
| Q13: | <p>How is the 1 week of SPL defined?</p> |
| A13: | <p>"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 leave entitlement 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).</p> |

General Procedures

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| A13: | 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 date the child becomes a Singapore Citizen, whichever is later. |
| Q14: | How do I check if my employee’s wife has agreed to share 1 week of her maternity leave with him? If your employee is planning to take SPL, his spouse will need to indicate the decision in the Shared Parental Leave Allocation System available on the Pro-family Leave website (www.profamilyleave.gov.sg) and obtain a printout from the system on the decision. |
| A14: | A copy of this letter should be handed to you to show that his wife has allocated 1-week of leave to him. This should be accompanied by a declaration form where his wife declares her eligibility for maternity leave. With the declaration form, you may also request for additional supporting documents, such as the child’s birth certificate, spouse’s employment letter and/or the marriage certificate. Your employee will have to apply for leave according to your company’s usual leave-taking procedures. |

Payment and Reimbursement

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| Q15: | Do I need to pay my employee his salary during SPL, since it is fully Government funded? You have to provide paid leave to your eligible employee upfront, according to the usual salary payment schedule. There should be no differentiation in the salary payment to an employee who takes SPL. |
| A15: | After the leave is consumed, you can submit a claim for Government reimbursement with the CPF Board. The reimbursement cap is \$2,500 for the 1 week (including employer’s CPF contributions); you are not required to pay more than \$2,500 although you may voluntarily do so. |

Payment and Reimbursement

Q16: How do I claim for reimbursement of SPL?

A16:

You can claim for reimbursement from CPF Board. Please refer to the following website for detailed claim procedures: www.profamilyleave.gov.sg.

Q17: Do I need to submit the printout from the Shared Parental Leave Allocation System (SPLAS) to the CPF Board for the reimbursement of leave entitlements?

A17:

If your employees have submitted a hardcopy form (which is not a printout of the online SPLAS) and have yet to register in SPLAS, please ask them to do so before you make an application for reimbursement.

If your employees do not have a SingPass or are unable to access SPLAS for valid reasons, they must write in to the CPF Board for a hardcopy form, and then submit it to CPF Board for an update of the decision in the SPLAS.

If your employees have registered online and provided a printout from SPLAS, there is no need for you to submit the printout to the CPF Board after applying for reimbursement online.

Handling Retrenchments, Dismissals & Disputes

Q18: Do I have to pay SPL benefits if I dismiss/retrench an employee?

A18:

No. The payment of SPL is up to the last day of employment, any unused SPL would not be encashable.

Q19: Can I dismiss/retrench my employee while he is on SPL?

A19:

There should be a valid reason for the dismissal/retrenchment. Employees who feel that they have been unfairly dismissed by their employers may appeal to the Minister for Manpower to be reinstated to their former employment.

GOVERNMENT-PAID EXTENDED CHILD CARE LEAVE (ECL)

Eligibility

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| Q1: | My employee is a fixed-term contract/temporary/part-time employee. Is he/she eligible for ECL? |
| A1: | Yes, your employee will be eligible if he/she meets all the eligibility criteria. |
| Q2: | Is my employee eligible for ECL if he/she is still serving probation at work? |
| A2: | Yes. Your employee's probationary status will not affect his/her eligibility for ECL as long as he/she meets all the eligibility criteria. |
| Q3: | Is my employee eligible for ECL if he/she is divorced/widowed/a step-parent? |
| A3: | Yes, if your employee meets the eligibility criteria for ECL. |
| Q4: | Is my employee eligible for ECL if he/she is a non-citizen with a Singaporean child aged between 7 and 12 (inclusive)? |
| A4: | Yes, if your employee meets the eligibility criteria for ECL. Eligibility for ECL is based on the child's Singapore citizenship status, not the parent's. |
| Q5: | My employee is a part-time employee, what is his/her ECL entitlement? |
| A5: | Your employee will be entitled to 2 days of ECL based on his/her respective work schedule if he/she meets all the eligibility criteria. For example, if your employee's working arrangement is 4 hours a day, ECL entitlement will be equivalent to 8 hours (2 days). |
| Q6: | Will my employee be eligible for ECL benefits if he/she has an adopted child? |
| A6: | Yes, the ECL benefits cover adopted children as well as step-children, as long as the child is a Singapore citizen. Your employee must have served you for at least 3 months to be eligible. |

Eligibility

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| Q7: | My employee's youngest child will be turning 7 years old, how many days of childcare leave does he/she qualify for? |
| A7: | <p>An employee with a youngest qualifying child who turns 7 is eligible for up to 6 days of paid child care leave in the relevant period (a calendar year by default, or any period of 12 months as agreed between you and your employee) if the total child care leave consumed in respect of the child has not exceeded the total cap of 42 days for the first 7 years.</p> <p>The ECL entitlement of 2 days will commence in the relevant period accordingly when your employee's child turns 8.</p> |
| Q8: | If my employee's youngest child is turning 13, does he/she qualify for the ECL of 2 days? |
| A8: | <p>Yes, your employee will qualify for 2 days of ECL if his/her youngest Singapore citizen child is below the age of 13 in the relevant period. Your employee may take the ECL anytime in the year his/her child turns 13, as long as it is within the relevant period agreed between you and your employee and if the total ECL consumed in respect of the child has not exceeded the total cap of 12 days for the 7th-12th (inclusive) years.</p> |

General Procedures

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| Q9: | How does my employee apply for ECL? |
| A9: | <p>Your employee is expected to adhere to your company' HR policy (as per annual leave application policy) in the application of ECL. There is no legal requirement for a notification period for ECL. Your employee will need to declare his/her eligibility to you before taking the leave.</p> |
| Q10: | How can my employee take ECL? Does he/she have to produce a child medical certificate? |
| A10: | <p>No, a medical certificate is not required. Your employee has the flexibility to take ECL to spend time with his/her child, as long as he/she meets the respective</p> |

General Procedures

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| A10: | qualifying criteria. For example, your employee may use it to accompany his/her child to school, or to care for his/her child personally when the usual childcare arrangement is not available. |
| Q11: | Can ECL be pro-rated? |
| A11: | No, there will be no pro-ration of the 2 days of ECL as long as your employee meets all the eligibility criteria. |
| Q12: | Can my employee use ECL to offset his/her notice period if his/her employment is terminated? |
| A12: | 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 employee to do otherwise. |
| Q13: | Can I reject my employee's application for ECL if there is urgent work to be completed during those days? |
| A13: | As with all other forms of paid leave, you should discuss with your employee and mutually agree on a suitable time to take ECL so that your employee's entitlement of 2 days of paid ECL is not affected. If your employee needs the leave to attend to matters that cannot be postponed (e.g. child immunisation, school registration), you are strongly encouraged to grant the leave. |
| Q14: | I already provide some form of family or child care leave to my employees; do I still need to provide the 2 days of ECL on top of this? |
| A14: | From 1 May 2013, you 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. 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 you to discuss how the new ECL will fit into the existing leave provisions with your employees. 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. |

Payment and Reimbursement

| | |
|-------------|--|
| Q15: | How many days of child care leave am I obligated to pay an employee with a child aged below 7 and a child aged 7 – 12 (inclusive)? |
| A15: | <p>The leave entitlement for an employee with children in both age groups will be based on the age of the youngest eligible child. An employee with children below 7 years of age as well as children aged 7-12 (inclusive) will be able to take a maximum of 6 days of child care leave per year. You will pay for the first 3 days of child care leave and the Government will reimburse you for the last 3 days per year.</p> <p>If the employee's youngest child is aged 7-12 (inclusive), you are legally obliged to provide 2 days of child care leave per year to the employee. The Government will pay for the 2 days of child care leave. You can seek reimbursement from the Government.</p> |
| Q16: | How do I apply for Government reimbursement? |
| A16: | <p>The process is similar to the current reimbursement process for child care leave. The reimbursement cap is \$500 per day (including employer's CPF contributions).</p> <p>You have to ensure that your employees qualify for ECL before granting them the leave. Please refer to the Pro-family leave website for more details on claim procedures: www.profamilyleave.gov.sg.</p> |

ENHANCED MATERNITY PROTECTION

| | |
|------------|---|
| Q1: | My employee has worked in my company for a continuous duration of at least 3 months before receiving the notice of dismissal or retrenchment, is she eligible for maternity benefits under the enhanced maternity protection? |
| A1: | <p>In order to qualify for the enhanced maternity protection, the employee must be certified pregnant by a registered medical practitioner prior to receiving the notice of dismissal or retrenchment, in addition to having served for a continuous duration of at least 3 months.</p> |
| Q2: | If the contractual probation period is longer than the 3 months minimum qualifying period, will my employee enjoy maternity protection? |

| | |
|------------|--|
| A2: | Yes. The maternity protection will apply to your employee as long as she has served you for at least 3 continuous months and obtains a doctor's certification of pregnancy prior to receiving the notice of dismissal or retrenchment. Your employee's probationary status will not affect her right to maternity protection. |
| Q3: | <p>What are my obligations if I had to exercise dismissal or retrenchment involving a pregnant employee?</p> <p>You are expected to exercise any termination of employment contracts responsibly and not to discriminate against female employees due to their pregnancy.</p> <p>A3: In the event of a retrenchment, you will be obliged to pay your pregnant employee the maternity benefits which she is entitled to.</p> <p>If the dismissal of your employee was without sufficient cause, you will be obliged to pay your employee the maternity benefits which she is entitled to.</p> |

GOVERNMENT-PAID MATERNITY BENEFIT (GPMB)

Eligibility

| | |
|------------|---|
| Q1: | <p>Who will qualify for GPMB?</p> <p>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:</p> <p>A1:</p> <ul style="list-style-type: none"> 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. |
|------------|---|

Eligibility

Q2: Can my employee 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.

However, working mothers who have received some maternity leave benefits but whose contracts naturally expired after delivery may also qualify for GPMB. If your 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.

For such an employee, she 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.

A2:

Example

| | Birth Order | |
|--|---|--|
| | 1 st and 2 nd child | 3 rd Child |
| 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 |

GOVERNMENT-PAID ADOPTION LEAVE

General Procedures

Q1: When can my employee start taking adoption leave?

There has to be mutual agreement between you and your employee on the start and end date of the adoption leave. Your employee can officially begin to consume the adoption leave from the point of your employee's "formal intent to adopt" which is:

A1:

- 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; or
- 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).

Payment and Reimbursement

Q2: How do I apply for Government reimbursement?

You can claim for reimbursement of paid adoption leave from the CPF Board. The reimbursement cap is \$10,000 for 4 weeks (including employer's CPF contributions). Please refer to the Pro-family leave website for more details on claim procedures: www.profamilyleave.gov.sg.

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.