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A BILL FOR 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:

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

6           "Section 145. Leaves of absence.

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

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

1           (3) Paid maternity leave of absence shall be granted  
2           to an employee for a period of six weeks per calendar  
3           year:

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

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

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

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

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

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21           Date: 5/25/09

                  Introduced by: /s/ Joseph J. Urusemal  
  Joseph J. Urusemal

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