


To: All UNDP Staff  
From:   
Deborah Landey  
Director  
Office of Human Resources  
Bureau of Management  
Subject: **Maternity Leave (ML)**

As described in circular UNDP/ADM/98/68 of 16 October 1998, UNDP 2001 has required us to change our operations and deliver a higher quality, more efficient service. Over the past months the Office of Human Resources (OHR) has introduced a series of re-engineering measures to streamline staff administration processes. I am pleased to announce in this circular another step in this process: *the amendment of the current policy on Maternity Leave (ML) to bring it in line with the current provisions of the UN Staff Rules, and the introduction of time-off for breastfeeding infants and the payment of a lump sum to help cover the travel costs for infants who accompany their breastfeeding or single mothers on official duty travel (DT).*

1. The proviso wherein annual leave (AL) could not be credited until six months after return from ML is cancelled.
2. Mothers breastfeeding infants under two years old will be entitled to time-off for the purpose of breastfeeding their infants or expressing milk.

In cases where mothers bring their infants to work, they will be allowed time-off to breastfeed whenever the infant demands. When mothers choose not to bring their infants to work, but live reasonably close to the office, they will be allowed time-off to go home as follows:

a) ***for infants under six months old:***

- 30 minutes time-off, twice per day; *plus*
- a reasonable time-off for commuting, subject to a maximum of 60 minutes, twice per day (*i.e.*, the commuting time allowance depends on the location of the staff member's home or child-care provider); *and*

- b) *for infants from six months to two years old:* 30 minutes time-off, twice per day.  
The time-off for commuting is discontinued.
3. UNDP will pay a lump sum to help cover the travel costs for infants, who are under two years of age, and who accompany their breastfeeding or single mothers on official duty travel (DT) to a family duty station. The lump sum per infant will be equivalent to:
- a) 10 per cent of the cost of the staff member's ticket; *plus*
  - b) 10 per cent of the staff member's DSA.

To support offices implementing the above changes and briefing staff on ML, I am pleased to attach comprehensive guidelines and a PowerPoint presentation. Should you require any further information or clarification, please contact the OHR Service Centre Chief serving your duty station.

This circular supersedes all previous circulars on the subject and is effective as from the date of issuance.

# **ML**

# **MATERNITY LEAVE**

**UNDP/ADM/2001/32 of 7 September 2001**



**United Nations Development Programme**

OFFICE OF HUMAN RESOURCES



# MATERNITY LEAVE (ML) TABLE OF CONTENTS

	<b>Page</b>
<b>I. General .....</b>	<b>3</b>
Purpose .....	3
Eligibility .....	3
Entitlement .....	3
Pre-delivery Period .....	3
Post-delivery Period .....	4
Requests .....	4
Attendance Record .....	5
Loss of Maternity Leave .....	5
Other .....	5
<b>II. Relationship with other Entitlements, Benefits and Options .....</b>	<b>7</b>
Annual Leave .....	7
Sick Leave .....	7
Service Credit .....	7
Extension of a Fixed-Term Appointment .....	7
Expiration of a Fixed-Term Appointment .....	8
Special Leave Without Pay .....	8
Duty Travel .....	8
Flexible Working Arrangements .....	9
Breastfeeding .....	9

## I. General

### Purpose

1. The purpose of maternity leave (ML) is to allow an eligible staff member a period of time before and after giving birth, to prepare for and recover from the delivery, and to take care of the newly-born child.

### Eligibility

2. All female staff members governed under the 100, 200 and 300 Series (ALD) of the UN Staff Rules are entitled to ML, subject to the provisions of this circular.

### Entitlement

3. The entitlement to ML consists of 16 weeks of leave with full pay.

### Pre-delivery Period

4. ML normally commences six weeks prior to the anticipated date of birth upon presentation of a certificate from a licensed medical practitioner or midwife indicating the anticipated date of birth. If there are any doubts as to the validity of the medical certificate, this must be referred to the UN Medical Services Division (UNMSD) or to an authorized medical facility (see paragraph 16).
5. At the request of the staff member, ML may be permitted to commence less than six weeks but, in the interest of safeguarding her health and safety, not less than two weeks prior to the anticipated date of birth. A certificate from a licensed medical practitioner or midwife that indicates that the staff member is fit to continue working, is required.
6. **Combination of Maternity Leave with Half-Time Work.** A staff member who meets the requirements for a shorter period of pre-delivery ML (see paragraph 5) may opt to combine ML with half-time work during the period from the sixth through the third week preceding the expected delivery date.
7. **Example.** Instead of taking the six weeks of pre-delivery full-time ML, the staff member may request half-time ML, combined with half-time work, for the first four weeks.

### Post-delivery Period

8. The post-delivery ML extends for a period equal to the difference between the 16 weeks and the period prior to the actual date of birth, subject to a minimum of ten weeks.
9. If the pre-delivery period is more than six weeks, due to a miscalculation of the actual date of birth on the part of the medical practitioner or midwife, the staff member is allowed a post-delivery leave of no less than ten weeks.
10. At the request of the staff member, an earlier date of return may be permitted, provided a minimum period of six weeks following delivery has elapsed.
11. **Combination of Maternity Leave with Half-Time Work.** A staff member who has completed six weeks of post-delivery ML may opt to combine ML with half-time work for the remainder of the ML.
12. **Example.** Instead of taking the last four weeks of post-delivery full-time ML, the staff member may request half-time ML over an eight-week period, combined with half-time work.

### Requests

13. A staff member must submit her request for ML, through her supervisor, at least three months in advance of the expected delivery date:
  - a) *if stationed outside New York*, to her local Administrative Officer; *and*
  - b) *if stationed in New York*, to the OHR Service Centre Chief serving the organizational unit.
14. The request must be accompanied by a certificate from a licensed medical practitioner or midwife attesting to the pregnancy and expected delivery date.
15. If the staff member is requesting permission to work from the sixth through the third week preceding the expected delivery date, she must submit a separate medical certificate which attests her fitness to work during that period.
16. If a period of less than six weeks of pre-delivery leave has been granted, and it later becomes apparent that the staff member is not fit to continue to work for any reason, the matter must be referred, if stationed in:
  - a) *New York*, to the UNMSD;

- b) **Geneva**, to the United Nations Office at Geneva (UNOG) Headquarters Joint Medical Service (JMS);
- c) **Addis Ababa, Bangkok, Beirut, Nairobi and Santiago**, to the United Nations (UN) Clinic; and
- d) **elsewhere**, to the UNMSD, by fax (1-212-9634925) or pouch directly to:

Medical Director  
UN Medical Services Division  
Room S-0564  
UNITED NATIONS  
New York, NY 10017  
UNITED STATES OF AMERICA

- 17. The staff member will be required to commence her pre-delivery leave immediately after the UNMSD or an authorized medical facility determines that the staff member is not fit to continue to work.
- 18. **International Staff Stationed Outside NY.** In order to prepare the Personal Action, the local Administrative Officer must notify the OHR Service Centre Chief serving the duty station, of the starting date of pre-natal leave and the expected delivery date.

### **Attendance Record**

- 19. When a staff member takes ML, it will be recorded in her attendance record as ML.

### **Loss of Maternity Leave**

- 20. When an eligible staff member does not exercise part of her ML (see paragraph 10), she does not receive:
  - a) payment in lieu of; *nor*
  - b) additional annual leave (AL) credit.

### **Other**

- 21. The 16 weeks of leave with full pay are not increased if the staff member gives birth to more than one child.

22. In the unfortunate event that the child dies during or after birth, the staff member is entitled to the full duration of ML.

## II. Relationship with other Entitlements, Benefits And Options

### Annual Leave

23. A staff member continues to accrue annual leave (AL) while on ML.
24. Staff members are not required to exhaust their accrued AL prior to proceeding on ML.
25. Subject to exigencies of service, requests to take AL following ML will be favourably considered.
26. **Combination of Half-Time Work with Annual Leave.** Subject to the needs of the organization, requests to combine half-time work with AL following ML, will be given favourable consideration.
27. **Example.** Instead of taking six weeks of full-time AL following ML, the staff member may request half-time AL over a 12-week period, combined with half-time work.

### Sick Leave

28. Sick leave (SL) is not normally granted for maternity cases except when serious complications arise and upon presentation of a medical certificate.
29. If, on expiration of her ML, a staff member is unable to return to duty because of ill health, such absence is charged to SL, upon presentation of a medical certificate.

### Service Credit

30. A staff member accrues service credit for all entitlements during ML, except when an appointment is extended solely to enable a staff member to utilize her ML (see paragraphs 32 to 35).

### Extension of a Fixed-Term Appointment

31. A pregnant staff member on a fixed-term appointment will be considered for extension or conversion of her appointment under the same criteria as other staff. The fact that a staff member is or will be on ML may not be a factor in that consideration.

### Expiration of a Fixed-Term Appointment

32. If, on the basis of considerations unrelated to the staff member's pregnancy, a decision is made not to extend her fixed-term appointment, and the current appointment is due to expire *during* the period of ML, the appointment will be extended to cover the full duration of the ML.
33. Paragraph 32 does not apply in cases where the fixed-term appointment expires more than six weeks before the anticipated date of delivery.
34. When an appointment is extended solely to enable a staff member to utilize her ML entitlement, such extension will not give rise to any further entitlement to salary increment, annual leave, sick leave or home leave, but credit towards repatriation grant may continue to accrue if the staff member has not returned to her home country. In the event of death during the period of extension, the period prior to the staff member's death may be taken into account in the determination of the death benefit.
35. When an ALD staff member reaches 48 months maximum of continuous service, she will be paid a lump sum in lieu of the extension period.

### Special Leave Without Pay

36. Subject to exigencies of service, requests from staff members (except ALD staff members) for special leave without pay (SLWOP) to take care of their newly-born children following ML, will be given favourable consideration.

### Duty Travel

37. **Breast-Feeding Babies.** UNDP pays a lump sum to help cover the travel costs for breast-feeding infants, who are under two years of age, and who accompany their mothers on official duty travel (DT). The lump sum per infant is equivalent to:
  - a) 10 per cent of the cost of the staff member's ticket; *plus*
  - b) 10 per cent of the staff member's DSA.
38. No lump sum is paid for a baby-sitter, or when a staff member travels to a non-family duty station.
39. The lump sum is charged to the same funding source covering the travel costs for the staff member and requested with the travel request.

40. **Single Staff members.** Paragraphs 37 to 39 also apply to infants regardless of whether they are breast-fed, who are under two years of age, and who accompany their single staff members on official DT.

### **Flexible Working Arrangements**

41. Subject to the needs of the organization, requests for flexible working arrangements (for example, half-time work, flextime, etc.) following ML, will be given favourable consideration.

### **Breastfeeding**

42. **Time Off.** Mothers breastfeeding infants under two years old, are entitled to time off for the purpose of breastfeeding their infants or expressing milk.
43. In cases where mothers bring their infants to work, they are allowed time off to breastfeed whenever the infant demands.
44. When mothers choose not to bring their infants to work, but live reasonably close to the office, they are allowed time off to go home as follows:
- a) ***for infants under six months old:***
- 30 minutes time off, twice per day; *plus*
  - a reasonable time off for commuting, subject to a maximum of 60 minutes, twice per day (*i.e.*, the commuting time allowance depends on the location of the staff member's home or child-care provider); *and*
- b) ***for infants from six months to two years old:*** 30 minutes time off, twice per day. The time off for commuting is discontinued.
45. **Breastfeeding Facilities.** Offices are required to provide a private area for mothers to express their milk or breastfeed their infants during the workday, and a refrigerator for storing the milk.