# Maternity Leave and Benefits Policy

### 1. Objective

This policy outlines the organization's commitment to supporting women employees during pregnancy, childbirth, and postnatal recovery in compliance with the **Maternity Benefit Act, 1961**. It ensures that expecting and new mothers are treated with dignity and provided with adequate time and financial support during this crucial phase of life.

### 2. Scope

This policy applies to **all women employees** who are employed in any capacity within the organization and have fulfilled the qualifying service criteria as per applicable laws.

### 3. Eligibility Criteria

A woman shall be entitled to maternity benefits only if:

* She has worked for the company for a **minimum of 160 days in the 12 months** immediately preceding the expected date of delivery.
* She provides a **written notice** (after completion of the first trimester) of her expected delivery and intended leave period, as prescribed under the Act.
* She **does not work** in any other establishment during the period she receives maternity benefits from the company.

### 4. Maternity Leave Entitlement

| **Child Number** | **Duration of Paid Maternity Leave** |
| --- | --- |
| First and Second Child | **26 weeks (6 months)** fully paid leave |
| Third Child Onward | **12 weeks (3 months)** fully paid leave |

The leave can commence **up to 8 weeks before** the expected delivery date. The remaining duration of leave shall be availed post-delivery.

### 5. Mandatory Period of Non-Employment

* If any woman faces a miscarriage or delivery, then she is eligible for **6 weeks'** leave following her delivery or miscarriage.
* This period is **mandatory and non-negotiable**, ensuring proper recovery and postnatal care.

### 6. Restrictions on the Nature of Work During Pregnancy

* Pregnant employees **shall not be assigned strenuous tasks** that:  
  + Involve prolonged standing,
  + They are physically demanding,
  + Interfere with the healthy development of the fetus, or
  + Pose a risk of miscarriage or adversely affect the health of the mother.
* The company shall make reasonable accommodations to ensure a safe and supportive working environment for expecting mothers.

### 7. Leave in Case of Miscarriage or Medical Illness

* **Miscarriage or Medical Termination of Pregnancy**: Eligible for **6 weeks of paid leave** from the date of miscarriage.
* **Illness arising from pregnancy, delivery, premature birth, or miscarriage**: Up to **1 additional month** of paid leave, on submission of valid medical proof.

### 8. Procedure for Claiming Maternity Benefit

* Employees must submit a **written notice** in the prescribed format, specifying:  
  + The expected date of delivery,
  + The intended start date of maternity leave,
  + A declaration confirming that she will not work elsewhere during the maternity benefit period.
* Such notice must be submitted **no later than 6 weeks prior** to the expected date of delivery.

### 9. Payment and Mode of Maternity Benefit

* Maternity benefits will be paid **directly to the employee** in the form of salary or bank transfer.
* In the event of the **death of the employee** during or after childbirth:  
  + If the child survives, Full maternity benefit for the **entire six-week period** following delivery will be paid.
  + If the child does not survive, Payment will be made **up to the date of the child’s death**.
* In such cases, payment shall be made to the **nominated person**. In the absence of a nominee, payment will be made to the **legal heir** of the deceased employee.

### 10. Prohibition of Dismissal During Maternity Leave

* It is **unlawful** for the organization to:  
  + Dismiss or discharge a woman employee during her maternity leave period,
  + Issue a notice of termination that expires during her maternity leave, or
  + Alter her employment terms to her disadvantage during maternity absence.
* Even if a dismissal occurs during pregnancy, the employee will still be **entitled to maternity benefits and bonuses** due under the Act, unless the dismissal is due to proven misconduct unrelated to pregnancy.

### 11. Forfeiture of Maternity Benefits

* If a woman engages in work **for any other employer or establishment** during her approved maternity leave period, she shall **forfeit her entitlement** to maternity benefits for the duration of such unauthorized work.

### 12. Roles and Responsibilities

#### Employee:

* Submit a timely notice for maternity leave with the necessary documents.
* Provide medical certificates where required.
* Refrain from working in any other capacity during the benefit period.

#### HR Department:

* Verify eligibility and documentation.
* Ensure prompt processing of maternity benefit payments.
* Safeguard the employee’s rights as per the Maternity Benefit Act.

#### Managers/Supervisors:

* Support the pregnant employee’s work adjustments if required.
* Refrain from assigning physically demanding tasks.
* Ensure no bias, dismissal, or disadvantage is caused to the employee during or after her maternity period.

**13. Appraisal Cycle During Maternity Leave**

In the year maternity leave is availed, the performance appraisal will be extended as follows:

1. For maternity leave related to the birth of the first or second child, the appraisal period will be extended by six months.

2. For maternity leave related to the birth of the third child or any subsequent children, the appraisal period will be extended by three months.

Accordingly, the appraisal will be deferred to the next applicable appraisal cycle following this extension.

***For example:***

If the appraisal is scheduled for the December cycle (covering October–December) and maternity leave is taken during that year for the first or second child, the appraisal will be deferred to the June cycle (covering April–June) of the following year. For the third child or beyond, the appraisal will be deferred by three months after returning to work.

This adjustment ensures appraisals are aligned with the period of active service following maternity leave.

### 13. Conclusion

The organization is committed to upholding a **supportive, inclusive, and legally compliant workplace** for all employees, especially during important life stages such as pregnancy and motherhood. This policy ensures the health, safety, and financial well-being of women employees while fostering a culture of care and respect.

1. ***Cognizance of offences:*** No prosecution for an offence punishable under this Act or any rule made thereunder shall be instituted after the expiry of one year from the date on which the offence is alleged to have been committed, and no such prosecution shall be instituted except.
2. ***Protection of action taken in good faith. --*** No suit, prosecution, or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Act or of any rule or order made thereunder.
3. ***The maternity period will not be included in the performance appraisal:*** If any female avails the maternity leave, then her appraisal cycle will be increased as per the leaves taken for maternity.
4. ***Pregnancy Update After First Trimester:*** It is mandatory to inform the HR department in writing via email once you have completed the initial three months (first trimester) of pregnancy. Failure to provide this update may impact your maternity leave eligibility. Providing this update ensures proper planning for your absence and maintains a seamless workflow.