



Maternity Leave FAQs

1) What does my Company say about Maternity Leave?

We are governed by two documents as it pertains to Maternity Leave Entitlement, namely one our Employee Manual and by law the Maternity Protection Act 1998.

The Company's Employee Manual Article 5.2.2 Maternity Leave states:

Maternity Leave should be granted in accordance with and subject to the provisions set out under the Maternity Protection Act (1998) and all regulations and orders made hereunder.

The period of maternity leave will not normally exceed 14 weeks unless an extension becomes necessary for medical reasons, in which case any application for extension must be supported by a medical certificate in respect of:

- Illness arising from the pregnancy or confinement : or
- The state of health of the child of that pregnancy.

2) Am I entitled to Maternity Leave?

The Maternity Protection Act 1998, Article 8 Eligibility for Maternity Leave states:

8. (1) An employee is not entitled to the rights referred to in section 7 unless:

- (a) as of the expected date of confinement as certified by a qualified person, she has been continuously employed by that employer for a period of not less than twelve months;
- (b) **she informs her employer, in writing, no later than eight weeks before the expected date of her confinement that she will require leave of absence due to pregnancy;**
- (c) she submits to her employer a medical certificate from a qualified person stating the probable date of confinement; and
- (d) she informs her employer in writing of her intention to return to work at the expiry of her maternity leave.

8. (2) For the purpose of subsection (1) "continuously employed" in relation to a daily rated employee means employment for an aggregate of one hundred and fifty working days in a period of twelve months.

The Maternity Protection Act Article 9, Date of Maternity Leave further states:

9. (1) **An employee is entitled to fourteen weeks maternity leave and may proceed on such leave six weeks prior to the probable date of confinement as stated in the medical certificate submitted under section 8(1)(c) or at a subsequent date at the employee's discretion, and is required to return to work, subject to section 10, no later than fourteen weeks from the date she proceeded on leave.**



3) What things should I know before proceeding on Maternity Leave?

How you will be paid: during your maternity leave period, you will be paid as the Act stipulates. That is full pay for the 1st month, ½ pay for the 2nd and 3rd months. You should have a clear idea of your start and end date of maternity leave.

4) How early can I go on Maternity Leave?

You can proceed on Maternity Leave as early as 6 weeks prior to your due date.

5) What will I be required to submit?

You are required to submit a letter from your doctor that specifically states your expected date of delivery or EDD.

You must also provide your supervisor/manager with the date that you wish to proceed on Maternity Leave.

6) When does my Maternity Leave start and end?

Your maternity leave starts on the date given by you to your supervisor/manager and ends fourteen (14) weeks later or exactly 98 days from the start of your maternity period.

7) What must I give the Company if I am having a high risk pregnancy?

If you are having a high risk pregnancy, you must provide the Company with a medical report from your doctor, which indicates the nature of the risk or possible complications that you are having in your pregnancy.

8) Who do I speak to for further information on Maternity Leave Matters?

For information on Maternity Leave Matters you can speak to Marion Mc Phie and Charlene Mitchell Dempster or any other member of the Human Resources Team.

9) When do I have to submit the Maternity Benefit Application Form?

You can have your doctor complete your Maternity Benefit Application Form as early as your 26 week into your pregnancy. Once completed by both you and your doctor, the form can be submitted to the HR Department for completion.



10) What happens if I am unable to return to work after my Maternity Leave ends?

An employee must advise of her inability to resume duties at least one (1) week prior to the date of return. In addition, she must submit a medical certificate to her supervisor/manager, who will in turn advise HR.

Section 10 of the Maternity Protection Act Article states the following:

10. (1) Where an employee is unable to return to work on the required date, she shall submit to her employer a certificate from a registered medical practitioner stating that by reason of disease or bodily or mental disablement, whether to herself or her baby, she will be incapable of returning to work on the required date and stating her intended date of return.

11) How do I claim for my Maternity Grant from the National Insurance Board (NIB)?

The following forms are available for download from the NIB's website - <http://nibtt.net>:

Maternity Benefit Application – [NI 12](#)

Multiple Births – [NI 12A](#)

Special Maternity Grant Claim – [NI 13](#)

Further details on Maternity Benefits are available at:

http://nibtt.net/benefits_09/ben_maternity.html

The NI 13 or Special Maternity Grant extends coverage to persons who do not qualify for a maternity benefit. This grant is payable to the spouse, whether employed, underemployed or unemployed), of an insured man where that spouse is unable to qualify for the Maternity Benefit in her own right.

The Maternity Protection Act of 1988 can be accessed on the link below -

http://www.ilocarib.org.tt/projects/cariblex/tt_act3.shtml

Amendment to this Act as of 2012 can be found here -

<http://www.ttparliament.org/legislations/a2012-07.pdf>