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	Coverage: ALL EMPLOYEES CONCERNED	Version No.: 2	Page: 1 of 13
Section No.: 35.0	Section Title: EMPLOYEE BENEFITS	Reference No.:	
Sub-section No.: 4.0	Sub-title: EXPANDED MATERNITY LEAVE POLICY	Approval Date: 17 August 2024	

1.0 OBJECTIVE

The Ateneo De Manila University supports and promotes the well-being of employees who are expectant mothers, as well as newborns and families by providing employees extended and comprehensive benefits after they would have given birth (via normal or caesarean section delivery) or suffer medically necessary abortion or miscarriage.

This policy is in compliance with the relevant portions of Republic Act No. 9710, otherwise known as "The Magna Carta of Women," and Republic Act No. 11210, otherwise known as "The 105-Day Expanded Maternity Leave.

2.0 SCOPE

All female employees of the University who give birth, have a medically necessary abortion or miscarriage, with at least three [3] months contributions to the Social Security System (SSS) within a twelve [12]-month period immediately preceding the semester of childbirth, medically necessary abortion or miscarriage and has given the SSS the requisite notification of pregnancy, through the University, in accordance with its rules and regulations.

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3.0 POLICY GUIDELINES

3.1 The University agrees to grant a maternity leave benefit to female employees in accordance with law as follows:

3.1.1 Pursuant to Republic Act No. 9710, otherwise known as "The Magna Carta of Women" and Republic Act No. 11210 – "An Act Increasing the Maternity Leave Period to One Hundred Five (105) Days for Female Workers With an Option to Extend for an Additional Thirty (30) Days Without Pay, and Granting an Additional Fifteen (15) Days for Solo Mothers, and for Other Purposes" the following guidelines are hereby adopted:

3.1.1.1 All covered female workers in government and the private sector, regardless of civil status or the legitimacy of the child, shall be granted one hundred five (105) days maternity leave with full pay and an option to extend for an additional thirty (30) days without pay;

3.1.1.1.1 Enjoyment of maternity leave cannot be deferred but should be availed of either before or after the actual period of delivery in a continuous and uninterrupted manner, not exceeding one hundred five (105) days, as the case may be.

3.1.1.1.2 If, on account of illness, as shown by a medical certificate, arising out of pregnancy, delivery, or miscarriage, an employee is rendered unfit to work beyond the period of her Maternity Leave, she will be allowed to make use of her accumulated accrued SL credits first, and if

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necessary, her VL credits after SL has already been exhausted.

3.1.1.1.3 Where the female employee has availed of sickness leave benefit during her maternity leave, she is only entitled to the Sickness Leave Benefit before or after her Maternity Leave Benefit.

3.1.1.2 Maternity leave shall be granted to female workers in every instance of pregnancy, miscarriage or emergency termination of pregnancy, regardless of frequency: Provided, that for cases of miscarriage or emergency termination of pregnancy, sixty (60) days maternity leave with full pay shall be granted.

3.1.1.3 Any pregnant female worker in the University shall be granted a maternity leave of one hundred five (105) days with full pay, regardless of whether she gave birth via caesarean section or normal delivery, while maternity leave of sixty (60) days with full pay shall be granted for miscarriage or emergency termination of pregnancy.

3.1.1.3.1 A female Social Security System (SSS) member who has paid at least three (3) monthly contributions in the twelve (12)-month period immediately preceding the semester of her childbirth, miscarriage, or emergency termination of pregnancy shall be paid her daily maternity benefit which shall be computed based on her average monthly salary credit for one hundred five (105) days, regardless of whether she gave birth via caesarian section or

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normal delivery, subject to the following conditions:

3.1.1.3.1.1 That the female worker shall have notified her employer of her pregnancy and the probable date of her childbirth, which notice shall be transmitted to the SSS in accordance with the rules and regulations it may provide;

3.1.1.3.1.2 That the full payment shall be advanced by the employer within thirty (30) days from the filing of the maternity leave application;

3.1.1.3.1.3 That payment of daily maternity benefits shall be a bar to the recovery of sickness benefits provided under Republic Act No. 1161, as amended, for the same period for which daily maternity benefits have been received;

3.1.1.3.1.4 That the SSS shall immediately reimburse the employer of one hundred percent (100%) of the amount of maternity benefits advanced to the female worker by the employer upon receipt of satisfactory and legal proof of such payment; and

3.1.1.3.1.5 That if a female worker should give birth or suffer a miscarriage or

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emergency termination of pregnancy without the required contributions having been remitted for her by her employer to the SSS, or without the latter having been previously notified by the employer of the time of the pregnancy, the employer shall pay to the SSS damages equivalent to the benefits which said female member would otherwise have been entitled to.

3.1.1.3.1.6 There shall be no overlapping of leaves, e.g., if an employee on maternity leave suffers bereavement, only the maternity leave shall be used.

3.1.1.4 In case the employee qualifies as a solo parent under Republic Act No. 8972, or the "Solo Parents' Welfare Act", the employee shall be paid an additional maternity benefit of fifteen (15) days.

- 3.2 The University grants a maternity benefit to all female employees which is composed of the employee's composite pay and allowances (but excluding additional compensation) which shall be released through the regular payroll.
- 3.3 To avail of maternity leave (either with pay or without pay), an employee must utilize the Leave Application Form (LA Form) [F-009-035-001-1] prior to going on leave.
- 3.4 Maternity leave (either with pay or without pay) must also be reported in the regular Absence Report Form (AR Form) [F-009-035-001-2] of the Unit

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concerned which shall be submitted to the Total Rewards Section (TRS) – University HR Operations Shared Services (UHROSS).

- 3.5 An employee shall not earn leave credits (vacation, sick or emergency) while on leave without pay of fourteen [14] working days or more.
- 3.6 Formal notice of leave shall be filed at least 45 days before the first day of the Maternity Leave.
- 3.7 In the event that the employee would like to extend her maternity leave beyond the mandated 105 days, the available leave credits shall be used and shall be subject to the approval of her supervisor.
 - 3.7.1. Exhaustion of leave credits shall be considered LOA and any Leave of Absence without Pay (LOA) is deducted from an employee's length of service record and, consequently, the computation for one's retirement benefits is affected as well.
- 3.8 Sick Leaves shall be applicable in post-partum conditions, provided that it is supported by medical certificates coming from either the employee's OB-Gyne or specialists (e.g. cardiologist for postpartum hypertension, psychiatrist for postpartum depression). Likewise, return-to-work medical clearances should be secured from the said specialists and submitted to the OUPC for assessment prior to Fit-To-Work clearances.

4.0 PROCEDURE

- 4.1 Upon Pregnancy:
 - 4.1.1 When a covered employee becomes pregnant, she must immediately notify the Total Rewards Section (TRS) - UHROSS and submit the following via email as soon as the pregnancy is confirmed by a physician:

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4.1.1.1 SSS Maternity Notification Form (SSS Form - MAT 1) [F-009-034-004-1] and Allocation Form

4.1.1.2 Ultrasound report with expected date of delivery

4.1.1.3 The employee's digitized SSS ID card or the acknowledgement receipt stub of the application for SSS ID card (SSS form E-6) or any official proof of SSS membership

4.1.2 The TRS - UHROSS will submit the SSS Maternity Notification Form (SSS Form - MAT 1), together with the ultrasound report and Allocation Form, via the SSS online portal not later than fifteen [15] days upon receipt from the employee. This should be duly received by the SSS (and will be attached to the SSS Maternity Reimbursement Form (SSS Form - MAT2) [F-009-035-004-2] when filing for the reimbursement.)

4.2 Prior to going on Maternity Leave:

4.2.1 It is advisable that maternity leave should start fourteen (14) days before the expected date of delivery.

4.2.2 The employee shall accomplish the Leave Application Form. When advance pay is requested, a copy is required prior to going on maternity leave. The leave application shall be duly signed and approved by the employee's immediate supervisor and unit head. All copies shall then be submitted to the TRS – UHROSS on or before the payroll deadline of the UHROSS to the Central Accounting Office for the timely processing of the paid leave. Distribution is as follows:

4.2.1.1 Employee

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4.2.1.2 UHROSS

4.2.1.3 Central Accounting Office

4.2.3 The employee availing of the leave shall ensure that each approved leave application form has the signatures/initials of her immediate supervisor and unit head. Any leave application without proper signature and approval shall be treated as Leave without Pay (LWOP) and/or Absence without Official Leave (AWOL).

4.2.4 The UHROSS shall receive copy of the Leave Application Form (LA Form) [F-009-035-001-1] via email (leaves.hrmod@ateneo.edu) or hardcopy and note the balance of leaves in Part IV – Leave Balance, if applicable, and check the appropriate box in Part V – Action Taken as to whether approved or disapproved. Copies shall be returned to the employee.

4.3 Upon Return to Work:

4.3.1 It is highly discouraged that a female employee be mandated by her supervisor to go on early return to work during her Maternity Leave.

4.3.2 The female employee must sign the online SSS Maternity Reimbursement Form (SSS – MAT2) [F-009-035-004-2] and submit the same together with the following requirements:

4.3.2.1 In case of Normal Delivery:

4.3.2.1.1 Certified True Copy or Authenticated Copy of the birth certificate duly registered with the Office of the Local Civil Registry with a local civil registry number.

4.3.2.2 In case of Caesarean Section Delivery:

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4.3.2.2.1 Certified true copy or authenticated copy of the birth certificate duly registered with the Office of the Local Civil Registry with a local civil registry number.

4.3.2.2.2 Operating Room Record or Surgical Memorandum duly certified by the hospital where the member is confined.

4.3.2.3 In case of Stillbirth:

4.3.2.3.1 Fetal Death Certificate duly registered with the Office of the Local Civil Registry with a local civil registry number.

4.3.2.4 In case of Miscarriage or Medically Necessary Abortion:

4.3.2.4.1 Ultrasound Report before and after miscarriage /medically necessary abortion.

4.3.2.4.2 Medical Certificate /Obstetrical History form indicating the number of miscarriages duly certified by the attending physician with his/her license number, printed name and signature.

4.3.2.4.3 Dilatation & Curettage (D & C) Report for incomplete abortion duly certified by the authorized hospital representative where the member was confined.

4.3.2.4.4 Histopathology Report for complete abortion.

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4.3.3 In case of Separation from Employment prior to release of Maternity Benefits:

4.3.3.1 Certification of no cash payment and the employee shall be the one to claim directly in SSS.

4.3.3.2 In case of claiming of Maternity Leave Benefits after Termination of Employment:

4.3.3.2.1 Maternity leave with full pay shall be granted even if the childbirth, miscarriage, or emergency termination of pregnancy occurs not more than fifteen (15) calendar days after the termination of an employee's service, as her right thereto has already accrued. Such period is not applicable when the employment of the pregnant woman worker has been terminated without just cause, in which case the employer will pay her the full amount equivalent to her salary for one hundred five (105) days for childbirth and sixty (60) days for miscarriage or emergency termination of pregnancy based on her full pay, in addition to the other applicable daily cash maternity benefits that she should have received had her employment not been illegally terminated.

4.3.3.3 In case of claiming of Maternity Leave of a Female Worker with Pending Administrative Case:

4.3.3.3.1 The maternity leave benefits granted under Republic Act No. 11210 and this Rules shall be enjoyed by a female worker in the public sector and in the private sector even if she has a pending administrative case.

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- 4.4 The TRS – UHROSS shall be responsible for claiming reimbursement with the SSS for the maternity benefits advanced by the University to the employee.
- 4.5 Failure to submit the required documents to allow the University to file for reimbursement of the maternity benefits advanced, will result in immediate collection or charging via salary deduction.
- 4.6 The Unit concerned shall prepare an Absence Report Form (AR Form) [F-009-035-001-2] and should reflect the leave duration of the employee who claimed for Maternity Leave. The said employee shall submit a notification to UHROSS upon return to work.
- 4.7 The refund of the tax withheld covering the amount of the SSS maternity benefit will be processed for reversal and credited through payroll as soon as the SSS reimburses the University.

5.0 ALLOCATION OF MATERNITY LEAVE CREDITS

- 5.1 A female employee may allocate up to seven (7) days (which may be enjoyed either in continuous or in an intermittent manner not later than the period of the maternity leave availed of), of said benefits to the child's father, whether or not the same is married to the female employee.
- 5.2 In case of death, absence, or incapacity of the child's father, the female worker may allocate to an alternate caregiver who may be any of the following:
 - a. A relative within the fourth degree of consanguinity; or
 - b. The current partner, regardless of the sexual orientation or gender identity, of the female employee sharing the same household.

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5.3 The female employee shall inform UHROSS, Total Rewards Section, her option to allocate with her application for maternity leave. The father or the alternate caregiver shall notify their respective employers of his or her availment of the allocated leave and the inclusive dates thereof.

5.4 In the event that the beneficiary female employee dies or becomes permanently incapacitated, the balance of her maternity leave benefits, if any, shall accrue to the father or the alternate caregiver subject to the following conditions:

- a. That the maternity leave benefits have not yet been commuted to cash
- b. That a certified true copy of the death certificate or medical certificate or abstract is provided to the employers of both the female worker and the child's father or alternate caregiver.

APPROVED BY


Roberto C Yap SJ
President

Date: 17 August 2024

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6.0 APPENDICES

Document No.	Document Title - Page Type	Filename / Hyperlink
F-009-035-001-1	Leave Application Form (LA Form)	..M-009-035-001 Vacation Leave\F-009-035-001-1 LA Form Rev MAR 2016.xlsx
F-009-035-001-2	Absence Report Form (AR Form)	..M-009-035-001 Vacation Leave\F-009-035-001-2 Absence Report Form AR Form Rev MAR 2016.xlsx
F-009-035-004-1	SSS Maternity Notification Form (SSS Form – MAT1)	F-009-035-004-1 SSS MAT1 - Maternity Notification Form.pdf
F-009-035-004-2	SSS Maternity Reimbursement (SSS Form – MAT2)	F-009-035-004-2 SSS MAT2 - Maternity Reimbursement Form.pdf

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THIS SUPERSEDES ALL POLICIES, CIRCULARS AND MEMORANDA INCONSISTENT WITH THOSE CONTAINED IN THIS DOCUMENT.

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