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Ministry of Public Administration  
and Home Affairs,  
Independence Square,  
Colombo 07.

03 February, 2005.

To all Ministry Secretaries, Chief Secretaries of  
Provincial Councils and Heads of Department,

### **Maternity Leave - Chapter XII of the Establishments Code**

The Government has decided to grant female public officers 84 days maternity leave with full pay, 84 days maternity leave on half pay and 84 days maternity leave on no pay in respect of every childbirth. Therefore the following section is substituted in place of Section 18 Chapter XII of the Establishments Code to be effective from 01.01.2005.

#### **18 - Maternity Leave**

18:1 Female Public Officers whether permanent, temporary, causal or trainee are entitled to maternity leave under this section.

#### **18:2 Maternity Leave with Full Pay**

18:2:1 A female officer is entitled to 84 working days full pay leave in respect of every live childbirth and they will not be allowed to resume duties before the expiry of 4 weeks after the date of birth of the child. For the purpose of obtaining leave under this section a medical certificate or the birth certificate of the child should be produced.

18:2:2 In calculating maternity leave, Public Holidays, Saturdays and Sundays falling within such period should not be included.

18:2:3 This period of leave should not be set off against the balance leave available to the officer, and should be treated as special leave with full pay.

18:2:4 In the case of a still birth or the death of the child before the expiry of 6 weeks from the childbirth, 6 weeks leave from the date of childbirth should be granted as special full pay leave on the production of the death certificate of the child or a medical certificate.

### **18:3 Maternity Leave on Half Pay**

18:3:1 After the exhaustion of leave in terms of Sub Section 18:2:1 above, the officer is entitled to 84 days leave on half pay for her to look after the child.

18:3:2 Public holidays, Saturdays and Sundays falling within the period of half pay leave should be treated as half pay leave.

### **18:4 Maternity Leave on No Pay**

18:4:1 After the end of leave approved under sub section 18:3:1 above, it is possible to grant 84 days no pay leave only if such leave is required for the purpose of looking after the child.

18:4:2 When calculating leave under this section, Public Holidays, Saturdays and Sundays falling within that period should be included.

18:4:3 Before granting this leave the Head of Department should satisfy himself that satisfactory arrangements have been made to recover without interruption any monthly installment in respect of loans or advances granted to the officer.

18:5 In the case of a miscarriage the officer can avail herself of the vacation leave she is entitled to on the production of a medical certificate.

18:6 After the expiration of the maternity leave obtained under sub section 18:2:1 the officer should be allowed to leave office one hour before the normal time of departure for them to breast feed the child provided no leave mentioned in sub section 18:3:1 has been availed of. This concession should continue only till the child completes the age of six months (06).

18:7 Further, when the officer reaches the 5th month of pregnancy she should be allowed to attend office half an hour later than the normal time of attendance and leave office half an hour before the normal time of departure. This concession is available only till maternity leave is granted.

18:8 Leave referred to under sections 18:3:1 and 18:4:1 is granted only when the child is alive. However if the child dies for some reason or other, such leave will be cancelled after 7 days of such death as such leave has been granted for the purpose of looking after the child.

18:9 Leave granted in terms of sub sections 18:3:1, 18:4:1 above should not have any adverse effect on salary increments and pensions. Also such periods of leave should not adversely affect the filling of vacancies and granting of promotions occurring during such period of no pay leave.

18:10 If the officer wishes to get a portion of the leave under sub sections 18:3:1, 18:4:1 cancelled and to report for duty, she can do so after informing the Head of the Department.

02. Only officers who have not exhausted the 84 days full pay leave obtained in terms of Public Administration Circular No. 03/2004 on the date this circular comes into effect, can avail themselves of leave under sub-sections 18:3:1 and 18:4:1. Officers who have completed 84 days full pay leave on 01.01.2005 are not entitled to half pay or no pay leave mentioned in this circular.

Example:- Officers who on 15.12.2004 have exhausted the 84 days full pay leave granted to them in terms of Public Administration Circular No. 03/2004 are not entitled to half pay leave and no pay leave mentioned in this circular.

03. Public Administration Circular No. 16/99 dated 20.07.1999 and Public Administration Circular No. 03/2004 dated 18.08.2004 are hereby cancelled with effect from 01.01.2005 without prejudice to any action taken so far under such circular.

Sgd. D. Dissanayake  
Secretary  
Ministry of Public Administration and  
Home Affairs