

98-day maternity leave proposed

NATION

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By **DINA MURAD**

PETALING JAYA: The Human Resources Ministry is proposing an increase in the number of maternity leave days from 60 to 98 for the private sector.

“Employers are to bear the cost of maternity allowance for 19 days while the remaining 19 days are unpaid leave,” the ministry suggested, referring to the additional 38 days of maternity leave.

At present, employers are only “encouraged” to comply with a Budget 2018 announcement to raise the maternity leave for the private sector to 90 days. In the public service, women are entitled to 90 days of maternity leave.

This latest move from the ministry comes shortly after the release of a World Bank report titled “Breaking Barriers: Toward Better Opportunities for Women in Malaysia” on Sept 27 which highlights the difficulties faced by women in the labour market.

“One of the significant steps taken by the ministry to address the suggested reforms is to increase the number of maternity leave from 60 to 98 days, equivalent to 14 weeks, under the Employment Act,” the ministry told Sunday Star.

“In addition, it is proposed that employers cannot terminate a pregnant employee unless employers can prove the termination is not because of pregnancy,” it said.

According to the ministry, paternity leave of three days will also be introduced in the proposed amendments to the Employment Act.

Legally mandated paternity leave will allow the fathers to help the mothers with their post-pregnancy recovery and strengthen the father-child relationship, the ministry said.

Currently, fathers in the private sector are not legally entitled to any paternity leave, while fathers in the public sector are given seven days of paid paternity leave.

The proposed amendments to the law must first be submitted for Cabinet’s approval. No date has been given yet on when the Cabinet will decide on the matter.

According to a ministry insider, although the proposal states a 98-day maternity leave, the number

may be reduced to 90 to align with public service entitlements and with the Pakatan Harapan manifesto.

The source also said the aim is for the proposed amendments to be read by this Parliament meeting.

When contacted, Human Resources Minister M. Kulasegaran said: “Maternity leave is essential for a new mother as after birth, she needs to take good care of herself to rebuild her strength and will need plenty of rest, good nutrition and help. Both maternity leave and paternity leave are part of workers’ welfare, family well-being and the well-being of the community.”

Malaysian Employers Federation executive director Datuk Shamsuddin Bardan said the federation is open to having more maternity leave, subject to the cost not being loaded on employers, but borne by the government or social security.

“When the government first mooted increasing private sector maternity leave to 90 or 98 days, one of the major concerns of employers is the cost impact,” he said.

Currently, employers pay the 60 days’ cost of maternity leave.

“We are concerned especially in light of the sluggish economic situation where employers are barely able to absorb additional costs,” he said.

While bigger firms may be able to afford to pay for more maternity leave, he said his main concern is with smaller businesses.

“It is the micro-enterprises that can ill afford to bear additional costs,” he said, estimating that there are about 650,000 companies which have fewer than five employees.

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