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## 5.6.3 Does your university as a body have a maternity and paternity policies that support women’s participation?

### Principle of Engagement

<https://upes-production-cvb3e7frghdda0a4.z01.azurefd.net/drupal-data/2023-09/principles-of-engagement.pdf>



## Objective

1.1 The objective of this policy is to define the types and entitlement of leaves and provide guidelines for its administration.

## 2. Applicability

2.1. This policy is applicable to all full-time employees.

2.2. Employees appointed on contract will be entitled to leaves as specified in their individual terms of employment.

## 3. Guidelines

### 3.1. Types of Leaves

3.1.1. Employees are eligible for the following types of leaves as per the leave matrix below:

S. No.	Leave Type	Entitlement
1	Privilege Leave (PL)	25 days
2	Casual Leave (CL)	10 days
3	Sick Leave (SL)	Minimum 3 days & Maximum Unlimited
4	Maternity Leave	Maximum of 26 weeks up to 2 children; Maximum up to 12 weeks for more than 2 children
5	Paternity Leave	15 days
6	Adoption Leave	90 days
7	Happiness Leave	1 day in a calendar year.

### 3.6. Maternity Leave

3.6.1. Maternity Leave will be available to all female employees to take time off work during the prenatal / postnatal stage of the child.

3.6.2. Maternity Leave can be availed up to a maximum of 26 weeks with full pay for up to 2 children and 12 weeks for more than two children

3.6.3. This is in accordance with the provisions of the Maternity Benefit Act (1961) and amendment of the Maternity Benefit Act (2017).

3.6.4. Maternity Leave with full pay will be given to employees who have completed a minimum of 80 days on the payroll in the 12 months preceding the expected date of delivery.

3.6.5. All intervening holidays / weekly offs will be counted as a part of the Maternity Leave.

3.6.6. In order to avail Maternity Benefit, eligible employees are required to submit an application to their Reporting Manager along with supporting medical documents. This would be to inform the expected date of delivery and the date on which Maternity Leave is to commence.

3.6.7. Subsequent to approval from Reporting Manager, the application should be submitted to HR for records and processing of salary / leaves.

3.6.8. In case the employee is unable to submit the application before proceeding on maternity leave, she may give the application as soon as possible.

3.6.9. The failure to give such application will not disentitle the employee from the maternity benefits and other entitlements.

3.6.10. Leave in case of miscarriage: In case of miscarriage or medical termination of pregnancy, an employee on production of related medical documents will be entitled to leave with full pay for a period of 6 weeks immediately following the day of her miscarriage or medical termination of pregnancy.

3.6.11. Leave in case of illness during pregnancy: In case the employee suffers from illness arising out of pregnancy, delivery, premature birth of child, she will be entitled to leave with full pay for a maximum period of 1 month, on production of such proof. This period shall be in addition to the period of maternity leave.

3.6.12. Work from home may also be considered in cases where the employee is capable of working but has restricted mobility

3.6.13. In case of illness of the new born baby, the employee shall be allowed to avail PL/CL in continuation to Maternity leave on production of Medical Certificate specifying the same.

3.6.14. All employees on returning to duty after maternity leave, shall, in addition to the rest allowed to her, be allowed 2 breaks during her daily work hours for nursing the child until the child attains the age of 15 months.

3.6.15. Extension of Maternity Leave

a. If extension of Maternity Leave is required, employee should apply for the same at least 1 month in advance.

b. The approval on extension of Maternity Leave will be provided by respective Reporting Manager.

c. The extension will be granted for a maximum duration of 6 months, which will be first adjusted against the available PL balance of the concerned employee. If PLs are exhausted, the balance extension period will be considered as a leave without pay.

d. The extension of Maternity Leave will be applicable post completion of the entitled Maternity Leave.

#### 3.6.16. Child Support Post Maternity Leave

a. UPES will support the employees who have returned from Maternity leave and those who have kids below the age of 6 years.

- Employees at campus – day care facility on campus
- Other offices – day care facility around the offices.

b. Female employees may visit the facility to take care of their children as required.

## Paternity Leave in India: What Are the Rules?

<https://www.remofirst.com/post/paternity-leave-in-india>

As gender-balanced parental leave policies increase, more countries are offering paternal leave, which [can lead to work-life balance](#) for employees and their families with additional benefits for companies.

In India, paternity leave is an important policy for ensuring new fathers have the time and resources to bond with their newborns. With [more Indian male employees](#) embracing this benefit, it's important for employers, and remote employers in particular, to understand its nuances and ensure compliance.

As an employer, you must know exactly what the rules are when it comes to taking paternity leave in India, from the law governing paternity leave to how long employees are allowed to take off work and your responsibilities to the employee. You can also learn more about employee benefits in India [here](#).

### Paternity Leave Laws in India

The legal framework for paternity leave in India is provided by the Central Civil Services (Leave) Rule 551 (A), 1972, which mandates certain benefits for eligible male employees. Eligible male employees (government employees) are entitled to a leave of 15 days within six months of the birth or adoption of a child.

To be eligible, an employee must have worked for an organization for at least 80 days in the 12 months before the date of the expected delivery or adoption. The rule also provides for associated benefits, such as payment of full wages during the leave period.

# Paternity Leave in India: An Overview



## Duration

- 15 days within six months of the birth or adoption of a child

## Benefit

- Payment of full salary during leave

## Eligibility

- Employee must work at least 80 days in the 12 months before the expected delivery or adoption date

## Who gets paternity leave?

- Government employees
- There's no formal paternity leave policy in place for private-sector employees.*

Employees also have other paternity leave rights:

- Paternity leave is separate from other types of leave, so it cannot be deducted from the employee's leave account.
- Employers can't deny an employee's paternity leave request.

There are also some limitations to paternity leave benefits:

- If an employee fails to take the leave within the specified time frame, it will be considered lapsed.
- In the case of adoption, paternity leave provisions only apply when the child being adopted is under the age of one.

It's important to note that the [15-day leave is only available to central government employees](#), and there is no formal policy in place for private-sector employees.

Following the approval of the Maternity Benefit (Amendment) Act in 2017, a bill to provide paternity benefits to all employees was introduced in 2017, but it was not passed in parliament. But despite the lack of legislation mandating paternity leave, many private companies continue to provide the benefit, albeit under their own rules.

## Best Practices for Implementing Paternity Leave Policies

As paternity leave gains traction among Indian employees and the competition for top talent intensifies, it's critical for companies looking to hire in India to prioritize providing paternity leave policies as a key component of their employee benefits packages.

The following are some best practices for implementing paternity leave policies in India:

- Ensure that your paternity leave policies align with India's labor laws and regulations.
- Communicate the company's paternity leave policy and benefits to employees. This includes providing an outline of provisions for your organization's paternity leave and ensuring that employees understand their rights and obligations under the policy. All relevant information about eligibility for leave should be clearly stated in a written policy document and communicated to employees in a timely manner.
- Ensure employees have clear guidance on what they need to apply for leave. An easy application process will ensure that employees feel supported.
- Provide support for employees during and after the leave period.

# Best Practices for Implementing Paternity Leave Policies in India

Ensure that your paternity leave policies align with relevant laws

Communicate the company's paternity leave policy and benefits to employees

Ensure employees have clear guidance on what they need to apply for leave.

Provide support for employees during and after the leave period

Examples of companies that have successfully implemented paternity leave policies in India include Tata Consultancy Services, Zomato, and Wipro.

Zomato gives 26 weeks of paternal leave (similar to India's mandated maternity leave) and an endowment of INR 69,000 to new parents. Wipro provides eight weeks of paid paternal leave and Tata consultancy provides 15 days. In Wipro's case, leave is given to biological and adoptive parents, as well as individuals acting in loco parentis (in place of a parent) to the child.

## Comparison Of Indian Paternity Leave Policies with the World

In India, paternity leave is a relatively new concept. Although the government has made some progress in providing paternity leave to fathers, it still lags behind other countries in terms of duration, availability, and benefits.

For instance, the country's current 15-day leave policy is much less than the average global rate of 18 weeks. Moreover, several countries provide up to over a year of fully paid paternity leave, allowing parents enough time to bond with their newborns without worrying about financial insecurity. Sweden, for example, provides [480 days of paid parental leave](#).

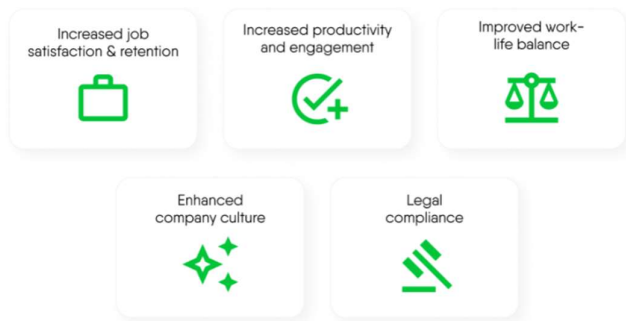
Some countries offer additional benefits such as parental tax credits and subsidies for childcare costs. Global trends in paternity leave policies are also moving toward longer leave periods and gender-neutral policies.

Companies with remote teams in India should be aware of the differences in paternity leave policies between countries and strive to implement policies that adhere to global best practices. This is a critical component of the overall push toward skill-based remuneration and treatment, which is consistent with the implementation of geo-neutral salaries.

## The Business Case for Paternity Leave

Paternity leave is an important issue in India, as fathers are increasingly taking on a larger role in child-rearing. But besides the benefits to fathers and their families, offering paternity leave to employees also comes with numerous benefits for businesses:

# The Benefits of Paternity Leave



## More Job Satisfaction and Retention

Companies that offer paternity leave show their commitment to supporting family life and helping employees balance work and home responsibilities. It also shows the company's commitment to employees' wellbeing. This will likely increase job satisfaction and employee retention, thus reducing turnover costs.

## Increased Productivity and Engagement

Employees who take paternity leave are more likely to be productive and engaged upon returning to work. They feel more supported and less stressed, which can positively impact their work performance.

## Improved Work-Life Balance

Paternity leave helps new fathers achieve a better work-life balance by allowing them to spend time with their newborns and support their partners during the early stages of parenthood. This can lead to improved mental health and reduced stress levels, which can positively impact performance once the fathers go back to work.

## Enhanced Company Culture

Companies that offer paternity leave demonstrate that they value fatherhood just as much as motherhood when it comes to childcare responsibilities. This can lead to a more positive company culture and help attract top talent.

## Legal Compliance

In many countries, paternity leave is a legal requirement. Offering paternity leave can help startups comply with local regulations and avoid legal issues.

Given the many advantages of offering paid paternity leaves, businesses should strongly consider adopting policies that provide these opportunities for their employees. Doing so will not only support family life but also likely bring long-term gains (both financial and non-financial) to the company.

## Providing Paternal Leave Benefits in India the Seamless Way

Providing paternal leave benefits in India is not only a progressive step towards creating a more equitable and family-friendly workplace, but also a crucial one in promoting gender equality and empowering working parents. By implementing seamless and effective systems for paternal leave, companies can [attract and retain top Indian talent](#) while also fostering a culture of inclusivity and support for all employees.

As we move toward more global workplaces, companies need to know enough about each country's hiring process before hiring remotely from it, including leave policies and the general cultural climate. However, learning the intricacies of each country's labor laws and business culture can be cumbersome and time-consuming in most cases.

It's easier to stay ahead of the curve with the support of an expert team that handles all aspects of global hiring. Instead of setting up your own entity in India or handling all the hiring details on your own, you can work with an [Employer of Record \(EOR\)](#) like Remofirst to handle talent hiring and onboarding, all while ensuring compliance and without having to set up a business entity in India. You can also visit our partner [Uplers](#) if you're looking to source remote Indian talent.

Remofirst is a cost-effective way to go international. This [India country guide](#) outlines how we can help you hire, pay, and effectively manage Indian talent the simple and efficient way.

## [Maternity Leave Policy in India \(2023\)](#)

<https://www.icicilombard.com/blogs/health-insurance/hi/maternity-leave-policy-in-india-in-2023>

Working women in India face numerous challenges. Maternity leave plays a vital role in ensuring the overall well-being of the mother and newborn child and allows women to adjust to their new role as mothers.

Maternity benefits are necessary to protect women's economic rights, ensure job security, and support their social function of childbearing and rearing. The Indian Maternity Benefit Act of 1961 provides comprehensive maternity benefits, including paid leave, medical bonuses, and nursing breaks.

Let's learn more about the eligibility criteria, why it is essential for women, the rules of the Leave Policy, HR's role in granting you leave, and more.

### Maternity Leave Eligibility in India

- Eligibility as per maternity leave rules requires at least 80 days of work with the employer in the 12 months prior to the expected delivery date
- Pregnant, adopting, or women who experience miscarriages are eligible for maternity leave
- Surrogate or commissioning mothers can take up to 26 weeks of maternity leave from the day the newborn is handed over to the adoptive parents
- The Act applies to both public and private sector women employees
- Full salary is guaranteed during the maternity leave period
- Duration of six months for first and second-time mothers and three months for subsequent children
- Childcare provisions and the right to return to the previous position are provided
- Additional leave days granted for new mothers who require more recovery time
- Pregnant employees entitled to certain workplace amenities, such as
- hygienic restrooms
- comfortable seating and working arrangements
- safe drinking water



## Maternity Leave Benefits in India

- The Maternity Benefit Act in India provides maternity benefits such as paid leave for women employees who need to fulfil their maternal obligations and duties
- For first and second-time mothers, the leave is for 6 months or 26 weeks, while every subsequent child entitles the mother to 3 months or 12 weeks of paid maternity leave
- Many companies offer maternity coverage to their employees under their group [health insurance](#) policies. However, that depends on the insurance provider that the company is buying from.
- The Act also ensures the holistic well-being of mothers and their babies by providing childcare provisions
- Employers cannot fire or dismiss women employees solely because they are pregnant, in labour, or recuperating post-childbirth
- The Act mandates that pregnant women have access to amenities, such as hygienic restrooms, comfortable seating, and safe drinking water in their workplace
- The Act entitles pregnant women to additional leave days if they are unable to return to work after the maternity leave period
- The payment for maternity leave is at the rate of the average daily wage for the period of absence, with an additional medical bonus of Rs 3500 and a benefit of a minimum amount of Rs 6000 under the National Food Security Act 2013
- Employers must not give pregnant employees difficult tasks or long working hours ten weeks before delivery to ensure the health and safety of both the mother and child.
- HR departments can incorporate measures to support pregnant employees, including:
  - flexible working arrangements
  - counselling services
  - wellness programs