

# ENHANCED GOVERNMENT-PAID EMPLOYEE PARENTAL LEAVE ENTITLEMENTS EFFECTIVE 2017

*Posted on July 1, 2016*

Category: [CNPupdates](#)

## General disclaimer

This article is provided to you for general information and should not be relied upon as legal advice. The editor and the contributing authors do not guarantee the accuracy of the contents and expressly disclaim any and all liability to any person in respect of the consequences of anything done or permitted to be done or omitted to be done wholly or partly in reliance upon the whole or any part of the contents.



**Date Published: 1 September 2016**

**Author and Contributor: Pradeep Kumar Singh and Patrick Ong.**

## **Introduction**

As part of the Government's push to strengthen our "Singaporean core", the Government has proposed several legislative amendments, primarily to the Child Development Co-Savings Act (Cap. 38A) ("CDCA"), effective 2017, which are pro-family / pro-parenthood. These revisions to various government-paid leave entitlements seek to grow the "Singaporean core" internally, by enhancing the government-paid employee parental leave entitlements for parents of children who are Singapore citizens. We elaborate on the proposed amendments and the Government's rationale for implementing the amendments below:

### **(A) Maternity Leave for Unwed Mothers: 12 weeks -> 16 weeks (from early 2017)**

#### **Employment Act**

Under Section 76 of the Employment Act (Cap. 91) ("EA"), eligible female employees who have worked for their employers for a period of at least 3 months who give birth during the period of employment are entitled to 12 weeks of maternity leave, regardless of their marital status or the citizenship of the newborn. This benefit is paid for by the employer.

#### **General disclaimer**

This article is provided to you for general information and should not be relied upon as legal advice. The editor and the contributing authors do not guarantee the accuracy of the contents and expressly disclaim any and all liability to any person in respect of the consequences of anything done or permitted to be done or omitted to be done wholly or partly in reliance upon the whole or any part of the contents.

## CDCA

Presently, with respect to government-paid leave, which falls under the CDCA, there is a distinction in maternity leave entitlements available to lawfully wed mothers, and unwed mothers.

Currently, lawfully wed mothers are entitled to 16 weeks of maternity leave, pursuant to Section 9 of the CDCA. Amendment to the CDCA

Effective early 2017, unwed mothers will receive the same maternity leave entitlements as lawfully wed mothers, that is, 16 weeks of government-paid maternity leave. This applies to all mothers of Singapore citizen children born on or after the said date.

While the Government has stressed that the parity of entitlements was not implemented to undermine parenthood within marriage, they have noted that greater support for unwed mother in the raising of her child could be provided. Enhancing their maternity leave entitlements would ease the concerns faced by mothers during their confinement period pertaining to their job and financial security.

Additionally, Minister for Social and Family Development Tan Chuan-Jin observed that unwed parents are usually vulnerable if they are younger and lower-educated. Further, some may be rejected by their own families, making it difficult to raise a child single-handedly. Also, some may have hoped to have a child within marriage, but ended up as unwed parents as a result of circumstances.

### **(B) Paternity Leave: 1 week (+1 voluntary week) -> 2 weeks (from 1 January 2017)**

The Government has recognised the increased involvement of fathers in the raising of their children, and the changing dynamic of young couples today. As such, the Government has sought to increase paternity leave available to fathers.

There has been a continuing trend of granting fathers the ability to be more involved in their children's lives. Initially, 1 week of government-paid leave was granted to fathers, pursuant to Section 12H of the CDCA. Subsequently, in 2015, the Government moved to reimburse employers who had voluntarily granted the applicable employees an additional week of paternity leave, where the child is born / adopted on or after 1 January 2015.

From 1 January 2017, it is mandatory for a company to grant the applicable employee 2 weeks of paternity leave. This applies to all fathers of Singapore citizen children born on or after the said date.

### **(C) Shared Parental Leave: 1 week -> 4 weeks (from 1 July 2017)**

Under Section 12E of the CDCA, 1 week of the mother's maternity leave can be taken / shared with her husband, within a year of the child's birth.

From 1 July 2017, a working mother can now share up to 4 weeks from her 16 weeks of paid maternity

#### General disclaimer

This article is provided to you for general information and should not be relied upon as legal advice. The editor and the contributing authors do not guarantee the accuracy of the contents and expressly disclaim any and all liability to any person in respect of the consequences of anything done or permitted to be done or omitted to be done wholly or partly in reliance upon the whole or any part of the contents.

leave with her husband. This applies to all parents of Singapore citizen children born on or after said date.

### **(D) Adoption Leave: 4 weeks -> 12 weeks (from 1 July 2017)**

Adoption leave is available to adoptive mothers of infants younger than 1 year old (where infant is younger than 1 year old at the point of formal intent to adopt). Under Section 12AA of the CDCA, government-paid adoption leave was previously 4 weeks

From 1 July 2017, where a child's adoption is completed on or after said date, the entitlement for adoption leave will now be increased to 12 weeks (equivalent to maternity leave entitlement under the EA).

### **(E) Shared Adoption Leave: New entitlement (from 1 July 2017)**

From 1 July 2017 (i.e. where a child's adoption is completed on or after said date), adoptive fathers will be able to share 4 weeks of their spouse's adoption leave, that is, a working mother can now share up to 4 weeks from her 12 weeks of paid adoption leave with her husband.

This is a new entitlement, which is currently not provided for under the CDCA.

## **Conclusion**

There has been a push in the media recently on the above enhancements, as the Government aims to increase the awareness of employers and employees, to create an environment where employers readily grant and employees reap the full benefits these entitlements, when practicable. The impact of the enhanced entitlements will depend on this.

For instance, only approximately 40% of applicable employees used their paternity leave entitlements last year, as adjustment is required for employers and employees to move away from entrenched mindsets in relation to parental leave.

#### **General disclaimer**

This article is provided to you for general information and should not be relied upon as legal advice. The editor and the contributing authors do not guarantee the accuracy of the contents and expressly disclaim any and all liability to any person in respect of the consequences of anything done or permitted to be done or omitted to be done wholly or partly in reliance upon the whole or any part of the contents.