

Policy Implementation Guideline: Paternity Leave

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PATERNITY LEAVE

i. Definition

Extended paternity option offered to male employees beyond what is legally required. It is usually a fully- paid leave; but may be partially paid or unpaid if the leave is granted for an extended period. ***(Note: On 21 March 2022, the Dewan Rakyat approved the amendments to the Employment Act 1955 of seven days of paid paternity leave)***

ii. Important Considerations:

- Eligibility, rules, and regulations to utilise paternity leave option must be clearly defined within the policy prior to implementation.
- The paternity leave policy should be reviewed at least once per year.
- At employer's discretion, there may be a cap on the number of times an individual is granted a paternity leave within a period of time.
- Supervisor and HR may edit or discontinue the policy if it no longer meets business needs.

iii. Policy Guidelines:

- **Eligibility:** All male full time or part time employees with a newborn child.
- **Application and Approval Process:**
 - A typical application process for paternity leave;
 - a. Eligible male employees intending to apply for extended paternity leave should discuss their intentions with their immediate supervisor prior to the expected birth of the child.
 - b. Employees should receive the necessary approval prior to commencing the arrangement.

A formal approval process is required for each individual application that considers:

- a. Employee's eligibility.
 - b. Total duration of leave.
 - c. Access to data or sensitive information while away from work.
 - d. Clear communication of expectations.
- **Review of Paternity Leave:**
 - a. The extended paternity leave benefit must be reviewed regularly to determine it meets business needs.

- b. Supervisor and HR may edit or discontinue the policy if it no longer meets business needs.
- **Expectations of Employees on Extended Paternity Leave:**
 - a. Employees who are on an extended paternity leave, must agree to schedule checkpoints with a designated HR representative during the extended paternity leave to discuss their expectations and available options returning to work as a new parent.
 - b. Employees should not consider the option an entitlement and will not abuse the privilege.
 - c. Knowingly making false or fraudulent statements in order to utilise the paternity leave benefit from the company should be subject to company's disciplinary actions.
- **Rewards and Salary:**

Typically, parental leave within the stipulated time granted by the employer will not have an impact on the employee's salary and bonus.

However, for employees who are on extended parental leave, the Benefits & Compensation Team should be contacted in order to clarify any related questions as a result of the employee being on extended paternity leave.

- **Performance Management:**

The employer's standard performance management process will apply. However, for employees who are on extended parental leave, the employee's performance will only take into consideration the time served during the business year.

Checklist for Employers:

- ☐ Define eligibility of workforce and employees.
- ☐ Develop/Update policy (if required) on availability of extended paternity leave, workforce, and eligibility.
- ☐ Determine updated compensation scale if necessary (applies to extended paternity leave only).
- ☐ Receive request from eligible employees of their intention to go on extended paternity leave.
- ☐ Confirm eligibility and confirm entitlement to employee.
- ☐ Confirm leave period with employee.
- ☐ Discuss and arrange with employer on method and frequency for staying in touch (applies to extended paternity leave only).
- ☐ Monitor utilisation and effectiveness of the extended paternity leave to ensure it fulfils business needs.