Sample policy: Maternity Leave

[COMPANY] is firmly committed to protecting the rights of expectant mothers and complying with Title VII of the 1964 Civil Rights Act as amended by the Pregnancy Discrimination Act of 1978. [THE COMPANY’S] policy is to treat women affected by pregnancy, childbirth or related medical conditions in the same manner as other employees unable to work because of their physical condition in all employment aspects, including recruitment, hiring, training, promotion and benefits.


Pregnant employees may continue to work until they are certified as unable to work by their physician. At that point, pregnant employees are entitled to receive benefits according to [THE COMPANY’S] short-term disability insurance plan.

When the employee returns to work, she is entitled to return to the same or equivalent job with no loss of service or other rights or privileges. Should the employee not return to work when released by her physician, she will be considered to have voluntarily terminated her employment with [THE COMPANY].

Sample Maternity/Paternity Paid Leave Policy (policy provided by SHRM)

Maternity/paternity leave under this policy is a paid leave associated with the birth of an employee’s own child or the placement of a child with the employee in connection with adoption or foster care. Maternity/paternity leave is not charged against the employee’s leave credits, and the amount of paid days received is four weeks. The paid leave is compensated at the following levels:

- Less than one full year of service – 40% of salary.
- After one full year of service – 60% of salary
- After 5 full years of service – 100% of salary.

Health insurance benefits will continue to be provided during the paid maternity/paternity leave under this policy at the same rate as in effect before the leave was taken regardless of length of service. Four weeks of leave shall be paid with benefits for the care of a newly born or adopted child. The employee must provide 30 days notice (or as much notice as practicable if the leave is not foreseeable)
to the department head of the request for leave and complete the necessary forms and filed with the Human Resource Department.

After the four weeks of maternity/paternity leave has concluded, subsequent leave shall be covered under appropriate policies. The Family and Medical Leave Act (FMLA) allows employees up to 12 workweeks of unpaid leave annually. Paid leave under this policy shall run concurrently with FMLA leave. The balance of FMLA leave beyond the 4 weeks of paid maternity/paternity leave is unpaid unless the employee chooses to use sick and/or vacation time. Maternity/paternity leave is considered time used against the maximum twelve weeks of family medical leave and runs concurrently with FMLA or any other leaves for which the employee is eligible. After the paid maternity/paternity leave is exhausted, the employee may charge sick leave and/or vacation leave.

Employees not eligible for FMLA leave should refer to the Leave of Absence Policy after the 4 weeks of paid maternity/paternity leave is completed regarding continuation of insurance coverage for employees on unpaid leave of absence.

If both parents are employees, only one may access the paid benefits of this policy. Both, however, continue to be entitled to family medical leave if eligible.

Temporary employees are not eligible for maternity/paternity leave. Temporary employees who may be eligible for leave under the FMLA are limited to 12 workweeks of unpaid leave and are ineligible for additional leave granted under this policy.