

A BILL FOR AN ACT

To amend section 145 of title 52 of the Code of the Federated States of Micronesia, as amended, to prohibit payment in lieu of accrued annual and sick leave to employees leaving one National Government position for another, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

1 Section 1. Section 145 of title 52 of the Code of the
2 Federated States of Micronesia, as amended by Public Law No.
3 16-15, is hereby further amended to read as follows:

4 "Section 145. Leaves of absence.

5 (1) Leaves of absence with pay may be granted to
6 employees by management officials for reasons of
7 vacation, illness, training, or education, or for such
8 other reason as will be in the best interests of the
9 public service. Eligibility for such leaves, the
10 method and rate of earning such eligibility, and the
11 duration of the leave shall be established by
12 regulations.

13 (2) Leave of absence without pay may be granted for
14 such reasons as management officials may deem proper
15 and consistent with the best interests of the public
16 service. Regulations may prescribe the characteristics
17 of such leaves.

18 (3) Paid maternity leave of absence shall be granted

1 to an employee for a period of six consecutive weeks
2 per twelve month period:

3 (a) For purposes of this section, "maternity
4 leave" means leave in connection with the birth of a
5 child of the employee.

6 (b) Paid maternity leave shall not be
7 considered to be annual leave or sick leave accrued in
8 a calendar year.

9 (c) Paid maternity leave shall not accumulate
10 for any subsequent use if not used by an employee
11 before the end of each calendar year.

12 (d) The employer through its management
13 officials may require the employee to provide a
14 doctor's certificate indicating general condition
15 during pregnancy and the expected delivery date.

16 (4) No payment in lieu of accrued annual or sick
17 leave shall be paid to an employee who leaves a
18 position with the Government of the Federated States of
19 Micronesia to commence employment in another National
20 Government position, or to an employee who within
21 thirty (30) days of leaving National Government
22 employment is appointed to another position with the
23 National Government. Instead, any accrued leave shall
24 be transferred to the new position. This subsection
25 shall apply irrespective of whether either position is

