

18 December 2018

Education Bureau Circular No. 16/2018

Extension of Maternity Leave for Staff in Aided, Caput and Direct Subsidy Scheme Schools

[Note: This circular should be read by –

- (a) Supervisors/Heads of all aided schools (including special schools), caput schools and schools under the Direct Subsidy Scheme (DSS) – for action; and
- (b) Supervisors/Heads of schools other than (a) above and Heads of Sections – for information.]

Summary

This circular announces the extension of maternity leave from 10 weeks to 14 weeks for eligible female staff in aided, caput and DSS schools with effect from 1 January 2019. This circular should be read in conjunction with relevant provisions of the Codes of Aid and School Administration Guide, and Education Bureau (EDB) Circular No. 1/2006 on Granting of Leave in Aided Schools.

Background

2. Pursuant to the Employment Ordinance (Cap. 57), if a female staff has been employed under a continuous contract¹ for not less than 40 weeks immediately before the commencement of scheduled maternity leave and has satisfied other statutory requirements², she is eligible for paid maternity leave³. As for teaching staff/ specialist staff/ laboratory

¹ Under the Employment Ordinance (Cap. 57), an employee who has been employed continuously by the same employer for four weeks or more, with at least 18 hours worked in each week, is regarded as being employed under a continuous contract.

² Other requirements include: (i) giving notice of pregnancy and intention to take maternity leave to her employer, such as presenting a medical certificate confirming pregnancy; and (ii) producing a medical certificate specifying the expected date of confinement if so required by her employer.

³ Under the Employment Ordinance (Cap. 57), maternity leave pay payable by the employer is to be calculated at four-fifths of the daily average of the wages earned by the female employee during—
(a) the period of 12 months immediately before the date of commencement of her maternity leave; or

technicians/ non-teaching staff in aided schools who are within the approved establishment and remunerated under the Salaries Grant, they are entitled to full-pay maternity leave as stipulated in the Codes of Aid if they have continuously completed 40 weeks of service in aided schools immediately prior to the commencement of maternity leave.

3. ~~The Employment (Amendment) Ordinance 2020 took effect on 11 December 2020. This Ordinance extends the maternity leave under the Employment Ordinance (Cap. 57) by four weeks to allow eligible employees to take maternity leave for 14 weeks continuously. The Chief Executive's 2018 Policy Address proposed extending the statutory maternity leave from the current 10 weeks to 14 weeks. — Though the Government needs time to amend the relevant ordinance, to promote the spirit of good employer, the EDB has decided to introduce a new measure to aided, caput and DSS schools to extend the maternity leave to 14 weeks.~~

Arrangements for Extension of Maternity Leave

4. The EDB has all along encouraged schools to promote family-friendly practices and fulfil their obligations as good employers. For

- (i) staff within the approved establishment of aided schools or contract staff remunerated under other EDB's grants (i.e. cash grants),
- (ii) staff of caput and DSS schools,

who have completed 40 weeks of continuous service immediately before taking the maternity leave and their actual date of confinement⁴ or expected date of confinement⁵ falls on 1 January 2019 or after, schools have to provide the staff concerned with 14 weeks of paid maternity leave. ~~From 11 December 2020 and onwards, schools are also required to provide other eligible staff with 14 weeks of paid maternity leave under the Employment Ordinance.~~

5. Staff within the approved establishment of aided schools will receive full-pay during the 14 weeks of maternity leave. For contract staff employed by aided schools and paid out of EDB's cash grants, schools have all along been required to provide them with 10 weeks of paid maternity leave in accordance with the statutory requirement or the agreed terms of employment contract. With effect from 1 January 2019, schools have to continue to deploy the cash grants to pay their contract staff the salaries of the additional 4 weeks (i.e. 28 days) of paid maternity leave according to the ambits of the cash grants provided by the EDB.

(b) if the employee has been employed by the employer concerned for a period shorter than 12 months immediately before the date of commencement of her maternity leave, the shorter period, but no maternity leave pay is payable in respect of a day on which the female employee would not have worked had she not been on maternity leave and for which no wages would normally be payable by the employer.

⁴ Actual date of confinement as specified on the documentary evidence provided by the staff.

⁵ Expected date of confinement as specified in the medical certificate issued by a Government or Hospital Authority medical officer or a private medical practitioner.

6. The implementation of extended maternity leave shall adhere to the existing principles of leave arrangement⁶. No changes will be made to the standing rules and conditions governing the granting of leave in schools. Therefore, apart from the extension of leave period, other existing arrangements pertinent to granting of maternity leave to staff in schools (e.g. length of qualifying service, commencement date of maternity leave, notification requirements, and production of proof) will continue to be applicable.

Corresponding amendments to Codes of Aid and School Administration Guide

7. In connection with the extension of maternity leave for eligible staff from 10 weeks to 14 weeks, the *Code of Aid for Primary Schools*, *Code of Aid for Secondary Schools*, *Code of Aid for Special Schools*, as well as the section on maternity leave in the *Compendium to Code of Aid for Aided Schools* and the part regarding leave for staff of aided schools in Chapter 7 of the *School Administration Guide* ~~will be were~~ amended accordingly in early January 2019. In short, the relevant contents will be revised to indicate the extension from 10 weeks to 14 weeks, while the rest will remain largely unchanged.

Supply Staff

8. Schools having staff members on maternity leave may need to maintain effective operation through the employment of supply staff. Under the new initiative of extending maternity leave to 14 weeks, aided schools may claim reimbursement of related expenses for the employment of supply staff from the EDB. The relevant requirements and details are set out below:

Substitution of staff remunerated under Salaries Grant

9. In accordance with the prevailing rules and requirements⁷, aided schools may complete the relevant forms and apply to the EDB for reimbursement of the expenses arising from the employment of these supply staff, or submit an appointment form for appointing monthly-paid temporary teachers/non-teaching staff (where appropriate).

⁶ For granting of leave to staff in aided schools, please refer to the EDB Circular No. 1/2006 and its Annex “Guidelines for Granting of Leave”.

⁷ For the employment of supply staff, schools with an Incorporated Management Committee may refer to Section 13.11 of the *Code of Aid for Aided Schools* and Section 7B of the *Compendium to Code of Aid for Aided Schools*. Schools which have not yet established an Incorporated Management Committee may refer to Sections 31, 32 and 34 of the *Code of Aid for Primary Schools*, Sections 32 and 33 of the *Code of Aid for Secondary Schools*, and Sections 35 to 40 of the *Code of Aid for Special Schools*.

Substitution of contract staff remunerated under EDB's cash grants

10. In line with the current practice for employment of all kinds of contract staff, aided schools have to deploy the existing cash grants to pay the salaries of the supply staff substituting their contract staff on 10 weeks of maternity leave. With effect from 1 January 2019, if schools employ supply staff to take up the duties that would otherwise be performed by the serving contract staff taking 14 weeks of paid maternity leave, the EDB will provide schools with grant for their reimbursement of salary expenditure incurred by the employment of supply staff to cover the additional four weeks of paid **statutory maternity** leave (i.e. up to 28 days) ~~following the statutory maternity leave~~ taken by their serving contract staff. The reimbursement is capped with reference to the salaries of their serving contract staff during the said leave period. Aided schools are required to adhere to the prevailing subvention policy and make advance payment for the 14-week remuneration payable to the supply staff with the respective grants or Operating Expenses Block Grant/Expanded Operating Expenses Block Grant. Schools which have continuously employed supply staff for 14 weeks⁸ can complete the application form at **Annex 1** to apply for the Additional Substitute Staff Grant from the EDB **on an accountable basis** to cover the salary expenditure incurred by the employment of supply staff during the additional four weeks as mentioned above. For details, please refer to the calculation methods in **Annex 1** and the examples in **Annex 2**. The application form at Annex 1 and the examples in Annex 2 have also been posted on the EDB Homepage "<http://www.edb.gov.hk> → School Administration and Management → Administration → About School Staff → Guidelines for Granting of Leave" and will be updated as and when necessary in future. Schools are advised to use the updated version as posted on the EDB Homepage. However, if the serving contract staff is not entitled to paid maternity leave under the Employment Ordinance (Cap. 57), even if the school has employed supply staff to take up her duties, the school cannot apply to the EDB for the Additional Substitute Staff Grant. ~~The EDB will review the arrangements for the Additional Substitute Staff Grant after the amendment of the Employment Ordinance.~~

⁸ If the employment period of supply staff is less than 14 weeks, schools have to provide valid reasons in their applications to the EDB, for example, (i) the maternity leave period of the serving contract staff partially overlaps with major school holidays (i.e. Christmas Holiday, Chinese New Year Holiday, Easter Holiday and Summer Vacation) and the schools do not consider it necessary to employ supply staff during the overlapped period; (ii) no suitable person is available as supply staff during part of the leave period; (iii) there is not enough time to recruit supply staff; (iv) schools need to employ more than one person as supply staff during the maternity leave period but there are gaps between their employment. In these circumstances, if schools have good justification, the EDB may exercise discretion to approve their applications.

Caput Schools

11. In accordance with **the Employment Ordinance and** the arrangements for extension of maternity leave as set out in this circular, caput schools are required to grant 14 weeks of paid maternity leave to eligible staff as appropriate. They may reflect the related expenses in the relevant account by following the existing arrangements and the principles governing the appointment of supply staff as mentioned above. The EDB will take such expenses into account when calculating the amount of Fee Subsidy for schools.

Direct Subsidy Scheme Schools

12. DSS schools are required to devise a school-based policy for granting 14 weeks of paid maternity leave to eligible staff as appropriate by making reference to **the Employment Ordinance and** the arrangements for extension of maternity leave as set out in this circular. The EDB will incorporate the additional expenses (including expenses on the Additional Substitute Staff Grant) arising from implementing the extension of maternity leave in aided schools into the DSS unit subsidy.

“Reimbursement of Maternity Leave Pay (RMLP) Scheme” by the Labour Department⁹

13. **As the Government has implemented the measure of extension of maternity leave to 14 weeks in aided schools, caput schools and DSS schools, these schools can apply from the EDB reimbursement and/ or deploy the subsidy provided by EDB as appropriate to cover the expenses for employing relevant substitute staff. To avoid double benefits, the RMLP Scheme is in principle not applicable to the above-mentioned schools. However, if schools are not eligible for receiving any subsidy from the EDB for employing substitute staff for individual staff taking the 14 weeks maternity leave (e.g. staff employed by schools’ own fund), they could submit a reimbursement application to the RMLP Scheme having regard to their own circumstances. The Labour Department/ Processing Agent will conduct necessary verification so as to ascertain whether the four weeks’ maternity leave pay of the relevant employee has not been/ will not be covered/ subsidised by government funding.**

⁹ The statutory maternity leave for employees under the Employment Ordinance has been extended from 10 weeks to 14 weeks with effect from 11 December 2020. For the maternity leave pay of the 11th to 14th weeks’ maternity leave that is required to be paid and has been paid to the employee under Employment Ordinance, employers may submit applications to the Labour Department for reimbursement of maternity leave pay under the RMLP Scheme, subject to a cap of \$80,000 per employee.

Enquiries

~~13~~-14. Schools should make known the arrangements regarding the extension of maternity leave as set out in this circular to all their staff. For enquiries related to statutory maternity leave and the RMLP Scheme, please contact the Labour Department directly. For enquiries about the content of this circular, please contact the respective Senior School Development Officers.

Ms Y Y SO
for Permanent Secretary for Education

Original – Respective Regional Education Office [Attn: SSDO []]

Duplicate – School’s Record

* Please put a 「✓」 in the appropriate box.

Please delete as appropriate.

Application for Additional Substitute Staff Grant for Aided Schools

(Applicable for employment of supply staff to cover the 14-week paid maternity leave of contract staff remunerated under the EDB’s cash grants)

School Name: _____ School code: _____ Month: _____ Year: _____

[School’s contact person and telephone number (for enquiry by the EDB during processing this form): _____]

Our school has extended the paid maternity leave of the serving contract staff to 14-week¹ and hereby applies for reimbursement of additional salary expenditure² arising from the employment of eligible supply staff. Details are as follows:

Part A Particulars of the serving contract staff and supply staff (please separately provide details of monthly-paid and daily-rated supply staff in Table I and Table II below)

I. Monthly-paid supply staff

Particulars of serving contract staff taking 14-week paid maternity leave				Particulars of all monthly-paid supply staff substituting the serving contract staff taking additional 4-week paid maternity leave [i.e. column (a) of this form]							Amount of Grant	
Name	Leave period		Salary details of the additional 4-week maternity leave [should only take into account salaries payable under the EDB’s cash grants] (b)	Name of supply staff ⁵	Substitution period [should be within the dates stated in column (a)]		Percentage of full-time job ⁶ (c)	Monthly salary ⁷ \$	Number of calendar days working as supply staff ⁸	Salary amount ⁹ \$ (d)	MPF subsidy ¹⁰ \$ (e)	\$ (f) = (d) + (e)
	First 10 weeks From D/M/Y To D/M/Y	Additional 4 weeks From D/M/Y To D/M/Y (a)			From D/M/Y	To D/M/Y						
# Teaching staff/ non-teaching staff			Monthly salary ³ : \$ _____ (month:) \$ _____ (month:)	1.								
			Rank:	2.								
			Percentage of full-time job:	3.								
			Funding source for salaries ⁴ :	4.								
								Total number of days	days	Total amount	\$	

II. Daily-rated supply staff

Particulars of serving contract staff taking 14-week paid maternity leave			Particulars of all daily-rated supply staff substituting the serving contract staff taking additional 4-week paid maternity leave [i.e. column (g) of this form]								Amount of Grant	
Name	Leave period		Salary details of the additional 4-week maternity leave <i>[should only take into account salaries payable under the EDB's cash grants]</i> <i>(h)</i>	Name of supply staff ⁵	Substitution period <i>[should be within the dates stated in column (g)]</i>		Percentage of full-time job ⁶ <i>(i)</i>	Daily rate ^{7a} \$	Number of actual working days ^{8a}	Salary amount ^{9a} \$ <i>(j)</i>	MPF subsidy ¹⁰ \$ <i>(k)</i>	\$ <i>(l) = (j) + (k)</i>
	First 10 weeks From D/M/Y To D/M/Y	Additional 4 weeks From D/M/Y To D/M/Y <i>(g)</i>			From D/M/Y	To D/M/Y						
# Teaching staff/ non-teaching staff			Monthly salary ^{3a} : \$ _____ (month:) [Converted average daily wage: \$ _____]	1.								
			\$ _____ (month:) [Converted average daily wage: \$ _____]	2.								
			Rank: _____	3.								
			Percentage of full-time job: _____									
			Funding source for salaries ⁴ : _____ _____	4.								
								Total number of days	days	Total amount	\$	

Note

1. If the serving contract staff is not entitled to paid maternity leave under the Employment Ordinance (Cap. 57), even if the school has employed supply staff to take up the duties of the contract staff, it is not eligible to receive the Additional Substitute Staff Grant from the EDB.
2. Additional salary expenditure refers to the salary expenditure incurred by the employment of supply staff to cover the additional four-week paid statutory maternity leave ~~following the statutory ten-week maternity leave~~ taken by the serving contract staff (i.e. up to 28 days).
3. Reimbursement is capped with reference to the salary of the serving contract staff that would otherwise receive for normal working days (not on the basis of the salary receivable during the maternity leave). If the serving contract staff works on part-time basis, the monthly salary that reflects the part-time duties should be filled in. If the additional four-week maternity leave of the serving contract staff straddles across two calendar months and the monthly salary of these two calendar months varies, the respective salary of these two calendar months should be stated separately.
- 3 a. Reimbursement is capped with reference to the salary of the serving contract staff that would otherwise receive for normal working days (not on the basis of the salary receivable during the maternity leave). If the serving contract staff works on part-time basis, the monthly salary that reflects the part-time duties should be filled in. If the additional four-week maternity leave of the serving contract staff straddles across two calendar months and the monthly salary of these two calendar months varies, the respective salary of these two calendar months should be stated separately. In addition, schools should state the average daily wage that the serving contract staff would otherwise receive during the additional four-week maternity leave (calculated by monthly salary of the serving contract staff x 12 months/365 days).
4. The salary of the serving contract staff should be provided by the EDB's cash grants.
5. During the additional four-week maternity leave taken by the serving contract staff, if more than one person is employed as supply staff, the school should provide the names and employment details of these persons separately.
6. The percentage of full-time job taken up by supply staff should not exceed the percentage of full-time job remunerated under the EDB's cash grants that the serving contract staff would otherwise take up during the additional four-week paid maternity leave (i.e. 28 days) [i.e. the percentage of full-time job stated in column (b) or column (h)].
7. The monthly salary of the supply staff should not exceed the monthly salary of the serving contract staff [i.e. the monthly salary stated in column (b)]. If the additional four-week maternity leave of the serving contract staff straddles across two calendar months and the monthly salary of these two calendar months varies, the respective salary receivable by the supply staff should not exceed the corresponding salary that the serving contract staff would otherwise receive during these two calendar months. If the supply staff works on part-time basis, the monthly salary that reflects the part-time duties should be filled in and the percentage of full-time job taken should be stated in column (c).
- 7 a. The daily rate of the supply staff should not exceed the average daily wage of the serving contract staff [i.e. the converted average daily wage in column (h)]. If the additional four-week maternity leave of the serving contract staff straddles across two calendar months and the monthly salary and converted average daily wage of these two calendar months varies, the daily rate receivable by the supply staff should not exceed the corresponding average daily wage that the serving contract staff would otherwise earn during these two calendar months. If the supply staff works on part-time basis, the daily rate that reflects the part-time duties should be filled in and the percentage of full-time job taken should be stated in column (i).
8. The number of calendar days covered by substitution refers to the calendar days from the start date to the end date of the period (both dates inclusive) and the total in this column should not exceed 28 days. If the supply staff has taken no-pay leave during the employment period, the number of days covered by such no-pay leave should be deducted from the number of calendar days working as supply staff and details should be provided under (i) of Part B by the school.
- 8 a. The number of actual working days should exclude public holidays, discretionary holidays and any days on which staff are not required to perform duties. The total number of actual working days should not exceed 28 days.
9. Salary amount should be determined on a pro rata basis according to the number of calendar days working as supply staff [average daily wage of supply staff (monthly salary of supply staff x 12 months / 365 days) x number of days working as supply staff].
- 9 a. Salary amount should be calculated according to the daily rate of the supply staff x number of actual working days of the supply staff.
10. The Mandatory Provident Fund (MPF) subsidy is either 5% of the relevant income or the amount subject to maximum income level as calculated on a pro rata basis according to 28 days [\$1,381 = \$1,500 per month (current maximum level of monthly contribution) x 12 months / 365 days x 28 days]. Schools not required to contribute to MPF for their supply staff should fill in "0" in this column.

Part B Amount claimed and supplementary information

- (i) During the 14-week paid maternity leave taken by the serving contract staff, the [#] School Management Committee/Incorporated Management Committee:
- has continuously employed supply staff for 14 weeks to take up the duties that would otherwise be performed by the serving contract staff.
 - has employed supply staff to take up the duties that would otherwise be performed by the serving contract staff, but the period of substitution is less than 14 weeks because (may select more than one reason):
 - the paid maternity leave of the serving contract staff partially overlapped with major school holidays (i.e. [#]Christmas Holiday/Chinese New Year Holiday/Easter Holiday/Summer Vacation) and the schools did not consider it necessary to employ supply staff during the overlapped period
 - no suitable person was available as supply staff during part of the leave period
 - there was not enough time for the school to recruit supply staff
 - the school needed to employ more than one person as supply staff during the maternity leave period but there was/were gap(s) between their employment
 - the monthly-paid supply staff has taken no-pay leave during the employment period, and details are as follows: _____
 - Others:(please specify) _____
- (ii) [#] The School Management Committee/Incorporated Management Committee applies to the EDB for reimbursement of \$ _____ under the Additional Substitute Staff Grant [the sum of the amounts stated in column (f) and column (l) in principle] to cover on an accountable basis the salary expenditure of supply staff incurred by the additional four-week paid ~~leave following the~~ statutory maternity leave taken by the serving contract staff (i.e. up to 28 days). Copies of the following documents, as endorsed with the signature of the school supervisor, are attached for the purpose of verification:
- salary proof of the serving contract staff;
 - salary receipts of all persons employed as supply staff (covering the first ten weeks and the additional four weeks); and
 - proof of contribution to MPF for all persons employed as supply staff (if applicable) [please provide justifications and evidence if contribution to MPF is necessary for supply staff employed less than 60 calendar days].

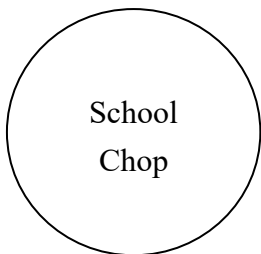
Part C Certification

I hereby certify that:

- (i) The [#] School Management Committee/Incorporated Management Committee has examined the relevant documentary proof (including a valid certificate issued by a registered medical practitioner, a registered midwife or a registered Chinese medicine practitioner confirming pregnancy, and a medical certificate specifying the expected or actual date of confinement (as appropriate)), and given its approval for the above contract staff remunerated under cash grants to take the extended 14-week paid maternity leave in accordance with the Employment Ordinance (Cap. 57) and pertinent requirements set out by the EDB;
- (ii) The supply staff have been requested to go through a sexual conviction record check and the checking results have been obtained via the auto-telephone answering system;
- (iii) Supply staff employed as teachers must be registered teachers, or have obtained the qualifications that application for the status as registered teacher or permitted teacher requires and submitted an application for teacher registration prior to their assumption of duty. The school has carefully examined the original copies of the teachers' identity documents and certificate for registration as a teacher and/or checked the status of their teacher registration and other relevant information. Supply staff employed as non-teaching specialist staff have obtained the qualifications as required;
- (iv) Our school has [#]no/ _____ surplus regular teacher(s) and the number of surplus regular teacher(s) has already been offset [i.e. At the same time, the number of teachers on leave for three or more consecutive days (which includes the regular teachers and contract teachers paid out of EDB cash grants) exceeds the number of surplus regular teachers. Please specify the details if necessary: _____]

_____]
during the period when supply teachers were employed to substitute the serving contract teachers taking the additional four weeks of paid ~~leave following the~~ statutory maternity leave. The salary expenditure of supply teacher(s) incurred by the additional four-week paid leave will not be reimbursed if the number of surplus regular teacher(s) has not been offset;

- (v) The information provided above is correct and complete (including employment information on all the supply staff who substitute the serving contract staff taking the additional four-week maternity leave). Our school has completed all procedures pertaining to this application, and understands that this application will not be processed by the EDB if any given information or documentary proof is found incomplete;
- (vi) The school has made advance payment for the remuneration payable to the supply staff and other related expenses as required by statutory obligations; ~~and~~
- (vii) Any excess of disbursed grant more than our school's entitlement will be returned to the Government; ~~and~~
- (viii) **The additional four weeks' statutory maternity leave pay paid to the serving contract staff and the Additional Substitute Staff Grant have not been/ will not be covered/ subsidised by other government funding.**



Signature of Supervisor: _____

Name of Supervisor: _____ Date of Application: _____

For EDB use only

To: Recurrent Subventions Section, EDB (Attn: AOI)

The information and copies of document provided in this form have been certified by the school. I confirm that the amount of reimbursement claimed by the school under (ii) in Part B is correct and should be disbursed.

Senior School Development Officer () Signature: _____

Name: _____

Date: _____

Information regarding AAA, the serving contract teacher:

Example 1

- She has completed not less than 40 weeks of continuous service in the school immediately before the commencement of her maternity leave.
- She is remunerated under the Capacity Enhancement Grant (CEG) with a monthly salary of \$36,665.
- Her expected date of confinement is 19 March 2019 and actual date of confinement is 15 March 2019.
- She chooses to start taking maternity leave two weeks before her expected date of confinement. The 14-week paid maternity leave covers the period from 5 March 2019 to 10 June 2019.
- The school employs TTT as the supply staff on a monthly-paid basis during the 14-week paid maternity leave of AAA.
- Conclusion: The school is **eligible** for the Additional Substitute Staff Grant.

Application for Additional Substitute Staff Grant for Aided Schools

(Applicable for employment of supply staff to cover the 14-week paid maternity leave of contract staff remunerated under the EDB's cash grants)

Part A Particulars of the serving contract staff and supply staff (please separately provide details of monthly-paid and daily-rated supply staff in Table I and Table II below)

I. Monthly-paid supply staff

Particulars of serving contract staff taking 14-week paid maternity leave			Particulars of all monthly-paid supply staff substituting the serving contract staff taking additional 4-week paid maternity leave [i.e. column (a) of this form]							Amount of Grant		
Name	Leave period		Salary details of the additional 4-week maternity leave [should only take into account salaries payable under the EDB's cash grants] (b)	Name of supply staff	Substitution period [should be within the dates stated in column (a)]		Percentage of full-time job (c)	Monthly salary \$	Number of calendar days working as supply staff		Salary amount \$ (d)	MPF subsidy \$ (e)
	First 10 weeks From D/M/Y To D/M/Y	Additional 4 weeks From D/M/Y To D/M/Y (a)			From D/M/Y	To D/M/Y						
AAA # Teaching staff/ non-teaching staff	5/3/2019 – 13/5/2019	14/5/2019 – 10/6/2019	Monthly salary: \$ 36,665 (May-June)	1. TTT	14/5/2019	10/6/2019	100%	33,290 ^{@1}	28 ^{@2}	30,645 ^{@3}	1,381 ^{@4}	32,026
			Rank: GM	2.								

^{@1} The monthly salary of TTT should not exceed the monthly salary of AAA [i.e. \$36,665 in column (b)].

^{@2} The number of calendar days covered by TTT's substitution between 14 May 2019 and 10 June 2019 (both days inclusive) is 28 days. The total number of calendar days covered by the substitution in this column should not exceed 28 days.

^{@3} The salary derived on a pro rata basis according to the number of calendar days covered by the substitution is \$30,645 [(\$33,290 x 12 months / 365 days) x 28 days], rounded to the nearest integer.

^{@4} Since TTT's substitution reaches 60 calendar days or more, the school is required to contribute to the MPF for TTT and may apply for the MPF subsidy. The calculation of the MPF subsidy is either 5% of the relevant income [i.e. column (d)] or the amount subject to maximum income level as calculated on a pro rata basis according to 28 days [\$1,381 = \$1,500 per month (current maximum level of monthly contribution) x 12 months / 365 days x 28 days], rounded to the nearest integer.

			Percentage of full-time job: 100%	3.								
			Funding source for salaries: CEG									
									Total number of days	28 days	Total amount	\$ 32,026

II. Daily-rated supply staff

Particulars of serving contract staff taking 14-week paid maternity leave				Particulars of all daily-rated supply staff substituting the serving contract staff taking additional 4-week paid maternity leave [i.e. column (g) of this form]							Amount of Grant	
Name	Leave period		Salary details of the additional 4-week maternity leave <i>[should only take into account salaries payable under the EDB's cash grants]</i> (h)	Name of supply staff	Substitution period <i>[should be within the dates stated in column (g)]</i>		Percentage of full-time job (i)	Daily rate \$	Number of actual working days	Salary amount \$ (j)	MPF subsidy \$ (k)	\$ (l) = (j) + (k)
	First 10 weeks From D/M/Y To D/M/Y	Additional 4 weeks From D/M/Y To D/M/Y (g)			From D/M/Y	To D/M/Y						
# Teaching staff/ non-teaching staff			Monthly salary: \$ _____ (month:)	1.								
			[Converted average daily wage: \$ _____]									
			Rank: _____	2.								
			Percentage of full-time job: _____	3.								
			Funding source for salaries: _____									
									Total number of days	days	Total amount	\$

Part B Amount claimed and supplementary information

- (i) During the 14-week paid maternity leave taken by the serving contract staff, the # ~~School Management Committee~~/Incorporated Management Committee:
 has continuously employed supply staff for 14 weeks to take up the duties that would otherwise be performed by the serving contract staff.
- (ii) # The ~~School Management Committee~~/Incorporated Management Committee applies to the EDB for reimbursement of \$ 32,026 under the Additional Substitute Staff Grant [the sum of the amounts stated in column (f) and column (l) in principle] to cover on an accountable basis the salary expenditure of supply staff incurred by the additional four-week paid ~~leave following the~~ statutory maternity leave taken by the serving contract staff (i.e. up to 28 days).

Information regarding BBB, the serving contract teacher:

Example 2

- She has completed not less than 40 weeks of continuous service in the school immediately before the commencement of her maternity leave.
- She is remunerated under the Teacher Relief Grant (TRG).
- Her expected date of confinement is 3 January 2019 and actual date of confinement is 2 January 2019.
- She chooses to start taking maternity leave two weeks before her expected date of confinement. The 14-week paid maternity leave covers the period from 20 December 2018 to 27 March 2019.
- Her monthly salary is \$38,490 and is raised to \$40,420 on 1 March 2019. In other words, she is granted a salary increment during the additional four-week paid maternity leave.
- The school employs UUU as the supply staff on a monthly-paid basis with a monthly salary of \$39,000 during the 14-week paid maternity leave of BBB.
- Conclusion: The school is eligible for the Additional Substitute Staff Grant.

Application for Additional Substitute Staff Grant for Aided Schools

(Applicable for employment of supply staff to cover the 14-week paid maternity leave of contract staff remunerated under the EDB's cash grants)

Part A Particulars of the serving contract staff and supply staff (please separately provide details of monthly-paid and daily-rated supply staff in Table I and Table II below)

I. Monthly-paid supply staff

Particulars of serving contract staff taking 14-week paid maternity leave			Particulars of all monthly-paid supply staff substituting the serving contract staff taking additional 4-week paid maternity leave [i.e. column (a) of this form]							Amount of Grant	
Name	Leave period		Salary details of the additional 4-week maternity leave <i>[should only take into account salaries payable under the EDB's cash grants]</i> (b)	Name of supply staff	Substitution period <i>[should be within the dates stated in column (a)]</i>		Percentage of full-time job (c)	Monthly salary \$	Number of calendar days working as supply staff		Salary amount \$ (d)
	First 10 weeks From D/M/Y To D/M/Y	Additional 4 weeks From D/M/Y To D/M/Y (a)			From D/M/Y	To D/M/Y					
BBB # Teaching staff/ non-teaching-staff	20/12/2018 – 27/2/2019	28/2/2019 –	Monthly salary: \$ 38,490 (Feb)	1. UUU	28/2/2019	28/2/2019	100%	38,490 ^{@1}	1 ^{@2}	1,265 ^{@3}	1,381 ^{@4}
		27/3/2019	\$ 40,420 (Mar)								
			Rank: GM	2. UUU	1/3/2019	27/3/2019	100%	39,000 ^{@1}	27 ^{@2}	34,619 ^{@3}	
											\$ (f) = (d) + (e) 37,265

^{@1} Since BBB's additional four-week maternity leave straddles across two calendar months (February and March) and the salary for these two calendar months varies, the monthly salary of UUU in February and March should not exceed BBB's corresponding monthly salary for these two calendar months [i.e. \$38,490 for February and \$40,420 for March in column (b)]. In view that UUU receives a monthly salary of \$39,000 from the school and this amount exceeds BBB's monthly salary for February (i.e. \$38,490), the amount of reimbursement that the school may claim for the monthly salary paid to UUU in February should be adjusted to \$38,490, while the amount of reimbursement that the school may claim for the monthly salary paid to UUU in March is not affected.

^{@2} The number of calendar days covered by UUU's substitution between 28 February 2019 and 27 March 2019 (both days inclusive) is 28 days. The total number of calendar days covered by substitution in this column should not exceed 28 days.

^{@3} The salary derived on a pro rata basis according to the number of calendar days covered by substitution is \$1,265 [(\$38,490 x 12 months / 365 days) x 1 day] and \$34,619 [(\$39,000 x 12 months / 365 days) x 27 days], rounded to the nearest integer.

^{@4} Since UUU's substitution reaches 60 calendar days or more, the school is required to contribute to the MPF for UUU and may apply for the MPF subsidy. The calculation of the MPF subsidy is either 5% of the relevant income [i.e. column (d)] or the amount subject to maximum income level as calculated on a pro rata basis according to 28 days [\$1,381 = \$1,500 per month (current maximum level of monthly contribution) x 12 months / 365 days x 28 days], rounded to the nearest integer.

Information regarding CCC, the serving contract teacher:

Example 3

- She has completed not less than 40 weeks of continuous service immediately in the school before the commencement of her maternity leave.
- She is remunerated under the Expanded Operating Expenses Block Grant (EOEBG) with a monthly salary of \$42,330.
- Her expected date of confinement is 1 January 2019 and actual date of confinement is 30 December 2018.
- She chooses to start taking maternity leave three weeks before her expected date of confinement. The 14-week paid maternity leave covers the period from 11 December 2018 to 18 March 2019.
- During the 14-week paid maternity leave of CCC, the school first employs VVV as supply staff on a monthly-paid basis from 11 December 2018 to 14 March 2019 and then SSS on a daily-rated basis on 15 and 18 March 2019 [supply staff not needed on 16 March (Saturday) and 17 March (Sunday) as no teaching duties are involved on these two days].
- Conclusion: The school is eligible for the Additional Substitute Staff Grant and both (I) and (II) under Part A should be completed.

Application for Additional Substitute Staff Grant for Aided Schools

(Applicable for employment of supply staff to cover the 14-week paid maternity leave of contract staff remunerated under the EDB's cash grants)

Part A Particulars of the serving contract staff and supply staff (please separately provide details of monthly-paid and daily-rated supply staff in Table I and Table II below)

I. Monthly-paid supply staff

Particulars of serving contract staff taking 14-week paid maternity leave			Particulars of all monthly-paid supply staff substituting the serving contract staff taking additional 4-week paid maternity leave [i.e. column (a) of this form]								Amount of Grant	
Name	Leave period		Salary details of the additional 4-week maternity leave <i>[should only take into account salaries payable under the EDB's cash grants] (b)</i>	Name of supply staff	Substitution period <i>[should be within the dates stated in column (a)]</i>		Percentage of full-time job (c)	Monthly salary \$	Number of calendar days working as supply staff	Salary amount \$ (d)		MPF subsidy \$ (e)
	First 10 weeks From D/M/Y To D/M/Y	Additional 4 weeks From D/M/Y To D/M/Y (a)			From D/M/Y	To D/M/Y						
CCC	11/12/2018 – 18/2/2019	19/2/2019 – 18/3/2019	Monthly salary: \$ 42,330 (Feb-Mar) Rank: APSM Percentage of full-time job: 100%	1. VVV	19/2/2019	14/3/2019	100%	28,725 ^{@1}	24 ^{@2}	22,665 ^{@3}	1,133 ^{@4}	23,798
# Teaching staff/ non-teaching-staff				2.								

^{@1} The monthly salary of VVV should not exceed the monthly salary of CCC [i.e. \$42,330 in column (b)].

^{@2} The number of calendar days covered by VVV's substitution between 19 February 2019 and 14 March 2019 (both days inclusive) is 24 days. Since both monthly-paid and daily-rated supply staff are employed by the school, the total number of calendar days covered by substitution in this column should be read together with (II) under Part A. The total number of days covered by the substitution of all supply staff should not exceed 28 days.

^{@3} The salary derived on a pro rata basis according to the number of calendar days covered by the substitution is \$22,665 [(\$28,725 x 12 months / 365 days) x 24 days], rounded to the nearest integer.

^{@4} Since VVV's substitution reaches 60 calendar days or more, the school is required to contribute to the MPF for VVV and may apply for the MPF subsidy for the contribution amount. The calculation of the MPF subsidy is either 5% of the relevant income [i.e. column (d)] or the amount subject to maximum income level as calculated on a pro rata basis according to 28 days [\$1,381 = \$1,500 per month (current maximum level of monthly contribution) x 12 months / 365 days x 28 days], rounded to the nearest integer.

Example 4

Information regarding DDD, the serving non-teaching staff:

- She has completed not less than 40 weeks of continuous service in the school immediately before the commencement of her maternity leave.
- She is remunerated under the Administration Grant.
- Her expected date of confinement is 15 February 2019 and actual date of confinement is 6 February 2019.
- She chooses to start taking maternity leave two weeks before her expected date of confinement. The 14-week paid maternity leave covers the period from 1 February 2019 to 9 May 2019.
- Her monthly salary is \$22,865 and is raised to \$24,270 on 1 May 2019. In other words, she is granted a salary increment during her additional four-week paid maternity leave.

The school has employed two persons as supply staff to take up the duties that would otherwise be performed by the serving contract staff but the substitution period is less than 14 weeks.

- During the 14-week paid maternity leave of DDD, no supply staff is employed from 1 February 2019 to 17 February 2019 because no suitable person is available as supply staff and the period overlaps with major school holiday (i.e. Chinese New Year holiday).
- The school employs ZZZ as supply staff on a daily-rated basis from 18 February 2019 to 30 April 2019, and the period from 12 April 2019 to 23 April 2019 is the school's Easter holiday.
- 1 May 2019 is the Labour Day holiday and the school employs RRR as supply staff on a daily-rated basis from 2 May 2019 to 9 May 2019.
- Conclusion: The school is **eligible** for the Additional Supply Staff Grant.

Application for Additional Substitute Staff Grant for Aided Schools

(Applicable for employment of supply staff to cover the 14-week paid maternity leave of contract staff remunerated under the EDB's cash grants)

Part A Particulars of the serving contract staff and supply staff (please separately provide details of monthly-paid and daily-rated supply staff in Table I and Table II below)

I. Monthly-paid supply staff

Particulars of serving contract staff taking 14-week paid maternity leave			Particulars of all monthly-paid supply staff substituting the serving contract staff taking additional 4-week paid maternity leave [i.e. column (a) of this form]							Amount of Grant	
Name	Leave period		Salary details of the additional 4-week maternity leave <i>[should only take into account salaries payable under the EDB's cash grants]</i> (b)	Name of supply staff	Substitution period <i>[should be within the dates stated in column (a)]</i>		Percentage of full-time job (c)	Monthly salary \$	Number of calendar days working as supply staff		Salary amount \$ (d)
	First 10 weeks From D/M/Y To D/M/Y	Additional 4 weeks From D/M/Y To D/M/Y (a)			From D/M/Y	To D/M/Y					
# Teaching staff/ non-teaching staff			Monthly salary: \$ _____ (month:)	1.							
			Rank:	2.							
			Percentage of full-time job:	3.							
			Funding source for salaries:								
								Total number of days	days	Total amount	\$

II. Daily-rated supply staff

Particulars of serving contract staff taking 14-week paid maternity leave			Particulars of all daily-rated supply staff substituting the serving contract staff taking additional 4-week paid maternity leave [i.e. column (g) of this form]								Amount of Grant	
Name	Leave period		Salary details of the additional 4-week maternity leave <i>[should only take into account salaries payable under the EDB's cash grants]</i> (h)	Name of supply staff	Substitution period <i>[should be within the dates stated in column (g)]</i>		Percentage of full-time job (i)	Daily rate \$	Number of actual working days	Salary amount \$ (j)		MPF subsidy \$ (k)
	First 10 weeks From D/M/Y To D/M/Y	Additional 4 weeks From D/M/Y To D/M/Y (g)			From D/M/Y	To D/M/Y						
DDD # Teaching staff non-teaching staff	1/2/2019 – 11/4/2019	12/4/2019 – 9/5/2019	Monthly salary: \$ <u>22,865</u> (Apr)	1. ZZZ	12/4/2019	30/4/2019	100%	567 ^{@2}	5 ^{@3}	2,835 ^{@4}	142 ^{@5}	2,977
			[Converted average daily wage: \$ <u>752</u> ^{@1}]									
			\$ <u>24,270</u> (May)									
			[Converted average daily wage: \$ <u>798</u> ^{@1}]									
			Rank: ACO									
			Percentage of full-time job: 100%									
Funding source for salaries: Administration Grant												
Total number of days									11 days	Total amount		\$ 6,835

Part B Amount claimed and supplementary information

- (i) During the 14-week paid maternity leave taken by the serving contract staff, the # ~~School Management Committee~~/Incorporated Management Committee:
- has employed supply staff to take up the duties that would otherwise be performed by the serving contract staff, but the period of substitution is less than 14 weeks because (may select more than one reason):

^{@1} The converted average daily wage is \$752 for April (\$22,865 x 12 months / 365 days) and \$798 for May (\$24,270 x 12 months / 365 days), rounded to the nearest integer.

^{@2} The respective daily rate of ZZZ and RRR should not exceed the converted average daily wage for April and May of DDD [i.e. \$752 and \$798 in column (h)].

^{@3} Since the period from 12 April 2019 to 23 April 2019 is major school holiday (Easter holiday), the number of actual working days of ZZZ, as supply staff substituting DDD during her additional four-week maternity leave, is 5 days only (24-26, 29 & 30 April 2019), while the number of actual working days of RRR is 6 days (2 & 3, 6-9 May 2019).

^{@4} The salary of ZZZ and RRR is derived by their respective daily rate x the number of actual working days; i.e. \$2,835 for ZZZ (\$567 x 5 days) and \$3,858 for RRR (\$643 x 6 days), rounded to the nearest integer.

^{@5} Since ZZZ's substitution reaches 60 calendar days or more, the school is required to contribute to the MPF for ZZZ and may apply for the MPF subsidy. The calculation of the MPF subsidy is either 5% of the relevant income [i.e. column (j)] or the amount subject to maximum income level as calculated on a pro rata basis according to 28 days [\$1,381 = \$1,500 per month (current maximum level of monthly contribution) x 12 months / 365 days x 28 days], rounded to the nearest integer. As for RRR, since the substitution period is less than 60 calendar days, the school is not required to contribute to the MPF for RRR and "\$0" should be filled in column (k).

- the paid maternity leave of the serving contract staff partially overlapped with major school holidays (i.e. ~~#Christmas Holiday~~/Chinese New Year Holiday/Easter Holiday/~~Summer Vacation~~) and the schools did not consider it necessary to employ supply staff during the overlapped period
- no suitable person was available as supply staff during part of the leave period

(ii) # The ~~School Management Committee~~/Incorporated Management Committee applies to the EDB for reimbursement of \$ 6,835 under the Additional Substitute Staff Grant [the sum of the amounts stated in column (f) and column (l) in principle] to cover on an accountable basis the salary expenditure of supply staff incurred by the additional four-week paid ~~leave following the~~ statutory maternity leave taken by the serving contract staff (i.e. up to 28 days).

Example 5

Schools are NOT ELIGIBLE for the Additional Substitute Staff Grant under the following circumstances:

Scenario	Remarks
1. The serving contract staff has completed less than 40 weeks of continuous service in the school immediately before the commencement of scheduled maternity leave.	As the serving contract staff is not entitled to paid maternity leave under the Employment Ordinance (Cap. 57), even if the school has employed supply staff to take up the duties of the serving contract staff, the school is not eligible to receive the Additional Substitute Staff Grant from the EDB.
2. During the 14-week paid maternity leave taken by the serving contract staff, supply staff is employed to cover the additional four-week maternity leave but <u>not</u> the initial ten-week maternity leave.	Unless there are exceptional circumstances with good justification, if schools have not continuously employed supply staff for 14 weeks, they are normally not eligible to receive the Additional Substitute Staff Grant from the EDB on an accountable basis to cover the salary expenditure incurred by the employment of supply staff during the additional four-week paid leave following the statutory maternity leave taken by their serving contract staff.
3. Both the actual date of confinement and the expected date of confinement of the serving contract staff fall on 31 December 2018 or any date before.	Given that both the actual date of confinement and the expected date of confinement of the serving contract staff fall on 31 December 2018 or any date before, schools are not eligible to receive the Additional Substitute Staff Grant even if they make their own arrangements to provide 14-week maternity leave to their serving contract staff and employ supply staff to take up their duties.
4. Serving contract staff remunerated under schools' own fund.	Schools' own fund, including funds provided by school sponsoring bodies and funds obtained from private donations or other fund-raising schemes, etc. are not cash grants under the EDB. Regarding supply staff employed to take up duties of contract staff remunerated by schools' own fund, schools are not eligible to receive the Additional Substitute Staff Grant. However, schools could apply for reimbursement of the additional four weeks' maternity leave pay paid in accordance with the Employment

	<p>Ordinance through the Reimbursement of Maternity Leave Pay Scheme by the Labour Department. For details, please visit the website https://www.rmlps.gov.hk/.</p>
<p>5. Additional salary expenditure is incurred by the employment of supply staff to cover the additional four-week paid maternity leave taken by their serving staff in a DSS school.</p>	<p>As the EDB will incorporate the additional expenses (including expenses on Additional Supply Staff Grant) arising from implementing the extension of maternity leave in aided schools into the DSS unit subsidy, DSS schools need not submit an application for the Additional Substitute Staff Grant.</p>
<p>6. Additional salary expenditure is incurred by the employment of supply staff to cover the additional four-week paid maternity leave taken by their serving staff in a caput school.</p>	<p>Caput schools may reflect the related expenses in the relevant account by following the existing arrangements and the principles governing the appointment of supply staff. The EDB will take such expenses into account when calculating the amount of Fee Subsidy for schools. Caput schools need not submit an application for the Additional Substitute Staff Grant.</p>