



Hong Kong to increase maternity leave and pay

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Female employees in Hong Kong will be entitled to longer periods of maternity leave and pay under measures passed by the Legislative Council on 9 Jul 2020. The measures feature in Employment (Amendment) Bill 2019 that is expected to take effect later in 2020. Women are eligible for maternity leave if they have been employed under a continuous contract for at least 40 weeks immediately prior to taking scheduled maternity leave.

Highlights

- Maternity leave will increase to 14 weeks — up from 10.
- Maternity pay for the additional four weeks of leave will be the same — four-fifths of the employee's daily average wage during the previous 12-month period — but the amount will be capped at HK\$80,000 per employee. Employers may apply to the government for reimbursement of the additional four weeks of leave.
- Employees who suffer a miscarriage at 24 weeks or later will be entitled to maternity leave — down from 28 — subject to meeting other eligibility criteria.
- Female employees will be entitled to paid time off for pregnancy-related medical examinations. Employers must accept a certificate of attendance (issued by the medical professional) as proof of entitlement to paid time off.
- The period of time male employees will be entitled to take paternity leave is extended to 14 weeks after the birth — up from 10.

The law is part of the government's commitment to implement the recommendations of the "Family Friendly Employment Policy." Other measures, effective 19 Jun 2021, expand the protection of women

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who are breastfeeding or who are expressing breast milk from direct and indirect discrimination and victimization. A separate bill that would prohibit harassment on grounds of breastfeeding was published in January 2020 and, if agreed to, will take effect on 19 Jun 2021.

Related resources

Non-Mercer resources

- [Press release](#) (Equal Opportunities Commission, 9 Jul 2020)
- [Information on Employment \(Amendment\) Bill 2019](#)

Mercer Law & Policy resources

- [Hong Kong proposes expanded paid maternity leave](#) (2 Jan 2020)
- [Hong Kong expands anti-discrimination protections](#) (30 Jun 2020)
- [Hong Kong to prevent harassment of breastfeeding women](#) (6 Feb 2020)

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