

# India Maternity and Paternity Leave Policy

Adobe Systems India Private Limited (“Adobe”) is taking progressive steps to assist employees during significant life events through company-paid time for maternity and paternity leaves. These leave benefits are intended to allow employees paid-time off to bond with their child before returning to work. These policies are available to eligible Adobe employees only.

## 1. Adobe Maternity Leave

### 1.1 Eligibility

- (A) Adobe’s regular female employee who:
  - (1) delivers a baby (i.e. birth mother), or
  - (2) legally adopts a child below the age of one year (i.e. adoptive mother), or
  - (3) is a commissioning mother. Commission mother means a biological mother who uses her egg to create an embryo implanted in any other woman.
- (B) There is no minimum service year requirement for employees to be eligible for the benefits under this policy.

### 1.2 Maternity Leave

- (A) You are eligible for a total of **twenty-six (26) calendar weeks** of Maternity Leave. This leave duration also applies to a female employee having two or more than two surviving children.
  - (1) For birth mother – you may start your leave up to eight weeks before the expected delivery.
  - (2) For adoptive and commissioning mother – you may start your leave from the date the child is handed over to the adopting mother or the commissioning mother, as the case may be.
- (B) You will be paid at 100% of pre-leave Annual Fixed Salary (Total Target Compensation (TTC) for commissioned employees).
- (C) The twenty-six (26) calendar weeks are inclusive of rest days, off days and public holidays.
- (D) Maternity Leave generally begins on the date requested by an eligible employee and must be taken continuously upon the birth or adoption of the child.
- (E) To minimize business disruption, after availing the Maternity leave, employee cannot take any additional time off immediately, except for Sabbatical, if the employee is eligible. If employee wishes to take Sabbatical before the Maternity leave, please contact [erc@adobe.com](mailto:erc@adobe.com) to discuss your specific situation.

- (F) If Sabbatical expires during the Maternity leave period, the Sabbatical expiration date is extended by the period the employee is on the maternity leave.

### 1.3 Other Leaves

- (A) **Miscarriage leave** – In the event of a miscarriage, up to 6 weeks of paid leave will be granted immediately following a miscarriage. Employee is not eligible for Maternity leave in this case.
- (B) **Illness arising out of pregnancy leave** - The Act provides for extended Maternity Leave in case of illness arising out of pregnancy, delivery, premature birth of child
  - (1) This leave is in addition to the period of absence allowed to woman under the Act
  - (2) In such cases the woman, subject to production of prescribed proofs, is eligible to a maximum of one month (30 calendar days) leave in addition to the Maternity Leave.
  - (3) A certificate from a registered medical practitioner, which needs to be validated by Adobe's onsite doctor(s) must support any extension of leave beyond the Maternity Leave on medical grounds.
  - (4) This leave can be taken during pregnancy or after delivery of the child. It does not need to be taken consecutively with the Maternity Leave. If taken after the delivery of the child, this leave must be taken before the child turns one year of age.
  - (5) Per Section 10 of the MBT Act, 1961, this leave can only be availed based on the medical condition of the mother.
  - (6) To minimize business disruption, after availing the Maternity leave including the one available for Illness arising out of pregnancy, employee cannot take any additional time off immediately, except for Sabbatical, if the employee is eligible. If employee wishes to take Sabbatical before the Maternity leave, please contact [erc@adobe.com](mailto:erc@adobe.com) to discuss your specific situation.
  - (7) If Sabbatical expires during the Maternity leave, the Sabbatical expiration date is extended by the period the employee is on the maternity leave.
  - (8) If the birth mother is having the 3<sup>rd</sup> or more child, the entitlement of the 26 weeks of Maternity Leave is inclusive of statutory Maternity Leave of twelve weeks and the Illness arising out of pregnancy leave of 30 calendar days.

## 2. Adobe Paternity Leave

### 1.1 Eligibility

- (A) Adobe's regular male employees who
  - (1) Is having a new born child (i.e., birth father), or
  - (2) legally adopts a child below the age of one year (i.e. adoptive father)
- (B) There is no minimum service year requirement for employees to be eligible for the benefits under this policy.

## 1.2 Paternity Leave

- (A) You are eligible for **two (2) weeks (10 working days)** of Adobe-paid paternity leave at 100% of your Fixed Annual salary.
- (B) The 10 working days are exclusive of public holidays and paid time off.
- (C) Adobe-paid paternity leave must be taken as one continuous block within six months of the birth or adoption of the child.
- (D) If you return to work at any point earlier than the 10 working days, the leave benefit will cease and the remaining days will be forfeited.

## 3. Benefits During Maternity/Paternity Leave

- (E) After the birth or adoption, enroll your child as a dependent in your group medical insurance policy within 45 days (day one is date of birth) by visiting [Enroll and Make Change](#) page.
- (F) While on a Maternity or Paternity Leave, you will maintain the same benefits coverage you have as an active employee (subject to plan provisions), for the full duration of the leave. If you do not return from a leave, these benefits will cease as of the last day of your leave.
- (G) You continue to accumulate any type of paid leave while you are on a Maternity or Paternity Leave. This includes paid leave such as annual leave, sick leave and casual leaves.

## 4. Initiating Maternity and Paternity Leave, and Returning to Work

### 1.3 Maternity

- (A) You must inform your manager **at least 30 days**, before starting your maternity leave. You should provide as much notice as possible to give your manager more time to plan for your absence. If you wish to take Sabbatical before or immediately after the maternity leave, you need to inform the manager with a minimum notice period of 30 days.
- (B) You should work out an arrangement with your manager on how and when you intend to take the leave.
- (C) If the need for leave is not foreseeable, you must request the leave as far in advance as reasonably practical (generally the same day or next day after you became aware of the need for leave).
- (D) In case of emergency, you (or a representative) must notify your manager or the **Employee Resource Center** ([erc@adobe.com](mailto:erc@adobe.com)) as soon as practical.
- (E) You can submit your application for maternity leave on the leave tracking tool along with your doctor's certification of the expected date of delivery or relevant document for adoption, **at least 30 days** before the start date of your maternity leave.
- (F) You should contact your manager and Employee Resource Center **no later than 5 working days** prior to the scheduled end date of your leave to confirm your return to work date. If there are any changes

to the scheduled date, you must notify your manager and Employee Resource Center of the new return to work date as soon as possible. Additional documentation and certification may be required.

1.4 Paternity

- (A) You must notify your manager at least 30 days before starting your paternity leave.
- (B) You can submit your application for paternity leave, along with the birth certificate or letter of intent to adopt, to your manager for approval on the leave tracking tool.
- (C) If the need for leave is not foreseeable, you must request the leave as far in advance as reasonably practical (generally the same day or next day after you became aware of the need for leave).
- (D) In case of emergency, you (or a representative) must notify your manager or the **Employee Resource Center** ([erc@adobe.com](mailto:erc@adobe.com)) as soon as practical.

## 5. General

- 5.1 Additional documentation and certification may be required for verification purposes.
- 5.2 Employees who fail to return within three days of the specified return to work date, accept other employment (including self-employment) for compensation while on leave, or are found to have falsified any information about the leave, including dates and reasons for the leave, will be considered grounds for termination.
- 5.3 To review the statutory requirement, click below

[http://labour.gov.in/sites/default/files/The%20Maternity%20Benefit%20Act%2C%201961\\_0.pdf](http://labour.gov.in/sites/default/files/The%20Maternity%20Benefit%20Act%2C%201961_0.pdf)  
<http://labour.gov.in/sites/default/files/Maternity%20Benefit%20Amendment%20Act%2C2017%20.pdf>

### Document History

Version	Issue Date	
1.0	November 2017	- Document origination
2.0	May 2017	Revised per new Maternity Act effective April 1, 2017
2.1	June 2017	Allow Sabbatical to be taken after Maternity leave
2.2	August 2017	Clarified Illness arising out of pregnancy