

Maternity Leave

Legal references : articles L1225-17, L1226-1 et L1225-29 from French Labour Law (code du travail).

Your pregnant employee, under reserve to fill in all social security's conditions (cf. Union Trade Agreement), will be able to benefit from indemnities from French social security.

Length of maternity leave:

The maternity leave is composed by a pre birth leave (before presumed date of birth) and a post birth leave (after the presumed date of birth), whom the length varies with the Number of births and the number of children the employee already has.

Number of births	Number of children	Length of pre natal leave	Length of post natal leave	Total length of leave
1	0 ou 1	6 weeks	10 weeks	16 weeks
1	2	8 weeks	18 weeks	26 weeks
2	No matter	12 weeks	22 weeks	34 weeks
3 or more	No matter	24 weeks	22 weeks	46 weeks

These lengths are imposed by the French Labour Law. You have to check on your Union Trade Agreement if there is another compulsory length of leave more favourable to the employee.

Since 2008, it is possible to reduce the prenatal leave (under condition to have the agreement of the doctor) and to make the post natal longer of as many days.

Pathological leave :

In case of pathological problem due to pregnancy, an additional leave of a maximum 14 days can be given only during the prenatal leave.

Formalities :

There is no compulsory date when the employee has to declare the pregnancy, she only has to advert her employer before the beginning of her maternity leave.

However, it is better for her to declare her pregnancy before the 4th month as most of Union Trade Agreements allows some specific timetable or other adjustments.

The employer just has to issue the social security attestation and to send it to the employee's social security centre.

We recommend asking for subrogation in order to receive social indemnities on the employer's account, to avoid deducing theses on the employee's payslip.

The social security indemnities are not equal to the employee's full wage, that's why a lot of Union Trade Agreements oblige the employer to complete the wage. Check yours.

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