1.0 Purpose

MAS Intimates believes that leave represents periods of rest and recuperation that enable the continuity of good and acceptable work performance of its employees. The company believes in establishing a leave policy and procedure that adheres to statutory requirements under which employees obtain their leave entitlement in order to ensure occupational health and work life balance.

2.0 Scope

This policy and procedure document is applicable to all employees of MAS Intimates who are either governed by the Shop and office Act or Wages Board Ordinance.

3.0 Definitions

"Leave" means authorised absence from work either with pay or without pay.

"Unauthorised leave" means absence from work without approval as per this Policy and Procedure document.

4.0 General

1. The leave year is 1st January to 31st December for all employees.
2. When leave days are counted, only working days are considered.
3. Every request for leave must have the approval of the applicant's superior.
4. Application for leave should be submitted a minimum of 2 working days prior to the planned day of leave.

5. In the case of annual leave (unless the reason is exceptionally urgent), this approval must be obtained before the person avails himself of the leave.

5.0 Provision for various types of leave

5.1 Annual leave

Annual leave must be applied for in advance. Where the reason for absence is one that could not have been foreseen, the management may at its discretion approve such leave. Annual leave can be utilized for personal reasons, illness or other reasonable causes. Annual leave is full remuneration.

(1) An employee shall be entitled—

(a) after every twelve consecutive months of service with his employer to not less than twenty-one working days of leave with full pay, translating to 1.75 days for each completed month of service;

(2) The employee shall need to give a two-day prior notification on the intention to go on leave.

In the event that an employee resigns or is terminated, the number of days of annual leave entitlement is calculated by adding 1.75 days for each month of service for the year in which the employee leaves the company.

5.2 Half Day Leave

Employees are entitled to obtain half day leave at the discretion of their line manager within their respective annual leave entitlements.

5.3. Sick and medical leave

Leave for illness will be granted according to the nature of the illness and the doctor's advice at the discretion of the management. Such leave can be applied only after approval for such leave is granted by HR Manager and General Manager. Granting this leave will be decided on a case-by-case basis on the discretion of the management including whether such leave should be paid or considered no pay leave.

(1) After two consecutive months of service with his employer, an employee shall be entitled to sick leave of not less than seven days with full pay and thereafter to sick leave of seven days with half pay, in each period of twelve consecutive months of service, subject to production by the employee of a certificate of incapacity to work signed by a duly qualified medical practitioner or a person acting on the practitioner's behalf in charge of a dispensary or medical aid center.

(2) For an employee to be entitled to sick leave with full pay under subsection (1), the employee shall notify or cause to be notified as soon as is reasonably practicable his employer of his absence and the reasons for it.

(3) For the purposes of subsections (1) and (2) **"full pay"** includes wages at the basic rate excluding deductions from the wages allowable.

(4) For purposes of subsection (1), the twelve continuous months of service shall be deemed to commence on the date of the employment of the employee and on such subsequent anniversary dates of employment.

(5) An employer shall have the right to place all his employees on an annual cycle of an anniversary date falling on a day to be determined by the employer.

(6) An employee admitted to a medical facility will be required to share the medical documentation through mail. Upon discharge they will provide a discharge summary from a recognized hospital after which the sick leave will be granted.

(7) An employee with a sick child shall be required to bring a medical certificate upon which leave will be granted depending on the prescription.

(8) An employee intending to take care of sick parents or spouses will request for the leave two days prior. They will be granted 2 days' leave for distances that require over 8 hours of travel. For distances that require less than two hours of travel from Athi River, the employee will be allowed one day leave.

5.4 Bereavement

An employee shall be entitled—

(a) 8 days of earned leave to mourn the departure of an immediate family member, for purposes of this clause 'immediate family member' shall mean a spouse (with a proof of a marriage certificate or affidavit), parents, siblings or children.

(b) 3 days of earned leave for an extended family member e.g., Grandparents, nieces or nephews.

5.5 Provision for dowry negotiations and weddings

(a) An employee shall be granted 3 days to plan and complete their dowry negotiation process. They will be granted 6 days to plan and celebrate their own weddings.

(b) The employee shall have 2 days to attend their family dowry negotiations or weddings. The number of days may be reduced to 1 day if the distance to which they will travel is at least a 3 hours' drive from Athi River.

5.6 Maternity Leave

(1) A female employee shall be entitled to three months maternity (90 Calendar Days) leave with full pay. 14 Days of maternity leave can be taken prior to confinement, and the rest can be taken after the birth of the child.

(2) On expiry of a female employee's maternity leave, the female employee shall have the right to return to the job which she held immediately prior to her maternity leave.

(3) A female employee shall only be entitled to mentioned above rights, if she gives not less than 7 days' notice in advance or a shorter period as may be reasonable in the circumstances of her intention to proceed on maternity leave on a specific date and to return to work thereafter.

1.7 **Paternity leave**

(1) A male employee shall be entitled to two weeks paternity leave with full pay. This shall be approved subject to provision of a medical certificate of delivery of child and valid marriage certificate.

(2) Paternity leave shall be taken as ten (10) working days when required, within one [1] year of the date of birth of the child. Five days of this leave shall be taken

consecutively. Hospital certificate showing the date of birth of the child shall be produced when applying for paternity leave [in the first application of such leave].

(3) If the employee so wishes he may apply for up to two (2) days of the above mentioned 10 working days of paternity leave prior to the birth of the child so long as such is taken no more than one month prior to birth. Within a month of taking the 2 days HR shall require you to present the birth certificate of the child

5.8 No Pay

No Pay leave is approved absence from work where an employee who has utilized all the leave entitlement needs additional leave on reasonable grounds.

Only the Department Manager in consultation with the Managing Director and HR Manager can approve requests for additional leave on no pay.

Not more than 3 months no pay leave will be granted at such a time. However, any number of days beyond this would be approved at the discretion of the management.

5.11 Duty Leave

Where an employee is required to participate in or represent the company at an event, duty leave shall be granted for the duration of that event.

Duty leave shall be granted upon submission of documentary proof.

Duty leave is in addition to the allocation of entitled leave.

Duty leave should be applied through the E-Leave system. It is a must to mention the official work matter when Duty leave is applied on the system.

Duty leave should NOT be applied as a corrective measure to validate a single swipe.

5.12 Unauthorized Leave and Vacation of Post

If an employee is absent without cause for more than 3 consecutive working days, a verbal inquiry will be made, and the first warning letter will be sent on the 4th working day. If there is still no reply from the employee, the employee will be considered and included under the Absenteeism details for the month and a Vacation of Post letter will be sent on the 8th consecutive working day of absence. They will be presumed to have vacated their post and will be terminated from work.

Additions

6. Adoption Leave

(1) A female employee adopting a child is entitled leave depending on the age of the child adopted:

- **If the child is one (01) year or less –** *entitled to 3 months of leave, out of which 1 month shall be pre-adoptive leave as per the law and the employee may decide to take the additional 2 months pre or post adoption*
- **If the child is between one (01) to five (05) years old –** *50% of the number of days according to the maternity law of country out of which 1 month shall be pre-adoptive leave and the employee may decide to take the additional days of leave pre or post adoption*

(2) A male employee who adopts a child under one (01) year of age shall be entitled to ten (10) days of paternity leave from the date of adoption or any leave prescribed by the law of the land, whichever is higher.

(3) Application for leave should be informed to the immediate supervisor and HR department, three (03) months in advance of the date of adoption; and must be supported by Legal documents confirming the adoption. In the event the employee does not have any legal documentation at the point of taking pre adoptive leave, the employee shall present legally valid documentation to the company, within two (02) weeks of taking the pre adoptive leave.

(4) The above shall be granted for all children adopted.

7. Exam Leave

(1) Confirmed employees are entitled to paid exam leave in addition to the individual leave entitlement, in the event they sit for examinations related to the job scope from a recognized institute, that lead to career advancement and organizational growth. Such paid leave will be approved by the Head of Department and informed to HR.

(2) One (01) working day prior and the day of the examination will be granted as leave where it is the first sitting for that particular examination while in employment at MAS.

(3) If the employee is sitting for the exam a second time, exam leave will only be granted for the day of the examination.

(4) The maximum number of days granted under exam leave shall be ten (10) days per year. In the event the employee wishes to take any additional leave for exam purposes, leave will be deducted from the individual leave entitlement for the specific year. If such leave has been exhausted, it will be treated as no-pay leave.

(5) An individual embarking on such courses should inform their immediate supervisor and the HR Manager in writing of such an endeavor and the planned dates of leave for the examination.

(6) Individuals joining MAS should, at the time of recruitment, inform the immediate supervisor and HR Manager in writing of such exams that are already undertaken or planned within the course of the calendar year of joining.

Note: it is the responsibility of the immediate supervisor and the HR Manager to obtain such information at the time of recruitment.

(7) Application for Exam Leave shall be made two (02) weeks in advance and should be supported by proof of examination timetable and other supporting documents.