**Magna Carta of Women (MCW) Special Leave or the Gynecological Leave for Women**

**What you should know about**

- **What is the MCW Special Leave benefit?**
  - The MCW Special Leave benefit is a special leave granted to women employees who have undergone surgery due to gynecological disorders.

- **Who can avail of the MCW Special Leave benefit?**
  - Women employees, regardless of age and civil status, who are in service for at least one (1) year and have rendered continuous aggregate employment service of at least six (6) months.

- **When can the MCW Special Leave benefit be availed?**
  - The benefit may be availed in advance, at least five (5) days prior to the scheduled date of gynecological surgery, if the employee’s leave of absence had been approved.

- **How often can the MCW Special Leave benefit be availed?**
  - The MCW Special Leave benefit may be availed for every instance of surgery due to gynecological disorder, whether in the public or private sector.

- **What if the employee incurred leave of absence prior to the surgery?**
  - If the leave of absence is approved, the said leave shall be filed immediately upon return from such leave.

- **What if the doctor prescribed more than 60 days recuperation period?**
  - The employee may also apply to the employer to file the MCW Special Leave benefit for the excess number of days.

- **Who can file the MCW Special Leave benefit?**
  - The employee who was undergone surgery due to gynecological disorder, either in the public or private sector.

- **When should the MCW Special Leave benefit be filed?**
  - The said leave shall be filed in advance, at least five (5) days prior to the scheduled date of gynecological surgery.

- **How will the MCW Special Leave benefit be computed?**
  - The leave entitlement is based on the employee’s gross monthly compensation following surgery.

- **What if the employee is on leaves when the benefit is approved?**
  - If the leave of absence had been approved, the said leave shall be filed immediately upon return from such leave.

- **What if the leave of absence is denied?**
  - The employee may continue to file the medical certificate and apply for the MCW Special Leave benefit.

- **What if the employee’s leave of absence is denied?**
  - The employee may continue to file the medical certificate and apply for the MCW Special Leave benefit.

- **What if the employee’s leave of absence is approved?**
  - The said leave shall be filed immediately upon return from such leave.

- **What if the employee’s leave of absence is not approved?**
  - The employee may continue to file the medical certificate and apply for the MCW Special Leave benefit.

- **What if the employee’s leave of absence is approved after the two (2) months gynecological leave and the patient needs more time to recover?**
  - The patient may apply for MCW Special Leave benefit.

- **What will happen to the existing or similar benefits under a company policy, practice or collective bargaining agreement (CBA)?**
  - The MCW Special Leave benefit is non-cumulative and non-convertible to cash unless otherwise provided by a collective bargaining agreement (CBA) in the private sector.

- **Can the MCW Special Leave benefit be earned and/or converted to another leave benefit?**
  - The MCW Special Leave benefit is non-cumulative and non-convertible.

- **What if the employee’s leave of absence is approved after the two (2) months gynecological leave and the patient needs more time to recover?**
  - The patient may apply for MCW Special Leave benefit.

- **How to claim the MCW Special Leave benefit?**
  - The employee may file the medical certificate and apply for the MCW Special Leave benefit.

**Personnel/Administrative Processes**

- **Required documents**
  - 1. Properly accomplished and approved Leave Form in using the agency/company’s template.
  - 2. Medical Certificate certified by a competent medical authority preferably specializing in gynecological surgery, issued by the doctor who is in the position to determine the recuperation period of the woman employee.
  - 3. The Medical Certificate shall be accompanied by a clinical summary reflecting the gynecological disorder, histopathological report, operative technique used, duration of surgery, as well as period of confinement.

**Gynecological Disorders**

- Disorders that would require Surgical procedures such as Ovarian and Cystectomy, Hysterectomy, Tubal Ligation, Ovarioectomy and Mastectomy.

**Required documents**

- 1. Medical Certificate certified by a competent medical authority.

**Gynecological Surgeries**

- Surgeries that shall also include Myomectomy, Hysterectomy, Ovarioectomy and Mastectomy.

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