

# Executive summary

**T**he *Maternity and paternity at work: Law and practice across the world* report reviews national legislative provisions on maternity protection at work in 185 countries and territories (including leave, benefits, employment protection, health protection, breastfeeding arrangements at work and childcare), statistical coverage in law and in practice of paid maternity leave as well as statutory provision of paternity, parental and adoption leaves. It shows how well national laws and practice conform to the ILO Maternity Protection Convention, 2000 (No. 183), its accompanying Recommendation (No. 191) and the Workers with Family Responsibilities Convention, 1981 (No. 156). The report is based on the ILO Working Conditions Laws Database – Maternity Protection and an ILO statistical methodology to estimate coverage in law and in practice.

The first part of the study covers four key aspects of maternity leave provisions, in Chapter 2: the duration, the benefit paid; the source of funding and the scope. It compares the legal provisions in 185 countries and territories with the most recent ILO standards, both separately and combined by region. This assessment shows, within the limitations of the data available, that globally 34 per cent (57 countries) fully meet the requirements of Convention No. 183 on three key aspects: they provide for at least 14 weeks of leave at a rate of at least two-thirds of previous earnings, paid by social insurance or public funds or in a manner determined by national law and practice where the employer is not solely responsible for payment. The regions with the highest proportion of countries in conformity with these aspects of the Convention are Eastern Europe and Central Asia and the Developed Economies. Conformity is particularly low in Asia and the Middle East, while not more than 20 per cent of the total meets the standards in Africa and Latin America and the Caribbean.

Considering separately the key provisions of Convention No. 183 on leave duration, level of pay and source of payment, the proportion of countries meeting the standards varies by the specific provision. Over half, or 98 of the countries studied in 2013 provide at least 14 weeks of leave. Among those, 42 countries meet or exceed the 18 weeks of leave suggested in Recommendation No. 191. With respect to the payment of cash benefits during leave, 45 per cent (74 countries) reach the standard of at least two-thirds of earnings paid for at least 14 weeks. A small minority of countries (two) do not provide cash benefits during maternity leave. Preventing discrimination is not only a question of legislating against discrimination, but also of reducing the direct cost of maternity to the employer. By 2013, over 100 countries examined (58 per cent) financed benefits through social security, while 16 per cent relied on a combination of payments by employers and social security. Roughly one-quarter (47 countries) continued to stipulate that payment during leave should be covered entirely by the employer with no social security provision.

Over time, there has been a gradual improvement in maternity protection across the world. In 1994, 38 per cent of countries for which information was available provided at least 14 weeks of maternity leave. By 2013, among this same set of countries, 51 per cent provided at least 14 weeks of maternity leave. During this period, there has also been a shift away from unpaid leave schemes and employer liability systems of financing maternity benefits. The percentage of countries that provide unpaid leave dropped from 5 to 1 per cent, while those that finance cash benefits through employer liability systems decreased from 33 per cent to 26 per cent. There was an overall shift towards collective funding systems in which social insurance or public funds alone or in conjunction with employers