

women are entitled to 16 weeks, with a compulsory period of four weeks after birth. If a woman prefers, with the agreement of her employer, seven weeks of leave may be taken flexibly during the first 12 months after birth.<sup>28</sup> Several countries, including Croatia and Italy, allow flexibility in how the leave is distributed between the parents, with fathers able to take some portion of the maternity leave allowance if mothers do not take the full amount. In Italy, for example, fathers are entitled to a paternity allowance if the mother has a serious illness or dies, or if the father is awarded custody in the event of a divorce.

By contrast, many countries prescribe precisely how to distribute the leave and state the number of days' leave that may be taken before and after childbirth, leaving little room for women to schedule their leave according to their individual and family needs and preferences. This is the case, for example, in Guatemala, where the maternity leave period is set at 30 days before and 54 days after childbirth. Other examples include Guinea, where the 14 weeks' maternity leave is to be taken six weeks before and eight weeks after childbirth, and the Russian Federation, where leave is to be taken 70 days before and 70 days after birth.

### **Extension or reduction of the maternity leave period**

National legislation often allows or requires changes in the duration of maternity leave if some unusual or unexpected event takes place during pregnancy or childbirth. This measure is important since the extension of the leave period when there are complications and the health of the mother is at risk can prevent higher costs that could arise if the complications are not appropriately and promptly addressed. For example, many countries extend the leave period if the birth occurs later than expected, in case of multiple births or in the event of the mother's or child's illness.

*The prenatal portion of maternity leave shall be extended by any period elapsing between the presumed date of childbirth and the actual date of childbirth, without reduction in any compulsory portion of postnatal leave.*

**Convention No. 183, Article 4(5)**

In countries which have ratified ILO Conventions, if the birth takes place sooner than expected, the total period of leave guaranteed by the relevant Convention is to be granted to the mother. Several countries provide for an extension of the prenatal leave period if the child is born after the expected date (e.g., the Bahamas, Barbados, Cuba, Ireland, Lesotho and Uruguay).<sup>29</sup> Another group of countries extends the postnatal leave period if the birth occurs before the due date (e.g., Argentina, Croatia, Luxembourg, Netherlands and Nicaragua), while some countries (e.g., Austria, Cyprus, Equatorial Guinea, the Bolivarian Republic of Venezuela and Swaziland) provide for both extended prenatal and postnatal leave in the case of a longer or shorter pregnancy than was anticipated.

*On production of a medical certificate, leave shall be provided before or after the maternity leave period in the case of illness, complications or risk of complications arising out of pregnancy or childbirth. The nature and the maximum duration of such leave may be specified in accordance with national law and practice.*

**Convention No. 183, Article 5**

A number of countries provide for additional leave in case of illness or complications. Of the 165 countries where information was available, 28 per cent (46 countries) provide for no additional leave, 31 per cent provide for one to four weeks of additional leave, 6 per cent (10 countries) provide for five to 12 weeks, and 9 per cent (15 countries) provide for more than 12 weeks.<sup>30</sup> In Africa, 84 per cent of the 51 countries with information available provide for additional leave, while eight countries provide no additional leave. In Asia, out of 25 countries with information available, 13 provide additional leave, while 12 do not. In the 14 Eastern European and Central Asian countries, ten provide additional leave, while four do not. Of the 34 developed economies with information, five provide one to four weeks, two provide five to 12 weeks, and two provide 13 or more weeks, while 17 provide for no additional leave. In Latin America and the Caribbean, of the 31 countries with information available, 29 provide additional leave in cases of illness or complications, while two do not. Finally, of the ten Middle Eastern countries with information, seven provide additional leave, while three do not.