

businesses with fewer than ten employees and domestic workers are entitled to 12 weeks of leave paid at 100 per cent, while workers in the textile, clothing, leather clothing and leather manufacturing sectors, as well as workers in the private security sector, are entitled to six weeks' paid maternity leave and six weeks' unpaid maternity leave. In Zambia, domestic workers are only entitled to unpaid maternity leave. Globally, almost 40 per cent of women domestic workers are not entitled to maternity leave cash benefits (ILO, 2013b).

Assessing conformity with the ILO standard of two-thirds of earnings can be more complicated under some of the approaches used for assigning benefits. For example, some countries, primarily in Europe, provide benefits as a percentage of earnings, but have a ceiling limiting cash benefits. This practice is authorized by Convention No. 183, although the ceiling should not be set too low.³⁸ In these cases, the benefit is calculated based on a percentage of capped earnings. Percentages are capped by a ceiling in, among other countries, Belgium, Chile, France, Israel, the Netherlands, New Zealand, Switzerland and the Russian Federation.

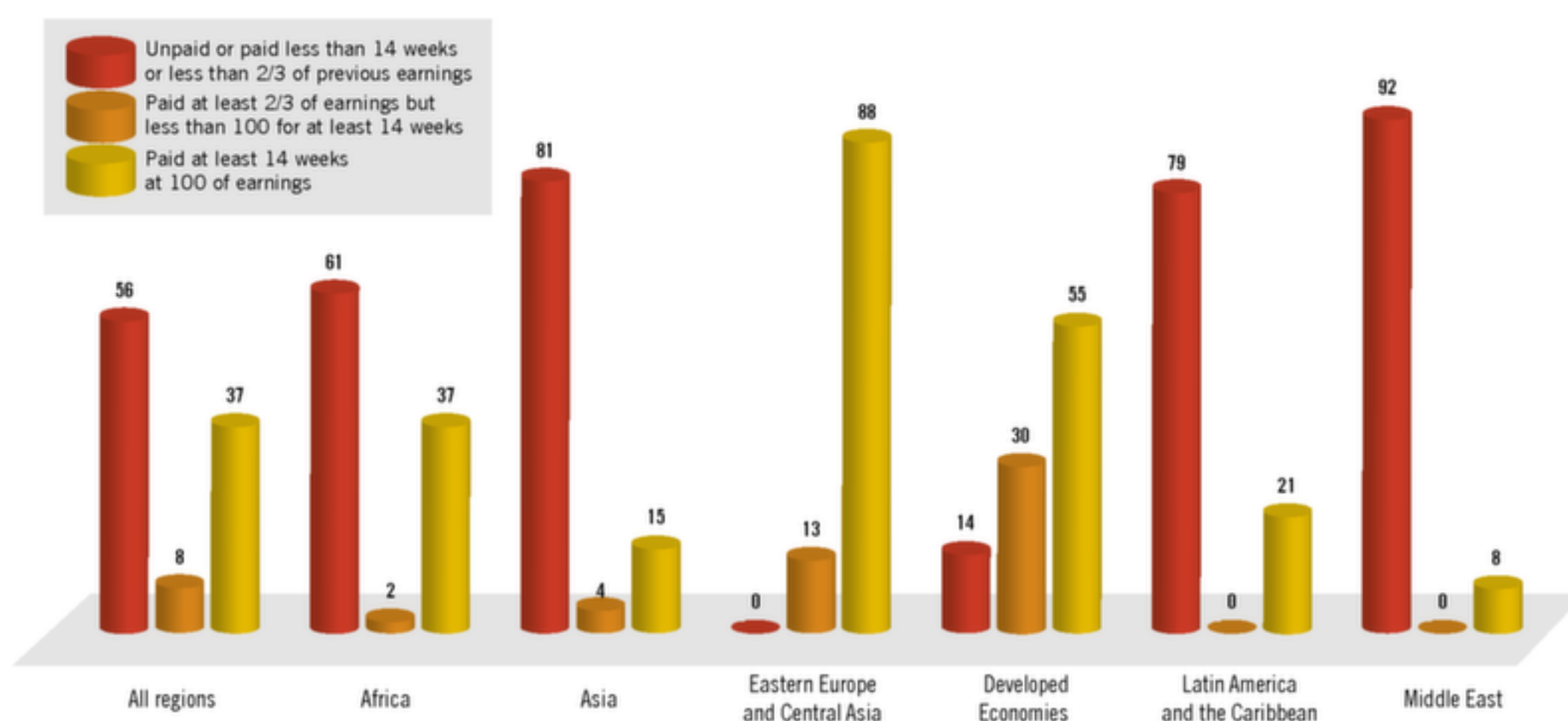
In Seychelles, a flat monthly maternity benefit is paid, regardless of a woman's previous earnings. In Australia, parental leave benefits are set at the federal minimum wage level for all beneficiaries (around US\$ 80 per day in 2012). In Germany, a daily flat rate of around

US\$ 15 (in 2012) is paid by social security, with the remainder topped up by the employer up to 100 per cent of average net earnings. When determining what proportion of countries comply with the Convention, due to a lack of comprehensive data, countries with a flat-rate benefit or a ceiling on benefits could not be assessed unless their compliance could be determined through other available information.³⁹ For example, countries that fail to meet the standards on other grounds (i.e., length of leave) are counted as non-compliant, even if there is uncertainty about the level of benefits paid.⁴⁰ Accordingly, 16 countries were excluded from the analysis of conformity with Convention No. 183 with respect to length of leave and cash benefits.⁴¹

National conformity with Convention No. 183 on duration of maternity leave and cash benefits

Globally, 45 per cent (74 countries) of the 167 studied provide cash benefits of at least two-thirds of earnings for at least 14 weeks. This figure represents an overall increase of 3 per cent since the last review in 2010, which covered 152 countries (ILO, 2010). In fact, 37 per cent (61 countries) go beyond this standard by providing 100 per cent of previous earnings for at least 14 weeks (see figure 2.3). In over half (93 countries),

Figure 2.3 Amount of cash benefits and maternity leave duration, by region, 2013 (167 countries) (%)



Note: Figures may not add up to 100 per cent due to rounding.

Source: ILO Working Conditions Laws Database – Maternity Protection. Available at: <http://www.ilo.org/travdatabase> [26 Mar. 2014].