

main determinants of legal coverage. At the national level, the percentage constituted by the categories of employed women legally covered depends on:

- who is covered by or excluded from labour or social security legislation;<sup>66</sup> and
- any eligibility requirements specified in order to obtain benefits.

*Coverage in practice* (or effective coverage) aims to determine the extent to which the law is actually implemented and thus the share of the legally protected population which is actually benefiting from its application.<sup>67</sup> This measurement seeks to identify the number of persons covered de facto as a percentage of those in the categories of workers covered de jure. Coverage in practice can be measured in terms of actual coverage (or actual beneficiaries), that is, the number of people accessing the right to maternity leave or cash benefits, or *potential coverage* (or protected persons), specifically the number of people who potentially have the rights or benefits guaranteed but have not necessarily become beneficiaries. For instance, protected persons include women who actually contribute to social insurance, alongside men, in line with the qualifying conditions and could receive maternity benefits were they to have a child.

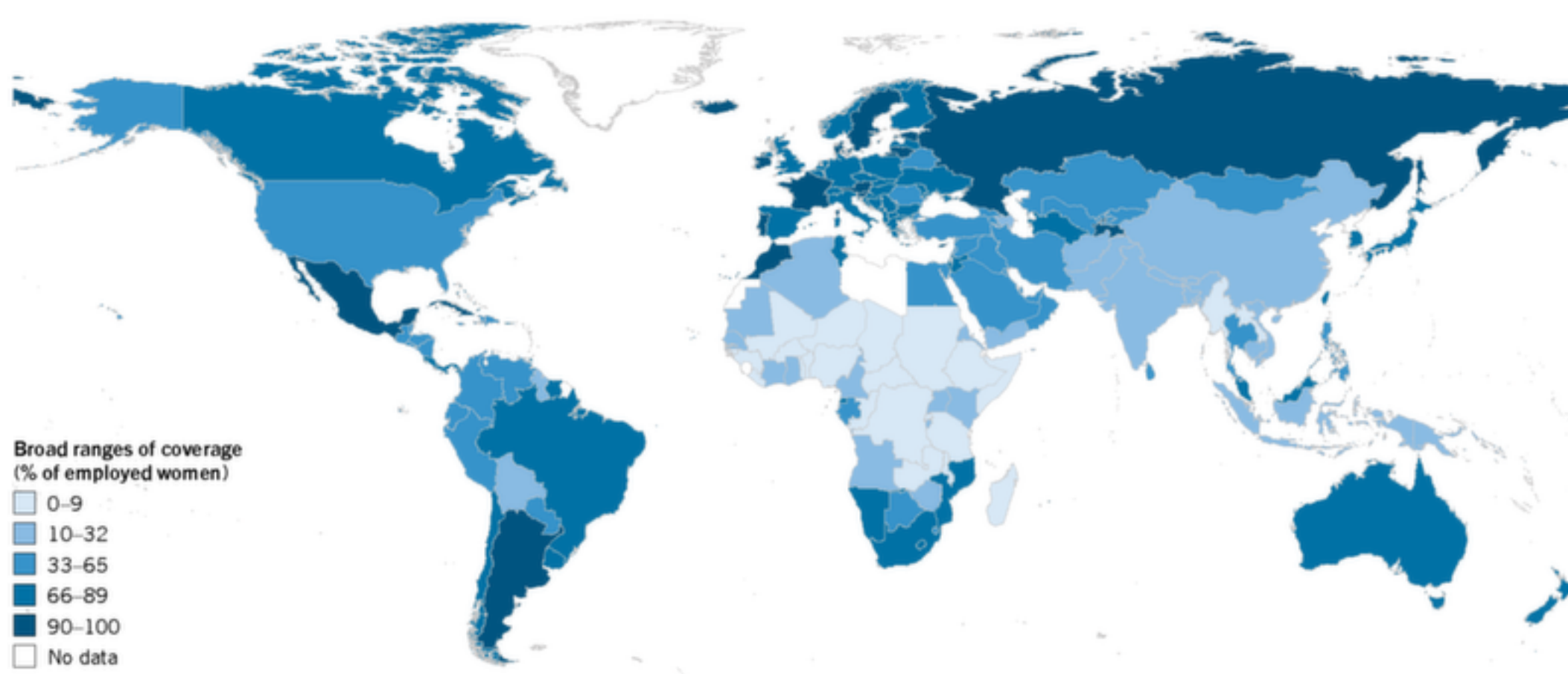
### Estimates of coverage in law and in practice of paid maternity leave<sup>68</sup>

Most of the analysed countries provide maternity protection for employed women in the private and public sectors. However, a large majority of women workers, representing around 830 million workers around the world, are still not adequately protected in case of maternity. Almost 80 per cent of these workers are found in countries in Africa and Asia.

Globally, while 40.6 per cent of employed women enjoy a statutory right to maternity leave, only 34.4 per cent of the total benefit from mandatory<sup>69</sup> coverage by law and thus are legally entitled to cash benefits as income replacement during their maternity leave. When taking into account the right of certain categories of workers, mainly self-employed, domestic or agricultural workers, to join a social security scheme which includes maternity benefits on a voluntary basis, statutory coverage of maternity leave benefits applies to almost 57 per cent of all women in employment.

The regional differences are striking (see Appendix III for national coverage indicators). Coverage in law in terms of maternity leave varies from 18 per cent of women workers in Africa to 77 per cent in Eastern Europe and Central Asia, with 21 African countries out of 52 providing a statutory right to maternity leave for less than 10 per cent of all employed women

**Map 2.3 Coverage in law – maternity leave: Percentage of women workers entitled to maternity leave, 2010 (173 countries)**



Source: ILO estimates based on data from official sources.