

- casual or temporary workers (e.g., Canada*, Honduras+, the Republic of Korea*, Sudan, Viet Nam+ and Zambia).
- home workers (e.g., Algeria, Barbados, Belize*, Honduras+, Nigeria, Norway, Switzerland and the Bolivarian Republic of Venezuela+);
- agricultural workers (e.g., Bolivia, Egypt, Honduras+ (if fewer than ten employees), Lebanon (who are members of producers' cooperatives), Sudan, Swaziland and Thailand);⁷²
- workers in the armed forces and/or police (e.g., Bangladesh, Malawi, Paraguay and South Africa);
- managers/business executives (e.g., Canada* (where they own more than 40 per cent of the company shares), Eritrea and Singapore);
- workers whose earnings exceed a certain ceiling (e.g., the Dominican Republic* and El Salvador*);
- apprentices (e.g., Brunei Darussalam, Sao Tome and Principe and Zambia);
- certain groups of civil servants (e.g., Botswana, Lao People's Democratic Republic, Lesotho* and Niger), but they are usually covered by special maternity protection regulations for the public sector (e.g., Colombia, Côte d'Ivoire, Ecuador, Egypt, Japan, Kuwait, Madagascar, Tunisia and Viet Nam).

In some countries, women who work for **small and medium-sized enterprises (SMEs)** are also excluded from maternity protection laws. For example, the United States' Family and Medical Leave Act (FMLA) provides up to 12 weeks of unpaid leave that may be used to care for a newborn child, but this provision covers only those individuals who work for employers with 50 or more employees at the work site or within 75 miles of the work site. Fifty per cent of workers who are not covered by the FMLA because they work for small businesses declare that they do not take leave, because they might lose their job, while, according to a US Census report, 1 in 5 women list their chosen "leave arrangement" as quitting their jobs. Among women with less than a high school level of education, half quit their jobs (Laughlin, 2011). In Honduras, the labour code on maternity protection does not cover workers in agricultural and stockbreeding enterprises that employ fewer than ten permanent workers.⁷³

In many countries, national laws may make no specific reference to, or may neither explicitly exclude nor include these frequently excluded categories of workers, such as **domestic workers**. It could therefore be assumed that all workers enjoy the same protection regarding maternity leave. However, the reality is often different, with respect to both leave and cash benefits. For example, in Jordan, the law does not explicitly exclude domestic workers, but exempts workers whose relationship with their employer is irregular, which effectively excludes most domestic workers. In Greece and Tunisia, the law specifies industries, sectors and undertakings in which women are eligible; because none of the specified categories includes households, domestic workers are implicitly excluded. In other cases, the law may only provide social security protection on a voluntary basis for some types of workers, as is the case for domestic workers in Honduras and Mexico. The ILO estimates that, globally, around 15.6 million women domestic workers (36 per cent of the total) are not legally entitled to maternity leave, while this right is guaranteed to other categories of workers (ILO, 2013a).

The exclusion of **workers with non-standard contracts** (such as part-time, casual and temporary workers) can affect a significant number of women workers, since a large proportion of them, even in the formal economy, may not be full-time, regular workers. For instance, in Serbia, in 2013, the CEACR has requested the Government to reply to the comments made by the Trade Union Confederation "Nezavisnost" according to which, although the national legislation provides for maternity protection that exceeds the provisions of the Convention, in practice only employees in the formal sector with an open-ended contract are covered, a group which represents less than 10 per cent of the country's women employees. If the number of workers of childbearing age is taken into account, only 7.8 per cent of women exercise their right to cash benefits during maternity leave (ILO CEACR, 2014).

A recent study in Mozambique illustrates this issue, which is typical for many developing countries. In Mozambique, the mandatory contributory social security scheme provides maternity cash benefits for formal, private sector workers. In practice, however, this benefit covers only 0.1 per cent of all births. While coverage is low for a number of reasons, including the