

Box 2.7 Extending maternity cash benefits to the self-employed

Under the social insurance programmes of **Cyprus** and **Libya**, coverage of self-employed women workers for maternity benefits is compulsory. In Libya, the Government pays a complementary contribution on behalf of self-employed workers, who are entitled to 100 per cent of their declared income paid by social insurance, whereas in Cyprus the self-employed are required to pay both the employer and employee contributions.

In 2010, the European Council adopted Directive 2010/41/EU, which promotes the principle of equal treatment of men and women engaged in an activity in a self-employed capacity and calls on **EU Member States** to grant at least 14 weeks of maternity leave to self-employed women and to partners of self-employed workers, groups that tend to be particularly vulnerable. Croatia, Iceland, Portugal and Spain are all examples of EU Member States

that explicitly extend cash benefits during maternity leave to self-employed workers.

In **France**, self-employed workers are covered under a special social insurance system. In **Mexico** voluntary affiliation is possible, and the Government pays a complementary contribution on behalf of the self-employed; whereas, in France, the Government assigns the revenue from certain taxes to subsidize the sickness and maternity benefits of the population at large.

In **Greece**, the economic crisis and austerity measures which resulted in the severe escalation in unemployment and deterioration of working conditions did not prevent the extension of maternity benefits to self-employed women for 14 weeks on the grounds of equal treatment of men and women in this occupational sector (Law 4097/12) (Kazassi and Karamessini, 2013).

Source: *Social security programs throughout the world*. Available at: <http://www.ssa.gov/policy/docs/progdesc/ssptw/> [27 Mar. 2013].

2

of collective bargaining agreement that may weaken some women's access to and conditions of maternity protection, although the Greek Government has noted that provisions cannot fall below the legal minimum (Greek National Human Rights Commission, 2011). In general, while it remains the State's responsibility to ensure that all women are adequately covered, collective agreements or employer policies may improve upon legislated provisions and even lead to better legislation. However, many women will not benefit from such measures, and national or federal legislation that sets adequate minimum standards remains a necessity.

An increasing number of countries are providing maternity cash benefits to **low-income residents or informal workers** through non-contributory social assistance programmes financed by public funds, in line with ILO Social Protection Floors Recommendation, 2012 (No. 202).⁸² This instrument includes "essential health care, including maternity care" and "basic income security" in case of maternity, among the basic social security guarantees that national social protection floors should comprise (Paragraph 5, (a)(c)). Social transfers and employment guarantee schemes including maternity protection measures, which are as yet still limited, have the potential to enhance economic

security and access to maternal and child health care for vulnerable pregnant and nursing women and their children. Research shows that these programmes can be enhanced to be more gender-transformative⁸³ by increasing women's participation in these projects; providing safe, decent and family-friendly working conditions, including maternity protection; supplying the types of infrastructure and services that both reduce women's and girls' unpaid care work and increase their access to health care and education; and furthering intra-household equality (Kabeer, 2013).⁸⁴

Given the substantial numbers of women in precarious or non-standard employment relations around the world – outside the formal labour market, in contractual arrangements that provide limited or no access to social security coverage, such as part-time, domestic or home work, or in many of the other vulnerable situations described above – the lack of access to maternity protection is a very serious concern for many women, their children and families, their employers and their governments. Efforts to expand the scope of maternity protection and to improve access to social health protection are urgently required and this need has been recognized in the aforementioned global and regional standards which aim to improve vulnerable groups' access to decent work and social protection.