

Zimbabwe, a woman needs at least 1 year of service with her current employer to qualify for paid leave. An employee who has served for less than 1 year is entitled to leave but not to cash benefits. Some countries where the maternity benefit is paid out of public funds also require a minimum period of employment before the employee qualifies for maternity benefits. In Denmark, only those women who have been employed for at least 120 hours in the 13 weeks prior to going on leave are eligible for income replacement. In Niger, where cash benefits are the joint responsibility of the employer and the social security system, women must have at least six consecutive months of work with one or more employers and at least 18 days or 120 hours of work per month as well as a minimum monthly income if they are to receive cash benefits.

Another example of an eligibility requirement for paid leave is found in laws that, contrary to ILO maternity protection standards, limit the number of times a woman can obtain maternity cash benefits. In the United Republic of Tanzania, women on maternity leave are eligible for cash benefits if it has been at least 3 years since they last received maternity benefits; in Zambia, 2 years must have passed since the last maternity leave was taken. In Malaysia, an employee is not eligible for cash benefits if she already has five or more surviving children. In some countries, this limit applies only if a woman works for the same employer. In Zimbabwe, paid maternity leave may only be granted three times for the same employer and only once during a 24-month period.

Contrary to the non-discrimination principle embedded in various ILO Conventions, marital status has also been used as a criterion to qualify eligibility. In Singapore, maternity leave benefits are available for a full 16 weeks of leave if the mother is married to the father of the child (and the child is a citizen of Singapore). If the mother is not married to the father of the child, she is entitled only to eight weeks, although employers may voluntarily continue payment for a further four weeks.

In many countries where cash benefits are wholly or partly paid by social security, workers must have a minimum period of contributions to insurance schemes or have tenure in insured employment prior to the maternity benefit period. These minimum contribution periods vary widely between countries. The

principle embodied in this respect in ILO standards is that the qualifying conditions should be such as to preclude abuse (Convention No. 102, Article 51). Convention No. 183 adds that the majority of employed women should be able to qualify.

The most commonly encountered qualifying period varies between nine and three months of affiliation before childbirth. In the Islamic Republic of Iran, a woman must have 60 days of social insurance contributions in the year preceding childbirth. In Paraguay, a woman worker must have contributed for at least six weeks during the four months preceding the maternity leave while, in Costa Rica, cash benefits are available only to workers who have worked for three months immediately preceding the birth or the adoption. In Canada, a woman who claims maternity benefits must have at least 600 hours of insurable employment in the previous 52 weeks or since the last claim. Since January 2013, unemployed women in Chile may enjoy the cash benefit related to postnatal parental leave up to 36 weeks, if they are unemployed in the sixth week before childbirth and they have been affiliated to the Social Security System for at least 12 months or more before the beginning of pregnancy, and they have paid eight or more continuous or discontinuous monthly contributions as a dependent worker within the 24 months immediately preceding the start of pregnancy. In some countries, there is no minimum period of employment or minimum contribution levels to qualify for cash maternity benefits. In Brazil, for example, a woman must simply be employed in insured employment.

Social assistance cash benefits to women who do not qualify for social insurance benefits

In line with the provisions of Article 6(6) of Convention No. 183, a number of countries provide social assistance cash benefits to women who do not qualify for social insurance benefits. In Mongolia, the Law on Social Assistance guarantees a cash benefit to a mother for 12 calendar months starting from her fifth month of pregnancy, which is paid to every eligible mother regardless of her insurance coverage. In Sweden, to be entitled to cash benefits, a parent has to have been in insured employment for at least 240 consecutive days before birth. Swedish residents not qualifying for