

the 80 per cent level receive cash benefits at a flat rate equivalent to around US\$ 30 per day (in 2013) for 480 days.<sup>91</sup> This social assistance system for non-qualifying women is also in place in Spain, where a flat-rate benefit (€532.51 per month or €17.75 per day in 2013) is paid for 42 days to all employed women who do not meet eligibility requirements (INLPR, 2012). Similarly, the Netherlands provides maternity benefits to women who do not meet requirements under the social security legislation if the woman is 18 or older, with an income lower than the social assistance norm, has no other assets and is not entitled to another benefit (ILO CEACR, 2014). In Iceland, the State Treasury pays a maternity grant to parents who are not active in the labour market or attending full-time educational programmes.

The Committee of Experts has observed that the level and duration of social assistance benefits are sometimes insufficient and their coverage limited, factors which might be linked to the restrictive conditions which must be met in order to access them. For instance, in Spain, only 752 women received non-contributory maternity benefit for an average duration of

42.5 days in 2012. The CEACR highlighted that the economic needs of these beneficiaries were not covered for the whole period of statutory maternity leave as they received a daily amount of €17.75, which is lower than the poverty threshold, which in 2012 stood at €20.43 a day (CEACR, Direct Request, C103 Spain, 2013). In these cases, the Committee has emphasized that ILO standards require the “full and healthy maintenance” of the woman and her child in accordance with a “suitable standard of living”, and the payment of benefits throughout the entire period of maternity leave. Moreover, when the provision of cash maternity benefits is subject to a minimum qualifying period or coverage by the insurance system, these requirements should be set at a reasonable level and be satisfied by a large majority of the women to whom maternity protection Conventions apply.<sup>92</sup> Finally, the Committee of Experts also noted that, in certain cases, national programmes have as an objective the progressive elimination of this qualifying period, which will provide a greater number of working women with financial protection during maternity leave (ILO, 2004).

## Notes

1. Information on the normal duration of maternity leave, cash benefits and the source of payments is available for 185 countries and territories. For the rest of the issues in this section (i.e., when maternity leave can be taken and rules about the extension or reduction of the leave period) the set of countries with available information varies and will be stated where percentages are presented. See Appendix I for information on regional categories and methodological notes.

2. As of January 2014. See NORMLEX, Information System on International Labour Standards, available at: <http://www.ilo.org/normlex> [25 Mar. 2014].

3. Members of the European Union are subject to Council Directive 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the health and safety at work of pregnant workers and workers who have recently given birth or who are breastfeeding [EU Pregnant Workers Directive]. The minimum length of maternity leave required by the Directive is the same as in Convention No. 183: 14 weeks (European Economic Community, 1992, Article 8(1)). All EU Member States meet the 14-week minimum. In 2013, Iceland, which provides three months of maternity leave, introduced a new Bill including a plan to expand the share of non-transferable parental leave period from three to five months for each parent with a reduction in the shared period of leave from three to two months, according to a 5+5+2 model, instead of the current 3+3+3 one (O'Brien, 2013).

4. In 1994, the ILO had data on maternity leave duration and cash benefits for 139 countries, as reported in the *Conditions of work digest: Maternity and work*, Vol. 13 (Geneva, ILO, 1994).

With regard to the source of benefits, information was available for 144 countries in both 1994 and 2013 (see figure 2.5). Many of these changes had been made by 2009, when the last review of maternity protection laws was published. In this section, these changes are reviewed and new developments between 2009 and 2013 noted.

5. Kenya changed its legislation in 2003, Morocco in 2003, Zimbabwe in 2005, Uganda in 2006 and South Africa in 2002.

6. Bangladesh introduced the new provisions in 2006, Mongolia in 2002.

7. Belize introduced its Employment Act with the new provisions in 2001 and implemented it in 2005. In Honduras, the 2003 Labour Code provides ten weeks' maternity leave while, according to the Social Security Act introduced in 2005, maternity benefits are paid for 12 weeks. During this period, recipients of maternity benefits are expected to abstain from work.

8. Other countries that increased the length of leave were Bulgaria (from 120 to 227 days) in 2009, Cyprus (from 16 to 18 weeks) in 2007, Greece (from 16 weeks to 119 days) in 2000, Iceland (from two to three months) in 2000, Malta (from 12 to 14 weeks) in 2004, Romania (from 112 to 126 days) in 2005, Sweden (from 12 to 14 weeks) 1996, Switzerland (from eight to 14 weeks) and the United Kingdom (from 14 to 52 weeks). Ireland changed its provisions in 2004.

9. For the purposes of figure 2.2, the Islamic Republic of Iran is placed in the Middle East regional category instead of Asia in order to maintain consistency with the 1994 regional groupings (see Appendix I for more information).