

These guarantees should ensure at a minimum that, over the life cycle, all in need have access to essential health care and basic income security, including maternity protection.

83. This concept refers to the ability of laws, policies and measures explicitly to address gender-specific constraints and vulnerabilities, such as reproduction and care-related needs, with the aim of achieving gender equality at work and in the household and social justice (Kabeer, 2013; Holmes and Jones, 2013).

84. For instance, large-scale construction of pre-primary school facilities was found to lead not only to an increase in pre-primary school participation among children aged 3 to 5 years old, but it also significantly increased the likelihood of employment among women with young children (Berlinski and Galiani, 2005, cited in Kabeer, 2013).

85. These eligibility requirements for maternity leave may or may not be the same as those for receiving cash maternity benefits. Requirements for cash maternity benefits are discussed in the next section.

86. Informing the employer is also an eligibility requirement for maternity leave under the EU Directive (EEC, 1992).

87. Countries where a woman must simply be employed to qualify for leave include Algeria, Burkina Faso, Chile, Cyprus, Fiji, France, Ghana, Islamic Republic of Iran, Republic of Korea, Uganda and the Bolivarian Republic of Venezuela.

88. In Barbados, for example, only female employees who have been employed for at least 12 months by the same employer qualify for leave. In Papua New Guinea, women must

have been employed by the same employer for not less than 180 days within a period of 12 months or for not less than 90 days within a period of six months immediately preceding the start of maternity leave. Other countries with minimum periods of continuous employment include Australia (12 months), Belize (150 days during the 12 months preceding childbirth), Canada (six months, at the federal level), Egypt (ten months) and Swaziland (12 months or nine months for domestic workers).

89. According to ILO estimates based on official data from the US Department of Labor Statistics, taken together, the conditions of the FMLA exclude nearly 47 per cent of female American workers.

90. The following countries, among others, require minimum periods of employment or insurance contributions for cash benefits (but not leave): Algeria, Cambodia, Chile, Cyprus, Ecuador, El Salvador, Mongolia and Tunisia. In some countries, such as the Republic of Moldova, the Russian Federation and Switzerland, unemployed women are eligible for cash benefits if they are covered by the social insurance system.

91. According to the EEC Directive, EU Member States may set conditions of eligibility for maternity cash benefits, but these conditions may not provide for periods of previous employment in excess of 12 months immediately prior to the presumed date of childbirth.

92. When countries set eligibility requirements for cash benefits, the EC also ruled that countries should count periods of insurance, employment or residence in other Member States (European Community, 2007: 17).