

Of the 151 countries for which there were data, 49 specify no restrictions or regulations for night work in their legislation, for example in Barbados, Cambodia, Canada, Niger, Norway, the Bolivarian Republic of Venezuela and Zambia. In 20 countries, night work is not prohibited, but pregnant (and sometimes all) women are not obliged to work at night (such as in China, Ethiopia, Israel, the Russian Federation and Sri Lanka). In 81 countries, legislation does include the prohibition of night work (for example, in Austria, Guinea, Jordan, Kuwait, Mexico, Namibia, Thailand and Viet Nam). In 30 of these, especially in Africa, Asia and the Middle East, there is a general prohibition of night work for all women. For example, in Swaziland, employers may not employ any female between 10 p.m. and 6 a.m., unless they obtain a certificate from the Labour Commissioner. Exceptions are possible in cases of emergency, for persons at managerial level or in family undertakings. Similar provisions are included also in Qatar and Bolivia's labour codes, which call for women to work only during the day, and in Algeria and Libya, where all women are prohibited from working at night, with exceptions only possible with the authorization of the labour inspector.

In several cases, the ban applies only to certain economic sectors, for example industry,<sup>4</sup> and there may also be exceptions to the ban. In Comoros, the restrictions on night work for women do not apply to women working with material likely to deteriorate rapidly, when the work is temporary and when a case of force majeure, which could not have been predicted or prevented and is not a recurring event, obstructs the normal functioning of an industrial establishment. Similarly, in Gabon, where women in general are prohibited from night work, exceptions are made for women who work with materials that deteriorate quickly, where they work in establishments where everyone is from the same family and where work does not involve manual labour. In Guinea, women are also generally prohibited from night work; however, exceptions are made for women who occupy executive posts, posts of a technical nature and posts of a medical or social nature. Similar provisions exist in Guinea-Bissau, Kiribati, Papua New Guinea and Sri Lanka where managerial or technical posts are exempted.

In other countries, night work is prohibited specifically for pregnant and/or nursing women. In Mexico,

during the periods of pregnancy and nursing, working mothers may not perform work later than 10 p.m. in industrial, commercial or services establishments. In Chile, night work is prohibited for pregnant women and, in Honduras, it is unlawful to employ a pregnant woman on a night shift that is longer than five hours. In Austria, pregnant and nursing women are prohibited from working at night. In Albania and Thailand, pregnant women are prohibited from night work. In some countries, night work is prohibited during a certain part of pregnancy and for some time after the childbirth,<sup>5</sup> with a possibility of extending the interdiction to other periods of the pregnancy on the basis of medical certification.<sup>6</sup>

In some countries, night work for pregnant and/or nursing women is prohibited only if there is a risk to the health of the woman or the child. In Paraguay, a pregnant woman may not undertake night work in industrial, commercial or service establishments after 10 p.m. if there is a risk to the health of the woman or the unborn child. Similar restrictions exist in Indonesia, Luxembourg, Spain and the United Kingdom.

The legislation in other countries resembles the guidelines suggested in Recommendation No. 191 in that it does not compel pregnant or nursing women to work at night. In Estonia, pregnant women shall not be required to undertake work between 10 p.m. and 6 a.m. Similar provisions also exist in Lesotho. In France, pregnant women or new mothers can request reassignment to daytime work. In Lithuania, pregnant and nursing mothers may work at night only with their consent. In Japan, mothers can request exemption from night work. High levels of compliance in Developed Economies are due to the requirements on night work of the EU Directive on pregnant workers, which are similar to the provisions in Recommendation No. 191. According to the Directive, pregnant women and women who have recently given birth or who are breastfeeding should not be obliged to perform night work during pregnancy and for a period following childbirth, on production of a medical certificate stating that this is necessary for the safety or health of the worker concerned. It should instead be possible for them to transfer to daytime work or, where such a transfer is not feasible, take leave from work or extend the maternity leave (European Economic Community, 1992, Article 7(1)–(2)).