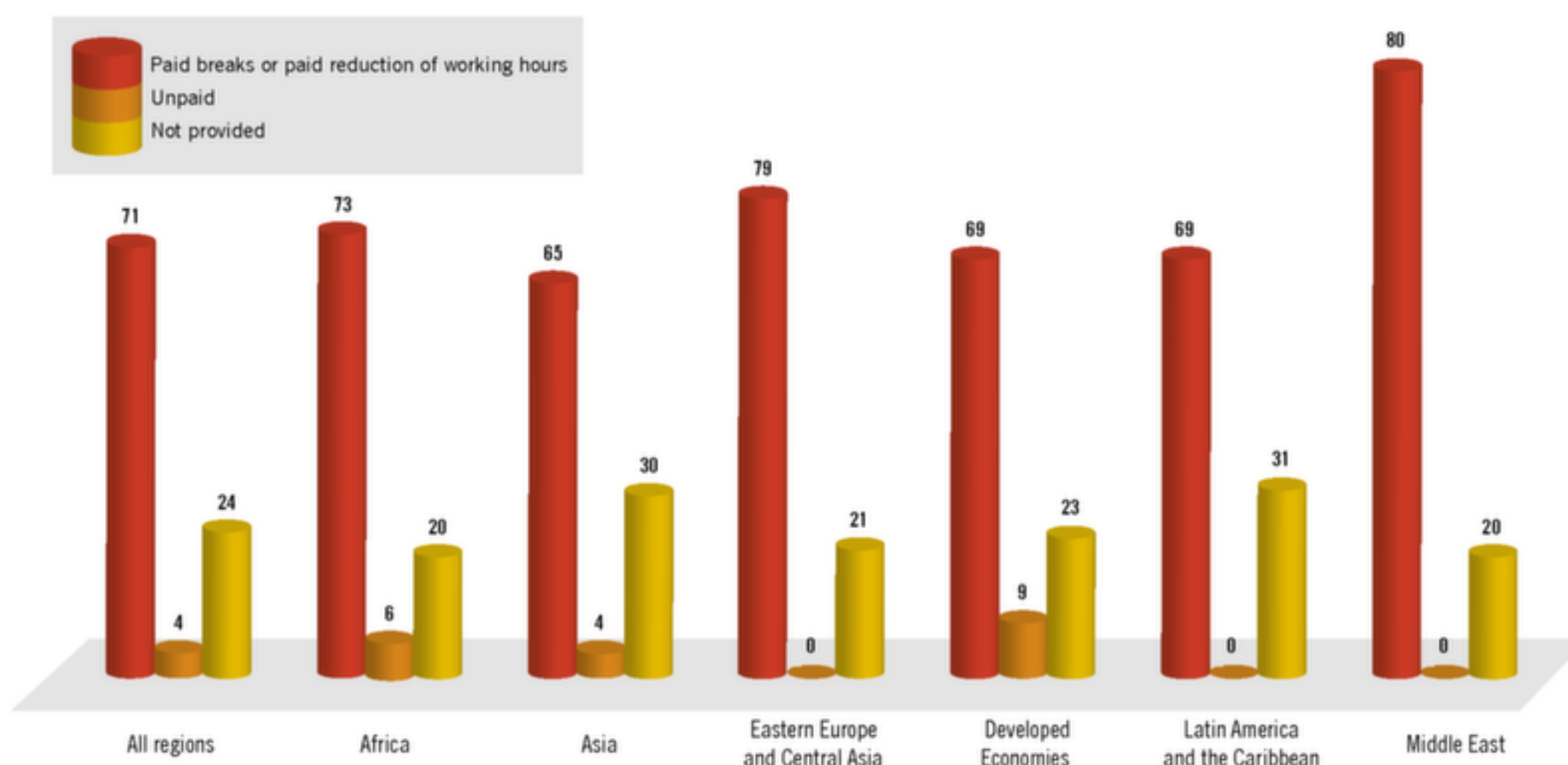


Figure 6.1 Statutory provision of nursing breaks, 2013 (160 countries) (%)

Note: Figures may not add up to 100 per cent due to rounding.

Source: ILO Working Conditions Laws Database – Maternity Protection. Available at: <http://www.ilo.org/travdatabase> [1 Apr. 2014].

are found in African, Asian and Caribbean countries, including Algeria, Bangladesh, Dominica, Jamaica, Kenya, Malaysia, Namibia, Pakistan and Trinidad and Tobago. In eight of the Developed Economies, the statutory right to nursing breaks also is lacking, such as in Australia, Canada and Malta, although this entitlement could be provided through CBAs, as is the case in Greece, Denmark and Iceland. No statutory provision for breastfeeding breaks is made in Lebanon and Qatar in the Middle East, or in Albania, Republic of Moldova and Serbia among the Eastern European and Central Asian countries. In its 2013 report on Convention No. 183, the Government of Serbia explained the lack of nursing breaks by the fact that employees are entitled to parental leave of up to two years. Since this prevents women who wish to return to work before the end of non-compulsory leave to continue breastfeeding their child, the CEACR exhorted the Government to introduce the required paid daily breaks in order to ensure compliance with Convention No. 183 (CEACR, Direct Request, C183, Serbia).

Both Conventions Nos. 103 and 183 stipulate that interruptions of work for the purpose of nursing are to be counted as working time and remunerated accordingly. This is the case in 114 countries analysed (71 per cent of the total or 97 per cent of those offering

this right), with the exceptions being Benin, Guinea, Niger, Indonesia, New Zealand, Norway and the United States. Even in one of the three countries in which maternity leave is unpaid, Papua New Guinea, breastfeeding breaks are nevertheless paid as normal working time. In New Zealand, the law establishes that breastfeeding breaks will only be paid if agreed between the parties. In Norway, until recently, only women working in the public sector or under collective agreements were entitled to paid nursing breaks, but the Government recently announced plans to extend paid breaks to private sector employees as well (*The Nordic Page*, 8 Mar. 2013).⁹ In China and the Philippines, applicable laws stipulate that both the nursing time and the time taken to travel to and from inside the unit or lactation station are to be counted as working time and remunerated accordingly. In Libya, breaks are remunerated and are permitted until the child is 18 months old. Switzerland enacted legislation in 2000 to ensure that breastfeeding breaks are counted as working time and are remunerated by the employer. Some countries provide for payment under the social security regime, thus avoiding a direct cost to the employer, as is the case in Angola. In Belgium, nursing breaks are unpaid by the employer; instead the contract of employment is suspended during nursing