

L13.23:6

International
Report No. 6

WITHDRAWN FROM
GRINNELL COLLEGE LIBRARIES
LIBRARY

WOMEN IN THE WORLD TODAY

Maternity Protection
and Benefits
in 92 Countries

June 1963



U. S. DEPARTMENT OF LABOR, W. Willard Wirtz, Secretary

WOMEN'S BUREAU, Esther Peterson, Asst. Secretary, Director, Women's Bureau

WOMEN IN THE WORLD TODAY

Publications included in the International Report series

- IR-1 Women in High-Level Elective and Appointive Positions in National Governments
- IR-2 Political Rights of Women in Member Nations of the United Nations
- IR-3 Policies of National Governments on Employing Women
- IR-4 Equal Pay in Member Nations of the International Labor Organization
- IR-5 Protective Labor Legislation for Women in 91 Countries
- IR-6 Maternity Protection and Benefits in 92 Countries
- IR-7 Notes on Women's Employment in the United States and Nine European Countries

Copies may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402

WOMEN IN THE WORLD TODAY
International Report 6

MATERNITY PROTECTION AND BENEFITS IN 92 COUNTRIES

June 1963

UNITED STATES DEPARTMENT OF LABOR
W. Willard Wirtz, Secretary

WOMEN'S BUREAU
Esther Peterson, Director

For sale by the Superintendent of Documents, U.S. Government Printing Office
Washington, D.C., 20402 - Price 35 cents

PREFACE

In December 1961 the President of the United States established the President's Commission on the Status of Women to review progress and to recommend methods of overcoming remaining discrimination against women in the United States in economic, civil, political, and property rights, and in family relations.

The Committee on Protective Labor Legislation of the President's Commission made an appraisal of Federal and State labor laws dealing with such matters as hours, night work, wages, and maternity benefits and protection, to determine whether they were accomplishing the purposes for which they were established and whether they needed to be adapted to changing technological, economic, and social conditions. This report was prepared for the Committee on Protective Labor Legislation. Every attempt was made to utilize the most recent information available.

C O N T E N T S

INTRODUCTION	1
AFRICA	3
ASIA (FAR EAST)	12
EUROPE	17
LATIN AMERICA	28
NEAR EAST AND SOUTH ASIA	38
CANADA AND THE UNITED STATES	44

INTRODUCTION

Maternity protection for the working woman has long been a subject of international concern. At the founding Conference of the International Labor Organization in 1919, standards for maternity protection were first set down. The standards which were agreed upon at that time were embodied in the ILO Maternity Protection Convention No. 3. In 1952, the ILO adopted Maternity Protection Convention (Revised) No. 103 and accompanying Recommendation No. 95. Both conventions are in force today--the 1919 convention in 20 1/ nations, and the 1952 convention in 8 2/ nations.

Convention No. 3 was reviewed and revised in 1952. Since it still remains in force for those countries which have ratified but not specifically renounced it, it is possible for some countries to be bound by two maternity protection conventions.

Both conventions provide for the following minimum protection:

- (a) a compulsory period of leave for 6 weeks after confinement;
- (b) entitlement of the woman to a further 6 weeks of leave, which under the 1919 instrument is to be taken before confinement and under the later instrument may be taken before confinement, after the compulsory period referred to in (a), or partly at one time and partly at the other;

1/ Algeria, Argentina, Bulgaria, Chile, Colombia, Cuba, France, Gabon, Germany (Fed. Rep.), Greece, Hungary, Italy, Ivory Coast, Luxembourg, Nicaragua, Panama, Rumania, Spain, Venezuela, Yugoslavia.

2/ Byelorussia, Cuba, Ecuador, Hungary, Ukraine, Uruguay, USSR, Yugoslavia.

- (c) provision during the leave referred to in (a) and (b) of cash benefits from insurance and from public funds sufficient for the full and healthy maintenance of the child (at benefit rates fixed by national laws or regulations);
- (d) medical care by a qualified midwife or doctor;
- (e) the possibility for a nursing mother to interrupt work for the purpose of nursing her child (at times specified by national laws or regulations);
- (f) the prohibition of dismissal of the woman during the leave referred to in (a) and (b) or during any extension of such leave in case of illness medically certified as arising out of pregnancy or confinement.

The later convention is more flexible and more detailed. It provides that not less than two-thirds of the woman's previous earnings constitute the minimum rate for cash benefits paid under compulsory social insurance, that interruptions of work for the purpose of nursing the child are counted as working hours, and that in no case is the employer individually liable for the cost of such benefits due to women employed by him.

In the United States, maternity benefits have been provided mainly through voluntary health and insurance plans of various types; in other countries, the approach is primarily through labor and social insurance legislation.

AFRICA

Cameroon

Labor Law. Under Article 116 of the Labor Code, daily allowances are paid to all working women who are employed in an undertaking covered by the insurance scheme and who interrupt their employment on the occasion of childbirth. To be eligible for benefits the beneficiary normally must have worked for at least 6 months before suspension of employment.

Social Insurance. Under the Family Equalization Fund Law of 1959, prenatal allowances are paid to covered pregnant women during the period of pregnancy, if they undergo specified medical examinations. The amount of the prenatal allowance is equal to nine times the monthly rate of the family allowance and is paid in two installments. A maternity grant is given to encourage larger families and to enable families to cover expenses due to childbirth. The maternity allowance is from 50 to 66-2/3 percent of earnings and is payable for up to 14 weeks, at least 6 weeks of which must follow childbirth. The fund is financed by the employers.

Central African Republic

Labor Law. The Labor Code provides for a rest period of 1 hour per day for nursing mothers. This period is divided into two periods of 30 minutes each, one during the morning and one during the afternoon. A special nursing room must be made available in all establishments employing more than 50 women.

Social Insurance. In 1956 a Family Allowances Equalization Fund came into existence. It provides a prenatal allowance, as well as daily maternity allowances. The daily allowance, equal to half the daily wage of the working woman, is paid during the 8 weeks before and the 6 weeks after confinement. This allowance may be extended a further 3 weeks because of illness due to the consequences of childbirth. The fund is financed by the employer.

Chad

Social Insurance. A prenatal allowance is paid in two equal installments at the end of the fifth month and at the time of confinement to the wife of the wage earner or to the wage-earning wife whose pregnancy was declared at the end of the fifth month, and who underwent at least two medical examinations during the first 5 months and toward the eighth month of pregnancy.

AFRICA

Wage-earning women compelled to cease work owing to pregnancy receive daily allowances equal to half their earnings during the last month of work, provided they have performed at least 3 consecutive months' work and have submitted a medical certificate of pregnancy. The daily allowance is awarded during the actual period of prenatal rest up to 8 weeks and during the actual period of postnatal rest, which normally is fixed at 6 weeks but which may be extended 3 weeks.

Congo (Brazzaville)

Labor Law. Article 116 of the 1952 French Code provides maternity leave of 14 weeks at half salary (full salary for government employees), of which 6 weeks' leave after birth is compulsory. An additional period of 3 weeks can be added to the maternity leave if a doctor states that the birth was attended by complications.

Allowances had previously been paid by employers according to provisions of the Labor Code. In 1956 the Equalization Fund took over the responsibility of the allowances and collected from the employers 0.2 percent on wages subject to contribution.

Article 117 of the Labor Code gives the working mother the right to 1 hour's paid rest per day for a period of 15 months after each birth for nursing her child.

Social Insurance. A prenatal allowance is paid for each of the 9 months of pregnancy, provided that the expectant mother undergoes medical examinations and complies with regulations concerning health supervision applied in accordance with local conditions.

Dahomey

Labor Law. A maternity benefit of 100 percent of earnings is payable 6 weeks before and 8 weeks after confinement.

Social Insurance. Social insurance under the Family Equalization Fund provides family allowances, prenatal allowances, and birth grants. The amount of the birth grant varies and is higher for the first birth. Prenatal allowances are paid in three installments, after three medical examinations undergone by the woman in the third, sixth, and eighth months of pregnancy. The fund is financed by the employer with a subsidy from the

AFRICA

government, and covers women in private and temporary public employment.

Gabon

Social Insurance. The Family Benefit and Work Accident Equalization Fund of 1956 provides family allowances, prenatal allowances paid to the mother in three installments, and a maternity grant. It also provides a layette and a daily maternity allowance paid during maternity leave. The payments are given directly to the mother for the child.

Guinea

Labor Law. Labor law provides for a maternity leave of 14 weeks, of which 8 must be after confinement. During this period the woman is entitled to free medical care at the employer's expense and half the wages which she was earning when she left her work. The other half is paid by social security.

A woman may not be dismissed during pregnancy and confinement, nor for absence for a longer period due to illness caused by pregnancy or confinement.

For the period of 15 months following the birth of the child the mother is entitled to nursing rests, not to exceed 1 hour per working day. The mother may leave her job during this period without advance notice and without any obligation to pay indemnity for breach of contract.

Social Insurance. Social insurance provides for a prenatal allowance, provided that the woman follows a physician's advice and undergoes four medical examinations. This allowance is payable for the full 9 months of pregnancy at the rate of 10 percent of the basic wage by which family allowances are calculated. A maternity grant is also payable to all women wage earners or wives of wage earners who give birth under medical supervision to an infant capable of living. This grant is 125 percent of the salary serving as the base of calculations for family allowances.

AFRICA

Ivory Coast

Labor Law. Article 116 of the 1952 French Labor Code provides maternity leave of 14 weeks at half salary (full salary for government employees), of which 6 weeks after birth is obligatory. An additional period of 3 weeks can be added to the maternity leave if a doctor states that the birth was attended by complications.

Article 117 of the Labor Code gives the working mother the right to 1 hour's paid rest per day for a period of 15 months after each birth for nursing her child.

Social Insurance. Prenatal allowances are paid in three installments, on the occasion of each of the three medical examinations recommended for expectant mothers; they amount to 2,300, 4,600, and 1,950 francs, respectively.

The maternity allowance, too, is paid in three installments amounting to 3,900 francs each, immediately after childbirth and when the child is 6 months and 1 year old.

Maternity benefits are financed by a tax on employers of 0.2 percent of payrolls.

Libya

Social Insurance. The social insurance law of 1957 covers employees of industrial and commercial firms with five or more workers. Agricultural, domestic, and public employees, family labor, and homeworkers are excluded. To receive maternity benefits a person must have been covered by insurance for 12 months before confinement. Benefits are payable for 6 weeks before and 6 weeks after confinement. There is also a cash maternity grant which may be paid partly or wholly in kind.

Malagasy Republic

Social Insurance. Prenatal and maternity allowances are paid to insured women or to the wives of the insured, on the sole condition that they observe the requirements relating to medical supervision during pregnancy and during the year following childbirth. The amount of these benefits is nine times the monthly rate of family allowances--i.e., 3,600 francs--for prenatal allowances, and 12 times the rate--i.e., 4,800 francs--for maternity allowances.

AFRICA

On the other hand, daily allowances are payable only to women insured, since they are intended to compensate an expectant mother for loss of earnings over the period during which she is compelled to cease work. The allowance is equal to half the maximum earnings, it being understood that the relevant wage is calculated on the basis of the last earnings before cessation of work. The daily allowance is paid over a period not exceeding 8 weeks before and 6 weeks after childbirth. The fund is financed by the employer, with a budgetary grant from the government, and covers women in private and temporary public employment.

Mali

Social Insurance. The National Institute of Social Welfare, created in 1956, administers family allowances and maternity benefits. These benefits are financed by the employer, with a subsidy from the government, and cover men and women in private and temporary public employment.

Prenatal allowances are paid in three installments, at the end of the third, sixth, and eighth months of pregnancy. In addition, a maternity allowance is granted in the form of a bonus at birth. Where the mother herself is working, she is provided with a maternity allowance of 50 percent of earnings payable for 8 weeks before and 6 weeks after confinement.

Mauritania

Social Insurance. Social insurance provides for a maternity benefit of 50 percent of earnings, payable for up to 14 weeks. A prenatal allowance is also provided. The fund is financed by the employer and covers women in private and temporary public employment.

Morocco

Labor Law. Particular protection is granted to women on the occasion of childbirth. The wage-earning woman is entitled to a leave of 12 consecutive weeks within the period preceding and following her delivery. This leave may be extended to 15 weeks upon presentation of a medical certificate in the case of illness resulting from pregnancy or confinement. If an employer

AFRICA

terminates the contract of employment of a woman during that period, he is liable to prosecution and will be required to pay damages to the woman. Moreover, an employer may not allow a woman to work during a period of 6 weeks after confinement. Women who nurse their children are granted two 1/2-hour rests, one in the morning and one in the afternoon, for a period of 1 year after childbirth. Nursing can be done either outside the plant or in a special room next to the work premises, in accordance with the mother's wishes.

Social Insurance. The social insurance law of 1959 provides a maternity allowance of 50 percent of the wage to a wage-earning woman who has paid contributions for 108 days during 10 months preceding the presumed date of childbirth. The allowance is paid for 10 weeks. The fund is financed by the employer.

Niger

Labor Law. Maternity laws allow a 14- to 17-week leave during which time the female employee is entitled to medical care and partial salary. The employer may satisfy these conditions either directly or through contributing to the Family Allowance Program.

Social Insurance. The Family Allowance Program provides an inducement to better medical care for expectant mothers and infants, and is supported by direct contributions levied against employers (including the government in the case of civil service or the military agencies) and budgetary supports from the Niger Government. The benefits of the program are available both to working women and to wives of workers.

Nigeria

Labor Law. In any public or private industrial or commercial undertaking or in any agricultural undertaking, a woman is not permitted to work during the 6 weeks following her confinement, and has the right to leave her work if she produces a medical certificate from a qualified medical practitioner stating that her confinement will probably take place within 6 weeks. If she has been continuously employed for a period of 6 months prior to her confinement, she must be paid throughout the period of her absence not less than 25 percent of the wages she would have earned.

AFRICA

A woman is granted two 1/2-hour rests per day during working hours for nursing her child.

A woman may not be dismissed from work while she is absent during the stated period of maternity leave or a longer period if certified by a qualified medical practitioner.

Social Insurance. Under the National Provident Fund, a woman on maternity leave who is incapacitated for more than 1 month is entitled to a sickness benefit if her employer pays her benefits less than the sickness benefit.

Senegal

Labor Law. Article 138 of the Senegalese Labor Code (Law Number 61-34) of 1961 states that an expectant mother whose condition has been medically determined or whose pregnancy is apparent may leave her job without advance notice and without having to pay an indemnity for breach of the contract. A woman may suspend her work for 14 consecutive weeks, of which 8 weeks must be after childbirth. This leave may be extended an additional 3 weeks in case of illness duly determined as resulting from pregnancy or birth. During the period of leave the woman has the right to a special allowance of half her wage in order to insure both her subsistence and the care necessary to her condition under provisions of social security legislation. This leave is not considered as annual leave.

Article 139 states that during a period of 15 months subsequent to the birth of a child the mother is entitled to rest periods not to exceed 1 hour per day for the purpose of nursing the child. The mother may leave her job during this period without advance notice and without any obligation to pay indemnity for breach of contract.

Sierra Leone

In government service, women are entitled to maternity leave with full pay until expiration of their accumulated sick leave and annual leave.

AFRICA

Togo

Labor Law. Decree No. 884-55, October 28, 1955, established special requirements relative to women's employment. An expectant mother is entitled to 14 consecutive weeks of leave, including 6 weeks after confinement; this period may be prolonged for 3 weeks in case of illness resulting from conception or birth. Without prejudice to these provisions, no woman may be employed during a period of 8 weeks in all, before and after confinement.

Mothers nursing their children must be accorded an extra hour of rest during working hours, 30 minutes in the morning and 30 minutes in the afternoon, and are permitted to nurse their children in the establishment where employed.

Social Insurance. Social insurance provides a maternity benefit of 50 percent of earnings payable for the 14 or 17 weeks and free medical care (including confinement).

Tunisia

Labor Law. The wage-earning woman is entitled to a leave of 12 consecutive weeks within the period preceding and following her delivery. This leave may be extended to 15 weeks upon presentation of a medical certificate in the case of illness resulting from pregnancy or confinement. If an employer terminates the contract of employment of a woman during that period, he is liable to prosecution and will be required to pay damages to the woman. Moreover, an employer may not allow a woman to work during a period of 6 weeks after confinement. Women who nurse their children are granted two 1/2-hour rests, one in the morning and one in the afternoon, for a period of 1 year after childbirth. Nursing can be done either outside the plant or in a special room next to the work premises, in accordance with the mother's wishes.

Social Insurance. Social insurance provides for a maternity benefit of 50 percent of earnings, payable for up to 12 weeks. The fund is financed by the insured person and the employer. Most agricultural workers and domestic servants are excluded from coverage.

Upper Volta

Upper Volta was formerly governed by the French Labor Code. This legislation is now undergoing complete revision.

AFRICA

Under legislation of 1955 a woman working in insured employment is entitled to a periodic maternity benefit equal to half her normal earnings for a period of 14 weeks. Prenatal allowances are payable to the mother in three installments, each covering 3 months of the allowance, and a maternity grant at birth is paid for each of the first three births.

ASIA (FAR EAST)

Australia

Social Insurance. Under current laws (1947 and 1953) cash maternity grants are available to all resident mothers, and a system of medical benefits under voluntary subsidized insurance now covers about 70 percent of the population. The maternity grant is a lump sum of 15 pounds if there are no other children under 16; 16 pounds if one or two other children; or 17 pounds 10 shillings if three or more other children. An additional 5 pounds is paid for each additional child in multiple births. Ten pounds of the maternity allowance may be advanced within 4 weeks of the expected birth. This grant is financed by the government out of earmarked taxes; the voluntary program is paid for by the insured person and by government subsidies.

Burma

Social Insurance. Under social insurance maternity benefits are granted to insured women employees during their absence from employment for a period of up to 6 weeks before and 6 weeks after confinement, providing that 26 contributions have been paid in the 52 weeks preceding confinement. Maternity cash benefits, equal to about two-thirds of the earnings of the insured, amounted in 1960-61 to K266,491.00 (US\$55,963) and were awarded to 2,304 insured female persons. The plan, which at present is operating only in five Burmese cities, covers employees of firms with 10 or more workers in industry and commerce. Expenses of social security are met by contributions from the employee, the employer, and the state.

Cambodia

Labor Law. Under a law of July 1957 (KRAM No. 213-N.S.) all women employed in industry, trade, agriculture, or professional establishments are entitled to a maternity leave of 2 months. They are paid during their maternity leave at a rate of one-half their normal wages or salary, including accessory payments. Full payment in kind (rice, etc.) is continued during the period of maternity. Benefits are limited to women who have been employed by an enterprise continuously for a period of 1 year. In addition, they receive two 30-minute nursing periods a day for a year after the end of maternity leave, and are exempt from doing heavy work for a period of 2 months following the end of leave.

ASIA (FAR EAST)

China, Republic of

Labor Law. Under provisions of the Factory Law of December 1929, women workers in factories must suspend work before and after childbirth up to a total of 8 weeks. Such leave of absence is paid for at the regular wage rate for one who has had at least 6 months' service, or at half such rate for one with service of less than 6 months.

Women workers having an infant less than 1 year old may request, besides the regular rest period, 20 minutes twice a day for feeding the infant.

Maternity leave for arsenal laborers lasts 50 days. Full wages are paid during leave to those who have been in employment for a period of 6 months, and half wages are paid to those who have been in employment for less than 6 months. A female employee, by submitting a physician's certificate and giving the number of days deemed necessary for leave, may be granted a maternity leave not exceeding 2 months during which full salary must be paid.

Social Insurance. Under the provisions of the Labor Insurance Statute of July 1958, all persons 14 years old or older are insured if they are industrial workers in a public or private factory, mine, saltern, forest or tea plantation employing 10 or more persons; workers of communications enterprises or public utilities; craft workers; or professional fishery workers. This also includes all staff members eligible for labor union membership and foreign nationals who fall into any of the above categories. The cost of the program is financed by contributions from employees, employers, and the government. A Labor Insurance Bureau established by the provincial or municipal government acts as the insurer and is responsible for the operation of labor insurance.

Application may be filed for maternity benefits by an insured person or the spouse of an insured person for childbirth or miscarriage after at least 4 months' pregnancy, if within 2 years preceding the childbirth or miscarriage the insurance has been in effect for at least 10 months. The benefits for birth or miscarriage include lump-sum delivery expenses equal to 15 days' wages (computed on the basis of average monthly insured wage) and a lump-sum confinement allowance equal to 15 days' wages. In addition, for a live birth or the birth of a dead baby after 7 months' pregnancy, a maternity allowance equal to 45 days' wages is granted. For live plural births the amount of the benefits is proportionately increased.

ASIA (FAR EAST)

Indonesia

Labor Law. Under the provisions of Labor Law 1 (January 6, 1951), women workers who have worked for at least 1 year get a maternity leave of 6 weeks before and 6 weeks after confinement. This leave may be extended to 3 months on presentation of a doctor's certificate, on condition that the woman returns to work after leave.

Japan

Labor Law. Under the Labor Standards Law of 1947, a woman can take maternity leave of 6 weeks before and 6 weeks after childbirth. However, when a woman requests employment 5 weeks after confinement, she may be assigned to a job approved by a doctor.

Mothers nursing a baby less than 1 year old can take a nursing break of two 30-minute periods during working hours besides the regular rest period.

Social Insurance. Health insurance provides maternity benefits of 60 percent of earnings for 12 weeks. It also provides a lump-sum maternity grant and a nursing benefit. This insurance covers all employees of firms in industry and commerce with five or more regular employees. The fund is financed by the insured person, the employer, and the government. All residents not under any other health insurance program must join a municipal fund (National Health Insurance). National Health Insurance provides no cash benefits.

Special systems are provided for day laborers, public employees, teachers, and public utility employees.

Malaya

Labor Law. The labor code requires individual employers to pay maternity benefits of \$2.20 a day for 30 days before and 30 days after confinement, to women earning \$400 a month or less who have worked 90 days for the employer in the last 9 months, including some work in the last 4 months. Domestic servants are not covered.

ASIA (FAR EAST)

New Zealand

Labor Law. Women are not allowed to work in a factory during the period of 6 weeks immediately following their confinement other than in a factory in which only members of the same family are employed.

Social Insurance. Under the provisions of the Social Security Act of 1938, women workers receive free service from specialist children's nurses while rearing their children and financial assistance in the form of family benefits payable under the social security program. The family benefit, amounting to 15 shillings a week for each child up to the age of 18, is paid to the mother regardless of the family's income.

Women with children who are deserted by their husbands also may apply for and receive special assistance from the Social Security Fund.

The program is financed through the Social Security Fund, which is derived from taxes on all business and personal income and by direct appropriations from Parliament.

Philippines

Labor Law. In any shop, factory, commercial, industrial, or agricultural establishment, or other place of labor, a pregnant woman receives leave with pay for 6 weeks before and 8 weeks after confinement. This leave is paid for by the employer at the rate of not less than 60 percent of her regular or average weekly wages. The woman may request the leave upon providing the employer with a certificate stating that delivery will probably take place within 6 weeks. The leave may be extended. Prolonged absence on account of illness is not valid ground for discharge.

A nursing mother is allowed at least 1/2 hour twice a day during working hours to nurse her child.

It has been reported that the provisions of this law affect adversely the employment of women in some occupations.

Thailand

Labor Law. Upon providing the employer with a certificate from a qualified physician, a woman is entitled to a leave of absence for not less than 30 days before and 30 days after confinement.

ASIA (FAR EAST)

If a pregnant woman has worked continuously for not less than 180 days, she is entitled to wages during the leave of absence for not less than 30 days at the rate she has been receiving.

If a woman on maternity leave of absence is still unable to work because of illness due to childbirth, and provides the employer with a certificate from a qualified physician to that effect, she is entitled to leave without pay for another period of not more than 30 days.

If a woman on maternity leave of absence provides the employer with a certificate showing that she is of necessity unable to be employed in her previous work, she is entitled to request a change of work for a temporary period before or after delivery.

Viet-Nam

Labor Law. In South Viet-Nam a female worker is entitled to 8 weeks of maternity leave, during which she receives one-half of her salary (or actual wage). At least 6 weeks of her leave must be after confinement.

Nursing mothers are allowed two breaks per day of 1/2 hour each to nurse their children.

EUROPE

Albania

Social Insurance. Albania's social insurance system (1953) provides for basic maternity benefits of 60 percent of earnings, 70 to 90 percent if 1 to 5 years of continuous work for one employer (benefit reduced one-half for first 30 days if not a trade union member and one-third thereafter). This benefit is payable for 12 to 15 weeks. There is also a grant for a layette and for maintenance of the child. The program provides for maternity care during pregnancy and confinement and may also cover a stay in a maternity home. Benefits are financed by the employer and the government and apply to employees of public, cooperative, and private enterprises.

Austria

Labor Law. The Maternity Protection Act of 1957 applies to women employees and homemakers who are not covered by the Agricultural Labor Act or under the public law of a province, commune, or other specified fund or institution. The law states that no woman may be dismissed during the time she is pregnant or until 14 months have elapsed after her confinement, with certain exceptions. Special provisions of the law apply to private-household workers, homeworkers, and agricultural workers.

Women are forbidden to work during the 6 weeks before and 6 weeks after confinement. During this 12-week period they are paid by their employer at the rate of average earnings during the last 13 weeks.

Social Insurance. Austria's social insurance system (law of 1955, as amended) provides for maternity benefits of 100 percent of earnings for 6 weeks before and 6 weeks after confinement. It also provides a nursing benefit, a lump-sum maternity grant, and extensive maternity care. The wife of a worker receives the same benefit and care as an employed woman. A new benefit law (1960) enables a woman to take up to a year's maternity leave by providing payment from unemployment insurance funds for up to a year after the benefit from the sickness insurance fund is exhausted, and gives the right to sickness insurance during this period. The program is financed by the insured person, the employer, and the government, which pays 50 percent of the cash maternity benefits. The coverage extends to most employed persons. Government employees, railway employees, and the self-employed have special systems.

EUROPE

Belgium

Labor Law. For women in private employment, maternity leave benefits depend on whether they are wage or salary earners. Salaried employees on maternity leave get a month's salary paid by their employer; wage earners get only a week's pay. For the remaining portion of their maternity leave, both groups of workers receive 60 percent of their normal pay from the government's health insurance program (law of 1944, as amended), providing there have been 10 months of coverage prior to the claim. This system is financed by the insured person, the employer, and the government.

Maternity leave covers two periods. The leave automatically covers the 6-week period after confinement. A woman can get (at her option) up to 6 weeks' leave before childbirth, provided she has a doctor's certificate stating that delivery is due within 6 weeks.

During maternity leave a woman can be discharged, but she must be kept on the payroll for the rest of the maternity leave and for the normal term of notice following maternity leave. The woman on maternity leave can have her term of notice go into effect immediately if she wants to resign.

Bulgaria

Labor Law. A woman wage or salary worker is entitled to 120 days' pregnancy and confinement leave, of which 45 days should be before confinement. However, where confinement occurs before the expiration of the 45 days, up to a maximum of 15 of the remaining days may be taken after confinement. Further unpaid leave may be granted.

Pregnant women may not be dismissed from their employment. If they are employed on arduous work, they must be transferred to lighter work after the fourth month of pregnancy.

Every nursing mother is entitled to paid leave for 1 hour twice a day or for 2 hours together to nurse her child until it is 8 months old.

Social Insurance. Social insurance laws (1947, 1951, 1963) provide for maternity benefits of from 50 to 100 percent of earnings, payable for 45 days before and 75 days after confinement. A birth grant graduated according to the number of children born to each woman is also given.

EUROPE

To receive benefits a woman must have worked continuously for 3 months prior to her claim. Women not covered by state social insurance receive half the amounts.

Czechoslovakia

Social Insurance. A maternity benefit is paid in place of wages to an employed woman if she has been covered by health insurance for at least 270 days in the 2 years immediately preceding the birth of the child. The benefit is paid for a period of 18 weeks, of which at least 4 weeks must be before the birth of the child.

The rate of the benefit is based on the net daily wage of the employed woman, no account being taken of wages above 100 crowns a day. The net earnings of the last 3 or the last 6 calendar months before the employee stopped work because of pregnancy or maternity, whichever is to her advantage, are the base for computing the net daily wage.

The insurance program (laws of 1951 and 1956) also provides a lump-sum maternity grant to the insured worker or the wife of an insured worker.

According to the law of March 1962, compensation for the loss of earnings in a farm cooperative is granted for 4 weeks before and 14 weeks after confinement. This amounts to 75 to 90 percent of earnings, depending on the number of years of uninterrupted work in the cooperative. A lump-sum maternity benefit is paid to women members of cooperatives and wives of cooperative members.

Denmark

Labor Law. Under Danish law (1954) no woman worker may be employed during the first 4 months after confinement unless she presents a medical certificate stating that this will not be harmful to herself or to her child.

In undertakings where 25 or more women are employed, a special room is provided for nursing.

Special provisions apply to the apprenticeship program.

EUROPE

Social Insurance. Under a semivoluntary social insurance system (law of 1933 as amended April 1961), maternity benefits are payable to employed persons for a period of up to 14 weeks, 8 weeks before and 6 weeks after confinement. For the self-employed and housewives, maternity benefits are payable for 2 weeks after confinement. The fund is financed by the insured persons and state subsidies.

Finland

Labor Law. A woman civil servant is entitled to 2 months' leave with full salary during pregnancy and confinement. The period of rest required for industrial workers is 4 weeks; for women employed in shops or offices, 6 weeks. All mothers receive for each child a maternity benefit either in cash or in kind.

France

Labor Law. The employment of a pregnant woman is prohibited by law during 6 weeks before and 8 weeks after confinement. This period can be extended to 15 weeks upon medical examination and certification. In calculating the length of paid vacation dependent upon the previous period of paid work, maternity leave is considered as time worked.

The law provides for 1 hour off per day during working hours for the purpose of nursing a child, up to the time the child is 1 year old.

A woman cannot be dismissed because of pregnancy but can quit her job without advance notice to the employer and without being subject to the usual fine for breaking the contract. The fact that she is absent from her job before and after confinement cannot be considered as severance of the work contract nor as cause for dismissal.

Most collective bargaining agreements provide for additional protection and benefits, such as extended maternity leave periods, reduction in the daily hours of employment without reduction in pay, compensation for absences for regular prenatal examinations, continuance of previous rate of pay throughout the length of pregnancy even if switched to other work by the doctor, paid rests for nursing mothers, possible extended unpaid leave for nursing mothers, protection

EUROPE

of women against discharge or loss of seniority rights, and reinstatement rights after childbirth.

Social Insurance. France's social insurance system provides for a maternity benefit of 50 percent of earnings, payable for up to 6 weeks before and 8 weeks after confinement, and a nursing benefit or milk coupons for 4 months. About 70 percent of all industrial employees are covered; agricultural workers are also covered. The fund is financed by the insured person and the employer.

Germany (East)

Social Insurance. The social insurance system provides for a maternity benefit of 75 percent of earnings payable for 4 weeks before confinement and 50 percent of earnings payable for 6 weeks after confinement. There is a nursing allowance and a layette grant. The fund is financed by the insured person and the employer, with the government making up any deficit. Two 45-minute nursing periods per day are allowed up to 6 months after confinement.

Germany (West)

Labor Law. The Maternity Protection Act of 1952 applies to women employed under a contract of employment, in homework, and as domestic servants and daily maids.

Domestic servants and daily maids may not be employed in the last 4 weeks preceding confinement, and other expectant mothers may not be employed in the last 6 weeks preceding confinement, unless they expressly declare themselves prepared to do the work.

No woman may be employed during the 6 weeks following confinement. This period may be extended to 8 weeks in the case of nursing mothers and to 12 weeks in the case of premature birth.

Nursing mothers may be given time off to nurse their children without loss of earnings.

A woman may not be dismissed from work during pregnancy or for 4 months after confinement.

When a woman is not compulsorily insured with a statutory sickness insurance scheme, the employer must continue to pay her not less than her average earnings over the last 13 weeks or last 3 months.

EUROPE

Social Insurance. The social insurance system provides a maternity benefit of 75 to 100 percent of earnings for 4 to 6 weeks before and 6 weeks after confinement. It also provides a maternity grant and a nursing allowance.

Greece

Social Insurance. Social insurance provides a maternity benefit of 50 percent of earnings according to wage class, payable for up to 42 days before and 42 days after confinement, to insured persons having 200 days of employment in the last 2 years. The fund is financed by the insured person, the employer, and the government as needed.

Hungary

Labor Law. The labor code, as amended in 1953, provides that a woman may not be dismissed from work except on disciplinary grounds between the date on which pregnancy is certified and the sixth month after confinement. The law provides for maternity leave of 12 weeks. The entire leave may be taken in the postnatal period.

A woman is given two 1/2-hour periods per day to nurse her child in the first 6 months after confinement and 1/2 hour per day thereafter until the end of the ninth month. This daily period may be extended to 45 minutes if the child is located at some distance from the work place. The nursing time is counted as time worked and is paid at the average rate.

Social Insurance. Social insurance (law of 1955) provides a maternity benefit of 100 percent of earnings payable for 6 weeks before and 6 weeks after confinement. There is also a lump-sum maternity grant. The fund is financed by the employer and covers employees, students, members of handicraft cooperatives, and pensioners.

Iceland

Social Insurance. Social insurance provides for a lump-sum maternity grant. The fund is financed by the insured person, the employer, and the government and covers all residents.

EUROPE

Ireland

Social Insurance. Social insurance provides for maternity benefits payable for 6 weeks before and 6 weeks after confinement. There is also a lump-sum maternity grant. The fund is financed by the insured person, the employer, and the government. It covers manual employees and nonmanual employees earning less than 800 pounds per year. Casual labor, family employment, and public employees are excluded.

Italy

Labor Law. Women industrial workers must abstain from work during the 3 months prior to the presumed date of birth shown in the medical certificate of pregnancy; women farm workers, during 8 weeks. For all other workers the period of mandatory abstention from work is 6 weeks prior to the presumed date of birth. Women may not be employed for 8 weeks after confinement.

The Labor Inspectorate may order the period of abstention from work extended for a further period not to exceed 6 weeks, if it considers that working or environmental conditions may prove harmful to the health of mother or child. The worker may remain absent for another 6 months without dismissal. The dismissal of an expectant mother is illegal.

For 1 year after delivery, women are allowed two rest periods of 1 hour each per day for nursing the child. The woman may leave the plant for this purpose if a nursing room is not provided.

Social Insurance. Italy's social insurance system provides a maternity benefit to wage earners only of 80 percent of earnings, payable for up to 13 weeks before and 8 weeks after confinement. The fund is financed by the insured person and the employer and covers currently insured employed persons and pensioners. There are special systems for liberal professions, journalists, and public employees.

Luxembourg

Social Insurance. Social insurance provides a maternity benefit of 50 to 75 percent of earnings, depending upon the fund to which the insured person belongs. This benefit is payable

EUROPE

for 6 weeks before and 6 weeks after confinement. There is also a nursing allowance. The funds are financed by the insured person, the employer, and the government.

Netherlands

Labor Law. Under article 11 of the Labor Act of 1919, a woman is not permitted to work during a specified period of time in which the birth of her child is to take place.

Social Insurance. The Sickness Insurance Act of 1929, as amended, provides for a benefit to be paid to the statutorily insured woman for a period of 6 weeks before and at least 6 weeks after her confinement, if necessary up to 1 year. The amount of this benefit depends on the wages concerned. There is also a lump-sum maternity grant.

Norway

Labor Law. A woman shall have leave of absence from her employment during the first 6 weeks after confinement. She may claim leave for another 6 weeks either before or after her confinement. She may be required to show a medical certificate certifying the anticipated date of her confinement.

A woman who is absent from her employment on maternity leave may not be dismissed.

A woman who nurses her child is entitled to at least 1/2 hour per day for this purpose.

Social Insurance. The social insurance system (law of 1956) provides for a maternity benefit of 3 to 15 crowns a day, according to seven annual income classes, plus a flat rate supplement for a dependent husband and each child under 18. This is payable for 6 weeks before and 6 weeks after confinement to all employees. To receive cash maternity benefits a person must have been insured for 10 months prior to the claim. The program is financed by the insured person, the employer, and local and national governments.

Poland

Labor Law. Law provides for maternity leave of 12 weeks, 2 weeks preceding confinement and 8 weeks after; the remaining 2 weeks may be taken by the mother either before or after confinement. During that period of time it is forbidden to employ a woman, even with her consent. The state of advanced pregnancy must be confirmed by a medical certificate.

EUROPE

A female manual worker receives a childbirth allowance from public assistance funds for no more than 12 weeks. She also receives a nursing allowance and a layette. An office worker receives her wages from her employer during pregnancy and confinement on the basis of article 19 of the Order of the President of the Republic of Poland dealing with employment contracts of office workers.

Mothers are allowed to nurse their babies for two 1/2-hour periods during the working day, which are counted as working periods.

Portugal

Labor Law. The labor code requires employers to pay one-third of wages to women with 1 year of regular employment during a 30-day maternity leave.

Rumania

Labor Law. The labor code (1950, 1956) provides for maternity leave of 52 days before and 60 days after confinement. After the sixth month of pregnancy, women may not be employed on heavy, arduous, or night work. Women are allowed intervals for nursing during the normal hours of work at times laid down by the employer not more than 3 hours apart nor less than 1/2 hour each.

Social Insurance. Social insurance provides for maternity benefits of 50 to 90 percent of earnings, according to length of continuous employment in the same undertaking. These benefits are payable for up to 112 days, including 52 days before and 60 days after confinement. The fund is financed by the employer and the government when employer.

Spain

Social Insurance. The 1929 law applies to employed women and, for restricted benefits, to wives of employed men whose earnings are below 40,000 pesetas a year. (Other workers have special systems.) It provides for a maternity benefit of 60 percent of earnings payable for 6 weeks before and 6 weeks after confinement. There is also a nursing allowance which is paid for 10 weeks (if multiple birth, 15 weeks). The maternity benefits are financed by the insured person, the employer, and the government.

EUROPE

The law of 1961 provides for a birth grant of 500 pesetas to agricultural workers covered by the national mutual benefit scheme.

Sweden

Labor Law. The Labor Protection Act of 1945 stipulates that women who have been employed for at least a year cannot be dismissed because of pregnancy or childbirth. (The 1-year qualification period is counted backwards from the time when a woman becomes aware of her pregnancy.) The same act guarantees to all female employees the right to 6 weeks' leave of absence before and after confinement. The Labor Protection Act of 1949 stipulates, in addition, that production workers in manufacturing and the crafts must refrain from work for 6 weeks after childbirth, unless the worker can produce a medical certificate indicating that earlier reemployment will not be harmful.

Mothers are entitled to time off for nursing.

The act contains no stipulation regarding pay during maternity leave. This matter is reserved for collective bargaining contracts or civil service government wage scales.

Social Insurance. Sweden's social insurance program (law of 1954) provides for a maternity benefit, according to 12 income classes, payable for up to 90 days, as well as a lump-sum maternity grant. All residents and registered aliens over 18 are covered, but only employed women receive the daily maternity benefit. The funds are financed by the insured person and the employer, with government subsidies.

Switzerland

Labor Law. According to a Swiss law of 1919, in factories employing more than six workers pregnant women must stop work for 6 to 8 weeks after confinement.

Social Insurance. Maternity benefits laws vary from canton to canton. Benefits depend on the benefit rate for which the individual is insured. Cantonal laws are subject to federal minimum standards. The federal minimum benefit is payable for at least 6 weeks. There also may be a nursing allowance payable over a period of 10 weeks.

The funds are financed by insured persons; the government provides subsidies to all approved funds and special subsidies for maternity.

EUROPE

USSR

Labor Law. Women are granted regular annual leave before or after pregnancy and confinement leave for a total of 112 calendar days of prenatal (56 days) and postnatal (56 days) leave. In the case of multiple-or abnormal births postnatal leave can be extended to 70 days and a mother can request supplementary leave of 3 months without pay in addition to the above 126 days.

Social Insurance. Social insurance provides for benefits during maternity leave which range from 66 $\frac{2}{3}$ to 100 percent of previous earnings, depending principally on length and continuity of employment, payable for 8 weeks before and after confinement. Cash benefits are financed by the employer.

United Kingdom

Labor Law. The Factories Act of 1961 and various public health acts provide that a woman shall not be employed in a factory within 4 weeks after she has given birth to a child. In general, these laws do not apply to other types of employment.

Social Insurance. Under the national insurance scheme an employed woman who is insured in her own right receives a maternity allowance beginning 11 weeks before the expected week of confinement and continuing for a total of 18 weeks. The woman also receives a lump-sum maternity grant and a home confinement grant if delivery takes place in her home.

If the woman is not normally in gainful employment, or has opted as a married woman not to pay the full rate of weekly insurance contributions, she receives only the maternity grant and not the weekly maternity allowance.

Yugoslavia

Labor Law. In the case of pregnancy and confinement, employed women have the right to a leave of absence of 105 days and compensation in place of wages or salary according to the provisions governing health insurance.

Employed women who have acquired the right to annual leave before the expiration of leave of absence due to pregnancy and confinement have the right to use that leave immediately upon the expiration of their maternity leave.

Social Insurance. Social insurance (law of 1954) provides for a maternity benefit payable for 45 days before and 45 days after confinement, a nursing allowance, and a layette. The fund is financed by the employer.

LATIN AMERICA

Argentina

Labor Law. The current law regarding maternity protection in force throughout the country dates from 1934. Under the law, a woman may not be employed in industry and trade 30 days before and 45 days after confinement. During this period of leave, her post or employment is kept open for her.

Some collective labor agreements provide for paid maternity leave financed by management.

Every nursing mother is entitled to two periods of 1/2 hour each during the daily hours of work for the purpose of nursing her child.

Social Insurance. Social insurance provides cash maternity benefits as well as a delivery grant and a layette. These are financed by employed women, the employer, and the government. Coverage extends to women employees aged 15-45 in industry, commerce, public employment, and harvesting of crops.

Bolivia

Labor Law. The general labor law of 1939 provides for maternity leave of 60 days, 15 days before and 45 days after confinement. This leave may be extended for medical reasons.

During their leave, women employees are entitled to receive 50 percent of their salaries and have their posts kept open for them.

Employers are obliged to guarantee nursing mothers short rest periods totaling not less than 1 hour per work day.

Social Insurance. The social insurance law (1956) provides maternity benefits of 100 percent of earnings up to the national minimum wage, plus 70 percent of earnings above the minimum for 6 weeks before and 6 weeks after confinement. The program is financed by the insured person and the employer and covers employees in industry, commerce, mining, and government.

Brazil

Labor Law. A pregnant woman may not be dismissed from employment and is prohibited from working 6 weeks before and 6 weeks after confinement. In exceptional cases this leave may be extended on presentation of a medical certificate. During her period of maternity leave, the woman is entitled to her full wage, calculated in accordance with the average of her last

LATIN AMERICA

6 months' work. If she is covered by social security, she receives that as well.

A mother is allowed two special rest periods of 1/2 hour each during the working day in order to feed her child until he is 6 months old.

Social Insurance. Under the current social security law (1960), women are granted a lump-sum maternity benefit of 2 months' legal minimum wage in their respective regions. This is reduced to 1 month's wage if hospitalization is provided by the program. This system is financed by the insured person, the employer, and the government and covers employees in industry, commerce, banking, public utilities, and transportation. Government employees have their own system.

Chile

Labor Law. Pregnant women may not be dismissed without lawful cause. By law the employer must grant leave of absence with half pay to an expectant mother for 6 weeks before and 6 weeks after confinement. If the woman employee is not entitled to an allowance under the federal insurance program, the employer must pay the full amount of the woman's wages.

Social Insurance. The social insurance program provides maternity benefits of 100 percent of wages to female wage earners only, payable for 6 weeks before and 6 weeks after confinement; they may be extended to 12 weeks after confinement. It also provides a nursing allowance. The fund is financed by the insured person, the employer, and the government.

Under sickness benefit provisions of 1953, salaried employees who receive no maternity benefit as such are paid by their employer 100 percent of earnings during the first month of sickness leave, 75 percent during the second, 50 percent during the third, and 25 percent during the fourth.

Colombia

Labor Law. According to the Labor Code of 1950, women workers have the right to a maternity leave of 8 weeks, 2 weeks before and 6 weeks after confinement, with benefits paid at the rate of the wages they are earning at the time they begin their leave. If the wages are paid by the piece or the job, the average salary earned by the woman worker in the last year of service or her total period of service if less than 1 year will be taken into account for the purpose of calculating benefits.

LATIN AMERICA

The employer is obliged to give the woman worker two rest periods per day of 20 minutes each to nurse her child during the first 6 months after confinement. These periods are considered working hours.

No woman may be dismissed because of pregnancy or during 3 months after childbirth unless there is authorization to the contrary by Labor Department officials.

Social Insurance. The social insurance law of 1946 provides cash benefits equal to the full basic wage, payable for 4 weeks before and 4 weeks after childbirth, provided that the beneficiary does not perform any paid work. Insured women are entitled to cash maternity benefits after 12 weeks of contribution payment. The medical benefits include prenatal, obstetric, and postnatal care, medicines, necessary hospitalization, and free milk for a maximum of 6 months. The program is financed by the insured person, the employer, and the government. Government workers and railroad employees have special systems. The Labor Code of 1950 requires large companies to provide generally similar benefits at their own expense to female salaried employees in regions where social insurance is not yet applied. In 1961 social insurance was applied in the departments of Antioquia, Cundinamarca, El Quindio, and El Valle.

Costa Rica

Labor Law. Employers may not discharge workers because of pregnancy or nursing. Every pregnant worker receives 30 days' or 1 month's leave before and 1 month's leave after confinement. Various regulations exist regarding notice, rate of payment, and vacation in lieu of maternity leave. Nursing mothers are allowed time to nurse their babies.

Married teachers must apply for maternity leave which consists of 3 months before and after birth, and they receive full pay during leave unless the leave begins 3 months after the start of the school year. In that event, the application for leave separates them from their post for the remainder of the year at half pay.

Social Insurance. The social insurance law of 1943 provides a maternity benefit of 50 percent of earnings, payable for 30 days before and 30 days after confinement. The program is financed by the insured person, the employer, and the government and covers employees in lower income brackets.

LATIN AMERICA

Cuba

Social Insurance. The social insurance law of 1963 states that a woman will receive her full wage for 12 weeks, beginning 6 weeks before confinement. The benefits are financed by the government.

A pregnant woman may not be dismissed from work; her post must be kept open for her while she is on maternity leave.

During the first year after childbirth a mother is allowed two rest periods of 30 minutes each per day or a single period of 1 hour to care for her baby.

Dominican Republic

Labor Law. Under law of 1951 a woman must take leave 4 weeks before and 6 weeks after confinement and must be paid at the same rate as normal work. If the woman is covered by the social insurance act, the employer is obliged to pay only one-half of the wages during the leave.

A nursing woman is entitled to three special rest periods a day of not less than 20 minutes each for the purpose of feeding her child.

Social Insurance. The social insurance law of 1948 provides for a maternity benefit of 50 percent of earnings, payable for 6 weeks before and 6 weeks after confinement. It also provides for a nursing allowance. The fund is financed by the insured person, the employer, and the government and covers employees in industry, commerce, and agriculture, wage earners in public employment, home workers, and small farmers.

Ecuador

Labor Law. Women are not permitted to work during the 3 weeks before and 3 weeks after childbirth if they present a medical certificate showing the probable date of birth.

No woman may be dismissed on account of pregnancy or be replaced permanently during the 6-week period before and after confinement. If a woman remains absent from her work because of an illness incurred from pregnancy, she may not be dismissed but will have no right to payment of wages for the time which exceeds 6 weeks.

LATIN AMERICA

Every mother has the right to a rest period of 15 minutes every 3 hours to nurse her child during 9 months following childbirth.

Social Insurance. Social insurance provides maternity benefits of 75 percent of earnings for 3 weeks before and 4 weeks after confinement. The employer is required to pay the remaining 25 percent. The fund is financed by the insured person, the employer, and the government, and covers industrial, commercial, and government employees.

El Salvador

Labor Law. When women in industry or commerce have less than 1 year of service, they are entitled to maternity leave on half salary for 1 month before and 1 month after confinement. If they have 1 year's service or more, they are entitled to a period of rest on half salary for 2 months before and 2 months after confinement.

In agricultural and animal husbandry work, women are entitled to 10 days' leave before and 20 days' leave after childbirth on full pay.

Social Insurance. If the worker is covered by the Salvadorian Institute of Social Insurance, she is entitled to maternity payments if she has been insured for at least 26 weeks during the 12 calendar months previous to the month in which the birth is supposed to occur. Wives of insured workers are also eligible. Payment of 75 percent of base pay is made during a period of 12 weeks within which the birth is to occur. Mother and child are attended in special institutions where they receive medical and surgical care. The fund is financed by the insured person, the employer, and the government.

Guatemala

Labor Law. Working mothers are granted paid leave for 1 month before and 45 days after confinement. This leave may be extended.

While they are nursing their children, they are entitled to two extra breaks from work daily of 1/2 hour each.

Social Insurance. Under the social insurance system established in 1946, maternity benefits are payable for 30 days before and 45 days after confinement at the rate of 100 percent of

LATIN AMERICA

earnings. The fund is financed by the insured person, the employer, and the government, and covers firms with five or more workers. At the present time maternity insurance is operative only in Guatemala Department (State).

Haiti

Labor Law. On producing a medical certificate indicating the presumed date of confinement, a woman is entitled to 12 weeks of maternity leave with pay. Four weeks must be taken before confinement and 6 weeks after; the remainder may be taken at either time.

According to the law of 1961, the Haitian Social Insurance Institution shall partly pay for the leave; the employer makes up the difference. Where social security does not apply, the employer must pay the maternity benefit.

Since the insurance scheme is not yet in effect, at the present time every woman is entitled to 6 weeks' paid maternity leave, 3 weeks before and 3 weeks after confinement, paid for by the employer.

Honduras

Labor Law. A woman worker is required to take maternity leave, compensated at the same rate as work, during 4 weeks preceding and 6 weeks after confinement, and retains reemployment and all other rights due her under the labor contract.

The remuneration due for compulsory leave is fixed on the basis of the average remuneration earned over the last 180 days (or some shorter period if the woman worker has not been employed for that length of time) reckoned from the date on which she ceases work.

An employer is required to grant a woman worker two breaks of 30 minutes each during the day, one in the morning and one in the afternoon, to feed her child.

Social Insurance. Social insurance legislation of 1959 provides for cash maternity benefits for employed women at the rate of two-thirds of earnings, payable for 6 weeks before and 6 weeks after confinement. The program currently operates in the central district (Tegucigalpa).

LATIN AMERICA

During pregnancy, the difference between the maternity allowance granted by the Honduran Social Security Institute and the remuneration due from the employer is paid by the employer. Where the woman is not covered by social insurance, the employer is liable for the entire amount.

Mexico

Labor Law. During the 3-month period prior to childbirth, women must not carry on work which requires considerable physical effort. In the month following, they have specific rest periods but still earn their whole salary and keep the job and the benefits which they acquired by contract. Women are entitled to a week of leave before the approximate date established for delivery and a month of leave afterwards, at their regular wage rate. During lactation they have two extra rest periods a day of 1/2 hour each to nurse their babies.

Women who are federal government employees have a month's leave before the approximate date which has been set for delivery and 2 months' leave afterwards. During lactation they have two extra rest periods a day of 1/2 hour each to nurse their babies.

Social Insurance. Under the social insurance system of 1942, as amended, workers receive a maternity benefit of 60 percent of earnings, according to wage class, payable for 42 days after confinement. The benefit is increased to 100 percent of earnings during the 7 days before and the 30 days after confinement. Workers also receive a nursing allowance of 25 percent of earnings, payable for up to 6 months after confinement, which may be provided in the form of free milk. The nursing allowance is provided also to wives of workers. A layette is furnished. The fund is financed by the insured person, the employer, and the government and covers employees, members of agricultural cooperatives, and pensioners. Domestic employees, family labor, and homeworkers are excluded. Railroad employees, miners, petroleum workers, and public employees have special systems.

Nicaragua

Labor Law. The Labor Code of 1945 contains special prohibitions and protections for pregnant women workers or nursing mothers. These women are entitled to 6 weeks of maternity leave before and 6 weeks after the birth of their child without loss of wages, and they may not be dismissed because of pregnancy or motherhood.

LATIN AMERICA

Social Insurance. Under regulations of the National Institute of Social Security (INSS), maternity benefits are granted in general to eligible women whether they themselves are workers covered by social security or whether they are the wives of workers covered by social security. These maternity benefits include prenatal, obstetrical, and postnatal medical and dental care, pharmaceutical and pediatric services, and maternity subsidies in kind. The cash maternity benefit for an eligible woman worker is 60 percent of earnings, payable for 6 weeks before and 6 weeks after confinement. It should be pointed out that INSS coverage does not extend outside the capital city of Managua.

Panama

Labor Law. The labor law of 1947 provides that every pregnant woman has maternity leave with pay for 6 weeks before and 8 weeks after her confinement. The employer pays the difference between the benefit provided by the Social Insurance Fund and the wages due the woman. This wage is calculated on the basis of average wages received during the last 180 days (or shorter period if the woman has not been employed for 180 days) reckoned from the day the woman ceases to work.

Every nursing mother is allowed a period of 15 minutes every 3 hours, or 1/2 hour twice a day, for nursing her child.

Social Insurance. Women who are covered by social security receive free medicine and hospitalization during pregnancy and confinement. A pregnant woman is entitled to 14 weeks' leave on half pay, 6 weeks before and 8 weeks after confinement. The Social Insurance Institute is liable for all 14 weeks' payment. The employer, as noted, makes up the difference. The plan is financed by the insured person, the employer, and the government.

Paraguay

Labor Law. According to article 129 of the Labor Code, a woman worker has the right to take maternity leave of absence, provided she presents a medical certificate issued by the Institute of Social Welfare which indicates that confinement probably will take place within the next 6 weeks. Except with a medical certificate of permission, she is not allowed to work during the 6 weeks after confinement.

Two periods of 1/2 hour each per day are provided for nursing the child. This rest is considered as a work period, and there is no deduction from salary.

LATIN AMERICA

Social Insurance. Social insurance provides maternity benefits of 50 percent of earnings, payable for 3 weeks before and 6 weeks after confinement. It also provides milk coupons if the mother is unable to nurse the child. This benefit is also available to wives of workers. It is financed by the insured person, the employer, and the government, and covers employees of private employers in specified urban districts, public employees throughout the country, and pensioners.

Peru

Labor Law. Women are not permitted to work for 20 days prior to and 40 days after confinement. Mothers are entitled to up to 1 hour daily away from their jobs in order to feed their babies.

Social Insurance. Social insurance provides maternity benefits for both wage earner and salaried worker. The wage earner receives 70 percent of wages, according to wage class, payable for 36 days before and 36 days after confinement. There is also a nursing allowance. The salaried worker receives benefits of three-sevenths of salary, payable for 6 weeks before and 6 weeks after confinement. There is also a nursing allowance. The separate systems for wage earners and salaried employees are financed by the insured person, the employer, and the government.

Uruguay

Social Insurance. Uruguayan law states that a mother must cease all work 6 weeks before childbirth and cannot begin working again until 6 weeks after.

Medical officials of the government's Family Benefits Agency determine the period when the work is to cease. If the prenatal period is longer than 6 weeks, no deduction from the later period is made. The same agency can extend these periods, with no final limit, in cases of need. Twelve weeks' salary is paid at the full rate, and any period extended by the agency is paid at 65 percent of the full rate.

Maternity benefits under social insurance are operative only in the capital city of Montevideo.

LATIN AMERICA

Venezuela

Labor Law. The labor law provides for maternity leave for 6 weeks preceding and 6 weeks following childbirth (or longer if a doctor certifies that it is necessary), with sufficient pay to maintain the mother and child. The pay or indemnity is based on the amount established by the social security provisions for maternity care. During this leave the woman retains her right to her job. Upon returning to her job, the mother has the right to two rest periods during the day of 1/2 hour each to nurse her child.

Social Insurance. Under the social insurance system of 1951, women are entitled to a maternity benefit of two-thirds of earnings, payable for 6 weeks before and 6 weeks after confinement. The program is financed by the employee, employer, and government, and covers employees in industry and commerce with earnings of 24,000 bolivars or less a year.

NEAR EAST AND SOUTH ASIA

Ceylon

Labor Law. The law of June 1962, which amended the Maternity Benefits Ordinance of 1956, requires that an employer pay a maternity benefit at a prescribed rate for 2 weeks before and 4 weeks after confinement to a woman who has worked for an employer for not less than 150 days during the year immediately preceding the date of her confinement. The employer may be authorized to provide a benefit in kind instead of in cash.

A 1957 amendment to the law covering women in shops or offices granted them 28 days' paid maternity leave. They could not be dismissed because of pregnancy or confinement nor employed on work injurious to themselves or their child for 3 months before and 3 months after confinement.

By 1958 coverage had been extended to all women workers employed for wages in any mine, factory, estate, or establishment employing more than five persons, including women in office work and casual labor. The 1958 amendment also prohibited termination of employment of a woman worker because of her pregnancy or confinement. Also prohibited was employment in work which would be injurious to her or her child for 3 months before and 3 months after confinement. The 1962 amendment qualified this period by excluding holidays.

Employers must allow women workers who nurse their children (up to 1 year of age) two nursing intervals of not less than 30 minutes each in any period of 9 working hours. This interval may be extended to 1 hour and is in addition to any intervals for meals or rest provided under legislation.

Cyprus

Social Insurance. The social insurance law of 1956 provides a cash maternity benefit for women employees and wives of covered workers. The fund is financed by the insured person, the employer, and the government; and covers all employees except on farms that employ less than five workers.

Egypt

Labor Law. The Labor Law of 1959 states that a woman worker may take maternity leave of 50 days which includes the period before and after confinement, provided she produces a medical certificate. No woman worker may be employed during the 40 days following confinement.

NEAR EAST AND SOUTH ASIA

The worker receives throughout the period of her maternity leave 70 percent of her wages from her employer, provided she has completed 7 consecutive months of work in the service of the same employer before the interruption of work.

No employer is allowed to dismiss a worker who is compelled to prolong her absence through an illness which is certified medically to be the result of pregnancy or confinement and renders her incapable of resuming work, provided that the total period of absence is not more than 6 months.

Throughout 18 months starting from date of confinement, a worker is entitled to two daily intervals of 1/2 hour each for nursing her child, in addition to the prescribed period of rest.

This law does not apply to women agricultural workers.

Government employees have their own system.

India

Maternity benefits and allowances are provided under a number of laws. The Employees State Insurance Act, 1948, provides up to 12 weeks of maternity allowance, with a formula which provides cash payment roughly equal to regular wages, plus hospitalization and medical treatment at an Employees State Insurance Corporation (ESIC) hospital or any other hospital approved by the ESIC.

The act applies to workers in all factories, other than seasonal factories, using power and employing 20 or more persons. It provides cash benefits, medical treatment, and hospitalization to employees and, in some instances, medical services to dependents. The program is financed by compulsory employer and employee contributions and is being implemented by stages in the various industrial areas of the country.

Most states of the Indian Union have legislation providing maternity benefits to women employees in factories. Employers in areas where the Employees State Insurance Act has been extended are absolved of direct liability under state maternity benefits acts. Scope of the various acts, qualifying conditions, periods, and rates of payment are not uniform.

Two other acts provide maternity benefits. The Mines Maternity Benefit Act, 1961, pays 12 annas per day for 8 weeks plus 3 rupees bonus if a worker uses the service of a qualified midwife. The Plantation Labour Act, 1951, provides 5.25 rupees per week for 12 weeks, plus full medical care free of charge.

NEAR EAST AND SOUTH ASIA

The Maternity Benefit Act, 1961, is intended to provide uniform maternity benefits and allowances throughout the states and is effective only when adopted by the individual states. It covers all government employees. It does not cover establishments where the provisions of the Employees State Insurance Act apply.

The Maternity Benefit Act, 1961, states that the qualifying condition for benefits is employment for 160 days in the 12 months preceding the expected date of delivery. The duration of benefits provided is 6 weeks before and 6 weeks after confinement, at the rate of the average daily wage for the 3 calendar months preceding the date the worker takes leave or 1 rupee a day, whichever is higher.

In addition, every beneficiary is entitled to receive from her employer a medical bonus if no medical care is provided by the employer free of charge.

Other provisions include two breaks for nursing until the baby is 15 months old and the prohibition of dismissal during or on account of absence from work during prenatal and postnatal periods.

Iran

Labor Law. The labor law of 1959 states that women are forbidden to work for 6 weeks before and 4 weeks after their confinement. They may not be dismissed during that time. Nursing mothers are granted a 1/2-hour break every 3 hours in order to nurse their children.

Social Insurance. Iran's current social security law governing maternity benefits was passed in 1960. It covers employees in industry and commerce. Funds are financed by the employee and the employer. To receive cash maternity benefits the employee must have contributed for 90 days in the 6 months prior to confinement. Maternity benefits are two-thirds of earnings, payable for up to 12 weeks before and after confinement, or a lump sum specified by the authorities. A layette is also furnished to the insured woman or the wife of an insured worker.

Iraq

Labor Law. No woman is permitted to work during the 3 weeks following her confinement. She has the right to leave work on producing a medical certificate confirming that her

NEAR EAST AND SOUTH ASIA

confinement probably will take place within 3 weeks. A worker may not be dismissed if she is absent from work on maternity leave for a longer period (not to exceed 12 weeks) with a medical certificate. A woman who is nursing her child is allowed 1/4 hour twice a day during her working hours for this purpose, and this time may not be deducted from her wages.

Social Insurance. The social insurance law of 1956 covers employees of firms with 30 or more workers. The fund, financed by the insured person, the employer, and the government, provides a small cash benefit to the insured worker or wife of the insured worker.

Israel

Labor Law. According to the Employment of Women Law, 5714 of 1954, women workers are granted 12 weeks' maternity leave, of which 6 weeks or less, as the worker chooses, may be before the estimated date of delivery and the remainder after delivery. This leave may be shortened with the consent of the worker and the approval of a physician if the child is not alive, provided that the leave includes not less than 3 weeks after delivery. The Minister of Labor specifies particular kinds of work in which the maternity leave preceding the estimated date of delivery is a period not exceeding 6 weeks.

A female worker who has had a miscarriage may be absent from work for 1 week after the miscarriage or, on certification by a physician, for a longer period not to exceed 6 weeks.

A woman is allowed to be absent from work during the months of pregnancy provided she has a physician's certificate. She is allowed to be absent from the expiration of the maternity leave until the expiration of 6 months from that date if a physician certifies that such absence is necessary as resulting from childbirth. If she has worked with the same employer or at the same place of employment for not less than 24 months in succession, she may be granted leave equal to one-fourth of the total time she has worked, not to exceed 12 months. This absence is counted as leave without pay and is not taken into account in determining seniority.

Employers may not employ a woman on maternity leave or dismiss a woman if she is pregnant, during maternity leave, or during absences for nursing.

A nursing mother is granted a rest break of 1 hour per day, to be taken in one or two periods, for the purpose of nursing.

NEAR EAST AND SOUTH ASIA

Jordan

Labor Law. Jordanian labor law (1960) provides pregnant women a maternity leave of 6 weeks as well as a maternity grant to be made by the employer. The maternity grant is equal to one-half the average wage of the woman worker for every day of the leave period. The average daily wage is equal to the total wages earned by the woman worker during the 3 months preceding the commencement of leave, divided by 90. To be eligible for this benefit a woman must have worked for the employer for at least 180 days during the 12 months immediately preceding confinement.

Lebanon

Labor Law. The Labor Code of 1946 states that in industry, commerce, agriculture (wage earners), or the professions, a woman with at least 2 years' service is entitled to a maternity leave of 40 days, to be taken partly before and partly after confinement. In no case may an employer allow a woman to resume work within less than 30 days following the date of confinement. A woman is paid her full wage during maternity leave. In addition, she may also take what annual leave is due her. A woman may not be dismissed during the period of confinement.

Nepal

Labor Law. The Nepal Factories and Factory Workers Act of 1959 and its Amendment Act of 1961, section 30, make specific mention of maternity benefits by providing that the factory owner make arrangements for pensions, provident funds, and maternity benefits for the factory workers. There are only about 12 factories in the whole country affected by this legislation, and out of a total factory labor force of about 5,000 possibly no more than 200 or 300 are women.

Pakistan

Labor Law. The West Pakistan Maternity Benefit Ordinance, 1958, applies to women factory workers and states that the maternity benefit shall be paid for the actual days of absence, including holidays and nonworking days, during the 6 weeks preceding childbirth and 6 weeks thereafter. The Bengal Maternity Benefit Act, 1939, applicable in East Pakistan, provides similar benefits and applies to all women workers. Plantation workers in East Pakistan are given the additional benefit of medical

NEAR EAST AND SOUTH ASIA

care under the East Bengal Maternity Benefit (Tea Estates) Act, 1950. The Mines Maternity Benefit Act, 1941, applicable to all of Pakistan, provides for 12 weeks of benefits for above-ground workers and 16 weeks for underground workers.

Social Insurance. The social insurance law of 1962 provides medical care during confinement. It also provides cash benefits to the insured woman for a period of 12 weeks, not more than 6 of which may precede confinement. The fund is financed by employers and employees at a ratio of two to one.

Turkey

Social Insurance. The maternity provision of the social security law of 1950 provides for benefits of 66-2/3 percent of earnings, payable for up to 6 weeks before and 6 weeks after confinement. There is also a nursing grant of 100 pounds. Under an act of June 1959, the qualifying period for entitlement to maternity benefits is 120 days in the last 12 months. The fund is financed by the insured person and the employer, and covers employees of firms with 10 or more workers and of those with 4 or more in specified industries in cities of 50,000 or over.

CANADA AND THE UNITED STATES

Canada

Labor Law. Two provinces have laws of general application governing maternity protection for women workers. One has legislation requiring 6 weeks' leave before confinement and prohibiting the employment of a woman for 6 weeks after childbirth. Another has legislation permitting regulations to be made prohibiting the employment of a woman on day shifts for 6 weeks before and 2 months after delivery and on night shifts throughout pregnancy and for 2 months after delivery.

The Federal Civil Service allows leave without pay for 2 months before and up to 6 months after birth of a child.

Three provinces have legislation providing for maternity leave for civil service employees. One allows leave without pay for 3 weeks up to 1 year. One allows special leave without pay up to 90 days if the employee has been employed for 2 years or more. The other province permits the use of up to 28 days of sick leave in cases of pregnancy.

Civil service employees in four provinces are allowed maternity leave as a matter of personnel policy rather than legislation. In one province the employee should resign, as priority is given for reemployment after the birth, but leave without pay can be granted. Another province allows 6 months' leave without pay and one suggests 2 months' leave before birth and 2 months' leave after, with the actual duration of leave depending on a physician's discretion. In the fourth province, policies differ from one department to another. Some request resignation and others allow maternity leave.

Several Federal Crown Corporations allow leave without pay. One allows substitution of sick leave. One corporation allows total leave of 3 months. Six months is the usual duration.

Provisions for maternity leave are also made in a few collective agreements. The period of leave varies from 3 months up to 1 year.

Social Insurance. Hospital insurance plans and medical care insurance plans are available within each province. Groups and individuals may subscribe on a contributory basis.

Every province has a government plan which makes hospital care, including maternity hospital care, available for low premiums.

CANADA AND THE UNITED STATES

One province has a government-sponsored medical care plan in which participation is compulsory for all residents. The remaining nine provinces have voluntary medical care programs which are sponsored by the medical profession on a nonprofit basis. These plans all include comprehensive medical services for maternity care. There is generally a waiting period of 8 to 9 months after enrollment before the maternity coverage becomes operative.

In seven provinces there are government-sponsored medical care programs for indigent residents which include maternity care.

The Federal Civil Service has available to its employees a group surgical-medical plan which gives maternity coverage immediately to persons who join the plan when first eligible. Otherwise, a waiting period of 9 months is required before maternity coverage is given.

United States

Millions of women in the United States are eligible for maternity benefits through health and insurance programs provided under voluntary plans or through legislative action. "Voluntary" plans are those originated and maintained by the voluntary action of private individuals or groups. They include a great variety of job-related prepayment or insurance plans and health programs that provide maternity care for women workers. Maternity leave may be the subject of specific union-management contract clauses (as distinguished from provisions in union-management negotiated health plans). The cost of these programs may be paid entirely by the employer, shared by employer and employees, or paid entirely by the employees.

About two-thirds of all workers are protected by employee health benefit plans of some type. Maternity benefits were provided by 90 percent of the plans that were negotiated between unions and management and by an unknown percentage of other job-related plans according to information published in 1960.

Connecticut, Massachusetts, Missouri, New York, Vermont, Washington, and Puerto Rico prohibit the employment of women in one or more industries or occupations immediately before and/or after childbirth. These standards are established by statute or by minimum-wage and welfare orders.

In addition to the prohibition of employment, Puerto Rico requires the employer to pay the working mother during an 8-week period one-half her regular wage or salary and provides for job security during the absence.

CANADA AND THE UNITED STATES

Rhode Island's Temporary Disability Insurance Act provides that women workers covered by the act are entitled to cash benefits for maternity leave 6 weeks before and 6 weeks after childbirth.

In New Jersey, the Temporary Disability Benefits Act provides that women workers to whom the act applies are entitled to cash payments for disability existing during the 4 weeks before and 4 weeks following childbirth.

The Federal Railroad Unemployment Insurance Act provides weekly cash maternity benefits to women in the railroad industry.



A DEPARTMENT OF LABOR INTERNATIONAL PUBLICATION

George L-P Weaver, Assistant Secretary, International Affairs