



## Governing Body

338th Session, Geneva, 12–26 March 2020

GB.338/LILS/2

**Legal Issues and International Labour Standards Section**  
*International Labour Standards and Human Rights Segment*

**LILS**

**Date:** 24 February 2020  
**Original:** English

### SECOND ITEM ON THE AGENDA

## Proposed form for reports to be requested under articles 19(5)(e) and 19(6)(d) of the ILO Constitution in 2021 on the instruments concerning equality of opportunity and treatment

#### Purpose of the document

In the present document, the Governing Body is invited to request governments to submit in 2021, under article 19 of the ILO Constitution, reports on certain instruments relevant to the strategic objective of fundamental principles and rights at work: the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and Recommendation, 1958 (No. 111), the Workers with Family Responsibilities Convention, 1981 (No. 156), and Recommendation (No. 165), as well as the Maternity Protection Convention, 2000 (No. 183), and Recommendation (No. 191), with a view to the preparation of the General Survey by the Committee of Experts on the Application of Conventions and Recommendations in 2021 and its discussion by the Conference Committee on the Application of Standards in 2022, and to approve the corresponding report form (see the draft decision in paragraph 4).

**Relevant strategic objective:** All.

**Main relevant outcome:** Outcome 2: Ratification and application of international labour standards.

**Policy implications:** None.

**Legal implications:** None.

**Financial implications:** The usual implications related to the preparation of a General Survey.

**Follow-up action required:** Implementation of Governing Body decisions.

**Author unit:** International Labour Standards Department (NORMES).

**Related documents:** GB.337/LILS/2; GB.337/LILS/PV.



1. At its 337th Session (October–November 2019), the Governing Body had before it a document concerning the choice of Conventions and Recommendations on which reports should be requested under article 19 of the ILO Constitution in 2021, with a view to the preparation of the annual General Survey in 2021 by the Committee of Experts on the Application of Conventions and Recommendations, for discussion by the Conference Committee on the Application of Standards in 2022.<sup>1</sup> The document presented three options aimed at aligning the topic of the General Survey with the corresponding recurrent discussion scheduled for 2023 on fundamental principles and rights at work, in accordance with the 2016 resolution of the International Labour Conference on Advancing Social Justice through Decent Work.<sup>2</sup>
2. The Governing Body decided that the General Survey to be prepared by the Committee of Experts in 2021 and submitted to the International Labour Conference in 2022 should focus on the second option proposed. The General Survey would therefore address six instruments relevant to the selected topic, specifically the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and Recommendation, 1958 (No. 111), the Workers with Family Responsibilities Convention, 1981 (No. 156), and Recommendation (No. 165), as well as the Maternity Protection Convention, 2000 (No. 183), and Recommendation (No. 191). In the discussions, it was further suggested that the General Survey would contribute to the reflection on how to best achieve gender equality at work through a transformative agenda, in line with the ILO's commitment in this regard, expressed in the Centenary Declaration for the Future of Work.<sup>3</sup>
3. The proposed questionnaire prepared by the Office aims to take into account the different views and concerns expressed at the 337th Session of the Governing Body. Accordingly, the Office proposes the requested report form (see appendix) to the Governing Body for its consideration and approval.

## Draft decision

### 4. *The Governing Body:*

- (a) *requested governments to submit reports for 2021, under article 19 of the ILO Constitution, on the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and Recommendation, 1958 (No. 111), the Workers with Family Responsibilities Convention, 1981 (No. 156), and Recommendation (No. 165), as well as the Maternity Protection Convention, 2000 (No. 183), and Recommendation (No. 191); and*
- (b) *approved the report form concerning these instruments set out in the appendix to document GB.338/LILS/2.*

<sup>1</sup> [GB.337/LILS/2](#).

<sup>2</sup> Paragraphs 15.1 and 15.2(b) of the 2016 [resolution on Advancing Social Justice through Decent Work](#), adopted by the International Labour Conference at its 105th Session (2016).

<sup>3</sup> [Centenary Declaration for the Future of Work](#).



## Appendix

**Appl. 19**  
**C.111, C.156, C.183, R.111, R.165 and R.191**

INTERNATIONAL LABOUR OFFICE

REPORTS ON  
UNRATIFIED CONVENTIONS AND RECOMMENDATIONS

*(article 19 of the Constitution of the  
International Labour Organisation)*

---

REPORT FORM FOR THE FOLLOWING INSTRUMENTS:

**Discrimination (Employment and Occupation) Convention, 1958 (No. 111)**

**Workers with Family Responsibilities Convention, 1981 (No. 156)**

**Maternity Protection Convention, 2000 (No. 183)**

**Discrimination (Employment and Occupation) Recommendation, 1958 (No. 111)**

**Workers with Family Responsibilities Recommendation, 1981 (No. 165)**

**Maternity Protection Recommendation, 2000 (No. 191)**

Geneva

2020

*Article 19 of the Constitution of the International Labour Organization relates to the adoption of Conventions and Recommendations by the Conference, as well as to the obligations resulting therefrom for the Members of the Organization. The relevant provisions of paragraphs 5, 6 and 7 of this article read as follows:*

5. In the case of a Convention:

...

- (e) if the Member does not obtain the consent of the authority or authorities within whose competence the matter lies, no further obligation shall rest upon the Member except that it shall report to the Director-General of the International Labour Office, at appropriate intervals as requested by the Governing Body, the position of its law and practice in regard to the matters dealt with in the Convention, showing the extent to which effect has been given, or is proposed to be given, to any of the provisions of the Convention by legislation, administrative action, collective agreement or otherwise and stating the difficulties which prevent or delay the ratification of such Convention.

6. In the case of a Recommendation:

...

- (d) apart from bringing the Recommendation before the said competent authority or authorities, no further obligation shall rest upon the Members, except that they shall report to the Director-General of the International Labour Office, at appropriate intervals as requested by the Governing Body, the position of the law and practice in their country in regard to the matters dealt with in the Recommendation, showing the extent to which effect has been given, or is proposed to be given, to the provisions of the Recommendation and such modifications of these provisions as it has been found or may be found necessary to make in adopting or applying them.

7. In the case of a federal State, the following provisions shall apply:

- (a) in respect of Conventions and Recommendations which the federal Government regards as appropriate under its constitutional system for federal action, the obligations of the federal State shall be the same as those of Members which are not federal States;
- (b) in respect of Conventions and Recommendations which the federal Government regards as appropriate under its constitutional system, in whole or in part, for action by the constituent states, provinces or cantons rather than for federal action, the federal Government shall:

...

- (iv) in respect of each such Convention which it has not ratified, report to the Director-General of the International Labour Office, at appropriate intervals as requested by the Governing Body, the position of the law and practice of the federation and its constituent states, provinces or cantons in regard to the Convention, showing the extent to which effect has been given, or is proposed to be given, to any of the provisions of the Convention by legislation, administrative action, collective agreement, or otherwise;
- (v) in respect of each such Recommendation, report to the Director-General of the International Labour Office, at appropriate intervals as requested by the Governing Body, the position of the law and practice of the federation and its constituent states, provinces or cantons in regard to the Recommendation, showing the extent to which effect has been given, or is proposed to be given, to the provisions of the Recommendation and such modifications of these provisions as have been found or may be found necessary in adopting or applying them.

*In accordance with the above provisions, the Governing Body of the International Labour Office examined and approved the present report form. This has been drawn up in such a manner as to facilitate the supply of the required information on uniform lines.*

## REPORT

to be made no later than 28 February 2021, in accordance with article 19 of the Constitution of the International Labour Organization by the Government of ....., on the position of national law and practice in regard to matters dealt with in the instruments referred to in the following questionnaire.

Workers' and employers' organizations may send comments no later than 30 June 2021.

\* \* \*

### Context and scope of the questions

At its 337th Session in October–November 2019, the Governing Body requested the Office to prepare for its consideration at its 338th Session (March 2020) the article 19 report form on six instruments: the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and Recommendation, 1958 (No. 111), the Workers with Family Responsibilities Convention, 1981 (No. 156), and Recommendation (No. 165), as well as the Maternity Protection Convention, 2000 (No. 183) and Recommendation (No. 191), for a General Survey to be prepared by the Committee of Experts on the Application of Conventions and Recommendations (CEACR) in 2021 to be discussed by the Conference Committee on the Application of Standards in 2022.

During the discussion, the Governing Body stressed that the General Survey would contribute to the reflection on how to best achieve gender equality at work, in line with the ILO's commitment in this regard, expressed in the Centenary Declaration for the Future of Work.

The General Survey will provide a comprehensive overview of the legislation and national policies in place with regard to the six instruments in ILO member States (Part I). Moreover, the General Survey will shed light on how the specific labour and employment rights provided under the six instruments under examination are enabling factors towards achieving gender equality (Part II). It will also highlight the importance of raising awareness on the principles enshrined in these six instruments and of establishing appropriate enforcement and monitoring mechanisms, to ensure their effective application (Part III). Further, the General Survey will be an opportunity to contribute to a better understanding of the provisions both in law and in practice of the above-mentioned instruments; the challenges and opportunities in their application, and will encourage the sharing of experiences and good practices among ILO member States.

The present questionnaire has also been prepared in the light of the ILO Declaration on Social Justice for a Fair Globalization and its follow-up. Account has been taken of the fact that “[t]his follow-up seeks to make the fullest possible use of all the means of action provided under the Constitution of the ILO to fulfil its mandate. Some of the measures to assist the Members may entail some adaptation of existing modalities of application of article 19, paragraphs 5(e) and 6(d), of the ILO Constitution, without increasing the reporting obligations of member States”. For instance, by grouping and focusing on instruments related to a specific strategic objective, General Surveys may provide an overview on the law and practice in ILO member States concerning certain instruments and feed into the recurrent discussions with relevant information on the trends and practices in relation to a given strategic objective.

Lastly, the General Survey will enable the ILO member States to assess the contribution of these standards to the achievement of the 2030 Agenda for Sustainable Development, through the realization of multiple Sustainable Development Goals (SDGs), notably 1 (No

poverty), 3 (Good health and well-being), 5 (Gender equality) and 8 (Decent work and economic growth). It will also inform the preparation of the recurrent discussion on fundamental principles and rights at work by the Conference in 2023 and depending on when the SRM TWG chooses to review the maternity protection instruments, could either feed into the SRM TWG discussion or follow up on it.

\* \* \*

The following questions relate to issues covered by Conventions Nos 111, 156, 183, and Recommendations Nos 111, 165 and 191.

In order to keep the present questionnaire specific, brief and focused, as requested during the November 2019 Governing Body discussion, it is limited to 32 questions. Consequently, questions are not presented instrument by instrument (or article by article). Rather, they focus on the common topics raised by the different instruments, each time identifying the provisions of the instruments to which they refer. In addition, since gender equality and maternity protection are key components of the transformative policies called for in the 2030 Agenda for Sustainable Development and contribute to a number of SDGs, notably Goals 5 (Gender equality) and 8 (Decent work and economic growth), a question on the SDGs and Beijing +25<sup>1</sup> has also been included.

**As appropriate, please give a specific reference (weblink) or include information relating to the provisions of the relevant legislation, regulations, collective agreements, work rules, arbitration awards, court decisions and policies, as well as electronic copies thereof.**

<sup>1</sup>In 2020, the global community will mark the twenty-fifth anniversary of the Fourth World Conference on Women and adoption of the Beijing Declaration and Platform for Action (1995). A five-year milestone will be reached towards achieving the Sustainable Development Goals of the 2030 Agenda for Sustainable Development. 2020 is therefore a pivotal year for the accelerated realization of gender equality and the empowerment of all women and girls, everywhere. The 64th session of the Commission on the Status of Women is planned to take place at the United Nations Headquarters in New York from 9 to 20 March 2020. The main focus of the session will be on the review and appraisal of the implementation of the Beijing Declaration and Platform for Action and the outcomes of the twenty-third special session of the General Assembly. The review will include an assessment of current challenges that affect the implementation of the Platform for Action and the achievement of gender equality and the empowerment of women and its contribution towards the full realization of the 2030 Agenda for Sustainable Development.



## Article 19 report form concerning gender equality and non-discrimination, family responsibilities, and maternity protection

### Notes

1. Governments of countries which have ratified one or several of the Conventions and from which a report is due under article 22 of the Constitution will use the present form only with regard to the Conventions not ratified, if any, and the Recommendations. It will not be necessary to repeat information already provided in reports under article 22 in connection with the Conventions ratified. *The questions contained under the titles “Standard-setting action” and “Possible need for technical assistance” are addressed to all member States.*
2. Unless defined differently in the instruments covered by this report form, when reference is made to “national legislation” or “provisions”, this should be understood as including laws, regulations, policies, collective agreements, court decisions or arbitration awards.
3. When reference is made to “workers with family responsibilities”, this should not be understood as referring only to women.
4. Where the national legislation or other provisions do not cover issues raised in this questionnaire, please provide information on current and emerging practices.

### Part I. Legal and institutional framework on gender equality and non-discrimination

NATIONAL LEGISLATION ON NON-DISCRIMINATION		
1.	<p>Please indicate the provisions in the Constitution and in the national legislation preventing and prohibiting direct and indirect discrimination in employment and occupation, specifying:</p> <ul style="list-style-type: none"> <li>■ whether these provisions include a definition of direct and indirect discrimination, indicating the grounds covered [C.111: Art. 1(1)(a)–(b); R.111: Para. 1];</li> <li>■ whether these provisions cover discrimination on the following additional grounds: sex, gender, maternity, marital status, family situation and family responsibilities (including future or potential) [C.111: Art. 1(1)(a)–(b); R.111: Para. 1; C.156: Arts 2–3; R.165: Paras 1–2, 6–8 and 15–16; C.183: Art. 9(1); R.191: Para. 5]; and</li> <li>■ whether the legislation includes specific provisions to address discrimination based on one of the above-mentioned grounds in combination with additional grounds – i.e. multiple discrimination per se (e.g. situations where workers, in particular migrant workers and workers from ethnic minorities, are discriminated against based on their family responsibilities, in addition to their colour and national extraction, etc.).</li> </ul>	<p>C.111: Art. 1 R.111: Part I C.156: Arts 2–3 R.165: Paras 1–2, 6–8 and 15–16 C.183: Art. 9 R.191: Para. 5</p>
2.	<p>Please indicate any laws or regulations that limit the type of work individuals can do or exclude them from certain occupations, or otherwise limit their access to or continuation in employment (e.g. the prohibition of women’s work at night, the requirement of prior approval for work from their spouse, the prohibition of certain jobs, etc.).</p>	<p>C.111: Arts 1 and 5</p>
3.	<p>Please indicate the provisions in the national legislation preventing and prohibiting sexual harassment at work, which is a form of sex discrimination (indicating whether the protection covers both quid pro quo harassment and harassment in the form of a hostile work environment).</p>	<p>C.111: Art. 1(1)(a)</p>

### NATIONAL POLICIES TO ACHIEVE GENDER EQUALITY

4.	Please indicate whether your country has adopted national policies as described in C.111 and R.111 (national equality policy), and C.156 and R.165 (national policies to enable persons with family responsibilities to exercise their employment rights without discrimination and without conflicts with their family responsibilities). If so, please briefly summarize your country's policies and explain how they are periodically evaluated and reviewed.	C.111: Arts 2–3 and 5 R.111: Part II C.156: Arts 3–4 and 9 R.165: Paras 6–11
5.	Please indicate whether these policies: <ul style="list-style-type: none"> <li>■ address specifically discrimination on the grounds of sex, gender, maternity, marital status, family situation, or family responsibilities (including future or potential family responsibilities) [C.111: Arts 2 and 3; R.165: Paras 6–8];</li> <li>■ cover discrimination based on one of the above-mentioned grounds in combination with other grounds – i.e. multiple discrimination;</li> <li>■ encourage gender equality and the sharing of family responsibilities between women and men [C.156: Art. 3(1)–(2); R.165: Paras 9–10 and 11(b)];</li> <li>■ apply to both the public and private sectors and cover all workers [C.111: Art. 2; C.156: Art. 2]; and</li> <li>■ include social security and fiscal measures that take into account the situation of workers with family responsibilities (e.g. family benefits, crediting of pension rights for periods of leave, consideration of family responsibilities in determining requirements of unemployment benefits) [C.156: Art. 4(b); R.165: Para. 27].</li> </ul>	C.111: Arts 2–3 C.156: Arts 2–3 R.165: Paras 6–11 and 27
6.	Please indicate any special measures (such as positive or affirmative action measures) that have been adopted in favour of certain groups in disadvantaged positions (e.g. women and/or workers with family responsibilities).	C.111: Art. 2 R.165: Para. 8
7.	Please indicate whether and, if so, how workers and employers' organizations participate in the elaboration, evaluation and review of these policies, and the role of workers and employers and their respective organizations in the implementation of these policies.	C.111: Arts 3(a) and 5(2) R.111: Para. 2 C.156: Art. 11 R.165: Para. 5
8.	Please indicate any definition given in your country to the terms “child” and “woman” in the context of the implementation of maternity protection measures. Please specify which are the categories of women to whom such measures apply, whether any provisions or measures have been taken or envisaged for the protection of women in atypical forms of dependant work <sup>1</sup> (e.g. home work, casual work, temporary work, etc.), and whether there are any categories of workers excluded from these measures as well as the reasons for their exclusion.	C.183: Arts 1–2
9.	Please indicate the definition given in your country to the terms “dependent child” and “other member of the immediate family who clearly needs care or support” in the context of any measures adopted to ensure that terms and conditions of employment are such as to enable workers with family responsibilities to reconcile their employment and family responsibilities.	C.156: Arts 1(3) and 9 R.165: Paras 3 and 17

<sup>1</sup> See Article 2(1) of Convention No.183. “Women in atypical forms of dependent work” can comprise those who are working without a written employment contract, those in disguised employment, those working in export processing zones, as well as those working in the informal economy.

10.	<p>Please indicate whether the following information is collected (and if so, please communicate such information):</p> <ul style="list-style-type: none"> <li>■ statistics on the number of women in employment, including information on the number of women in atypical forms of dependent work (e.g. home work, casual work, temporary work, etc.) [C.183: Art. 1];</li> <li>■ statistics on the number of women and men in employment by parental status, number and age of children, household composition, including information on related working conditions (e.g. occupation, industry, type of contract, public/private, number of hours of work, earnings) [R.165, Paras 17–18];</li> <li>■ statistics on the number of hours spent in unpaid care work disaggregated by sex, parental and family situation, number and age of children [R.165: Paras 24–25];</li> <li>■ statistics disaggregated by sex on the number of cases of discrimination brought to court (in particular based on the grounds of sex, gender, maternity, marital status, family situation or family responsibilities), the number of complaints filed and the follow up given to these complaints (outcome, sanctions imposed and reparations awarded) [C.111: Arts 1–3; ; R.111: Para. 1; C.156: Art. 3; R.165: Paras 6–8; C.183: Arts 8–9; R.191: Para. 5];</li> <li>■ statistics on the distribution of men and women in the public and the private sector, by earnings levels, branches of economic activity and occupational categories, type and level of education/qualification, management and leadership positions, seniority and age groups [C.111];</li> <li>■ statistics on the number of workers with family responsibilities collected to ascertain their needs and preferences for childcare and family services and facilities, and home-help and home-care; [C.156: Art. 5; and R.165: Paras 24–26]</li> <li>■ statistics disaggregated by sex on the number of workers eligible for maternity related, family or care leave, and the number of workers benefiting from such leave [R.165: Paras 22–23; C.183: Arts 3–4; R.191: Paras 1 and 10];</li> <li>■ statistics on the number of workers in part time employment, and on other flexible arrangements as regards working schedule rest periods, excessive working hours and holidays, disaggregated by age and sex [C.111: Art. 1; R.165: Para. 21];</li> <li>■ any other research conducted on non-discrimination (in particular based on the grounds of sex, gender, maternity, marital status, family situation or family responsibilities) and gender equality in employment and occupation [R.165: Para. 21]; and</li> <li>■ any other research conducted on the sharing of family responsibilities between men and women [R.165: Para. 11(b)].</li> </ul>	<p>C.111: Arts 1–3  R.111: Para. 1  C.156: Arts 3–5  R.165: Paras 6–11, 17–18 and 21–26  C.183: Arts 1, 3–4, 6 and 8–9  R.191: Paras 1, 5 and 10</p>
-----	--	--

## Part II. Achieving gender equality through employment and labour rights

<b>RIGHT TO EQUAL ACCESS TO EMPLOYMENT AND OCCUPATION</b>		
11.	<p><b>Equal access to training</b></p> <p>Please indicate the legislative or other measures taken to promote girls and women’s access to education, training, and employment counselling, and information on the programmes and policies in place to improve women’s (and men’s) access to a wider range of jobs (e.g. training of women in non-traditionally “female” sectors).</p>	<p>C.111: Arts 1(3), 3(b) and 5  R.111: Paras 1(3) and 2(b)(i)–(ii)</p>
12.	<p>Please communicate information on the services available to workers with family responsibilities with regard to their right to vocational training, and to provide them with counselling and information, placement services and paid educational leave arrangements (specifying whether the services are free of charge to the workers).</p>	<p>C.156: Arts 4(a) and 7  R.165: Paras 9(a) and 12–14</p>

13.	<p><b>Equal access to employment and occupation</b></p> <p>Please indicate the legislative and other measures taken (including applicable sanctions and court decisions) to ensure that sex, gender, maternity, marital status, family situation and family responsibilities (present or potential) do not constitute direct or indirect reasons for:</p> <ul style="list-style-type: none"> <li>■ refusal of employment [R.111: Paras 1 and 2(b)(i)–(ii); C.156: Art. 3; R.165: Paras 6–8; C.183: Art. 9];</li> <li>■ refusal of advancement and benefits within employment [R.111: Para. 2(b)(iii)–(vi); C.156: Art. 3; R.165: Paras 6–8 and 15; C.183: Art. 9]; and</li> <li>■ termination of employment [C.156: Art. 8; R.165: Para. 16; C.183: Art. 8(1)].</li> </ul> <p>(For example, measures to prohibit mandatory pregnancy tests except where required by national legislation in respect of work that is prohibited or restricted for pregnant or nursing women or where there is a significant risk to the health of the women and child, measures to prohibit personal questions during interview processes and during employment, measures on the non-disclosure of previous salary information, etc.).</p>	<p>C.111: Art. 1  R.111: Paras 1–3  C.156: Arts 3 and 8  R.165: Paras 6–8 and 15–16  C.183: Arts 8(1) and 9</p>
14.	<p>Please indicate whether it is unlawful for an employer to terminate the employment of a woman during her pregnancy or absence on pregnancy or childbirth related leave or during a period following her return to work (except on grounds unrelated to maternity), as well as the duration of that period, as applicable. Please indicate the relevant legal and procedural measures by virtue of which such protection is provided, including remedies afforded in case of unjust dismissal. Please indicate whether the burden of proving that the reasons for dismissal are unrelated to maternity shall rest on the employer.</p>	<p>C.183: Art. 8(1)</p>
<b>RIGHT TO TAKE LEAVE</b>		
15.	<p><b>Leave related to maternity</b></p> <p>Please indicate whether workers are entitled to the following leave:</p> <ul style="list-style-type: none"> <li>■ leave for medical examination related to pregnancy [R.191: Para. 6(6)];</li> <li>■ leave in case of illness, complications or risk of complications arising out of pregnancy or childbirth [C.183: Art. 5]; and</li> <li>■ maternity leave [C.183: Art. 4; R.191: Para. 1].</li> </ul> <p>Please specify the duration of maternity leave before and after childbirth, and whether the period of leave after childbirth includes a compulsory six-week period (if such period is less than six weeks, please indicate whether it has been agreed at the national level by the government and the representative organizations or employers and workers) [C.183: Art. 4(4)].</p> <p>Please indicate whether the appropriateness of extending the period of maternity leave is examined periodically in consultation with the representative organizations of employers and workers [C.183: Art. 11].</p> <p><b>Related types of leave</b></p> <p>Please indicate whether workers are entitled to the following leave:</p> <ul style="list-style-type: none"> <li>■ in the case of death of the mother before the expiry of postnatal leave, is the employed father of the child entitled to take leave of a duration equal to the unexpired portion of the postnatal maternity leave? [R.191: Para. 10(1)];</li> <li>■ in the case of sickness or hospitalization of the mother after childbirth and before the expiry of postnatal leave, and where the mother cannot look after the child, is the employed father of the child entitled to leave of a duration equal to the unexpired portion of the postnatal maternity leave to look after the child? [R.191: Para. 10(2)];</li> <li>■ leave for adoptive parents to look after their child [R.191: Para. 10(5)]; and</li> <li>■ paternity leave.</li> </ul>	<p>C.183: Arts 4–5 and 11  R.191: Paras 1, 6(6) and 10(1), (2) and (5)</p>

16.	<p><b>Other leave to meet family responsibilities</b></p> <p>Please indicate whether workers are entitled to other leave to meet family responsibilities, such as:</p> <ul style="list-style-type: none"> <li>■ parental leave [R.165: Para. 22; R.191: Para. 10(3)];</li> <li>■ leave in case of illness of family members [R.165: Para. 23]; and</li> <li>■ other types of leave to meet family responsibilities (such as leave in cases of deaths, accidents, or disability of family members).</li> </ul>	<p>C.156: Art. 4 R.165: Paras 22–23 R.191: Para. 10(3)</p>
17.	<p>Please indicate for each types of leave referred to in questions 15 and 16: the duration of the leave periods, the conditions of eligibility to the leave, the basis upon which the leave is granted, and other modalities of the leave (such as the use and distribution of leave between parents).</p> <p>Please also indicate the measures taken to safeguard the employment and social security rights of workers who take the leave (e.g. the crediting of pension rights for such periods), and any measures taken to encourage men and women workers to take such leave.</p>	<p>C.156: Art. 4 R.165: Paras 22–23 C.183: Arts 4–5 R.191: Paras 1, 6(6) and 10</p>
<b>BENEFITS</b>		
18.	<p><b>Cash benefits during leave</b></p> <p>Please indicate whether any financial compensation, cash benefits or other type of income support is provided to workers during periods of leave of absence referred to in questions 15 and 16, by any of the following means or a combination thereof:</p> <ul style="list-style-type: none"> <li>■ compulsory social insurance;</li> <li>■ public funds;</li> <li>■ the employer;</li> <li>■ social assistance funds;</li> <li>■ tax relief and other fiscal measures; and</li> <li>■ other means as determined by national law and practice.</li> </ul> <p>Please indicate, for each of the means used, the conditions to qualify, the categories of workers, including those in atypical forms of dependent work, to which the conditions apply, the share of contribution, payroll tax or payment borne by those who finance the benefits (e.g. workers, employers, the State), as well as the methods used to determine the amount or level of cash benefits and the rates payable.</p> <p>Please indicate whether contributions due under compulsory social insurance or taxes on payroll raised to finance maternity benefits are paid by and in respect of the total number of men and women employed, without distinction of sex. [R.191: Para. 4]</p>	<p>C.156: Art. 4(b) R.165: Paras 27–28 C.183: Art. 6(1)–(6) and (8) R.191: Paras 2 and 4</p>
19.	<p><b>Maternity medical care benefits</b></p> <p>Please indicate whether medical care is provided for women and their children during maternity, and specify whether:</p> <ul style="list-style-type: none"> <li>■ such care includes prenatal, childbirth and postnatal care and hospitalization care when necessary;</li> <li>■ by which means such medical care is financed; and</li> <li>■ whether women have to share in the costs thereof and, where applicable, the rules concerning such cost sharing.</li> </ul>	<p>C.183: Art. 6(7) R.191: Paras 3–4</p>

<b>RETURN TO EMPLOYMENT</b>		
20.	<p><b>After maternity or adoption leave</b></p> <p>Please indicate whether any measures of a legal and procedural nature have been adopted to ensure that women and adoptive parents, as the case may be, are guaranteed the right to return to the same position or an equivalent position paid at the same rate at the end of their maternity or adoption leave.</p>	<p>C.183: Art. 8(2) R.191: Paras 5 and 10(5)</p>
21.	<p><b>After other types of leave to meet family responsibilities</b></p> <p>Please indicate whether any measures have been adopted to ensure that workers who take parental leave do so without relinquishing employment and with their rights resulting from employment being safeguarded. Please specify whether these measures also apply to the other types of leave referred to in questions 15 and 16.</p>	<p>C.111: Art. 1 R.111: Paras 1–3 C.156: Arts 3–4 and 8 R.165: Para. 22</p>
<b>OTHER RIGHTS TO RECONCILE WORK AND FAMILY RESPONSIBILITIES</b>		
22.	<p><b>Health protection</b></p> <p>Please indicate the legislative and practical measures taken to ensure that pregnant or breastfeeding women are not obliged to perform work, which has been determined to be prejudicial to the health of the mother or the child [C.183: Art. 3; R.191: Para. 6(1)], specifying whether:</p> <ul style="list-style-type: none"> <li>■ alternatives are available to pregnant and breastfeeding mothers where the work they perform entails a significant risk for their health or their child's without loss of pay [R.191: Para. 6(2)–(4)]; and</li> <li>■ whether women retain a right to return to their jobs or an equivalent job as soon as it is safe for them to do so [R.191: Para. 6(5)].</li> </ul>	<p>C.183: Art. 3 R.191: Para. 6</p>
23.	<p><b>Work arrangements</b></p> <p><b>Measures to facilitate nursing</b></p> <p>Please indicate:</p> <ul style="list-style-type: none"> <li>■ whether the national legislation provides for the right to women to one or more daily breaks or a daily reduction of hours of work to breastfeed her child [C.183: Art. 10(1)];</li> <li>■ the daily arrangement of working time prescribed for such purposes (including the period during which nursing breaks or the reduction of daily hours of work are allowed, their number, the duration of nursing breaks and the procedures for the reduction of daily hours of work), and whether the frequency and length of nursing breaks can be adapted to particular needs [C.183: Art. 10(2); R.191: Paras 7–8];</li> <li>■ whether these breaks or reduction of daily hours are counted as working time and remunerated accordingly [C.183: Art. 10(2)];</li> <li>■ whether fathers are entitled to breaks to feed their baby, in the event that the mother is unable to do so (e.g. for health reasons or because she has died following childbirth), as well as the modalities of such breaks;</li> <li>■ whether adoptive parents are entitled to breaks to feed their baby, as well as the modalities of such breaks; and</li> <li>■ whether provision is made under national law or practice for the establishment of facilities for nursing under adequate hygienic conditions at or near the workplace [R.191: Para. 9].</li> </ul>	<p>C.183: Art. 10 R.191: Paras 7–9</p>

24.	<p><b>Other work arrangements to reconcile work and family responsibilities</b></p> <p>Please indicate any measures taken to ensure that terms and conditions of employment are such as to enable workers to reconcile their work and family responsibilities [R.165: Para. 17]. In this regard, please indicate:</p> <ul style="list-style-type: none"> <li>■ the extent to which measures have been taken to reduce daily working hours and overtime, provide more flexible arrangements in working schedules, rest periods and holidays, and to take family responsibilities into consideration in the assignment of shift and night work and when transferring workers from one locality to another [R.165: Paras 18–20];</li> <li>■ whether these measures cover all workers with family responsibilities (e.g. fathers, adoptive parents, etc.);</li> <li>■ the extent to which measure have been taken to ensure that the terms and conditions of employment, including social security coverage, of part-time and temporary workers, are, to the extent possible, equivalent to those of full-time and permanent workers respectively (and in appropriate cases that their entitlement is calculated on a pro-rata basis) [R.165: Para. 21(1)–(2)];</li> <li>■ the extent to which measures have been taken to give the option to part-time workers to obtain or return to full-time employment when a vacancy exists and when the circumstances which determined assignment to part-time employment no longer exist [R.165:Para. 21(3)]; and</li> <li>■ whether these measures are provided for under national legislation, collective agreements, work rules, or through any other means.</li> </ul>	C.156: Art. 4 R.165: Paras 17–21
25.	<p><b>Services (childcare and family services and facilities, home-help and home-care services)</b></p> <p>Please provide detailed information on the measures taken to take account of the needs of workers with family responsibilities in community planning. In particular, please provide information on the measures taken to:</p> <ul style="list-style-type: none"> <li>■ develop childcare and family services and facilities, as well as home-help and home-care services (e.g. information on: the number of childcare and family services and facilities available in the country (including long-term facilities such as facilities and services for persons with disabilities and their families), their geographical distribution, how they are organized and staffed, the cost and method of payment, etc.) [R.165: Paras 25–26 and 33]; and</li> <li>■ promote the provision of services in the community, such as public transport, supply of water and energy in or near workers housing with labour-saving layout [R.165: Para. 34].</li> </ul>	C.156: Arts 4–5 R.165: Paras 25–26, and 32–34

### Part III. Ensuring gender equality in employment and occupation

RAISING AWARENESS ON GENDER EQUALITY		
26.	<p><b>Mainstreaming a culture of gender equality and non-discrimination</b></p> <p>Please describe the measures taken to promote information and education, which engender a broad public understanding of the principle of gender equality and of the problems faced by women workers and workers with family responsibilities, including information on:</p> <ul style="list-style-type: none"> <li>■ the measures taken to address stereotypes which promote the exclusions of girls/women from certain educational programmes/opportunities [C.111: Art. 3(b); C.156: Art. 6; R.165: Para. 10];</li> <li>■ the relevant public awareness raising campaigns and activities conducted [C.111: Art. 3(b); C.156: Art. 6; R.165: Para. 10];</li> <li>■ the research undertaken to provide objective information on which relevant policies and measures may be based [R.165: Paras 11(a) and 24(a)];</li> </ul>	C.111: Art. 3 R.111: Paras 2–5 C.156: Arts 6 and 11 R.165: Paras 5, 10–11, 24 and 34

	<ul style="list-style-type: none"> <li>■ educational activities that encourage the sharing of family responsibilities between men and women [R.165: Para. 11(b)]; and</li> <li>■ promote the provision of services in the community, such as public transport, supply of water and energy in or near workers housing with labour-saving layout, responsive to the needs of workers [R.165: Para. 34]</li> </ul> <p>Please indicate the role of employers' and workers' organizations in promoting understanding, acceptance and the realization of the principle of gender equality [C.111: Art. 3; C.156: Art. 11; R.165: Para. 5].</p>	
<b>ENFORCEMENT AND MONITORING</b>		
27.	<p><b>Law enforcement and monitoring mechanisms</b></p> <p>Please indicate how it is ensured that the laws and policies addressing discrimination (in particular based on sex, gender, maternity, marital status, family situation, and family responsibilities), and promoting gender equality, are effectively monitored and enforced in practice.</p> <p>In particular, please provide information on relevant activities of the following institutions:</p> <ul style="list-style-type: none"> <li>■ the labour inspectorate (e.g. trainings on gender equality, creation of special labour inspectorate task forces on gender equality, etc.);</li> <li>■ equality or other specialized bodies (including information on their mandate, their functioning and their accessibility to the workers);</li> <li>■ courts (including information on whether any special procedural arrangements may apply such as special constitutional procedures; the reversal of the burden of proof; and on whether specific references to the ILS covered by this questionnaire have been made in court decisions); and</li> <li>■ other bodies competent to address dispute prevention and resolution (e.g. Ombudsperson, etc.).</li> </ul> <p>Please provide information on the manner in which the participation of employers' and workers' organizations is ensured in practice in equality or other specialized bodies.</p>	<p>C.111: Art. 3 R.111: Para. 10 C.156: Art. 9 C.183: Art. 12</p>
<b>THE WAY FORWARD</b>		
28.	<p>Please provide information on your country's strategy (e.g. national plan) for the attainment of the Sustainable Development Goals (SDGs), in particular SDG 5 – Achieve gender equality and employer all women and girls, and on the national reviews that may have neem conducted on the implementation of the Beijing Declaration and Platform for Action for Beijing +25.</p>	
29.	<p><b>Prospects for and obstacles to ratification</b></p> <p>Please provide information on any prospects of ratification and identify the challenges or obstacles regarding the possible ratification any of the Conventions covered by the questionnaire (Nos 111, 156 and 183), and indicate any measures taken or envisaged to overcome these obstacles (indicating any difficulties presented by the Conventions, in legislation or national practice, or any other reasons which prevent or delay the ratification).</p>	
30.	<p><b>Standard-setting action</b></p> <p>Are there any existing gaps or inconsistencies that should be addressed by future standard-setting discussions in regard to the instruments to which this questionnaire relates.</p>	



31.	<b>Possible need for technical assistance</b> Please indicate whether your country has formulated any requests for technical assistance by the ILO to give effect to the provisions of the instruments covered by this questionnaire? If, so please provide information on the effect of this support. Please also indicate the manner in which the ILO could best provide appropriate assistance within its mandate to support countries' efforts to promote gender equality at work.	
32.	Please indicate the representative employers' or workers' organizations to which copies of the present questionnaire have been communicated in accordance with article 23(2) of the ILO Constitution and indicate whether you have received observations from such organizations concerning the effect given, or to be given, to any of the instruments to which this questionnaire relates. If so, please communicate a copy of the observations received together with any comments that you may consider useful.	