



► Research Brief

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Promoting Care at Work in Ethiopia

The availability and adequacy of care policies in the garment sector

Key points

- ▶ Despite some recent improvements in Ethiopia's national legislation, there is significant misalignment between the maternity protection and care practices offered by Ethiopian garment factories and garment workers' awareness of and understanding of these policies. Factories' practices are also not always in alignment with national law.
- ▶ Not all garment factories have workplace maternity protection or care policies, with just 36 per cent of surveyed garment workers saying their factory has such a policy. Collective agreements that include maternity protection provisions are also relatively uncommon in the sector.
- ▶ Even so, nearly all workers (95.7 per cent) said that their factory provides 4 months of maternity leave, as per national law. However, employers are 100 per cent liable for paying maternity benefits, which contravenes international labour standards that call for such benefits to be paid via compulsory social insurance or public funds.
- ▶ Overall, 21.3 per cent of workers stated that pregnant women and women returning from maternity leave are not treated fairly and respectfully in their factory.
- ▶ Paternity leave is commonly provided but is only for 3 days (as per national law), which contributes to the unequal distribution of unpaid care work between mothers and fathers.
- ▶ Most of the factories in the study (8 of 12) did not provide workplace childcare services, leading to higher rates of absenteeism, with workers in these factories being more likely to take sick leave to deal with family responsibilities than workers in factories with childcare services.
- ▶ Nearly half of workers (46.3 per cent) reported that between one and ten workers in their factory had quit their employment due to pregnancy or childcare responsibilities.

Many working people aspire to raise a family, but for many working women, these aspirations can be overshadowed by fears of what will happen to their career and their ability to earn a livelihood. Pregnancy and maternity can be an especially vulnerable time for working women and their families. Expectant and nursing mothers require special protection to prevent harm to their or their infant's health, and at the same time, they also require

protection to ensure that they will not lose their job and income simply because of pregnancy or maternity leave (ILO 2023). These rights are enshrined within the broader concept of maternity protection and are embedded in the ILO Maternity Protection Convention (No. 183) and Recommendation (No. 191), 2000. To date, Ethiopia has not yet ratified Convention No. 183.

In addition to ensuring such protections, there is a pressing need for working families to have access to a continuum of care that covers the period from birth to the start of universal and free education, including maternity, paternity and parental leave, as well as quality and affordable childcare. In Ethiopia, there is a four- to six-year childcare policy gap between the end of childcare-related leave and the start of universal public education. This means that working parents must find their own childcare solutions, often in the form of unpaid care work – a responsibility that is most often undertaken by mothers. In Ethiopia, women perform 70 per cent of all unpaid care work, devoting 292 minutes to it per day, compared to the 125 minutes spent by men (ILO 2018).

This unequal distribution of unpaid care work at home is, in turn, a driver of gender inequalities in the world of work, with working mothers finding themselves caught between meeting the demands of their workplaces and the need for their children to receive adequate care. As a result, many women feel pressured to leave the workforce entirely, or to put their careers on hold, limiting their potential for advancement and increased earnings. This is a main driver of low female labour force participation rates in Ethiopia, which stood at 61.5 per cent in Ethiopia compared to 88.6 per cent for men in 2023, and the gender pay gap, which is 31.7 per cent, meaning that, on average, for every dollar a man makes, a woman makes just 68 cents.¹

Safeguarding the health of expectant and nursing mothers, protecting them from job discrimination, supporting an equal distribution of unpaid care work between women and men, and ensuring the presence of quality childcare options are therefore preconditions for achieving genuine equality of opportunity and treatment for men and women at work and for enabling workers to raise families in conditions of security.

With the above in mind, the ILO, with support from the Norwegian Ministry of Foreign Affairs, is implementing the project [“Promoting Workers’ Rights and Gender Equality at Work in Africa”](#) focusing on the garment sector in Ethiopia. The project aims to enhance gender equality at work in the garment sector by strengthening the capacities of ILO constituents to promote the rights and well-being of workers with family responsibilities through

strengthening and ensuring maternity protection, care policies and childcare solutions.

To assess the situation of maternity protection and childcare policies and services at the workplace level in the garment sector, to identify needs and to prioritize solutions to address existing gaps, the project commissioned this study; *Promoting Care at Work in Ethiopia: The availability and adequacy of care policies in the garment sector*. The overall aims of this study were to ensure the project met the needs of its beneficiaries and constituents, to capture the baseline in order to develop better-adapted activities, and to build the business case for comprehensive gender-responsive care policies in the garment sector in Ethiopia.

1. Methodology

The study applied a mixed-method approach of data collection, using one-on-one interviews conducted in 12 garment factories in Ethiopia (10 in the Addis Ababa region, 2 in the Amhara region), with the aim to:

- map the garment factories’ availability and type of care and non-discrimination policies and services;
- explore the impact of such policies on workers and the garment factories; and
- capture workers’ and garment factories’ needs and preferences in regard to possible care-responsive workplace solutions.

The one-on-one interviews were based on survey questionnaires developed and finalized in collaboration with Ethiopia’s Ministry of Industry. During the data collection phase, a gender-sensitive approach and ethical research considerations were followed in formulating and asking the interview questions.

1.1. Sampling of data

This study was conducted with 300 individual workers, out of the project’s target population estimated at 15,854 garment workers in the 12 factories located in Addis Ababa and Amhara region. Fifty per cent of the sample was selected via simple random sampling. The remaining 50 per cent used stratified sampling, which involved simple random sampling on a subgroup of the target population – namely, garment workers with children.

¹ Data from the ILOSTAT database (accessed November 2023).

Workers' and employers' representatives were selected based on their availability and position.

1.2. Data collection and analysis

Three questionnaires were developed, each targeting a different group of respondents: (a) individual workers; (b) workers' representatives; and (c) employers' representatives. The majority of the questions allowed only for quantitative data to be collected; however, some questions collected qualitative data, being open-ended and allowing interviewees to further explain or formulate their own answers. Ethical research practices were considered in all interviews, including receiving informed consent, anonymizing responses by not collecting any identifiable information, and allowing for interview respondents to decline to answer questions if they so preferred. The primary data collection was carried out by data collectors from Ethiopia's Ministry of Industry, and responses were encoded in ODK, a mobile data collection platform. Quantitative data was collected using a free open-source tool for mobile data collection "Kobo" and extracted into Excel format. The data was analysed using Microsoft Excel. The data was cleaned after compilation by the research team. To ensure the quality of the data collected, the Ministry of Industry provided six enumerators with comprehensive training on the tools.

1.3. Limitations and challenges

The low prevalence of unionization in the factories included in the study made it such that a majority of the factories were without workers' representatives to interview. This meant that some overarching information on workers' demographics and the collective voice of workers could not be collected in these factories. In all, workers' representatives were available to be interviewed in just 5 of the 12 factories.

With regard to employers' representatives, not all employers gave their consent to respond to the survey, meaning that this group's data could not be collected from these factories. In all, employers' representatives from 9 of the 12 factories consented to being interviewed.

Despite concerted efforts to access companies' rules, regulations and collective agreements, this proved to not be possible. As a result, the assessment does not include an analysis of these documents. In addition, the study intended to include focus group discussions and key informant interviews to enhance the understanding of

policies and practices, but none of the participating factories were willing to provide potential informants for this purpose, claiming that the high volume of work made it so that people could not be spared for the time required to conduct such sessions/interviews.

2. Profiles of the survey respondents

2.1. Garment workers

As noted above, the 300 workers surveyed were from 12 different factories. The table below gives a brief overview of the 12 factories, including by the total number of female and male workers in each factory as well as the number of workers from each factory that were surveyed for this study. The table is organized based on the number of workers employed by the factory, starting with the largest.

Out of the total of 300 worker respondents, 84 per cent (n=252) were female and 16 per cent (n=48) were male. With regard to age, the majority of the respondents (76.7 per cent) were 20–30 years old. This is followed by workers aged 31–40 (15.3 per cent); aged 41–50 (4 per cent); aged 51–60 (1.7 per cent); aged 19 and below (1.7 per cent); and aged 61 and above (0.7 per cent).

With regard to employment status, nearly all of the respondents (96.7 per cent) reported that they are permanent employees. Most of the survey respondents were employed as operators (48 per cent), followed by supervisors (23 per cent), support staff (15.7 per cent), labourers (9.3 per cent) and managers (1.7 per cent). Most of the surveyed workers (85 per cent) had been in their current role for at least a year, with 67 per cent having held their current job for at least 3 years.

Education levels varied across the sample group, with most respondents having either a secondary school (36 per cent) or primary school (28.7 per cent) education level. Just 4 per cent had a vocational school education, and 29.6 per cent held some form of tertiary degree.

With regard to the marital status of surveyed workers, nearly three-quarters (73.7 per cent) reported that they are married; 21.7 per cent were single (never married); 2.7 per cent were divorced; and 1.7 per cent were widowed.

Workers were asked if they are the head of their household. Nearly all of the male workers surveyed – 45

out of 48 (93.8 per cent) – said they were the head of their household; while this was the case for just 56.7 per cent of female workers (143 out of 252). Those workers who

reported that they are not the head of their household were asked who the head of their household is. A strong

► **Table 1. Number of workers in participating factories and number of survey participants from each factory**

Factory	No. of workers in factory			No. of workers who participated in survey		
	Female	Male	Total	Female	Male	Total
Jay Jay Textile	7 039	750	7 789	68	11	79
Shints ETP Garment PLC	5 033	48	5 081	62	14	76
Kombolcha Textile S.C.	613	707	1 320	21	13	34
Bahir Dar Textile	657	646	1 303	12	1	13
Eltex Textile and Garment	440	109	549	22	3	25
Yirgalem Addis Textile and Garment	250	100	350	9	–	9
Lucy Garment Industry PLC	160	40	200	25	–	25
ASBM Textile	147	39	186	9	2	11
Hager Tibebe Maderaja	97	66	163	10	–	10
Senmul Textile PLC	90	30	120	9	1	10
Haregua Garment and Trade	86	30	116	3	–	3
Ethio Impact Manufacturing PLC	47	13	60	2	3	5

– = nil.

majority of the 109 female respondents who are not the head of their household (85.3 per cent) reported that their husband is the head of the household. The rest of the respondents reported that their elder sister, father, mother or grandmother is the head of their household.

The surveyed workers were asked how many children they have and the ages of their children. Among the surveyed workers' children, 24.7 per cent were between 0 and 2 years old; 26.8 per cent were ages 3–5; 20.5 per cent were ages 6–10; 12.1 per cent were ages 11–14; and 15.9 per cent were 15 and above. These findings show that slightly more than half (51.5 per cent) of the surveyed workers' children are under the age of universal and free education (that is, below the age of 6), and therefore in need of some alternative form of care during the day.

Workers organizations such as trade unions can be a potent means of advocating for maternity protection and improved care-related policies and services. However, based on the workers' responses, membership in a workers' association/organization was somewhat limited across the sample. Only 42.3 per cent of surveyed workers reported that they have a workers' organization/association in their factory, and 63 per cent of these workers said they were a member of such an organization/association. In total, just 80 of the 300 worker respondents (26.7 per cent) reported being affiliated with a workers' organization/association.

2.2. Workers' representatives

A total of five representatives from workers' organizations/associations were interviewed for the study. Each of the five workers' representatives interviewed was from a different one of the 12 target garment factories, but this report will not identify which factories so as to ensure the anonymity of the representatives. Four of the five workers' representatives were male and one was female. All of the workers' representatives were permanent employees, with three working as lower-level managers (quality control, quality assurance officer, line supervisor). The remaining two were workers. Three of the five workers' representatives reported that they have served above nine years in their current position, and the remaining two had worked at their current position for between 3 to 5 years.

2.3. Employers' representatives

A total of nine employers' representatives were interviewed for the study. Each of the nine employers' representatives interviewed was from a different one of the 12 target garment factories, but this report will not identify which factories so as to ensure the anonymity of the representatives. With regard to the positions held by these representatives, two were owners; three were general managers; three were from the factory's human resources department; and one identified themselves as

representative of an owner. Five of the employers' representatives reported that they have served above nine years in their current position, three have worked in their current position for 5–7 years, and one has held their current position for 3–5 years.

3. Maternity protection and care-responsive policies and practices: Perceptions and realities

This section of the brief presents the findings of the three surveys conducted for the assessment. The main focus of this section is on the responses of the 300 garment factory workers surveyed, with input from workers' and employers' representatives provided where it can complement or provide a contrast to the workers' responses. The section also seeks to place the current policies and practices within the sector in relation to international standards and national law, specifically the ILO Maternity Protection Convention (No. 183) and Recommendation (No. 191), 2000, and Ethiopia's Labour Proclamation (No. 1156 of 2019).

3.1. Presence of maternity protection and family-friendly care policies

All three respondent groups were asked whether or not their factory has maternity protection or family-friendly care policies. Overall, only 36 per cent of surveyed workers said that their factory has specific workplace maternity protection or family friendly care policies. However, this low share of workers stands in contrast to the workers' and employers' representatives, with a majority of both – three of the five workers' representatives and seven of the nine employers' representatives – reporting that their factory has maternity protection or family-friendly care policies.

Among the seven employers' representatives that reported the existence of such policies, four said that their factory has a standalone maternity protection or family care policy. The employer representative respondents also noted that they use the national laws on maternity protection to dictate their workplace policies. In addition, workers' representatives were asked about whether

maternity protection, care policies and reproductive rights were covered in any of their collective agreements with factory management. Just two of the five workers' representatives said that their factory had a collective agreement that addressed these matters. Similarly, only one of the five workers' representatives reported that their factory had a collective agreement that addressed the establishment of childcare facilities.

These policies are explored in more detail below.

3.2. Care leave policies and practices

3.2.1. Maternity leave

Article 4 of Convention No. 183 sets the minimum duration of maternity leave at 14 weeks, with a period of at least 6 weeks of compulsory leave after childbirth. During this period of leave, the worker is to receive cash benefits that “shall not be less than two-thirds of the woman's previous earnings” (Article 6). Recommendation No. 191 expands upon the Convention, stating that ILO Member States should “endeavour to extend the period of maternity leave ... to at least 18 weeks” (Paragraph 1(1)), and that cash benefits should be “raised to the full amount of the woman's previous earnings” (Paragraph 2).

Under Ethiopia's Labour Proclamation (article 88(3)), “[a] pregnant worker shall be granted a period of 30 consecutive days ... of prenatal leave and a period of 90 consecutive days of leave postnatal”. This is equivalent to just over 17 weeks, which placed the law in line with Convention No. 183 and just shy of Recommendation No. 191. Under article 88(2) of the Proclamation, “[a] pregnant worker shall, upon the recommendation of a physician, be entitled to a leave with pay”, which places the law in line with Recommendation No. 191's call for workers to receive full pay while on maternity leave.² Despite these positive steps, Ethiopia is not fully aligned with Convention No. 183 at present because maternity leave is paid by the employer rather than through compulsory social insurance or public funds³, leaving at least 28 million potential mothers in the country with inadequate maternity protection (ILO 2023).

An overwhelming majority of the workers surveyed reported that their factory provides maternity leave (95.7

² The Labour Proclamation's call for “leave with pay” is interpreted to mean “full pay”, as this is what is stipulated under article 35(5)(a) of the Ethiopian Constitution.

³ As per Article 6(8) of Convention No. 183.

per cent), with just one female worker claiming that maternity leave was not available in their factory. Twelve respondents declined to answer the question.

Among those respondents who reported maternity leave being available (n=287), 96.5 per cent said it is granted for four months, as per Ethiopian law.⁴ In addition, nearly all of the workers who reported maternity leaving being available (97.9 per cent) said that workers on maternity leave receive 100 per cent of their previous salary. Only one worker, who was pregnant at the time of the survey, thought that her maternity leave benefits would be less than her previous salary due to something she had heard from a friend; the remaining five respondents did not know the benefit amount.

All of the workers' and employers' representatives reported that their factories provide maternity leave; that the duration of the maternity leave is four months; and that workers on maternity leave receive benefits equal to 100 per cent of their previous salary (paid by the factory – that is, via an employer liability scheme).

These unanimous statements by the workers' and employers' representatives broadly align with what was reported by workers, as very few workers provided a definite “no” to any of the questions covering these topics. This suggests that garment factories are broadly in conformity with Ethiopian law concerning maternity leave and benefits, which also means some compliance with Convention No. 183 (and Recommendation No. 191 when it comes to benefits being at 100 per cent of previous pay). But there are also clearly some knowledge gaps among workers concerning maternity leave that need to be addressed.

3.2.2. Paternity leave

Over the last decade, the role of fathers in caregiving has been increasingly cemented in national legislation through paternity leave schemes. In Ethiopia, the Labour Proclamation (article 81(2)) entitles male employees to 3 consecutive days of paternity leave with full pay.

In all, 63.3 per cent of surveyed workers said that their factory provides paternity leave. Only 5 per cent of workers said that their workplace does not offer paternity leave. It is notable, however, that the remaining 31.7 per

cent of workers reported not knowing whether their factory provides paternity leave; with this uncertainty being particularly prevalent among female workers (34.5 per cent, versus just 15.3 per cent of male respondents). In addition, the 5 per cent of workers who said that their factory does not provide paternity leave were scattered across factories in which their co-workers did report that paternity leave was available. This further demonstrates the lack of certainty among some garment workers over paternity leave availability.

This uncertainty appears to be a product of workplaces not keeping their workers informed of their paternity-related rights and benefits, as only 43.2 per cent of workers (including just 37.5 per cent of male workers) said that their workplace had provided them with such information during their onboarding or throughout their period of employment. Among those who did receive information on paternity-related rights and benefits (n=130), 96.3 per cent learned of them during orientation, and 80.5 per cent have had at least one training session since orientation that has covered this topic.

Among those workers who reported that paternity leave was granted by their workplace (n=177), slightly more than half (52.6 per cent) reported that it was for 3 days, as per Ethiopian law. However, a sizeable share (12.6 per cent) did not know the duration, and there was quite a bit of variation in the responses within each factory, with answers sometimes ranging between 3 to 10 days. It should be noted, however, that none of the respondents provided a duration below the statutory minimum of 3 days. Among the respondents who reported that paternity leave was available, there was broad agreement that paternity leave is paid (90 per cent) and that cash benefits are 100 per cent of the worker's salary (99.5 per cent of those who said paternity leave was paid).

Four out of the five workers' representatives said that their factories provided paternity leave, and all four reported leave durations greater than the statutory minimum of 3 days (two reported 5 days, one said 1 week, and one said 10 days). Only two of the five workers' representatives said that their factory provides information to workers on paternity rights and benefits, which aligns closely to the experience reported by the workers themselves.

⁴ Three respondents from three different factories claimed that maternity leave was for 3 months. It is not clear whether these workers were referring to the entire duration both pre- and postnatal, or just to the

postnatal period, which is 3 months under Ethiopian law. The remaining respondents (n=7) did not know the duration.

Two of the nine employers' representatives reported that their factory does not provide paternity leave. Among the seven representatives from factories that do provide paternity leave, five reported that the duration of paternity leave is 5 days; one reported that it is 3 days; and one reported that it is 10 days. Six employers' representatives said their factory informs workers about their paternity rights and benefits, but only three of these representatives reported that their factory provides actual training on paternity rights.

Based on the responses, it appears that most garment factories provide paternity leave, but there is still a minority that are not meeting the legal requirement to provide such leave. Even when paternity leave is provided, however, workers are often not aware of their entitlement to such leave or are in possession of incorrect information, pointing to a need for further training on rights and benefits related to paternity.

3.2.3. Parental leave

Parental leave typically refers to a period of leave taken after the end maternity leave, that is available to either parent and can be taken for a relatively long duration. The purpose of parental leave is to allow parents to take care of and bond with an infant or young child. Both ILO Recommendation No. 191 (Paragraph 10(3–4)) and the ILO Workers with Family Responsibilities Recommendation, 1981 (No. 165) (Paragraph 22),⁵ include provisions recommending that both parents be eligible for parental leave following the expiry of maternity leave. Neither Recommendation provides a recommended duration of parental leave, stating instead that this should be determined by each State.

The Ethiopian Labour Proclamation does not have a provision on parental leave. However, 5 days of unpaid leave must be provided to workers in the event of exceptional or serious events, which could potentially be used by parents to care for their children; though such leave may be granted only twice in a budget year (article 81(3))

Just 15 per cent of surveyed workers reported that their workplace allows for parental leave. On the contrary, nearly two-thirds of workers (63.6 per cent) reported that their factory does not have a provision on parental leave,

with the remaining 20 per cent not being sure. All but 3 of the 45 workers who reported parental leave being available said that it was available to both parents (as opposed to just the mother), and all but 2 reported that parental leave was paid at 100 per cent of the worker's salary.

Among the 45 respondents who said that parental leave was available, 20 (44 per cent) said the duration of this leave depends on the case – though 1 of these respondents also claimed that parental leave was deducted from annual leave and 1 said it was deducted from sick leave.

Among the five workers' representatives surveyed, just two reported that their factory has a provision for parental leave, and both said that parental leave is available to both parents. Concerning the duration of parental leave, one of these two respondents reported that the mother is entitled to four months and the father to one week of parental leave, and the other respondent reported that parental leave is limited to three days.

Six of the nine employers' representatives reported that their factory has a provision for parental leave, and that it is available to both parents. Concerning the duration of parental leave, two respondents reported that such leave is for three days; another two respondents reported that parental leave is granted as per the need of the worker; and the final two respondents reported that the duration depends on the decision of the medical staff of the factory.

As noted above, there is no legal provision in Ethiopia concerning parental leave, and the survey responses suggest on their face that parental leave is not commonly found in the garment industry. But if one examines these responses more closely, they suggest that parental leave is likely to be even rarer than what was reported. Those workers who reported that parental leave was available generally said it was for either just a few days or for as "long as necessary" to deal with a situation. Similarly, the responses from the workers' and employers' representatives described leave durations that were either very short (just three days to one week) or granted based on need or the determination of medical staff. These descriptions of the leave period do not align with the

⁵ Recommendation No. 165 is of particular note in this case as Ethiopia has ratified the Workers with Family Responsibilities Convention, 1981 (No. 156).

internationally accepted concept of parental leave, which is a longer-term leave granted following the expiration of maternity leave for the purpose of enabling new parents to care for and bond with an infant or young child. By way of example, in the 68 countries around the world with statutory provisions for parental leave, the average duration of such leave is 103.5 weeks (or almost 2 years) (ILO 2022, 26). This is wholly different from the durations reported in this assessment. This being the case, the survey responses suggest that the “parental leave” supposedly provided by some garment factories is being confused with emergency leave (see next section). As such, parental leave (as it is typically seen) is likely to be exceedingly uncommon – if not non-existent – in Ethiopia’s garment sector.

3.2.4. Emergency leave

Emergency leave is designed to allow workers to deal with emergency care responsibilities. In Ethiopia there is a statutory provision for 10 days of emergency leave, without pay. This entitlement is such that workers can take up to five consecutive days for exceptional and serious events, which can be used only twice in a given year.⁶

Similar shares of workers (73.3 per cent), workers’ representatives (4 out of 5), and employers’ representatives (6 out of 9) reported that emergency leave is available to workers to deal with emergency care responsibilities. Further, our observations show that once workers exhaust their emergency leave, they are required to use days from their annual leave to address emergency care responsibilities. It is also clear from the responses that not all garment factories are abiding by the statutory requirement to provide emergency leave to their workers.

3.3. Employment protection and non-discrimination

The elimination of discrimination in respect of employment and occupation is a fundamental principle and right at work (ILO 1998). The potential for maternity to be a source of discrimination is recognized by ILO Convention No. 183, which calls on Member States to “adopt appropriate measures to ensure that maternity does not constitute a source of discrimination in employment, including ... access to employment” (Article

9(1)). Similarly, the ILO HIV and AIDS Recommendation, 2010 (No. 200), calls for there to be “no discrimination against or stigmatization of workers, in particular jobseekers and job applicants, on the grounds of real or perceived HIV status” (Paragraph 3(c)).

In Ethiopia, the principle of non-discrimination at work is enshrined in the Labour Proclamation, which states that it is unlawful for an employer or managerial employee to discriminate between workers on the basis of sex or HIV/AIDS status, among other grounds (article 14(1)(f)). The Labour Proclamation further reinforces the prohibition against discrimination based on sex in article 87(1), which reads, “Women shall not be discriminated against in all respects on the basis of their sex.”

3.3.1. Testing for pregnancy or HIV

One means of helping to ensure non-discrimination with respect to maternity and HIV status is to prohibit workplaces from testing workers and jobseekers for pregnancy or HIV. ILO Convention No. 183 explicitly prohibits “requiring a test for pregnancy or a certificate of such a test when a woman is applying for employment” (Article 9(2))⁷; while Recommendation No. 200 states that “no workers should be required to undertake an HIV test or disclose their HIV status” (Paragraph 3(ii)). The elimination of these mandatory practices also provides a more enabling environment for supporting sexual and reproductive health in the workplace.

Concerning testing for pregnancy or HIV, 71.3 per cent of surveyed workers reported that their factory has never tested them for pregnancy or HIV. However, roughly one-quarter of workers reported being tested for pregnancy or HIV by their employer at some point, with 13.7 per cent stating that the factory tested them for pregnancy or HIV at recruitment and 11 per cent stating that they have been tested during periodic health checks. In addition, nearly half of respondents (47.3 per cent) reported their factories have enquired directly or indirectly about jobseekers’ status or plans concerning marriage and childbirth.

The responses above broadly align with those of the employers’ representatives, with seven out of nine stating that their factories do not test for pregnancy or HIV.

⁶ Labour Proclamation, article 81(3).

⁷ There are exceptions allowed under the Convention, but only when such testing is “required under national laws or regulations in respect of

work that is: (a) prohibited or restricted for pregnant or nursing women under national laws or regulations; or (b) where there is a recognized or significant risk to the health of the woman and child” (Article 9(2)).

However, only five of the nine said that the practice was actually prohibited by the company.

The findings here present a mixed picture. While it is a positive sign that a solid majority of factories appear to not engage in mandatory pregnancy and HIV testing, it is clear that such testing is still performed in the sector – indeed it was openly acknowledged by some of the employer representatives. In addition, it is also clear from the worker responses that even though most workers will not be physically tested, they are still commonly questioned about their marriage and maternity plans as part of the recruitment process. We have observed that factories use this information to forecast how long job candidates will be available to work full time and with full energy, which opens the door to potentially discriminatory hiring practices. These matters deserve serious attention moving forward given their potential discriminatory impacts and possible contravention of national law and international standards.

3.3.2. Dismissal during pregnancy

Convention No. 183 prohibits employers from terminating the employment of a woman during her pregnancy or absence on maternity leave (or leave in case of illness or complications) or during a period following return to work (as specified in national laws), except on grounds unrelated to the pregnancy or birth of the child and its consequences or nursing (Article 8(1)). In addition, the burden of proving that the termination was due to these unrelated grounds must fall on the employer.

According to article 87(6) of the Ethiopian Labour Proclamation, “[a]n employer shall not terminate the contract of employment of women during her pregnancy and until four months after her confinement”. Seeing as the statutory maternity leave in Ethiopia includes 3 months after the birth of the child, the law effectively prohibits dismissing a woman during her first month after returning from maternity leave. However, employers are permitted to terminate the employment contract in certain specific cases. According to article 87(7) of the Ethiopian Labour Proclamation states that the contract of employment may be terminated for reasons stipulated under article 27(1)(b–k) and article 29(3), so long as they are not related to pregnancy and delivery.

As part of the survey, workers were asked whether they know of any woman in their factory having been dismissed during pregnancy, during maternity leave and during a period following return to work after pregnancy.

Out of the 300 workers surveyed, 5 reported knowing a woman who was dismissed during pregnancy; 3 reported knowing a woman who was dismissed during maternity leave; and 8 reported knowing a woman who was dismissed during a period following her return to work. That said, 58.3 per cent of workers reporting knowing a woman worker in their factory who never returned to work after maternity leave, by their own decision.

As a follow up to the above questions, the surveyed workers were asked whether they think that women workers in their factory are usually protected against dismissal during pregnancy, maternity leave and a period following return to work after maternity leave. Overall, 82 per cent said they thought that women workers were protected from dismissal during these periods; though 10.7 per cent did not feel that women were adequately protected (the remaining 7.3 per cent were either uncertain or declined to answer).

All of the workers’ and employers’ representatives surveyed reported that women in their factory are protected against dismissal during pregnancy, maternity leave and a period following return to work after maternity leave.

In general, the assessment shows that women workers in the garment sector are usually protected against dismissal during pregnancy, maternity leave and a period following return to work after maternity leave, as per Ethiopian law and as provided for in Convention No. 183. It is worth noting, however, that the surveyed workers did report a few instances of women being dismissed during these periods; so the protection that should be provided may not be universally applied (although it is also not known why these women were dismissed). In addition, roughly one in ten of the workers surveyed felt that protections against dismissal were inadequate, which further suggests that there are opportunities for further compliance with the labour law.

3.3.3. Replacing workers while they are on maternity leave

Workers were asked what their factory’s policy was with regard to arranging replacements for workers who were absent on maternity leave. Nearly four in five workers (79.3 per cent) reported that co-workers would cover for the absent worker during her maternity leave. A much smaller share of workers (7.7 per cent) said that their factory would hire fixed-term replacement workers to cover for the absent worker on maternity leave, and an

additional 7.7 per cent said that their workplace would hire permanent replacements for workers who left on maternity leave. However, it should be noted that these latter two responses were generally scattered across factories in which most respondents said that coworkers covering for those on maternity leave was the policy. This may suggest that these approaches are used, but only sparingly, in most factories.

There were, however, two factories where it is possible that fixed-term replacements are regularly used based on the concentration of responses to that effect. However, these two factories were also characterized by unusually large numbers of workers who either did not answer the question or who said they did not know the answer, suggesting a knowledge gap in these factories concerning the policy being utilized. The practice of permanently replacing workers on maternity leave was not found in any significant concentration in any factory, which suggests that it may not be a regular practice.

Among the employers' representatives interviewed, eight out of nine said that co-workers cover for women on maternity leave, but one representative said that their company fills maternity vacancies by promoting among its staff or hiring new workers, which can explain some workers' responses indicating the use of new hires (be they temporary or permanent in nature).

3.3.4. Treatment of returning women

Under Convention No. 183 women are to be "guaranteed the right to return to the same position or an equivalent position at the end of her maternity leave" (Article 8(2)). As part of this, the woman should be paid at the same rate she received prior to taking leave.

The Ethiopian Labour Proclamation provides that a woman worker is protected against dismissal during pregnancy, maternity leave and one month after the end of the postnatal portion of the maternity leave (article 87(6)). The implication of this provision is that women have the guaranteed right to return to work following maternity leave.

The study found that 92.3 per cent of the worker respondents who said their factory provided maternity leave reported that women workers who return from maternity leave are paid at the same rate, with the remaining respondents being unsure whether this was the case. An even smaller share (87.5 per cent) said that women workers have the right to return to the same or

equivalent position they held at the factory when they return – 8.4 per cent were unsure, and 3.8 per cent said they did not have that right.

All of the workers' and employer's representatives reported that women workers have the right to return to the same or equivalent position after taking maternity leave and that women workers who return from maternity leave are paid at the same rate they received prior to taking leave.

The survey went beyond the basic rights that should be available to returning workers to ask about the treatment that pregnant and returning women receive. Overall, 21.3 per cent of workers stated that pregnant women and women returning from maternity leave are not treated fairly and respectfully in their factory, and an additional 12.7 per cent were unsure whether pregnant women and women returning from maternity leave are treated fairly and respectfully.

On a follow up question, 85.3 per cent of the respondents who reported that pregnant women and women returning from maternity leave are not treated fairly and respectfully reported that these women are forced to quit. In addition, one worker reported that they face violence and harassment in the workplace related to their maternity period.

Workers who had previously taken maternity or paternity leave and returned to work (n=113) were asked in what capacity they returned. The vast majority (89.4 per cent) reported that they returned to work the same hours that they had worked prior to taking leave (including 100 per cent of men). Just 6 female workers (out of 98) reported working reduced hours compared to what they worked prior to taking leave, and 1 female worker reported working greater hours than previously.

Workers were also asked whether their factory offers training, counselling or support to help workers returning from maternity leave or paternity leave to gradually re-adapt to the workplace and their work. Only 18.7 per cent workers reported that their factory does so. In addition, only 4 per cent of workers said that their factory had put in place any sorts of initiatives to encourage the retention of workers with children below the age of five, which further demonstrates an overall lack of active efforts aimed at supporting workers with children.

Overall, workers' and employers' representatives offered responses that suggest that policy frameworks are in place to ensure that women can return to the same or

equivalent position at the same pay. However, workers' responses reflect a different perception, with a substantial minority being unsure that women workers actually have access to these rights. In addition, roughly one-in-five workers stated that pregnant women and women returning from maternity leave are not treated fairly – including women being pressured to quit due to pregnancy or as a result of taking maternity leave. These claims and concerns merit attention, as they represent either evidence of rather widespread discrimination based on maternity status that stands in direct opposition of companies' stated policies or evidence of miscommunication in the workplace that is allowing harmful misconceptions to arise.

3.4. Policies and practices concerning workplace safety for pregnant and nursing workers

Under Article 3 of Convention No. 183, Member States are to “adopt appropriate measures to ensure that pregnant or breastfeeding women are not obliged to perform work which has been determined by the competent authority to be prejudicial to the health of the mother or the child, or where and assessment has established a significant risk to the mother's health or that of her child”. These “appropriate measures” are further developed in Recommendation No. 191 (Paragraph 6), as will be seen below.

3.4.1. Working conditions during pregnancy

The surveyed workers were asked a series of questions to determine the experiences of workers who were pregnant, gave birth or had a child in the year prior to taking the survey. In all, 64 out of the 300 workers surveyed (21.3 per cent) reported being pregnant, giving birth or having a child in the last year, including 58 female workers (or 23 per cent of all female workers surveyed).

The 58 female workers who reported being pregnant or giving birth in the previous year were asked how their employer reacted when they were informed of the pregnancy. Most reported that either nothing changed (36.2 per cent) or the factory were generally supportive (20.7 per cent). Some workers reported that the factory did make some accommodations for them, with 6 women (10.3 per cent) reporting that they were transferred to easier duties; while another 8 women (13.8 per cent) reported that they stayed in the same role but were provided with a chair. One woman reported that her line

manager was “mostly not happy” when she made her pregnancy known, but she also noted that things have improved since that time and pregnant workers in her factory are generally supported.

The female workers who reported being pregnant or giving birth in the last year were also asked if their working conditions changed during their course of their pregnancy. Roughly one-quarter of the respondents (14 out of 58) said that they experienced a contract change, with this being the case for all four of the pregnant workers in one factory and two out of three workers in another, which suggests that these factories, in particular, are engaged in discriminatory practices in relation to pregnant workers. Curiously, two women – both from the factory that changed two out of three pregnant workers' contracts – reported having their contract changed when their factory learned about the pregnancy, suggesting that the change was made quite quickly in this particular workplace. Only one of the respondents reported what their contract change actually entailed, noting that her employment had been shifted from a permanent contract to a temporary contract.

Another four women reported eventually being transferred to roles that involved easier work, joining the six women who reported that such a change in role was made right away in response to telling their employer about their pregnancy. So in all, 17.8 per cent of the women who were pregnant or gave birth in the previous year reported being switched to easier duties in response to their pregnancy, with some apparently being given new tasks right away and others as their pregnancies advanced (with one respondent stating that she received easier duties when she was 8-months pregnant – a time when she should have been on maternity leave based on the law).

Employers' representatives presented a less mixed view of how factories respond to their workers being pregnant, saying they receive the news positively and they let the worker know it; they send them for medical check-ups if the pregnancy has just started; they inform the workers of the factory's relevant policies; they report the pregnancy to the human resources department; they open a file and follow up on the worker's monthly status; and they communicate with the factory's medical professionals.

3.4.2. Workplace risk assessment

Recommendation No. 191 calls for Members to “ensure assessment of any workplace risks related to the safety

and health of the pregnant or nursing woman and her child”, and for the results of such assessments to be made available to the women concerned (Paragraph 6(1)).

With regard to workplace risk assessment, 32.7 per cent of surveyed workers reported that their factory does not perform a workplace risk assessment, and an additional 35.3 per cent of workers said they do not know whether their factory performs a workplace risk assessment. Among the 31.6 per cent of workers who claimed that workplace risk assessments are undertaken (n=95), nearly three-quarters said that these risk assessments do specifically consider dangerous and unhealthy work for pregnant and nursing women. But 10.5 per cent said that the pregnant and nursing women were not specifically addressed in these assessments, and an additional 14.7 per cent were not sure.

Workers’ and employers’ representatives actually put forward a less positive outlook than the surveyed workers with regard to factories conducting risk assessment specifically focused on pregnant and nursing women. Only two of the five workers’ representatives⁸ and four of the nine employers’ representatives reported that their factory performs a workplace risk assessment in relation to work that may be dangerous and unhealthy for pregnant and nursing women. Indeed, only five out of nine employers’ representatives reported that their factory carries out any kind of risk assessments.

3.4.3. Protective measures and equipment

ILO Recommendation No. 191 states in Paragraph 6(2) that in the event that workplace risks related to the safety and health of a pregnant or nursing woman and her child are identified, these risks should be addressed by providing an alternative to such work in the form of:

- a. elimination of risk;
- b. an adaptation of her conditions of work;
- c. a transfer to another post, without loss of pay; or
- d. paid leave.

Article 87(3) of the Ethiopian Labour Proclamation provides that “[i]t is prohibited to assign women on works that may be listed by the Ministry to be particularly dangerous to women or hazardous to their health”. Further, article 87(5) provides that pregnant women workers “shall be transferred to another place of work if

her job is hazardous to her health or to the fetus as ascertained by a physician”. ILO Recommendation No. 191 supports such transfers (Paragraph 6(2)), but also notes that the woman should retain the right to return to her job or an equivalent as soon as it is safe to do so (Paragraph 6(5)). Ethiopian law has no corresponding provision to ensure such transfers are temporary, with the law only making it unlawful to terminate the employment of a woman during pregnancy and until four months after giving birth, as noted above⁹.

Among the workers surveyed, 23.3 per cent reported that their factory offers for pregnant and nursing women protective measures against dangerous and unhealthy work, if a significant risk has been identified. The workers who said that protective measures were taken by the factory (n=70) were then asked to select the most commonly utilized measure from a list of possible protective measures. Lighter and safer work was selected by 37.1 per cent of these respondents; avoiding heavy physical labour (including manual lifting, carrying, pushing or pulling of loads) was picked by 32.9 per cent; and the need for additional rest breaks was picked by 10 per cent. In addition, workers were asked about whether their factory provides protective equipment to pregnant and nursing workers. Less than one-fifth of workers reported that their factory always (17 per cent) or often (2.6 per cent) provides such equipment to pregnant and nursing workers; with 55 per cent saying that such equipment is never provided.

As with the workers surveyed, only a minority of workers’ representatives (two of five¹⁰) and employers’ representatives (four of nine) said that protective measures are taken in the event that a significant risk to safety and health of pregnant and nursing women is identified. Concerning protective equipment, just two of the five workers’ representatives reported that their factory always provides pregnant and nursing women with such equipment. Employers’ representatives were more likely to claim that protective equipment was always provided (five of nine respondents), but these responses generally suggest that pregnant and nursing workers are frequently not provided with adequate protection from dangerous and unhealthy work, either through the

⁸ In this instance, one of the five did not know whether such assessments are carried out.

⁹ Labour Proclamation, article 87(6).

¹⁰ With one workers’ representative declining to answer the question.

implementation of protection measures or through the provision of protective equipment.

3.4.4. Night work

Paragraph 6(4) of Recommendations No. 191, without defining the time range, stipulates that pregnant or nursing woman should not be obliged to do night work if a medical certificate declares such work to be incompatible with her pregnancy or nursing.

Under article 87(4) of the Ethiopian Labour Proclamation, “[n]o pregnant woman shall be assigned to night work between 10 p.m. and 6 a.m. or be assigned on overtime work”. It should be noted that this provision only applies to pregnant women, and not to nursing women.

Among the workers surveyed for this assessment 80.6 per cent reported that their factories protect/prohibit pregnant and nursing women from performing night work. However, this number needs to be broken down a bit further, as 53.3 per cent said that this prohibition was extended only to pregnant and nursing women; while the remaining 27.3 per cent reported that this prohibition was for all women, regardless of maternity status.

All of the workers’ representatives reported that their factory protects/prohibits only pregnant and nursing women from performing night work (as opposed to all women). Among factory representatives, four out of nine reported that their factory protects/prohibits only pregnant and nursing women from performing night work.

As noted above, Convention No. 183 (Art. 3) sets out the right of pregnant or nursing women not to be obliged to perform work that is prejudicial to their health or that of their unborn or newborn child, and Recommendation No. 191 (Para. 6(4)) includes night work as such a type of work in the event that a doctor deems it to be inappropriate for a pregnant or nursing woman. However, neither instrument calls for a blanket ban against night work by pregnant and nursing women. Indeed, the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) considers blanket bans on night work to be:

- a. based on stereotypes regarding women’s professional abilities and role in society;
- b. contrary to the principle of equality of opportunity and treatment in employment and occupation; and
- c. contributing to gender-based discrimination at work (ILO 2023, 3–4).

As such, the Labour Proclamation’s prohibition against all pregnant women working at night does not abide by international labour standards, and risks putting women at a disadvantage in the labour market compared to their male counterparts. In addition, the responses from the surveys suggest that not only are a majority of garment factories universally prohibiting pregnant women from engaging in night work, but that some factories go well beyond the bounds of the Labour Proclamation by not allowing any women to work at night, even if they might wish to. The above being the case, serious consideration should be made towards removing this blanket provision from the Labour Proclamation and replacing it with one that is in line with Recommendation No. 191, namely that pregnant women should not be obliged to do night work if they have a medical certificate demonstrating that such work might be harmful to them or their child.

3.5. Policies and practices concerning sexual and reproductive health

3.5.1. Access to healthcare services by pregnant and nursing workers

According to ILO Recommendation No. 191, a woman “should be allowed to leave her workplace, if necessary, after notifying her employer, for the purpose of undergoing medical examinations relating to her pregnancy” (Paragraph 6(6)). This recommendation is supported under Ethiopian law, with article 88(1) of the Labour Proclamation providing that “[a]n employer shall grant leave to a pregnant worker with pay, for medical examination connected with her pregnancy, provided, however, that she may be required to present a medical certificate of her examination”.

Several questions on antenatal healthcare were presented to the survey respondents. Overall, 75.3 per cent of workers reported that their factory allows pregnant women to take time off for antenatal healthcare; with 14.3 per cent stating that such time off is not allowed; and 10.3 per cent stating that they do not know their factory’s policy in this regard. Among those respondents who reported that time off for antenatal healthcare was permitted (n=226), 97.3 per cent reported that this time off for antenatal healthcare is considered part of regular working time and as a result is paid.

While time off to receive antenatal healthcare is relatively commonly provided, it is less common for factories themselves to provide any support or services related to

antenatal, childbirth and postnatal maternal health. Just 15.3 per cent of workers said that their factory provides any such services; with 68 per cent reporting that such services are not available through their employer.

A follow up question was put to those who reported that their factory provides support or services for prenatal, childbirth and postnatal maternal health (n=46) asking them to specify the care support or services that they are eligible to receive from the factory. Seventy-four per cent (n=31) said that they can receive care in the factory health clinic or in a medical centre from a general practitioner, qualified midwife, nurse or other.

3.5.2. Information and supplies to support sexual health and reproductive rights

Survey respondents were asked about the degree to which their factories support the sexual health and reproductive rights of their workers through the provision of relevant information and supplies.

Among the surveyed workers, 37.7 percent of the respondents reported that their factory does provide information and supplies to support both women and men workers' sexual health and reproductive rights. When asked to disclose the type of information provided, all of these respondents (n=113) reported that they received information on sexual health and reproductive rights in general, but did not provide any specific answers (although a handful did specifically refer to "family planning"). The same cohort of respondents were also asked what supplies the factory provided, 39.8 per cent of the respondents reported that their factory provides them with condoms and/or other contraceptives.

The picture was more mixed among workers' and employers' representatives, with just one of the five workers' representatives and four of the nine employers' representatives reporting that their factory provides information and supplies to support both women and men workers' sexual health and reproductive rights. All of these representatives said that information was provided via mini-media¹¹ and brochures, and that birth control and condoms were distributed at no cost to the workers.

3.5.3. Sanitary pads

Among the surveyed workers, a slight majority (52.3 per cent) reported that their factory provides sanitary pads for women workers. This share was substantially higher than what was seen among the employers' representatives surveyed, as just three of the nine said that their factory provides sanitary pads for women workers. All three of these representatives said that pads were distributed at no cost to the workers, but this is not a universal practice among factories that supply sanitary pads, as based on the responses of workers in these factories, roughly one-in-five (21 per cent) had to pay for the pads.

3.6. Policies and practices concerning breastfeeding and childcare

3.6.1. Breastfeeding breaks

In the light of the positive role breastfeeding contributes to the well-being of both the mother and the child, the World Health Organization recommends exclusive breastfeeding for babies until the age of six months. Breastfeeding is addressed under Article 10(1) of Convention No. 183, which accords to women workers the "right to one or more daily breaks or a daily reduction of hours of work to breastfeed her child". According to the Convention, decisions concerning the period during which nursing breaks or the reduction of daily hours are allowed, the duration of nursing breaks, and the procedures for the reduction of daily hours of work shall be determined by national law and practice. Further, these breaks and reductions of daily hours are to be counted as working time and to be remunerated accordingly (Article 10(2)).

There is no mention of breastfeeding breaks in the Labour Proclamation. The implication is that in the absence of statutory breastfeeding rights, workers may need to resort to regular breaks for breastfeeding.

The surveyed workers were asked several questions concerning breastfeeding policy and practice in their factories. Overall, 53.3 per cent reported that their factory does not provide nursing women the right to breastfeeding breaks, to flexible working time or to shorter working hours to breastfeed; with an additional 19

¹¹ Mini-media refers to radio programmes/talk shows organized by the communications staff of specific factories and are aimed specifically at an internal audience (that is, the workers in the factory). Mini-media

programmes mainly focus on sexual and reproductive health and rights.

per cent reporting that they do not know what their factory's breastfeeding policy is.

The 27.3 per cent of workers who said that the factory provided the right to breastfeeding breaks, to flexible working time or to shorter working hours to breastfeed (n=82) were asked how long after the birth did women have this right. In all, 34.1 per cent reported that women have this right for a period of 6 to 11 months; while 23.2 per cent reported that breastfeeding rights are provided for less than six months. On a follow up question on the number of breastfeeding breaks/flexi-time per day, 47.6 per cent reported that the factory provides one daily nursing break; 25.6 per cent said two breaks are provided; and 4.9 per cent said three. With regard to the amount of time provided to nursing mothers to breastfeed, 46.3 per cent reported that nursing women can take up to one hour for their breastfeeding breaks/flexi-time/shorter hours. Most (90.9 per cent) also said that breastfeeding breaks/flexi-time/shorter hours are paid, with the rest (9.1 per cent) reported that such time is not paid.

The responses of the workers' representatives largely matched those of the surveyed workers, with four of the five reporting that their factory does not provide nursing women the right to breastfeeding breaks, flexible working time or shorter working hours to breastfeed. Employers' representatives were more likely to claim that nursing workers have the right to breastfeeding breaks/flexitime, with this being the case for four of the nine representatives.

The responses generally suggest that the garment sector does not provide much in the way of breastfeeding time to nursing workers. In addition, where such time is provided, there is great deal of variety within the sector when it comes to duration of the right to breastfeed during work, the number of breaks per day and the amount of time per day. Where dedicated breastfeeding time is provided, it generally appears to be paid, which is a positive sign, but there are also clearly opportunities for policy action in this space to better ensure that needs of nursing workers and their infant children are met, and to align national and workplace policies with the requirements of Convention No. 183.

3.6.2. Workplace nursing facilities

Paragraph 9 of Recommendation No. 191 states that, where practicable, provision should be made for the establishment of facilities for nursing under adequate hygienic conditions at or near the workplace. As noted

above, breastfeeding is not mentioned in the Labour Proclamation, and as such there is no provision concerning breastfeeding facilities in Ethiopian law.

Among the workers surveyed, just 13 per cent reported that their factory provides a workplace nursing facility. Among the 42 respondents who reported that their factory does provide a nursing facility, 17 (or 40.5 per cent) reported that they were using the nursing facilities at the time of survey – a figure which shows just how vital such a facility can be to nursing workers. It is also worth noting that the workers' responses suggest a lack of concrete knowledge concerning the availability of a workplace nursing facilities, as 15 per cent of respondents said that they did not know whether such a facility existed, and it was quite common for workers within the same factory to give contradictory answers, with some saying yes and others no.

The responses of the employers' representatives largely lined up with those of the surveyed workers, with just two of the nine representatives stating that their factory provides a workplace nursing facility. These representatives were asked how many women were currently using these workplace nursing facilities, with one responding that 35 women were using the facility in their factory and the other reporting that 50 women were using theirs. Once again, these large numbers of users indicated the need for and benefit of having nursing facilities provided by workplaces.

3.6.3. Workplace childcare services

Childcare services offer many benefits by promoting child development, reducing parents' unpaid care work and promoting women's employment and income. Childcare is an essential element of the continuum of care policies, however childcare deficits remain prevalent around the world. From childbirth to the start of compulsory school, working parents need a continuum of care policies, from maternity protection to paternity and parental leave to childcare for their children (ILO 2022, 212–214). This section briefly examines the current state of childcare provision by Ethiopian garment factories, and the potential benefits of workplaces providing such services for their workers with children.

The workers surveyed as part of this assessment were asked whether they have ever had any workplace issues arise due to lack of accessible childcare services. Roughly one-third (34 per cent) of workers reported that they had indeed faced workplace issues due to a lack of childcare

services. And workers' and employers' representatives acknowledged that a shortage of daycare services has resulted in worker absenteeism and tardiness, and in some cases, workers have had to quit their employment with the factory in order to meet their childcare obligations.

A potential solution to these issues is for garment factories to go above and beyond national legislation, by supplying their workers with childcare solutions, whether on-site or through subsidized external services.

Respondents were asked whether their factory has a workplace childcare service. The response was split roughly down the middle, with 47.7 per cent reporting that their factory has a workplace childcare service, and 51.1 per cent stating that their factory does not.¹² In all, a majority of the factories – 7 out of 12 – did not have childcare services available;¹³ while 4 factories did supply their own on-site childcare services for their workers. The final remaining factory was a bit of a special case, as it did not supply its own childcare services, but instead these services were provided by the industrial park in which the factory is located for 600 birr per month. It should be noted, however, that none of the respondents from this final factory answered “yes” when asked whether their factory provides childcare; so the services provided by the industrial park are clearly not considered by the workers to be something that the factory itself provides. Among the four factories that do offer their own childcare services, workers were basically universally aware of these services in three of the factories. However, there was less consensus in the fourth, with 6 out of 25 respondents from that factory believing that such services were not available, suggesting the need for better information dissemination in that factory.

In a follow up question, roughly half of the respondents who correctly reported that their factory has a workplace childcare service (71 out of 141)¹⁴ said that their workplace childcare service is provided irrespective of factors such as number or sex of the factory workers or the number of children of workers. However, responses are so varied within each of the relevant factories that it is probably

safer to say that the workers are not sure one way or another with regard to this policy point.

Workers who correctly reported that their factory has a workplace childcare service (n=141) were asked whether fathers working in the factory had the same access to these childcare services same as mothers working in the factory. Overall, 32.6 per cent said that fathers have the same access to these childcare services as mothers; while 23.7 per cent said fathers did not have the same access and 44.1 per cent did not know. In reality, these services are only open to mothers in all four of the factories that provide childcare services, but the responses by workers clearly demonstrate a general lack of awareness of this rule. This uncertainty can even be seen among those respondents who correctly said that fathers did not have equal access (n=34). When asked why this was so, 47.2 per cent said correctly stated that the daycare facility is meant for women workers only, but nearly as many (44.2 per cent) said they do not know the reason why.

The 141 respondents who correctly said their workplace had a childcare service were asked if they knew the age at which children of workers can access the service. Nearly three-fifths of these respondents (59.6 per cent) reported that they know the minimum age at which children of workers can access the workplace childcare service. However, there was once again little in the way of consistency among the responses within each of the factories with childcare services. For example, in one factory half of respondents said the eligible age was 1 year, but the remaining half placed the minimum age at between 4 and 6 years.

The 141 respondents who correctly reported that their workplace had a childcare service were asked whether they had to pay a fee for the service. Just 11 respondents reported that parents have to pay a fee for the workplace childcare service, and they were all from the same factory. Based on their responses, this fee appears to be 250 birr per month (equivalent to approximately US\$4.40), although one worker claimed it was just 150 birr.

Among the workers' representatives, three out of the five reported that their factory has a workplace childcare

¹² Three respondents did not know, and one declined to answer.

¹³ It should be noted, however, that there was some apparent confusion in one of the surveyed factories that does not offer childcare. There were only five respondents from this factory, and two said that the factory does offer childcare, one said it does not, one was not sure, and one

declined to answer. There were no other “yes” responses among the six other factories that do not offer childcare.

¹⁴ These 141 workers are those from the four factories that provide childcare services who correctly stated that their employer does indeed provide such services. Only seven workers from these factories answered either “no” (n=6) or “I don't know” (n=1) to that question.

service. All five representatives stated that fathers do not have the same access to these childcare services as mothers in their factory, as a shortage of space makes it mandatory to prioritize women and because the daycare is essentially for breastfeeding only.

Among the employers' representatives, only three out of the nine reported that their factory has a workplace childcare service, and that the workplace childcare service is provided irrespective of the number and sex of workers or the number of children of workers. In a follow up question, two of these respondents reported that children of workers can access the workplace childcare services as early as at the age of three months and can continue to utilize the service until the age of four.

In addition to asking about the current state of childcare provision within their factory, the survey respondents were asked about their childcare preferences. In all, 42.3 per cent of surveyed workers (n=148) reported utilizing some form of childcare at the time of the survey. Of these, a little more than one-third (n=47) stated that they are not satisfied with their current childcare arrangement, with cost and quality of service being the main reasons for this dissatisfaction.

Respondents were asked to rate a number of potential childcare options, including workplace day care, public day care, community day care, care at the child's home by a paid provider, care at the child's home by an unpaid family member/friend, and care at a child minder's home. Workplace daycare was by far the most popular answer, with 87 per cent of workers who are currently utilizing a childcare arrangement reporting that they "strongly prefer" the idea of using workplace day care.

The findings from the surveys strongly suggest that if Ethiopian garment factories provided childcare services, their workers would definitely make use of them. Should garment factories provide their own childcare services for their workers it would create a win-win situation in which workers see their childcare needs being met and factories would have a more stable and motivated workforce.

Garment workers, particularly women workers, would be less likely to leave their jobs due to care responsibilities, allowing for greater continuity in the workforce and preventing the loss of skills and institutional knowledge, and workers with children will require less time away from work to meet their children's care needs. However, the responses from workers in factories that currently offer such services demonstrate a wide range of understandings of the policies related to these services,

including the ages at which children can be enrolled and whether fathers have access to the facility. As such, it is imperative that factories not only offer such services, but that they educate their staff concerning their use and the policies that govern them.

3.7. Conclusion

Ultimately, there appear to be few explicit policies or collective agreements concerning maternity protection and childcare responsibilities in Ethiopia's garment sector. In addition, where such policies and practices have been put in place, workers are often either unaware of them or misinformed, suggesting an overall need to better disseminate information on these policies and practices among the garment sector workforce. These policy and awareness gaps can have consequences for both workers and the factories that employ them, which is explored in the next section below.

4. Impacts on the garment sector

The presence or absence of care-related policies and practices can have substantial impacts on business productivity. Care policies and practices support worker retention, reduce absenteeism and improve worker well-being. This, in turn, can translate into a more motivated and experienced workforce that can drive productivity while also promoting the reputation of the factory among buyers and other key stakeholders in the garments value chain. This section examines some of the impacts that the lack of dedicated care-related policies and practices may already be having on Ethiopian garment factories.

4.1. Absenteeism due to workers' family responsibilities

When workers lack access to quality childcare, they may have little choice but to absent themselves from work to handle their family care responsibilities. Often, they do so by taking emergency leave or sick leave.

Among the surveyed workers, 44.3 per cent took emergency leave days in the last year to deal with family responsibilities, with most of these workers (113 out of 133) taking between 1 and 10 days of emergency leave. Another 16 workers reported taking between 11 and 29 days of emergency leave, and 4 workers reported taking 30 or more days (with the largest reported amount being 2 months). There was, however, a rather large discrepancy between women and men with regard to taking

emergency leave, as nearly half of women workers (47.6 per cent) reported taking emergency leave to deal with family responsibilities, as opposed to just 29.1 per cent of men.

Similarly, 42.7 per cent of surveyed workers used sick leave in the last year to handle family responsibilities, with nearly all of these workers (119 out of 128, or 93 per cent) taking between 1 and 10 sick days. As with emergency leave days, women were more likely to use sick days to address family responsibilities, with 45.2 per cent of women workers taking sick days for this purpose, as opposed to 29.1 per cent of men. In addition, workers from the eight factories that did not offer childcare were much more likely to take sick leave to address family responsibilities (48 per cent) than workers from the four factories with childcare facilities (38.5 per cent).

In general, the gendered dimension of the use of emergency and sick leave to address family circumstances is of particular note within the garment industry – a sector that is characterized by high levels of female workers. The current lack of childcare facilities and other care-related policies means that garment factories have created a scenario in which a large proportion of their workforce is taking time away from work to make up for these care deficits, impacting overall productivity and likely contributing to many women workers' deciding to quit their employment to meet family care responsibilities (see section 4.2.1 below). The data concerning sick leave is particularly illustrative of the value of workplace childcare services, as it clearly shows that workers without access to such services are much more likely to absent themselves from work to address family care responsibilities.

Workers' and employers' representatives generally acknowledged that both emergency leave and sick leave were being used by workers to deal with family responsibilities, although two employers' representatives claimed that workers never use sick leave for this purpose. That said, another two employers' representatives estimated that 15 per cent of the sick leave taken by their workers is to deal with family responsibilities, while a third expressed the belief that almost all workers have at some point used sick leave for this purpose.

4.2. Workers quitting due to pregnancy or childcare responsibilities

The responses in section 3.3.2 above broadly suggest that the jobs of pregnant women and those on maternity leave

are secure, but that does not mean that substantial numbers of women do not leave the garment workforce due to pregnancy or care responsibilities related to having young children. In all, 46.3 per cent of surveyed workers said that between 1 and 10 workers in their factory had quit their employment within the past two years presumably due to pregnancy or to care for young children. An additional 5.3 per cent of surveyed workers reported that between 11 and 33 workers had quit their employment for such reasons; with another 6.7 per cent saying that either "many" or "too many" workers had terminated their employment. It should also be noted that essentially all of the workers who reportedly left their employment due to pregnancy or childcare responsibilities were women, with only nine respondents claiming that any men quit their employment for such reasons.

One worker respondent said that 150 women had left their employment in the last two years due to pregnancy or childcare responsibilities. At first glance this seems like an unrealistic number, at least when compared with other respondents, but one of the employer representatives also said that 130 workers – all women – had quit their employment at the factory due to pregnancy or childcare responsibilities, suggesting that such massive turnover is happening in the sector in relation to childcare.

When women workers decide to terminate their employment due to pregnancy or childcare responsibilities, factories lose skilled workers that may very well have been retained if childcare and other care-related practices had been in place. The loss of experienced workers immediately impacts productivity and can have ripple effects on the morale of workers who remain. Factories must also expend both time and money to hire and train new workers, and it may be a lengthy period before these new workers can operate at the same level as those who departed.

4.2.1. Staff turnover: Women versus men workers

Workers' and employers' representatives were asked about whether they believed that turnover was higher among women workers or male workers. Overall, three out of the five workers' representatives believed that staff turnover was higher among women workers, with all three citing family responsibilities as a primary reason for this higher turnover (one of them also put forward low pay as a key reason). This opinion was largely mirrored by the employers' representatives, with six out of nine saying

that they believe turnover is higher among women workers. The reasons they provided for this higher turnover among women included pregnancy, family responsibilities/problems, and low pay.

The gendered nature of staff turnover – with more women departing than men – should be of particular concern to garment manufacturers, as women make up the bulk of the sector's workforce. Care-related policies at work can help create and reinforce an environment in which care work is more evenly divided between women and men, and allow women to feel supported at work and in their home lives. This in turn can reduce staff turnover and the associated loss of institutional knowledge and skilled labour.

4.3. Overtime

Overtime is a common practice in the garment sector as a way to respond to production deadlines, fluctuating demands and global competition. Overtime work in the sector can be the result of contractual obligations and/or a way for workers to compensate for low wages. The surveyed workers were asked whether they work overtime (that is, working hours that are in excess of the normal (legislated) working hours per day or week). Overall, 64 per cent of the respondents reported that they do indeed work overtime. Of these workers (n=192), nearly half (46.9 per cent) work up to 6 hours of overtime per week; one-quarter (25.5 per cent) work between 7 and 12 hours of overtime; 5 per cent put in between 13 and 20 hours of overtime; and 15.1 per cent put in 24 or more hours of overtime each week. It should be noted, however, that one factory is responsible for nearly all of the workers (26 out of 29) who work 24 or more hours of overtime each week.

Workers who regularly engage in overtime work – particularly for excessive periods of time – tend to be less productive overall. The combination of lengthy work hours and care responsibilities can lead to exhaustion and burnout, hampering the ability of workers to perform efficiently and effectively. The highly gendered distribution of care responsibilities in Ethiopia that places most of the unpaid care work on the shoulders of women means that women workers are particularly at risk of burnout, which can lead to high levels of absenteeism and turnover in a female-dominated sector such as garments.

4.4. Women in management/leadership roles

Workplaces that do not promote gender equality can act as barriers to women's advancement. In the study, workers' and employers' representatives were asked about the extent to which women held senior management roles in their factories. Among the workers' representatives, two out of five said that women constitute less than 10 per cent of all factory leaders or top managers, with another two reporting that women account for 11–30 per cent of these roles. The remaining workers' representative said that none of the senior management roles in their factory were held by women.

This state of affairs was largely the same among the employers' representatives, with some important exceptions. Three of the nine employers' representatives said that women accounted for less than 10 per cent of top managers, with another three saying that women held 11–30 per cent of these roles. As with the workers' representatives, one employer representative said that none of the top managers were women. However, two of the employers' representatives said that more than half of the top leaders and managers in their factories were women.

The picture painted by these representatives is of a sector in which women predominate in roles at the bottom of the career ladder but have limited opportunities for advancement or leadership roles. Within the specific context of maternity protection and childcare, the absence of women leaders could have a major effect on enterprise leadership's ability to understand and adequately respond to the needs and challenges of their many female workers. This can, in turn, have consequences related to worker retention and productivity. The fact that there do appear to be at least some factories in which women make up both the majority of workers and the majority of leaders is a positive sign, but such enterprises appear to be a relatively small minority, with men taking up most of these roles across the sector.

5. Potential drivers of the findings

As noted above, significant numbers of garment workers leave their jobs due to pregnancy or family care responsibilities, and absenteeism due to care responsibilities is also common throughout the sector. In addition, worker productivity is likely being negatively affected in the sector due to the balancing of work and

care responsibilities. This section considers why this may be so, even when factories have introduced policies aimed at addressing the care needs of their workers.

5.1. Provision of information on policies, benefits and services

Care-related policies and services cannot properly support worker retention and productivity if workers do not have adequate access to information concerning these policies and services. The dissemination of this knowledge is therefore an important duty of each factory, which should both directly inform its workers of their maternity rights as well as any benefits, policies and services available to help workers handle their family responsibilities. In addition, workplaces should utilize various avenues to publicize their policies, regulations and services, including any changes that might have been made to these policies, regulations and services.

The surveyed workers were asked whether their workplace directly informs them about their maternity rights and the available benefits, policies and services, as well as whether their workplace publicizes their policies and regulations. A majority of respondents – 54.7 per cent – reported that their factory does not inform them about their maternity rights and other benefits, policies and services to help workers handle their family responsibilities. Similarly, 45 per cent of surveyed workers reported that their factories do not publicize their regulations.

Among the respondents who reported that their factory does provide information on maternity rights and benefits, policies and services to support workers in addressing family responsibilities (n=136), 91.2 per cent reported that this information is shared during orientation, and 83.8 per cent had received at least some training on these matters outside of orientation.

The responses from workers' representatives generally line up with those of the surveyed workers, with two of the five respondents reporting that their factory does not inform women workers about their maternity rights and other benefits, policies and services to help workers support family responsibilities. In addition, three of the five workers' representatives said their factories do not publicize their regulations.

Employer representatives painted a more positive picture concerning the dissemination of information on workers' maternity rights and other related benefits, policies and

services, with seven of the nine representatives asserting that their factory does make these known to workers. All seven of these employer representatives said that this information was provided during orientation, with four of them also claiming that their workers received training on these matters at least once a year. The picture was less positive with regard publicizing policies and regulations, with only four of the nine employers' representatives saying that this happens in their workplaces.

Overall, the data presents a mixed picture when it comes to the dissemination of information, with some factories clearly presenting their workers with overviews of benefits, policies and services during the onboarding process and through regular trainings, while others appear to do little if anything in the way of information dissemination, essentially leaving it up to workers and circumstance. In addition, it appears that a minority of factories publicize their policies and internal regulations, which is a missed opportunity when it comes to developing an informed and well-supported workforce, which would also support worker retention and productivity.

5.2. Retention measures for workers with children under the age of five

As noted above, worker retention is an issue in the sector, particular when it comes to women workers who are pregnant or have childcare responsibilities. This being the case, the surveyed workers were asked whether their factory had put in place any measures aimed at retaining workers with children under the age of five. Just 12 workers (or 4 per cent) responded in the affirmative, with half of these coming from a single factory. Of these 12 workers, 9 cited the provision of childcare services as the factory policy aimed at retaining workers with young children. Nearly three-quarters of surveyed workers (73.7 per cent) said that there were no such retention policies in their factory, and an additional 21 per cent did not know if such policies had been implemented. Workers' and employers' representatives were more likely to claim that such policies were in place. Two out of five workers' representatives said that their factory had worker retention policies aimed at workers with young children, with both representatives citing the provision of daycare services.

Three of the nine employers' representatives claimed their factory had such policies, but two of them cited policies – one being the occasional distribution of exercise book

bags and the other being the provision of maternity and paternity leave – that may not be the most supportive policies for workers with family responsibilities returning to work with young children. The third employer representative cited childcare provision as their retention policy, which is a great example of creating a supportive workplace for workers with family responsibilities, and aligned with provisions in ILO Convention No. 156.

In general, however, it does not appear that enterprises in the sector have much in the way of policies aimed at retaining workers with young children, which can lead to workers – particularly women workers – leaving the workforce to address family care needs. In addition, even when companies have such policies (including childcare provision), many workers clearly do not perceive these offerings as being adequate. This suggests a need for garment enterprises to improve policy offerings and to promote them among workers with young children so as to let them know they are viewed as valued employees. Such efforts would support worker well-being, and in doing so, support worker retention and productivity.

5.3. Support for workers returning from maternity or paternity leave

A related aspect of worker retention is the provision of support to workers returning from care-related leave. Respondents were therefore asked whether their factory offers training, counselling or support to help women workers returning from maternity leave or paternity leave to gradually re-adapt to the workplace and their work. In all, 18.7 per cent of respondents said that their factory offers such support for returning workers; though nearly half of these respondents (27 out of 56) are from the same factory. This figure broadly aligns with the share of workers' representatives (one out five) and employers' representatives (two out of nine) reporting that such support is available to returning workers.

The general lack of support in the sector for returning workers could have a negative impact on worker retention, in addition to representing a missed opportunity to promote worker productivity through the provision of training and support.

5.4. Workers' voice

For workers to feel adequately supported, their workplace concerns must be made known, and their input valued.

The surveyed workers were asked whether they felt that they were regularly included in consultations (either directly or through workers' organizations) when their factory is making decisions that will affect them (for example, concerning working conditions or pay). A little more than half of workers (52 per cent) said that they do not feel that they are regularly consulted in such matters. Only 17 per cent reported that they do feel that they are regularly consulted, with an additional 14 per cent feeling that they are sometimes consulted (the remainder were not sure). Responses to this question tended to be quite mixed within a single factory, but it should be noted that only in 2 of the 12 factories did a majority of respondents feel that they were at least sometimes consulted.

This lack of voice among workers can be damaging to worker well-being and lead to a work environment in which workers do not feel valued or motivated to perform their work. This is the sort of scenario that can lead to high turnover and reduced productivity.

6. Conclusion

The surveys conducted for this study offered an opportunity to gain insights from a variety of perspectives on care-related policies and practices in the Ethiopian garment sector, including around maternity protection and the provision of childcare.

The survey results suggest that dedicated maternity protection policies are not widespread throughout the sector, and that even where such policies or practices are in place, many workers are either unaware of them or lack a full understanding of what they entail. That said, maternity leave of a duration in line with both national law and ILO Convention No. 183 is widespread in the sector, and women on maternity leave generally seem to be protected from employment termination. However, maternity benefits are entirely paid for by employers, which is not in line with international standards that call for these to be paid via compulsory social insurance or public funds. Paternity leave is also widespread, but at only three days, it creates a situation in which the vast majority of care duties are foisted upon new mothers, which reinforces gendered norms around care and potentially prompts women to leave the workforce.

Worker retention and productivity in the garment sector are likely hampered by a lack of care-related policies and practices – particularly concerning the provision of childcare and care-related leave. Most of the factories in

the study (8 of 12) did not provide workplace childcare services, leading to absenteeism, with workers in these factories being more likely to take sick leave to deal with family responsibilities than workers in factories with childcare services. In addition, nearly half of workers (46.3 per cent) reported that between one and ten workers in their factory had left their employment due to pregnancy or childcare responsibilities, and 21.3 per cent of workers stated that pregnant women and women returning from maternity leave are not treated fairly and respectfully in their factory. These responses suggest that inadequate maternity protection and care policies are leading to the loss of experienced workers.

The section that follows offers recommendations to support the well-being of workers with family responsibilities in a manner that can promote worker retention and boost overall productivity.

7. Moving forward

The following recommendations are aimed at various stakeholders with the aim of supporting workers with family responsibilities in Ethiopia's garment sector and beyond.

7.1. Workers' organizations and representatives

- Support workers with family responsibilities in exercising their rights to freedom of association, with particular focus on increasing women's membership, active participation and leadership in trade union activities.
- Conduct ongoing information sharing sessions with garment factory workers on care-related rights, with the aim of empowering workers with family responsibilities to learn and assert these rights. These sessions should target both men and women workers, and emphasize the crucial role men can play in caregiving and sharing unpaid care work at home.
- Through collective negotiation mechanisms, advocate for the inclusion of care-responsive workplace policies that address the needs of workers with family responsibilities. This may involve incorporating provisions for workplace childcare centres, breastfeeding facilities, or extensions to childcare related leave in sectoral or factory-level collective agreements.

7.2. Employers' organizations and representatives

- Ensure that factories' care-related policies align with national law, including the Constitution and the Labour Proclamation. This would include safeguarding women returning from maternity leave against dismissal for at least the one-month period mandated by the Labour Proclamation and ceasing obligatory HIV testing.
- Conduct information sharing sessions on care-related factory policies during onboarding and throughout the employment cycle, signalling management's support for their take-up. Make these sessions available to all workers without discrimination based on sex, marital status or pregnancy status. When workers disclose changes in their caregiving status – for example, that they are expecting a child – provide information and remind them of their care-related rights.
- Foster an enabling and care-friendly environment for gender equality in the workplace, including by supporting the recruitment, retention and promotion of women in the garment sector. This would involve eliminating all forms of discrimination faced by workers with family responsibilities, including by strengthening complaints mechanisms and following up on reported allegations, such as instances where women were compelled to resign during pregnancy or after returning from maternity leave.
- Through collective negotiation mechanisms, establish workplace measures that go above and beyond national law to support workers with family responsibilities. This may include incorporating provisions such as workplace childcare centres, banning pregnancy testing at any stage of employment, extending maternity and paternity leave in sectoral or factory-level collective agreements, or providing care-responsive working time arrangements.

7.3. Government

- Engage in social dialogue with national and sectoral employers' and workers' organizations, ensuring that the voices and representation of workers with family responsibilities and those who receive care are included. These dialogues should be informed by this assessment's findings on care policy and implementation gaps in the garment sector, as well as the care needs of target populations.
- Build fiscal, regulatory and technical capacity to design, finance and implement inclusive care policies. This

includes taking steps to ratify and effectively implement ILO Convention No. 183, as recommended by the ILO Standards Review Mechanism Tripartite Working Group, with the priority to the transitioning of maternity benefits financing from employer liability to social insurance or public taxation schemes. Additionally, efforts should be made to upscale and strengthen the implementation of ILO Convention No. 156.

- Support the capacity-building of the labour inspectorate to conduct gender-sensitive and care-responsive labour inspections. This would include following up on complaints of unfair or discriminatory treatment reported by workers with family responsibilities. Provide support to employers and

workers to ensure that factory-level policies and practices comply with the labour code.

- Consider rolling out this assessment in the garment and textile sector throughout Ethiopia. Explore adapting research methodology to assess other sectors in the country, with emphasis on supplying sectors – such as the agricultural sector, or among domestic workers and migrant workers. With the engagement of social partners, utilize research findings to understand and meet the needs of workers with family responsibilities. This could include supporting the development and operation of childcare centres with decent working conditions for their care workers.

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