

Committee on the Application of Standards

Date: 19 May 2025

Governments appearing on the preliminary list of individual cases have the opportunity, if they so wish, to supply on a purely voluntary basis, written information before 19 May 2025.

► Information on the application of ratified Conventions supplied by governments on the preliminary list of individual cases

Ghana (ratification: 1986)

Maternity Protection Convention (Revised), 1952 (No. 103)

The Government has provided the following written information.

The Government of Ghana, since becoming a member of the ILO in 1957, has taken steps to ensure the rights of all workers are respected without discrimination. The Government has always lived up to its obligations and taken measures to address comments by the Committee of Experts on the Application of Conventions and Recommendations with the objective of ensuring compliance and the achievement of decent work for all. The Government, together with its social partners, have taken cognizance of the concerns raised by the Committee of Experts regarding the implementation of the following provisions in the Convention:

1. Article 3(2) and (3) of the Convention. Compulsory maternity leave. The government has taken note that section 57 of the Labour Act, 2003 (Act 651) does not expressly provide for at least six weeks' compulsory maternity leave after childbirth as required under Article 3(2) and (3) of this Convention. The Government would like to inform the Committee of Experts that it will seize the opportunity under the ongoing labour legislative review, together with the tripartite partners, to give requisite effect to Article 3(2) and (3). The Government wishes to assure the Committee of Experts of its commitment to adhere to the fundamental principles and rights at work as provided for in the Convention.
2. Article 3(4). Extension of maternity leave in the event of late childbirth. The Government has further noted the Committee of Experts' comment that section 57 of Act 651 does not clearly mainstream late child delivery and that any late child delivery should be added to the prescribed maternity leave under the Act. The Government wishes to assure the Committee of Experts that it will engage with the tripartite constituents to consider the amendments of section 57 of Act 651 in the ongoing labour act review to include late child delivery and related matters. The Government will also request technical support from the ILO to assist in addressing the gaps in the current Labour Act.

3. Article 4(4) and (8). Cash benefits. The Government has taken note of the concerns raised in respect of cash benefits under the maternity social scheme contained in this Convention. The Government requests technical assistance to explain the dynamics of cash benefits within the context of this Convention.
4. Article 6. Prohibition to give notice of dismissal during the protected period or to give notice of dismissal at such a time that the notice would expire during the protected period. The Government continues to assure the Committee of Experts of its efforts to bring the Labour Act in line with the Convention and will seize the opportunity to amend the Labour Act to reflect the prohibition NOT to give notice of dismissal during the protected period or NOT to give notice of dismissal at a time that the notice would expire during the protected period. The Government requests technical assistance in this regard.
5. The Committee of Experts therefore encourages the Government to envisage the possibility of ratifying the Maternity Protection Convention, 2000 (No. 183), as the most up-to-date instrument in this technical area. The Government wishes to reiterate its commitment to protect the rights of women and considers the ratification of Convention No. 183 important. The Government wishes to express its gratitude for the opportunity to respond to the concerns of the Committee of Experts, and to request technical assistance to facilitate and improve the ongoing processes in order to bring the country's labour laws in line with the requirements of the ILO Conventions.