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## ► **Care at work**

Investing in care leave and services  
for a more gender equal world of work





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INTERNATIONAL LABOUR OFFICE GENEVA

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## ► Preface

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The COVID-19 pandemic has exacerbated pre-existing gender inequalities in the labour market and the imbalance between women and men regarding housework and family responsibilities. The additional care demands on women's time has forced many to quit paid work altogether, making their re-entry into the labour market even more challenging as economies and societies recover from the pandemic. The latter has exposed the urgent need to address the unequal share of unpaid care work between women and men and between families and the State, and has underlined the importance of investing in an ecosystem of transformative care policies. This is to the benefit of workers (both women and men), children, businesses, societies and the planet; since making the right to care and to be cared for a reality for all has overarching implications for the sustainability of humanity.

Investing in care is central to the *ILO Declaration for the Future of Work* and the *Global call to action for a human-centred recovery from the COVID-19 crisis that is inclusive, sustainable and resilient*. Both have been endorsed by governments and employers' and workers' organizations from all over the world, and are grounded on international labour standards. "Large-scale investment in the care economy" is also a key transformative measure of the UN Secretary-General's *Our Common Agenda*. It is also central to the UN Global Accelerator on Jobs and Social Protection for Just Transition initiative to accelerate the implementation of the Sustainable Development Goals through the creation of decent jobs, primarily in the green and care economies, and by extending social protection floors to people currently not covered by any social protection by 2030. As of March 2022, the ILO and over 50 other members joined the Global Alliance for Care, spearheaded by the National Institute of Women of Mexico in alliance with UN Women to advance global and national care work agendas.

As a contribution to the implementation of these ambitious agendas, this report provides a comprehensive comparative analysis of national legal provisions on maternity protection and care leave and services for workers with family responsibilities in over 180 countries around the world. Based on legal information collected by the ILO, the report offers an overview of progress and challenges in delivering transformative care policies, paying attention to the capacity of national legislation to acknowledge care policies' provisions for categories of workers that are typically excluded from coverage, such as the self-employed, workers in the informal economy, and adoptive and LGBTIQ+ parents.

Through a comprehensive and unique macrosimulation, the report also shows that investing in care policies holds the potential to generate decent work in care sectors, strengthen social protection systems, and close long-standing gender gaps at work and at home that were exacerbated by the pandemic.

There will be no full, gender-equal, sustainable and inclusive recovery from the COVID-19 pandemic without serious investments in transformative care policy packages. This is the main message of this report, which we hope will not remain unheard.

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## ► Table of contents

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<b>Preface</b>	<b>5</b>
<b>Acknowledgements</b>	<b>20</b>
<b>Abbreviations</b>	<b>21</b>
<b>Executive summary</b>	<b>23</b>
<b>Chapter 1. Introduction</b>	<b>39</b>
1.1. Contents of the report	48
<b>Chapter 2. Maternity Leave: A universal but unfulfilled human and labour right</b>	<b>49</b>
2.1. Maternity protection: Over a century of vital rights, but not all mothers still benefit from it	53
2.2. Duration of maternity leave: Ensuring an adequate rest and recovery time	54
2.3. Adequacy of maternity leave cash benefits: Ensuring health protection and income security	59
2.4. Source of funding of maternity leave cash benefits: Protecting a public good through collective responsibility	64
2.5. National alignment of maternity leave schemes with Convention No. 183: Requirements on duration, amount and source of funding	70
2.6. The scope of maternity leave: Guaranteeing a fundamental right to all women	75
2.7. Employment protection and non-discrimination: To guarantee maternity protection	83
2.8. Conclusions: Findings on maternity leave in a nutshell	93
<b>Chapter 3. Paternity leave: The rise in men's care rights and responsibilities</b>	<b>95</b>
3.1. Provision of the right to paternity leave: Realizing the right to care and be cared for	98
3.2. Duration of paternity leave: The need for bonding time after childbirth	99
3.3. Adequacy of paternity leave cash benefits: Ensuring the need for well-paid paternity leave	104
3.4. Source of funding of paternity leave cash benefits: Paternity is also a collective responsibility	106
3.5. Provision of paternity leave for self-employed, adoptive and same-sex fathers: Many still remain excluded	109
3.6. Take-up rates of paternity leave: Turning rights into reality	115
3.7. Employment protection and non-discrimination: Towards improving paternity leave take-up rates	119
3.8. Conclusion: Findings on paternity leave in a nutshell	125

<b>Chapter 4. Parental leave and other care leave: Balancing work and family responsibilities over the life course</b>	<b>127</b>
4.1. The importance of ensuring a continuum of care over the life course	131
4.2. Provision of the right to parental leave: Care leave rights after maternity and paternity leave	131
4.3. Duration of parental leave: A long way to universal childcare services	133
4.4. Adequacy of parental leave cash benefits: Sustaining income security for care	139
4.5. Source of funding of parental leave cash benefits: Making a collective responsibility sustainable	143
4.6. Provision of parental leave for specific categories of workers: Many categories of workers are still excluded from parental leave	145
4.7. Fathers' take-up rates of parental leave are still low	151
4.8. Employment protection and non-discrimination connected with parental leave: Improving parental leave take-up rates for both women and men	153
4.9. Long-term care leave and emergency leave: Essential support for workers with family responsibilities	160
4.10. Conclusion: Findings on parental leave in a nutshell	170
<b>Chapter 5. Health protection for pregnant and nursing women: Leveraging the workplace to promote safety and health and saving lives</b>	<b>173</b>
5.1. The right to a safe and healthy working environment for all: Essential to decent work, gender equality and health protection	176
5.2. Ensuring decent working time for all workers: For a better work-life balance	177
5.3. Time off for prenatal examinations can save lives by tackling preventable maternal mortality and morbidity	180
5.4. All workers should have a right to safe and healthy workplaces: Pregnant or nursing women have a right to special protection	182
5.5. The provision of protective measures: Offering alternatives to dangerous or unhealthy work	187
5.6. Conclusion: Findings on health protection in a nutshell	191
<b>Chapter 6. Breastfeeding at work: Time, income security and space to enable positive nutrition and health outcomes</b>	<b>193</b>
6.1. Provision of the right to breastfeeding at work: A key enabler of a health-promoting behaviour	195
6.2. The frequency and duration of nursing breaks: Adjusting to women's needs and preferences through flexibility	200
6.3. The duration of the right to nursing breaks: Aligning labour rights to international health recommendations on breastfeeding	204
6.4. Workplace nursing facilities: A key ingredient of breastfeeding-friendly workplaces	206
6.5. Conclusion: Findings on in a nutshell	209

<b>Chapter 7.</b>	<b>The vital role of childcare in societies and economies</b>	<b>211</b>
7.1.	Provision of the right to childcare services: Going beyond care leave policies	214
7.2.	Childcare services for children aged 0–2 years: A necessary connection between care leave and care services	220
7.3.	Childcare services for children aged 3 years to the start of primary school: Essential care services to ensure the continuum of care	231
7.4.	Conclusion	239
<b>Chapter 8.</b>	<b>Long-term care services are essential to ensure the right to healthy ageing in dignity</b>	<b>241</b>
8.1.	Long-term care services: Guaranteeing the right to health, income security and gender equality	243
8.2.	The provision of public long-term care services for older persons: Sharing the care over the life cycle	244
8.3.	In-home, community and residential care: Providing a comprehensive spectrum of long-term care solutions	249
8.4.	Actual coverage: Long-term care services remain inadequate and inaccessible to the large majority of older persons	257
8.5.	Funding mechanisms for long-term care services: Ensuring the principles of universality, adequacy, solidarity and non-discrimination	260
8.6.	Conclusion: Findings on long-term care services in a nutshell	265
<b>Chapter 9.</b>	<b>Investing in transformative care policy packages: Translating commitments into realities</b>	<b>267</b>
9.1.	Global care policies: Promising trends and persisting gaps	270
9.2.	Closing care policy gaps: Key features of transformative care policy packages	281
9.3.	A common agenda for action: Investing in care	286
9.4.	Conclusion	298
<b>Annex.</b>	<b>Country-level data, definitions, methodology and sources</b>	<b>299</b>
	<b>Bibliography</b>	<b>420</b>

## ► List of boxes

---

Box 1.1.	ILO commitments to the Global Alliance for Care	44
Box 2.1.	Social dialogue, including collective bargaining, for improving the adequacy of maternity leave cash benefits	63
Box 2.2.	Social security agreements as a means to extend maternity protection rights to migrant workers	80
Box 3.1.	Examples of workplace policies supporting paternity leave	117
Box 4.1.	Supporting workers with family responsibilities through leave policies in the time of COVID-19	167
Box 6.1.	Towards the progressive recognition of men's role in supporting breastfeeding and infant nutrition	199
Box 7.1.	National childcare service design	223
Box 7.2.	Childcare services for workers in the informal economy during the COVID-19 crisis in Senegal	226
Box 8.1.	Examples of long-term care provision in the Arab States and North Africa	259
Box 9.1.	Trends and gaps in care leave policies	271
Box 9.2.	ILO Areas of Action to support transformative care policy packages	297

## ► List of figures

Figure 1.1.	Overview of care policies part of the 5R Framework for Decent Care Work	41
Figure 1.2.	Global milestones of the ILO investing in the care agenda	46
Figure 2.1.	Duration of maternity leave, 2021	55
Figure 2.2.	Share of potential mothers by duration of maternity leave, by region and by income group, 2021 (%)	56
Figure 2.3.	Number of countries where maternity leave can be transferred to fathers for health reasons, by region, 2021	58
Figure 2.4.	Amount of maternity cash benefits, 2021	60
Figure 2.5.	Share of potential mothers by amount of maternity leave cash benefit, by region and by income group, 2021 (%)	61
Figure 2.6.	Source of funding of maternity leave cash benefits in national legislations	65
Figure 2.7.	Source of funding of maternity leave cash benefits, 2021	67
Figure 2.8.	Share of potential mothers by source of funding of maternity leave cash benefits, by region and by income group, 2021 (%)	68
Figure 2.9.	Presence of maternity leave scheme aligned with the provisions of Convention No. 183, 2021	71
Figure 2.10.	Share of potential mothers by presence of maternity leave scheme aligned with the provisions of Convention No. 183, by region and by income group, 2021 (%)	72
Figure 2.11.	Reasons for non-alignment with requirements of Convention No. 183 on duration, amount and source of funding of maternity leave cash benefits, 2021	74
Figure 2.12.	Share of self-employed workers (with and without employees) in total employment, by sex, 2000–20	76
Figure 2.13.	Provision of maternity leave cash benefits for self-employed workers, 2021	77
Figure 2.14.	Share of self-employed workers by provision of maternity leave cash benefits for self-employed workers, by region and by income group, 2021 (%)	78
Figure 2.15.	Provision of maternity leave for adoptive parents, 2021	81
Figure 2.16.	Share of potential mothers by provision of maternity leave for adoptive parents, by region and by income group, 2021 (%)	82
Figure 2.17.	Length of protection against dismissal related to maternity leave, 2021	84
Figure 2.18.	Share of potential mothers by length of protection against dismissal, by region and by income group, 2021 (%)	85
Figure 2.19.	Employer must prove dismissal is not connected with workertaking maternity leave, 2021	86
Figure 2.20.	Share of potential mothers by whether the employer must prove dismissal is not connected with maternity leave, by region and by income group, 2021 (%)	87



Figure 2.21.	Guaranteed right to return to the same position or equivalent following maternity leave, 2021	88
Figure 2.22.	Share of potential mothers by guaranteed right to return to the same or equivalent position following maternity leave by region and by income group, 2021 (%)	89
Figure 2.23.	Prohibitions against pregnancy tests in employment, 2021	90
Figure 2.24.	Share of potential mothers by prohibitions against pregnancy tests in employment by region and by income group, 2021 (%)	91
Figure 3.1.	Duration of paternity leave, 2021	100
Figure 3.2.	Share of potential fathers by duration of paternity leave by region and by income group, 2021 (%)	101
Figure 3.3.	Amount of paternity leave cash benefit, 2021	105
Figure 3.4.	Share of potential fathers, by amount of paternity leave cash benefits by region and by income group, 2021 (%)	106
Figure 3.5.	Source of funding of paternity leave cash benefit, 2021	107
Figure 3.6.	Share of potential fathers, by source of funding of paternity leave cash benefits by region and by income group, 2021 (%)	108
Figure 3.7.	Provision of paternity leave cash benefits for self-employed workers, 2021	110
Figure 3.8.	Share of self-employed men by provision of paternity leave for self-employed workers by region and by income group, 2021 (%)	111
Figure 3.9.	Provision of paternity leave for adoptive parents, 2021	112
Figure 3.10.	Share of potential fathers by provision of paternity leave for adoptive parents, by region and by income group, 2021 (%)	113
Figure 3.11.	Provision of paternity leave for same-sex parents, 2021	114
Figure 3.12.	Share of potential parents by provision of paternity leave for same sex parents, by region and by income group, 2021 (%)	115
Figure 3.13.	Recipients/users of publicly administered paternity leave benefits or publicly administered paid paternity leave per 100 live births in selected OECD countries, 2016	116
Figure 3.14.	Length of obligatory paternity leave and source of funding in relevant countries, 2021	118
Figure 3.15.	Length of protection against dismissal related to paternity leave, 2021	119
Figure 3.16.	Share of potential fathers by length of protection against dismissal related to paternity leave, by region and by income group, 2021 (%)	120
Figure 3.17.	Employer must prove dismissal is not connected with worker taking paternity leave, 2021	121
Figure 3.18.	Share of potential fathers by whether employer must prove dismissal is not connected with paternity leave, by region and by income group, 2021 (%)	122
Figure 3.19.	Guaranteed the right to return to the same position or equivalent following paternity leave, 2021	123

Figure 3.20.	Share of potential fathers by paternity leave guaranteed right to return to the same position or equivalent by region and income group, 2021 (%)	124
Figure 4.1.	Duration of parental leave available to households, 2021	133
Figure 4.2.	Share of potential parents by duration of parental leave available to households, by region and by income group, 2021 (%)	135
Figure 4.3.	Amount of parental cash benefits, 2021	140
Figure 4.4.	Share of potential parents, by amount of parental leave cash benefits by region and by income group, 2021 (%)	141
Figure 4.5.	Source of funding of parental leave cash benefits, 2021	143
Figure 4.6.	Share of potential parents by source of funding of parental leave cash benefits by region and by income group, 2021 (%)	144
Figure 4.7.	Provision of parental leave cash benefits for self-employed workers, 2021	146
Figure 4.8.	Share of self-employed workers by provision of parental leave cash benefits for self-employed workers, by region and by income group, 2021 (%)	147
Figure 4.9.	Provision of parental leave for adoptive parents, 2021	148
Figure 4.10.	Share of potential parents by provision of parental leave for adoptive parents, by region and by income group, 2021 (%)	149
Figure 4.11.	Provision of parental leave for same-sex parents, 2021	150
Figure 4.12.	Share of potential parents by provision of parental leave for same-sex parents, by region and by income group, 2021 (%)	151
Figure 4.13.	Male share of recipients of paid parental leave in selected OECD countries, latest available year	152
Figure 4.14.	Length of paid parental leave reserved for fathers in selected countries, 2021	153
Figure 4.15.	Length of protection against dismissal related to parental leave, 2021	154
Figure 4.16.	Share of potential parents by length of protection against dismissal related to parental leave, by region and by income group, 2021 (%)	155
Figure 4.17.	Employer must prove dismissal is not connected with worker taking parental leave, 2021	156
Figure 4.18.	Share of potential parents by whether employer must prove dismissal is not connected with parental leave, by region and by income group, 2021 (%)	157
Figure 4.19.	Guaranteed the right to return to the same position or equivalent following parental leave, 2021	158
Figure 4.20.	Share of potential parents by guarantee to the right to return to the same or equivalent position following parental leave by region and by income group, 2021 (%)	159
Figure 4.21.	Provision of long-term care leave, 2021	161
Figure 4.22.	Share of women and men aged 15–65 years by provision of long-term care leave, by region and by income group, 2021 (%)	162
Figure 4.23.	Source of funding of long-term care leave, 2021	163

Figure 4.24.	Share of women and men aged 15-65 years by source of funding of long-term care leave, by region and by income group, 2021 (%)	164
Figure 4.25.	Provision of long-term care leave cash benefits for self-employed workers, 2021	164
Figure 4.26.	Share of women and men aged 15-65 years by provision of long-term care leave for self-employed workers, by region and by income group, 2021 (%)	165
Figure 4.27.	Provision of emergency leave, 2021	168
Figure 4.28.	Share of women and men aged 15-65 years by provision of emergency leave, by region and by income group, 2021 (%)	169
Figure 5.1.	Provision of night work protection to pregnant and breastfeeding workers, 2021	178
Figure 5.2.	Share of potential mothers by provision of night work protection to pregnant and breastfeeding workers, by region and by income group, 2021 (%)	179
Figure 5.3.	Provision of time off for prenatal medical examinations, 2021	181
Figure 5.4.	Share of potential mothers, by provision of time off for prenatal medical examinations by region and by income group, 2021 (%)	182
Figure 5.5.	Provision of statutory protections against dangerous or unhealthy work for pregnant and breastfeeding workers, 2021	184
Figure 5.6.	Share of potential mothers, by presence of statutory provisions protecting pregnant and breastfeeding workers from dangerous or unhealthy work by region and by income group, 2021 (%)	185
Figure 5.7.	Provision of alternatives to dangerous or unhealthy work being performed by pregnant and breastfeeding workers, 2021	188
Figure 5.8.	Share of potential mothers by provision of alternatives to dangerous or unhealthy work being performed by pregnant and breastfeeding workers, by region and by income group, 2021 (%)	189
Figure 6.1.	Entitlement to paid nursing breaks, 2021	196
Figure 6.2.	Share of potential mothers by entitlement to paid nursing breaks, by region and by income group, 2021 (%)	197
Figure 6.3.	Number of daily nursing breaks, 2021	200
Figure 6.4.	Share of potential mothers by number of daily nursing breaks by region and by income group, 2021 (%)	201
Figure 6.5.	Total daily nursing break duration, 2021	202
Figure 6.6.	Share of potential mothers, by total daily nursing break duration by region and by income group, 2021 (%)	203
Figure 6.7.	Number of months during which nursing breaks are allowed by law, 2021	205
Figure 6.8.	Share of potential mothers by duration of the entitlement to nursing breaks by region and by income group, 2021 (%)	206
Figure 6.9.	Basis of statutory minimum requirement for mandatory provision of workplace nursing facilities, 2021	207

Figure 6.10.	Share of potential mothers by basis of statutory minimum requirement for mandatory provision of workplace nursing facilities by region and by income group, 2021 (%)	208
Figure 7.1.	Childcare services classification	214
Figure 7.2.	Average wages of ECED and pre-primary school teachers compared to the average wages of primary school teachers in selected countries, latest year (%)	216
Figure 7.3.	Employment-to-population ratio of women with young children (0–5 years) and gross enrolment rates in ECED programmes in selected countries, latest year	218
Figure 7.4.	Benefits of childcare services	219
Figure 7.5.	Presence of a statutory childcare service system for children aged 0–2 years, 2021	221
Figure 7.6.	Share of potential parents by presence of public childcare services system for children aged 0–2 years by region and by income group, 2021 (%)	222
Figure 7.7.	Type of government support for statutory childcare services for children aged 0–2 years, 2021	224
Figure 7.8.	Share of potential parents by type of government support for childcare services for children aged 0–2 years by region and by income group, 2021 (%)	225
Figure 7.9.	Starting age (in months) of statutory childcare services for children aged 0–2 years, 2021	227
Figure 7.10.	Share of potential parents by starting age (in months) of statutory childcare services for children aged 0–2 years by region and by income group, 2021 (%)	228
Figure 7.11.	Hours per week for statutory childcare services for children aged 0–2 years, 2021	229
Figure 7.12.	Share of potential parents by hours per week for statutory for childcare services for children aged 0–2 years by region and by income group, 2021 (%)	230
Figure 7.13.	Presence of a national pre-primary education system for children aged 3 years and above, 2021	232
Figure 7.14.	Share of potential parents by presence of a national pre-primary education system for children aged 3 years and above by region and by income group, 2021 (%)	233
Figure 7.15.	Type of government support for pre-primary education services for children aged 3 years and above, 2021	234
Figure 7.16.	Share of potential parents by type of government support for pre-primary education services for children aged 3 years and above by region and by income group, 2021 (%)	235
Figure 7.17.	Starting age (in years) of pre-primary education services for children aged 3 years and above, 2021	236
Figure 7.18.	Share of potential parents by starting age (in years) of pre-primary education services for children aged 3 years and above by region and by income group, 2021 (%)	237
Figure 7.19.	Hours per week for pre-primary education services for children aged 3 years and above, 2021	238

Figure 7.20.	Share of potential parents by hours per week for pre-primary education services for children aged 3 years and above by region and by income group, 2021 (%)	239
Figure 8.1.	Presence of a statutory public long-term care service system for older persons, 2021	245
Figure 8.2.	Share of old-age persons, by presence of a statutory public long-term care service system for older persons by region and by income group, 2021 (%)	246
Figure 8.3.	Presence of statutory family obligations to care for relatives, 2021	247
Figure 8.4.	Share of old-age persons by presence of statutory family obligations to care for relatives, by region and by income group, 2021 (%)	248
Figure 8.5.	Provision of statutory in-home personal care services for older persons, 2021	250
Figure 8.6.	Share of old-age persons by provision of statutory in-home personal care services for older persons, by region and by income group, 2021 (%)	251
Figure 8.7.	Provision of statutory community day services for older persons, 2021	253
Figure 8.8.	Share of old-age persons by provision of statutory community day services for older persons by region and by income group, 2021 (%)	254
Figure 8.9.	Provision of statutory residential care services in the long-term care system, 2021	255
Figure 8.10.	Share of old-age persons by provision of statutory residential care services in the long-term care system, by region and by income group, 2021 (%)	256
Figure 8.11.	Share of the population aged 65+ and of the total population receiving long-term care in selected countries, by type of service, latest year	257
Figure 8.12.	Source of funding of long-term care services for older persons, 2021	261
Figure 8.13.	Share of old-age persons by source of funding of long-term care services for older persons, by region and by income group, 2021 (%)	262
Figure 8.14.	Type of government scheme for long-term care services for older persons, 2021	263
Figure 8.15.	Share of old-age persons by type of government scheme for long-term care services for older persons, by region and by income group, 2021 (%)	264
Figure 9.1.	Average duration of a global childcare policy gap	277
Figure 9.2.	Share of actual and potential parents by duration of the childcare policy gap by region and by income group, 2021 (%)	280
Figure 9.3.	Key features of a transformative care policy package	281
Figure 9.4.	A care policy package that comprises time, income security, rights and services	282
Figure 9.5.	Care policies for mothers and children: A continuum of care provision from pregnancy to mandatory school age and beyond	283
Figure 9.6.	Care for adults of working age and in old age: A continuum of care provision throughout the life cycle	284
Figure 9.7.	Total employment creation from investment in care services in 82 countries throughout the life cycle	294
Figure 9.8.	Changes in employment-to-population ratios (ages 15–64) by gender, 2035	295

## ► List of tables

---

Table 2.1.	Duration of maternity leave by region and by income group, 2021 (no. of countries)	56
Table 2.2.	Countries that have met the 14-week ILO minimum standard for maternity leave duration between 2011 and 2021	57
Table 2.3.	Amount of maternity leave cash benefits by region and by income group, 2021 (no. of countries)	60
Table 2.4.	Countries that have increased maternity leave cash benefits between 2011 and 2021	62
Table 2.5.	Source of funding of maternity leave cash benefits by region and by income group, 2021 (no. of countries)	68
Table 2.6.	Countries that have changed the source of funding of maternity leave cash benefits between 2011 and 2021	69
Table 2.7.	Presence of maternity leave scheme aligned with the provisions of Convention No. 183, by region and by income group, 2021 (no. of countries)	71
Table 2.8.	Countries that have aligned their maternity leave legislation with Convention No. 183 between 2011 and 2021	73
Table 2.9.	Provision of maternity leave cash by benefits for self-employed workers, by region and income group, 2021 (no. of countries)	78
Table 2.10.	Provision of maternity leave for adoptive parents, by region and by income group, 2021, (no. of countries)	82
Table 2.11.	Length of protection against dismissal related to maternity leave, by region and by income group, 2021 (no. of countries)	85
Table 2.12.	Employer must prove dismissal is not connected with worker taking maternity leave, by region and by income group, 2021 (no. of countries)	87
Table 2.13.	Guaranteed right to return to the same or equivalent position following maternity leave, by region and by income group, 2021 (no. of countries)	89
Table 2.14.	Prohibitions against pregnancy tests in employment, by region and by income group, 2021 (no. of countries)	91
Table 2.15.	Countries that have changed prohibition of pregnancy tests in employment between 2011 and 2021	92
Table 3.1.	Duration of paternity leave by region and by income group, 2021 (no. of countries)	101
Table 3.2.	Countries that have reformed the duration of paternity leave or introduced paternity leave between 2011 and 2021	102
Table 3.3.	Amount of paternity leave cash benefit by region and by income group, 2021 (no. of countries)	105
Table 3.4.	Source of funding of paternity leave cash benefit by region and by income group, 2021 (no. of countries)	108

Table 3.5.	Provision of paternity leave cash benefits for self-employed workers by region and by income group, 2021 (no. of countries)	110
Table 3.6.	Provision of paternity leave for adoptive parents by region and by income group, 2021 (no. of countries)	112
Table 3.7.	Provision of paternity leave for same sex parents by region and by income group, 2021 (no. of countries)	114
Table 3.8.	Length of protection against dismissal related to paternity leave by region and by income group, 2021 (no. of countries)	120
Table 3.9.	Employer must prove dismissal is not connected with worker taking paternity leave by region and by income group, 2021 (no. of countries)	122
Table 3.10.	Guaranteed the right to return to the same position or equivalent following paternity leave by region and by income group, 2021 (no. of countries)	124
Table 4.1.	Duration of parental leave available to households by region and by income group, 2021 (no. of countries)	134
Table 4.2.	Countries that have increased the duration of parental leave or introduced parental leave between 2011 and 2021	136
Table 4.3.	Amount of parental leave cash benefits by region and by income group, 2021 (no. of countries)	140
Table 4.4.	Countries that have increased or introduced parental leave cash benefits between 2011 and 2021	142
Table 4.5.	Source of funding of parental leave cash benefits by region and income group, 2021 (no. of countries)	144
Table 4.6.	Provision of parental leave cash benefits for self-employed workers, by region and by income group, 2021 (no. of countries)	146
Table 4.7.	Provision of parental leave for adoptive parents, by region and by income group, 2021 (no. of countries)	148
Table 4.8.	Provision of parental leave for same-sex parents, by region and by income group, 2021 (no. of countries)	150
Table 4.9.	Length of protection against dismissal related to parental leave by region and by income group, 2021 (no. of countries)	155
Table 4.10.	Employer must prove dismissal is not connected with worker taking parental leave, by region and by income group, 2021 (no. of countries)	157
Table 4.11.	Guaranteed the right to return to the same position or equivalent following parental leave by region and by income group, 2021 (no. of countries)	159
Table 4.12.	Provision of long-term care leave, by region and by income group, 2021 (no. of countries)	161
Table 4.13.	Source of funding of long-term care leave, by region and by income group, 2021 (no. of countries)	163
Table 4.14.	Provision of long-term care leave for self-employed workers, by region and by income group, 2021 (no. of countries)	165
Table 4.15.	Provision of emergency leave, by region and by income group, 2021 (no. of countries)	168

Table 5.1.	Provision of night work protection to pregnant and breastfeeding workers, by region and by income group, 2021 (no. of countries)	179
Table 5.2.	Provision of time off for prenatal medical examinations, by region and by income group, 2021 (no. of countries)	181
Table 5.3.	Provision of statutory protections against dangerous or unhealthy work by pregnant and breastfeeding workers, by region and by income group, 2021 (no. of countries)	185
Table 5.4.	Countries that have changed the type of statutory protection provided against dangerous or unhealthy work by pregnant and breastfeeding workers between 2011 and 2021	186
Table 5.5.	Provision of alternatives to dangerous or unhealthy work being performed by pregnant and breastfeeding workers, by region and by income group, 2021 (no. of countries)	188
Table 5.6.	Countries that have introduced alternatives to dangerous or unhealthy work being performed by pregnant and breastfeeding workers between 2011 and 2021	190
Table 6.1.	Entitlement to paid nursing breaks, by region and by income group, 2021 (no. of countries)	197
Table 6.2.	Countries that have moved from not providing to providing the entitlement to nursing breaks between 2011 and 2021, by region	198
Table 6.3.	Countries that have moved from unpaid to paid entitlement to nursing breaks between 2011 and 2021, by region	198
Table 6.4.	Number of daily nursing breaks, by region and by income group, 2021 (no. of countries)	201
Table 6.5.	Total daily nursing break duration, by region and by income group, 2021 (no. of countries)	203
Table 6.6.	Number of months during which nursing breaks are allowed by law, by region and by income group, 2021 (no. of countries)	205
Table 6.7.	Basis of statutory minimum requirement for mandatory provision of workplace nursing facilities, by region and by income group, 2021 (no. of countries)	208
Table 7.1.	Presence of a statutory childcare service system for children aged 0–2 years, by region and by income group, 2021 (no. of countries)	222
Table 7.2.	Type of government support for childcare services for children aged 0–2 years, by region and by income group, 2021 (no. of countries)	225
Table 7.3.	Starting age (in months) of statutory childcare services for children aged 0–2 years, by region and by income group, 2021 (no. of countries)	228
Table 7.4.	Hours per week for statutory for childcare services for children aged 0–2 years, by region and by income group, 2021 (no. of countries)	230
Table 7.5.	Presence of a national pre-primary education system for children aged 3 years and above, by region and by income group, 2021 (no. of countries)	232
Table 7.6.	Type of government support for pre-primary education services for children aged 3 years and above, by region and by income group, 2021 (no. of countries)	234



Table 7.7.	Starting age (in years) of pre-primary education services for children aged 3 years and above, by region and by income group, 2021 (no. of countries)	236
Table 7.8.	Hours per week for pre-primary education services for children aged 3 years and above, by region and by income group, 2021 (no. of countries)	238
Table 8.1.	Presence of a statutory public long-term care service system for older persons, by region and by income group, 2021 (no. of countries)	246
Table 8.2.	Presence of statutory family obligations to care for relatives, by region and by income group, 2021 (no. of countries)	248
Table 8.3.	Provision of statutory in-home personal care services for older persons, by region and by income group, 2021 (no. of countries)	251
Table 8.4.	Provision of statutory community day services for older persons, by region and by income group, 2021 (no. of countries)	253
Table 8.5.	Provision of statutory residential care services in the long-term care system, by region and by income group, 2021 (no. of countries)	255
Table 8.6.	Source of funding of long-term care services for older persons, by region and by income group, 2021 (no. of countries)	261
Table 8.7.	Type of government scheme for long-term care services for older persons, by region and by income group, 2021 (no. of countries)	263
Table 9.1.	Duration of childcare policy gap in months and years, by region and level of national income, 2021 (weighted averages)	278
Table 9.2.	Duration of childcare policy gap, by region and by income group, 2021 (no. of countries)	279
Table 9.3.	Annual investment in paid care leave and breastfeeding breaks under proposed scenarios, by region (% GDP)	289
Table 9.4.	Annual investment requirements in ECCE under proposed scenarios, by region (% GDP)	291
Table 9.5.	Annual long-term care investment requirements under proposed scenarios, by region (% GDP)	293
Table A.1.	Maternity leave	300
Table A.2.	Paternity leave	320
Table A.3.	Parental leave	335
Table A.4.	Long-term care leave and emergency leave	353
Table A.5.	Health protection for pregnant and nursing women	363
Table A.6.	Breastfeeding at work	374
Table A.7.	Childcare services	386
Table A.8.	Long-term care services for older persons	399
Table A.9.	Childcare workers – ISCO classification	410
Table A.10.	Childcare policy gap	411

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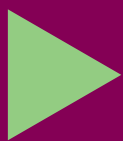
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## ► Abbreviations

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<b>CEACR</b>	ILO Committee of Experts on the Application of Conventions and Recommendations
<b>COVID-19</b>	Coronavirus disease 2019
<b>ECCE</b>	early childhood care and education
<b>ECED</b>	early childhood educational development
<b>EU</b>	European Union
<b>GDP</b>	gross domestic product
<b>HALE</b>	healthy life expectancy age
<b>ILC</b>	International Labour Conference
<b>LGBTQI+</b>	lesbian, gay, bisexual, transgender, queer and intersex
<b>NGO</b>	non-governmental organization
<b>OECD</b>	Organisation for Economic Co-operation and Development
<b>OSH</b>	occupational safety and health
<b>PPE</b>	personal protective equipment
<b>SME</b>	small- and medium-sized enterprise
<b>WHO</b>	World Health Organization

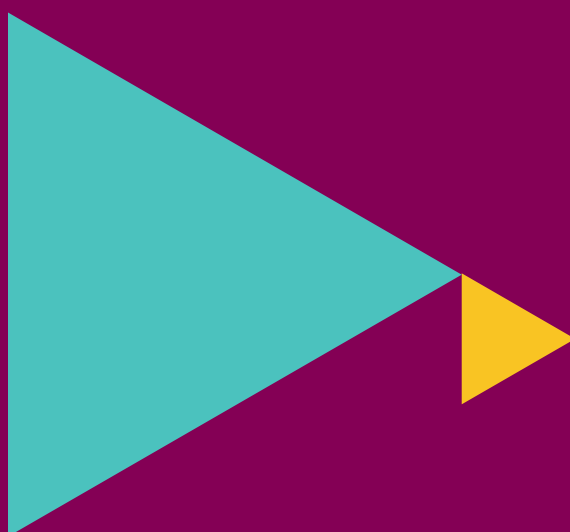




## Executive summary

# Care at work: Investing in care leave and services for a more gender-equal world of work

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The ILO report *Care at Work: Investing in Care Leave Policies and Care Services for a More Gender-Equal World of Work* provides a global overview of national laws and practices regarding care policies, namely maternity protection, paternity, parental and other care-related leave policies, as well as childcare and long-term care services. The report presents findings from an ILO legal survey of 185 countries, and reviews progress made around the world over the past decade while assessing the persisting and significant legal gaps that translate into a lack of protection and support for millions of workers with family responsibilities across the world. It does so by taking the requirements and principles of relevant international labour standards – in particular the ILO Conventions and Recommendations on maternity protection and workers with family responsibilities – as the benchmark. The report pays attention to the most frequently excluded workers, such as the self-employed, workers in the informal economy, migrants, and adoptive and LGBTQI+ parents. It concludes with a call for action to invest in a transformative package of care policies that is central to the broader international agenda on **investing in the care economy** – a breakthrough pathway for building a better and more gender equal world of work.

Eight key messages and findings emerge from the report:

## Maternity leave is a universal human and labour right, and yet it remains unfulfilled

**Paid and job-protected maternity leave and adequate maternal and child healthcare are essential to the life, health, safety and economic fulfilment of women and their children.** It is a precondition to the right to care and be cared for and to achieve gender equality at work. In 2021, almost all of the 185 countries surveyed by the ILO have adopted statutory provisions for maternity leave in their legislation. The findings show that there are variations regarding adherence to the requirements of the ILO Maternity Protection Convention, 2000 (No. 183), across countries and across groups of women workers, depending on where they work.

ILO standards mandate a minimum maternity leave period of 14 weeks and recommend increasing it to at least 18 weeks to ensure an adequate rest and recovery time for the mother. In 2021, the duration of maternity leave is at least 14 weeks in 120 countries. In addition, 52 countries meet or exceed the ILO 18-week standard, with 3 in 10 potential mothers<sup>1</sup> globally living in these countries. Since 2011, 23 new countries have met or exceeded the ILO 14-week standard, pointing to the inspirational role of international labour standards even in countries that have not ratified the ILO maternity protection Conventions. However, in 64 countries the duration of maternity leave is still below 14 weeks. This leaves 3 in 10 of potential mothers across the world without entitlements to sufficient time off to rest and recover from childbirth and care for their new-born child.

The amount of maternity leave cash benefits should be adequate to keep the mother and her child healthy and out of poverty and hardship, especially women in the informal economy. ILO standards require the amount of cash benefits to be at least two-thirds (67 per cent) of the woman's previous earnings and recommend increasing it to 100 per cent, when possible. Across the world in 2021, the average duration of maternity leave paid at a rate of at least 67 per cent of previous earnings was 18.0 weeks. This represents an increase of 3.5 weeks since 2011. Globally, 123 countries offer fully paid maternity leave, with 9 in 10 potential mothers living in these countries. Since 2011, 10 countries have increased the amount of maternity leave cash benefits. However, in 13 countries maternity leave cash benefits remain below two-thirds of previous earnings; while in 3 countries maternity leave is still unpaid or not provided.

**Maternity protection is a public good and a collective responsibility.** ILO standards require that employers should not be individually liable for the direct cost of maternity leave and these cash benefits shall be provided through compulsory social insurance or public funds or non-contributory social assistance to women who do not qualify for benefits out of social insurance. This is especially the case for workers in the informal economy or self-employed women. In 2021, more than two-thirds of potential mothers live in countries where maternity leave cash

1 "Potential mothers" are women of reproductive age. For the purposes of this report, the age group of "women of reproductive age" is assumed to be 15–49 years.

benefits are funded through social protection. However, 2 in 10 potential mothers remain at risk of inadequate protection and discrimination; since in 45 countries the law still requires full payment of maternity leave by employers. Since 2011, only 8 countries have moved away from employer liability schemes to social security or mixed schemes.

**Overall, 98 out of 185 countries are in line with the key three requirements of ILO Convention No. 183.** These provisions potentially benefit 7 in 10 potential mothers (1.2 billion women). However, 82 countries do not meet at least one ILO standard on maternity leave, leaving **649 million women with inadequate maternity protection**. Between 2011 and 2021, legal reforms have been sluggish, with only 18 countries improving at least one aspect of maternity leave legislation to comply with ILO standards. At the current pace, it will take at least **46 years to achieve minimum maternity leave rights** in the 185 countries analysed, compromising the achievement of the Sustainable Development Goals in 2030.

The fundamental right to paid and job-protected maternity leave should be guaranteed to all women, especially mothers from vulnerable groups and in the informal economy. But **coverage of maternity leave provisions for some categories of workers remains particularly low**. In 2021, 81 countries provide mandatory coverage for maternity leave cash benefits for self-employed women. This means that 496 million self-employed women live in countries without adequate coverage of maternity leave cash benefits, most of these self-employed women are in the informal economy. In addition, only 52 countries offer equal maternity leave rights to adoptive parents, including those in same-sex partnerships. Only 2 in 10 potential parents live in these countries.

**Employment protection and non-discrimination is essential to make the right to maternity leave a reality.** In 2021, most countries, mandate protection against unlawful dismissal related to maternity; only 13 do not do so. However, 83 countries do not guarantee employment protection over the full maternity period. This leaves 5 in 10 potential mothers at risk of discriminatory dismissal. In 2021, 89 countries (where almost 5 in 10 potential mothers live) guarantee the right to return to the same or

equivalent position after maternity leave. While only 1 in 10 potential mothers across the world live in the 24 countries that explicitly prohibit pregnancy tests, 26 countries have mandated new implicit or explicit prohibitions against such tests since 2011.

## Paternity leave is key to enabling men's care rights and responsibilities

In 2021, 115 out of 185 countries surveyed by the ILO offer a right to paternity leave, with 33 new countries doing so in the preceding ten years. This means 4 in 10 potential fathers<sup>2</sup> live in countries with paternity leave, and points to the increasing recognition of men's caregiving role. However, **almost two-thirds of potential fathers (1.26 billion men) live in countries with no entitlements to paternity leave** and are missing out on the unique life opportunity to bond with their new-born children.

**Across the world, paternity leave remains short:** 9 days (1.3 weeks) as a global average, with significant regional variations. When comparing the average durations of maternity leave (18 weeks) and paternity leave (1.3 weeks), there is a global "gender leave gap" of 16.7 weeks. Further, globally, only 1 in 10 potential fathers live in countries that provide at least 10 days of paternity leave. Since 2011, however, 16 countries with paternity leave have increased its duration, with a slow but consistent trend towards reducing the duration gap between maternity and paternity leave.

**Paternity leave is also a public good and a collective responsibility.** The ILO Resolution concerning the second recurrent discussion on social protection (social security) (ILO 2021e) calls for Member States to foster income security during maternity, paternity and parental leave as part of gender-responsive social protection systems. Globally, when available, paternity leave is paid, except in 13 countries. But it is paid at 100 per cent of previous earnings in only 81 countries, where just 3 in 10 potential fathers across the world live. Low-paid paternity leave discourages fathers' take-up, perpetuating inequalities in the distribution of unpaid care work between

2 "Potential fathers" are men of reproductive age. For the purposes of this report, the age group of "men of reproductive age" is assumed to be the same as that of "women of reproductive age" – that is, 15–49 years.

parents. And replacement income levels tend to be lower when employers must shoulder the full cost of paternity leave, which is the case in 61 out of 102 countries. Since 2011, six countries have introduced paternity leave cash benefits funded by social protection.

All fathers, without discrimination, should have a right to paternity leave. However, as with maternity leave, **some categories of workers are still largely excluded from paternity leave provisions**. Only 30 countries offer an equal right to paternity leave cash benefits to self-employed men, many of whom are in the informal economy, with only 4 in 100 self-employed men across the world living in these 30 countries. In addition, only 42 countries have paternity leave provisions applicable to adoptive fathers, with about only 1 in 10 potential fathers living in these countries. Further, only 20 countries provide equal paternity leave rights to same-sex parents. However, an increasing number of countries and enterprises are adopting measures that promote, protect and fulfil the human rights of LGBTIQ+ people.

**Take-up rates of paternity leave entitlements remain low**, even when fathers are entitled to it. Transforming policy design and gender norms can make leave more attractive to men, for instance, by introducing obligatory paternity leave days, which is the case in eight countries, and public campaigns to raise awareness of the importance of men's caregiving role.

**Employment protection and non-discrimination connected with paternity leave could improve paternity leave take-up rates**, but such regulations remain scattered. In 2021, 55 countries have legislation that explicitly protects fathers against unlawful dismissal for taking paternity leave, which means that only 1 in 10 potential fathers worldwide benefit from such protection. Moreover, in 36 countries, employers have the onus of proving that the reasons for dismissal are unrelated to paternity leave, but only 9 in 100 potential fathers reside in these countries. Finally, the right to return to the same or equivalent position after taking paternity leave is afforded to fathers in only 30 countries, covering just 7 in 100 potential fathers globally.

## Parental leave and other special care leave can also help balance the work and family responsibilities of mothers and fathers over their life course

Parental leave, long-term care leave and other special care leaves are essential to support carers, especially in COVID-19 times. **However, unless well designed and widely available, they remain marginal care solutions**. ILO standards call for a period of parental leave – determined by national laws – to be available to either parent after maternity leave without their having to relinquish employment and with their employment rights being protected. In 2021, 68 out of 185 countries surveyed by the ILO offer a right to parental leave, but only 3 new countries have done so since 2011. This means 2 in 10 potential parents<sup>3</sup> live in countries with such a statutory right, with the majority of these countries being found in Europe and Central Asia (48 out of 68).

The average duration of parental leave is 22.1 weeks (5.2 months) in all countries and 103.5 weeks (almost 2 years) in the 68 countries with parental leave. Over the last 10 years, 22 countries have increased the duration of parental leave. However, only 46 countries offer parental leave cash benefits, while parental leave is still unpaid in 21 countries. In only one set of nine countries are parental leave cash benefits paid at a rate of at least two-thirds of previous earnings. In the other countries these benefits are not anchored to previous earnings, resulting in pay penalties for leave takers. Since 2011, only another nine countries have increased parental leave cash benefits. When parental leave is paid, it is funded through social protection in 42 out of 46 countries.

**Some categories of workers remain excluded from parental leave provisions**. Only 36 countries offer an equal right to parental leave cash benefits to self-employed parents. This represents only 3 in 100 self-employed workers across the world. Only 56 countries have parental leave provisions for adoptive parents. This means only 2 in 10 potential parents live in countries with such statutory rights. Only 25 countries provide

3 "Potential parents" are men and women of reproductive age, which for the purposes of this report includes individuals between the ages of 15 and 49 years.



equal parental leave rights to same-sex parents. This represents 1 in 10 potential parents globally.

**Take-up rates of parental leave entitlements remain low among men.** When used to replace gaps in childcare services, long, low-paid and transferable parental leave is likely to harm women's situation in the labour market, as they remain the main users of this provision. In order to promote men's participation, 15 of the 68 countries with parental leave reserve specific periods of leave for fathers. Employment protection and non-discrimination connected with parental leave could also improve parental leave take-up rates for both women and men, but such provisions remain scattered. Only 60 countries have legislation that explicitly protects parents against unlawful dismissal for parental leave-taking. This provision affects only 2 in 10 potential parents globally. In only 33 countries do employers have the onus of proving that dismissal is unrelated to parental leave take-up. This provision concerns only 7 in 100 potential parents globally. In addition, 43 out of 68 countries guarantee the right to return to the same or equivalent position after parental leave.

With ageing societies, **paid long-term care leave can play a key role in supporting new and increasing care needs.** Nevertheless, only 55 countries, or 2 in 10 adults globally, have a statutory right to long-term care leave. Moreover, this leave is paid in only 34 countries; however, when paid, long-term care leave is funded by social protection – although self-employed workers remain largely excluded from this entitlement.

**Emergency leave is a special leave of short duration for urgent family reasons.** In 2021, 127 out of 183 countries, or 6 in 10 adults globally, have a statutory right to emergency leave. In the 90 out of 101 countries with paid emergency leave, the employer is the source of funding, leaving self-employed workers largely excluded from this entitlement.

## The workplace is an important entry point to promote safety and health and save lives

**All workers should have the right to a safe and healthy working environment,** including pregnant or nursing women. However, there are only 40 countries where employers are obliged to protect pregnant or nursing women against dangerous or unhealthy work, as per by ILO standards on maternity protection. This means only 1 in 10 potential mothers are provided such statutory protections globally. Since 2011, only 11 countries have introduced new restrictions against dangerous or unhealthy work being performed by pregnant and nursing women. In 2021, 31 countries still have discriminatory prohibitions forbidding all women from engaging in hazardous or unhealthy work, thereby putting working mothers at risk. Workplace risk assessments are key tools to mitigate occupational safety and health (OSH) risks, especially during the COVID-19 pandemic.

ILO standards require that the law should provide for protective measures for pregnant and breastfeeding women as an alternative to dangerous or unhealthy work. Since 2011, 21 countries have introduced new protective measures against dangerous or unhealthy work for these workers. However, at least 6 in 10 potential mothers globally are not covered by these protective measures, leaving them exposed to OSH risks.

**Decent working time is important to the health and quality of working life of all workers,** especially pregnant and nursing women. Even so, 66 countries do not provide for legal protection against the health risks of night work, leaving 4 in 10 potential mothers globally without adequate legal protection. In addition, 34 countries still use blanket prohibitions against night work by women, putting all women at risk of discrimination.

**Time off for prenatal examinations and adequate maternal healthcare,** as called for by ILO standards on maternity protection and social security, can save lives by tackling preventable maternal mortality and morbidity. Despite the crucial health benefits of antenatal care, 132 countries do not offer a right to paid time off for prenatal medical examinations. This potentially



compromises the health and safety of 8 in 10 potential mothers across the world, especially workers in the informal economy who remain largely excluded from these provisions.

## Breastfeeding-friendly workplaces provide time, income security and space to enable positive nutrition and health outcomes

All women should have the right to paid working time for breastfeeding, as called for by ILO Convention No. 183. **In 2021, 138 countries provide a right to time and income security for breastfeeding.** These provisions potentially benefit 8 in 10 potential mothers across the world. Since 2011, seven countries have introduced paid nursing breaks. However, breastfeeding breaks remain unpaid in four high-income countries. In 2021, at least four pathfinder countries recognize men's supporting role by offering breastfeeding breaks to fathers.

Almost 5 in 10 potential mothers live in countries that grant two daily breastfeeding breaks; while 109 countries offer the right to daily nursing breaks for six months or more. This would support exclusive breastfeeding in line with World Health Organization (WHO) recommendations for 7 in 10 potential mothers across the world. However, only ten countries provide a right to breastfeeding breaks for at least two years, compromising mothers' ability to continuing breastfeeding.

**Workplace nursing facilities are a key ingredient of breastfeeding-friendly workplaces.** However, only 42 countries offer the right to workplace nursing facilities, covering roughly 6 in 10 potential mothers globally. While small- and medium-sized enterprises (SMEs) are often exempted from these requirements, research shows that the economic and well-being benefits of breastfeeding for the new-born, the mother and the employer outweigh the limited costs of these measures. Only 13 countries offer a right to workplace nursing facilities irrespective of the number and sex of workers, with only 5 in 100 potential mothers worldwide living in these countries. Conditionalities for nursing facilities

based on sex are discriminatory and remain in place in 19 countries.

## Childcare services are vital to child development, women's employment and job creation

**Childcare services offer many benefits** by promoting child development, creating jobs, reducing parents' unpaid care work and promoting women's employment and income over the life course. ILO data also show that there is a strong and positive correlation between the employment-to-population ratios of women with young children and the number of children enrolled in early-childhood educational development programmes for children aged 0 to 2 years. Despite these advantages, lack of childcare services, gaps in quality and provision, and inadequate working conditions remain a missed opportunity for sustainable development and gender equality.

Only in 57 out of 178 countries surveyed by the ILO is there a statutory provision of early childhood educational development (ECED) programmes for children aged 0 to 2 years. This means only 2 in 10 potential parents live in countries with such a statutory right. In only 21 countries are these programmes a universal right, which translates into potential access to free or affordable childcare services for only 1 in 10 potential parents across the world.

**A continuum of care leave policies and care services is essential** to guarantee the best early start for children and income security for families, enabling women to maintain employment participation and helping to prevent them falling into poverty. Accordingly, ECED entitlements would be important when accessible after the end of statutory paid childcare-related leave<sup>4</sup> or from childbirth for parents lacking a right and effective access to adequate care leave policies. However, in only 32 countries are parents entitled to use publicly organized childcare services right after the birth of their children. This means only 1 in 10 potential parents globally live in countries with such entitlements. In addition, the statutory weekly duration of this service is largely not aligned with the statutory duration of working hours (40 hours per week in most countries),

4 That is, care leave paid at a rate of at least 67 per cent of previous earnings.

and even less with the excessive working hours (more than 48 hours per week) of many low-paid workers, especially in the informal economy. In only 30 countries are parents entitled to statutory ECED programmes for at least 40 hours per week (or just 8 out of 100 potential parents globally).

Legal provisions on pre-primary education services for children between 3 years and the start of primary education are more available, but major gaps persist. In 105 out of 178 countries, there is a statutory right to pre-primary education services. This corresponds to 5 in 10 potential parents globally living in countries with such a statutory right. However, pre-primary education services are a universal right in only 63 countries, home to just 4 in 10 potential parents globally. In 80 countries, parents are entitled to pre-primary education services starting when children are aged 3 years, and in only 33 countries are parents entitled to statutory pre-primary education services for at least 40 hours per week (2 in 10 potential parents globally).

## Long-term care services are essential to ensure the right to healthy ageing in dignity and independent living

The demand for long-term care services for older persons and persons with disabilities who need care or support has been rising steeply due to increased life expectancy. In addition, **the COVID-19 pandemic has disproportionately impacted people who rely on long-term care and those who provide it** (both paid and unpaid care work), predominantly women. ILO international labour standards on social security call for the overall and primary responsibility for care service provision to lie with the State. Globally, only 89 out of 179 countries have a statutory provision of public long-term care services for older persons. This is equivalent to almost half of old-age persons with potential care needs living in countries with statutory long-term care services. In addition, in 70 countries the law embeds legal obligations for family members to care for older relatives, intensifying women's care responsibilities and relinquishing collective responsibility.

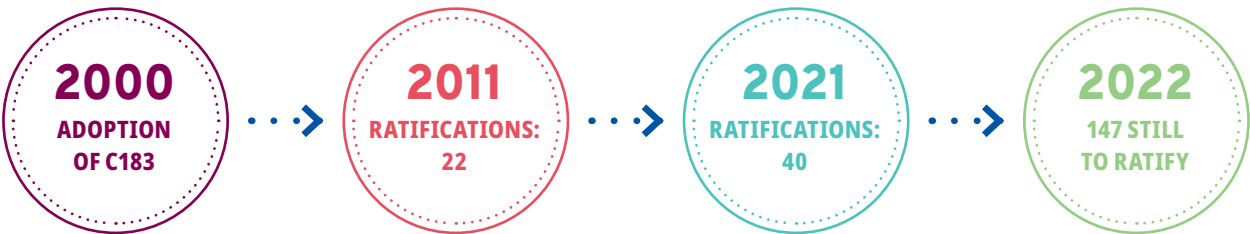
ILO standards on workers with family responsibilities and the informal economy call for the development of family services and facilities for the care or support of family members. **Care services should meet the needs and preferences of both workers and care recipients** and be adequate, appropriate, flexible and free of charge or at reasonable charge, in accordance with the workers' ability to pay. However, **long-term care services remain inaccessible to the large majority of older persons with care needs**. Only 87 countries have a statutory provision of residential care services. This represents 5 in 10 older persons with potential care needs. Provision for community day services and in-home care services is even scarcer, and is legally mandated, respectively, in only 33 and 69 countries. This means that only 4 in 10 older persons with potential care needs live in countries with statutory provision of in-home personal care services.

Funding mechanisms for long-term care services should ensure the principles of universality, adequacy, solidarity and non-discrimination, among others. However, less than 2 in 10 older persons with potential care needs globally live in the 29 countries where the law mandates universal long-term care services. These remain inadequate, with high out-of-pocket-costs resting on older persons and their families. As a result, at least 3 in 10 older persons are at risk of income poverty and financial hardship in case of long-term care needs, even when public long-term care services are provided by law. In conclusion, the existing legal and adequacy gaps in services provision mean that globally 84.2 per cent of the total population lives in countries where **long-term services are not universal and free, affecting 205 million older persons**.



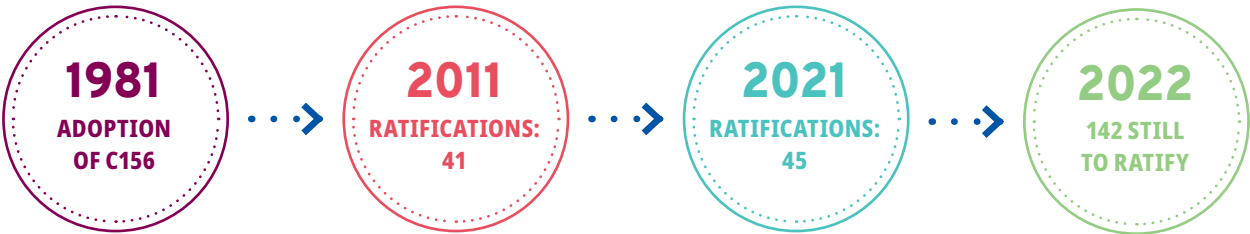
► Trends and gaps in care leave policies

► Trends in ratification of the Maternity Protection Convention, 2000 (No. 183)



Source: ILO research and ILO NORMLEX database.

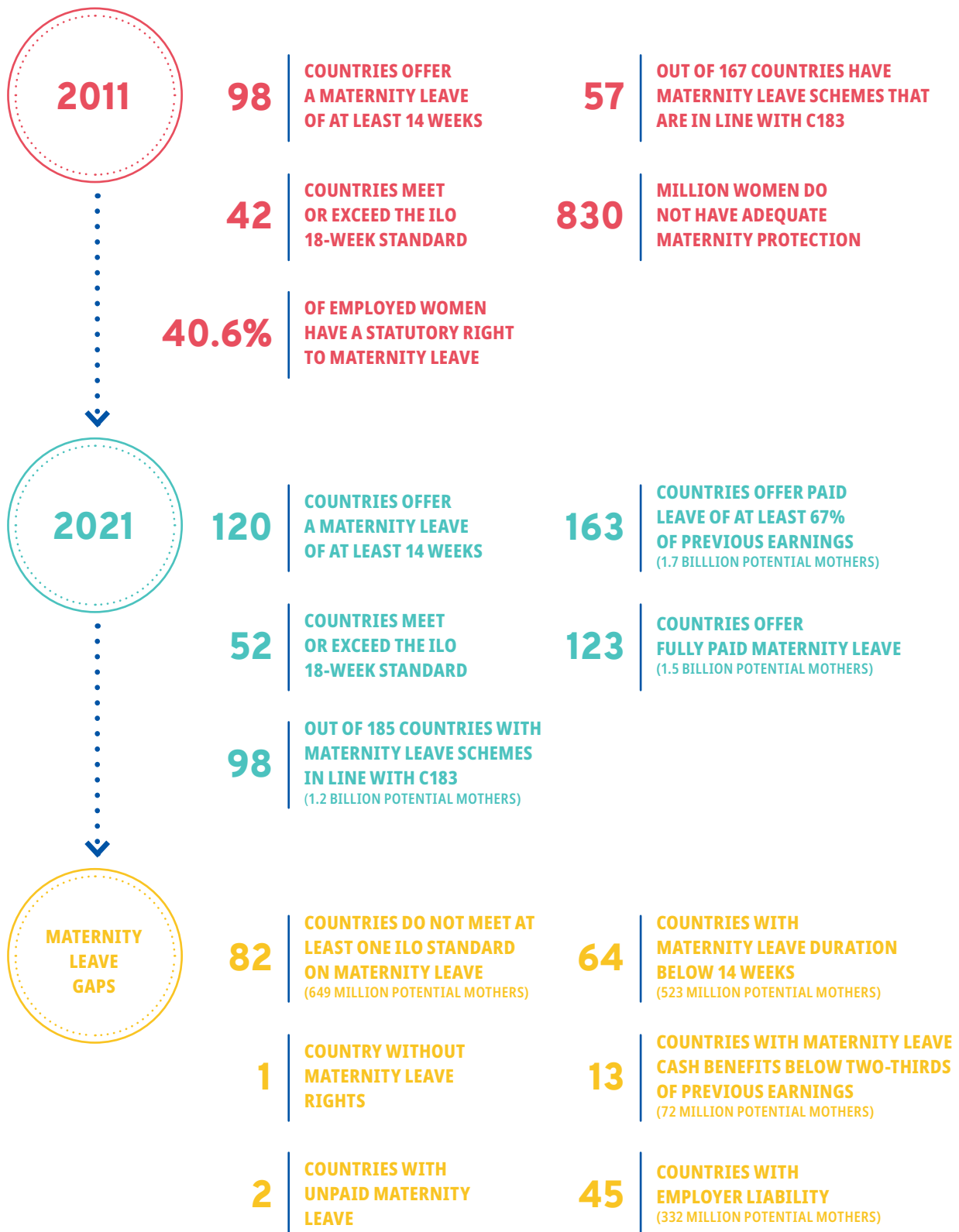
► Trends in ratification of the Workers with Family Responsibilities Convention, 1981 (No. 156)



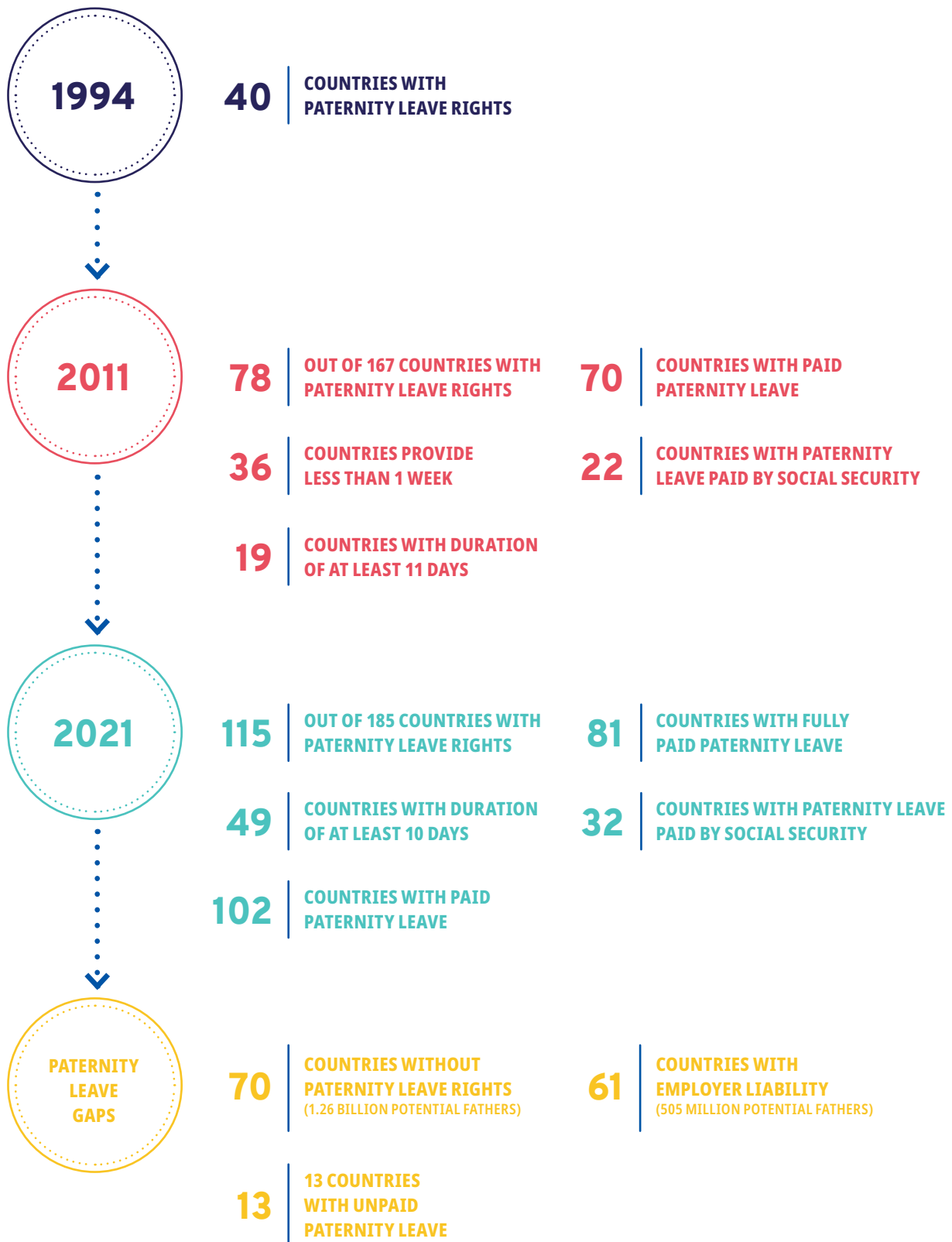
Source: ILO research and ILO NORMLEX database.



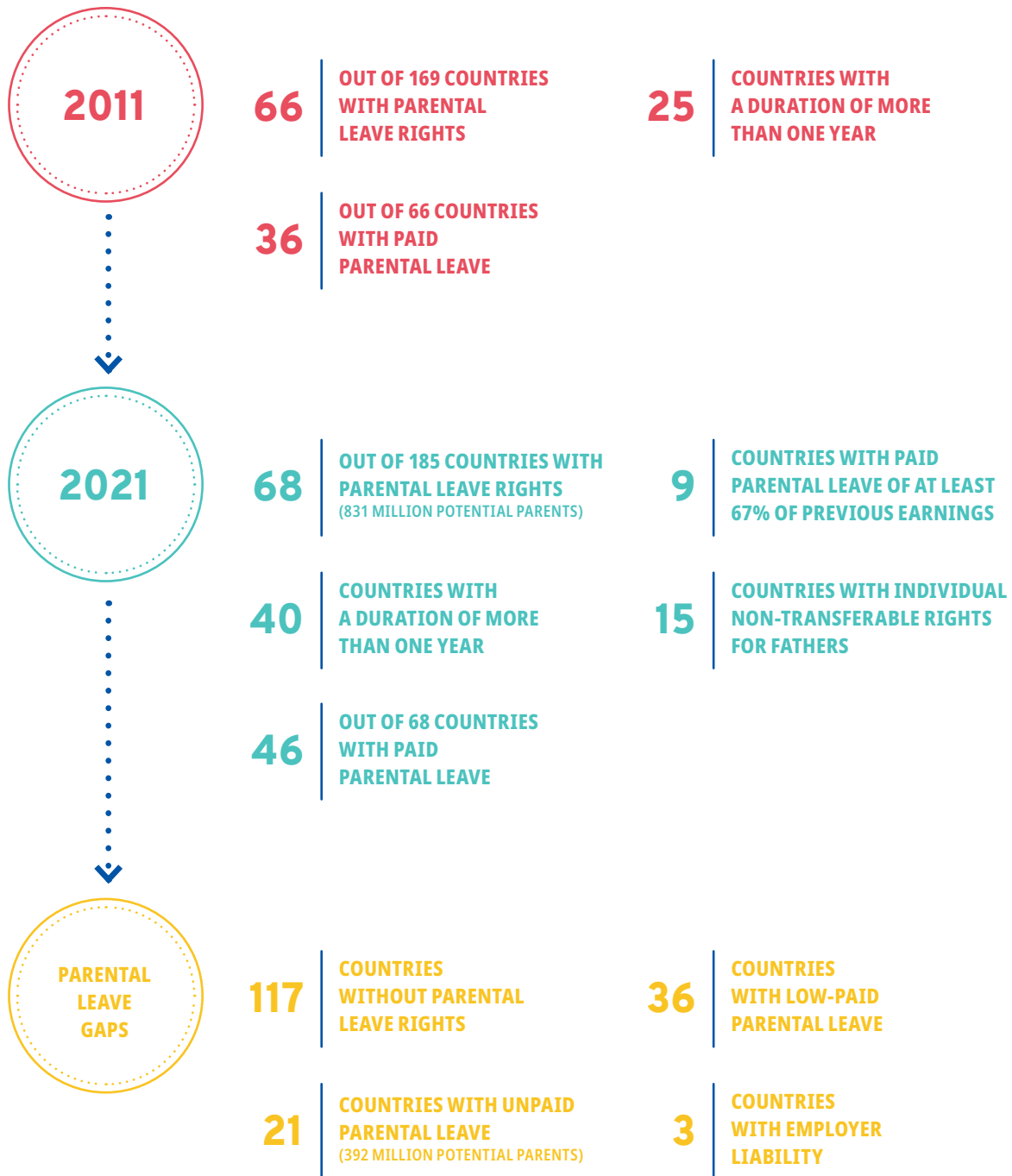
► Trends and gaps in maternity leave provision



► Trends and gaps in paternity leave provision

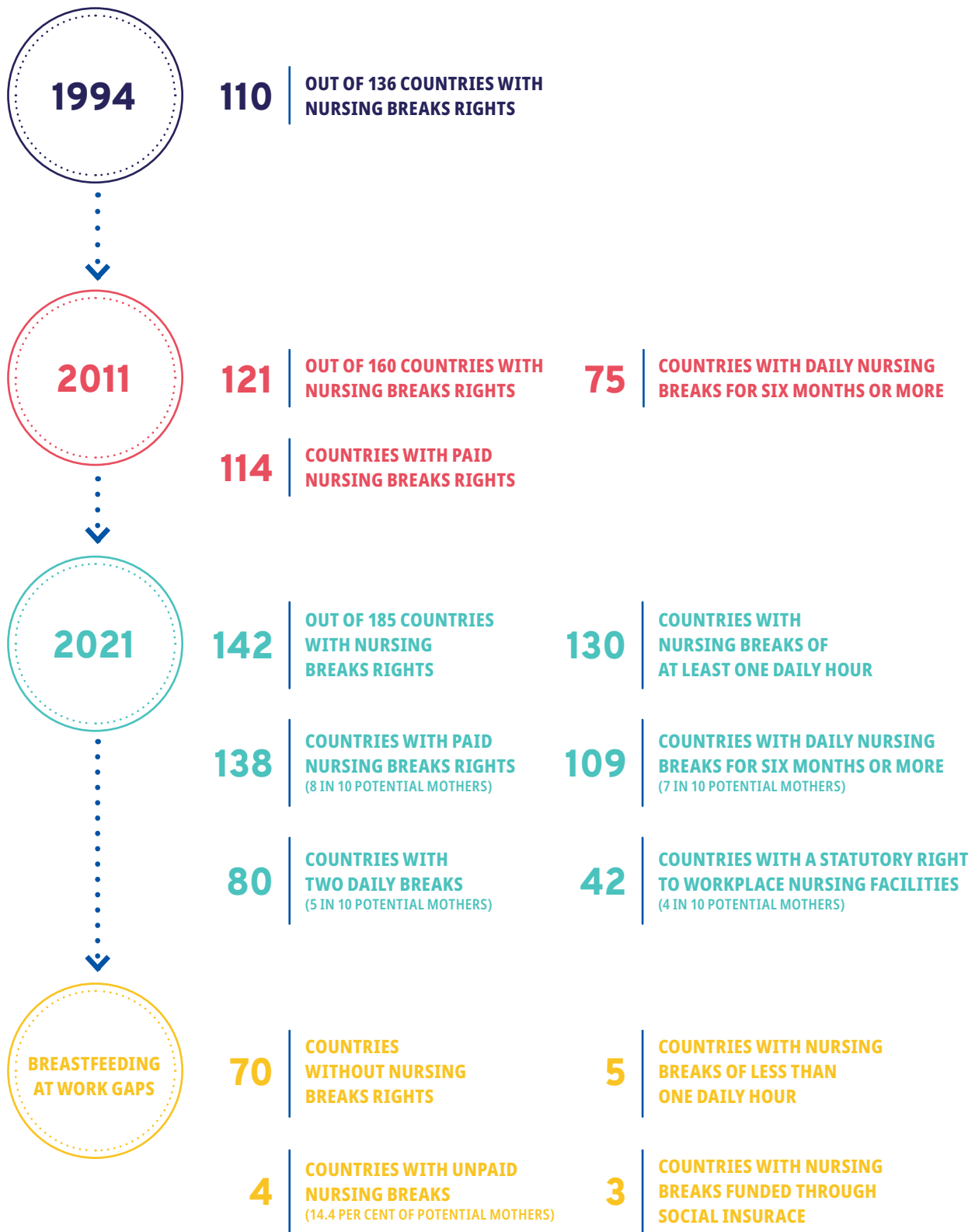


► Trends and gaps in parental leave provision



Source: ILO research and ILO NORMLEX database.

► Trends and gaps in breastfeeding breaks provision



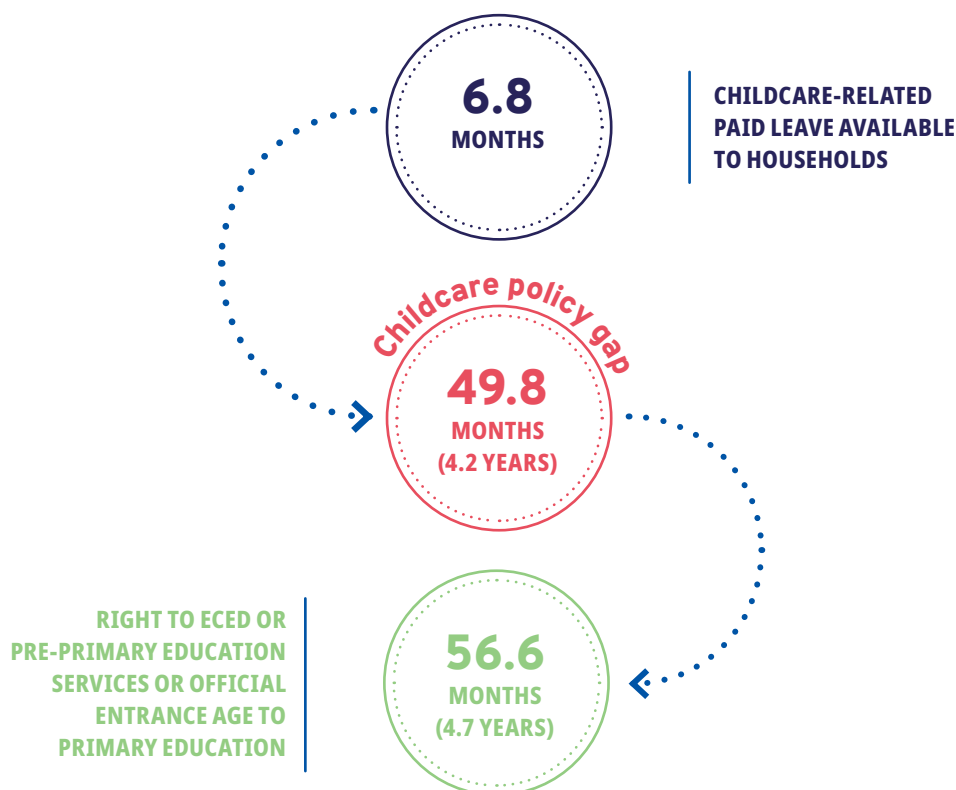


## The way forward is investing in transformative care policy packages

Over the past ten years, some progress in care leave policies and care services has been registered in terms of better conformity of national laws to international labour standards and the recognition of men's role in caregiving. However, **major gaps in availability, access, adequacy and quality of leave policies and care services remain**. This is particularly the case when policy gaps in maternity- and childcare-related leave and services are assessed as a continuum of care provision from the end of statutory childcare-related leave to the availability to a right to childcare or pre-primary education (when available). The report finds that on average there is a **legal “global childcare policy gap”**, or time lag between the moment at which leave

entitlements available to households come to an end and the age at which children can avail of childcare services or attend primary school. Globally, this gap amounts to an average duration of 4.2 years, with substantial regional and country variations (see figure below). **In 91 out of 175 countries, the childcare policy gap is more than 5 years, with 1.9 billion potential parents living in these countries.** Over this extensive period, parents lack care policy entitlements, and care needs are solely covered by unpaid care work or family paid care solutions, such as reliance on domestic workers. When policies fail to deliver on sustainable and integrated care provision, gender inequalities at home, at work and in society are cemented, with detrimental short- and long-term impacts on the well-being and prosperity of families, businesses and societies.

### ► Average duration of a global childcare policy gap



Note: 175 countries and territories. Source: ILO calculations based on country-level data and UNESCO Institute for Statistics (UIS).

There is therefore an urgent need to accelerate progress and **invest in care to fill these care policy gaps through transformative care policy packages** aligned to the ILO 5R Framework for Decent Care Work. These care policy packages should be country-specific and include a combination of time (leave), benefits (income security), rights and services to enable the right to care and be cared for and to promote gender equality and decent work. To maximize their transformative impact, care policy packages need to be rights-based and gender-responsive, integrated, universal, and based on solidarity, representation and social dialogue. They should also embrace a life-cycle approach and comprise policies and services ranging from care leave and breastfeeding entitlements to childcare and long-term care services for all workers with family responsibilities.

**There is a strong investment case for progressively achieving universal access to such transformative and nationally designed care policy packages.** The ILO estimates that, globally, investing in universal childcare and long-term care services could generate up to 280 million jobs by 2030 and a further 19 million by 2035, for a total of **299 million jobs**. This job creation potential by 2035 would be driven by 96 million direct jobs in childcare, 136 million direct jobs in long-term care, and 67 million indirect jobs in non-care sectors (see figure below). These estimations were obtained through input-output tables covering 82 countries that represent about 87 per cent of the world's employed population, including, for the first time, women and men working in the informal economy, and 94 per cent of the world's GDP in 2019.

Closing these large policy gaps would require a progressive and sustainable annual investment of US\$4.4 trillion (or 4.0 per cent of total annual

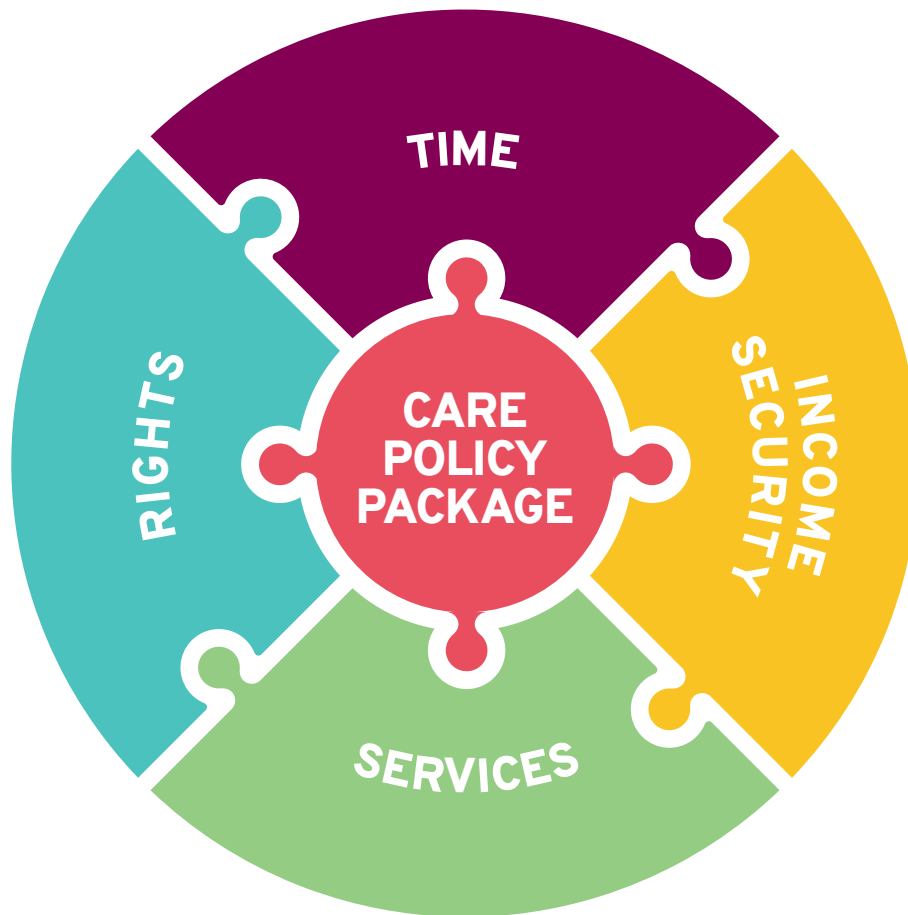
GDP) by 2030 or an annual investment of US\$5.4 trillion (4.2 per cent of GDP before taxes) by 2035. Tax revenue from increased earnings and employment would rise as well, reducing the funding requirement for all policies to a net 3.2 per cent of GDP (after taxes) in 2035 (or US\$4.2 trillion after taxes).

These transformative investments would result in important economic and social benefits. Of the total net employment creation in 2035, **78 per cent of these new jobs will be held by women and 84 per cent will be formal employment**. Finally, public investments in care services are of critical importance for maximizing and sustaining the impacts of cash transfers, which do not hold a similar potential to generate quality jobs. They are also essential for overcoming inequalities and fostering social inclusion, especially of the most marginalized groups.

This breakthrough journey towards nationally designed and transformative care policy packages needs to be grounded in **national social dialogues** with governments, employers and workers and their representative organizations, and multi-stakeholder consultations with the private sector, civil society, UN agencies and other relevant stakeholders (such as academia and philanthropy). Importantly, those who receive and provide care should also be at the table to chart a pathway for a more inclusive, resilient and gender-equal world of work.

The **ILO agenda for investment in the care economy contributes** to the **Global Alliance for Care** and other national and international initiatives and offers an avenue for action and a programmatic platform to scale-up and accelerate progress in investing in care.

► A care policy package that comprises time, income security, rights and services



- |   |  |
|---|--|
| ■ Care leave for parents: maternity, paternity, parental leave                        | ■ Maternity, paternity and parental leave cash benefits      |
| ■ Breastfeeding breaks  | ■ Income security for breastfeeding                          |
| ■ Other care-related leave: long-term care leave; emergency leave                     | ■ Long-term care cash benefits                               |
| ■ Time off for antenatal healthcare   | ■ Maternal and child health care services                    |
| ■ Non-discrimination, freedom from violence and harassment, and employment protection | ■ Childcare services (in-home, community and centre-based)   |
| ■ Right to decent working time  | ■ Primary and secondary education and out-of-school services |
| ■ Right to safe and healthy workplaces  | ■ Nursing facilities   |
|   | ■ Long-term care services (in-home, respite and residential) |

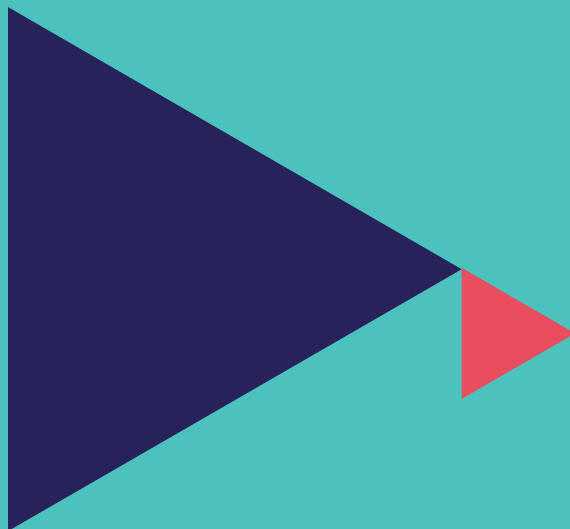
Source: Compiled by the authors.





# Introduction

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The world was already facing a care crisis before the outbreak of COVID-19. The ongoing pandemic has brought this crisis to a breaking point, aggravating pre-existing gender inequalities at home and at work. Before COVID-19 women, globally, bore 76.2 per cent of the total daily time spent in housework and family care, or unpaid care work. It is no surprise, therefore, that family responsibilities were among the top reasons for women's inactivity in the labour market (ILO 2018a). The COVID-19 pandemic has exacerbated even further the challenges that women – especially those in vulnerable situations and in the informal economy – face in reconciling paid work and family responsibilities, perpetuating a cycle of poverty, inequality and exclusion. With lockdowns, social-economic restrictions and a heightened crisis of public care services, many workers with family responsibilities saw an escalation in the hours spent looking after their children, older persons or family members with disabilities, with serious consequences on their mental health and socio-economic outcomes. For women in the informal economy with limited, if any, access to social protection provisions – including healthcare, income and food support, and maternity protection – the impact has been especially devastating. When gender intersects with other personal characteristics, such as ethnicity, nationality, age, disability or HIV status, there is a risk that both gender disparities and intra-women inequalities will widen further (ILO 2020d).

Many governments have tried to reduce the additional unpaid care work burden by extending the duration of care leave, improving access to childcare facilities or by providing special care-related allowances to pay for care services for children and other persons in need of care (ILO 2020d; 2021a). This unprecedented initial response to COVID-19 confirmed the essential role of care policies to the well-being of individuals and families and to business continuity. It provided an impetus for closing coverage gaps in care policies, but in too many countries this response has been inadequate. Most of these measures have been short-lived and have come to an end before countries could reach pre-pandemic levels of economic activity and employment.

Investments in care policies have been historically low, with large coverage gaps for workers in the informal economy and inadequate provisions of both care leave and services, namely maternity, paternity, parental and other care-related leave as well as childcare and long-term care service. This has translated into penalties for caregivers, especially mothers, in terms of employment participation, earnings and leadership (ILO 2019b), and has caused or contributed to deep-rooted forms of inequality in the labour market and in society (ILO 2021b). The crisis has made it clear that business as usual is no longer an option, and that there is an urgent need to invest in a package of care policies and services that are transformative and promote people's well-being, gender equality, decent work and social cohesion.

A more balanced sharing of paid work and family responsibilities at home and between families and the State is a pillar of the ILO human-centred agenda, which is grounded in international labour standards and the commitment of ILO constituents – governments, employers' organizations and workers' organizations – in the *ILO Declaration for the Future of Work* and the ILO's *Global call to action for a human-centred recovery from the COVID-19 crisis that is inclusive, sustainable and resilient*. "Large-scale investment in the care economy" is also a key transformative measure of the UN Secretary-General's *Our Common Agenda* to accelerate the implementation of the Sustainable Development Goals by 2030.

## Transformative care policies

Care policies are transformative when grounded on human and labour rights and provided throughout the life cycle as a continuum of time, income security, services and rights.

- **Time to care and be cared for:** care leave to support all care needs, including for illness, breastfeeding and disability, and which is equitably distributed among all carers.
- **Income security:** care-related cash benefits (including during leave) that ensure the health, dignity and well-being

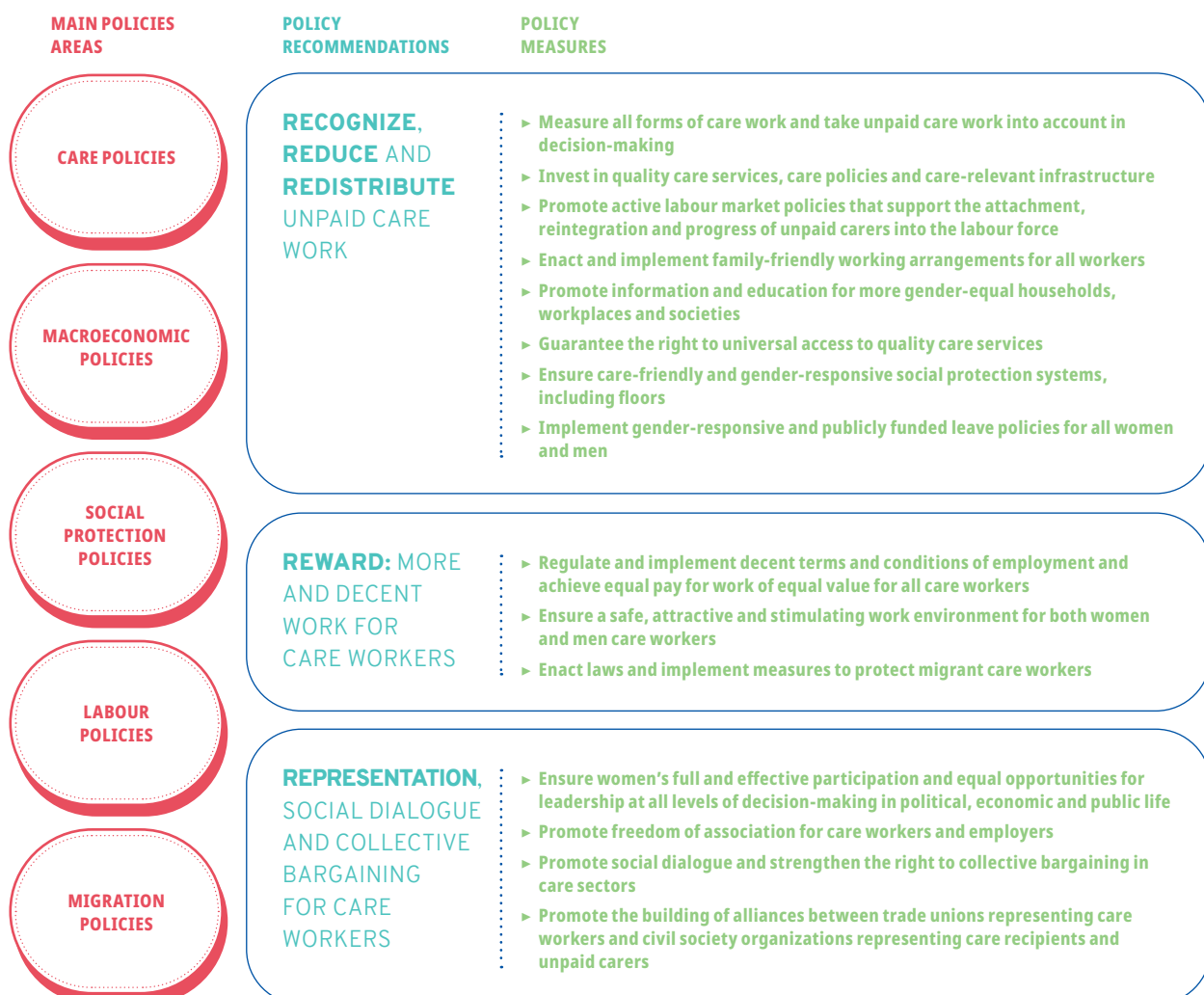
of caregivers (unpaid and paid) and care receivers.

- **Services:** quality healthcare, childcare, education (including pre-primary education), and long-term care services that are disability-inclusive and attached to good-quality care jobs provided in adequate number and meeting the needs of caregivers (paid and unpaid) and receivers.
- **Rights:** prevention and protection from all and intersecting forms of discrimination, violence and harassment, and the assurance of employment protection, a

healthy and safe workplace and decent working time, along with freedom of association and the right to collective bargaining.

Transformative care policies are a key component of the ILO 5R Framework for Decent Care Work to promote a high road to care work by recognizing, reducing and redistributing housework and family care; rewarding care workers fairly, while generating sufficient care jobs to meet the demand; and giving care workers rights, voice and representation in social dialogue and collective bargaining (see figure 1.1) (ILO 2018a).

► Figure 1.1. Overview of care policies part of the 5R Framework for Decent Care Work



Source: ILO 2018a, xliv.

The decent work approach to care policies is grounded on international labour standards. The latter provide a comprehensive framework of principles, rights and guidance for defining and advancing transformative care policies and promote good-quality care work. In addition to the fundamental principle and rights at work,<sup>1</sup> several ILO Conventions and Recommendations focus on care policies. Particularly relevant to the scope of this report are the following international labour standards:

- ▶ Maternity Protection Convention (No. 183) and Recommendation (No. 191), 2000;
- ▶ Social Security (Minimum Standards) Convention, 1952 (No. 102) and the Social Protection Floors Recommendation, 2012 (No. 202);
- ▶ Workers with Family Responsibilities Convention (No. 156) and Recommendation (No. 165), 1981; and
- ▶ Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204).<sup>2</sup>

For more than a century, the Maternity Protection Convention, 1919 (No. 3), the first gender equality international treaty, has recognized the right to paid leave, irrespective of age, nationality or marital status, funded “either out of public funds or by means of a system of insurance”, with “free attendance by a doctor or certified midwife”, employment

protection and the right to breastfeed at the workplace. More than a century later, the most-up-to-date Maternity Protection Convention, 2000 (No. 183), ratified by 40 countries, and its accompanying Recommendation No. 191, embed basic human rights that remain relevant but are still overwhelmingly out of reach for the large majority of women around the world.

More than 40 years ago, the ILO Workers with Family Responsibilities Convention (No. 156) and Recommendation (No. 165), 1981, recognized the right to balance economic activity and unpaid care work and the right to non-discrimination in employment related to care. These standards also paved the way for paternity and parental leave national entitlements and the right to childcare and long-term care services, among other care policies. Since then, 45 countries have ratified Convention No. 156, and many more have reformed their care leave and service policies to recognize, reduce and redistribute unpaid care work between women and men as well as between families and the State, promoting better work-family balance. However, the challenges remain daunting, especially in light of the human and economic disruptions brought by the COVID-19 pandemic. The ratification and implementation of these standards can help make a real difference in the daily lives of working caregivers and are integral to the policy package for care.

1 The fundamental principles and rights at work (and associated Conventions) are:

- freedom of association and collective bargaining – Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and Right to Organize and Collective Bargaining Convention, 1949 (No. 98);
  - equal pay and non-discrimination – Equal Remuneration Convention, 1999 (No. 100), and Discrimination (Employment and Occupation) Convention, 1958 (No. 111);
  - abolition of child labour – Minimum Age Convention, 1973 (No. 138), and Worst Forms of Child Labour Convention, 1999 (No. 182); and
  - elimination of forced and compulsory labour – Forced Labour Convention, 1930 (No. 29), and Abolition of Forced Labour Convention, 1957 (No. 105).
- 2 Other relevant instruments and guidelines aim promote decent working time – Hours of Work (Commerce and Offices) Convention, 1930 (No. 30), and the Forty-Hour Week Convention, 1935 (No. 47) – and good-quality part-time work – Part-Time Work Convention, 1994 (No. 175) – to make decent work a reality for all workers, including those from socially disadvantaged groups, such as:
- migrant workers – Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143);
  - workers with disabilities – Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159);
  - indigenous and tribal peoples – Indigenous and Tribal People's Convention, 1989 (No. 169);
  - home workers – Home Work Convention, 1996 (No. 177);
  - workers in cooperatives – Promotion of Cooperative Recommendation, 2020 (No. 193);
  - workers living with HIV – HIV and AIDS Recommendation, 2010 (No. 200); and
  - violence and harassment in the world of work – Violence and Harassment Convention, 2019 (No. 190).

A further group of instruments comprises those targeting care workers, including domestic workers – Domestic Workers Convention, 2011 (No. 189) – and nursing personnel – Nursing Personnel Convention, 1977 (No. 149) – as well as ILO and UNESCO recommendations on teachers and ILO guidelines on childcare personnel.



## A clear ILO mandate on investing in the care economy

The care economy has moved to centre stage in global policy agendas, debates and initiatives (ILO 2021e). In 2015, Sustainable Development Goal 5 (Gender Equality), target 5.4, calls on States to “recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family as nationally appropriate” in order to achieve gender equality and sustainable development. As a result, multiple organizations in the UN and Bretton Woods systems, the G20 and G7, regional organizations such as the European Union, as

well as trade unions, such as the International Trade Union Confederation (ITUC), have placed care at the centre of their agendas. In March 2021, a Global Alliance for Care was launched by the National Institute of Women of Mexico and UN Women as a collective multisectoral initiative where governments, the private sector, international and philanthropic institutions, and civil society organizations can participate and make concrete commitments to advance the care work agenda at the global level (Bango and Cossani 2021). At the end of 2021, the Alliance comprised 52 global, national, civil society and private sector members, including the ILO and the ITUC (box 1.1).



## ► Box 1.1. ILO commitments to the Global Alliance for Care

In the next five years, the ILO will continue to devote efforts to advance the transformative agenda on the care economy through:

- Actively participating in the Global Care Alliance.
- Developing global data and knowledge on paid and unpaid care work and care leave policies.
- Promoting universal care policies in the form of childcare and long-term care services; care social protection transfer and benefits; care leave policies such as maternity, paternity and parental leave; and family-friendly working arrangements and care-relevant infrastructures.
- Supporting national systems of care leave policies with a view to ensuring that an equal amount of care leave is taken by both women and men, thus promoting gender equality at home and in employment and occupation.
- Promoting the development of needs-based assessments and costings of coverage gaps in the care economy, and advocating for the necessary investments to fill these gaps, including through gender-responsive macro-economic and sectoral policies.
- Promoting the creation of decent jobs in the care sector, particularly for young women and men, and improving the working conditions of existing care workers.
- Promoting international labour standards, in particular those Conventions that have a direct impact on care, such as Conventions Nos 100, 102, 111, 183, 156, 189 and 190.

In September 2021, the UN Secretary-General's *Our Common Agenda* report noted the failure of societies in delivering what people need most, including public goods such as health, education and childcare. It also urged a rethinking of GDP by "valuing unpaid care work in economic models" and "facilitating women's economic inclusion, including through large-scale investment in the care economy and equal pay". This includes "investing in quality paid care as part of essential public services and social protection arrangements, including by improved pay and

working conditions (target 5.4 of the Sustainable Development Goals)" (United Nations 2021, paras 31 and 39).

Since the adoption of the 2011 instruments on decent work for domestic workers and the roll out of the Women at Work Initiative in 2015 (ILO 2018e), the ILO has stepped up its efforts to highlight the opportunities, challenges and policy actions to promote the ILO 5R Framework for Decent Care Work (figure 1.2). In addition to the vast framework of international labour

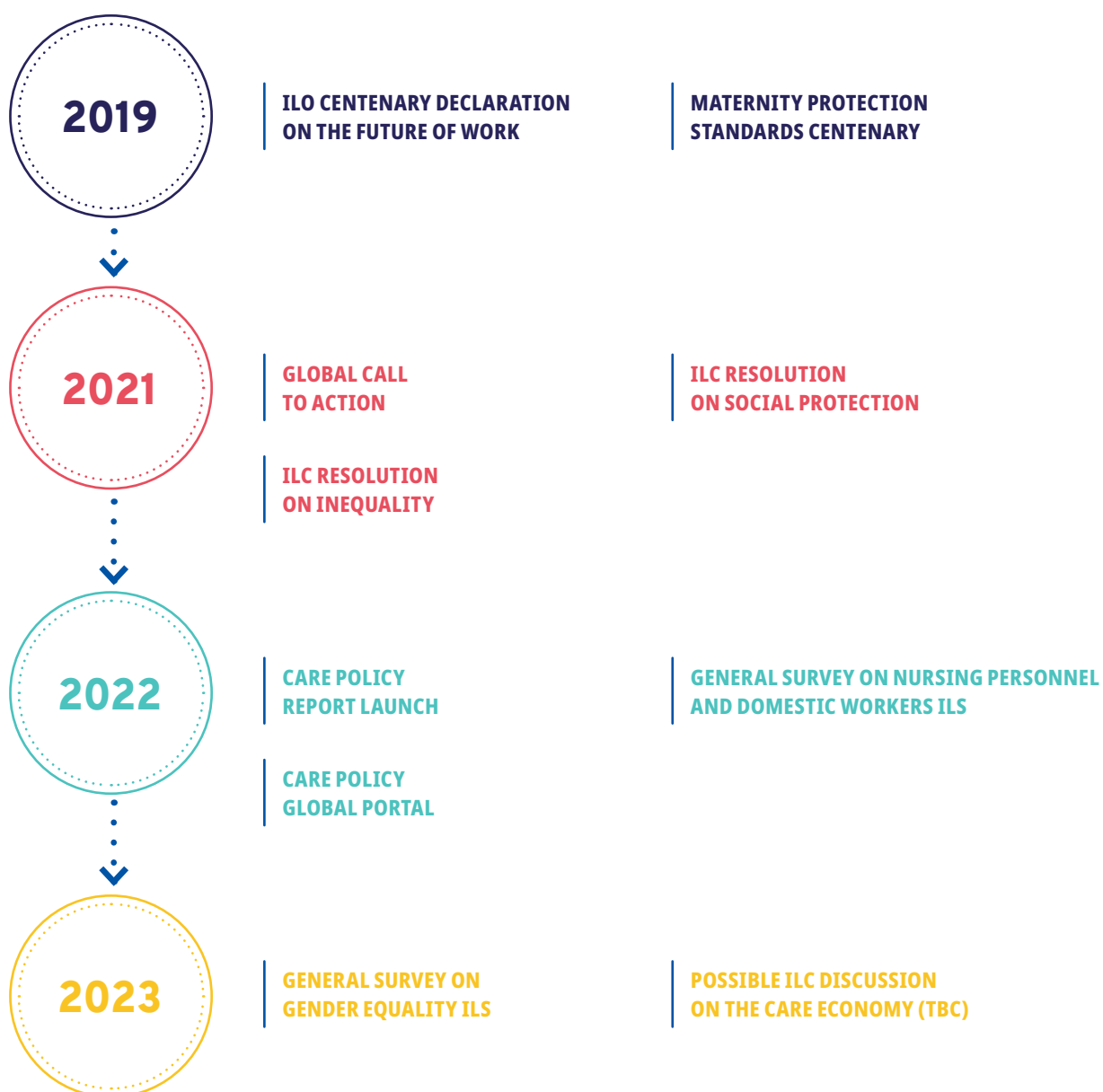
and statistical standards, declarations and resolutions, major evidence-based policy initiatives prioritize care in the world of work and offer a clear road map for action in investing in the care economy, including a transformative care policy package for a more balanced sharing of family responsibilities. The adoption of the Resolution on statistics of work, employment and labour underutilization by the 19th International Conference of Labour Statisticians (2013) recognized that unpaid care work is “work” and operationalized its measurement in labour force surveys. In 2017, a global survey into attitudes and perceptions of women and men regarding women and work confirmed that work-life balance remains the main challenge for women to enter, remain and advance in the labour market (ILO and Gallup 2017). A 2018 landmark report on care work and care jobs unpacked the global dimension of unpaid and paid care work and its relationship with the changing world of work (ILO 2018a). It highlighted persistent

gender inequalities in households and in the labour market, and their inextricable links with care work. It also stressed the care economy as an engine of job creation and the need to tackle decent work deficits in the relevant sectors.

The ILO’s 2019 Centenary Declaration for the Future of Work prominently recognized the relevance of the care economy for a transformative agenda for gender equality. As a result, a specific focus on supporting investments in the care economy and work-family balance was included in the ILO programme and budget starting from the 2020–21 exercise. In 2019, the inter-agency policy dialogue on the Maternity Protection Centenary renewed a commitment to making maternity protection a reality for all women and called for ramping up ratifications and effective implementation of maternity protection international labour standards (ILO 2019a).



► **Figure 1.2.** Global milestones of the ILO investing in the care agenda



Source: ILO. ILS = international labour standards.

Following the devastations of the COVID-19 pandemic and building on the Centenary Declaration and stressing social dialogue as an essential tool, the ILO's 2021 Global Call to Action places investment in the care economy in the context of a job-rich recovery with decent work and inclusive economic growth (ILO 2021m). It calls for tackling discrimination based on all grounds and taking into account the situation of specific groups such as migrants, persons with disabilities or ethnic minorities; the inclusion of care credits into social insurance; income security during care leave; and affordable and quality child and long-term care services as integral parts of social protection systems that promote gender equality.

Similarly, the International Labour Conference (ILC) Resolution on social protection called on Member States to “invest in the care economy to facilitate access to affordable and quality childcare and long-term care services as an integral part of social protection systems, in a manner that is supportive of the workforce participation of workers with care-giving responsibilities and an equal sharing of care work between women and men” (ILO 2021e, para. 13(g)). It also pledged support to Member States “in ensuring decent work for workers in the care economy, with a view to improving the attractiveness of these sectors and strengthening the quality of health and care services” (ILO 2021e, para. 17(f)). In December 2021, the Resolution concerning inequalities and the world of work adopted by the ILC recognizes that ensuring gender equality and non-discrimination and promoting equality, diversity and inclusion requires an integrated and comprehensive approach that, among others, removes barriers preventing women from accessing, remaining and progressing in the labour market and ensures “access to quality and affordable long term and child care” (ILO 2021k, para. 23(e)).

A General Survey<sup>3</sup> with focus on nursing personnel and domestic workers is under preparation for discussion at the ILC in June 2022, while a General Survey on the instruments concerning equality of opportunity and treatment, including Conventions Nos 111, 156 and 183, will be discussed by the ILC in 2023. These Surveys are aimed at identifying progress and outstanding challenges in ratification and implementation of these international labour standards related to the care economy, and at devising practical ways to overcome these challenges. The ILO Governing Body is also discussing the possibility of including a general discussion on the need for inclusive and sustainable care systems at the ILC in 2023, as a critical area for advancing the transformative agenda for gender equality and promoting an ecosystem of care for all (ILO 2021n).

In this framework, the publication of the current report marks an important contribution to the ILO Investing in Care Agenda and is part of a compendium of global knowledge, technical tools and policy dialogues to support ILO constituents and partners in investing in the care economy through designing and financing transformative care policy packages, including care leave and services (see Chapter 9).

3 On the basis of article 19 of the ILO Constitution, the Committee of Experts on the Application of Conventions and Recommendations (CEACR) publishes an in-depth annual General Survey on the national law and practice of Member States on certain Conventions and/or Recommendations chosen by the ILO Governing Body. These surveys allow the CEACR to examine the impact of Conventions and Recommendations, analyse the difficulties reported by governments in their application, and identify means of overcoming these obstacles. For more information and the review of General Surveys published since 1985, see: ILO, “General Surveys”.

## ► 1.1. Contents of the report

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This report reviews the status and progress of: care leave policies, in particular maternity, paternity, parental, long-term and emergency leave; breastfeeding arrangements; and care services such as childcare and long-term care. It also covers labour regulations protecting the safety and health of pregnant and nursing women and affording to all parents the right to non-discrimination with respect to care responsibilities. The 5R Framework for Decent Care Work and the above international labour standards provide the lens through which the review has been conducted. This report is part of a long-standing effort of the ILO that started in 1994 to monitor and assess progress of national legislation towards core elements of international labour standards on maternity protection and workers with family responsibilities.

Based on legal information collected by the ILO, this global report, in line with the 2005, 2010 and 2014 editions, offers a comprehensive comparative analysis of national legal provisions on maternity protection and leave and care services for workers with family responsibilities around the world, in particular: maternity leave (Chapter 2), paternity leave (Chapter 3), parental and other special leave (Chapter 4), including employment protection and non-discrimination rights; health protection at the workplace (Chapter 5); breastfeeding arrangements (Chapter 6); Childcare (Chapter 7); long-term care services (Chapter 8); and a concluding chapter on investing in transformative care policy packages (Chapter 9).

In each chapter an extensive and unique set of about 100 legal and statistical indicators are presented for more than 180 countries. Extending and developing the work of previous editions, this report presents new legal indicators on emergency and long-term care leave as well as childcare and long-term care services. Grappling with the persistent data gaps on legal and actual coverage of care policies across the world, the research devoted special efforts to estimate the scope of legal provisions by linking statutory provisions with the demographic

composition of each country. This has resulted in a wealth of estimates that provide global, regional and national-income-group overviews of the provision of care policies in law. These statistics therefore do not measure the extent to which rights-holders enjoy in practice their leave entitlements and care services. Nonetheless, they allow readers to appreciate the magnitude of the policy gaps in the entitlements to care leave and services affecting women, men and children around the world.

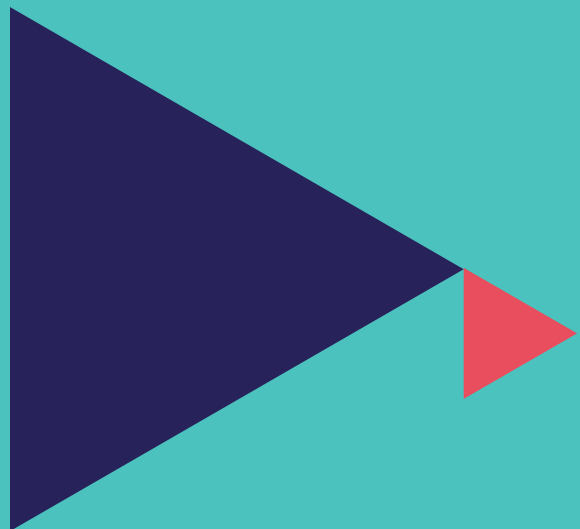
The report also attempts to assess the capacity of national legislation to acknowledge care policy provisions for categories of workers that are typically excluded from coverage, such as the self-employed, who are often overrepresented among workers in the informal economy, and adoptive and LGBTIQ+ parents. When legal indicators are available for different years, the report describes how these care policies have evolved over the last decade to meet the provisions of international labour standards, including in the light of the global COVID-19 health, economic and social crisis.

Finally, by building and expanding on a 2018 ILO macroeconomic simulation (ILO 2018a), the final chapter, drawing on the previous chapters, compiles a global “childcare policy gap” – notably the period of time between the end of entitlements to paid childcare leave and the beginning of the right to free and universal early childhood care and education or primary education – and offers policy recommendations on how to close this gap. It shows that there is a strong investment case for progressively achieving universal access to a transformative care policy package consisting of care leave, breastfeeding, childcare and long-term care services for all workers with family responsibilities everywhere.



## Maternity Leave: A universal but unfulfilled human and labour right

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## Chapter 2 key messages

### ► Why is maternity leave so important?

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- Paid and job-protected maternity leave is essential to the life, health, safety and economic protection of women and their children. It is a precondition to the right to care and be cared for and to achieving gender equality at work.
- All but one of the 185 countries across the world have adopted statutory provisions for maternity leave in their legislation.

### ► What is the duration of maternity leave?

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- ILO standards mandate a minimum maternity leave period of 14 weeks and recommend increasing it to at least 18 weeks to ensure an adequate rest and recovery time.
- In 2021, 120 countries offered a maternity leave of at least 14 weeks. This means that 7 in 10 potential mothers<sup>1</sup> live in countries with maternity leave in line with the ILO 14-week standard.
- 52 countries meet or exceed the ILO 18-week standard. This means that 3 in 10 potential mothers live in countries with at least 18 weeks of maternity leave.
- Since 2011, 23 new countries have met or exceeded the ILO 14-week standard.
- However, 3 in 10 potential mothers still live in the 64 countries where the duration of maternity leave is less than 14 weeks.

### ► How much is maternity leave paid?

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- The amount of maternity leave cash benefits should be adequate to keep the woman and her child healthy and out of poverty.
- ILO standards require their amount to be at least two-thirds (67 per cent) of the woman's previous earnings and recommend increasing it to 100 per cent when possible.
- In 2021, 123 countries offer fully paid maternity leave. This means that 8 in 10 potential mothers globally live in countries where maternity leave is fully paid.
- Between 2011 and 2021, 10 countries have increased the amount of maternity leave cash benefits.
- However, in 13 countries maternity leave cash benefits are set below two-thirds of previous earnings, while in 2 countries maternity leave is still unpaid and in 1 country there is no maternity leave.

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1 "Potential mothers" are women of reproductive age. For the purposes of this report, the age group of "women of reproductive age" is assumed to be the same as that of "men of reproductive age" – that is, 15–49 years.



## Chapter 2 key messages

### ► Who pays for maternity leave cash benefits?

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- Maternity protection is a public good and a collective responsibility.
- ILO standards require that maternity leave cash benefits be provided through compulsory social insurance or public funds. Employers shall not be individually liable for the direct cost of these benefits.
- ILO standards require that adequate maternity benefits through non-contributory social assistance funds be provided to women who do not qualify for benefits out of social insurance, especially those in the informal economy.
- Over two-thirds of potential mothers live in countries where maternity leave cash benefits are funded through social protection.
- 2 in 10 potential mothers remain at risk of inadequate protection and discrimination in 45 countries that still require full payment of maternity leave by employers.
- Since 2011, only 8 countries have moved away from employer liability schemes to social security or mixed schemes.

### ► Are national laws on maternity leave rights in line with ILO standards?

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- Only 7 in 10 potential mothers live in the 98 countries that are in line with the requirements of the ILO Maternity Protection Convention, 2000 (No. 183).
- Between 2011 and 2021, legal reforms have been slow, with only 18 countries improving at least one aspect of maternity leave legislation to be in line with ILO standards.
- At current trends, it will take at least 46 years to provide all women with minimum maternity leave rights, compromising the achievement of the Sustainable Development Goals by 2030.

## Chapter 2 key messages

### ► Can women lose their job or be discriminated against due to maternity?

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- Employment protection and non-discrimination are essential to enable the right to maternity leave.
- Only 13 countries do not mandate protection against unlawful dismissal related to maternity.
- However, 4 in 10 potential mothers are living in the 83 countries where there is a risk of discriminatory dismissal due to lack of employment protection over the full maternity period.
- Only 2 in 10 potential mothers live in the 77 countries offering employer burden of proof as a key legal tool to address discriminatory dismissal.
- Almost 5 in 10 potential mothers live in the 89 countries that guarantee the right to return to work after maternity leave.
- Since 2011, 26 countries have mandated new implicit or explicit prohibitions against pregnancy tests related to employment.
- However, only 1 in 10 potential mothers live in the 24 countries that explicitly prohibit pregnancy tests related to employment.

### ► What is the scope of maternity leave laws?

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- The fundamental right to paid and job-protected maternity leave should be guaranteed to all women.
- But coverage of maternity leave cash benefits for some categories of workers remains particularly low.
- Only 14 in 100 self-employed women<sup>2</sup> live in the 81 countries that provide mandatory coverage for maternity leave cash benefits for self-employed women.
- Only 2 in 10 potential parents are living in the 52 countries that offer equal maternity leave rights to adoptive parents, including those in same-sex partnerships.

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<sup>2</sup> Data on self-employment are ILO modelled estimates available on the ILOSTAT database, except for Andorra, Antigua and Barbuda, British Virgin Islands, Monaco, Saint Kitts and Nevis, San Marino and the Seychelles.

## ► 2.1. Maternity protection: Over a century of vital rights, but not all mothers still benefit from it

Paid maternity leave with adequate maternal and child healthcare is a core element of the health and economic protection of women workers and their children during the pre- and post-natal period and during periods of breastfeeding. It is a precondition to the right to care and be cared for and to achieve gender equality at work. This role is universally acknowledged and firmly established in key universal human rights treaties, such as the Universal Declaration of Human Rights (1948) and the Convention for the Elimination of All Forms of Discrimination Against Women (1979), as well as in international labour standards on maternity protection and social security adopted by ILO constituents – government, employers’ organizations and workers’ organizations – over a century ago, as the first Maternity Protection Convention, 1919 (No. 3), was adopted in 1919. The “provision for child welfare and maternity protection” is also listed among the core aims and purposes of the ILO (Article III of the Declaration of Philadelphia, 1944). The second Maternity Protection Convention (Revised), 1952 (No. 103), was adopted in 1952, and the last and most up-to-date international labour standards on this topic are the Maternity Protection Convention (No. 183)<sup>3</sup> and Recommendation (No. 191), 2000. Other relevant ILO standards are the Social Security (Minimum Standards) Convention, 1952 (No. 102), and the ILO Social Protection Floors Recommendation, 2012 (No. 202). The importance of ensuring maternity leave rights is also confirmed by the fact that the vast majority of countries have adopted statutory provisions for paid maternity leave. This entitlement is associated with positive health outcomes for women and their children, as well as with the establishment and maintenance of breastfeeding (Bütikofer, Riise, and Skira 2021).

Research also shows that well-designed maternity leave schemes with cash and medical benefits are beneficial to women’s position in the labour market and in turn reduce gender gaps in remuneration, informality and social protection (ILO 2016b).

Maternity protection is a public good and a collective responsibility. International labour standards call for supporting maternity and other care leaves through solidarity and risk pooling of all members of society, namely through social insurance or general taxation. This is essential to promoting equality of opportunity and outcomes at work, preventing employers from bearing alone the entire direct cost of society’s reproduction and wellbeing. In addition, international labour standards, and more recently the 2021 ILO Resolution on social protection<sup>4</sup>, call for all women to have access to leave, income security and healthcare during maternity, including:

- those working in the informal economy;
- own-account and contributing family workers;
- those with precarious contracts;
- those in rural areas;
- those from racial and ethnic minorities;
- migrant workers;
- workers with disabilities;
- those living with HIV and AIDS; and
- single, adoptive or in same-sex partnerships parents.

3 As of November 2021, 40 countries have ratified Convention No. 183. See the [ILO NORMLEX database](#).

4 The full title of the resolution is the Resolution concerning the second recurrent discussion on social protection (social security), and it was adopted by the International Labour Conference on 19 June 2021.

Given the informal characteristics of their work, the precariousness of their employment or other individual or intersecting characteristics, these workers are often totally or largely uncovered or at risk of exclusion. They are often pushed to continue or resume economic activities when it is not medically advisable to do so, or they are pushed to stop or reduce paid work, resulting in income penalties. When they are unable to rest and recover with adequate cash and medical benefits during the last stage of pregnancy, delivery and post-delivery, these women often put their health and their child's health at serious risk (ILO 2013; ILO 2016a; ILO 2020f).

This chapter reviews national legislation on five aspects of maternity leave provisions in relation to the ILO Maternity Protection Convention (No. 183) and Recommendation (No. 191), 2000, as they are the latest and most comprehensive

instruments on maternity protection.<sup>5</sup> The first section considers the duration of statutory maternity leave. The second analyses the right to payment when on maternity leave, and the third concentrates on the source of benefits. Next, the chapter analyses maternity leave provisions for self-employed workers and adoptive parents. Finally, it reviews the status of national provisions on employment protection and non-discrimination connected with maternity leave.

The most up-to-date ILO standard on the duration of paid maternity leave, Convention No. 183, mandates a minimum leave period of 14 weeks for employed women – an increase from 12 weeks in previous Conventions.<sup>6</sup> Its accompanying Recommendation No. 191 goes further and suggests that ILO Member States should try to increase the period of maternity leave to at least 18 weeks (figure 2.1).

## ► 2.2. Duration of maternity leave: Ensuring an adequate rest and recovery time

### Seven in ten potential mothers live in countries where the duration of maternity leave is of at least 14 weeks

In 2021, 184 countries provided statutory maternity leave, with Tonga being the only country without statutory provision for maternity leave in its legislation. The global average duration of maternity leave is 17.6 weeks.<sup>7</sup>

Globally, 120 countries, where 72.5 per cent of potential mothers live, provide a maternity leave period of at least 14 weeks, as established by Convention No. 183 (figure 2.1, figure 2.2 and table 2.1). Among these, 52 countries also meet or exceed the 18 weeks of maternity leave suggested by Recommendation No. 191.

5 Maternity medical benefits – including prenatal, childbirth and postnatal care, as well as hospitalization care when necessary – are also a key component of maternity protection as set out by the Maternity Protection Convention, 2000 (No. 183) (Art. 6(7)). Maternity healthcare is also integral part of the social protection entitlements that mothers should have as per ILO social security standards (Convention No. 102 and Recommendation No. 202). Only a combination of maternity cash and medical benefits can ensure the health and income security of women who give birth.

6 These Conventions are the ILO Maternity Protection Convention, 1919 (No. 3); the Social Security (Minimum Standards) Convention, 1952 (No. 102); and the Maternity Protection Convention (Revised), 1952 (No. 103).

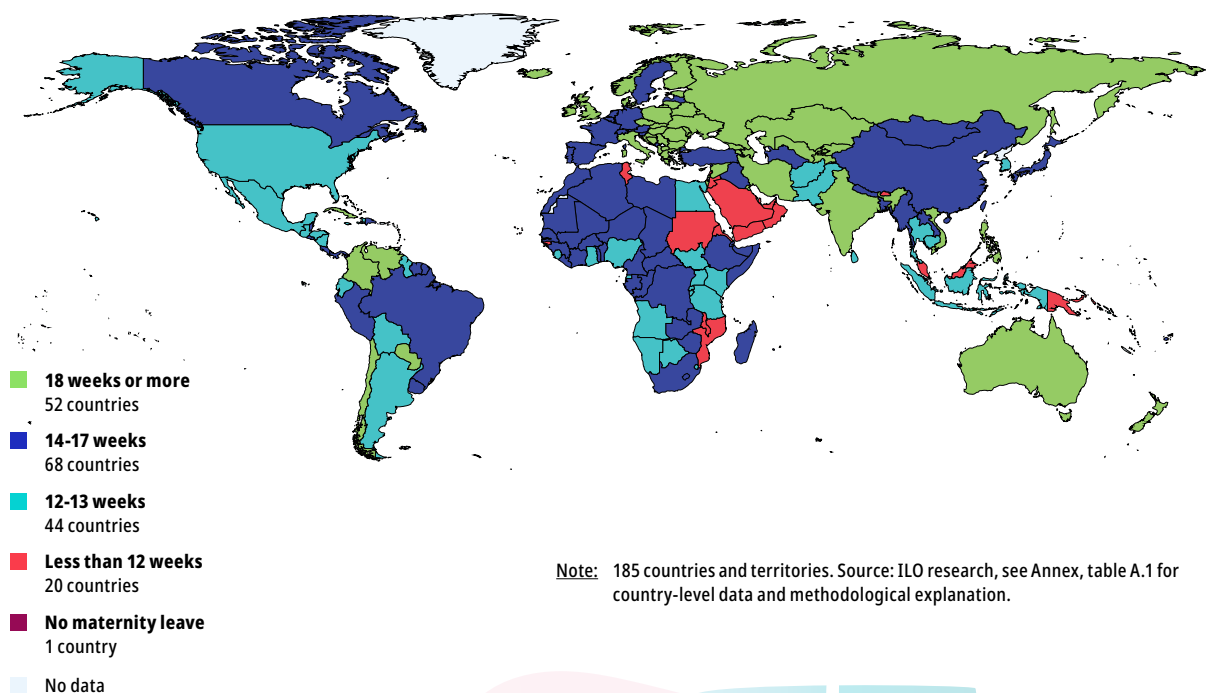
7 This average figure of 17.6 weeks is population weighted and refers to the 180 countries with available population data. The United Nations "World Population Prospects: The 2019 Revision" do not provide population data for Andorra, British Virgin Islands, Monaco, Saint Kitts and Nevis, and San Marino. Therefore, these five countries are excluded from the population weighted averages.

However, across the world 27.4 per cent of potential mothers live in the 64 countries where the duration of maternity leave is less than 14 weeks. Among these countries, 44 provide 12 to 13 weeks of leave, in line with Conventions Nos 3, 102 and 103; while in only 20 countries the duration of maternity leave is less than 12 weeks. The proportion of potential mothers living in this latter group is 3.3 per cent of the total, representing more than 63 million women.

The global picture conceals substantial regional and national income group variations. In the Arab States, for example, 60.8 per cent of potential mothers live in the eight countries where

maternity leave duration is below 12 weeks. In the region, only in Iraq (14 weeks), Kuwait (27 weeks) and the Syrian Arab Republic (21 weeks) provide maternity leave durations of at least 14 weeks, as mandated in Convention No. 183. In other regions, the proportion of potential mothers living in countries with maternity leave durations below 14 weeks is 51.9 per cent in Africa (23 countries), 55.8 per cent in the Americas (18 countries) and 17.5 per cent in Asia and the Pacific (15 countries). In Europe and Central Asia, all potential mothers are living in countries providing at least 14 weeks of maternity leave.

► Figure 2.1. Duration of maternity leave, 2021

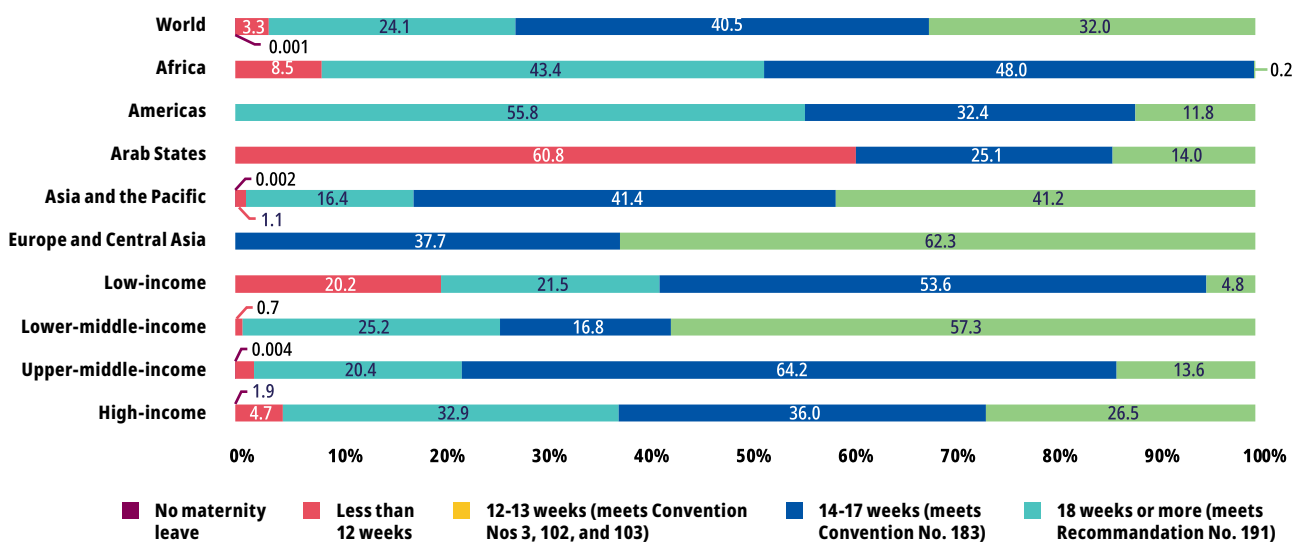


► Table 2.1. Duration of maternity leave, by region and by income group, 2021 (no. of countries)

Region/income group	No statutory maternity leave	Statutory maternity leave	Less than 12 weeks	12–13 weeks (meets Convention Nos 3, 102, and 103)	14–17 weeks (meets Convention No. 183)	18 weeks or more (meets Recommendation No. 191)	Average duration of maternity leave in all countries (weeks)
World	1	184	20	44	68	52	17.6
Africa	–	54	7	16	29	2	13.2
Americas	–	34	–	18	11	5	14.4
Arab States	–	11	8	–	1	2	12.3
Asia and the Pacific	1	32	5	10	11	6	19.0
Europe and Central Asia	–	53	–	–	16	37	21.8
Low-income	–	28	6	7	12	3	13.5
Lower-middle-income	–	47	4	17	19	7	20.0
Upper-middle-income	1	49	5	13	15	16	15.7
High-income	–	60	5	7	22	26	18.2

Note: 185 countries and territories. – = nil. Source: ILO research, see Annex, table A.1 for country-level data and methodological explanation.

► Figure 2.2. Share of potential mothers by duration of maternity leave, by region and by income group, 2021 (%)



Note: 180 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.1 for country-level data and methodological explanation.

## Since 2011, 23 new countries have met or exceeded the ILO minimum 14-week standard

Between 2011 and 2021, 35 out of the 177 countries with available data for both years increased the duration of maternity leave. Among them, 23

are now meeting or exceeding the ILO standard of 14 weeks. By region, the countries that have increased the duration of maternity to meet the 14-week standard are found in Asia and the Pacific (nine countries), followed by the Americas (six countries), Africa (five countries), the Arab States (two countries), and Europe and Central Asia (one country) (table 2.2).

► Table 2.2. Countries that have met the 14-week ILO minimum standard for maternity leave duration between 2011 and 2021

		Duration of maternity leave (weeks)*	
Region	Country	2011	2021
Africa	Ethiopia	13 (90 days)	17 (120 days)
	Gambia	12	26 (6 months)
	Mauritius	12	14
	Sao Tome and Principe	9 (60 days)	14
	Zambia	12	14
Americas	Dominican Republic	12	14
	El Salvador	12	16
	Paraguay	12	18
	Peru	13 (90 days)	14 (98 days)
	Trinidad and Tobago	13	14
	Uruguay	12	14
Arab States	Iraq	9 (62 days)	14
	Kuwait	10 (70 days)	27 (70 days plus 4 unpaid months)
Asia and the Pacific	Brunei Darussalam	9	15
	Fiji	12 (84 days)	14 (98 days)
	Hong Kong, China	10	14
	India	12	26
	Iran (Islamic Republic of)	13 (90 days or 4 months if breastfeeding)	39 (9 months)
	Lao People's Democratic Republic	13 (90 days)	15 (105 days)
	Myanmar	12	14
	Nepal	7 (52 days)	14
	Philippines	9 (60 days)	19 (135 days)
	Iceland	13 (3 months)	20 (4.5 months)

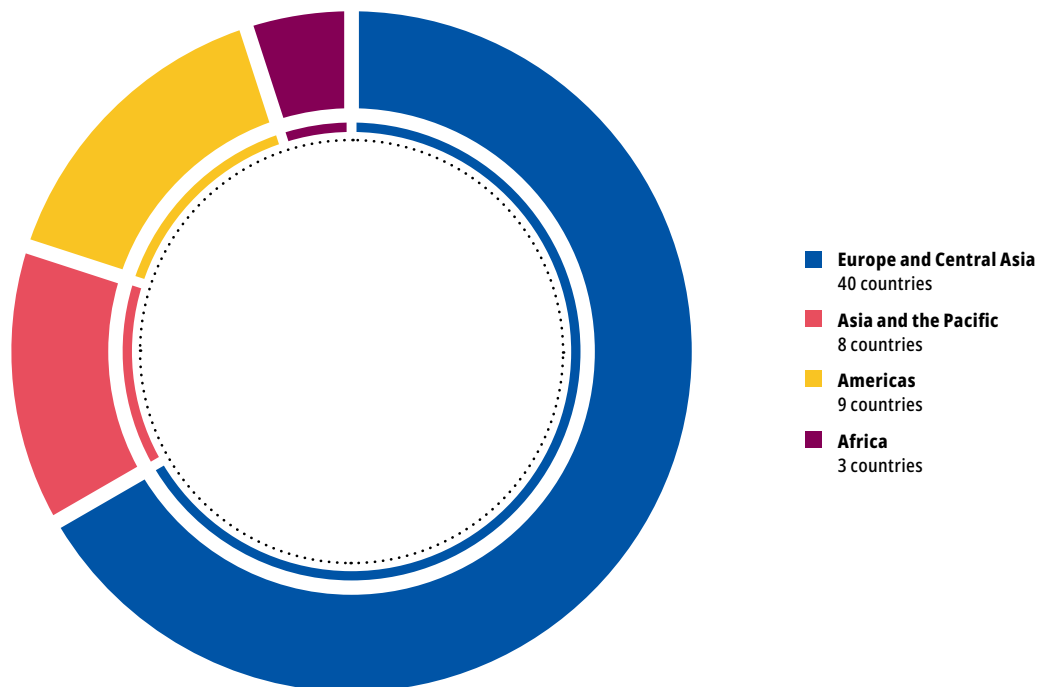
\* Further details and/or restrictions as provided in law are supplied in brackets in these columns. Source: ILO research, see Annex, table A.1 for country-level data and methodological explanation, and ILO 2014a.

## Transferring maternity leave to fathers for health reasons

The Maternity Protection Recommendation, 2000 (No. 191), also recognizes the caregiving role of men by allowing for the transfer of unexpired post-natal maternity leave to the father in case of death, sickness or hospitalization of the mother, or in other situations where the mother cannot look after the child for health reasons.<sup>8</sup> As maternity leave has as its original purpose the recovery after childbirth, such transfer would only be acceptable when women giving birth have access to sickness benefits and their health and income security is guaranteed. Accordingly, a number of countries also give the possibility of transferring maternity leave to fathers.

Across the world, there are currently 60 countries out of 185 with maternity leave where there is the possibility of transferring periods of post-natal maternity leave to fathers, under certain conditions. In 41 countries, the transfer of maternity leave can be made under exceptional circumstances. While in 19 countries, mothers can also transfer portions of maternity leave to fathers under all conditions, including those not related to the health of the mother or the child. Figure 2.5 shows that a majority of countries where women have the right to transfer part of their maternity leave to fathers are in Europe and Central Asia (40 countries), followed by the Americas (9), Asia and the Pacific (8) and Africa (3).

► Figure 2.3. Number of countries where maternity leave can be transferred to fathers for health reasons, by region, 2021



**Note:** 60 countries. Source: ILO research, see Annex, table A.1 for country-level data and methodological explanation.

<sup>8</sup> ILO Recommendation No. 191, Para. 10(1–2). See Chapter 4 for more information about provisions on transferable or shared parental leave, namely parental leave that is transferred to a parent or another caregiver for childcare purposes.



## ► 2.3. Adequacy of maternity leave cash benefits: Ensuring health protection and income security

ILO Convention No. 183 seeks to ensure that women on maternity leave receive cash benefits in accordance with national laws and regulations, or in any other manner consistent with national practice (Article 6(1)). In order to achieve alignment with Convention No. 183, the general principle is that cash benefits paid during maternity leave should be at a level that ensures that the woman can maintain herself and her child in proper conditions and with a suitable standard of living (Article 6(2)). Convention No. 183 further specifies that where, under national law or practice, cash benefits paid with respect to maternity leave are based on previous earnings, the amount of such benefits shall not be less than two-thirds of the woman's previous earnings or of such of those earnings as are taken into account for the purpose of computing benefits (Article 6(3)). Convention No. 183 also stipulates that when cash benefits are calculated with other methods, the amount of such benefits shall be comparable to the amount resulting on average from the application of the two-thirds of previous earnings principle (Article 6(4)). The accompanying Recommendation No. 191 goes one step further, advising ILO Member States, where practicable and after consultation with the representative organizations of employers and workers, to increase the maternity leave cash benefits to the full amount of a woman's previous earnings (Paragraph 2).

### Nine in ten potential mothers live in the 123 countries offering fully paid maternity leave

In 2021, the average statutory amount of maternity cash benefits was 91.2 per cent of previous earnings.<sup>9</sup> Globally, 1.7 billion potential mothers (90.8 per cent) reside in the 163 countries that provide statutory maternity leave cash benefits of at least two-thirds of previous earnings,<sup>10</sup> as mandated in Convention No. 183. The majority of potential mothers (1.5 billion) with access to paid maternity leave in law live in the 123 countries providing maternity leave cash benefits paid at 100 per cent of previous earnings (figure 2.4, figure 2.5 and table 2.3). However, an important share of potential mothers still reside in countries where maternity leave cash benefits are not adequate according to ILO Convention No. 183. Across the world, in 2021, 3.8 per cent of potential mothers (72 million) live in the 13 countries where legislation still sets maternity leave cash benefits below two-thirds of previous earnings. In addition, 4.1 per cent of potential mothers (78 million) live in the three countries out of 185 surveyed by the ILO where there are no statutory periodic maternity leave cash benefits, namely Papua New Guinea, Tonga<sup>11</sup> and the United States<sup>12</sup>.

The global picture hides some regional and country differences. For example, in the Arab States, almost all countries have statutory maternity leave cash benefits in line with Convention No. 183, and most countries in the region replace women's earnings while on maternity leave at 100 per cent of their previous

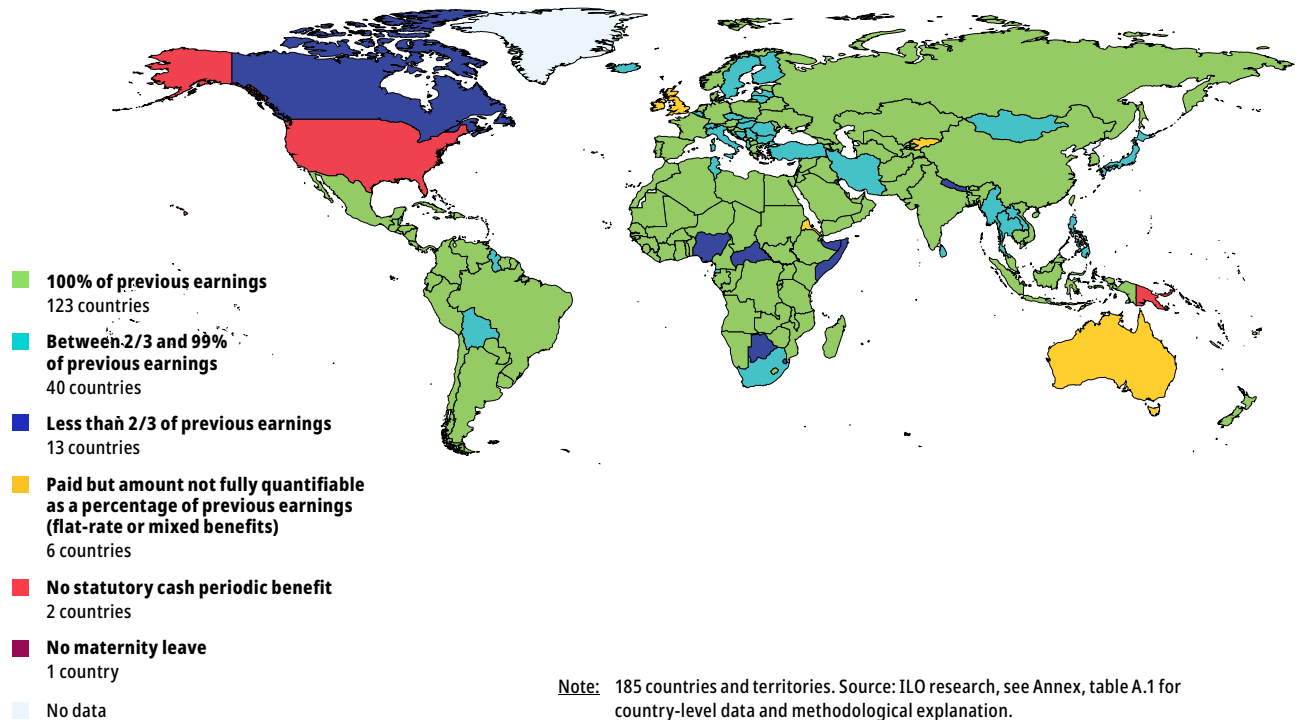
9 Average based on 173 countries and territories.

10 South Africa and Vanuatu pay maternity leave cash benefits at 66 per cent of previous earnings, but they are considered as being in the category "Between two-thirds and 99% of previous earnings".

11 Tonga does not provide maternity leave.

12 In the United States there is no national programme. Under the Family and Medical Leave Act, 1993, maternity leave is unpaid as a general rule; however, subject to certain conditions, accrued paid leave (such as vacation leave or personal leave) may be used to cover some or all of the leave to which a woman is entitled under the Act. In addition, 12 weeks of paid parental leave are provided to federal workers and a cash benefit has been adopted in nine states and the District of Columbia. Additionally, employers may offer paid maternity leave as a job benefit.

► Figure 2.4. Amount of maternity cash benefits, 2021

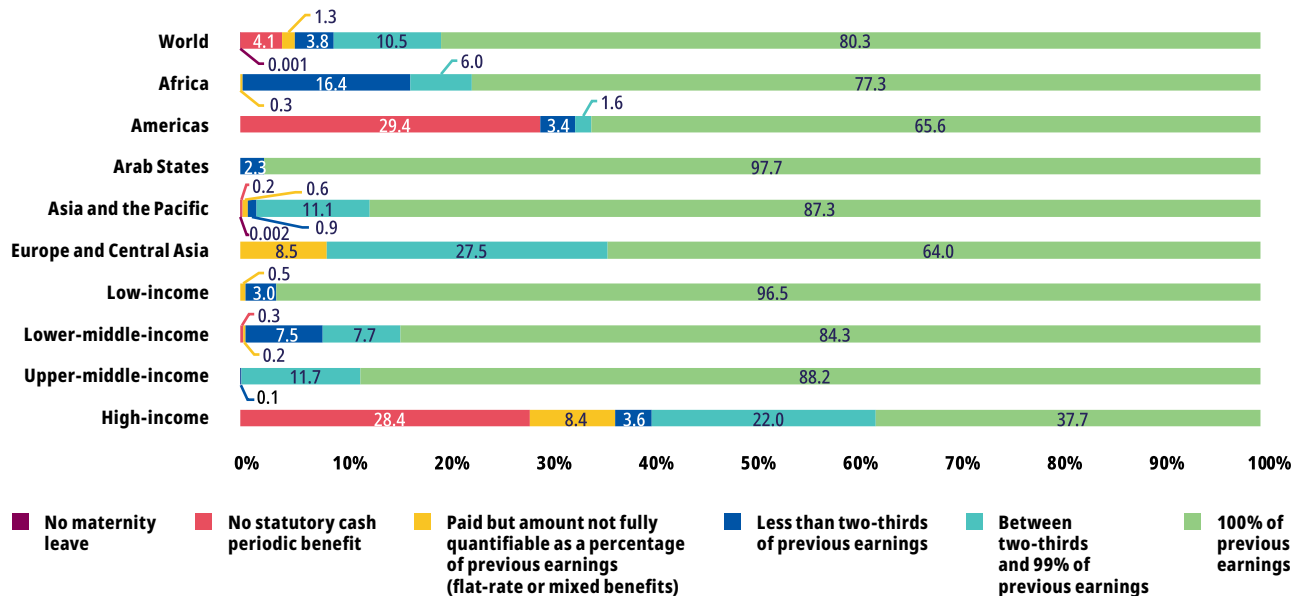


► Table 2.3. Amount of maternity leave cash benefits, by region and by income group, 2021 (no. of countries)

Region/income group	No maternity leave	No statutory cash periodic benefit	Paid but amount not fully quantifiable as a percentage of previous earnings (flat-rate or mixed benefits)	Less than two-thirds previous earnings	Between two-thirds and 99% of previous earnings	100% of previous earnings
World	1	2	6	13	40	123
Africa	–	–	1	5	4	44
Americas	–	1	–	5	5	23
Arab States	–	–	–	1	–	10
Asia and the Pacific	1	1	1	2	12	16
Europe and Central Asia	–	–	4	–	19	30
Low-income	–	–	1	2	–	25
Lower-middle-income	–	1	1	4	9	32
Upper-middle-income	1	–	–	3	13	33
High-income	–	1	4	4	18	33

**Note:** 185 countries and territories. – = nil. Source: ILO research, see Annex, table A.1 for country-level data and methodological explanation.

► Figure 2.5. Share of potential mothers by amount of maternity leave cash benefit, by region and by income group, 2021 (%)



Note: 180 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.1 for country-level data and methodological explanation.

earnings. Similarly, most countries in Europe and Central Asia (49 out of 53) and in Africa (48 out of 54) provide maternity leave cash benefits above the two-thirds threshold. Likewise, in the Americas, a majority of countries (28 out of 34) provide maternity leave cash benefits as mandated by Convention No. 183. A similar situation is observed in Asia and the Pacific with 28 out of 33 countries offering at least the two-thirds threshold.

In order to ensure the sustainability of funds, it is common practice in social security standards to cap the payment of cash benefits, including for maternity, at a certain earning threshold.<sup>13</sup> When maternity leave cash benefits are capped without due consideration of women's earning distribution in the labour market, there is a risk that the principle of two-thirds of previous earnings of Convention No. 183 is not fulfilled in practice for the large majority of potential mothers. This can contribute to increasing the gender pay gap or discourage take-up of low-paid maternity leave. Globally, in 37 of the 160 countries with maternity leave paid at statutory

rate of at least two-thirds of previous earnings, cash benefits are capped at a ceiling.

When the law foresees the use of other methods to determine maternity cash benefits, ILO standards call for this amount to be comparable to the two-thirds equivalent.<sup>14</sup> For example, in three countries – Australia, Eritrea and Ireland – maternity cash benefits are provided only through flat-rate payments, which may be below the two-thirds of previous earnings for a sizeable share of mothers. When these benefits are set at an adequate level, maternity leave paid at a flat rate could be beneficial for women in low-paying jobs, especially workers earning minimum or sub-minimal wages, enabling them to adequately care for themselves and their child. On the contrary, flat-rate benefits set too low could impose substantial pay penalties for the majority of women, including those earning higher wages, single mothers or self-employed women, discouraging take-up of leave.

13 Convention No. 102, Arts 50 and 65(3) and Convention No. 183, Art. 6(3), which states: "... the amount of such benefits shall not be less than two-thirds of the woman's previous earnings or of such of those earnings as are taken into account for the purpose of computing benefits" (emphasis added).

14 ILO Convention No. 183, Art 6(4) states: "Where, under national law or practice, other methods are used to determine the cash benefits paid with respect to leave referred to in Article 4, the amount of such benefits shall be comparable to the amount resulting on average from the application of the preceding paragraph."

## Between 2011 and 2021, ten countries have increased the amount of maternity leave cash benefits

Between 2011 and 2021, 10 countries out of 176 with available data for both years have increased the amount of maternity leave cash benefits (table 2.4). Among them, Albania, Cambodia, Paraguay, Rwanda, Slovakia and South Africa now meet the requirements of Convention No. 183 and provide cash benefits of at least two-thirds of previous earnings to women on maternity leave.

Other countries that were already compliant with the two-thirds of previous earnings principle in 2011 have further improved the adequacy of their maternity leave cash benefits. These include the Democratic Republic of the Congo, El Salvador, Finland and Myanmar.

When data on leave duration and amount of cash benefits are combined, it is found that in 2021, the average duration of paid maternity leave paid of at least 67 per cent of previous earnings was 18.0 weeks<sup>15</sup>, this represents an increase of 3.5 weeks since 2011<sup>16</sup>.

► Table 2.4. Countries that have increased maternity leave cash benefits between 2011 and 2021

		Amount of maternity leave cash benefits as a percentage of previous earnings	
Region	Country	2011	2021
Africa	Democratic Republic of the Congo	67%	100%
	Rwanda	100% first 6 weeks. 20% for the remainder	100%
	South Africa	60%	67%
Americas	El Salvador	75%	100%
	Paraguay	50% for 9 weeks	100%
Asia and the Pacific	Cambodia	50%	120%
	Myanmar	67%	70%
Europe and Central Asia	Albania	80% prior to birth up to 150 days after. 50% for remainder	80% for the first 185 days. 50% for the remainder
	Finland	70%	90%
	Slovakia	65%	75%

Source: ILO research, see table A.1 for country-level data and methodological explanation, and ILO 2014a.

<sup>15</sup> Average based on 158 countries weighted by the female population aged 15–49 in the year 2020.

<sup>16</sup> Average based on 155 countries weighted by the female population aged 15–49 in the year 2010.

## ► Box 2.1. Social dialogue, including collective bargaining, for improving the adequacy of maternity leave cash benefits

In addition to the critical overarching role of national social protection policies and strategies (ILO 2020f; ILO 2021d), social dialogue – including collective bargaining – is an effective mechanism for reinforcing and improving upon legal provisions on maternity protection, reconciling work and family life and advancing gender equality at work.<sup>1</sup> Therefore, governments have a lead role to play in promoting tripartite consultations on maternity protection involving workers' and employers' organizations, by protecting and promoting the fundamental principle of freedom of association and the effective recognition of the right to collective bargaining.

In **Europe and Central Asia**, collective agreements have been instrumental in embedding adequate maternity protection and parental-leave policies, facilitating high levels of women's labour force participation. For instance, in the European Union, 49 per cent of trade unions have concluded collective agreements introducing clauses on maternity and work-family balance that have improved the working conditions of workers with family responsibilities (ILO 2020g).

In low- and middle-income countries, where the protection provided by legislative provisions is often limited – and thereby allowing considerable scope for improvement – workers' organizations play an important role in negotiating agreements that go beyond the minimum standards set in legislation. For instance, in **Latin America** there have been steady improvements in maternity protection rights, in some cases, beyond those set in ILO Convention No. 183, because trade unions successfully negotiated to incorporate a number of maternity and work-life balance clauses in collective agreements (ILO 2021a).

In **Malaysia**, taking the cue from the entitlements in the public sector, several private companies, such as local and foreign banks, extended their fully paid maternity leave from 60 days to 90 days effective in 2010. This improvement was the result of a collective agreement with the National Union of Bank Employees (NUBE), which represents 30,000 bank workers across the country (ASEAN 2013).

In **Italy**, in the agricultural sector, a high percentage of workers are women, and many of them are seasonal workers who lack basic protections. In 2016, the Italian Union of Agri-food Workers (UILA) launched a survey to learn about workers' needs. The results revealed the importance of work-life balance, which has ever since been included in the union's collective bargaining campaigns. In 2018, a national level collective agreement on financial benefits and special leave was concluded. As a result, employees with a permanent employment contract are paid an additional 40 per cent of their salary for maternity/paternity leave (Helfferich and Franklin 2019).

In **Sweden**, a 2013 agreement on paid parental leave between the Swedish Trade Union Confederation (LO) and the Confederation of Swedish Employers, introduced a parental supplement as part of the collectively agreed national parental leave insurance system, compensating for 80 per cent of the wage reduction faced by parents taking parental leave (up to a wage of about 37,000 Swedish krona a month) (ILO 2020a).

In **Tunisia**, a range of efforts have been ongoing to extend both maternity and paternity leave. The Tunisian General Labour Union (UGTT), supported by the ILO, has been lobbying for the ratification of ILO Convention No. 183. An actuarial study was prepared to calculate the costs of enhanced parental leave and discussed in tripartite consultations. As a result, a legislative reform to enhance maternity and paternity leave was drafted and is under discussion (OECD, ILO, and CAWTAR 2020).

1 Social dialogue includes all types of negotiation, consultation and exchange of information between or among representatives of governments, employers and workers and their organizations on issues of common interest relating to economic and social policy. It can exist as a tripartite process, with the government as an official party to the dialogue or it may consist of bipartite relations only between labour and management (or trade unions and employers' organizations), with or without indirect government involvement. Social dialogue processes can be informal or institutionalized, and often it is a combination of the two. It can take place at the national, regional or at enterprise level. It can be inter-professional, sectoral or a combination of these. For more information see: [www.ilo.org/socialdialogue](http://www.ilo.org/socialdialogue).

## ► 2.4. Source of funding of maternity leave cash benefits: Protecting a public good through collective responsibility

The source of funding of maternity cash benefits has an important impact on their coverage and effectiveness. International labour standards on social security provide key principles on how financing mechanisms should be designed and implemented. These mechanisms should be guided by the principles of the overall and primary responsibility of the State, solidarity, sustainability, equality and non-discrimination and should be shaped by effective social dialogue (ILO 2020f) (see box 2.1 above). ILO Convention No. 183 prescribes that maternity leave cash benefits shall be provided through compulsory social insurance or public funds, and that an employer should not be individually liable for the direct cost of any such monetary benefit to a woman employed by them, with limited exceptions.<sup>17</sup>

The contributions paid by workers, including the self-employed; employers; and, in some cases, from general government revenue are pooled together in a social insurance fund, which is used to cover the expenses incurred when the contingency occurs. Social security contributions act as a deferred wage and a social and economic investment in line with the principles of solidarity, collective funding and risk pooling. Personal characteristics, such as health risks and sex, should not influence the level of individual contributions, which should be designed taking into account different levels of contributory capacities (ILO 2019a; ILO 2021a).

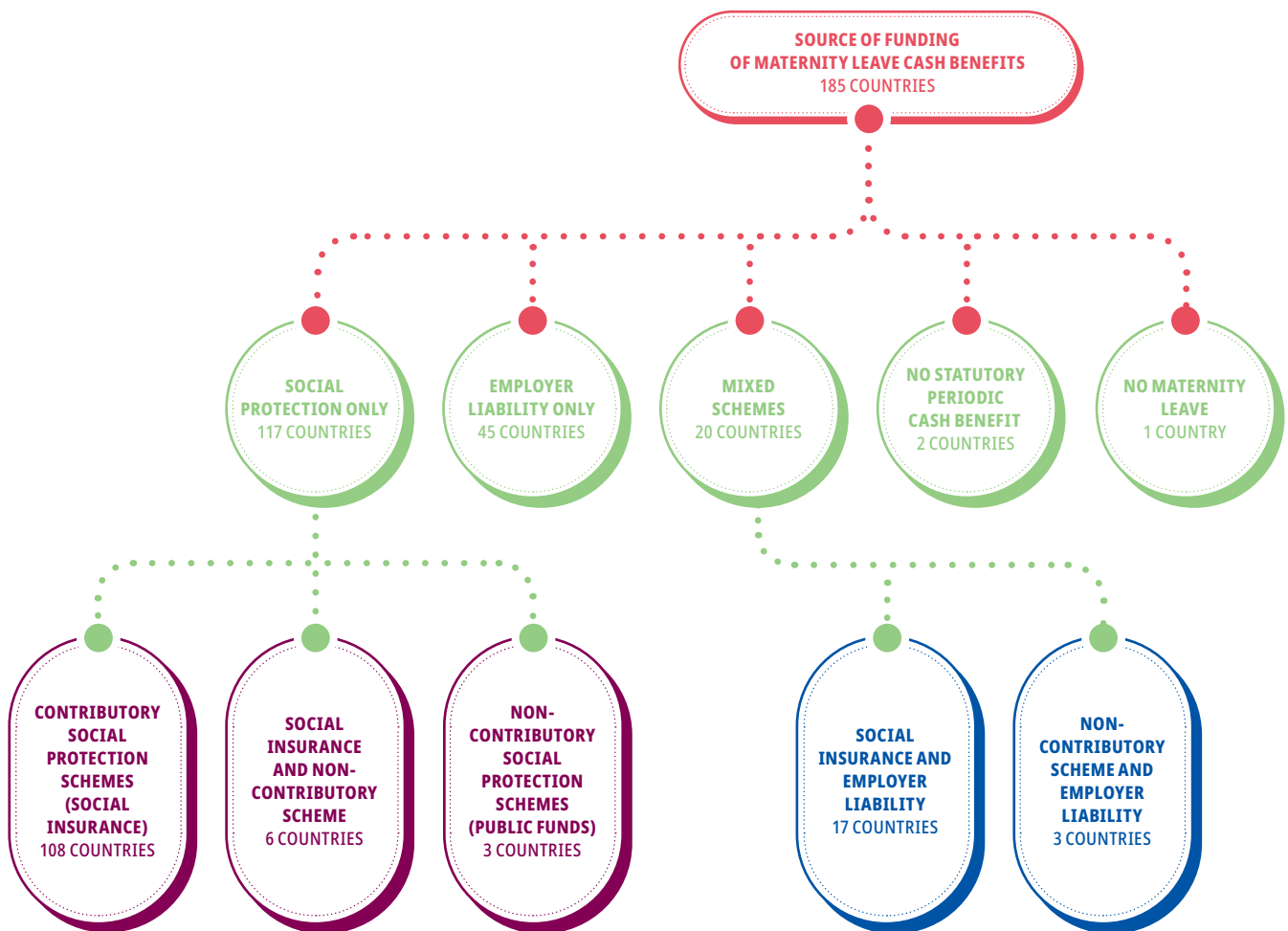
### **Social insurance based on shared contributions promotes solidarity and inclusion, preventing discrimination and enhancing both women's talents and enterprises' productivity**

The most common source of funding of maternity leave cash benefits are contributory social protection schemes based on social insurance anchored in national social security legislation (figure 2.6) (ILO 2020f). Schemes of this type envisage the prior payment of contributions, before the occurrence of the insured contingency, whether it is pregnancy, unemployment, old-age, sickness or disability.



<sup>17</sup> Convention No. 183 authorizes employers to bear the cost of maternity benefits, where this was determined at the national level before the adoption of the Convention in 2000, or where it is agreed upon at the national level by the government and social partners (Article 8).

► Figure 2.6. Source of funding of maternity leave cash benefits in national legislations



Source: ILO 2021g, see table A.1 for country-level data and methodological explanation.

In some countries, maternity leave cash benefits are operated through non-contributory social protection schemes, which exist alone (in 3 countries), in conjunction with social insurance schemes (6 countries), or in conjunction with employer liability (3 countries) and are financed with general state revenues. In this case, women on maternity leave receive maternity leave cash

benefits regardless of their contributory capacity and labour force status. However, it should be noted that cash benefits provided through non-contributory schemes are generally paid at a flat rate and are much lower than those provided by social insurance schemes, thereby imposing substantial pay penalties on employed mothers earning higher salaries (ILO 2014a).



As shown below, maternity leave cash benefits are still funded in 45 countries through individual employer liability schemes, that is, the full direct payment of wages by employers during maternity leave. This funding mechanism is not grounded on the principle of solidarity and may often result in discriminatory practices against women in the labour market and in employers not being able to hire women talent. Employers, especially in micro-, small- and medium-sized enterprises, may be reluctant to hire, retain or promote potential mothers, as they might not be able to afford to pay maternity leave cash benefits or face challenges in maternity leave management (for example, changes in maternity leave planning and worker replacement and/or workload sharing during leave) (Australia, Australian Human Rights Commission 2014). For some employers, this may simply mean not hiring women at all, with negative effects on profitability, productivity and reputation (ILO 2019b; Eswaran 2019; Smith, n.d.; McKinsey & Company 2020). Employer liability schemes also, by definition, exclude self-employed women from maternity leave cash benefits. In some countries (17), maternity leave cash benefits are funded through mixed schemes where employers and the social protection system are jointly responsible for the payment of maternity leave cash benefits.

## Globally, two in ten potential mothers live in the 45 countries where the law still requires full payment of maternity leave by employers

In 117<sup>18</sup> out of 185 countries, maternity leave cash benefits are funded solely through social protection systems anchored in national social security legislation (figure 2.6). As such, 76.1 per cent of all potential mothers worldwide reside in these countries. In 20 countries, where 2.4 per cent of potential mothers live, social protection and employers are jointly responsible for the payment of maternity leave cash benefits.

Benefits are paid only by employers in 45 countries, leaving 332 million potential mothers (17.4 per cent of the global total) at risk of inadequate protection, as well as thousands of enterprises potentially missing out on the talents of many women. In two countries – Papua New Guinea and the United States – there are no statutory periodic cash benefits, and in Tonga there is no maternity leave (figure 2.8, figure 2.9 and table 2.5).

Regional differences between the parties responsible for paying cash benefits are striking. In Europe and Central Asia, social insurance is the norm – in 46 out of 53 countries maternity leave cash benefits are fully funded through social protection. Among the remaining seven countries, Croatia, Iceland, Portugal, Sweden and the United Kingdom of Great Britain and Northern Ireland have a social insurance and non-contributory scheme and Denmark has a non-contributory scheme only; while Malta is the only country in the region where there is a non-contributory scheme and employer liability. Conversely, in the Arab States, 10 out of 11 countries in the region fund maternity leave cash benefits only through employers, affecting the realization of the right to maternity leave and benefits for the region's many women migrant care workers, including domestic workers. In other words, 93.3 per cent of potential mothers in the Arab States reside in countries where maternity leave is fully paid by employers. Jordan is the lone exception in the region, as it pays maternity leave cash benefits through social insurance.

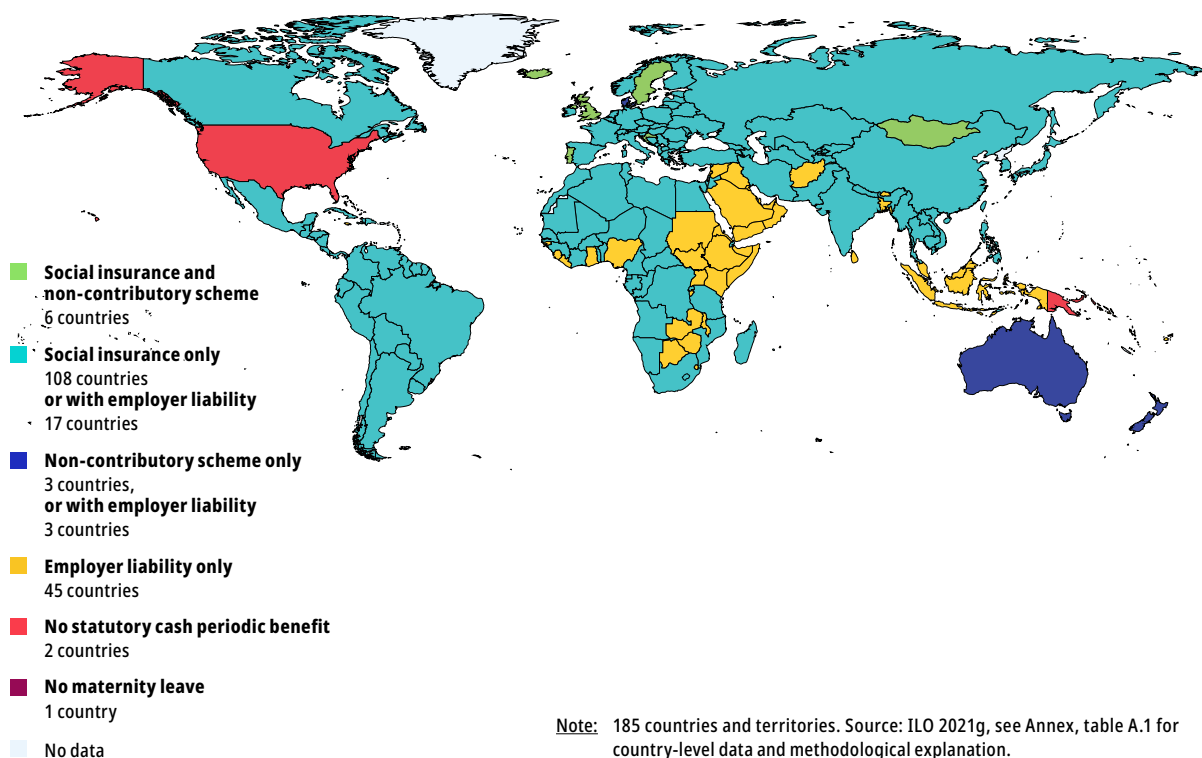
<sup>18</sup> In figure 2.7, table 2.5 and figure 2.8 social protection corresponds to the following categories: social insurance only (108 countries), social insurance and non-contributory scheme (6 countries), and non-contributory scheme only (3 countries).



In Africa, employer liability also remains the most common source of funding for maternity leave cash benefits, with 45.9 per cent of potential mothers residing in the 22 countries where employers fully pay maternity leave. The remaining countries either rely on social security systems (21 countries) or on mixed systems (11 countries). However, in Africa the vast majority of employment (85.8 per cent) remains informal (ILO 2018a), making access to social security systems difficult. To overcome this challenge, labour market and social protection reforms should adapt to cover new and traditional forms of employment prevalent in the informal economy, thereby ensuring a smooth transition from informal to formal work arrangements. New forms of work in the digital economy are also precarious and workers lack any form of social and labour protection. Technologies can also be utilized effectively to ensure these workers are provided protection (ILO 2021f). A simplified system to collect labour income taxes and social security contributions proved to be effective in Argentina, Brazil, Ecuador and Uruguay. In these countries, taxes and social security contributions are collected in one single payment in one-stop shops (ILO 2019a).

In the Americas, a majority of countries (27 out of 34) exclusively use social insurance to pay for maternity leave cash benefits, with these countries being home to 66.0 per cent of potential mothers residing in the region. In five countries, the source of funding of maternity leave cash benefits is a combination of social insurance and employer liability. In the United States, federal maternity leave remains unpaid. In Asia and the Pacific, the majority of potential mothers (85.0 per cent) reside in the 13 countries with social insurance schemes. In Cambodia, social insurance and employers are jointly responsible for paying maternity leave cash benefits; however, there are still 12 countries where employers are solely responsible for the payment of maternity benefits.

► Figure 2.7. Source of funding of maternity leave cash benefits, 2021

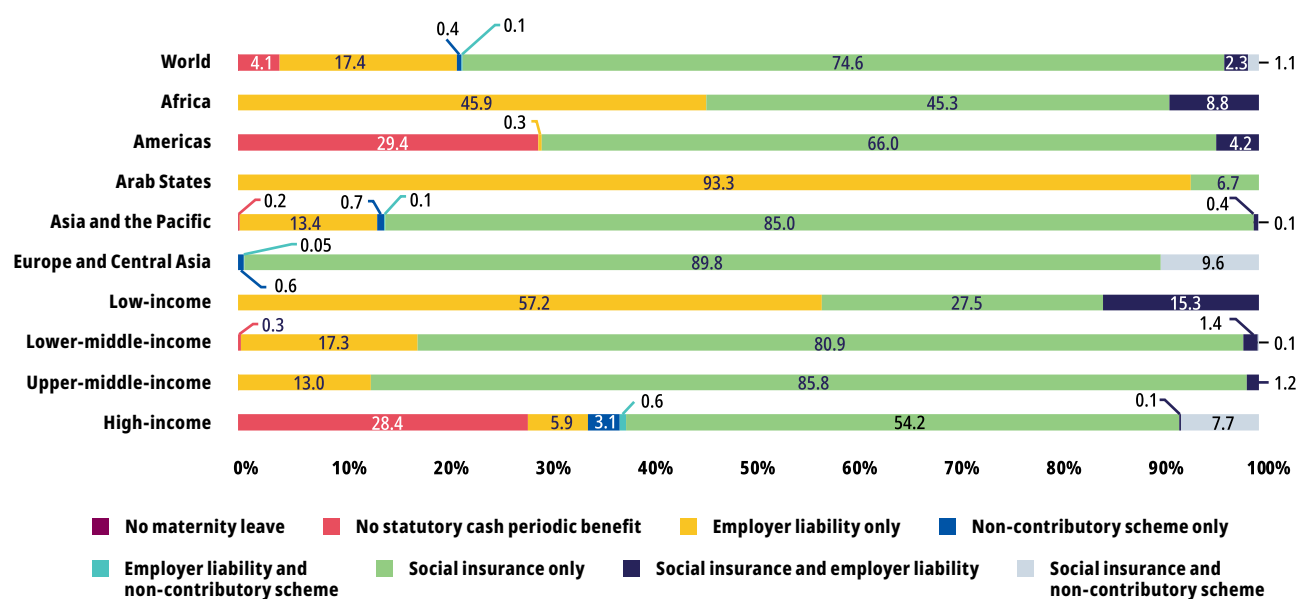


► Table 2.5. Source of funding of maternity leave cash benefits, by region and by income group, 2021 (no. of countries)

Region/income group	No maternity leave	No statutory cash periodic benefit	Employer liability only	Non-contributory scheme only	Employer liability and non-contributory scheme	Social insurance only	Social insurance and employer liability	Social insurance and non-contributory scheme
World	1	2	45	3	3	108	17	6
Africa	–	–	22	–	–	21	11	–
Americas	–	1	1	–	–	27	5	–
Arab States	–	–	10	–	–	1	–	–
Asia and the Pacific	1	1	12	2	2	13	1	1
Europe and Central Asia	–	–	–	1	1	46	–	5
Low-income	–	–	15	–	–	7	6	–
Lower-middle-income	–	1	13	–	–	27	5	1
Upper-middle-income	1	–	9	–	–	36	4	–
High-income	–	1	8	3	3	38	2	5

**Note:** 185 countries and territories. – = nil. Source: ILO 2021g, see Annex, table A.1 for country-level data and methodological explanation.

► Figure 2.8. Share of potential mothers by source of funding of maternity leave cash benefits, by region and by income group, 2021 (%)



**Note:** 180 countries and territories. Source: ILO calculations based on ILO 2021h. See Annex, table A.1 for country-level data and methodological explanation.

## In ten years, only eight countries have moved from employer liability schemes to social security or mixed schemes

Between 2011 and 2021, eight countries out of 177 with available data have reformed labour or social security provisions regarding the source of funding of maternity leave cash benefits, bringing them more in accord with the principles of solidarity and risk pooling (table 2.6). In particular, the Democratic Republic of the Congo, Haiti, Nepal and Pakistan have moved from statutory maternity leave cash benefits paid

solely by the employer to a full social protection system responsible for paying a maternity benefit as wage replacement to mothers on leave. Since 2011, Brunei Darussalam, Cambodia, Libya and Rwanda have moved from an employer liability to a mixed system wherein maternity leave cash benefits are co-paid by social security and employers. Nine countries (including Antigua and Barbuda, Guatemala and the United Kingdom) have moved from a mixed system, where employers and social security had the joint responsibility for the payment of maternity leave cash benefits, to a system where social security bears the full responsibility for payment of wages of women on maternity leave.

► Table 2.6. Countries that have changed the source of funding of maternity leave cash benefits between 2011 and 2021

Source of funding of maternity leave			
Region	Country	2011	2021
Africa	Benin	Mixed – social security and employer	Social insurance only
	Democratic Republic of the Congo	Employer liability	Social insurance only
	Egypt	Mixed – social security and employer	Social insurance only
	Libya	Employer liability	Contributory scheme and employer liability
	Rwanda	Employer liability	Contributory scheme and employer liability
Americas	Antigua and Barbuda	Mixed – social security and employer	Social insurance only
	Bahamas	Mixed – social security and employer	Social insurance only
	Dominican Republic	Mixed – social security and employer	Social insurance only
	Guatemala	Mixed – social security and employer	Social insurance only
	Haiti	Employer liability	Social insurance only
Asia and the Pacific	Brunei Darussalam	Employer liability	Employer liability and non-contributory scheme
	Cambodia	Employer liability	Contributory scheme and employer liability
	Nepal	Employer liability	Social insurance only
	Pakistan	Employer liability	Social insurance only
	Republic of Korea	Mixed – social security and employer	Social insurance only
	Thailand	Mixed – social security and employer	Social insurance only
Europe and Central Asia	United Kingdom	Mixed – social security and employer	Social insurance and non-contributory scheme

Source: ILO 2021g and ILO 2014a, see Annex, table A.1 for country-level data and methodological explanation.

## ► 2.5. National alignment of maternity leave schemes with Convention No. 183: Requirements on duration, amount and source of funding

### Only 64.7 per cent of potential mothers live in the 98 countries that are in line with the requirements of ILO Convention No. 183

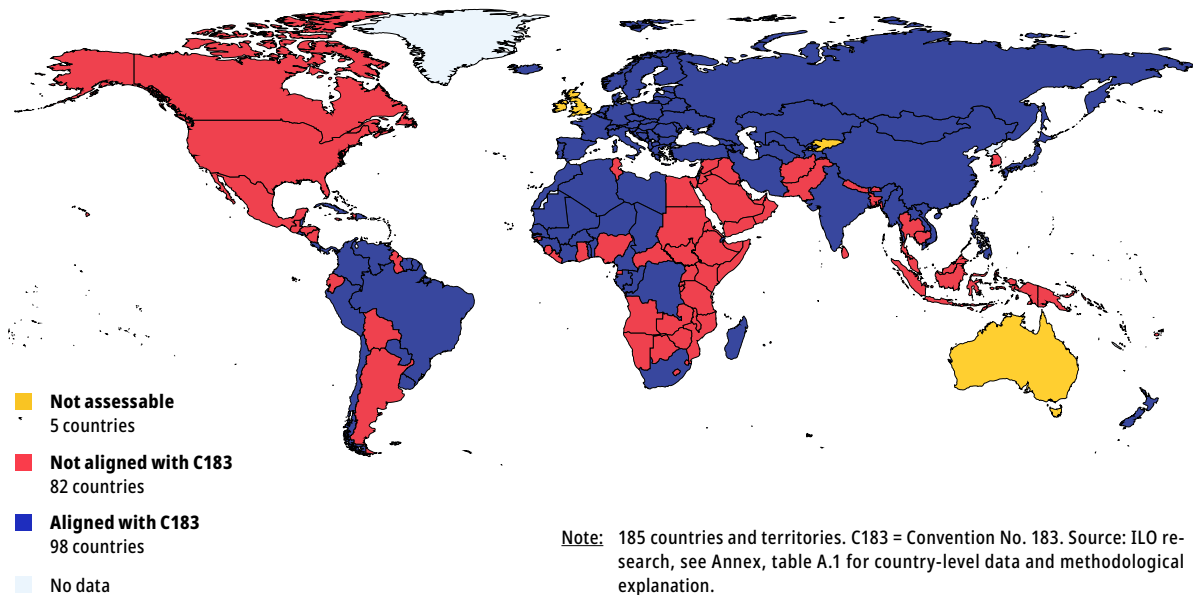
The main requirements of maternity leave legislation set out in the ILO Convention No. 183 are: (i) leave should be not less than 14 weeks; (ii) cash benefits should be not less than two-thirds of previous earnings; and (iii) maternity leave cash benefits should preferably be provided through compulsory social insurance or public funds. In the above sections, the adequacy of the duration, amount and source of funding of maternity leave schemes were analysed separately. When the three dimensions are jointly taken into consideration the average duration of maternity leave paid at a rate of at least 67 per cent by social insurance is 18.9 weeks, with regional and income variations (table 2.7). Also, when all three dimensions are considered together, the number of countries reaching the standard set out in Convention No. 183 declines.

Globally, there are 98 countries out of 185 that have reached or exceeded all three of the requirements of Convention No. 183 (figure 2.9, figure 2.10 and table 2.7). As such, 64.7 per cent of potential mothers worldwide, or 1.2 billion, live in countries that are in line with the standard of Convention No. 183. A total of 34.0 per cent of potential mothers, or 649 million, live in the 82 countries that do not meet the ILO standards.<sup>19</sup>

Large variations across regions are observed. The highest degree of alignment on all three standards can be found in Europe and Central Asia, with the laws of 49 out of 53 countries being in line with Convention No. 183. In other words, 91.5 per cent of potential mothers in Europe and Central Asia are residing in countries where national legislation is in accord with Convention No. 183. On the other extreme, in the Arab States none of the 11 countries has maternity legislation that is in accordance with ILO requirements. While in Asia and the Pacific, 12 out of 33 countries satisfy the three dimensions of leave duration, level of payment and source of funding, making Asia and the Pacific the region with the second-highest share of women residing in countries with adequate maternity leave provisions (76.6 per cent). The Americas follow, with 40.8 per cent of women residing in the 15 countries where national legislations are as set out in Convention No. 183, and then Africa, with 22 aligned countries that are home to 34.6 per cent of potential mothers in the region.

<sup>19</sup> In addition, 1.3 per cent of women reside in five countries where it is not possible to assess the adequacy of national maternity legislation. In Australia, Ireland, Kyrgyzstan, Malta and the United Kingdom maternity leave cash benefits are provided through a flat-rate or a combination of a flat-rate and a percentage of previous earnings, and thus it is not possible to assess the conformity of national legislations with the two-thirds of previous earnings requirement.

► Figure 2.9. Presence of maternity leave scheme aligned with the provisions of Convention No. 183, 2021

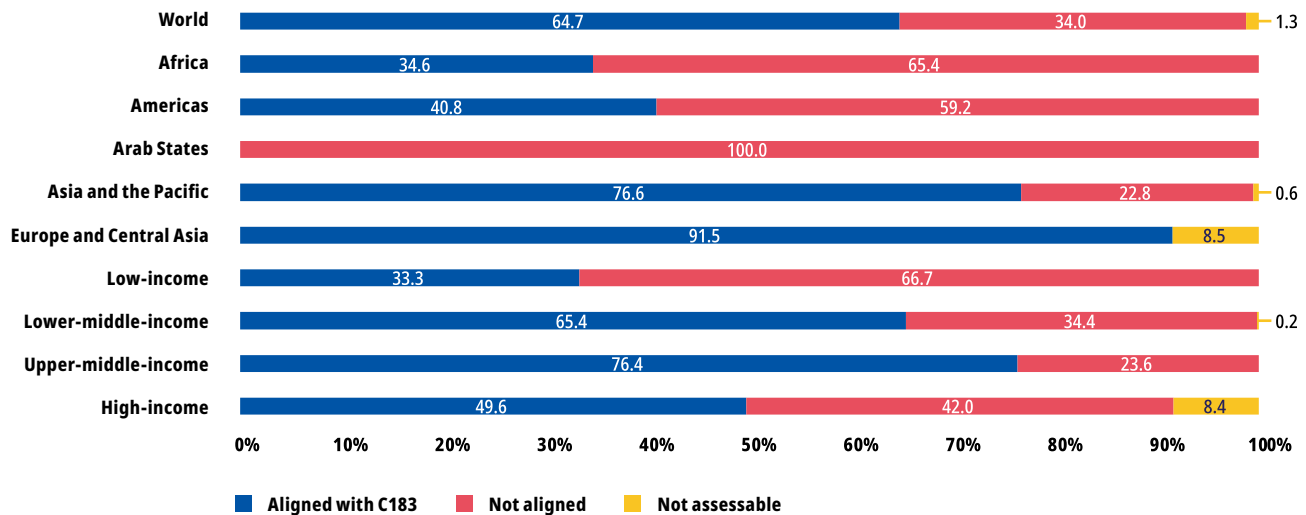


► Table 2.7. Presence of maternity leave scheme aligned with the provisions of Convention No. 183, by region and by income group, 2021 (no. of countries)

Region/income group	Aligned with C183	Not aligned	Not assessable	Average duration of leave paid at 67% by social insurance only
World	98	82	5	18.9
Africa	22	32	–	13.4
Americas	15	19	–	15.6
Arab States	–	11	–	10.0
Asia and the Pacific	12	20	1	19.7
Europe and Central Asia	49	–	4	21.9
Low-income	9	19	–	13.3
Lower-middle-income	20	26	1	21.7
Upper-middle-income	29	21	–	16.2
High-income	40	16	4	20.7

Note: 185 countries and territories. – = nil; C183 = Convention No. 183. Source: ILO research, see Annex, table A.1 for country-level data and methodological explanation.

► **Figure 2.10.** Share of potential mothers by presence of maternity leave scheme aligned with the provisions of Convention No. 183, by region and by income group, 2021 (%)



**Note:** 180 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.1 for country-level data and methodological explanation.

## Between 2011 and 2021, legal reforms have been slow, with only 18 countries improving at least one aspect of maternity leave legislation to be in line with ILO standards

Between 2011 and 2021, 18 out of 177 countries with available data for both years have changed their legislation to be in accordance with ILO maternity leave requirements (table 2.8). Among them, 14 countries have increased maternity leave duration to at least 14 weeks. Most notably, Paraguay has increased both the duration and the amount of maternity leave cash benefits, which are now set at 18 weeks and 100 per cent of previous earnings, respectively. The Philippines increased the duration from 9 to 19 weeks. Some countries' laws were already aligned with the 14 weeks requirement, but were falling short on the level of payment criteria.

For example, Slovakia already offered 34 weeks of leave, but now it has also raised benefit payments from 65 per cent to 75 per cent of previous wages. In 2011, the Democratic Republic of the Congo and Libya both offered adequate maternity leave durations and benefit payments, but were not aligned with Convention No. 183 in regard to the source of funding of maternity leave cash benefits. But by 2021, the Democratic Republic of the Congo had moved from employer liability to a social protection system for the payment of maternity leave cash benefits, and Libya had moved from employer liability to a co-financed system where employers and social protection jointly pay maternity leave cash benefits. Another notable country in this last respect is Brunei Darussalam, which also moved from employer liability to a co-financed system (employers and social protection).

► Table 2.8. Countries that have aligned their maternity leave legislation with Convention No. 183 between 2011 and 2021.

Region	Country	2011			2021			Year of ratification of C183
		Duration of maternity leave (weeks)*	% of previous earnings	Source of funding	Duration of maternity leave (weeks)*	% of previous earnings	Source of funding	
Africa	Democratic Republic of the Congo	14	67	Employer liability	14	100	Social insurance only	2008
	Libya	14	100	Employer liability	14	100	Contributory scheme and employer liability	
	Sao Tome and Principe	9 (60 days)	100	Social protection	14	100	Social insurance only	
	South Africa	17	60	Social protection	17	67	Social insurance only	
Americas	Dominican Republic	12	100	Mixed – social security and employer	14	100	Social insurance only	2012
	El Salvador	12	75	Social protection	16	100	Social insurance only	
	Paraguay	12	50% for 9 weeks	Social protection	18	100	Social insurance only	
	Peru	13 (90 days)	100	Social protection	14 (98 days)	100	Social insurance only	
	Trinidad and Tobago	13	100	Mixed – social security and employer	14	100	Contributory scheme and employer liability	
	Uruguay	12	100	Social protection	14	100	Social insurance only	
Asia and the Pacific	Brunei Darussalam	9	100% for 8 weeks	Employer liability	15	100% for 13 weeks	Employer liability and non-contributory scheme	
	India	12	100	Social protection	26	100	Social insurance only	
	Iran (Islamic Republic of)	13	67	Social protection	39	67	Social insurance only	
	Lao People's Democratic Republic	13 (90 days)	100	Social protection	15 (105 days)	80	Social insurance only	2000
	Myanmar	12	67	Social protection	14	70	Social insurance only	2001
	Philippines	9 (60 days)	100	Social protection	19 (135 days)	100% for 105 days	Social insurance only	
Europe and Central Asia	Iceland	13 (3 months)	80	Social protection	20 (4.5 months)	80	Social insurance and non-contributory scheme	
	Slovakia	34	65	Social protection	34	75	Social insurance only	

Note:

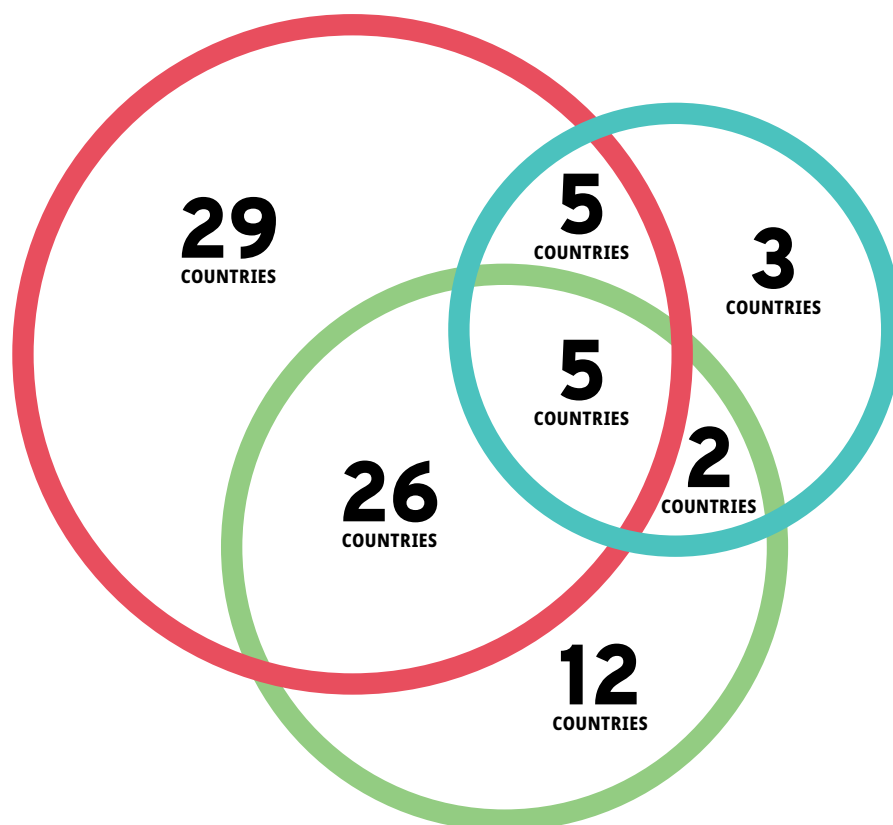
C183 = Convention No. 183. \* Further details and/or restrictions as provided in law are supplied in brackets in this column. Source: ILO research, see Annex, table A.1 for country-level data and methodological explanation and ILO 2014a.

In order to show the steps that might be taken to strengthen maternity leave schemes across the world, figure 2.11 presents the reasons why 82 countries continue to fall short on one or more of the requirements of ILO Convention No. 183. Globally, the most common challenge lies in the length of maternity leave, with 65 countries not aligning with the 14 weeks requirement. The second-biggest challenge is the source of funding; there are 45 countries where the employer is still solely responsible for the payment of maternity leave cash benefits. The third challenge is the

level of maternity leave cash benefits, with 15 countries having legislation that is not in line with the two-thirds of previous earnings requirement. Figure 2.11 shows that many countries are falling short in more than one of the three requirements in Convention No. 183. For example, there are 26 countries that provide maternity leave for less than 14 weeks and make the employer bear the full cost. There are also 5 countries – Botswana, Eritrea, Eswatini, Nigeria and the Solomon Islands – that fall short on all the three requirements.

► **Figure 2.11. Reasons for non-alignment with requirements of Convention No. 183 on duration, amount and source of funding of maternity leave cash benefits, 2021**

- **Maternity leave duration is less than 14 weeks, 65 countries**
- **Maternity leave cash benefits are below  $\frac{2}{3}$  of previous earnings, 15 countries**
- **Maternity leave cash benefits are exclusively paid by employers, 45 countries**



**Note:**

\* Tonga is included in the counts but does not provide maternity leave. Source: ILO research, see Annex, table A.1 for country-level data and methodological explanation



As noted above, there are 82 countries across the world that fall short on at least one ILO minimum standard on maternity leave, with five countries having legal gaps on the three key requirements of Convention No. 183. At the current rate of change (around 1.8 legal reforms per year), it

would take at least 46 years for all women to enjoy minimum maternity leave rights. Without urgent action, these legal gaps are likely to translate into inadequate protection in practice, compromising the achievement of the Sustainable Development Agenda by 2030.

## ► 2.6. The scope of maternity leave: Guaranteeing a fundamental right to all women

### All women without discrimination have a right to maternity leave

ILO standards mandate the full respect of maternity protection rights, including leave, benefits and employment protection, for “any female person without discrimination whatsoever”.<sup>20</sup> On this ground, equal maternity leave rights shall be guaranteed to all women, with no exclusion or distinction based on race, colour, religion, sexual orientation, political opinion, national extraction (whether nationals or non-nationals),<sup>21</sup> social origin, disability or HIV status as individual or intersecting characteristics.<sup>22</sup> This includes the equal treatment of single or divorced women, of women in same-sex relationships and of non-traditional families. The ILO review of national legislation in 185 countries has not identified any legal exclusions or distinctions of maternity leave rights linked to the above aspects, including family status and sexual orientation. However, it is acknowledged that the full application of maternity leave rights in practice is not the reality for a majority of these women, who continue to face discrimination and suffer economic and social disadvantages linked to the fulfilment of their care rights.

### Only 13.8 per cent of self-employed women live in countries where the law provides for mandatory maternity leave coverage for self-employed mothers

ILO Convention No. 183 applies to all employed women, including those in atypical forms of dependent work. When its full application is problematic, the Convention allows for exclusions of certain categories of workers. However, these limitations should be temporary and ratifying Members are to take measures to progressively extend coverage to these categories.<sup>23</sup> Accordingly, in many countries, specific categories of workers are legally excluded from maternity leave coverage. These exclusions disproportionately affect, among others, migrant workers; domestic workers; casual or some temporary workers; home workers; agricultural workers; some categories of part-time workers, especially those in marginal part-time employment; and the self-employed. Compared to other excluded categories, self-employed workers – in particular own-account workers and contributing family workers – represent the largest. This category of workers

20 ILO Convention No. 183, Article 1.

21 Several international labour standards enshrine the principle of equal treatment between migrant workers and nationals, especially with regard to social security (covering maternity). These include the:

- Migration for Employment Convention (Revised), 1949 (No. 97);
- Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143); and
- Equality of Treatment (Social Security) Convention, 1962 (No. 118).

22 ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111), Article 1.

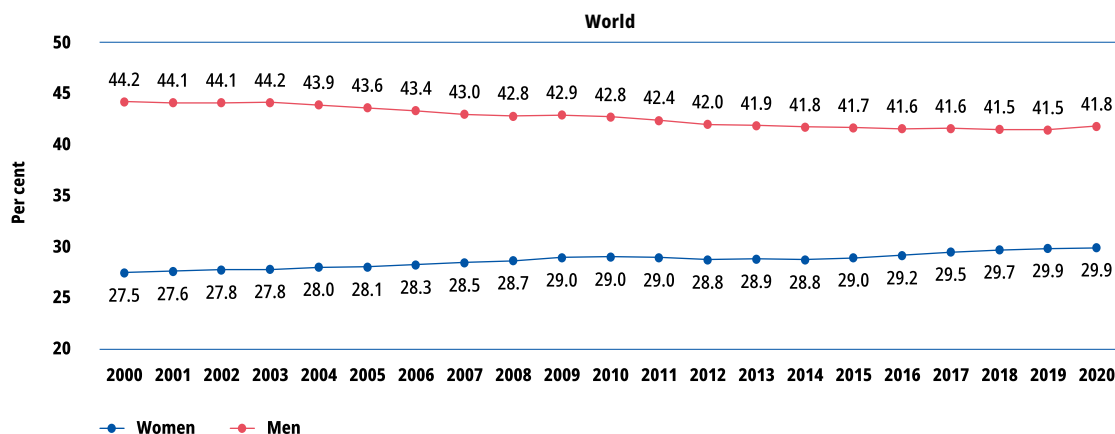
23 ILO Convention No. 183, Article 2(2).

is also characterized by the highest percentage of informality, both globally and regionally. Apart from contributing family workers, all of whom are considered to be informal by statistical definition, 86.1 per cent of own-account workers worldwide are informal (ILO 2018a). Only in Europe and Central Asia (60 per cent) is the rate of informal employment among own-account workers lower than the global average. Informality among own-account workers is high in both middle- and low-income countries (87 per cent) and high-income countries (68.8 per cent).

Across the world the share of self-employed women workers in total employment has been increasing since the early 2000s (figure 2.12) and reached 30 per cent of women's employment in 2020; while the share of self-employment among men is decreasing. In low- and middle-income countries, where the level of informality remains

high overall, own-account and contributing family workers are overrepresented among women in informal employment and are concentrated in the most vulnerable work situations (ILO 2018a). While women in low-income countries are also engaged in platform work, in high- and middle-income countries, the development of the platform and gig economy has contributed to the increase in women's participation in self-employment (ILO and OECD 2020), despite the decent work deficits that are often associated with this type of employment (ILO 2021f). Lack of alternative income-generating opportunities, the preference or need to work from home, and job flexibility are particularly important for women living in countries where there is limited provision of care services.

► **Figure 2.12. Share of self-employed workers (with and without employees) in total employment, by sex, 2000–20**



Source: Calculations based on ILOSTAT.

ILO legal data compiled from 185 countries show that self-employed women are not benefitting from the same level of maternity protection as regular wage and salaried workers. Globally, only 13.8 per cent of self-employed women (79 million) are living in one of the 81 countries that provide mandatory coverage of maternity leave cash benefits for self-employed workers. In

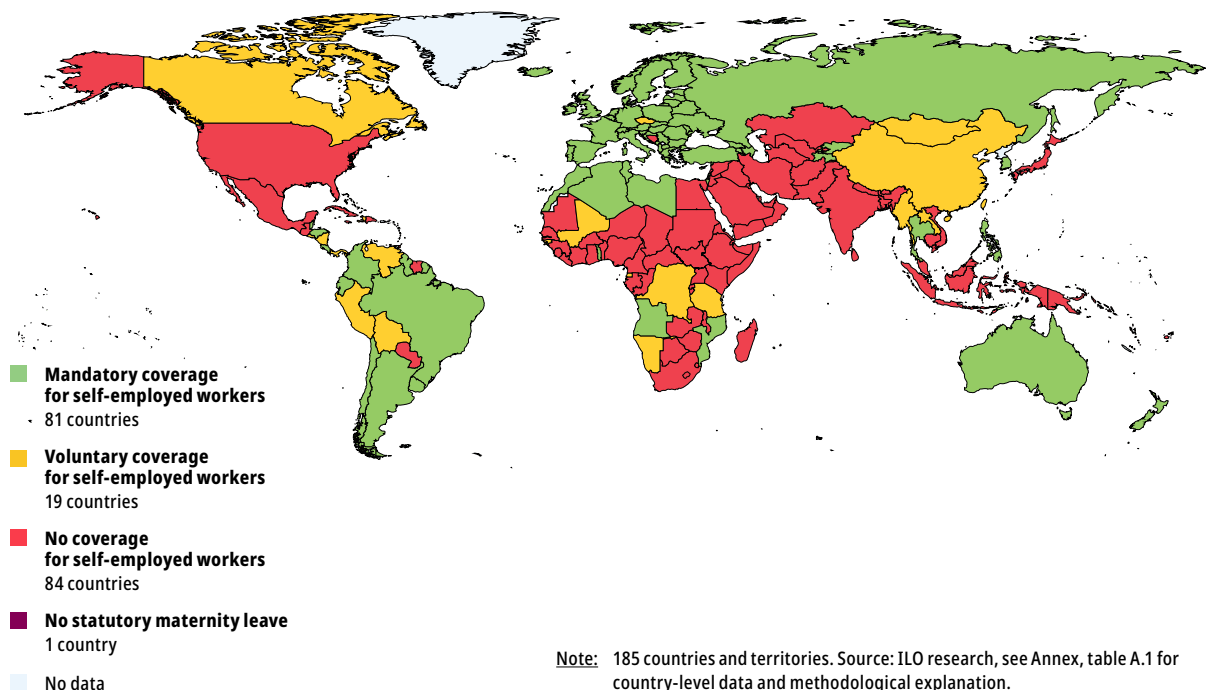
addition, 35.2 per cent of self-employed women (202 million) reside in one of the 19 countries where they can only affiliate to social protection on a voluntary basis, thus limiting their potential coverage from maternity leave cash benefits in practice (figure 2.13, figure 2.14 and table 2.9). ILO research shows that voluntary mechanisms usually do not achieve a substantial extension

of coverage, especially when the schemes are not designed to meet the needs of excluded categories (ILO 2016a; ILO 2020b). As a result of these legal gaps, 86.2 per cent of self-employed women globally (496 million) live in countries where there is a lack of adequate coverage of maternity leave cash benefits for self-employed workers.

Variations across regions are striking. In Europe and Central Asia, the majority of self-employed women (86.5 per cent) reside in the 48 countries where there is mandatory maternity leave coverage for all workers. While women living in Czechia can voluntarily affiliate to social protection to access maternity leave cash benefits; in Bosnia and Herzegovina, Kazakhstan, Turkmenistan, and Uzbekistan there is no maternity leave cash benefit coverage for self-employed workers. In the Americas, there is the second-largest share of self-employed women living in countries where there is mandatory coverage of maternity leave cash benefits for self-employed workers (45.5 per cent). Across the region, there are 17 countries where there is mandatory coverage, 8 countries where maternity cash benefits coverage is on

voluntary basis, and 9 countries where the self-employed are left totally uncovered in case of pregnancy and childbirth. A similar situation is observed in Asia and the Pacific, where China, the Lao People's Democratic Republic, Mongolia and Myanmar offer voluntary coverage. This has resulted in almost 50 per cent of self-employed women in the region living in countries where there is only voluntary coverage for maternity leave cash benefits for self-employed workers. Among the remaining countries in the region, seven provide mandatory coverage, and 21 countries, where 47.2 per cent of the region's self-employed women (162 million) reside, statutorily exclude self-employed mothers from maternity leave cash benefits. By contrast, in the Arab States, there are no countries where self-employed women can access maternity leave cash benefits. In Africa, although there are nine countries where coverage is mandatory and six where coverage is voluntary, high informality rates among self-employed workers are likely to make maternity leave cash benefits a reality for very few self-employed women.

► Figure 2.13. Provision of maternity leave cash benefits for self-employed workers, 2021

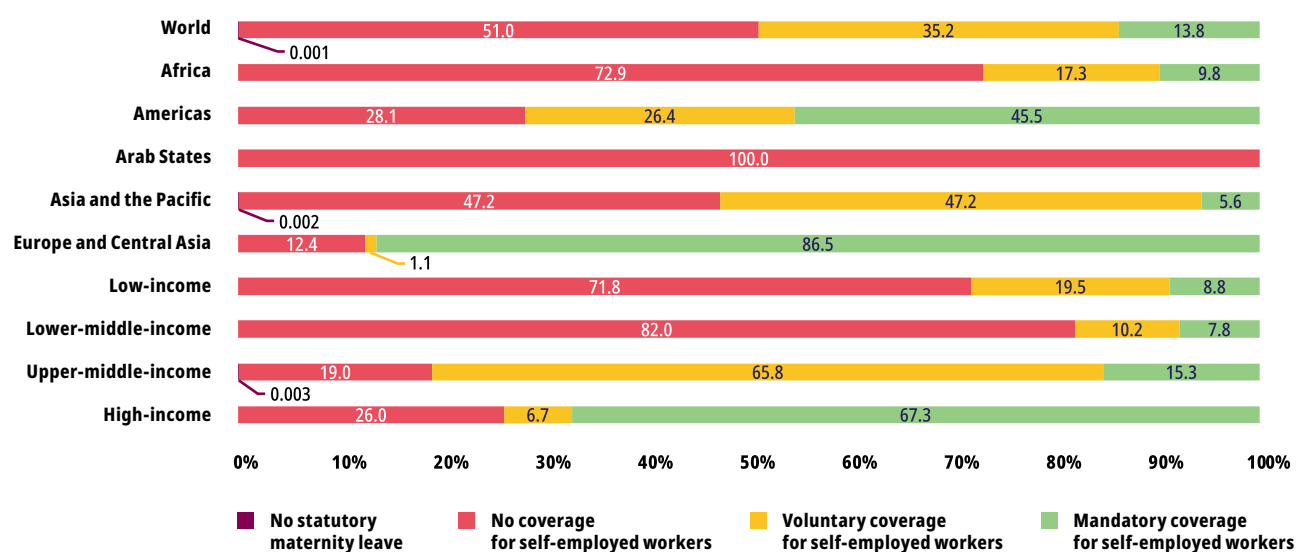


► Table 2.9. Provision of maternity leave cash benefits for self-employed workers, by region and by income group, 2021 (no. of countries)

Region/income group	No statutory maternity leave	No coverage for self-employed workers	Voluntary coverage for self-employed workers	Mandatory coverage for self-employed workers
World	1	84	19	81
Africa	–	39	6	9
Americas	–	9	8	17
Arab States	–	11	–	–
Asia and the Pacific	1	21	4	7
Europe and Central Asia	–	4	1	48
Low-income	–	21	4	3
Lower-middle-income	–	29	7	11
Upper-middle-income	1	22	5	22
High-income	–	12	3	45

Note: 185 countries and territories. – = nil. Source: ILO research, see Annex, table A.1 for country-level data and methodological explanation.

► Figure 2.14. Share of self-employed workers by provision of maternity leave cash benefits for self-employed workers, by region and by income group, 2021 (%)



Note: 178 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.1 for country-level data and methodological explanation.

Extending coverage to self-employed workers represents a key challenge. The difficulty in extending maternity leave and more in general social protection coverage to self-employed workers consists of multiple factors, including irregular and low income, which is closely linked to job insecurity; higher contributions due to the lack of the employer's share; low levels of organization; high levels of informality; and the permanent struggle for the businesses' economic survival, among others. In addition, in the absence of an employer, self-employed workers must take on full responsibility for social security contributions. This represents an economic barrier to extending coverage, even for workers with a steady income. Thus, there remains a need for the State to address the legal and practical barriers that prevent self-employed workers from benefiting from maternity cash benefit schemes.

This includes increasing awareness-raising, providing subsidies and incentives, and designing innovative solutions, based on new technologies, that can facilitate self-employed workers' participation, as contributors, in the social security system (ILO 2016a; ILO 2020b).<sup>24</sup> ILO research has shown that improving social protection coverage for self-employed workers is indeed possible, as can be seen in the documented experiences of seven developed and developing countries: Brazil, Cape Verde, Colombia, Costa Rica, Ecuador, France, and Uruguay (Durán-Valverde et al. 2013). In addition, in Mongolia, the so-called "mobile one-stop shops" are an innovative and unified system that delivers benefits and services – including social welfare, social insurance, employment counselling and civil registration – to remote rural areas. They have played a key role in improving coverage of informal workers, including rural and nomad women, who lacked access to traditional mechanisms (ILO 2016a).



24 See also the ILO policy resource package available at: <https://informaleconomy.social-protection.org>

## ► Box 2.2. Social security agreements as a means to extend maternity protection rights to migrant workers

Social security agreements are important instruments to address the lack of coordination between social security schemes across countries. They can ensure that migrant workers are treated no less favourably than nationals with respect to social security benefits. Conditions for accessing benefits, such as residency requirements, may be imposed in so far as they apply to nationals, with some exceptions. The payment of maternity benefits abroad is of particular importance, since some countries require migrant workers who are pregnant or no longer employed to leave the country. In such cases, the payment of benefits abroad would allow women migrant workers to access maternity benefits and, as a result, income security and health protection. A gender-responsive agreement should include provisions on: access to healthcare (including reproductive healthcare, pre- and post-partum maternity care, and gender-specific preventive care); and maternity, paternity or parental benefits, taking into account the specificities of the migrant workers covered by the agreement.

The 2003 Agreement between France and Tunisia seeks to ensure the social protection of migrant workers from both countries, including employed and self-employed persons, unemployed persons receiving benefits, nationals of one of the two States parties, refugees and stateless persons. Hence, it also covers migrant domestic workers. The Agreement covers 54 per cent of the Tunisian community in France and provides access to healthcare and social security benefits on the same basis as French citizens where the condition of legal residence is met. Maternity benefits are available with a minimum contribution period of ten months prior to the date of birth. A range of family benefits (cash benefits; education, childcare, birth, adoption and disabled child education allowances; supplementary family benefits; and housing benefits) are available to foreign nationals without a minimum employment period or contribution period.

In 2016, there were an estimated 83,046 migrant workers – accounting for about 0.15 per cent of the labour force – in Viet Nam. The Government embarked on a reform of the existing social security system that will extend certain benefits to migrant workers. As of January 2022, they will be required to participate in the national social insurance scheme, and will thus have access to old-age, disability, survivors', sickness, employment injury and maternity benefits. The scheme covers public- and private-sector employees; voluntary coverage is also available for self-employed workers. Previously, these benefits were available only to Vietnamese citizens.

Under Switzerland's mandatory health insurance system, migrants in an irregular situation are entitled to register with the basic health insurance scheme at the same subsidized rate as nationals in a modest economic situation. The benefits of this scheme include outpatient and inpatient medical treatment, prescribed medications, maternity care and treatment in the event of an accident.

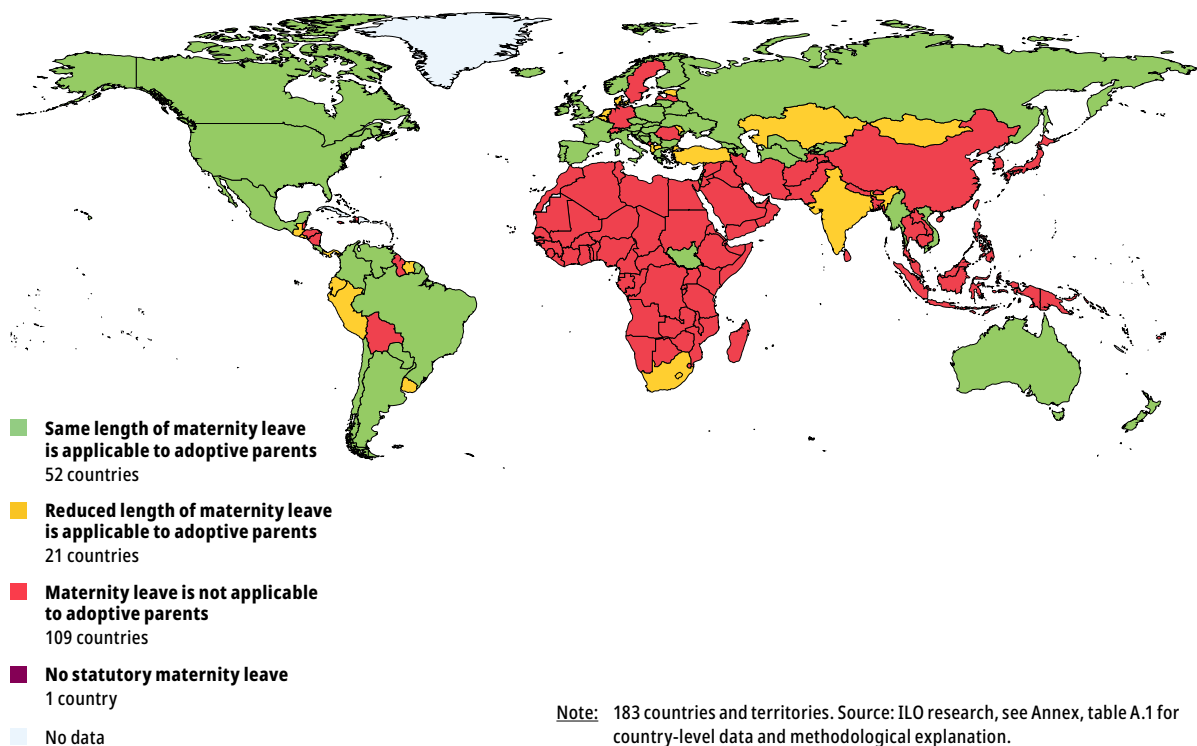
The Philippines provides social security coverage to overseas Filipino workers through voluntary insurance under the Social Security System (SSS), the supplementary pension savings (SSS Flexi-Fund) and the Overseas Workers Programme (of the Philippine Health Insurance Corporation, or PhilHealth). The SSS provides social security insurance with disability, sickness, maternity, retirement and death (including funeral expenses) benefits (ILO 2021a).

## Adoptive mothers lack equal maternity leave rights, leaving 78.1 per cent of potential mothers, including those in same-sex partnerships, living in countries with no or reduced coverage

Maternity leave provisions in accordance with Convention No. 183 should be available for adoptive parents in Member States that provide for adoption.<sup>25</sup> Doing so allows adoptive parents, including those in same-sex couples, to adapt to the arrival of the child. Across the world, only 52 of the 182 countries with statutory maternity leave and data available that apply the same maternity leave provisions to biological and adoptive parents.

These 52 countries are home to just 21.9 per cent of the world's potential mothers (figure 2.15, figure 2.16 and table 2.10). In 21 countries, where 22.8 per cent of potential mothers live, adoptive parents have access to a reduced maternity leave duration. In the remaining 109 countries with statutory maternity leave provisions, adoptive parents do not have access to maternity leave. Regional patterns show that in Europe and Central Asia, maternity leave provision for biological and adoptive parents are equivalent in 35 out of 53 countries. The Americas follow with 10 out of 34 countries, then Asia and the Pacific with 5 out of 32 countries, and Africa with 2 out of 54 countries; while in the Arab States there are no countries with maternity leave provisions for adoptive parents.

► Figure 2.15. Provision of maternity leave for adoptive parents, 2021



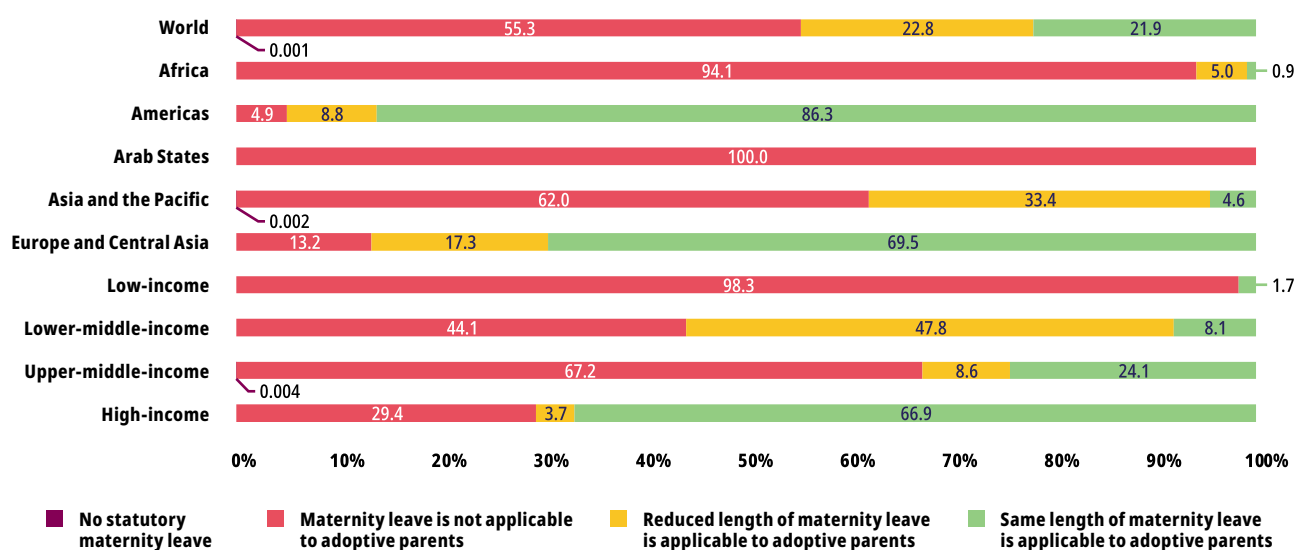
<sup>25</sup> ILO Recommendation No. 191, Paragraph 10(5).

► Table 2.10. Provision of maternity leave for adoptive parents, by region and by income group, 2021, (no. of countries)

Region/income group	No statutory maternity leave	Maternity leave is not applicable to adoptive parents	Reduced length of maternity leave is applicable to adoptive parents	Same length of maternity leave is applicable to adoptive parents
World	1	109	21	52
Africa	–	51	1	2
Americas	–	15	7	10
Arab States	–	11	–	–
Asia and the Pacific	1	25	2	5
Europe and Central Asia	–	7	11	35
Low-income	–	27	–	1
Lower-middle-income	–	38	4	5
Upper-middle-income	1	22	9	16
High-income	–	22	8	30

**Note:** 183 countries and territories. – = nil. Source: ILO research, see Annex, table A.1 for country-level data and methodological explanation.

► Figure 2.16. Share of potential mothers by provision of maternity leave for adoptive parents, by region and by income group, 2021 (%)



**Note:** 178 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.1 for country-level data and methodological explanation.



## ► 2.7. Employment protection and non-discrimination: To guarantee maternity protection

### Discrimination based on maternity persists for many women across the world

Discrimination based on pregnancy, maternity and family responsibilities remains ubiquitous across the world, with reports pointing out that women, particularly those who are pregnant, have been disproportionately affected by discrimination and COVID-19 pandemic-related lay-offs (OSECE 2020). Discrimination based on pregnancy persists as a common experience for many women, in which they are either not recruited, dismissed, moved into lower-paid roles, denied advancement opportunities or become subject to subtly hostile behaviours. Indeed, pregnancy discrimination may influence how, and in what ways, women are more vulnerable to violence and harassment (UN General Assembly 2020). Evidence from around the world shows that pregnant women, as well as women and men returning from maternity, paternity or parental leave, can experience “maternity harassment” (namely, the practice of harassing a woman because of pregnancy, childbirth, or a medical condition related to pregnancy or childbirth, or harassing a worker because of family responsibilities) by co-workers, subordinates or superiors, resulting in health and economic costs for workers and businesses (ILO 2016b; ILO 2018a). Some categories of workers, such as migrant workers and domestic workers, are particularly vulnerable to discrimination based on maternity (ILO 2021b).<sup>26</sup> Research shows pregnancy discrimination at the workplace has a negative impact not only on the mother’s health, but also on the baby’s as well (Hackney et al. 2021).

ILO standards on maternity protection and non-discrimination call both for the protection of women’s employment during pregnancy, maternity leave and a period following the return to work, and for measures to ensure that maternity is not a source of discrimination in employment. Convention No. 183 notes that discrimination can also occur in recruitment and hiring, negatively affecting women in search of employment (Article 9(1)).<sup>27</sup>

### Protection against unlawful dismissal related to maternity is virtually universal in national laws, with only 13 countries without explicit protection

Convention No. 183 states that it is unlawful for an employer to terminate the employment of a woman during her pregnancy, absence on leave or during a period following her return to work prescribed by national laws or regulation (Article 8(1)).<sup>28</sup> Across the world, most countries have established statutory protections against unlawful dismissal, though most of them include some exemptions in the law. Among the 184 countries with information available, only 13 countries, largely lower-middle to lower income countries, have no explicit protection for women against dismissal related to maternity or do not have any protection at all. Among these countries, seven are in Africa (including, Congo, Mauritania and Zimbabwe), five are in Asia and the Pacific (including Bangladesh, Nepal and the Islamic Republic of Iran), and only one (Antigua and Barbuda) is in the Americas. Globally, this translates into 5.7 per cent potential mothers (108

26 CEDAW General Recommendation No. 26 on Women Migrant Workers, recalls that States parties have an obligation to protect the basic human rights of women migrant workers, regardless of their immigration status. Women migrant workers in an irregular situation must have access to legal remedies and justice with a view to fulfilling their basic needs, including in times of health emergencies or pregnancy and maternity, (para. 2(i)) and that victims of abuse must be provided with emergency and social services, regardless of their immigration status (CEDAW Committee 2008, para. 26(i)).

27 The protection against discrimination based on sex afforded by ILO Convention No. 111 includes protection against discrimination based on pregnancy or maternity.

28 According to the Termination of Employment Convention, 1982 (No. 158), Article 5, “[t]he following, inter alia, shall not constitute valid reasons for termination: ... (d) race, colour, sex, marital status, family responsibilities, pregnancy, religion, political opinion, national extraction or social origin; (e) absence from work during maternity leave”. See also the [ILO-EPLex database](#), which provides useful comparative information on workers enjoying special protection against dismissals, including women on maternity leave.

million) having no legislative provisions to protect them during pregnancy, maternity leave or the following periods.

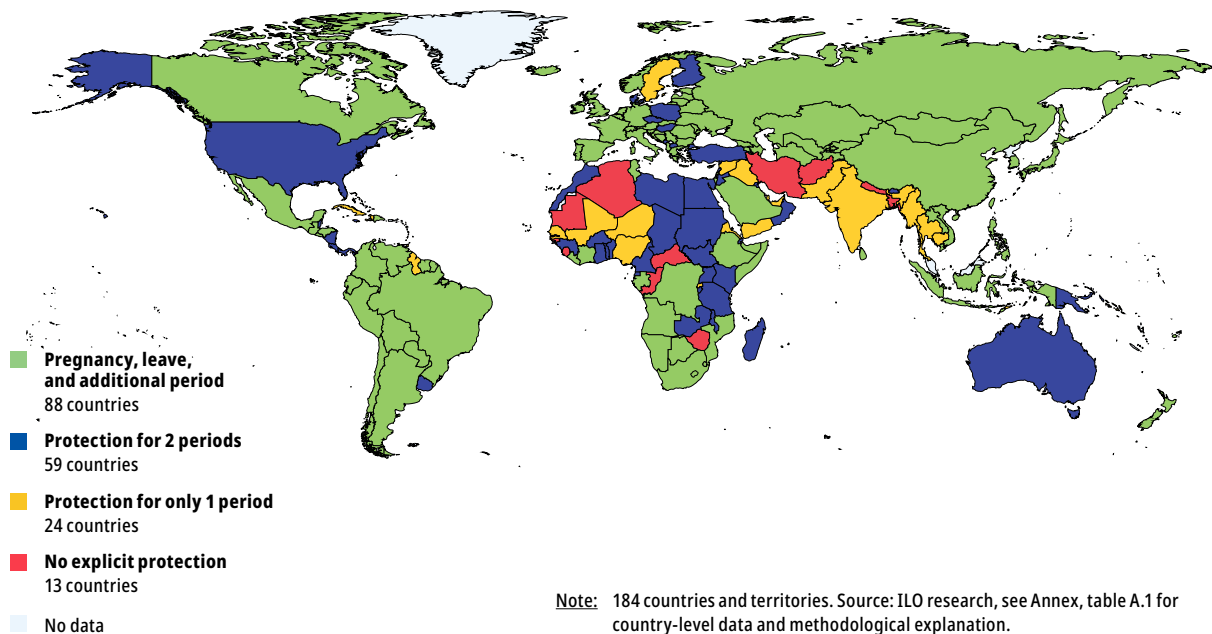
## However, half of potential mothers still live in countries that do not guarantee employment protection over the full maternity period putting them at risk of discriminatory dismissal

Figure 2.17 and table 2.11 show that a plurality of countries (88 countries) explicitly protect women against unlawful dismissal during pregnancy, maternity leave and an additional period prescribed by national laws or regulations, as set out in ILO standards. This means that 50.6 per cent of all potential mothers worldwide live in countries with strong employment protection regimes that cover all three periods (figure 2.17). In addition, another 59 countries, representing 14.7 per cent of potential mothers, provide

protection during two periods, with most of them covering pregnancy and maternity leave. For example, Costa Rica and Samoa offer protection during pregnancy and an additional period; while the law and regulations in Kuwait and Oman protect women against unlawful dismissal during maternity leave and an additional period.

The remaining 24 countries, home to 28.9 per cent of potential mothers, offer protection only for one period related to maternity. Out of these 24 countries, five (Andorra, Eritrea, Guyana, Sweden, and Trinidad and Tobago) provide employment protection only as a result of pregnancy. Because of these legal gaps, 49.4 per cent of potential mothers live in countries where there is not full employment protection in line with ILO standards. This exposes them to higher risks of discriminatory dismissal. The share of potential mothers living in countries with inadequate protection against dismissal related to maternity leave varies according to the regional context, and ranges from 77.9 per cent in the Arab States to 19.2 per cent in Europe and Central Asia.

► Figure 2.17. Length of protection against dismissal related to maternity leave, 2021

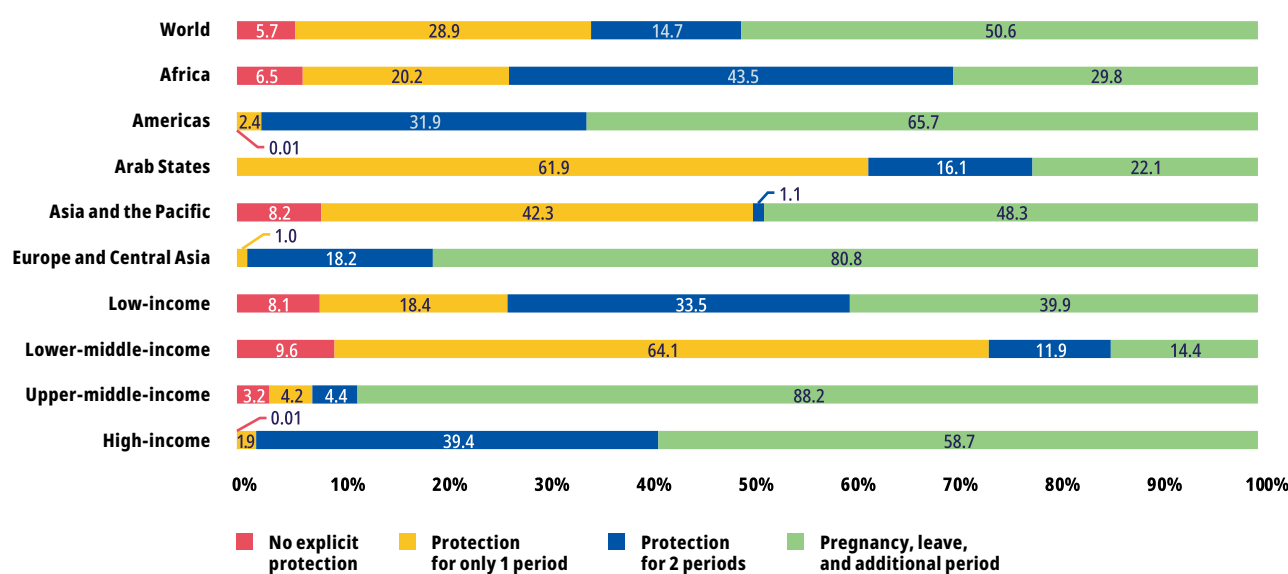


► **Table 2.11.** Length of protection against dismissal related to maternity leave, by region and by income group, 2021 (no. of countries)

Region/income group	No explicit protection	Protection for only 1 period	Protection for 2 periods	Pregnancy, leave, and additional period
World	13	24	59	88
Africa	7	6	25	16
Americas	1	4	12	17
Arab States	–	5	4	2
Asia and the Pacific	5	7	8	12
Europe and Central Asia	–	2	10	41
Low-income	4	7	11	6
Lower-middle-income	6	8	15	18
Upper-middle-income	2	4	13	30
High-income	1	5	20	34

**Note:** 184 countries and territories. – = nil. Source: ILO research, see Annex, table A.1 for country-level data and methodological explanation.

► **Figure 2.18.** Share of potential mothers by length of protection against dismissal, by region and by income group, 2021 (%)



**Note:** 179 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.1 for country-level data and methodological explanation.

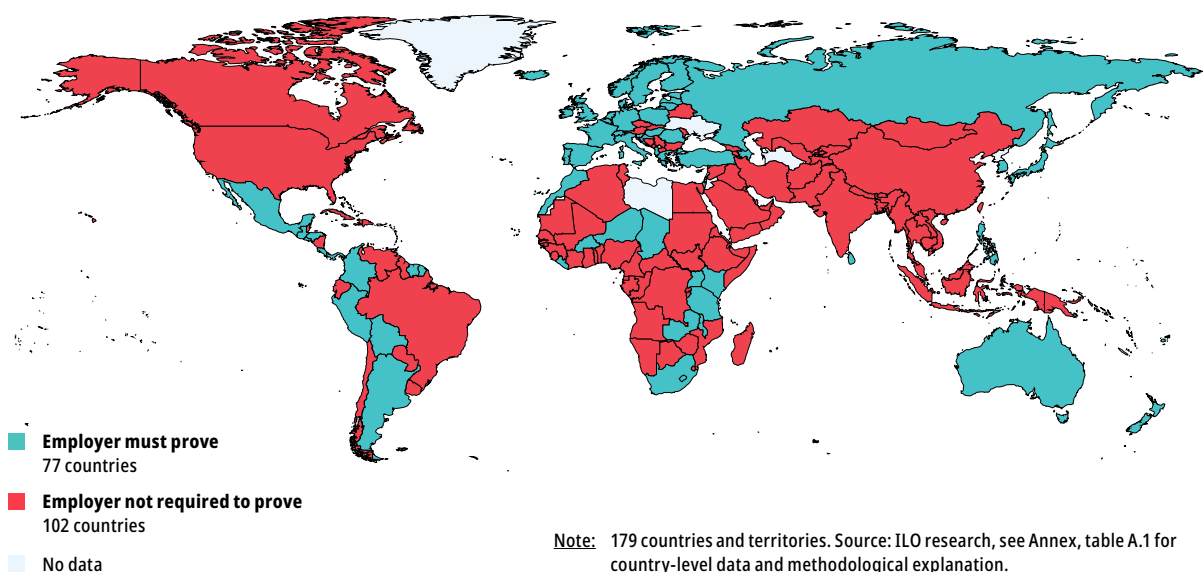
## The provision of employer burden of proof related to maternity remains limited, with only 22.4 per cent of potential mothers benefiting from this legal provision to address discriminatory dismissal

Another important employment-protection measure is the reversal of the burden of proof related to maternity. Convention No. 183 sets out that the burden for proving that reasons for dismissal are unrelated to pregnancy, childbirth or nursing “shall rest on the employer” (Article 8(1)). This can significantly assist victims of discrimination in judicial or other dispute settlement mechanisms, and the ILO CEACR also highlighted that the reversal of the burden of proof is a useful means of correcting a situation that could otherwise result in inequality (ILO 2012b).<sup>29</sup>

However, access to justice and remedies can be challenging for women affected by maternity discrimination, especially for certain marginalized and low-income groups of women who are particularly vulnerable to discrimination, such as migrant women and domestic workers (Wilson 2017; ILO 2012b).

Among the 179 countries with available information, 77 have legal provisions that place the burden of proof related to maternity on the employers (figure 2.19 and table 2.12). Potential mothers living in countries with this legal protection represent only 22.4 per cent of potential mothers worldwide (figure 2.20). As with other employment protective measures, there are coverage variations according to income and regional groups. In 2021, the share of potential mothers living in jurisdictions where the burden of proof is placed on the employer range from 58.4 per cent in high-income countries to 19.7 per cent in low-income countries.

► Figure 2.19. Employer must prove dismissal is not connected with worker taking maternity leave, 2021



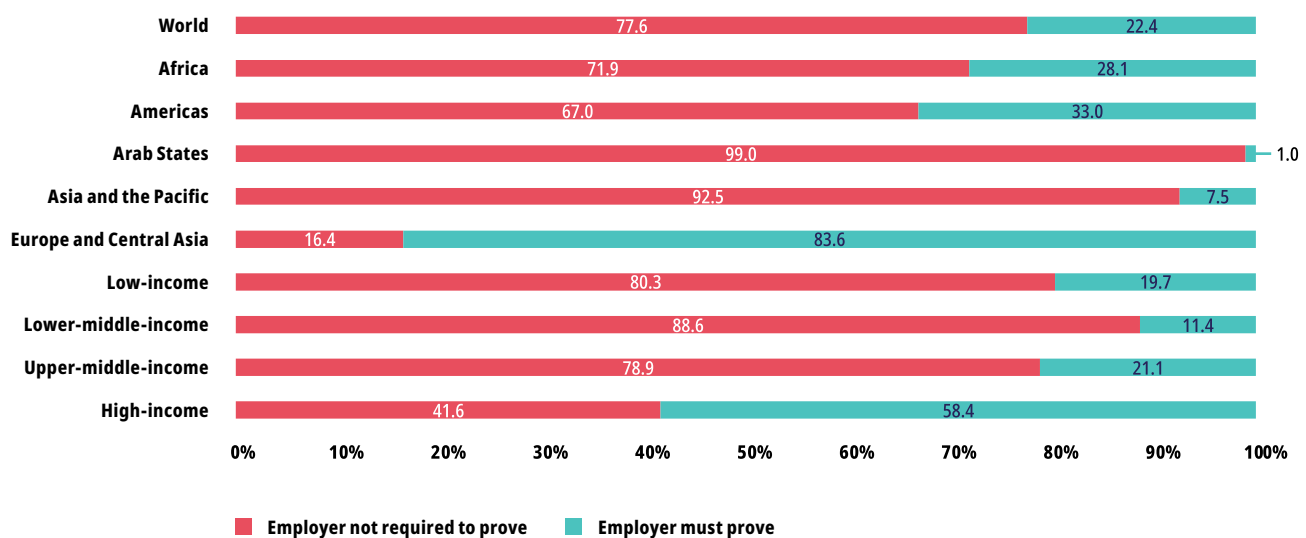
<sup>29</sup> Other international labour standards supporting the reversal of the burden of proof are ILO Convention No. 111 and Convention No. 158, Article 9(2).

► Table 2.12. Employer must prove dismissal is not connected with worker taking maternity leave, by region and by income group, 2021 (no. of countries)

Region/income group	Employer not required to prove	Employer must prove
World	102	77
Africa	37	16
Americas	18	16
Arab States	8	1
Asia and the Pacific	22	11
Europe and Central Asia	17	33
Low-income	21	7
Lower-middle-income	32	14
Upper-middle-income	29	17
High-income	20	39

**Note:** 179 countries and territories. – = nil. Source: ILO research, see Annex, table A.1 for country-level data and methodological explanation.

► Figure 2.20. Share of potential mothers by whether the employer must prove dismissal is not connected with maternity leave, by region and by income group, 2021 (%)



**Note:** 175 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.1 for country-level data and methodological explanation.

## Almost half of potential mothers are guaranteed the right to return to the same or equivalent position after maternity leave

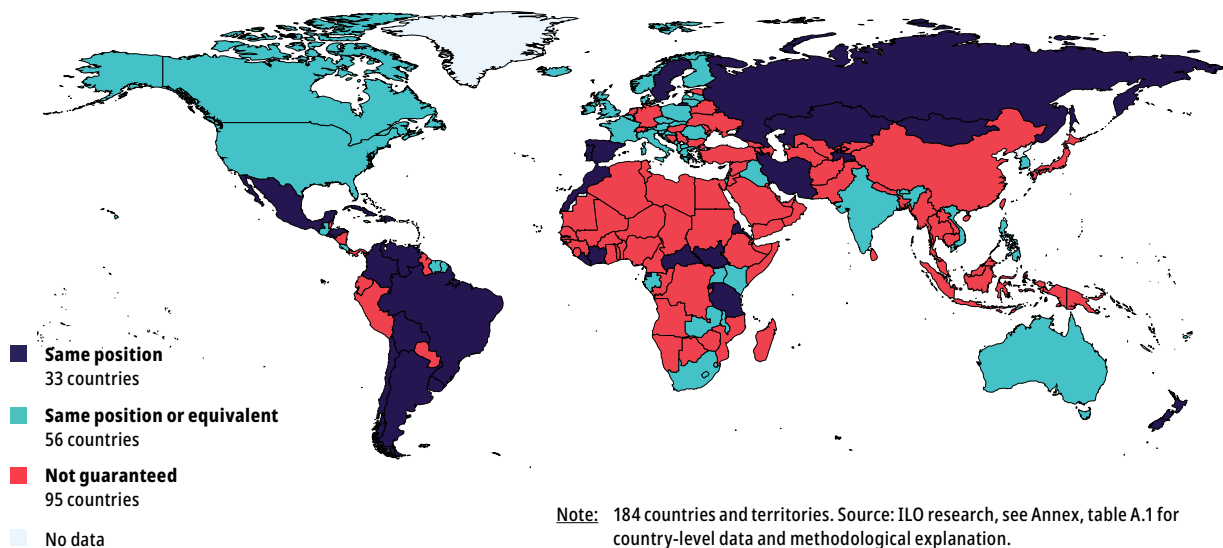
The guaranteed right to return to work to “the same position or an equivalent position paid at the same rate” is also an essential protective measure set out by ILO standards.<sup>30</sup> In 2021, out of the 184 countries with information available, 95 still do not have legal provisions that guarantee the right to return to the same or equivalent position (figure 2.21 and table 2.13). This translates into 51.3 per cent of potential mothers living in countries where there is no guaranteed right to return to their same or equivalent position after maternity leave (figure 2.22).

On the other side, this entitlement is available in 89 countries with protective laws, and that are home to 48.7 per cent of potential mothers across the world.

Fifty-six of these 89 countries, where 34.6 per cent of potential mothers live, guarantee the right return to the same position or an equivalent position after the expiration of maternity leave. And additional 33 countries (representing 14.1 per cent of potential mothers) mandate the right to return only to the same position the worker had before taking maternity leave.

The region with the highest share of potential mothers (92.8 per cent) living in countries where there is the right to return to the same or equivalent position after maternity leave is the Americas, where 23 countries – including Bolivia, Brazil and Haiti – have such provisions. By contrast, large majorities of potential mothers are without job protection in Africa (71.8 per cent) and in the Arab States (74.9 per cent), with notable exceptions including women living in Côte d’Ivoire, Iraq, Morocco, Kenya and South Sudan.

► Figure 2.21. Guaranteed right to return to the same position or equivalent following maternity leave, 2021



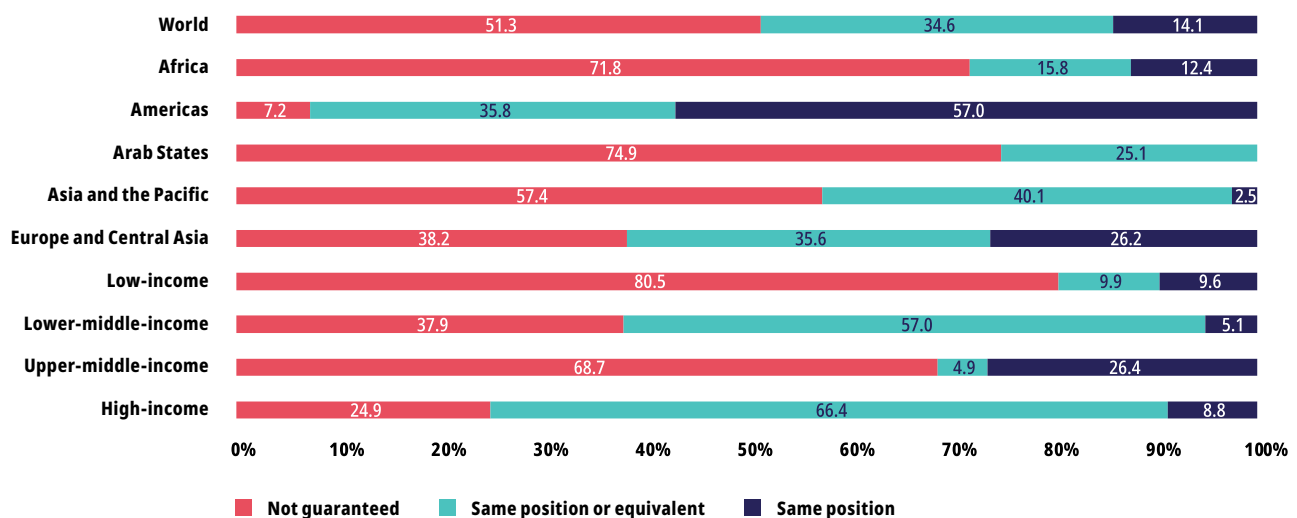
30 ILO Convention No. 183, Article 8(2), and Recommendation No. 191, Paragraph 5. See also ILO Convention No. 158, Article (10).

► **Table 2.13.** Guaranteed right to return to the same or equivalent position following maternity leave, by region and by income group, 2021 (no. of countries)

Region/income group	Not guaranteed	Same position or equivalent	Same position
World	95	56	33
Africa	37	7	10
Americas	11	10	13
Arab States	10	1	–
Asia and the Pacific	18	11	4
Europe and Central Asia	19	27	6
Low-income	18	2	8
Lower-middle-income	31	9	7
Upper-middle-income	25	14	11
High-income	21	31	7

**Note:** 184 countries and territories. – = nil. Source: ILO research, see Annex, table A.1 for country-level data and methodological explanation.

► **Figure 2.22.** Share of potential mothers by guaranteed right to return to the same or equivalent position following maternity leave, by region and by income group, 2021 (%)



**Note:** 180 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.1 for country-level data and methodological explanation.



## Between 2011 and 2021, 26 countries have prohibited pregnancy tests in employment, however only 8.9 per cent of potential mothers are living in countries where such protection is explicit

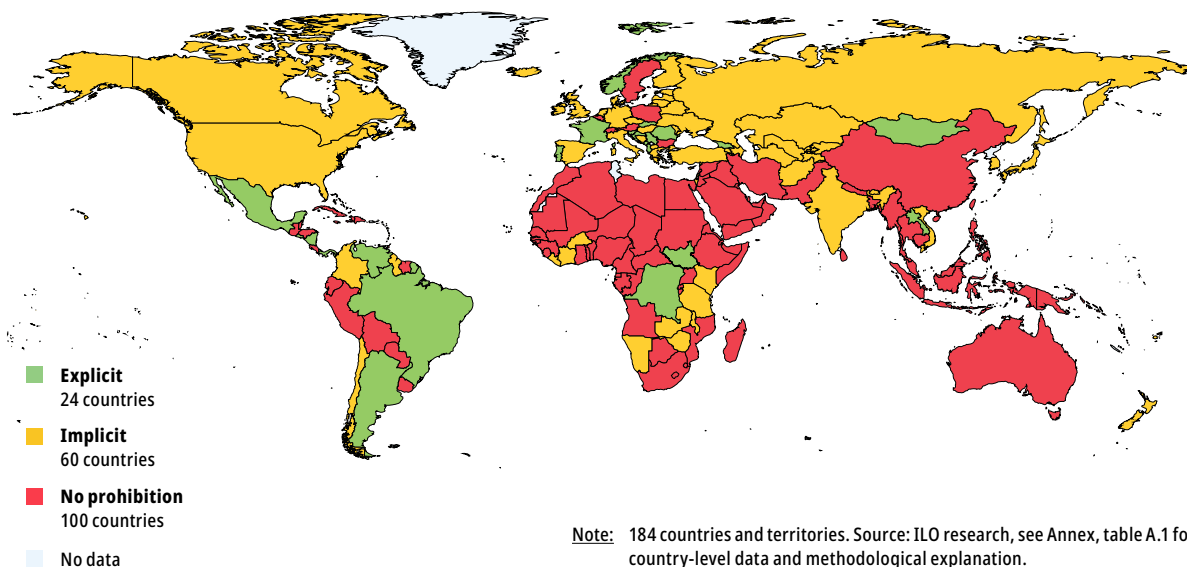
Discriminatory practices, such as mandatory pregnancy tests for employment-related purposes, continue to be reported and predominantly affect certain categories of workers, such as migrant workers, domestic workers and workers in the garment sector (Nagaraj 2018; Lau 2017). Currently, international standards specifically prohibit requiring women to take pregnancy tests, with a few exceptions related to work-based risks to health.<sup>31</sup> However, there are 100 countries where this practice is not prohibited, and 60 where it is not explicitly prohibited (figure 2.23 and table 2.14). This means that only 8.9 per cent of potential mothers around the world live in the 24 countries with explicit prohibition of pregnancy test in their legislation (figure 2.24).

These legal gaps can translate to some categories of workers, such as migrant workers, losing their employment, compromising their regular migratory status and being deported, simply for being found to be pregnant (Mendoza 2018; Paul and Neo 2018; Constable 2020).

Prohibitions against pregnancy tests is more common in high-income countries; while it is more scattered in low-income countries, with only seven low-income countries prohibiting it in the law. In particular, Afghanistan, Burkina Faso, Liberia, Malawi and the United Republic of Tanzania implicitly prohibit pregnancy tests, and the Democratic Republic of the Congo and South Sudan have an explicit prohibition in their legislation. For instance, a 2011 law in Uruguay prohibits the requirement of pregnancy tests as a condition for entry, promotion or to remain in any post, or employment in the public and private sectors, and provides for the most serious penalties in the event of violations.

Between 2011 and 2021, 26 countries included new prohibitions against pregnancy testing in their labour legislation (table 2.15). Among these countries, only the Lao People's Democratic Republic, Norway and Panama included an explicit prohibition in their legislation.

► Figure 2.23. Prohibitions against pregnancy tests in employment, 2021



31 ILO Convention No. 183, Article 9(2), and the Domestic Workers Recommendation, 2012 (No. 201). The issue of discriminatory pregnancy testing during recruitment or employment is also addressed by the CEACR under Convention No. 111 (discrimination on the basis of sex).

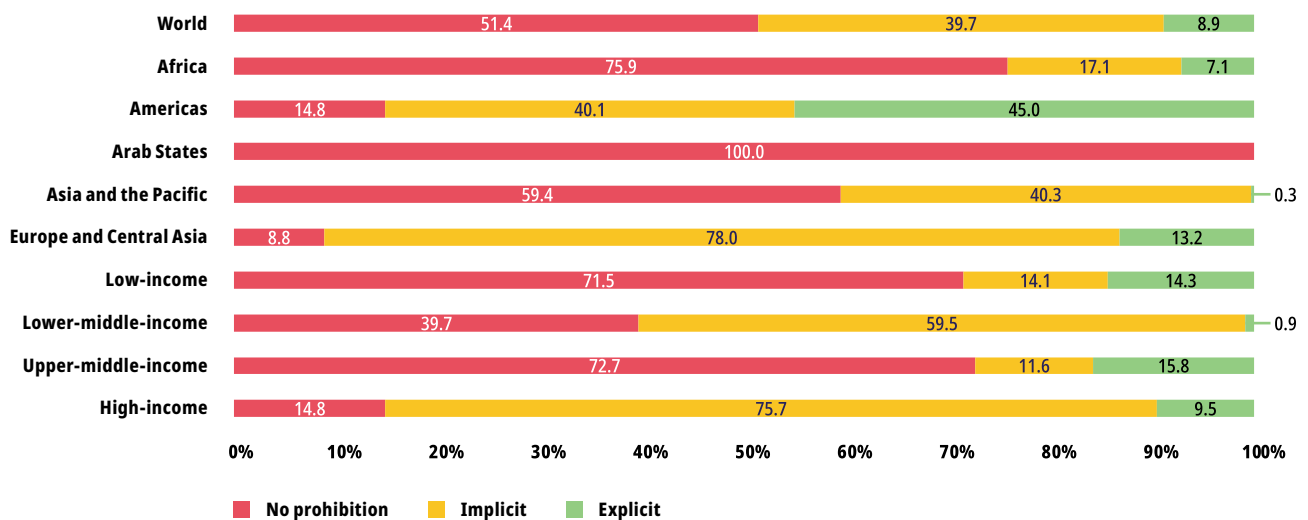


► **Table 2.14.** Prohibitions against pregnancy tests in employment, by region and by income group, 2021 (no. of countries)

Region/income group	No prohibition	Implicit	Explicit
World	100	60	24
Africa	41	10	2
Americas	20	6	8
Arab States	11	–	–
Asia and the Pacific	20	11	2
Europe and Central Asia	8	33	12
Low-income	21	5	2
Lower-middle-income	30	12	4
Upper-middle-income	26	16	8
High-income	23	27	10

**Note:** 184 countries and territories. An implicit ban includes legislation that explicitly prohibits discrimination in access to employment based on pregnancy, maternity, family responsibilities or sex. – = nil. Source: ILO research, see Annex, table A.1 for country-level data and methodological explanation.

► **Figure 2.24.** Share of potential mothers by prohibitions against pregnancy tests in employment, by region and by income group, 2021 (%)



**Note:** 179 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.1 for country-level data and methodological explanation.

► Table 2.15. Countries that have changed prohibition of pregnancy tests in employment between 2011 and 2021

Region	Country	Pregnancy test prohibition	
		2011	2021
Africa	Burkina Faso	No Prohibition	Implicit
	Côte d'Ivoire	No Prohibition	Implicit
	Malawi	No Prohibition	Implicit
	Mauritius	No Prohibition	Implicit
	Namibia	No Prohibition	Implicit
	Zambia	No Prohibition	Implicit
Americas	Canada	No Prohibition	Implicit
	Panama	No Prohibition	Explicit
	United States of America	No Prohibition	Implicit
Asia and the Pacific	Afghanistan	No Prohibition	Implicit
	India	No Prohibition	Implicit
	Japan	No Prohibition	Implicit
	Lao People's Democratic Republic	No Prohibition	Explicit
	New Zealand	No Prohibition	Implicit
	Viet Nam	No Prohibition	Implicit
Europe and Central Asia	Cyprus	No Prohibition	Implicit
	Czechia	No Prohibition	Implicit
	Estonia	No Prohibition	Implicit
	Germany	No Prohibition	Implicit
	Greece	No Prohibition	Implicit
	Iceland	No Prohibition	Implicit
	Ireland	No Prohibition	Implicit
	Israel	No Prohibition	Implicit
	Norway	No Prohibition	Explicit
	Turkey	No Prohibition	Implicit
	United Kingdom	No Prohibition	Implicit

**Note:** Source: ILO research, see Annex, table A.1 for country-level data and methodological explanation and ILO 2014a

## ► 2.8. Conclusions: Findings on maternity leave in a nutshell

Paid maternity leave with adequate maternal and child healthcare contributes to children's healthy development, improves maternal health and enhances families' economic security. Paid maternity leave is a precondition to the right to care and be cared for and to achieving gender equality at work. Its duration, adequacy of leave cash benefits and their source of funding determine the effectiveness of this essential care leave policy. The ILO Maternity Protection Convention, 2000 (No. 183), is a guiding instrument in ensuring that all women have the right to adequate maternity leave. During the past ten years, an increased number of countries have met or exceeded the 14-week duration standard for maternity leave. Overall, 184 countries across the world have a statutory right to maternity protection, and in most of these countries, maternity leave cash benefits are paid at 100 per cent of previous earnings. However, maternity leave cash benefits are still not adequate for an important share of potential mothers, with

repercussions on their income security. Social protection systems anchored in national social security legislation is the main source of funding for maternity cash leave benefits worldwide; however, there are still 42 countries where such benefits are paid only by employers, with negative consequences on women's maternity protection and situation in the labour market, as well as leading to enterprises potentially missing out on the talents of many women. Legal reforms in the area of maternity protection have been slow, and at the current trends, it will take at least 46 years to provide all mothers with minimum maternity leave rights. Urgent attention is needed to extend maternity protection rights to those categories of workers often excluded from such provisions, including the self-employed, migrants, adoptive parents, and especially workers in the informal economy; while additional efforts are needed to eliminate discrimination based on maternity and family responsibility.





120

COUNTRIES HAVE  
A DURATION OF  
AT LEAST 14 WEEKS  
► 7 IN 10 WOMEN



182

COUNTRIES HAVE  
PAID MATERNITY LEAVE  
► 9 IN 10 WOMEN

123

Countries have fully paid  
maternity leave  
► 8 IN 10 WOMEN

117

Countries have maternity leave paid  
through social protection only  
► 8 IN 10 WOMEN



2

COUNTRIES STILL  
HAVE UNPAID  
MATERNITY LEAVE  
► 4 IN 100 WOMEN



100

COUNTRIES HAVE  
MATERNITY LEAVE FOR  
SELF-EMPLOYED WORKERS  
► 5 IN 10 WOMEN



73

COUNTRIES HAVE  
MATERNITY LEAVE FOR  
ADOPTIVE PARENTS  
► 2 IN 10 PARENTS



98

COUNTRIES HAVE  
MATERNITY LEAVE  
SCHEMES THAT ARE  
IN LINE WITH C183  
► 7 IN 10 WOMEN

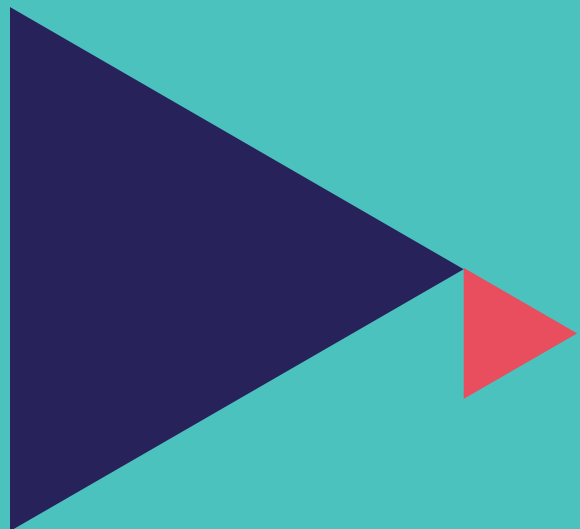
184

COUNTRIES HAVE  
MATERNITY LEAVE



## **Paternity leave: The rise in men's care rights and responsibilities**

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## Chapter 3 key messages

### ► Do fathers have a right to paternity leave?

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- In 2021, 115 countries offered paternity leave, pointing to the increasing recognition of men's caregiving role. This means four in ten potential fathers<sup>1</sup> live in countries with paternity leave.
- Since 2011, 33 countries have introduced paternity leave legislations for the first time.
- However, almost two-thirds of potential fathers live in countries that do not provide paternity leave.

### ► What is the duration of paternity leave?

---

- Across the world the average duration of paternity leave is 3.3 days,<sup>2</sup> with significant regional variations.
- Only 1 in 10 potential fathers live in countries with at least 10 days of paternity leave.
- Since 2011, 16 countries with paternity leave increased its duration.

### ► Is paternity leave paid and how much?

---

- Among the 115 countries with paternity leave, 102 offer paid paternity leave.
- Paternity leave is paid at 100 per cent of previous earnings in 81 countries. This means 3 in 10 potential fathers worldwide are living in countries with such entitlement.
- Low-paid paternity leave may discourage take-up by fathers.

### ► Who pays for paternity leave cash benefits?

---

- The employer is still individually liable for the full cost of paternity leave in 61 of the 102 countries providing paid paternity leave.
- However, since 2011, six countries have introduced paternity leave cash benefits funded by social insurance.

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1 "Potential fathers" are men of reproductive age. For the purposes of this report, the age group of "men of reproductive age" is assumed to be the same as that of "women of reproductive age" – that is, 15–49 years.

2 This average figure of 3.3 days is population weighted and refers to the 180 countries with available population data. The United Nations "World Population Prospects: The 2019 Revision" do not provide population data for Andorra, British Virgin Islands, Monaco, Saint Kitts and Nevis, and San Marino. Therefore, the five countries are excluded from the population weighted averages.

## Chapter 3 key messages

### ► Which categories of workers have the right to paternity leave?

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- All fathers, without discrimination, should have a right to paternity leave. However, some categories of workers are still largely excluded from paternity leave.
- Only 30 countries offer the right to paternity leave cash benefits to self-employed workers. This means 4 in 100 self-employed men in the world live in countries with such benefits.
- Only 42 countries have paternity leave provisions for adoptive fathers. This means that approximately only 1 in 10 potential fathers live in countries with such provisions.
- Only 20 countries provide equal paternity leave rights to same-sex parents. This means that 6 in 100 potential fathers (of any sexual orientation) live in countries with such provisions.

### ► Are fathers taking up paternity leave?

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- Many fathers are not taking paternity leave, even when they are entitled to it.
- Changing policy design and gender norms can make paternity leave more attractive to men.
- To counter low take-up rates of paternity leave, eight countries have recently introduced obligatory paternity leave days.

### ► Can fathers lose their job or be discriminated against for taking paternity leave?

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- Employment protection and non-discrimination connected with paternity leave could improve paternity leave take-up rates, but such protections remain scattered.
- Only 55 countries have legislation that explicitly protects fathers against dismissal for taking paternity leave. This translates in only 1 in 10 potential fathers worldwide living in these countries.
- In 36 countries, employers have the onus of proving that the reasons for dismissal are unrelated to paternity leave taking. Only 9 in 100 potential fathers reside in these countries.
- Only 30 countries provide fathers with the right to return to the same position or equivalent after taking paternity leave. Only 7 in 100 potential fathers reside in these countries.

### ► 3.1. Provision of the right to paternity leave: Realizing the right to care and be cared for

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Statutory paternity leave is a leave entitlement only for fathers, which enables them to take a short period of leave immediately following the birth of a child. Just like maternity leave, paternity leave is sex-specific, and it is often associated with providing help and support to the mother and the newborn around childbirth as well as enabling fathers to bond with their baby and to share unpaid care work. Paternity leave policies directly challenge the norm that women should be the main caregivers and men the breadwinners, and also dispute the role of fathers as distant parents (Sevilla 2020; Bailey 2015). Paternity leave draws fathers into the daily realities of childcare, enabling them to develop parenting skills and to become active co-parents throughout the life of the child, rather than perceiving themselves as helpers to their female partners (Rehel 2014). Statistical evidence confirms that when fathers take paternity leave, they increase their long-term involvement in unpaid care work, and in doing so promote greater participation of mothers in employment (Rege and Solli 2013; Farrell and Greig 2017). The benefits of paternity leave are also evident for same-sex and adoptive parents (European Commission 2020). As a result, an increasing number of countries are reforming labour legislations to include same-sex and adoptive parents under paternity leave provisions.

Current international labour standards do not yet explicitly regulate paternity leave provisions. However, the 2009 International Labour Conference (ILC) Resolution concerning gender equality at the heart of decent work has a specific section dedicated to the role played by men in gender equality. In this respect, the resolution recognizes that paternity leave can help working fathers to be more involved in childcare, thus contributing to defeating long-standing gender stereotypes. The 2009 ILC Resolution also calls for governments to develop – together with social partners – adequate policies allowing for a better

balance between work and family responsibilities, including parental and/or paternity leave (ILO 2009). Most recently, the 2021 ILC Resolution concerning the second recurrent discussion on social protection (social security) recognizes the importance of designing gender-responsive social protection policies, including by fostering income security during paternity leave (ILO 2021b). Despite the absence of explicit provisions in international labour standards, between 2011 and 2021, 49 countries have strengthened or introduced new paternity leave provisions, including an increasing number of members of the European Union (EU), following the adoption in 2019 of EU Directive 2019/1158 on work-life balance for parents and carers. The Directive, among other provisions, introduces the right to ten days of paid paternity leave for fathers or, where recognized by national law, for equivalent second parents. Additionally, the cash benefit should be at least equivalent to the payment that the worker would have received in case of sick leave.

This chapter reviews national legislation on several aspects of paternity leave provisions. The first part considers the duration of statutory paternity leave (section 3.2). The second analyses the right to cash benefits when on paternity leave (section 3.3), and the third part concentrates on the source of funding of cash benefits (section 3.4). Next, the chapter analyses paternity leave provisions for self-employed workers, adoptive parents and same-sex parents (section 3.5), and then addresses measures aimed at improving up-take of paternity leave (section 3.6). Finally, it reviews the status of national provisions on employment protection and non-discrimination connected with paternity leave (section 3.7).



## Globally, four out of ten potential fathers live in the 115 countries with paternity leave rights

In 2021, across the world, 36.7 per cent of potential fathers (or 731 million individuals) live in one of the 115 countries where there is at least one day of statutory paternity leave (figure 3.1, figure 3.2 and table 3.1). However, the majority of men still live in countries where there is still no such entitlement. Specifically, there are 70 countries (out of 185) without legal provisions on paternity leave, where 1.26 billion potential fathers live (63.3 per cent).

## Thirty-three countries introduced new paternity leave legislation over the past ten years

Many countries have reformed paternity leave provisions over the past ten years. Specifically, 33 countries have introduced new paternity leave legislations and 16 have increased the length of pre-existing paternity leave provisions (table 3.2). However, the global picture conceals substantial regional variations.

### ► 3.2. Duration of paternity leave: The need for bonding time after childbirth

## In the 115 countries with statutory paternity leave, the average duration of paternity leave is 9.0 days

In 2021, 39 countries offer a statutory paternity leave of between one and four days, and 27 countries offer paternity leave of between five to nine days. The former 39 countries are home to 14.0 per cent of all potential fathers (279 million), and the latter 27 countries are home to 11.0 per cent of potential fathers (218 million). Only 234 million men of reproductive age – or 11.8 per cent of all potential fathers – are residing in countries that offer paternity leave longer than ten days; with the majority (about 10 per cent) living in the 36 countries providing paternity leave between 10 and 15 days. The remaining potential fathers are residing in three countries providing paternity leave between 16 and 29 days (0.8 per cent of potential fathers) and in the 10 countries reserving 30 days or more for paternity leave (1.0 per cent of potential fathers). This results in a global weighted average duration of paternity leave of 3.3 days

in all countries and of 9.0 days in countries with existing paternity leave legislations.<sup>3</sup>

In Europe and Central Asia, 68.8 per cent of potential fathers are living in the 43 (out of 53) countries where there is at least one day of paternity leave. This is the largest proportion across all regions and national income groups. Between 2011 and 2021, 21 countries in the region have introduced or increased statutory paternity leave, including the ten EU-27 countries that have complied with the right to ten working days of paternity leave mandated by the aforementioned EU Directive on work-life balance.<sup>4</sup> Most notably, Spain has extended paternity leave from 15 to 112 days, matching the length of maternity leave, and Slovakia from 0 to 197 days.

In the Americas, 62.1 per cent of potential fathers are living in the 19 (out of 34) countries where there is at least one day of paternity leave, this is the second-largest proportion across all regions. This result was made possible because seven countries in the region have introduced new paternity leave provisions or extended existing provisions in the past ten years. For example, Mexico, reformed its labour code in 2012, and introduced five days

3 The United Nations “World Population Prospects: The 2019 Revision” do not provide population data for Andorra, British Virgin Islands, Monaco, Saint Kitts and Nevis, and San Marino. Therefore, these five countries are excluded from the population weighted averages.

4 The term “EU-27” refers to the 27 countries that make up the European Union following the departure of the United Kingdom in 2020.

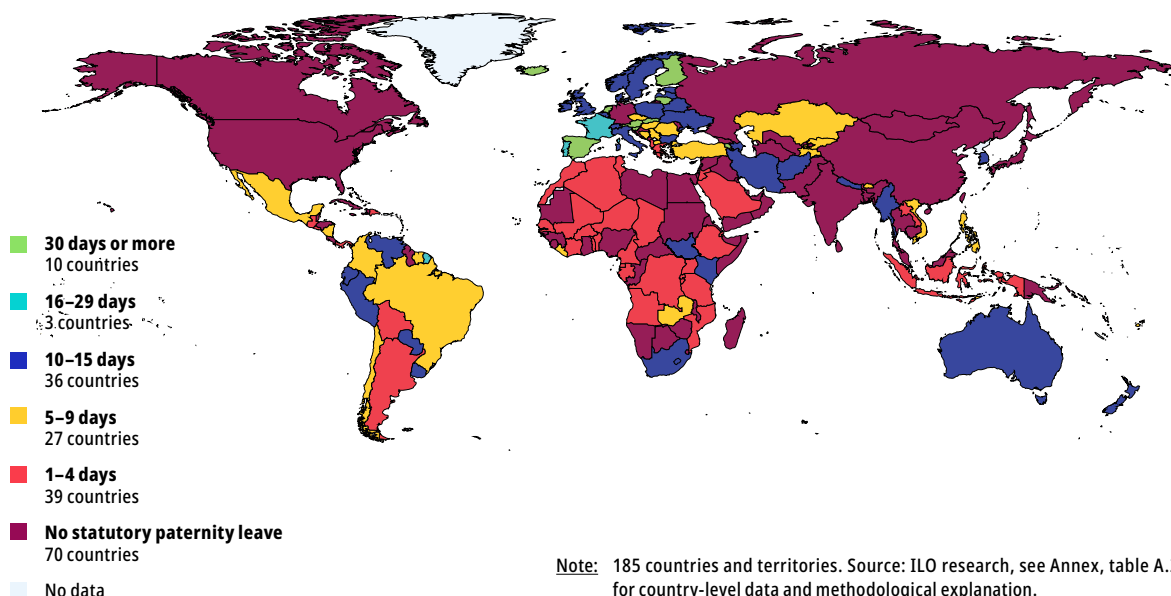
of paternity leave. Similarly, Nicaragua provided fathers with a right to five days of paternity leave in 2014, and Bolivia and Panama now offer three days. Other countries have substantially increased the length of pre-existing paternity leave entitlements. For instance, Paraguay augmented paternity leave from 3 to 14 days in 2015; Peru from 4 to 10 days in 2018; and Uruguay from 3 to 13 days in 2013.

Among the regions of the world, Africa has the third-largest share of potential fathers living in countries where there are paternity leave rights. Namely, 61.1 per cent of potential fathers are living in the 32 (out of 54) countries where there is at least one day of paternity leave. However, widespread informality makes access to paternity leave a reality for only a minority of new fathers living in the region. Over the past ten years, nine countries have amended their labour codes to introduce or extend the duration of paternity leave. Recent changes include, for example: Zambia, which introduced a paternity leave entitlement of five days in 2019; South Africa, which increased leave for fathers of newborn children from three to ten days in 2018; and the Seychelles, which augmented the duration of (fully paid) paternity leave from four to ten days in 2018.

In Asia and the Pacific only 18.4 per cent of potential fathers live in the 18 (out of 33) countries that offer at least one day of statutory paternity leave rights to fathers. Over the past ten years, nine countries have introduced paternity leave or extended existing paternity leave. For example, in 2012, Myanmar extended the duration of existing paternity leave provisions from 6 to 15 days, which is the longest in the region. More recently, in 2019, the Republic of Korea raised the paternity leave duration from three days unpaid to ten days fully paid. Other countries in Asia and the Pacific have introduced new legislations regarding paternity leave. Notable examples include: the Islamic Republic of Iran, which, in 2013, introduced a 14-day (paid) paternity leave; and Nepal, which in 2017 passed new legislation establishing a 15-day paternity leave. Similarly, Viet Nam and Fiji both granted five days of leave for fathers of newborn children in 2014 and 2019, respectively.

Among the eight countries in the Arab States region, only two have introduced paternity leave over the past ten years. These include Jordan, which introduced a three-day paternity leave right in 2019, and Bahrain, which introduced a one-day paternity leave right in 2012. While, in 2015, Saudi Arabia increased paternity leave from one to three days. This means only 30.8 per cent of potential fathers are living in these three countries where there is paternity leave.

► Figure 3.1. Duration of paternity leave, 2021

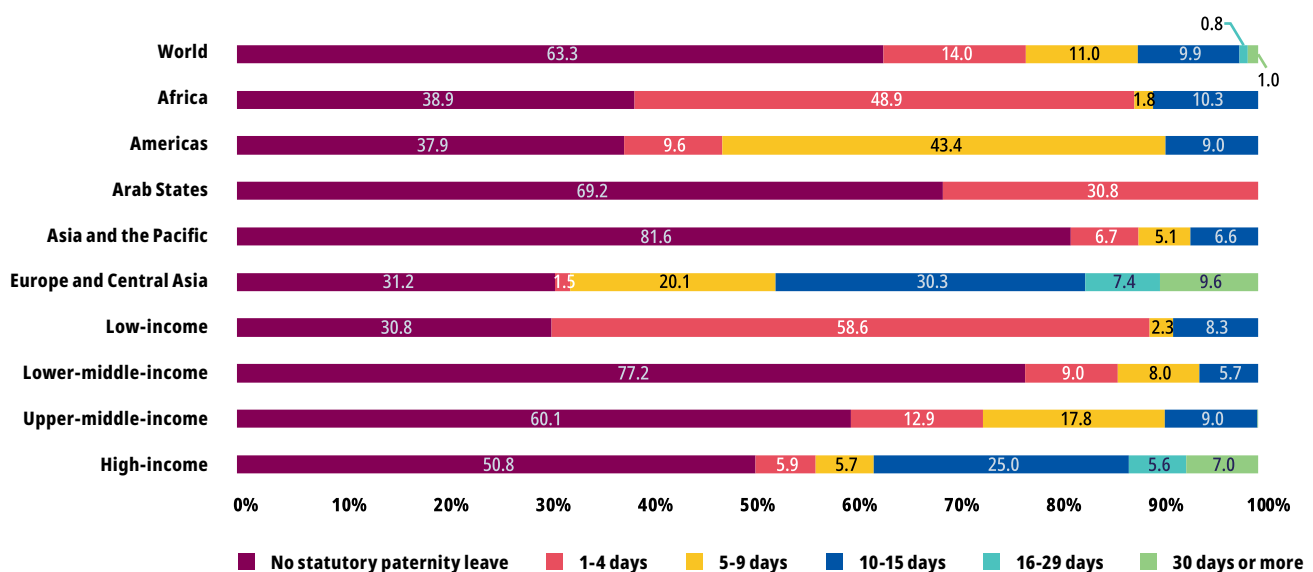


► Table 3.1. Duration of paternity leave by region and by income group, 2021 (no. of countries)

Region/income group	No statutory paternity leave	Statutory paternity leave	1–4 days	5–9 days	10–15 days	16–29 days	30 days or more	Average duration of paternity leave in all countries (days)	Average duration of paternity leave in countries with paternity leave (days)
World	70	115	39	27	36	3	10	3.3	9.0
Africa	22	32	24	3	5	–	–	2.6	4.2
Americas	15	19	6	7	5	–	1	3.6	5.8
Arab States	8	3	3	–	–	–	–	0.9	2.9
Asia and the Pacific	15	18	3	7	8	–	–	1.3	7.0
Europe and Central Asia	10	43	3	10	18	3	9	15.3	22.2
Low-income	12	16	11	2	3	–	–	2.6	3.7
Lower-middle-income	22	25	14	7	4	–	–	1.5	6.7
Upper-middle-income	20	30	9	11	9	–	1	2.4	6.0
High-income	16	44	5	7	20	3	9	11.1	22.5

Note: 185 countries and territories. – = nil. Source: ILO research, see Annex, table A.2 for country-level data and methodological explanation.

► Figure 3.2. Share of potential fathers by duration of paternity leave, by region and by income group, 2021 (%)



Note: 185 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.2 for country-level data and methodological explanation.

► Table 3.2. Countries that have reformed the duration of paternity leave or introduced paternity leave between 2011 and 2021

Region	Country	2011			2021		
		Duration of paternity leave (days)*	% of previous earnings	Source of funding	Duration of paternity leave (days)*	% of previous earnings	Source of funding
Africa	Angola	n/a	n/a	n/a	1	100	Employer liability
	Cabo Verde	n/a	n/a	n/a	2	100	Employer liability
	Equatorial Guinea	n/a	n/a	n/a	3	100	Employer liability
	Gambia	n/a	n/a	n/a	10	100	Employer liability
	Niger	n/a	n/a	n/a	1	100	Employer liability
	Senegal	n/a	n/a	n/a	1	100	Employer liability
	Seychelles	4	100	Employer liability	10	100	Mixed
	South Africa	3	100	Employer liability	10	66	Social protection
	Zambia	n/a	n/a	n/a	5	Unpaid	n/a
Americas	Bolivia (Plurinational State of)	n/a	n/a	n/a	3	100	Employer liability
	Mexico	n/a	n/a	n/a	5	100	Employer liability
	Nicaragua	n/a	n/a	n/a	5	100	Employer liability
	Panama	n/a	n/a	n/a	3	100	Employer liability
	Paraguay	3	100	Employer liability	14 (2 weeks)	100	Employer liability
	Peru	4	100	Employer liability	10	100	Employer liability
	Uruguay	3	100	Employer liability	13	100	Mixed
Arab States	Bahrain	n/a	n/a	n/a	1	100	Employer liability
	Jordan	n/a	n/a	n/a	3	100	Employer liability
	Saudi Arabia	1	100	Employer liability	3	100	Employer liability
Asia and the Pacific	Afghanistan	n/a	n/a	n/a	10	100	Employer liability
	Fiji	n/a	n/a	n/a	5	100	Employer liability
	Iran (Islamic Republic of)	n/a	n/a	n/a	14 (2 weeks)	100	Employer liability
	Lao People's Democratic Republic	n/a	n/a	n/a	3	100	Employer liability
	Myanmar	6	100	Employer liability	15	70	Social protection
	Nepal	n/a	n/a	n/a	15	100	Employer liability
	Republic of Korea	3	Unpaid	n/a	10	100	Employer liability
	Singapore	7	100	Social protection	14 (2 weeks)	100	Social protection
	Viet Nam	n/a	n/a	n/a	5	100	Social protection

Region	Country	2011			2021		
		Duration of paternity leave (days)*	% of previous earnings	Source of funding	Duration of paternity leave (days)*	% of previous earnings	Source of funding
Europe and Central Asia	Albania	n/a	n/a	n/a	3	100	Employer liability
	Armenia	n/a	n/a	n/a	61 (2 months)	Unpaid	n/a
	Austria	n/a	n/a	n/a	30 (1 month)	Flat rate	Mixed
	Belarus	n/a	n/a	n/a	14	Unpaid	n/a
	Cyprus	n/a	n/a	n/a	14 (2 weeks)	72	Social protection
	Czechia	n/a	n/a	n/a	7	70	Social protection
	France	11	100	Social protection	25	100	Mixed
	Iceland	90	80	Social protection	183 (6 months)	80	Social protection
	Ireland	n/a	n/a	n/a	14 (2 weeks)	Flat rate	Social protection
	Italy	1	100	Social protection	10	100	Social protection
	Luxembourg	2	100	Employer liability	10	100	Mixed
	Malta	n/a	n/a	n/a	1	100	Employer liability
	Netherlands	2	100	Employer liability	42 (6 weeks)	75	Mixed
	North Macedonia	n/a	n/a	n/a	7	100	Employer liability
	Portugal	20	100	Social protection	25	100	Social protection
	Slovakia	n/a	n/a	n/a	197 (28 weeks)	75	Social protection
	Spain	15	100	Social protection	112 (16 weeks)	100	Social protection
	Switzerland	n/a	n/a	n/a	14 (2 weeks)	80	Social protection
	Tajikistan	n/a	n/a	n/a	7	Unpaid	n/a
	Turkey	n/a	n/a	n/a	5	100	Employer liability
	Ukraine	n/a	n/a	n/a	14	Unpaid	n/a

**Note:** 49 countries. \* Figures in brackets in this column present the duration of paternity leave as it is written in the text of the relevant national legislations; n/a = not applicable (that is, no paternity leave). Source: ILO research, see Annex, table A.2 for country-level data and methodological explanation, and ILO 2014a.

### ► 3.3. Adequacy of paternity leave cash benefits: Ensuring the need for well-paid paternity leave

#### A total of 102 countries provide paid paternity leave

Paternity leave is paid in the majority of countries that provide this entitlement. In the 115 countries with paternity leave, 102 countries have national legislation that grants cash benefits to cover work absences due to paternity leave (figure 3.3 and table 3.3). Specifically, of the 36.7 per cent of potential fathers (731 million) living in countries with paternity leave rights, 95.6 per cent of these live in countries where paternity leave is paid (figure 3.4).

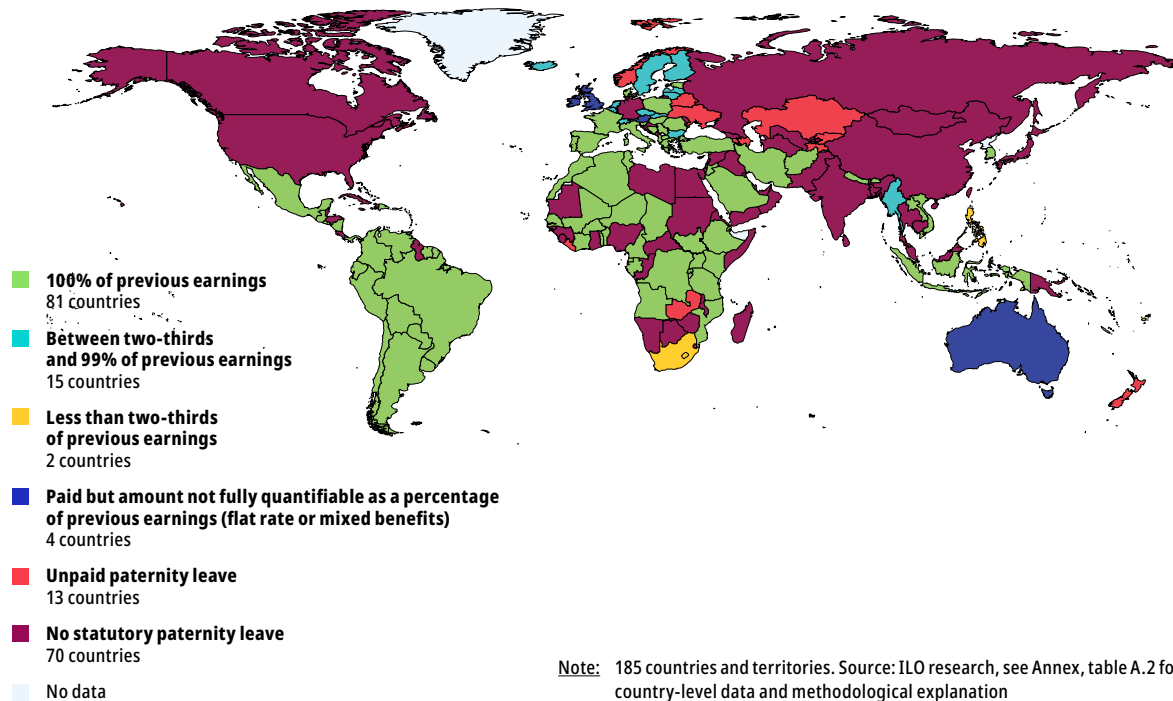
The amount of the cash benefits that fathers of newborn children are able to claim is at 100 per cent of their previous earnings in most countries. This applies in 81 out of the 102 countries with paid paternity leave, with these 81 countries accounting for 29.8 per cent of potential fathers worldwide. Of the 21 remaining countries that entitle fathers to paid paternity leave, 15 provide cash benefits of between 66 per cent and 99 per cent of previous earnings. Australia, Austria and Ireland provide the right to a flat rate payment; while the United Kingdom has a hybrid system, whereby the paternity leave cash benefit is whichever of the following figures is lower: 90 per cent of previous earnings or a flat rate of £151.20 per week.

In Europe and Central Asia, most countries (35 out of 53) grant paid paternity leave, and more than half (56.9 per cent) of the region's potential fathers reside in these countries. However, only 19 countries provide a paternity leave cash benefit that replaces 100 per cent of the father's previous earnings; among these, Denmark, Estonia, France, Slovenia and Spain cap earning

replacement to a ceiling amount. The ceiling amount could deter fathers at the upper end of the wage distribution from taking voluntary paternity leave days, as being on paternity leave could imply a pay cut. For example, in Denmark, the ceiling for paternity leave cash benefits is 41.3 per cent of the monthly average wage (ILO 2021a). The remaining 16 countries have a paternity leave cash benefit between two-thirds and 99 per cent of previous earnings, and paternity leave is unpaid in 8 countries.

In Africa, only Liberia and Zambia provide unpaid paternity leave. In the remaining 30 countries with paid paternity leave, the duration of leave entitlements is mostly short (one to six days) and fully paid. Specifically, in 29 countries, the national legislation entitles fathers to receive paternity leave cash benefits of 100 per cent of previous earnings. One of them is Ethiopia, which reformed paternity leave in 2019, granting full-earnings replacement for three days. Similarly, in the three Arab States with paternity leave cash benefits, the totality of fathers' previous earnings is replaced during paternity leave; though this leave is a very short period, ranging from one day in Bahrain to three days in Jordan and Saudi Arabia. In Asia and the Pacific, 13 out of 18 countries with paternity leave provide full previous earnings replacement for fathers on paternity leave. For example, the Republic of Korea previously had three days of unpaid paternity leave, but it has recently changed the law (2019) enabling fathers to receive their full salary over 14 days of paternity leave. By contrast, Australia pays the federal minimum wage to fathers on paternity leave, and in New Zealand paternity leave is still unpaid.

► Figure 3.3. Amount of paternity leave cash benefit, 2021

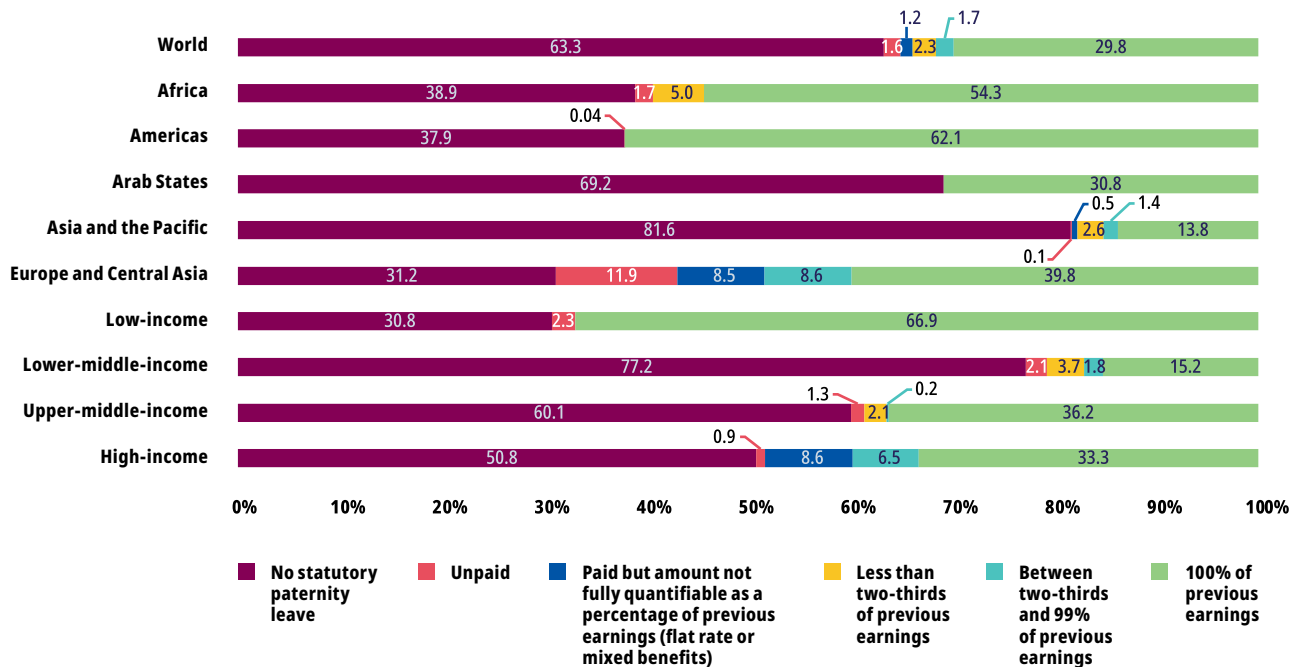


► Table 3.3. Amount of paternity leave cash benefit by region and by income group, 2021 (no. of countries)

Region/income group	No statutory paternity leave	Unpaid	Paid but amount not fully quantifiable as a percentage of previous earnings (flat rate or mixed benefits)	Less than two-thirds of previous earnings	Between two-thirds and 99% of previous earnings	100% of previous earnings
World	70	13	4	2	15	81
Africa	22	2	–	1	–	29
Americas	15	2	–	–	–	17
Arab States	8	–	–	–	–	3
Asia and the Pacific	15	1	1	1	2	13
Europe and Central Asia	10	8	3	–	13	19
Low-income	12	2	–	–	–	14
Lower-middle-income	22	3	–	1	1	20
Upper-middle-income	20	4	–	1	1	24
High-income	16	4	4	–	13	23

*Note:* 185 countries and territories. – = nil. Source: ILO research, see Annex, table A.2 for country-level data and methodological explanation.

► Figure 3.4. Share of potential fathers by amount of paternity leave cash benefits, by region and by income group, 2021 (%)



Note: 185 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.2 for country-level data and methodological explanation.

### ► 3.4. Source of funding of paternity leave cash benefits: Paternity is also a collective responsibility

#### In 61 countries employers still bear the full cost of paternity leave cash benefits

Across the world, the large majority of countries providing paid paternity leave are granting cash benefits through an employer liability. Specifically, the employer is individually liable for the full cost of paternity leave in 61 of the 102 countries providing monetary compensation during paternity leave (figure 3.5 and table 3.4).

In all, 25.4 per cent of all potential fathers (505 million) live in countries where paternity leave is paid by the employer (figure 3.6). Although many private sector employers have adopted care leave policies and support their take-up by men (ILO 2020), some – especially small and medium enterprises – might struggle to pay for paternity leave cash benefits for new fathers. As in the case of maternity leave cash benefits for mothers, employer liability could act as an additional deterrent to fathers taking paternity leave days (Jordan and Thomas 2014; Eurofound 2015).



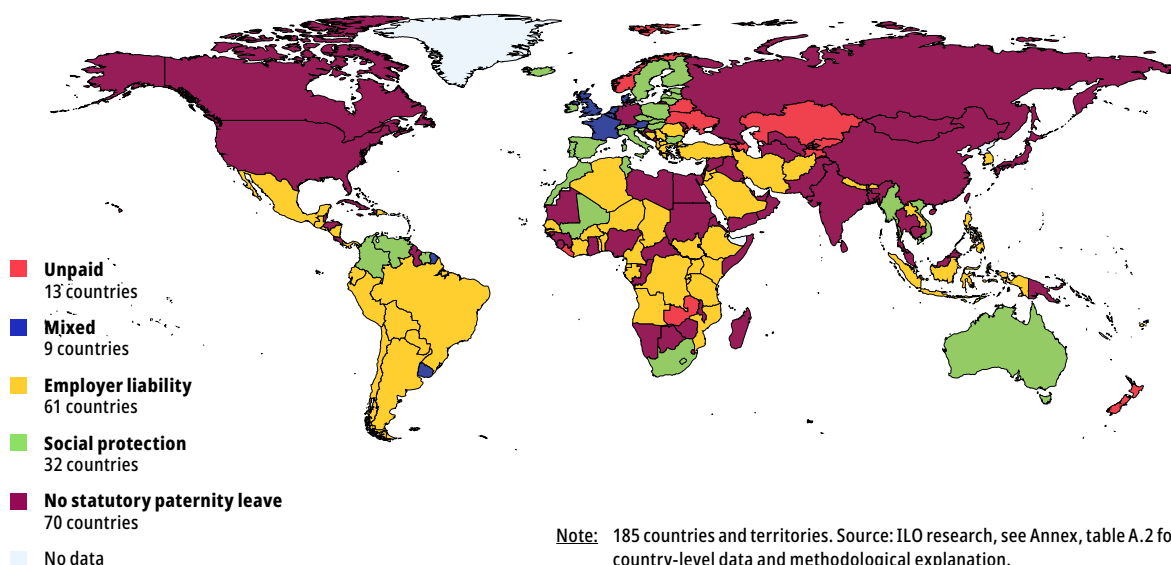
## Since 2011, only six countries have introduced paternity leave cash benefits funded by social protection

Due to the potential deterrent effect of employer liability schemes, some countries have reformed the source of funding for paternity leave cash benefits, abandoning full employer liability towards systems based on collective responsibility. Reliance on employers as the main source of financing of paternity leave does not meet the principles of solidarity in regard to the funding of cash benefits schemes and the pooling of risks, which are both essential to securing the combination of resources needed to ensure a fairer and more collective distribution of the costs and responsibilities of bearing children. Between 2011 and 2021, Luxembourg, the Netherlands, the Seychelles and Uruguay have moved from the employer being solely responsible for paternity leave cash benefits to a system where social security protection and employers are jointly responsible. Over the same period, Myanmar and South Africa moved from full employer liability to a system where fathers on paternity leave are fully paid by social protection.

As of 2021, in 32 countries accounting for 153 million potential fathers, paternity leave is paid by social security, and in 9 countries that are home to 39 million potential fathers, paternity leave is paid through a mix of employer liability and social security.

Examining the funding source by region, figure 3.5 and table 3.4 show that paternity leave cash benefits, when mandated, are largely paid by employers in every region except for Europe and Central Asia. In the Europe and Central Asia region, 20 of the 35 countries with paid paternity leave provisions provide cash benefits through social protection. These 20 countries are home to 50 million potential fathers. Figure 3.5 and table 3.4 also show that as national level income increases, the reliance on employer liability decreases. Among the 14 low-income countries providing paid paternity leave, only Mali provides cash benefits through social security, and the remaining pay benefits through employer liability. By contrast, among the 40 high-income countries where the law mandates paid paternity leave, 21 fully fund cash benefits through social security, and there are just 10 countries<sup>5</sup> where employers are fully responsible for paying paternity leave cash benefits.

► Figure 3.5. Source of funding of paternity leave cash benefit, 2021



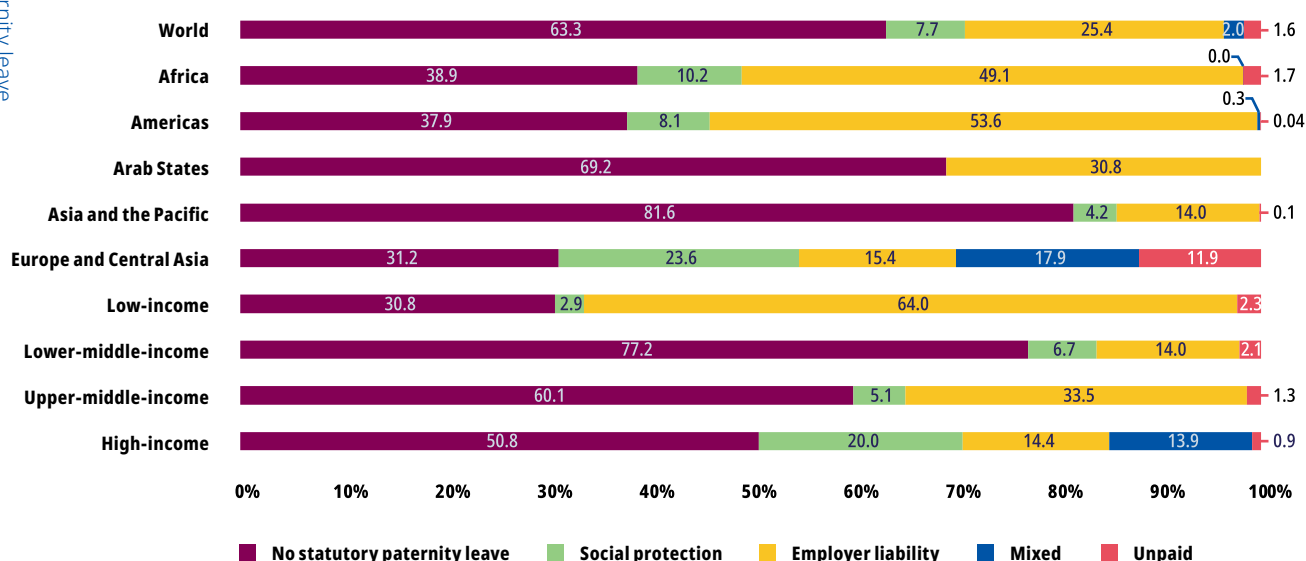
5 Bahrain, Chile, Greece, Hong Kong (China), Malta, Mauritius, Panama, Republic of Korea, Romania and Saudi Arabia.

► Table 3.4. Source of funding of paternity leave cash benefit by region and by income group, 2021 (no. of countries)

Region/income group	No statutory paternity leave	Social protection	Employer liability	Mixed	Unpaid
World	70	32	61	9	13
Africa	22	4	25	1	2
Americas	15	3	13	1	2
Arab States	8	–	3	–	–
Asia and the Pacific	15	5	12	–	1
Europe and Central Asia	10	20	8	7	8
Low-income	12	1	13	–	2
Lower-middle-income	22	5	17	–	3
Upper-middle-income	20	5	21	–	4
High-income	16	21	10	9	4

Note: 185 countries and territories. – = nil. Source: ILO research, see Annex, table A.2 for country-level data and methodological explanation.

► Figure 3.6. Share of potential fathers by source of funding of paternity leave cash benefits, by region and by income group, 2021 (%)



Note: 185 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.2 for country-level data and methodological explanation.

### ► 3.5. Provision of paternity leave for self-employed, adoptive and same-sex fathers: Many still remain excluded

The Workers with Family Responsibilities Convention, 1981 (No. 156), calls for the right to work–family balance for all categories of workers in all branches of economic activity, but similar to the case of maternity leave, certain categories of workers are still excluded from statutory paternity leave or are unable to meet the eligibility requirements. Many other workers, especially in low- and middle-income countries, are also excluded from paternity leave when they are employed in the informal economy.

#### Only 30 countries have mandated paternity leave for self-employed workers

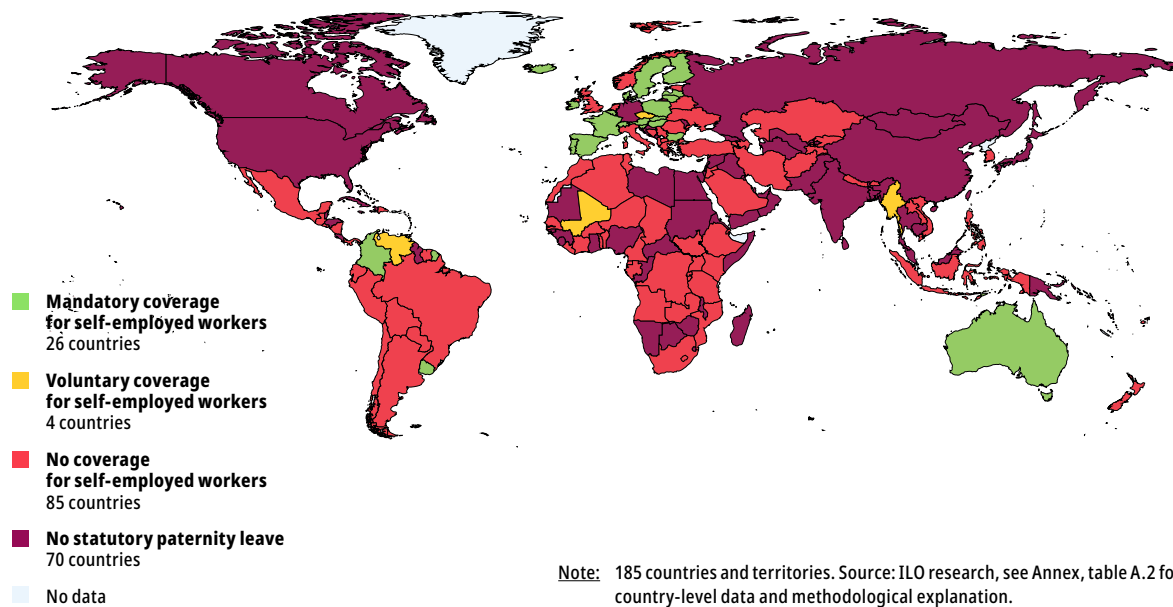
In most countries, the scope of legislation on paternity leave cash benefits (when mandated) generally applies to the majority of employees, but self-employed workers are still largely excluded from this entitlement (figure 3.7, figure 3.8 and table 3.5). Across the world, in 2020, 931 million men – or 47.5 per cent of all employed men – are self-employed.<sup>6</sup> However, only 3.8 per cent of them (or 35 million) live in the 30 countries that have mandated paternity leave cash benefits for self-employed workers.

Specifically, 2.1 per cent of self-employed men (19 million) live in the 26 countries where paternity leave cash benefits are mandatorily provided, while the remaining 1.7 per cent reside in the 4 countries where paternity leave cash benefits coverage is on a voluntary basis. In other words, it depends on the self-employed workers' capacity or wish to be affiliated with social protection. Provision of paternity leave cash benefits for self-employed workers is concentrated in high-income countries and in Europe and Central Asia. Mali is an exception, however, being the only low-income country in the world providing self-employed workers with voluntary coverage for paternity leave cash benefits. However, national-level statistics show that only a few self-employed men in Mali are affiliated with social insurance and thus can access paternity leave cash benefits. The large majority of employment in Mali is informal; ILOSTAT data from 2018 show that 92.2 per cent of male own-account workers and 55.8 per cent of male employers were in the informal economy.



<sup>6</sup> Including own-account workers and employers, excluding contributing family workers, which are informal workers and they are not covered by paternity leave cash benefits.

► Figure 3.7. Provision of paternity leave cash benefits for self-employed workers, 2021

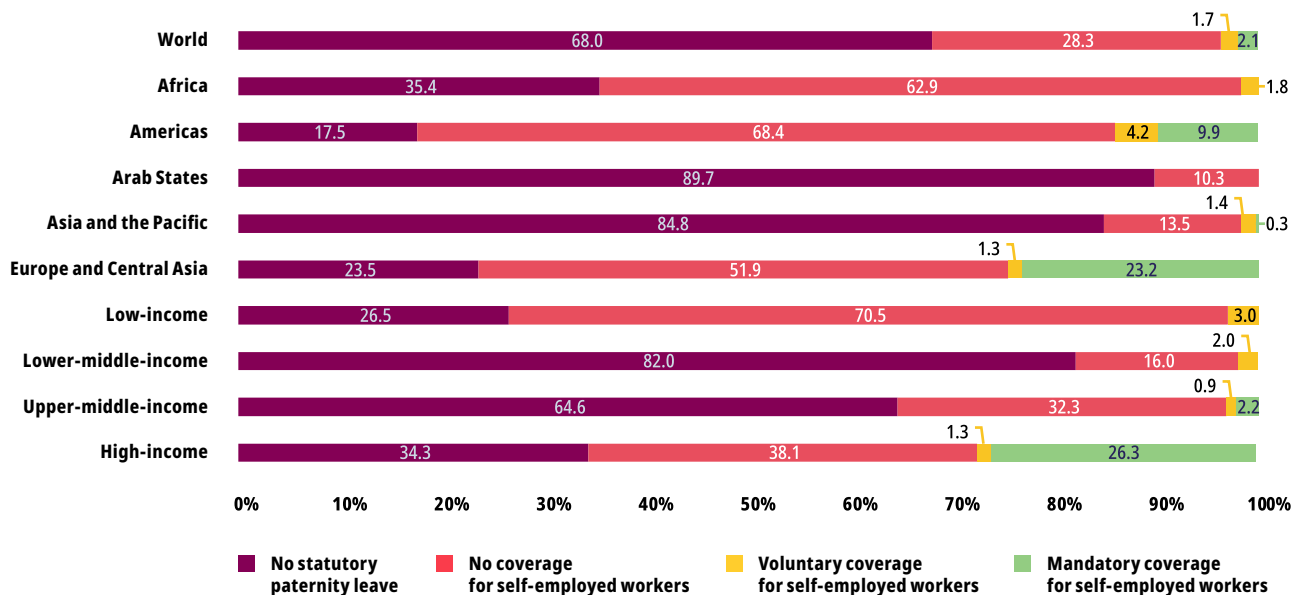


► Table 3.5. Provision of paternity leave cash benefits for self-employed workers by region and by income group, 2021 (no. of countries)

Region/income group	No statutory paternity leave	No coverage for self-employed workers	Voluntary coverage for self-employed workers	Mandatory coverage for self-employed workers
World	70	85	4	26
Africa	22	30	1	1
Americas	15	16	1	2
Arab States	8	3	–	–
Asia and the Pacific	15	14	1	3
Europe and Central Asia	10	22	1	20
Low-income	12	15	1	–
Lower-middle-income	22	23	1	1
Upper-middle-income	20	27	1	2
High-income	16	20	1	23

**Note:** 185 countries and territories. – = nil. Source: ILO research, see Annex, table A.2 for country-level data and methodological explanation.

► **Figure 3.8.** Share of self-employed men by provision of paternity leave for self-employed workers, by region and by income group, 2021 (%)



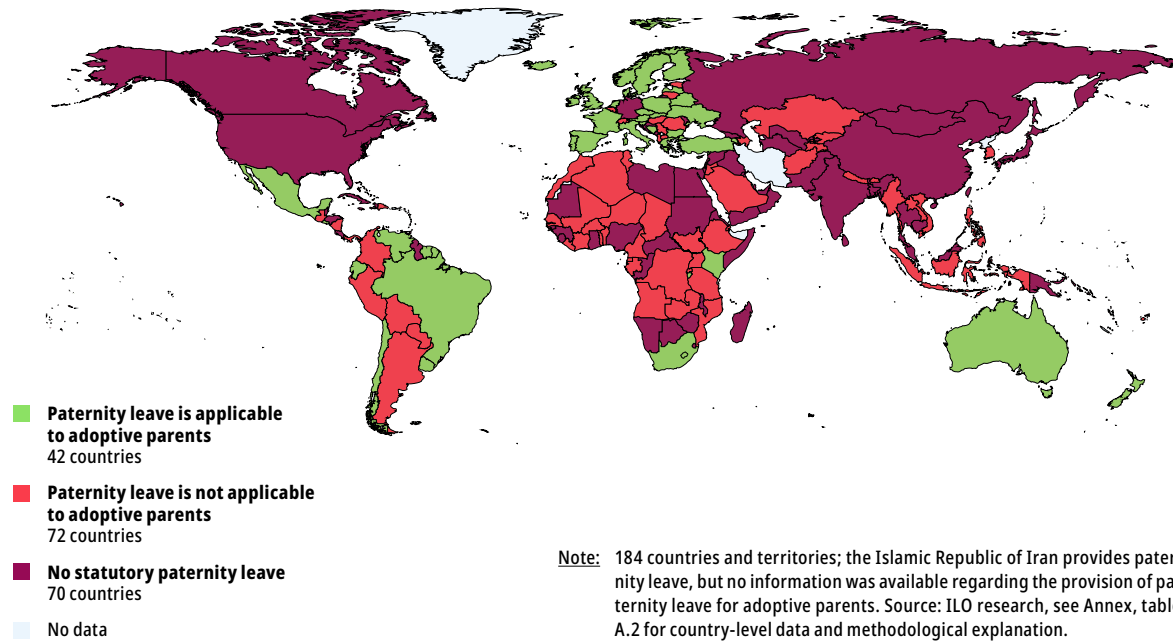
**Note:** 185 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.2 for country-level data and methodological explanation.

## Only 42 countries mandate paternity leave for adoptive fathers

Another category of workers that is frequently excluded from paternity leave provisions is adoptive parents. Among the 115 countries worldwide with statutory paternity leave, just 42 countries – where 13.9 per cent of potential fathers live – have paternity leave provisions applicable to adoptive fathers (figure 3.9, figure 3.10 and table 3.6). In three countries, adoptive fathers have the right to longer paternity leave than biological fathers. In Ecuador, for example, adoptive fathers have the right to 15 days of paternity leave, five more than biological fathers.

In Ukraine, adoptive fathers have the right to 56 days of paid paternity leave, while biological fathers have the right to 14 days of unpaid paternity leave. Similarly, a 2021 labour law reform enables Kenyan adoptive fathers to take one month of fully paid paternity leave instead of 14 days. In other countries, however, the length of paternity leave for adoptive fathers is shorter than for biological fathers. For example, in Suriname adoptive fathers are eligible for five days of paternity leave, three less than biological fathers. While in Turkey, adoptive fathers are entitled to just three of the five days of paternity leave available to biological fathers.

► Figure 3.9. Provision of paternity leave for adoptive parents, 2021

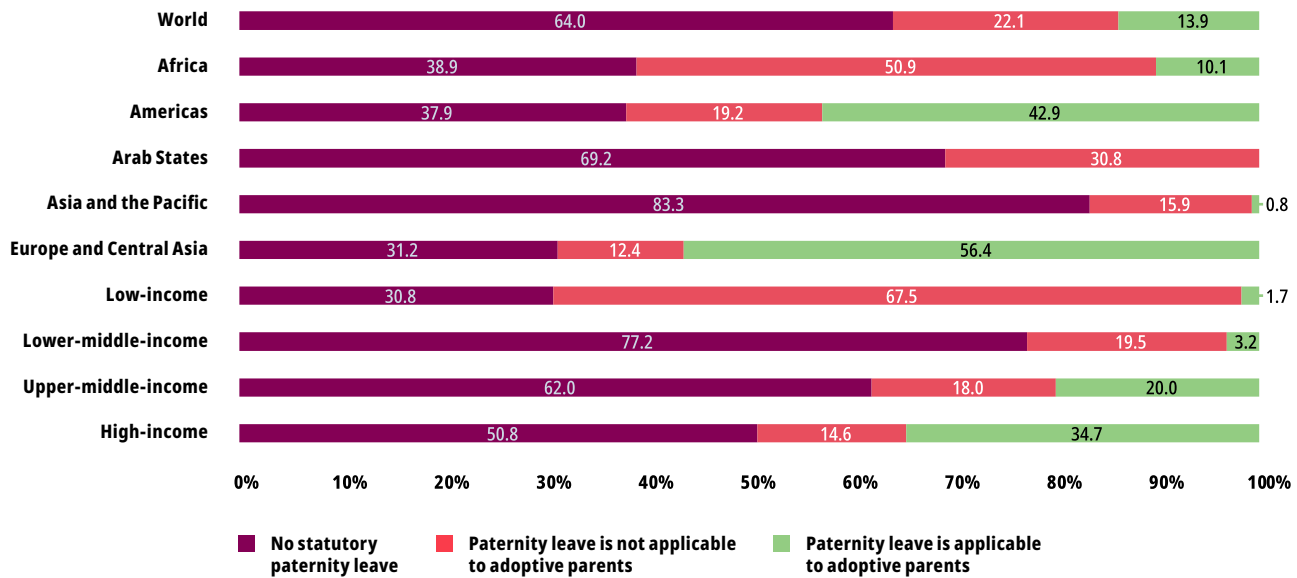


► Table 3.6. Provision of paternity leave for adoptive parents by region and by income group, 2021 (no. of countries)

Region/income group	No statutory paternity leave	Paternity leave is not applicable to adoptive parents	Paternity leave is applicable to adoptive parents
World	70	72	42
Africa	22	29	3
Americas	15	11	8
Arab States	8	3	–
Asia and the Pacific	15	14	3
Europe and Central Asia	10	15	28
Low-income	12	15	1
Lower-middle-income	22	22	3
Upper-middle-income	20	18	11
High-income	16	17	27

Note: 184 countries and territories. – = nil. Source, ILO research, see Annex, table A.2 for country-level data and methodological explanation.

► Figure 3.10. Share of potential fathers by provision of paternity leave for adoptive parents, by region and by income group, 2021 (%)

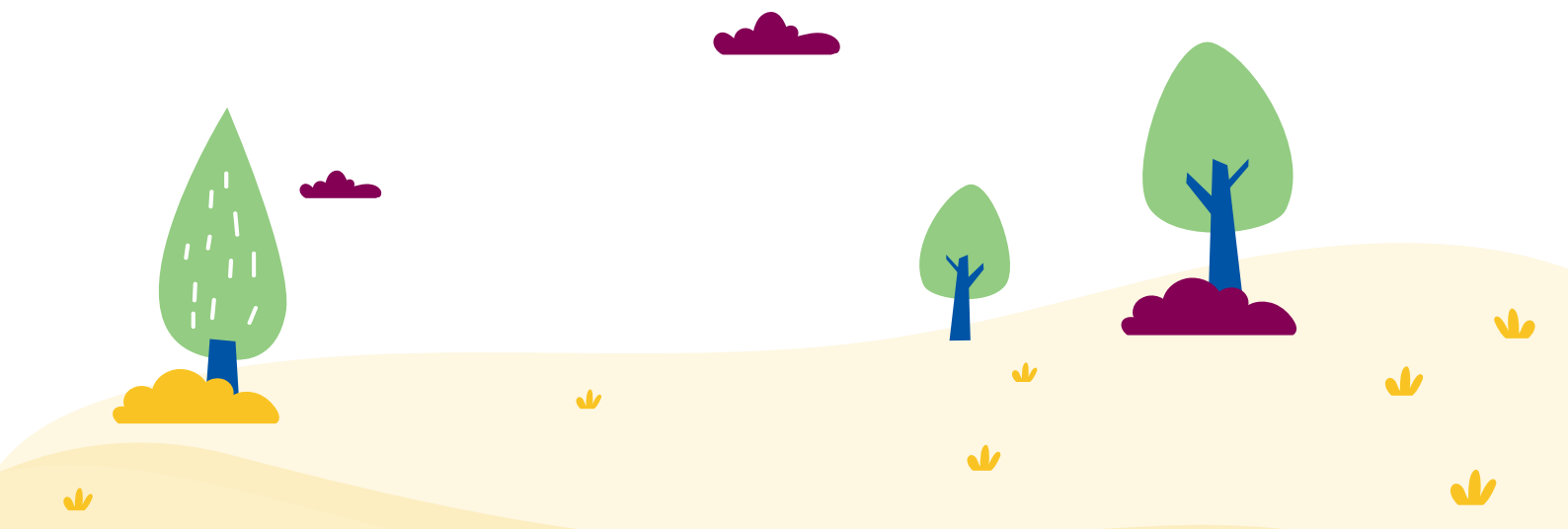


Note: 179 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.2 for country-level data and methodological explanation.

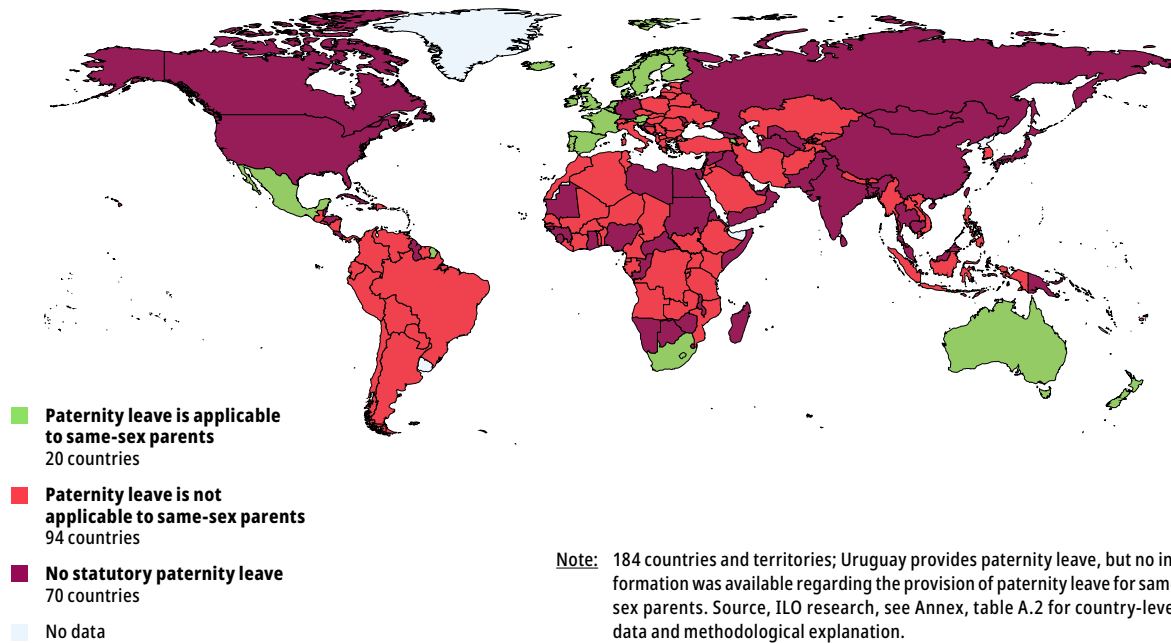
## Only 20 countries grant paternity leave for same-sex parents

Provision of paternity leave for same-sex couples is also scattered. States are increasingly repealing legal provisions criminalizing adults for consensual same-sex relations, and adopting policies that promote, protect and fulfil the human and labour rights of LGBTQI+ people. An increasing number of enterprises are also adopting workplace measures to equalize entitlements and to promote equal entitlements

to care leave by LGBTQI+ workers (Shortall 2019). However, of the 115 countries across the world providing paternity leave rights, only 20 grant them to same sex parents (figure 3.11 and table 3.7). In other words, only 5.9 per cent of potential parents (230 million) live in countries with paternity leave rights for same-sex parents (figure 3.12). The majority of countries entitling same-sex parents to paternity leave (16 out of 20) are in Europe and Central Asia. The remaining four countries are Australia, Mexico, New Zealand and South Africa.



► Figure 3.11. Provision of paternity leave for same-sex parents, 2021



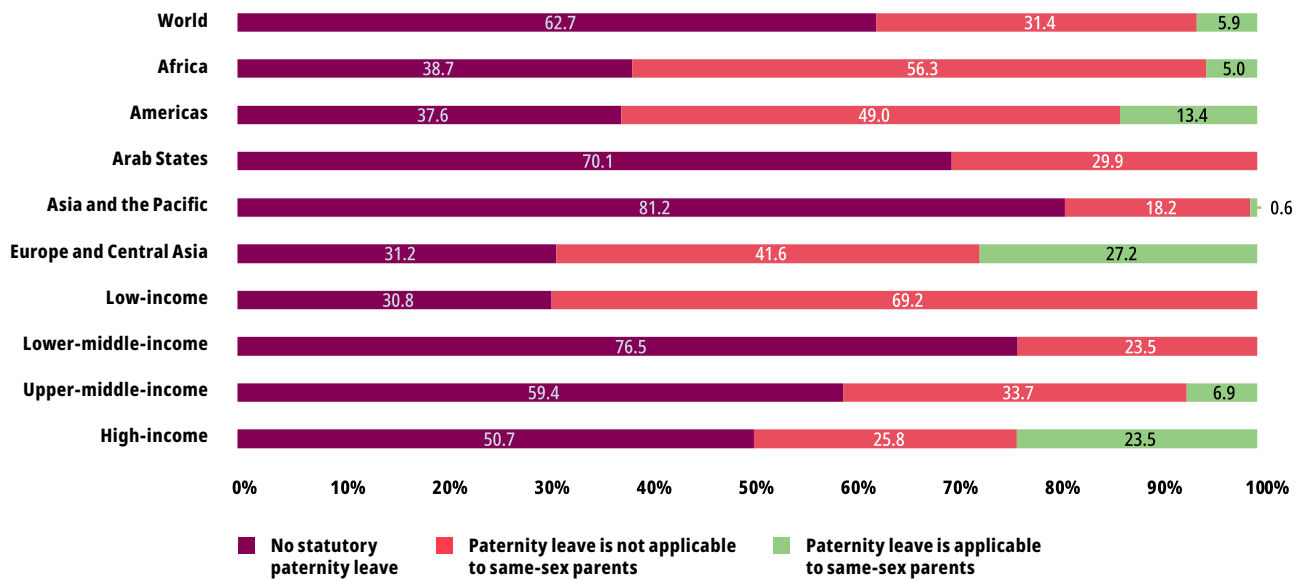
► Table 3.7. Provision of paternity leave for same-sex parents by region and by income group, 2021 (no. of countries)

Region/income group	No statutory paternity leave	Paternity leave is not applicable to same-sex parents	Paternity leave is applicable to same-sex parents
World	70	94	20
Africa	22	31	1
Americas	15	17	1
Arab States	8	3	–
Asia and the Pacific	15	16	2
Europe and Central Asia	10	27	16
Low-income	12	16	–
Lower-middle-income	22	25	–
Upper-middle-income	20	27	3
High-income	16	26	17

**Note:** 184 countries and territories. – = nil. Source, ILO research, see Annex, table A.2 for country-level data and methodological explanation.



► Figure 3.12. Share of potential parents by provision of paternity leave for same-sex parents, by region and by income group, 2021 (%)



Note: 179 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.2 for country-level data and methodological explanation.

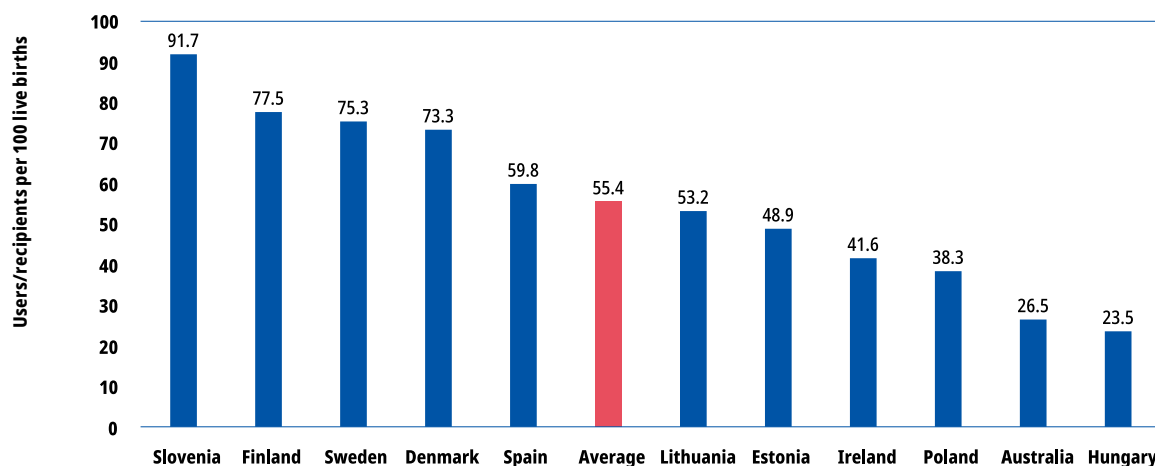
## ► 3.6. Take-up rates of paternity leave: Turning rights into reality

### Even when mandated, many fathers are not taking paternity leave

Despite the recent introduction of paternity leave provisions by a number of countries and the benefits associated with paternity leave, take-up rates remain low. Data scarcity regarding the use of care leave policies has also exacerbated the

difficulties involved in designing paternity leave schemes that provide incentives for fathers to take the leave and that embed strong gender transformative elements (Eurofound 2015). Figure 3.13 shows the paternity leave take-up rates for the year 2016 in the few OECD countries where this information is collected. Estimates range from 23.5 per cent of fathers requesting paternity leave in Hungary to 91.7 in Slovenia.

► **Figure 3.13.** Recipients/users of publicly administered paternity leave benefits or publicly administered paid paternity leave per 100 live births in selected OECD countries, 2016



Source: OECD 2021.

Reliance on employers as the main source of financing of paternity leave has the potential to result in discriminatory practices towards workers who would like to take paternity leave. To counter this situation, a number of countries have undertaken labour law reforms over the past ten years to move from full employer liability to either mixed systems, in which employers and social security are jointly responsible for the payment of paternity leave cash benefits, or to full social security systems. At the same time, some employers have also taken steps to encourage fathers to take leave by developing enterprise-level support (box 3.1).

Another factor that contributes to the low take-up rates of paternity leave are ascribed gender roles, which perpetuate stereotypes about men as “breadwinners” while ignoring their role as fathers and caregivers. Workplace peer pressure can reinforce ascribed gender roles and prevent men from taking paternity leave (Kato-Wallace et al. 2014). To avert this tendency, employers are increasingly finding ways to meet the needs of working fathers, but evidence shows that fathers remain reluctant to take full advantage of this support (Koslowski 2018). Often, it is only when other co-workers start taking paternity leave that a snowballing effect is created, making fathers more likely to take paternity leave and overcome ascribed gender roles (Dahl, Løken, and Mogstad 2014). The low take-up rate of paternity leave in certain countries is also explained by the lack of generosity of paternity leave cash benefits. This occurs when paternity leave is paid at a very low flat rate. Inadequate paternity leave cash benefits run the risk of being attractive only to fathers at the very low-end of the wage distribution.



## ► Box 3.1. Examples of workplace policies supporting paternity leave

Over the last ten years, there has been a considerable shift in cultural and employer support of fathers, with an increasing number of enterprises offering paternity leave and other work-life balance measures to new fathers in heterosexual couples. Companies are also offering “parental bonding leave” and “secondary caregiver leave” for LGBTQI+ and adoptive parents, recognizing the remarkable benefits to individuals, families and businesses (McKinsey 2021).

Employers have a key role to play in supporting women and men with family responsibilities by offering care leave, including paternity leave, and promoting its take-up. Incentives can include facilitating reintegration after leave, promoting role models among company leaders, and creating a supportive culture and a workplace environment where leave does not negatively affect career advancement.

In **Egypt**, the private sector and civil society are complementing government social security benefits. Through the Sekem initiative by a number of companies in Egypt, men can benefit from paternity leave even though paternity leave is not guaranteed in Egyptian legislation (OECD, ILO, and CAWTAR 2020).

In **Japan**, Fujitsu has adopted a variety of measures to support the care responsibilities of its workers. The company offers 14 weeks of paid paternity leave for new fathers, and has seen a 40 percentage point increase in its take-up between 2015 and 2017. One of the goals of these measures has also been decreasing the long working hours that have been an endemic issue in Japan and hinder career advancement for women, who shoulder disproportionate care responsibilities. A teleworking policy, implemented in 2017, makes telework available for all 35,000 of Fujitsu’s employees in Japan (ILO 2020).

In 2016, the consulting firm EY (formerly Ernst & Young) revamped the leave policy for its employees in the **United States**. It provides 16 weeks of paid parental leave for all employees who are welcoming a child through birth, adoption, surrogacy, foster care or legal guardianship. This gender-neutral parental leave replaced its previous 12-week maternity leave provision and 6-week leave for new fathers and adoptive parents. The new policy was accompanied by an effort to promote its take-up that included supportive messaging by men in leadership positions. A year after the policy went into effect the take-up rate by fathers taking six weeks or more increased from 19 to 38 per cent. The company also credited the expansion and increase in fathers’ take-up of paternity leave to increasing gender diversity in company leadership (ILO 2020).

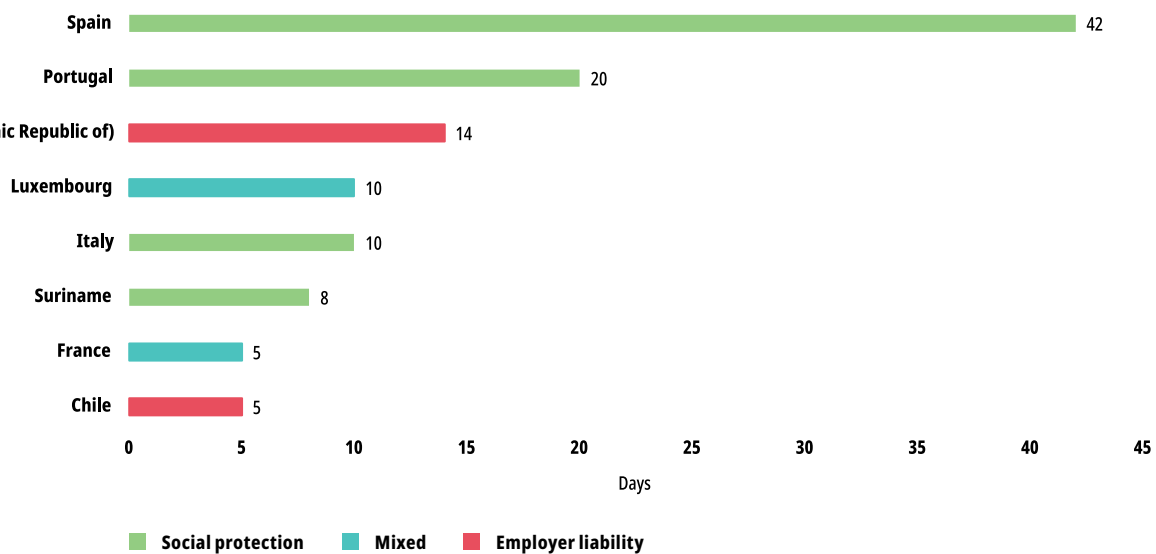
In 2021, Diageo **India**, which is a beverage alcohol company and a subsidiary of Diageo PLC, introduced a family leave policy as part of its commitment to building a diverse and inclusive workplace culture. This policy, which takes into consideration surrogacy, adoption and biological conception, offers all eligible employees a 26-week parental leave, comprising all benefits and bonuses, irrespective of gender or sexual orientation. This care leave can be taken by new fathers anytime within the 12 months following the birth of the child, thereby allowing the mother to better manage her career as well as other priorities (Diageo 2021).

## Eight countries have recently introduced obligatory paternity leave

Obligatory paternity leave means that new fathers do not just have the option to take time off to care for their newborn child, but they must take paternity leave (figure 3.14). For instance, this is the reality in Chile, the Islamic Republic of Iran, Italy, Luxembourg and Suriname, where taking the full duration of paternity leave is mandatory. In other countries, only a portion of the mandated paternity leave entitlement is obligatory. In France, 4 out of the 25 days of

paternity leave are obligatory; in Portugal this is the case for 20 out of 25 days, and in Spain 42 out of 112 days. In the eight countries where paternity leave is partly or fully mandatory, the previous earnings of fathers are replaced at 100 per cent. However, in Spain there is a ceiling on earnings replacement of €4,070.10 monthly, and in France the ceiling is €3,377 monthly. The source of funding of paternity leave cash benefits is social insurance in Spain, Portugal, Italy and Suriname. In Luxembourg and in France it is a mix between social insurance and employer liability; while in Chile and the Islamic Republic of Iran the cost of paternity leave is fully borne by employers.

► Figure 3.14. Length of obligatory paternity leave and source of funding in relevant countries, 2021



Source: ILO analysis of national legislations.



### ► 3.7. Employment protection and non-discrimination: Towards improving paternity leave take-up rates

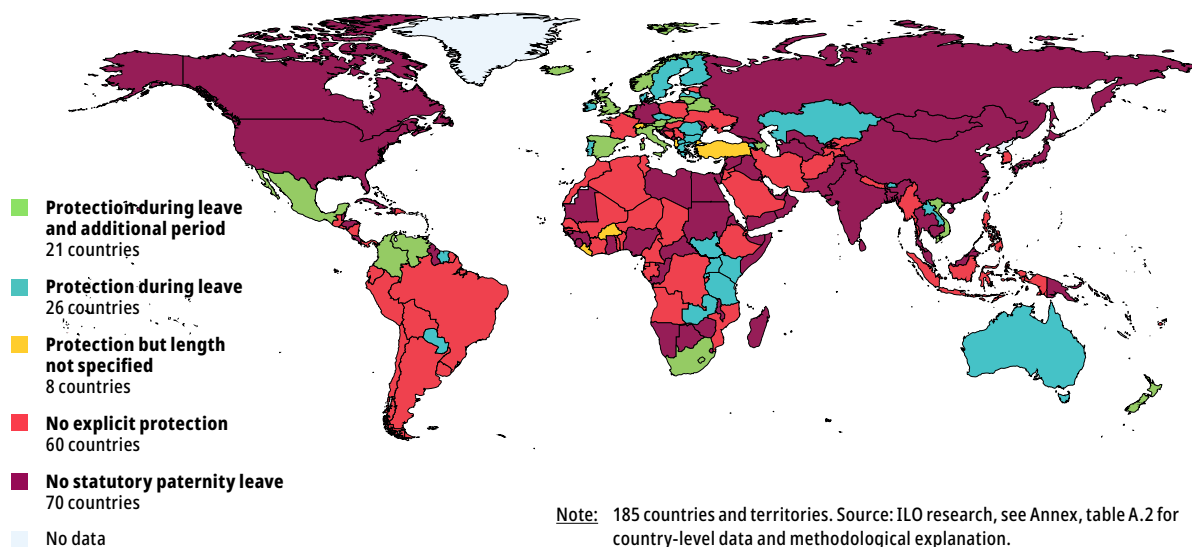
#### Only 55 countries protect fathers against dismissal for taking paternity leave

If not complemented by adequate job-protection and non-discrimination measures, the right to paternity leave can remain unfulfilled for the majority of right holders. Protection against dismissal for paternity leave remains scattered.<sup>7</sup> Among the 115 countries with statutory paternity leave, 60 do not provide fathers with explicit protection against dismissal connected with paternity leave. Hence, 23.2 per cent of potential fathers (462 million) live in countries with no explicit protection against dismissal during the paternity leave itself or during any additional period following their return to work. In eight countries, there is explicit protection against dismissal connected with paternity leave, but the length of such protection is not specified. In 26 countries the length of protection against dismissal during paternity leave is only during the

leave itself. While in the remaining 21 countries (where 7.7 per cent of potential fathers reside) there is protection during the leave as well as for an additional period – determined by law – following the end of paternity leave (figure 3.15, figure 3.16 and table 3.8).

The region most likely to have laws protecting fathers against dismissal during paternity leave is Europe and Central Asia (32 countries), with 49.0 per cent of the region's potential fathers being covered; while the region least likely to have such provisions is the Arab States, where no countries offered protection from dismissal. Other examples of note include Colombia, Mexico, South Africa and Viet Nam, which all mandate protection against discriminatory termination during leave and an additional period following the return to work. Protection only during the paternity leave period is also mandated in Bhutan, Kenya, the Lao People's Democratic Republic, Paraguay, Rwanda, South Sudan and Suriname.

► Figure 3.15. Length of protection against dismissal related to paternity leave, 2021



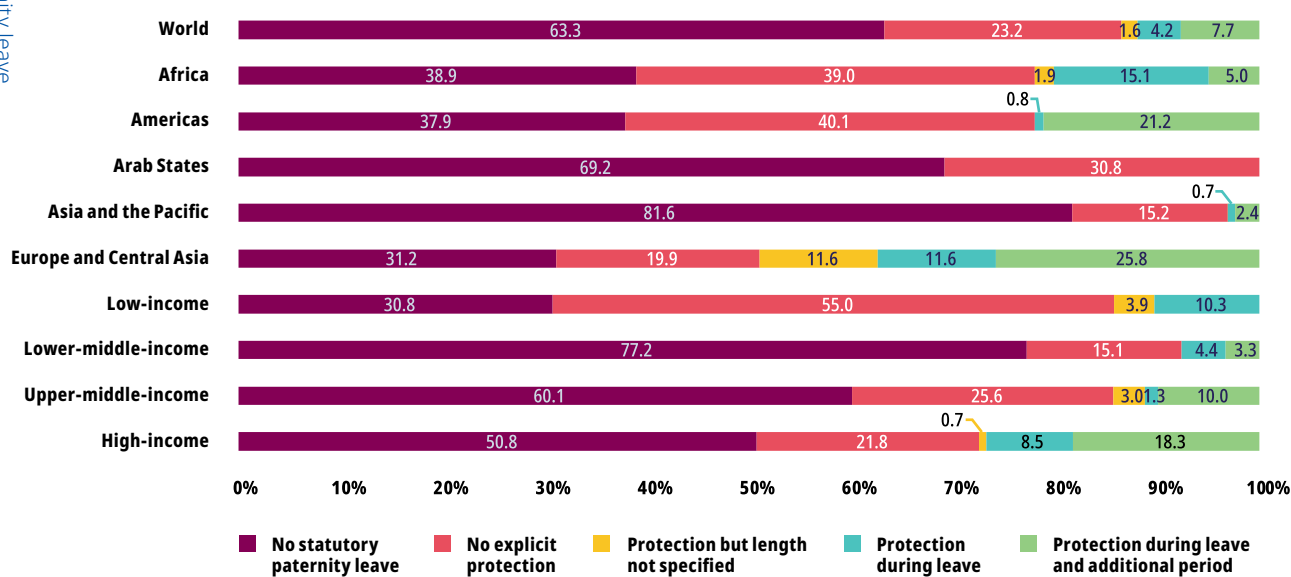
7 This section reviews the explicit protection against dismissal connected with paternity leave taking. However, protection against dismissal for paternity leave taking can also be ensured by legal provisions prohibiting termination of employment connected with family responsibilities, in line with Article 5(d) of the Termination of Employment Convention, 1982 (No. 158). See also the ILO's [EPLex database](#), which provides useful comparative information on workers enjoying special protection against dismissals, including workers with family responsibilities.

► Table 3.8. Length of protection against dismissal related to paternity leave by region and by income group, 2021 (no. of countries)

Region/income group	No statutory paternity leave	No explicit protection	Protection but length not specified	Protection during leave	Protection during leave and additional period
World	70	60	8	26	21
Africa	22	22	2	7	1
Americas	15	13	1	2	3
Arab States	8	3	–	–	–
Asia and the Pacific	15	11	1	4	2
Europe and Central Asia	10	11	4	13	15
Low-income	12	11	2	3	–
Lower-middle-income	22	19	–	5	1
Upper-middle-income	20	14	3	7	6
High-income	16	16	3	11	14

Note: 185 countries and territories. – = nil. Source: ILO research, see Annex, table A.2 for country-level data and methodological explanation.

► Figure 3.16. Share of potential fathers by length of protection against dismissal related to paternity leave, by region and by income group, 2021 (%)



Note: 180 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.2 for country-level data and methodological explanation.

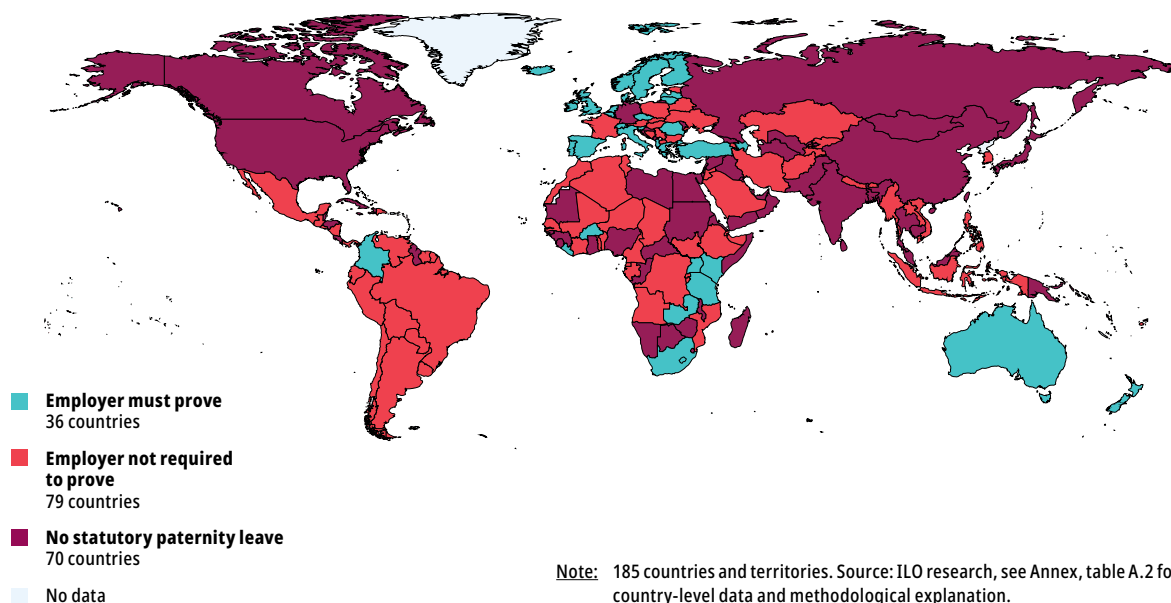
## In only 36 countries do employers have the onus of proving that the reasons for dismissal are unrelated to the taking of paternity leave

Across the world, the majority of countries do not provide fathers with employment protection through legal provisions that would place the burden of proof on employers to demonstrate that the father had been dismissed for reasons other than him taking paternity leave. In total, there are 36 countries that lay the burden of proof on employers. This translates into 9 per cent of potential fathers living in countries with

this protective mechanism (figure 3.17, figure 3.18 and table 3.9). Ensuring that employers have the burden of proving that the reasons for dismissal are unrelated to paternity leave taking may prompt fathers to more frequently use paternity leave entitlements.

The region with the most countries that place the burden of proof on employers is Europe and Central Asia (24 countries). In addition, there are seven countries in Africa where the employer is responsible for providing reasons for dismissal, including Burkina Faso, Kenya, Liberia, South Africa, Uganda, the United Republic of Tanzania and Zambia; two in the Americas (Colombia and British Virgin Islands); and three in Asia and the Pacific (Australia, the Maldives and New Zealand).

► Figure 3.17. Employer must prove dismissal is not connected with worker taking paternity leave, 2021

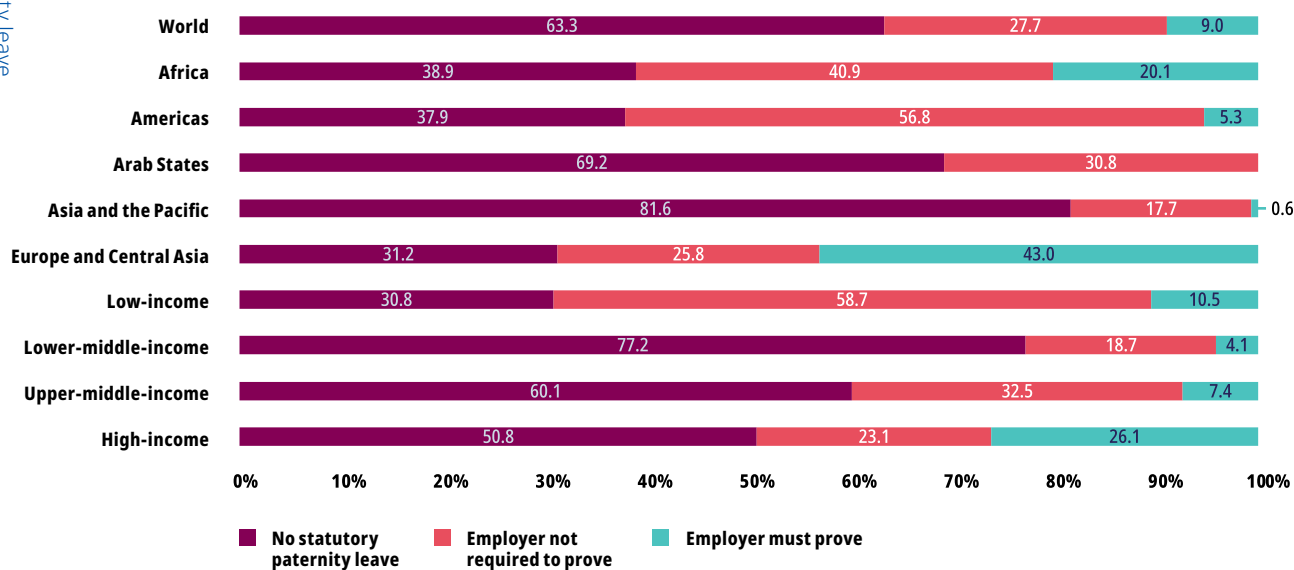


► Table 3.9. Employer must prove dismissal is not connected with worker taking paternity leave by region and by income group, 2021 (no. of countries)

Region/income group	No statutory paternity leave	Employer not required to prove	Employer must prove
World	70	79	36
Africa	22	25	7
Americas	15	17	2
Arab States	8	3	–
Asia and the Pacific	15	15	3
Europe and Central Asia	10	19	24
Low-income	12	13	3
Lower-middle-income	22	22	3
Upper-middle-income	20	24	6
High-income	16	20	24

Note: 185 countries and territories. – = nil. Source: ILO research, see Annex, table A.2 for country-level data and methodological explanation.

► Figure 3.18. Share of potential fathers by whether employer must prove dismissal is not connected with paternity leave, by region and by income group, 2021 (%)



Note: 180 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.2 for country-level data and methodological explanation.

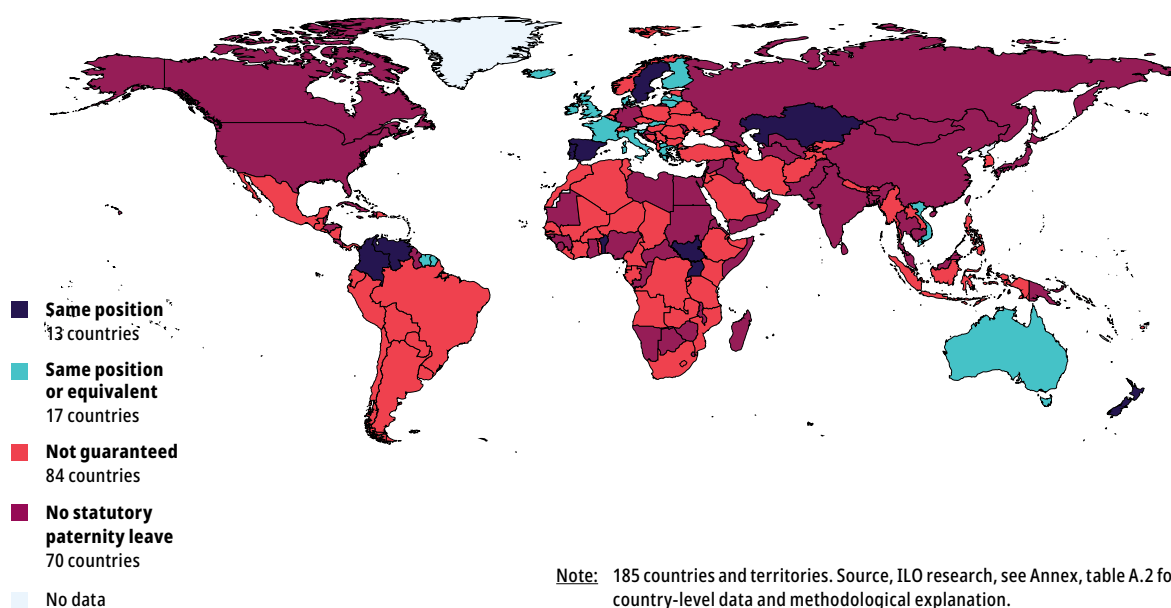


## In only 30 countries is there the right to return to the same or equivalent position after taking paternity leave

In 2021, most men did not reside in countries with job protection if they were to take paternity leave. Among the 115 countries with statutory paternity leave, 84 do not guarantee the right to return to the same or equivalent position after paternity leave. This means that 80.6 per cent of potential fathers who can take paternity leave<sup>8</sup> are living in countries where there is no legal

protection to return to their role (or equivalent) following their leave. On a global scale, this means that only 7.1 per cent of all potential fathers worldwide have the right to return to the same or equivalent position following paternity leave, with 13 countries guaranteeing a return to the same position (2.9 per cent) and 17 countries guaranteeing a return to the same position or an equivalent one (4.2 per cent) (figure 3.19, figure 3.20 and table 3.10). Examples from the first group of countries (same position) include Benin, Colombia and Kyrgyzstan; while instances from the second group (same or equivalent position) include North Macedonia, Latvia and Slovakia.

► Figure 3.19. Guaranteed the right to return to the same position or equivalent following paternity leave, 2021



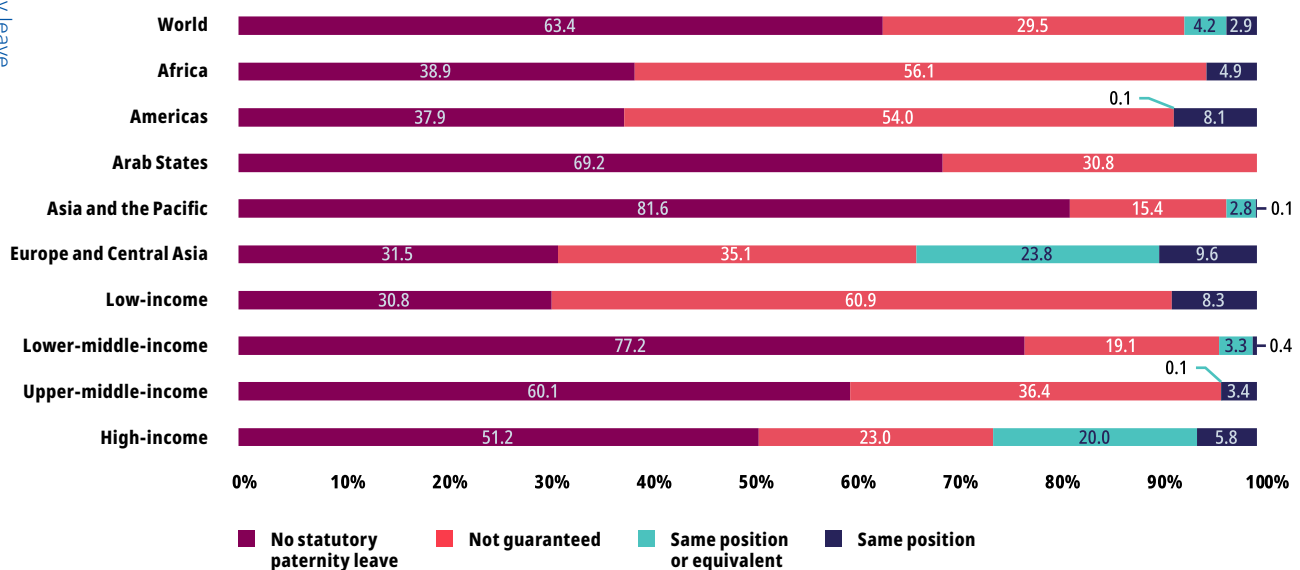
8 This number is equivalent to 29.5 per cent of all men of reproductive age worldwide.

► Table 3.10. Guaranteed the right to return to the same position or equivalent following paternity leave by region and by income group, 2021 (no. of countries)

Region/income group	No statutory paternity leave	Not guaranteed	Same position or equivalent	Same position
World	70	84	17	13
Africa	22	29	–	3
Americas	15	16	1	2
Arab States	8	3	–	–
Asia and the Pacific	15	15	2	1
Europe and Central Asia	10	21	14	7
Low-income	12	14	–	2
Lower-middle-income	22	23	1	1
Upper-middle-income	20	24	2	4
High-income	16	23	14	6

**Note:** 185 countries and territories. Source: ILO research, see Annex, table A.2 for country-level data and methodological explanation.

► Figure 3.20. Share of potential fathers by paternity leave guaranteed right to return to the same position or equivalent, by region and by income group, 2021 (%)



**Note:** 180 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.2 for country-level data and methodological explanation.

### ► 3.8. Conclusion: Findings on paternity leave in a nutshell

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Over the past 10 years, paternity leave rights have been on the rise in national legislation thus recognizing the important role that paternity leave plays in bonding with the newborn, supporting the healthy recovery of the mother also while breastfeeding, and in the sharing of unpaid care work. More countries have been introducing the right to paternity leave for the first time or have been increasing its duration (number of days of leave). However, there are still 70 countries where paternity leave is not provided to fathers. When this right is legislated, it is often too short, not well-paid and voluntary, and thus it falls short on the objective of transforming the distribution of unpaid care work between women and men.

In addition, this entitlement is largely not available to many categories of working fathers, especially the self-employed, adoptive fathers and those in same-sex relationships. Greater availability of a universal right to longer, well-paid and compulsory paternity leave funded through social protection with adequate job-protection and non-discrimination measures will prompt an increase in paternity leave take-up rates, thereby recognizing men's care rights and responsibilities, promoting an equal sharing of family responsibilities between mothers and fathers, and offering children the best start in life.





49

COUNTRIES HAVE  
PATERNITY LEAVE OF  
AT LEAST 10 DAYS  
▶ 1 IN 10 MEN



102

COUNTRIES HAVE  
PAID PATERNITY LEAVE  
▶ 4 IN 10 MEN

81

countries have fully paid  
paternity leave  
▶ 3 IN 10 MEN

61

countries have paternity leave  
paid by the employer  
▶ 3 IN 10 MEN



13

COUNTRIES STILL  
HAVE UNPAID  
PATERNITY LEAVE  
▶ 2 IN 100 MEN



30

COUNTRIES HAVE  
PATERNITY LEAVE FOR  
SELF-EMPLOYED WORKERS  
▶ 4 IN 100 MEN



42

COUNTRIES HAVE  
PATERNITY LEAVE FOR  
ADOPTIVE FATHERS  
▶ 1 IN 10 MEN



20

COUNTRIES HAVE  
PATERNITY LEAVE FOR  
SAME-SEX PARENTS  
▶ 6 IN 100 PARENTS

4 in 10 men live in countries with paternity leave

115

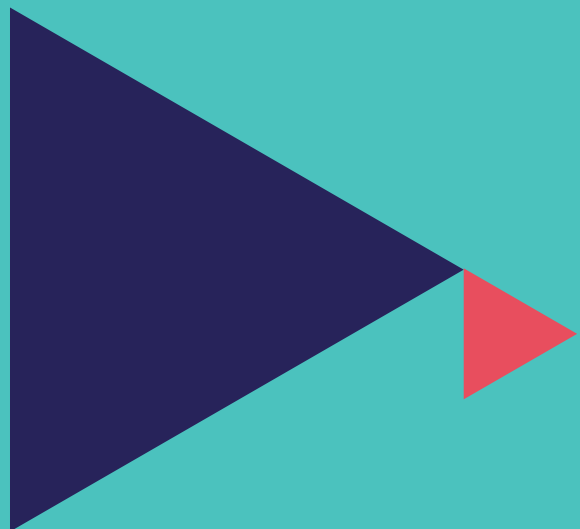
COUNTRIES HAVE  
PATERNITY LEAVE



# ► 4

## Parental leave and other care leave: Balancing work and family responsibilities over the life course

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## Chapter 4 key messages

### ► Do parents have a right to parental leave?

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- In 2021, only 68 out of 185 countries offer a statutory right to parental leave.<sup>1</sup> This means 2 in 10 potential parents<sup>2</sup> live in countries with such a statutory right.
- Since 2011, only three countries have introduced parental leave for the first time.
- 48 out of 68 countries offering parental leave rights are in Europe and Central Asia.

### ► What is the duration of parental leave?

---

- The average duration of parental leave is 22.1 weeks (5.2 months) in all countries<sup>3</sup> and 103.5 weeks (almost 2 years) in the 68 countries with parental leave.
- Since 2011, 22 countries have increased the duration of statutory parental leave.
- When used to replace gaps in childcare services, long, low-paid and transferable parental leave has the potential to harm women's situation in the labour market.

### ► Is parental leave paid, and how much?

---

- Only 1 in 10 potential parents live in countries that provide paid parental leave.
- Parental leave remains unpaid in 21 out of 68 countries.
- Parental leave cash benefits are usually not anchored on previous earnings, resulting in pay penalties for leave takers.
- In only nine countries, parental leave cash benefits are paid at least at two-thirds of previous earnings. This means only 1 in 100 potential parents live in countries with such a statutory right.
- Since 2011, only nine countries have increased parental leave cash benefits.

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1 In countries where childcare leave is available, parental leave includes childcare leave. See Annex, table A.3 for country-level data and methodological explanation.

2 "Potential parents" are men and women of reproductive age, which for the purposes of this report includes individuals between the ages of 15 and 49 years.

3 This average figure of 22.1 days is population weighted and refers to the 180 countries with available population data. The United Nations' "World Population Prospects: The 2019 Revision" do not provide population data for Andorra, British Virgin Islands, Monaco, Saint Kitts and Nevis, and San Marino. Therefore, these five countries are excluded from the population weighted averages.

## Chapter 4 key messages

### ► Who pays for parental leave cash benefits?

---

- When parental leave is paid, it is funded through social protection in 42 out of 46 countries.

### ► Who has the right to parental leave?

---

- Many categories of workers are still excluded from parental leave provisions.
- Only 36 countries offer an equal right to parental leave cash benefits to self-employed parents. Only 3 in 100 self-employed workers across the world live in countries with such statutory rights.<sup>4</sup>
- Only 56 countries have parental leave provisions for adoptive parents. This means only 2 in 10 potential parents live in countries with such statutory rights.
- Only 25 countries provide equal parental leave rights to same-sex parents. Only 1 in 10 potential parents live in these countries.

### ► Are fathers taking up parental leave?

---

- Take-up rates of parental leave entitlements remain low among men.
- To counter men's low take-up rates of parental leave, at least 15 countries with parental leave reserve specific periods of leave for fathers.

### ► Can parents lose their job or be discriminated against for taking parental leave?

---

- Employment protection and non-discrimination connected with parental leave could improve parental leave take-up rates for both women and men, but such protections remain scattered.
- Only 60 countries mandate some form of protection against dismissal for parental leave taking. This provision affects only 2 in 10 potential parents globally.

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4 Data on self-employment are ILO modelled estimates available on ILOSTAT, except for Andorra, Antigua and Barbuda, British Virgin Islands, Monaco, Saint Kitts and Nevis, San Marino and the Seychelles.

## Chapter 4 key messages

- ▶ In only 33 countries do employers have the onus of proving that dismissal is unrelated to parental leave take-up. Only 7 in 100 potential parents globally live in countries with such provisions.
- ▶ 43 out of 68 countries guarantee the right to return to the same or equivalent position after parental leave. This translates to only 1 in 10 potential parents worldwide living in these countries.

### ▶ Is long-term care leave available for workers with family responsibilities?

---

- ▶ With ageing societies, paid long-term care leave can play a key role in supporting new and increasing care needs.
- ▶ However, only 55 countries have a statutory right to long-term care leave. Only 2 in 10 adults<sup>5</sup> globally live in these countries.
- ▶ In only 34 countries is long-term care leave paid. This means only 1 in 10 adults across the world live in countries with such statutory rights.
- ▶ When paid, long-term care leave is funded by social protection, but self-employed workers remain largely excluded from this entitlement.

### ▶ Do workers with family responsibilities benefit from emergency leave?

---

- ▶ 127 out of 183 countries have a statutory right to emergency leave. This means that 6 in 10 adults globally live in countries where there is emergency leave.
- ▶ In 101 countries, emergency leave is paid. Only 5 in 10 adults across the world reside in these countries.
- ▶ In 90 out of 101 countries with paid emergency leave, the source of funding is the employer. As a result, self-employed workers remain largely excluded from this entitlement.

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5 For the purposes of this report an “adult” is defined as a person between the ages of 15 and 65.



## ► 4.1. The importance of ensuring a continuum of care over the life course

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In addition to maternity and paternity leave, there are a number of other leave and working arrangement policies that can help workers to balance their work with family responsibilities. For coping with life events where more prolonged leave is necessary, the most frequent type of leave is parental leave to care for young children. Provisions for leave for family reasons that go beyond parenting and flexible working arrangements are less widespread, but are becoming more common as a result of ageing populations, transformations of the world of work, and health crises such as the COVID-19 pandemic. Together, these measures play a complementary but crucial role in supporting the harmonization of care and employment over the life cycle.

This chapter reviews national legislation on parental leave provisions, as well as other special leave for workers with family responsibilities. The first part considers three key aspects related to statutory parental leave, namely its duration, the right to cash benefits, and the source of these benefits (sections 4.2–4.5). It also analyses parental leave provisions for self-employed workers, adoptive parents and same-sex parents (section 4.6), up-take of parental leave (section 4.7), and the status of national provisions on employment protection and non-discrimination connected with parental leave (section 4.8). The second part of the chapter examines the status of national legislation regarding long-term care and emergency leave policies (section 4.9).

## ► 4.2. Provision of the right to parental leave: Care leave rights after maternity and paternity leave

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Parental leave<sup>6</sup> is long-term leave available to parents to allow them to take care of their child after the expiration of maternity and paternity leave. While it is usually available to either parent, women generally make greater use of it. However, when both parents take parental leave there are numerous benefits for both parents and children. The provision of paid and job-protected care leave after the end of maternity and paternity leave is important for a worker's ability to reconcile care responsibilities and employment, especially when quality and affordable childcare services in line with working parents' working time are not universally available. In these cases, parental leave is a key enabler of the "continuum of care policies" that are necessary until the beginning of universal and compulsory primary education in order to protect the position of parents in the

labour force. For parental leave to play this role, it should be designed in a manner that aims to preserve gender equality at work. Research shows that when taken by fathers, parental leave reduces burnout among working mothers and incentivizes men to take a larger share of unpaid care work in the long-term, thereby acting to change ascribed gender roles. There are also indications that when fathers take parental leave, children have better development outcomes, as they benefit from interaction and stimulation from both parents rather than just one. Other benefits of parental leave for children, include better child health due to increased breastfeeding frequency (Adema, Clarke, and Frey 2015; Levitov et al. 2015; ILO 2018; United States 2016).

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6 In this report, parental leave also includes childcare leave; see Annex, table A.3 for country-level data and methodological explanation.

While there is not yet a dedicated ILO Convention on parental leave, the Workers with Family Responsibilities Recommendation, 1981 (No. 165),<sup>7</sup> and the Maternity Protection Recommendation, 2000 (No. 191),<sup>8</sup> both contain provisions on parental leave. According to these Recommendations, a period of parental leave should be available to either parent after maternity leave without relinquishing employment and with their employment rights being protected. The duration and conditions of this leave period, as well as payment and other aspects, such as the use and distribution of parental leave between the parents, are not set by the Recommendations but should be determined at the national level.<sup>9</sup>

At the European Union (EU) level, the minimum requirements regarding parental leave are laid down by EU Directive 2019/1158 on work-life balance for parents and carers. The Directive guarantees a minimum period of four months of parental leave to workers who are parents. It also extends from one to two months the minimum period of parental leave that cannot be transferred from one parent to the other, while maintaining the right of each parent to take at least four months of parental leave. The Directive specifies that parental leave must be paid, but does not give any indications regarding the level of compensation.

## Globally, two in ten potential parents live in the 68 countries with parental leave rights

Across the world, there are 68 countries (out of 185) that provide statutory parental leave to households, and are home to 21.3 per cent of all potential parents worldwide (figure 4.1, figure 4.2 and table 4.1).<sup>10</sup> In other words, only 831 million potential parents in the world are living in countries where there is a statutory right to parental leave.<sup>11</sup> And the number of countries providing such leave has remained largely static in the last decade, with only three new countries – Angola, Ecuador and the United Arab Emirates – introducing parental leave legislation for the first time between 2011 and 2021 (table 4.2).

## Forty-eight out of 68 countries offering parental leave rights are in Europe and Central Asia

The global picture regarding the provision of parental leave hides substantial variations. Europe and Central Asia is the region where parental leave is most frequently available, accounting for 48 of the 68 countries with parental leave. In the Europe and Central Asia region, 98.3 per cent of potential parents have a statutory right to parental leave, with Andorra, Bosnia and Herzegovina, Georgia, Monaco and Switzerland being the only countries where there is no statutory parental leave. In other regions, the provision of parental leave schemes is much more limited (table 4.1). In the Americas, only 5 out of 34 countries offer a statutory right to parental leave. This means that only 37.8 per cent of the region's potential parents (figure 4.2) live in countries with statutory parental leave. In the Arab States, this statutory right is only found in the legislation of Bahrain, Jordan, the Syrian Arab Republic and the United Arab Emirates, with the latter having introduced a week of fully paid parental leave in 2020. This means that only a quarter of potential parents in the Arab States live in countries with statutory parental leave. In Sub-Saharan Africa, parental leave entitlements are a reality in only 3 out of 47 countries, including Angola (which introduced four weeks of unpaid parental leave in 2015), Burkina Faso and Chad. This translates to just 15.8 per cent of potential parents in the region living in countries with statutory parental leave. In Northern Africa, Egypt and Morocco are providing parental leave without pay for 104 and 52 weeks, respectively. However, widespread informality rates make securing parental leave in practice a challenge for parents in the region. Similarly, in Asia and the Pacific, the right to parental leave is rare in national legislation. A mere 4.1 per cent of the region's potential parents live in the six countries where there are statutory parental leave rights, which include Australia, Japan, the Maldives, Mongolia, New Zealand and the Republic of Korea.

7 Paragraph 22.

8 Paragraph 10(3–4).

9 Recommendation No. 191, Para. 10(3), and Recommendation No. 165, Para. 22(2).

10 The duration of parental leave is expressed as the total number of weeks of leave available to households.

11 In a minority of countries statutory rights for parental leave can be restricted only to women.

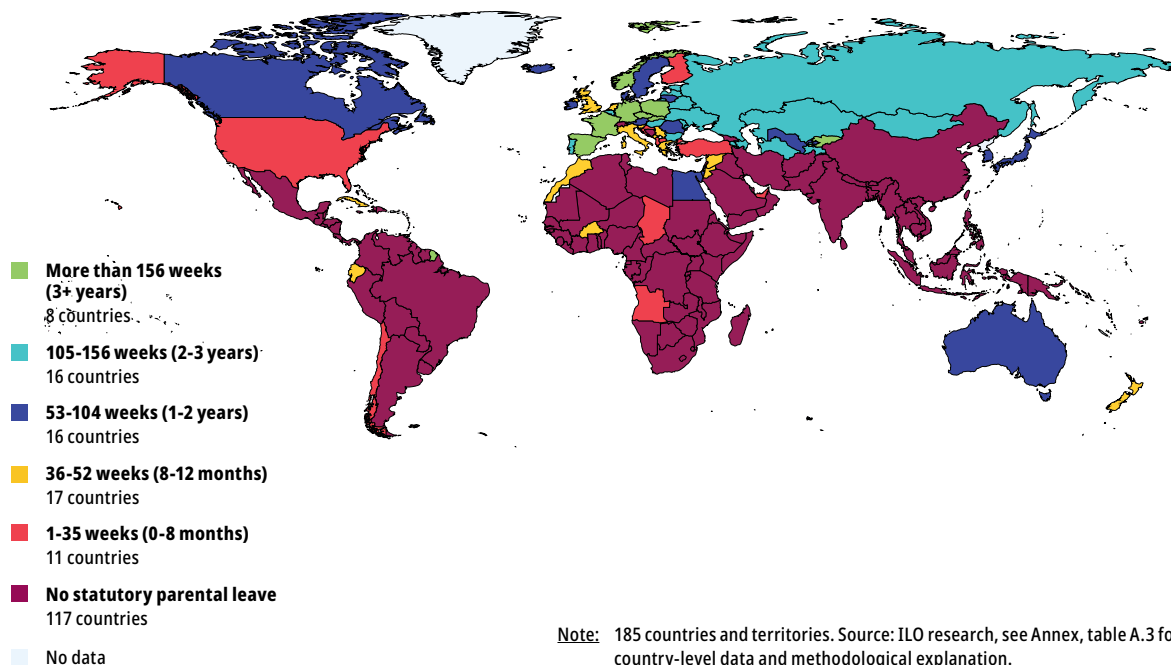
## ► 4.3. Duration of parental leave: A long way to universal childcare services

### Globally, the average duration of parental leave is 22.1 weeks

In 2021, the average duration of parental leave is 22.1 weeks (5.1 months) across all countries, and 103.5 weeks (almost 2 years) in the 68 countries with parental leave.<sup>12</sup> In 40 of these 68 countries, the length of parental leave is more than one year, with 11.7 per cent of potential parents worldwide (or 454 million) living in these countries. Specifically, in 16 countries the parental leave duration is between one and two years; in another 16 countries it is between two and

three years; and in 8 countries it is longer than three years. In 28 countries, where 9.7 per cent of potential parents live, the duration of parental leave is one year or less. There is a correlation between the duration of parental leave and the income group to which a country belongs, as countries in the low- to upper-middle-income groups offer, on average, between 6.1 and 11.5 weeks of leave; compared to an average of 98.3 weeks among high-income countries that provide parental leave.

► Figure 4.1. Duration of parental leave available to households, 2021



<sup>12</sup> The United Nations "World Population Prospects: The 2019 Revision" do not provide population data for Andorra, the British Virgin Islands, Monaco, Saint Kitts and Nevis, and San Marino. Therefore, these five countries are excluded from the population weighted averages.

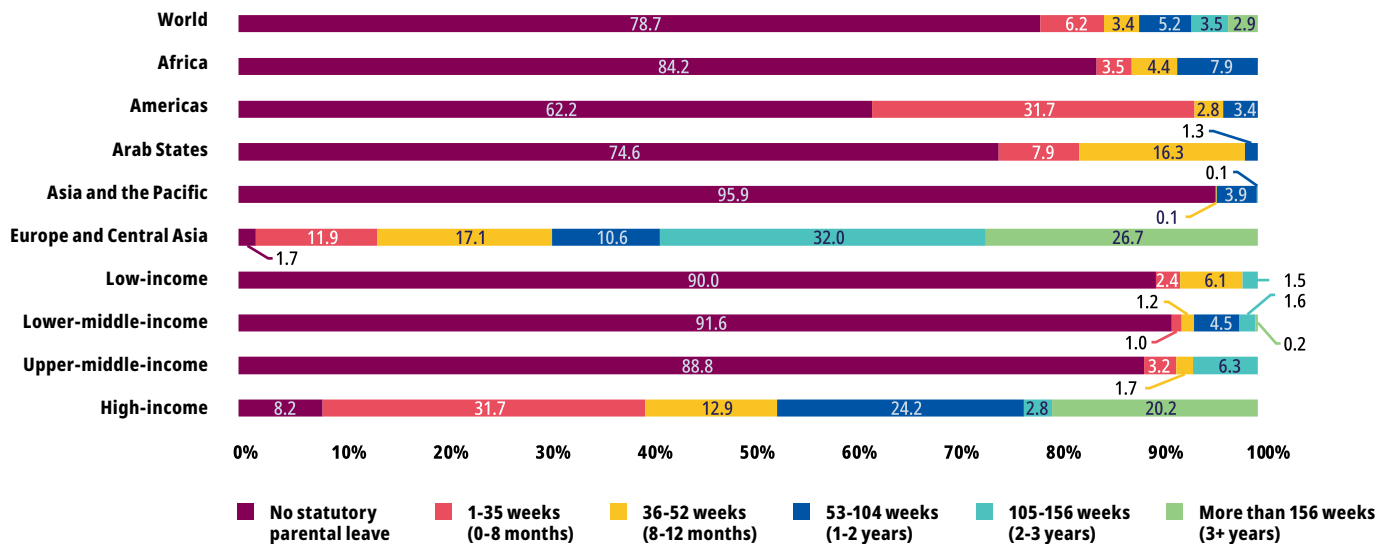
► Table 4.1. Duration of parental leave available to households by region and by income group, 2021 (no. of countries)

Region/income group	No statutory parental leave	Statutory parental leave	1–35 weeks (0–8 months)	36–52 weeks (8–12 months)	53–104 weeks (1–2 years)	105–156 weeks (2–3 years)	More than 156 weeks (3+ years)	Average duration of parental leave in all countries (weeks)	Average duration of parental leave in countries with parental leave (weeks)
World	117	68	11	17	16	16	8	22.1	103.5
Africa	49	5	2	2	1	–	–	10.9	69.1
Americas	29	5	2	2	1	–	–	10.9	28.9
Arab States	7	4	1	2	1	–	–	9.6	37.7
Asia and the Pacific	27	6	–	2	3	1	–	4.3	103.5
Europe and Central Asia	5	48	6	9	10	15	8	147.4	149.9
Low-income	24	4	1	2	–	1	–	6.1	61.4
Lower-middle-income	39	8	1	1	2	3	1	8.4	99.9
Upper-middle-income	34	16	3	6	–	7	–	11.5	103.0
High-income	20	40	6	8	14	5	7	98.3	107.2

Note: 185 countries and territories. – = nil. Source: ILO research, see Annex, table A.3 for country-level data and methodological explanation.



► **Figure 4.2.** Share of potential parents by duration of parental leave available to households, by region and by income group, 2021 (%)



**Note:** 180 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.3 for country-level data and methodological explanation

## Since 2011, 22 countries have increased the duration of statutory parental leave

Over the last ten years, 22 countries across the world have increased the duration of existing parental leave provisions, mostly in Europe and Central Asia. Since 2011, 17 countries in the region, such as Belgium, Denmark and Estonia, have increased the duration of existing parental leave provisions (table 4.2). At the same time, other countries have reduced the duration of existing parental provisions, in some cases, to ensure shorter but higher-paid entitlements, which may favour women's return to work. For example, in 2019, the Swedish Government reformed its parental leave scheme, reducing the parental leave provision from 80 weeks, with 65 weeks paid at 80 per cent of previous earnings (up to a ceiling) plus 15 weeks paid at a flat rate, to 68 weeks, with 56 weeks paid at 80 per cent of previous earnings and 12 weeks at a flat rate.

Between 2011 and 2021, legal reforms extending parental leave were also observed in other regions. In the Americas, new laws in Canada and Cuba have increased the duration of parental leave from 37 to 69 weeks and from 39 to 52 weeks (1 year), respectively (table 4.2). At the same time, Ecuador has introduced for the first time 39 weeks of unpaid parental leave. In the Arab States, Bahrain increased unpaid parental leave from 26 to 78 weeks, and the United Arab Emirates introduced for the first time two weeks of parental leave. In Asia and the Pacific, recent developments include Australia, which doubled the length of parental leave, and now entitles households to 104 weeks, of which 18 are paid at the federal minimum wage. In 2019, the Republic of Korea has also increased the duration of parental leave for families from 52 to 104 weeks, which are paid at 80 per cent of previous earnings for the first three months and at 50 per cent for the following three months.

► Table 4.2. Countries that have increased the duration of parental leave or introduced parental leave between 2011 and 2021

	Country	2011			2021		
		Duration of parental leave (weeks)*	% of previous earnings	Source of funding	Duration of parental leave (weeks)*	% of previous earnings	Source of funding
<b>Africa</b>	Angola	n/a	n/a	n/a	4 (only mothers)	Unpaid	Unpaid
<b>Americas</b>	Canada	37 (either parent, 35 paid)	55	Social protection	69 (standard parental leave up to 40 weeks or extended parental leave up to 69 weeks)	55% for 40 weeks. This raises to 43 weeks when both parents take the leave and share the benefits	Social protection
	Cuba	39 (either parent)	60	Social protection	52 (until child is 12 months either parent or caregiver)	60	Social protection
	Ecuador	n/a	n/a	n/a	39 (9 months either parent)	Unpaid	Unpaid
<b>Arab States</b>	Bahrain	26 (only mothers)	Unpaid	Unpaid	78 (18 months)	Unpaid	Unpaid
	United Arab Emirates	n/a	n/a	n/a	2 (5 working days each parent)	100	Employer liability
<b>Asia and the Pacific</b>	Australia	52 (either parent, 18 paid)	Flat rate (Federal minimum wage)	Social protection	104 (52 weeks each parent, 18 paid to primary carer)	Flat rate (Federal minimum wage)	Social protection
	Republic of Korea	52 (either parent)	40	Social protection	104 (1 year each parent)	80% for the first 3 months. 50% for the following 9 months	Social protection
<b>Europe and Central Asia</b>	Albania	2 (12 days either parent)	100	Employer liability	35 (4 months each parent)	Unpaid	Unpaid
	Belgium	34 (17 weeks each parent)	Flat rate	Social protection	139 (4 months plus 1 year under time credit system for each parent)	Flat rate	Social protection
	Bulgaria	26 (182 days either parent)	90	Social protection	156 (104 weeks either parent plus 6 unpaid months each parent)	Flat rate	Social protection
	Cyprus	13 (either parent)	Unpaid	Unpaid	36 (18 weeks each parent, but only 5 can be taken per year)	Unpaid	Unpaid
	Czechia	156 (either parent)	Flat rate	Social protection	312 (156 weeks each parent)	Flat rate	Social protection
	Denmark	32 (either parent)	100	Mixed	64 (32 weeks each parent)	100% for 32 weeks per family	Mixed

Country	2011			2021		
	Duration of parental leave (weeks)*	% of previous earnings	Source of funding	Duration of parental leave (weeks)*	% of previous earnings	Source of funding
Estonia	36 (either parent)	Unpaid	Unpaid	156 (until child reaches the age of 3 either parent)	100% for 62 weeks	Social protection
Germany	156 (either parent, 52 paid)	67	Social protection	312 (3 years each parent)	65% for 12 months either parent	Social protection
Greece	34 (17 weeks each parent)	Unpaid	Unpaid	51 (4 unpaid months each parent plus 3.6 paid months of extra leave either parent)	Flat rate for 2 months per parent and 100% of previous earnings for the block leave of 3.6 months	Employer liability
Iceland	39 (13 paid weeks either parent plus 13 unpaid weeks each parent)	80	Social protection	121 (12 paid months either parent plus 4 unpaid months each parent)	80% for 12 months	Social protection
Ireland	34 (17 weeks each parent)	Unpaid	Unpaid	62 (26 unpaid weeks each parent plus 5 paid weeks each parent)	Flat rate for 5 weeks	Social protection
Malta	26 (13 weeks each parent)	Unpaid	Unpaid	35 (4 months each parent)	Unpaid	Unpaid
Norway	59 (49 or 59 depending on payment level)	80% for 59 weeks or 100% for 49 weeks	Social protection	163 (59 weeks either parent plus 1 year each parent)	80% for 59 weeks or 100% for 49 weeks	Social protection
Poland	156 (either parent, 104 paid)	60% for 26 weeks and a flat rate for 104 weeks	Social protection	188 (32 weeks plus 36 months either parent)	100% for 6 weeks, 60% for 26 weeks and a flat rate for 36 months	Social protection
Portugal	47 (initial parental leave of 17 or 21 weeks plus additional parental leave of 13 weeks each parent)	17 weeks at 100% or 21 weeks at 80%. Additional 13 weeks at 25%	Social protection	130 (3 months each parent plus 2 years if parental leave was taken)	25% for 3 months each parent plus 2 years unpaid	Social protection
Slovakia	156 (either parent)	Flat rate	Social protection	312 (Until the child is 3 years each parent)	Flat rate benefit for 128 weeks	Social protection
United Kingdom	26 (13 weeks each parent)	Unpaid	Unpaid	36 (18 weeks each parent)	Unpaid	Unpaid

**Note:** 25 countries. n/a = not applicable (that is, no parental leave). \* Further details and/or restrictions as provided in law are supplied in brackets in this column. Source: ILO research, see Annex, table A.3 for country-level data and methodological explanation, and ILO 2014a.



## When used to replace gaps in childcare services, long, low-paid and transferable parental leave harms women's situation in the labour market

In the absence of universal, quality and affordable childcare services (see Chapter 7), parental leave plays a key role in supporting parents' care needs and ensuring a continuum of care policies that would prevent parents from dropping out of the labour force. Access to parental leave also reflects the preferences of a portion of parents regarding childcare, which are still shaped by gender norms.<sup>13</sup>

Therefore, the design of parental leave policies matters. Evidence shows that when parental leave is extremely long, low-paid and transferable between parents, it can be detrimental for women's labour market opportunities, resulting in penalties in employment participation, pay and access to managerial positions (ILO 2019b). For instance, in some countries, long parental leave may be seen as a means of supporting the care of young children while reducing the need for public childcare services for children aged zero to two years – services which are scarcely available and require high investments. For example, in Czechia parental leave is available for three years per parent, one of the longest in the world, with a total family benefit of €11,461. However, Czechia does not provide any type of public childcare service for children aged zero to two years; therefore, the three years parental leave entitlement functions as a substitute for public childcare services.

Since women tend to take the largest share of parental leave entitlements, a long period of time away from work means missing time to accumulate new skills and strengthen existing skills, which has repercussions on the gender pension and wage gap. This may be more relevant in today's economy, where techniques and technologies change quickly (Kaufman 2020). Several studies have tried to estimate the optimal length of parental leave by assessing individual preferences and estimating the impact of parental leave length on women's employment participation, wages and career progression. On one side, data on attitudes from the 2012 International Social Survey Programme (ISSP) from 41 high- and middle-income countries – representing 62 per cent of the world population – show that the average preferred leave length was a little over one year (12.3 months), and men and women roughly agreed on this length. On average, women considered that parents should be entitled to leave of 12.8 months, while men considered that leave should be 11.7 months (ISSP 2012, as cited in ILO 2018a). On the other side, early evidence showed that nine months of parental leave increased women's employment rates by 4 per cent, but decreased hourly earnings by 3 per cent (Ruhm 1998). Another study has found that eight months of parental leave is roughly estimated to decrease the share of women in high-level occupations by 1.5 per cent and women's wages in financial intermediation by 7.3 per cent (Akgunduz and Plantenga 2013). Evidence from OECD countries confirms that parental leave of less than two years increases female employment rates but, on the other hand, widens the gender earnings gap among full-time employees, even if binding equal pay legislation may curb such effects (Thevenon and Solaz 2013).

13 Data from the International Social Survey Programme (2012, as cited in ILO 2018a) representing 62 per cent of the world population, shows that 39 per cent of respondents consider it to be the exclusive role of the family to provide and finance childcare.



## ► 4.4. Adequacy of parental leave cash benefits: Sustaining income security for care

Income security guaranteed by adequate parental leave cash benefits remains important during the leave period following maternity and paternity leave, as these benefits can sustain parents' rights to care while also protecting their situation in the labour market. However, parental leave is usually not anchored on previous earnings and is more likely to be unpaid or paid at a lower rate compared to other care leave policies, resulting in pay penalties for leave takers.

### A total of 46 countries provide an entitlement to paid parental leave

Across the world, there are 68 countries that provide parental leave, and 46 of these provide cash benefits during leave (figure 4.3 and table 4.3). In other words, only 11.2 per cent of potential parents worldwide (437 million people) live in countries with a statutory right to paid parental leave. In 21 countries,<sup>14</sup> where 392 million potential parents live, parental leave is unpaid, meaning that only those who can afford it will take it (figure 4.4). Unpaid parental leave contributes to further devalue unpaid care work and to promote an unequal distribution of childcare work within the household (ILO 2018a). In particular, unpaid parental leave may induce the lower-earning parent, which is most often the mother, to take leave, while promoting continuation of full-time work for fathers, further deepening gender inequality.

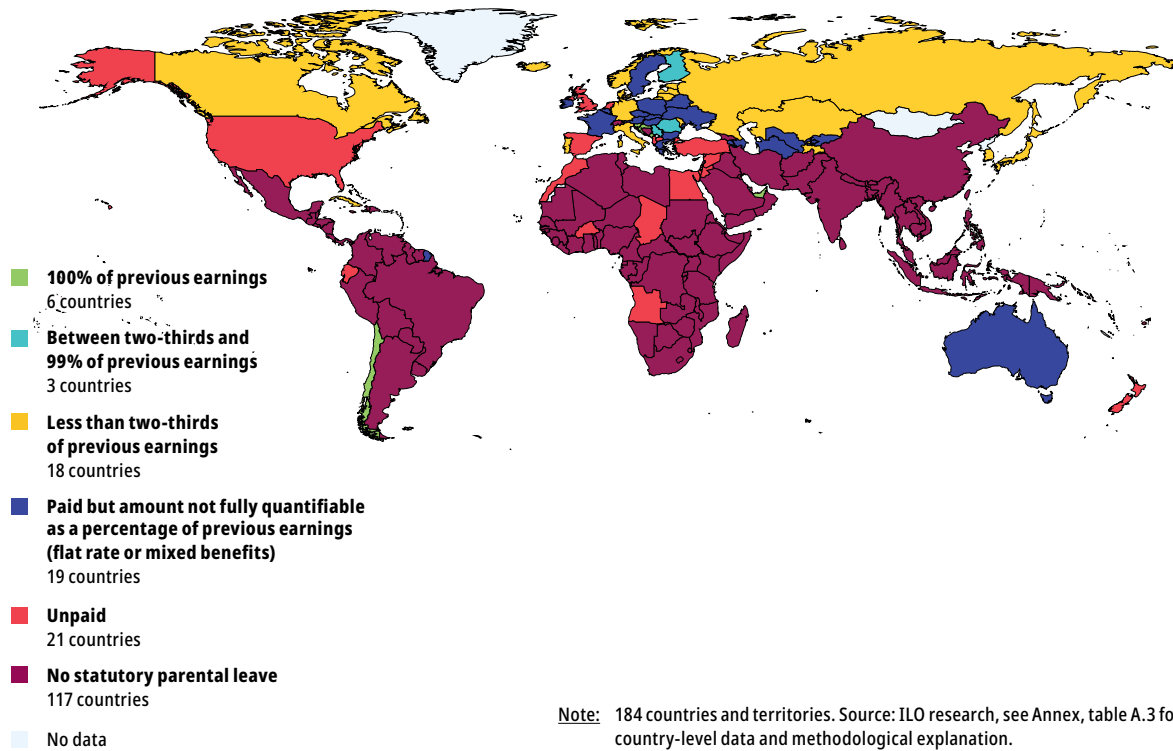
### In only nine countries are parental leave cash benefits paid at least at two-thirds of previous earnings

In many of the countries where parental leave cash benefits are available (19), they are provided as a flat rate or a combination of a flat rate and a percentage of previous earnings.<sup>15</sup> For example, in Poland, parental leave is paid at 100 per cent of previous earnings for six weeks, while the remaining 36 months are paid at a flat rate. In 18 countries, parental leave cash benefits are less than two-thirds of previous earnings, which is the standard set by ILO Convention No. 183 for well-paid maternity leave. In these countries, parental leave cash benefits range from 25 per cent of earnings replaced for three months in Portugal, to 60 per cent of earnings replaced without any ceiling in Cuba. In nine countries, where 0.9 per cent of potential parents live, parental leave cash benefits are above two-thirds of previous earnings. Particularly, in Serbia, Finland and Romania, parental leave cash benefits are at 66.7, 70 and 85 per cent of previous earnings, respectively. While only in Chile, Croatia, Luxembourg, Montenegro and Slovenia are parental leave cash benefits at 100 per cent of previous earnings. Similarly, in the United Arab Emirates, the full earnings of the parent on leave are replaced, but parental leave is available only for one week per parent, which represents the shortest parental leave in the world.

<sup>14</sup> Information regarding the provision of parental leave cash benefits for Mongolia is missing.

<sup>15</sup> The total amount of parental leave cash benefits is calculated based on cash benefits available during parental leave and, where applicable, childcare leave.

► Figure 4.3. Amount of parental cash benefits, 2021

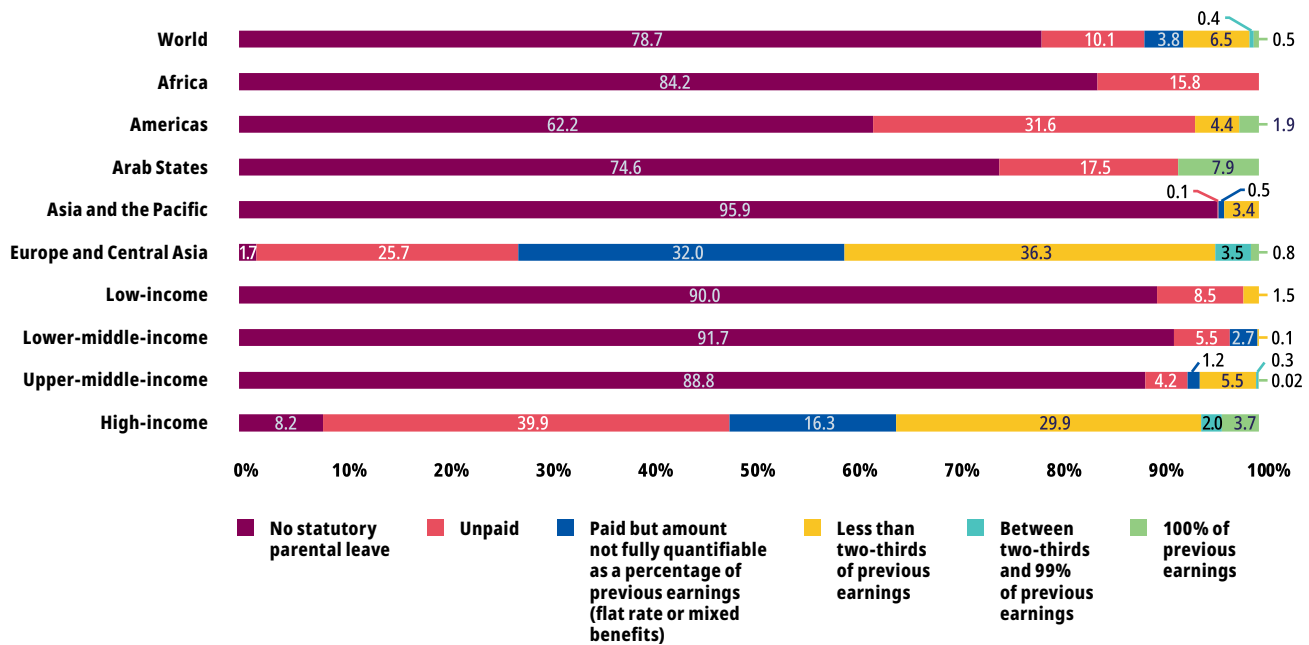


► Table 4.3. Amount of parental leave cash benefits by region and by income group, 2021 (no. of countries)

Region/income group	No statutory paternity leave	Unpaid	Paid but amount not fully quantifiable as a percentage of previous earnings (flat rate or mixed benefits)	Less than two-thirds of previous earnings	Between two-thirds and 99% of previous earnings	100% of previous earnings
World	117	21	19	18	3	6
Africa	49	5	–	–	–	–
Americas	29	2	–	2	–	1
Arab States	7	3	–	–	–	1
Asia and the Pacific	27	2	1	2	–	–
Europe and Central Asia	5	9	18	14	3	4
Low-income	24	3	–	1	–	–
Lower-middle-income	39	3	3	1	–	–
Upper-middle-income	34	6	5	3	1	1
High-income	20	9	11	13	2	5

Note: 184 countries and territories; Mongolia provides parental leave, but no information was available regarding the provision of cash benefits. – = nil. Source: ILO research, see Annex, table A.3 for country-level data and methodological explanation.

► Figure 4.4. Share of potential parents by amount of parental leave cash benefits, by region and by income group, 2021 (%)



Note: 179 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.3 for country-level data and methodological explanation

## Since 2011, only nine countries have increased parental leave cash benefits

Between 2011 and 2021, nine countries increased parental leave cash benefits, with six of these countries moving away from unpaid leave (table 4.4). Most notably, in the Republic of Korea the average rate of earning replacement for the 52 weeks of parental leave is now at 58 per cent, up from 40 per cent in 2011. Other countries that have reformed parental leave cash benefits are in Europe and Central Asia.

In this region, a number of EU-27 countries have changed existent parental leave legislations to comply with the new European work-life balance directive, which mandates paid parental leave without giving an indication of the earning replacement rate.<sup>16</sup> These countries include Croatia, Estonia, Greece, Ireland, Romania and Slovenia. In addition, two non-EU 27 countries in the region – Armenia and Kazakhstan – have also increased the generosity of parental leave cash payments.

16 EU Directive 2019/1158 on work-life balance for parents and carers.



► Table 4.4. Countries that have increased or introduced parental leave cash benefits between 2011 and 2021

	Country	2011			2021		
		Duration of parental leave (weeks)*	% of previous earnings	Source of funding	Duration of parental leave (weeks)*	% of previous earnings	Source of funding
Asia and the Pacific	Republic of Korea	52 (either parent)	40	Social protection	104 (1 year each parent)	80% for first 3 months. 50% for following 9 months	Social protection
	Armenia	156 (either parent or actual caregiver)	Unpaid	Unpaid	156 (3 years either parent)	Flat rate for children under 2 years	Social protection
Europe and Central Asia	Croatia	104 (either parent)	Unpaid	Unpaid	35 (4 paid months each parent)	100	Social protection
	Estonia	36 (either parent)	Unpaid	Unpaid	156 (until child reaches the age of 3 either parent)	100% for 62 weeks	Social protection
	Greece	34 (17 weeks each parent)	Unpaid	Unpaid	51 (4 unpaid months each parent plus 3.6 paid months of extra leave either parent)	Flat rate for 2 months per parent and 100% of previous earnings for the block leave of 3.6 months	Employer liability
	Ireland	34 (17 weeks each parent)	Unpaid	Unpaid	62 (26 unpaid weeks each parent plus 5 paid weeks each parent)	Flat rate for 5 weeks	Social protection
	Kazakhstan	156 (either parent)	Unpaid	Unpaid	156 (either parent or actual carer until child reaches 3 years)	100% for 52 weeks	Social protection
	Romania	104 (either parent)	75	Social protection	104 (2 years either parent)	85	Social protection
	Slovenia	37 (either parent)	90	Social protection	37 (130 days each parent)	100	Social protection

**Note:** 9 countries. \* Further details and/or restrictions as provided in law are supplied in brackets in this column. Source: ILO research (see Annex, table A.4 for country-level data and methodological explanation); ILO 2014a.

## ► 4.5. Source of funding of parental leave cash benefits: Making a collective responsibility sustainable

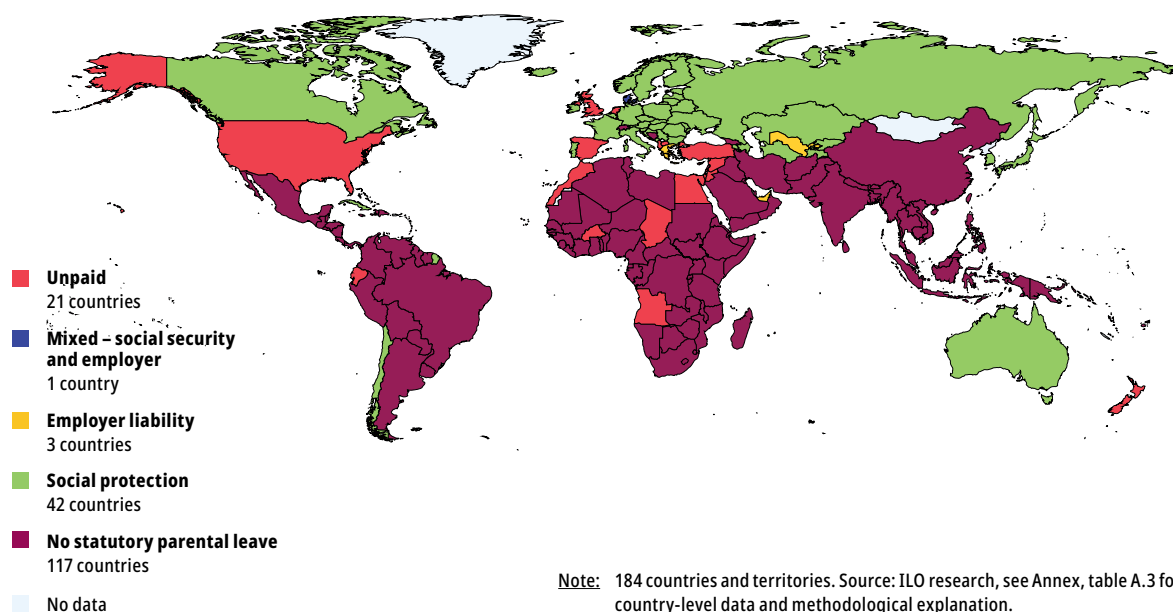
### In 42 out of 46 countries with paid parental leave, this entitlement is funded through social protection

Across the world, the most common source of funding of parental leave cash benefits is social protection. In 42 out of 46 countries with paid parental leave, cash benefits are paid through social protection (figure 4.5). This means that across the world there are 404 million people, or 10.4 per cent of all potential parents, living in countries where parental leave is funded by social protection (table 4.5 and figure 4.6). In the remaining four countries, Denmark provides parental leave cash benefits through joint funding

provided by employers and social protection; while in Greece, the United Arab Emirates and Uzbekistan the employer is solely responsible for the payment of parental leave cash benefits. Regional patterns regarding the source of funding of parental leave cash benefits show that the majority of countries paying parental leave cash benefits through social protection (36) are in Europe and Central Asia. In addition, in the Americas region, Canada, Chile and Cuba fund parental leave cash benefits through social protection. Similarly, in Asia and the Pacific, where women often pay a double care penalty for children and then for ageing parents across the life cycle, only Australia, Japan and the Republic of Korea rely on social protection for the payment of parental leave cash benefits.

143

► Figure 4.5. Source of funding of parental leave cash benefits, 2021

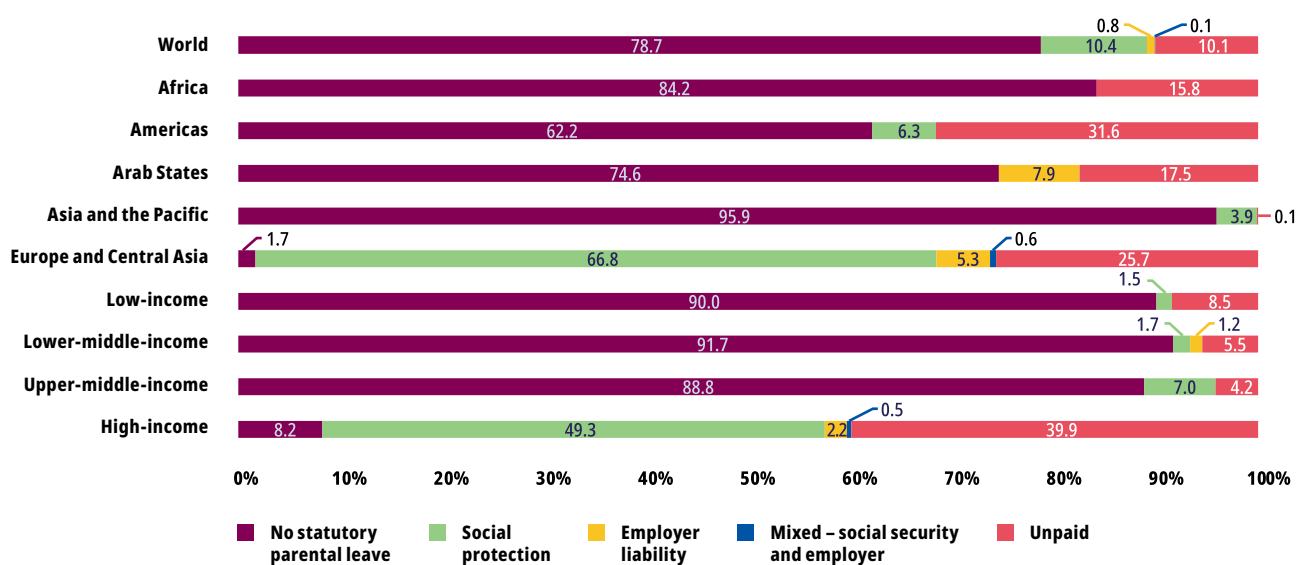


► Table 4.5. Source of funding of parental leave cash benefits by region and income group, 2021 (no. of countries)

Region/income group	No statutory parental leave	Social protection	Employer liability	Mixed – social security and employer	Unpaid
World	117	42	3	1	21
Africa	49	–	–	–	5
Americas	29	3	–	–	2
Arab States	7	–	1	–	3
Asia and the Pacific	27	3	–	–	2
Europe and Central Asia	5	36	2	1	9
Low-income	24	1	–	–	3
Lower-middle-income	39	3	1	–	3
Upper-middle-income	34	10	–	–	6
High-income	20	28	2	1	9

**Note:** 184 countries and territories; Mongolia provides parental leave, but no information was available regarding the provision of cash benefits. – = nil. Source: ILO research, see Annex, table A.3 for country-level data and methodological explanation.

► Figure 4.6. Share of potential parents by source of funding of parental leave cash benefits by region and by income group, 2021 (%)



**Note:** 179 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.3 for country-level data and methodological explanation.

## ► 4.6. Provision of parental leave for specific categories of workers: Many categories of workers are still excluded from parental leave

As with maternity and paternity leave, the right to parental leave and the corresponding cash benefits are often available only to certain categories of workers and parents. Full-time employees living in a traditional family (for example, mother, father and sons or daughters) are those most likely to have the right to parental leave. By contrast, provision of parental leave rights for self-employed workers, adoptive parents and same-sex parents is more scattered.

### Only 3 out of 100 self-employed workers live in countries where there are parental leave cash benefits

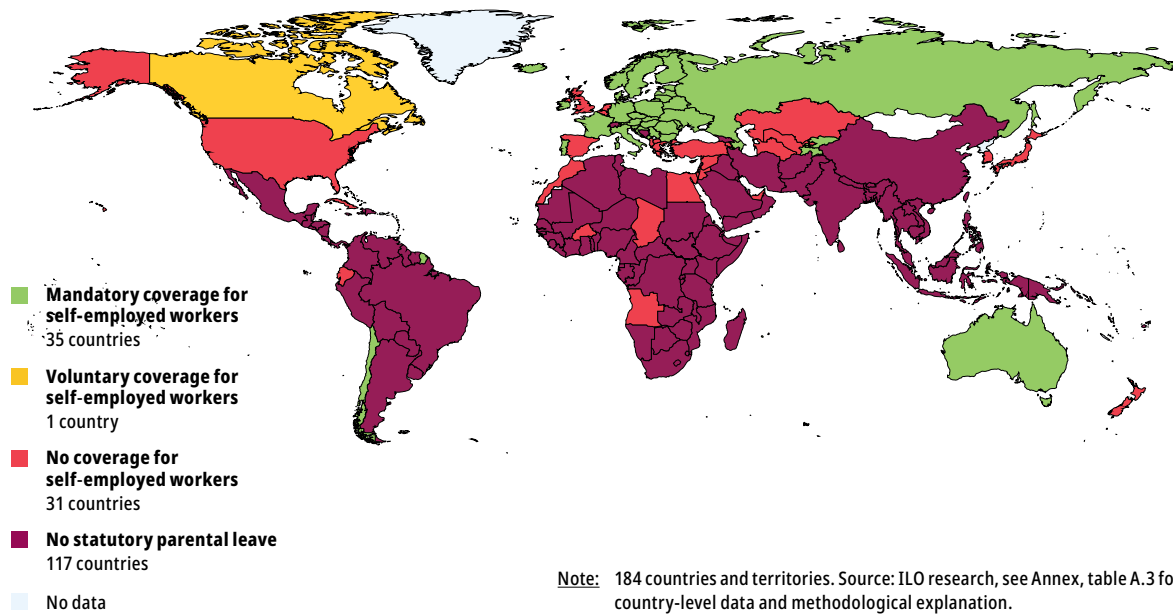
Globally, out of the 46 countries with paid parental leave, 36 extend this entitlement to self-employed workers (figure 4.7). In other words, of the 1.5 billion self-employed workers<sup>17</sup> around the world, only 47 million, or 3.1 per cent, are living in countries where parental leave cash benefits are available to self-employed workers (figure 4.8). The majority of countries that provide parental leave cash benefits for self-employed workers are in Europe and Central Asia, with three exceptions: Australia, Chile and Canada.

The latter has a special regime that allows self-employed workers to voluntarily contribute to the social protection system to gain access to cash benefits. In Africa and in middle-income countries of the Asian region, no self-employed workers have the right to parental leave cash benefits. The situation calls for more inclusive parental leave legislations, especially in these regions where a very large share of employment is absorbed by self-employment.

Evidence shows that even in countries where self-employed workers have the right to parental leave cash benefits, they tend to use fewer days than their wage earner counterparts. For example, in Sweden, where self-employed workers are entitled to receive a parental leave cash benefit with a ceiling, self-employed workers (both female and male) take shorter parental leaves compared to wage earners. This is mainly due to the ceiling in earning replacement, as well as the nature of self-employment work itself, which makes absence from work very costly (Anxo and Ericson 2015).

<sup>17</sup> Data on self-employment are ILO modelled estimates available on ILOSTAT, except for Andorra, Antigua and Barbuda, British Virgin Islands, Monaco, Saint Kitts and Nevis, San Marino and the Seychelles.

► Figure 4.7. Provision of parental leave cash benefits for self-employed workers, 2021



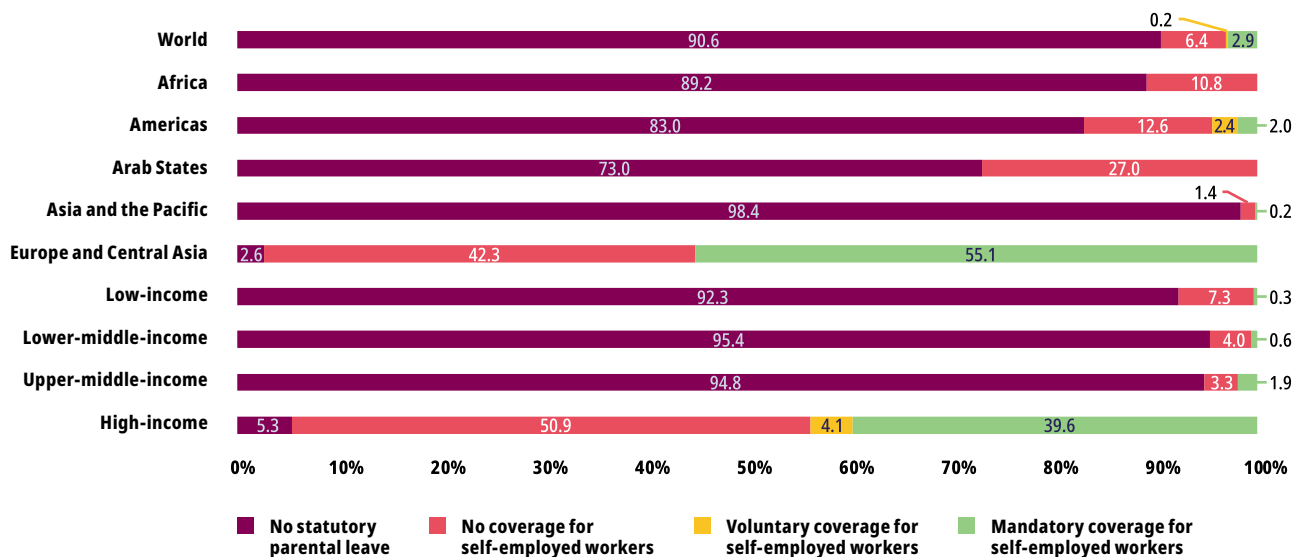
► Table 4.6. Provision of parental leave cash benefits for self-employed workers, by region and by income group, 2021 (no. of countries)

Region/income group	No statutory parental leave	No coverage for self-employed workers	Voluntary coverage for self-employed workers	Mandatory coverage for self-employed workers
World	117	31	1	35
Africa	49	5	–	–
Americas	29	3	1	1
Arab States	7	4	–	–
Asia and the Pacific	27	4	–	1
Europe and Central Asia	5	15	–	33
Low-income	24	3	–	1
Lower-middle-income	39	4	–	3
Upper-middle-income	34	10	–	6
High-income	20	14	1	25

**Note:** 184 countries and territories; Mongolia provides parental leave, but no information was available regarding the provision of cash benefits. – = nil. Source: ILO research, see Annex, table A.3 for country-level data and methodological explanation.



► Figure 4.8. Share of self-employed workers by provision of parental leave cash benefits for self-employed workers, by region and by income group, 2021 (%)



**Note:** 177 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.3 for country-level data and methodological explanation.

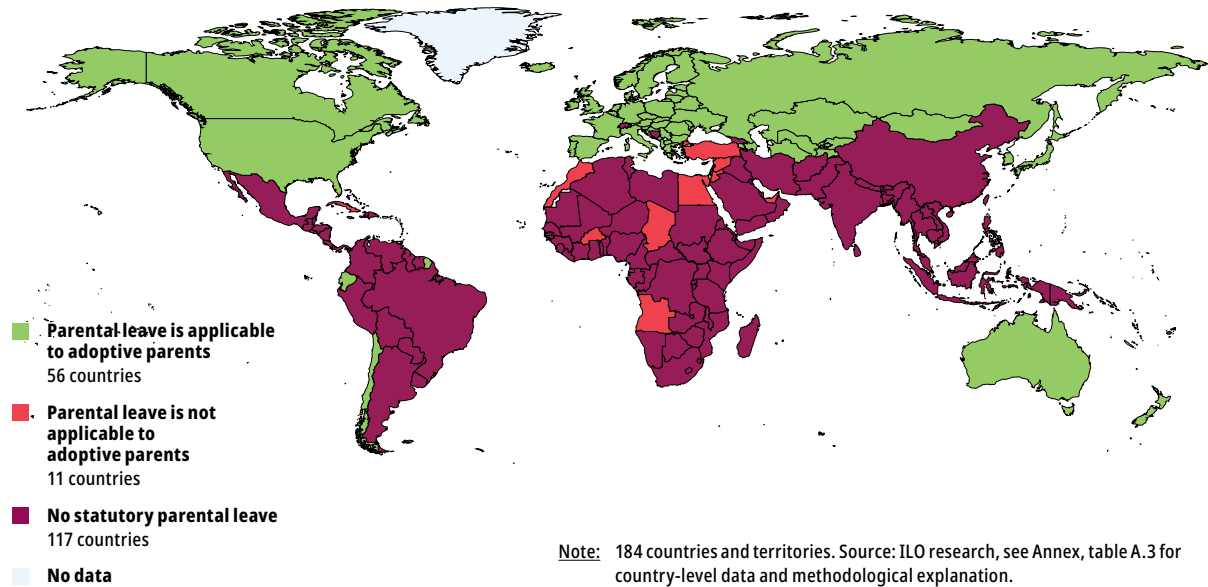
## Only two out of ten potential parents live in countries where there are parental leave rights when adopting children

Globally, of the 68 countries providing parental leave, 56 provide an entitlement to parental leave for adoptive parents (figure 4.9).<sup>18</sup> These 56 countries are home to 655 million potential parents, or 16.8 per cent of the global total (figure 4.10). The most inclusive parental leave legislations are in Europe and Central Asia, where out of the 48 countries with parental leave entitlements, 47 give parental leave rights to adoptive parents.

The only exception is Turkey, where adoptive parents do not benefit from parental leave rights. Adoptive parents residing in the Americas are only entitled to take parental leave in four of the five countries with parental leave in the region. In Asia and the Pacific, only Australia, Japan, the Republic of Korea, Mongolia and New Zealand provide statutory parental leave rights for adoptive parents. In the Arab States and in Africa there are no countries providing parental leave rights to adoptive parents.

18 Information regarding the provision of parental leave for adoptive parents for Bahrain is missing.

► Figure 4.9. Provision of parental leave for adoptive parents, 2021

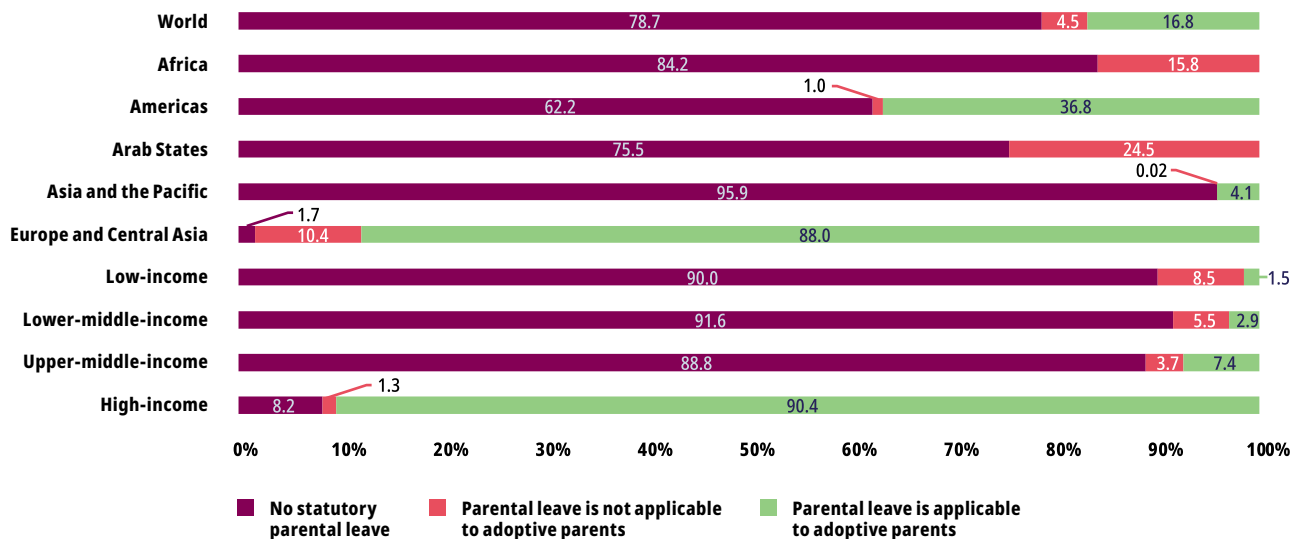


► Table 4.7. Provision of parental leave for adoptive parents by region and by income group, 2021 (no. of countries)

Region/income group	No statutory parental leave	Parental leave is not applicable to adoptive parents	Parental leave is applicable to adoptive parents
World	117	11	56
Africa	49	5	–
Americas	29	1	4
Arab States	7	3	–
Asia and the Pacific	27	1	5
Europe and Central Asia	5	1	47
Low-income	24	3	1
Lower-middle-income	39	3	5
Upper-middle-income	34	4	12
High-income	20	1	38

Note: 184 countries and territories; Bahrain provides parental leave, but no information was available regarding the provision of parental leave to adoptive parents. – = nil. Source: ILO research, see Annex, table A.3 for country-level data and methodological explanation.

► **Figure 4.10.** Share of potential parents by provision of parental leave for adoptive parents, by region and by income group, 2021 (%)



**Note:** 179 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.3 for country-level data and methodological explanation.

## Only one out of ten potential parents live in countries with parental leave rights for same-sex partnerships

Over the last two decades, the legal status and social acceptability of same-sex couples have advanced considerably, especially in high-income countries. Data from the International Lesbian, Gay, Bisexual, Trans and Intersex Association indicate that there are 22 countries in the world that recognize and provide for same-sex marriage, and 28 countries where laws protect same-sex partnership relationships (Carroll and Ramon Mendos 2017). It is noteworthy that legal status on recognition of such marriages and partnerships has a direct effect on many employment-related rights and entitlements, such as family leave, dependency allowances, medical coverage and pension entitlements (Thomas and Weber 2019). As part of these developments, it is increasingly legally possible and socially acceptable for same-sex couples to become parents, either through joint adoption,

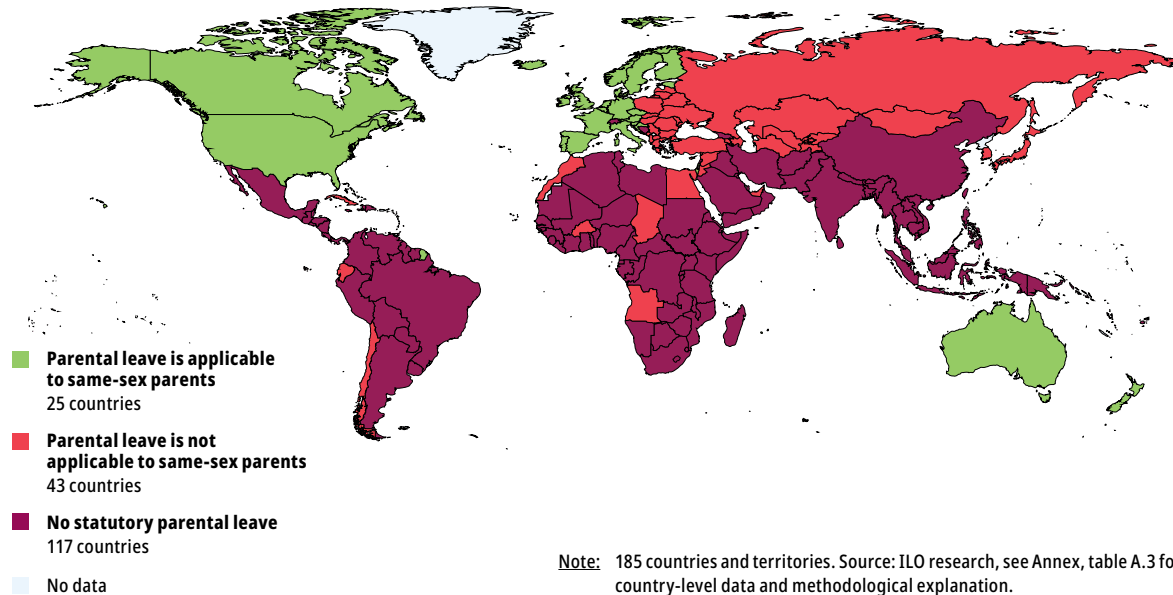
second parent adoption or by other means (European Commission 2020).

However, across the world only in 25 out of 68 countries with parental leave do same-sex parents have the right to request such leave (figure 4.11).<sup>19</sup> In other words, just 369 million potential parents – or 9.5 per cent worldwide – reside in countries where parental leave is available for same-sex parents on the same footing as other parents. The majority of these 25 countries are in Europe and Central Asia (21 countries), especially in Northern, Southern and Western Europe. Other countries where same-sex parents have a right to parental leave are high-income countries in the Americas and in Asia and the Pacific, including Australia, Canada, New Zealand and the United States.<sup>20</sup>

<sup>19</sup> This means that in 25 countries the laws specify that parents in same-sex partnerships are eligible for parental leave.

<sup>20</sup> In regard to countries with federal political and legal systems, such as the United States or Canada, the rights for same-sex adoption may only exist at the state/province level, and not at the federal (or national) level.

► Figure 4.11. Provision of parental leave for same-sex parents, 2021

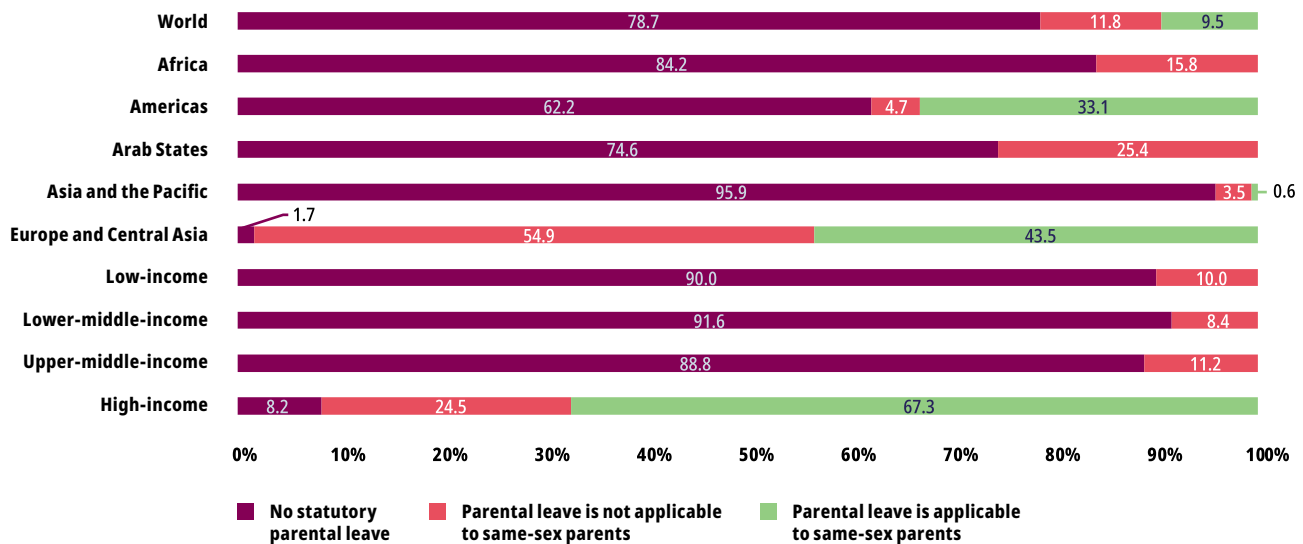


► Table 4.8. Provision of parental leave for same-sex parents by region and by income group, 2021 (no. of countries)

Region/income group	No statutory parental leave	Parental leave is not applicable to same-sex parents	Parental leave is applicable to same-sex parents
World	117	43	25
Africa	49	5	–
Americas	29	3	2
Arab States	7	4	–
Asia and the Pacific	27	4	2
Europe and Central Asia	5	27	21
Low-income	24	4	–
Lower-middle-income	39	8	–
Upper-middle-income	34	16	–
High-income	20	15	25

Note: 185 countries and territories. – = nil. Source: ILO research, see Annex, table A.3 for country-level data and methodological explanation.

► Figure 4.12. Share of potential parents by provision of parental leave for same-sex parents, by region and by income group, 2021 (%)



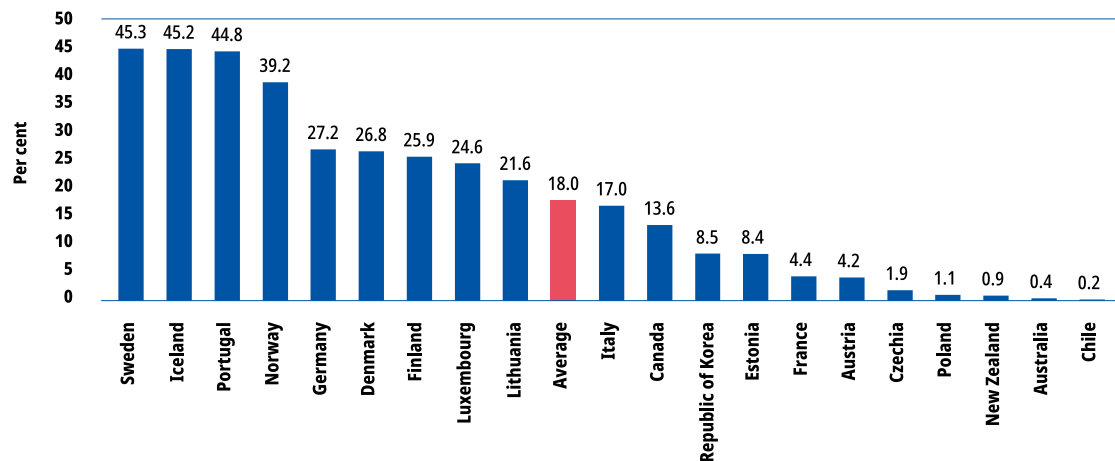
**Note:** 180 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.3 for country-level data and methodological explanation.

## ► 4.7. Fathers' take-up rates of parental leave are still low

The introduction of parental leave provisions available to both fathers and mothers can be an effective tool to support workers with family responsibilities and promote gender equality at home and at the workplace. However, in 2021 only 11.2 per cent of the potential parents live in the 46 countries with a statutory right to paid parental leave. When parental leave is unpaid, take-up is low among both women and men, as it is difficult for lower-paid workers to participate (ILO 2014a). Similarly, even in countries where parental leave is paid, but not anchored to previous earnings and paid at a low flat rate, the take-up rate of parental leave is often low, especially among men.

Figure 4.13 shows that men are consistently less likely to use parental leave than women. In some countries, the disparity in leave take-up is only small. For example, in Iceland, Portugal and Sweden, around 45 per cent of recipients of publicly administered parental leave benefits are men. However, on average across all countries with available data, men make up only about two in every ten recipients, with the share in several countries lower than one in ten. In Australia, Chile and New Zealand, less than one in every hundred recipients of paid parental leave is a man.

► Figure 4.13. Male share of recipients of paid parental leave in selected OECD countries, latest available year



Source: OECD, n.d.-c.

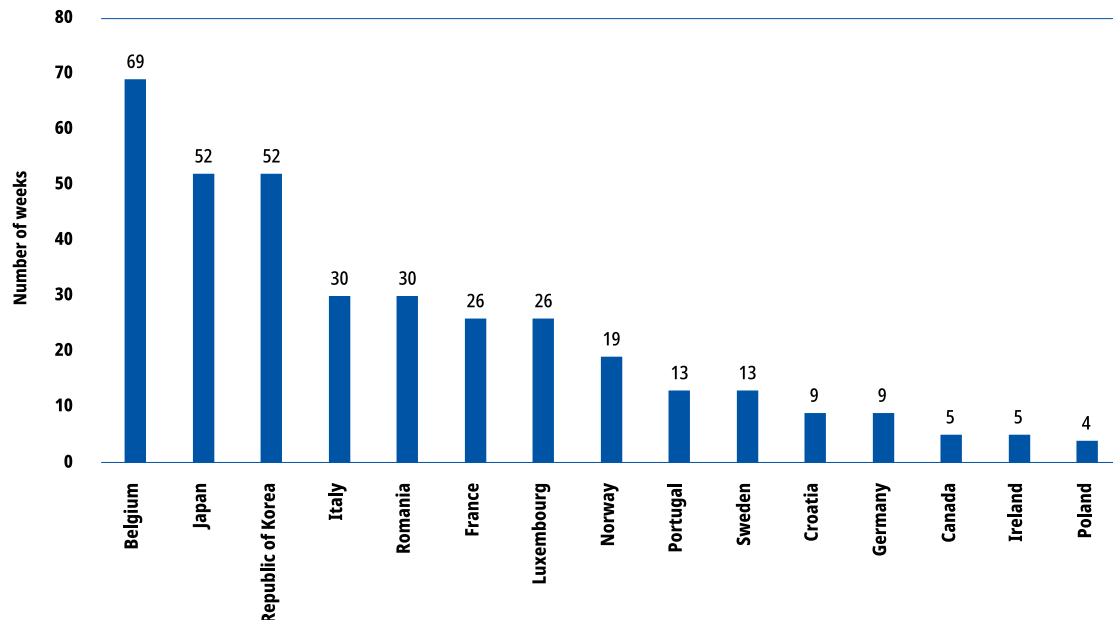
These patterns could result from multiple reasons, including the amount of parental leave cash benefits. In the majority of countries with paid parental leave, cash benefits involve flat rates or, if based on percentages of previous earnings, they have often low ceilings. This means large pay cuts for those taking the leave, especially for full-time, higher-earnings parents, which most often are men. Another reason is linked to the transferability of this entitlement, which usually is not compulsory or provided as an individual right, and which could be lost if unused. As a result, men often forego the opportunity of spending time with the newborn child for economic reasons. Other reasons for low take-up rates of parental leave by men include cultural tradition and gender stereotypes. In particular, there is a societal expectation that the mother, considered the ideal caregiver in many countries, should take all or most of the leave available to the household, prioritizing care over employment.<sup>21</sup> Latest available data regarding the division of unpaid care work within the household still show that two-thirds of the daily time spent in unpaid care is shouldered by women (ILO 2018a). Moreover, gender norms result in perceived or actual damage to the career advancement for men who take leave (Rudman and Mescher 2013).

## At least 15 countries with parental leave reserve specific periods of leave for fathers

Parental leave policy design can help to overcome these challenges and promote an equal uptake of parental leave entitlements by men and women, thus enabling a greater involvement in childcare by fathers starting in the early stages of the life of a newborn child. To achieve this objective, 15 countries with parental leave reserve specific periods of paid and unpaid parental leave for fathers or other partners instead of providing parental leave as a household allowance. These individual parental leave entitlements are in addition to paternity leave (figure 4.14). For example, Belgium reserves 69 weeks of paid leave to fathers, the longest in the world. Since 2007, the Republic of Korea reserves 52 weeks of paid parental leave to men. This change in legislation led to the number of men taking leave rising by more than threefold, but still stagnating at 4.5 per cent of parental leave takers in 2014, reflecting deep-rooted cultural patterns on gender roles in caregiving (OECD 2016). Many countries have also promoted awareness-raising campaigns to promote fathers' take-up of parental leave.

<sup>21</sup> Data from the 2012 International Social Survey Programme representing 62 per cent of the world population from 41 high- and middle-income countries from all world regions (except the Arab States) show that 67 per cent of the respondents, women and men equally, consider that the mother should take all the leave alone (35 per cent) or most of it (32 per cent). However, 57 per cent of these respondents agree that fathers should take at least some leave (32 per cent) or half of it (25 per cent) and thereby be involved in childcare activities (ILO 2018a).

► Figure 4.14. Length of paid parental leave reserved for fathers in selected countries, 2021



Source: ILO analysis of national legislations.

## ► 4.8. Employment protection and non-discrimination connected with parental leave: Improving parental leave take-up rates for both women and men

### Only 60 countries mandate some form of protection against dismissal for parental leave taking

If not complemented by adequate job protection and non-discrimination measures, the right to parental leave can remain unfulfilled for the majority of rightsholders, especially among fathers. Across the world, of the 68 countries with parental leave, 60 provide some form of protection against dismissal connected with

parental leave (figure 4.15 and table 4.9).<sup>22</sup> This is equivalent to 750 million potential parents (or 19.3 per cent) living in countries where there is some form of protection against dismissal (figure 4.16).<sup>23</sup> Table 4.9 also shows that in 25 countries there is protection against dismissal only during the leave period, and in 23 countries the protection is extended to an additional period upon return to work from leave for all women and men taking parental leave.

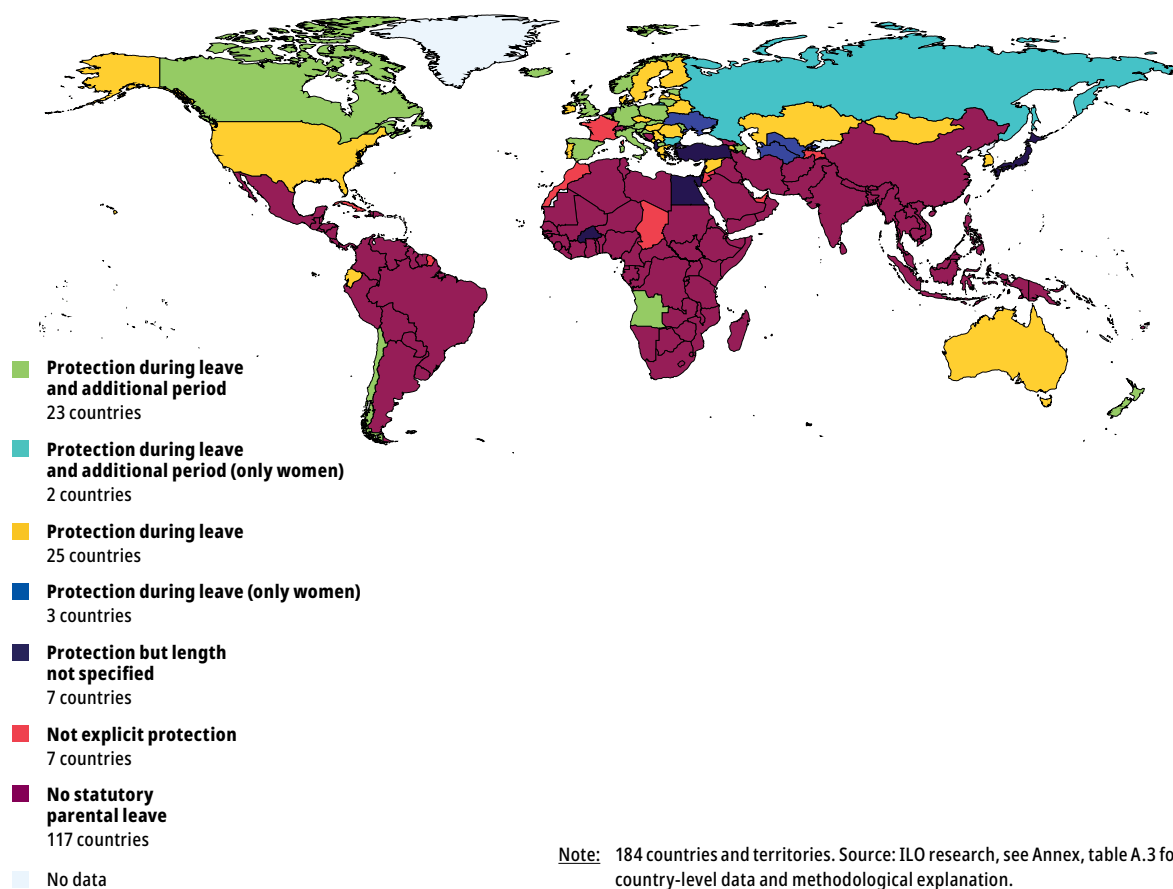
<sup>22</sup> Information regarding the protection against dismissal connected with parental leave for Kyrgyzstan is missing.

<sup>23</sup> This section reviews the explicit protection against dismissal connected with parental leave taking. This protection can also be ensured by legal provisions prohibiting termination of employment connected with family responsibilities in line with Articles 5 and 9 of the Termination of Employment Convention, 1982 (No. 158). See also the ILO's [EPLex database](#), which provides useful comparative information on workers enjoying special protection against dismissals, including workers with family responsibilities.

There are also three countries that restrict the protection against dismissal during parental leave only to mothers – Turkmenistan, Ukraine and Uzbekistan. Bulgaria and the Russian Federation also limit the protection against dismissal during parental leave to mothers, but they extend the

protection to an additional period upon return to work. Extending employment protection to fathers, which would allow them to take parental leave without jeopardizing their employment, is critical to achieving gender equality in the world of work.

► **Figure 4.15.** Length of protection against dismissal related to parental leave, 2021





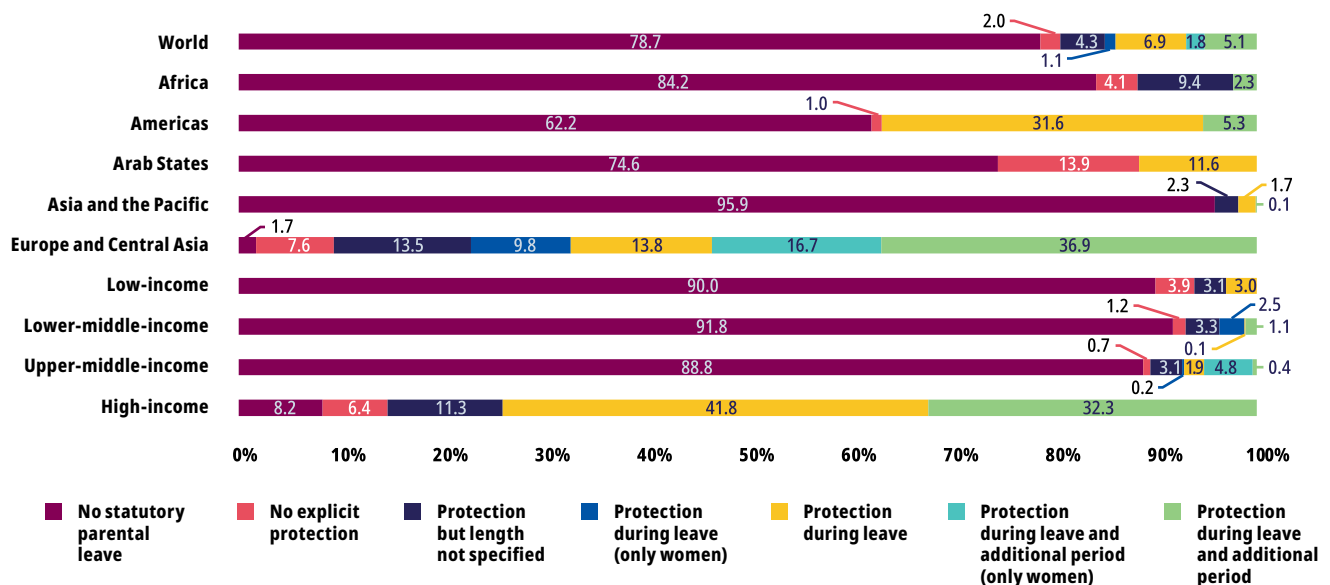
► Table 4.9. Length of protection against dismissal related to parental leave by region and by income group, 2021 (no. of countries)

Region/income group	No statutory parental leave	No explicit protection	Protection but length not specified	Protection during leave (only women)	Protection during leave	Protection during leave and additional period (only women)	Protection during leave and additional period
World	117	7	7	3	25	2	23
Africa	49	2	2	–	–	–	1
Americas	29	1	–	–	2	–	2
Arab States	7	2	–	–	2	–	–
Asia and the Pacific	27	–	1	–	4	–	1
Europe and Central Asia	5	2	4	3	17	2	19
Low-income	24	2	1	–	1	–	–
Lower-middle-income	39	1	1	2	1	–	2
Upper-middle-income	34	2	2	1	7	2	2
High-income	20	2	3	–	16	–	19

**Note:** 184 countries and territories; Kyrgyzstan provides parental leave, but no information was available regarding protection against dismissal related to parental leave. – = nil. Source: ILO research, see Annex, table A.3 for country-level data and methodological explanation.

155

► Figure 4.16. Share of potential parents by length of protection against dismissal related to parental leave, by region and by income group, 2021 (%)



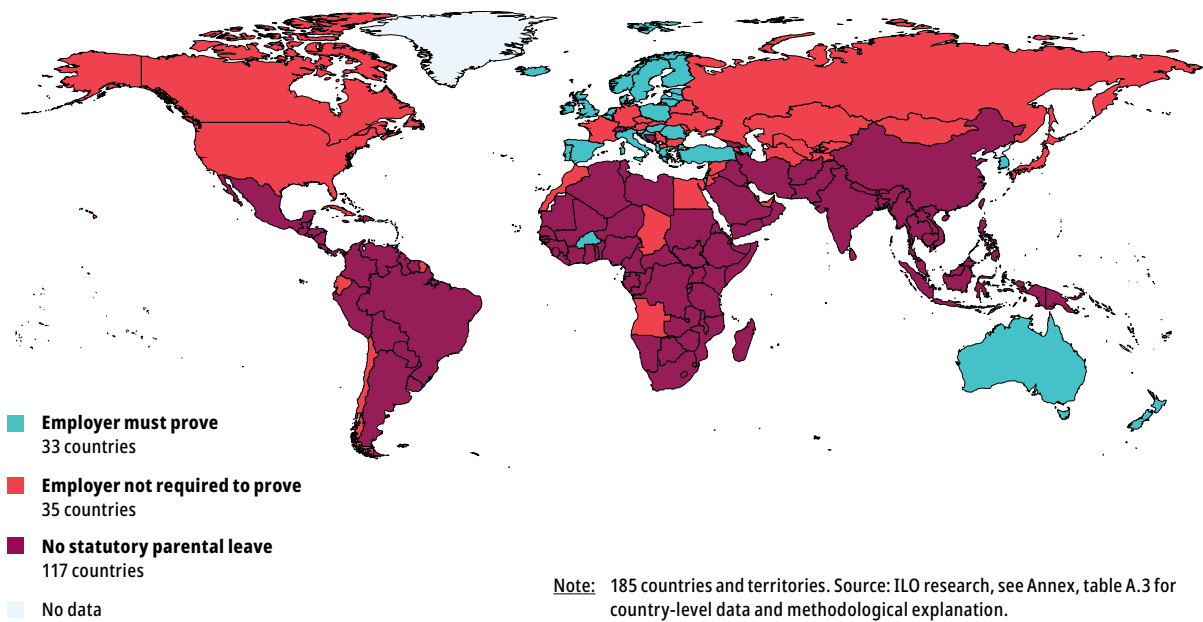
**Note:** 179 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.3 for country-level data and methodological explanation.

## In only 33 countries employers have the onus of proving that dismissal is unrelated to parental leave taking

In 2021, among the 68 countries with statutory parental leave, 33 had legal provisions with the burden of proof placed on the employer that a dismissal is not based on parental leave. The

majority of these 33 countries are high-income countries (28) in the region of Europe and Central Asia (27) (figure 4.17 and table 4.10). Analogous to paternity leave, a reduced percentage of people live in countries where the burden of proof rests on the employer. In this case, 6.5 per cent of potential parents (or 253 million) live in countries with legal provisions that prevent or eliminate discrimination against men and women with family responsibilities (figure 4.18).

► Figure 4.17. Employer must prove dismissal is not connected with worker taking parental leave, 2021

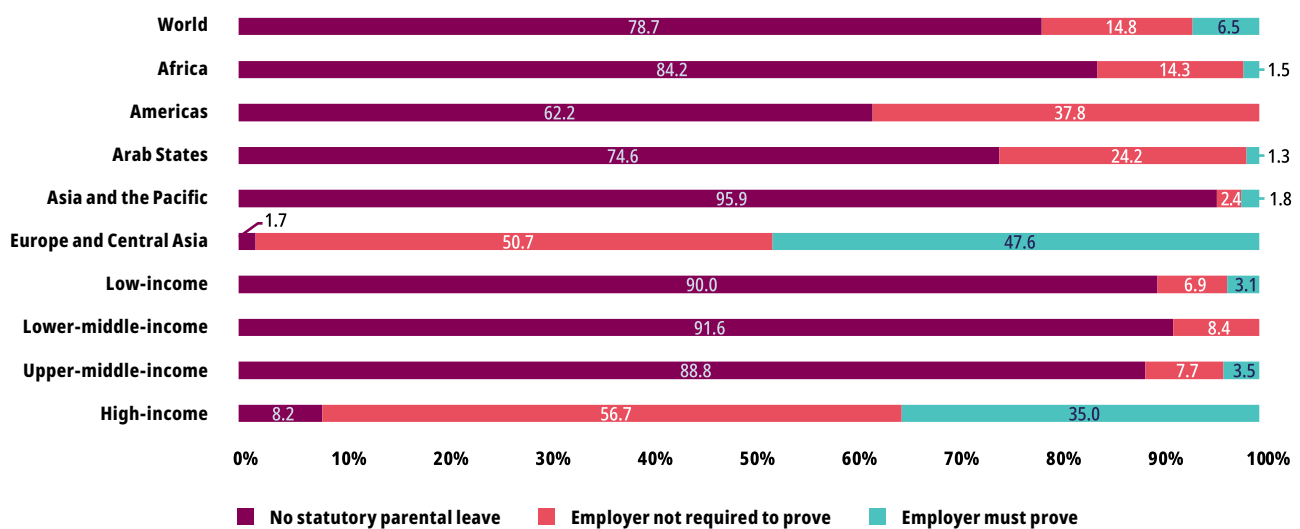


► **Table 4.10.** Employer must prove dismissal is not connected with worker taking parental leave, by region and by income group, 2021 (no. of countries)

Region/income group	No statutory parental leave	Employer not required to prove	Employer must prove
World	117	35	33
Africa	49	4	1
Americas	29	5	–
Arab States	7	3	1
Asia and the Pacific	27	2	4
Europe and Central Asia	5	21	27
Low-income	24	3	1
Lower-middle-income	39	8	–
Upper-middle-income	34	12	4
High-income	20	12	28

**Note:** 185 countries and territories. – = nil. Source: ILO research, see Annex, table A.3 for country-level data and methodological explanation.

► **Figure 4.18.** Share of potential parents by whether employer must prove dismissal is not connected with parental leave, by region and by income group, 2021 (%)



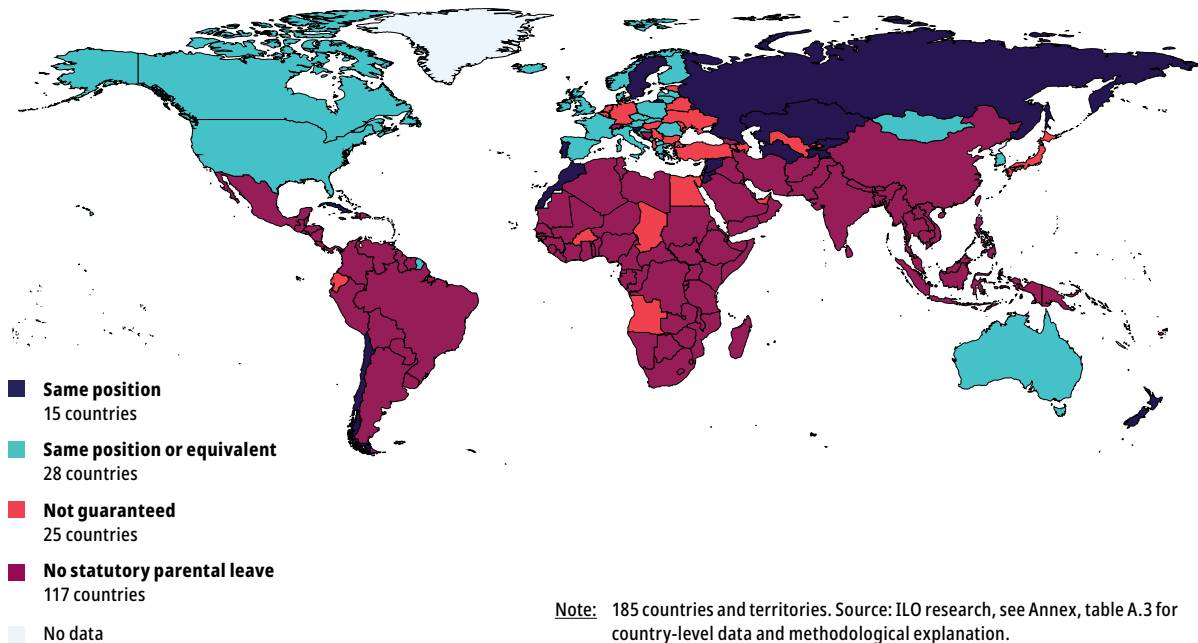
**Note:** 180 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.3 for country-level data and methodological explanation.

## Only 43 countries guarantee the right to return to the same or equivalent position after parental leave

Across the world, the majority of countries with parental leave rights provide the right to return to the same or equivalent position after taking parental leave – 43 out of 68 countries (figure 4.19 and table 4.11). This is equivalent to 518 million potential parents (or 13.3 per cent worldwide) living in countries where there is the right to return to the same or equivalent position after taking parental leave (figure 4.20). Table 4.7 further shows that in 28 countries there is the right to return to the same or an equivalent position, while in 15 countries there is the right to return to the same position.

As with other job protection measures, Europe and Central Asia is the region with the highest number of countries providing the right for parents to return to the same or equivalent position after taking parental leave. In other regions the provision of this right is scattered. For instance, in Africa only Morocco offers parents the right to return to the same position after taking parental leave. The right to return to the same or equivalent position is also offered in four countries in the Americas (Canada, Chile, Cuba and United States); in one country in the Arab States (Jordan); and in four countries in Asia and the Pacific (Australia, Mongolia, New Zealand and the Republic of Korea).

► Figure 4.19. Guaranteed the right to return to the same position or equivalent following parental leave, 2021

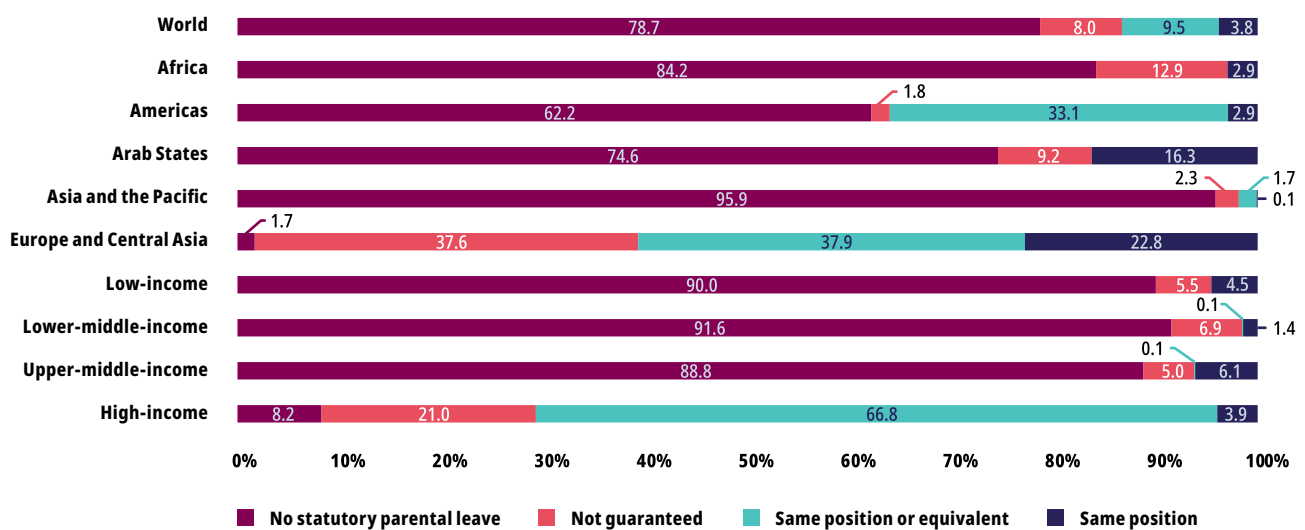


► **Table 4.11.** Guaranteed the right to return to the same position or equivalent following parental leave by region and by income group, 2021 (no. of countries)

Region/income group	No statutory parental leave	Not guaranteed	Same position or equivalent	Same position
World	117	25	28	15
Africa	49	4	–	1
Americas	29	1	2	2
Arab States	7	2	–	2
Asia and the Pacific	27	2	3	1
Europe and Central Asia	5	16	23	9
Low-income	24	2	–	2
Lower-middle-income	39	5	1	2
Upper-middle-income	34	9	2	5
High-income	20	9	25	6

**Note:** 185 countries and territories. – = nil. Source: ILO research, see Annex, table A.3 for country-level data and methodological explanation.

► **Figure 4.20.** Share of potential parents by guarantee to the right to return to the same or equivalent position following parental leave by region and by income group, 2021 (%)



**Note:** 180 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.3 for country-level data and methodological explanation.

## ► 4.9. Long-term care leave and emergency leave: Essential support for workers with family responsibilities

As the challenges posed by the COVID-19 pandemic have shown, emergency and long-term care leave can substantially support the reconciliation of work with family responsibilities and prevent health and economic losses to families and enterprises. The second part of this chapter reviews essential aspects of these statutory measures available to workers with family responsibilities.

### Fifty-four countries provide a statutory right to long-term care leave

Long-term care leave is a special leave entitlement available to employed persons to take care of family members who have a long-term functional dependency, for example, persons who have difficulties in carrying out activities of daily living, such as bathing, dressing and getting in and out of bed. With ageing societies, paid long-term care leave can play a key role in supporting new and increasing care needs. Long-term care needs can be met by long-term care services, but most often, when such services are lacking, they are met by family members of the person in need of care, mainly women. ILO standards indicate that it should be possible for a worker with family responsibilities to obtain leave of absence in case of illness of another member of the worker's immediate family who needs that worker's care or support.<sup>24</sup> For this reason, some countries have given statutory rights for workers to take paid or unpaid leave to care for family members with a long-term functional dependency. Across the world, there are only 55 countries where workers have statutory long-term care leave entitlements (figure 4.21, and table 4.12). In these countries reside 1.1 billion people aged 15–65, or 21.7 per cent of the global adult population (figure 4.22).<sup>25</sup>

### One out ten adults live in countries that offer paid long-term care leave

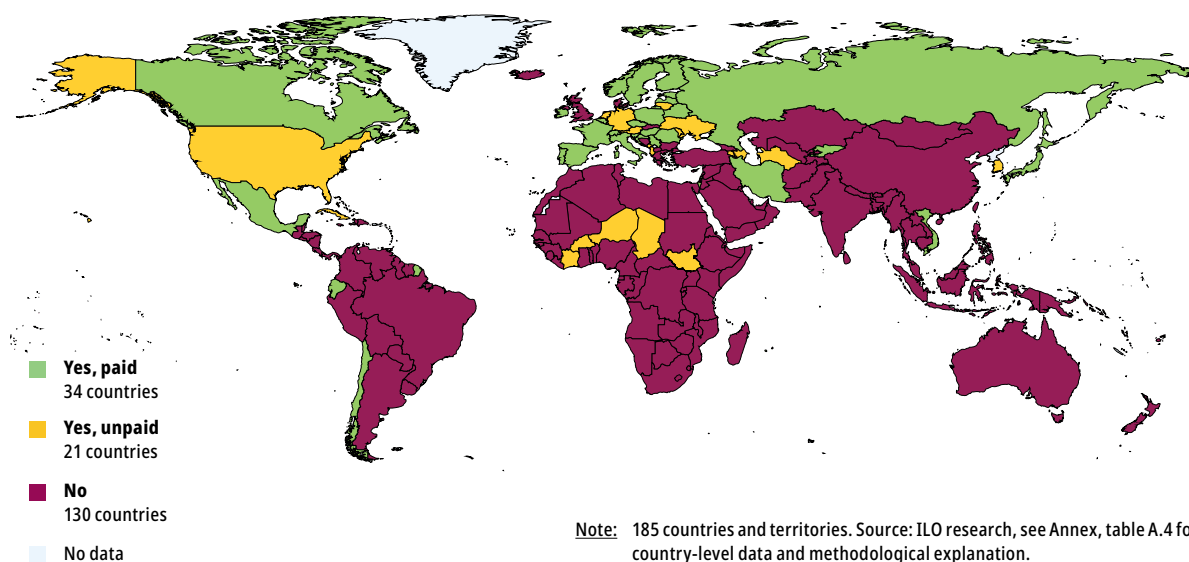
In 34 countries, wherein 13.1 per cent of global adult population resides, long-term care leave is paid; while in 21 countries, wherein 8.6 per cent of adults live, long-term care leave is provided without pay (figure 4.21 and figure 4.22). Similar to parental leave, the majority of countries providing long-term care leave are in Europe and Central Asia and in high-income countries.

The conditions under which long-term care leave can be taken depends on each country. In some countries, long-term care leave is available only to provide care for serious illnesses that affect the worker's child. For example, Italy provides two years of leave paid at 100 per cent of previous earnings for parents with a child with a disability. In the Russian Federation, long-term care leave is reserved for parents of children with disabilities and is for four working days per month for an unlimited period of time, with the long-term care leave cash benefits being paid at 60, 80 or 100 per cent of previous earnings depending on length of service. In other countries long-term care is available for caring, not only for children, but also for other family members. This is the case of Japan, which entitles workers to have 93 days of long-term care leave in a lifetime, paid at 67 per cent of previous earnings. In Norway, there are also 60 days of long-term care leave to take care of a terminally ill family member, paid at 100 per cent of previous earnings.

<sup>24</sup> ILO Recommendation No. 165, Para. 23(2).

<sup>25</sup> As noted above, within in this report an "adult" is defined as a person between the ages of 15 and 65.

► Figure 4.21. Provision of long-term care leave, 2021

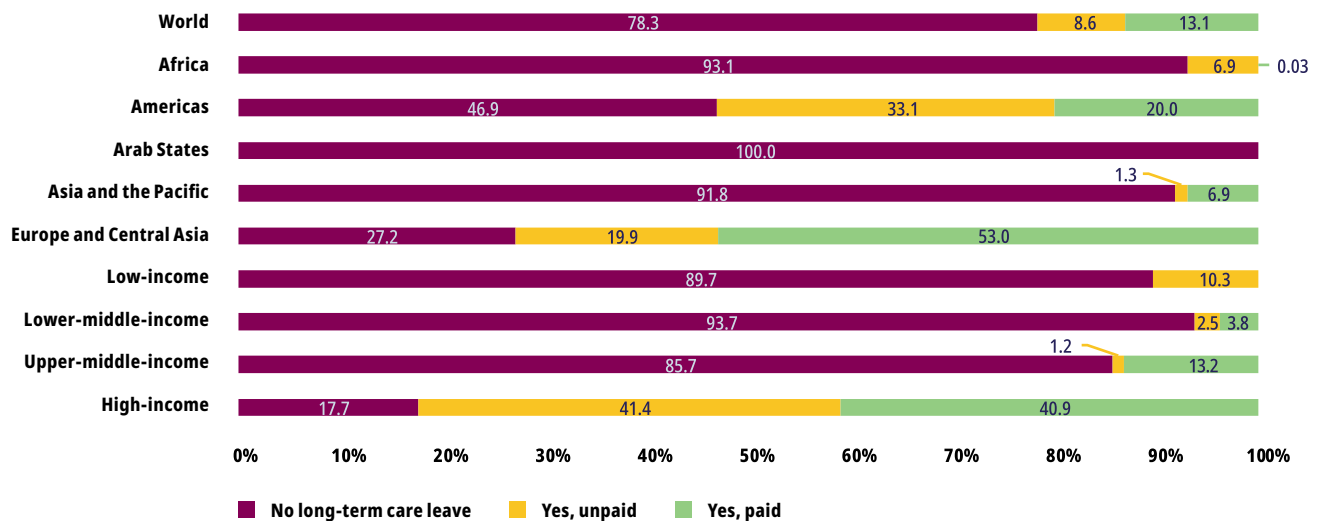


► Table 4.12. Provision of long-term care leave, by region and by income group, 2021 (no. of countries)

Region/income group	No long-term care leave	Yes, unpaid	Yes, paid
World	130	21	34
Africa	47	5	2
Americas	28	2	4
Arab States	11	–	–
Asia and the Pacific	29	1	3
Europe and Central Asia	15	13	25
Low-income	24	4	–
Lower-middle-income	41	3	3
Upper-middle-income	38	6	6
High-income	27	8	25

Note: 185 countries and territories. – = nil. Source: ILO research, see Annex, table A.5 for country-level data and methodological explanation.

► Figure 4.22. Share of women and men aged 15–65 years by provision of long-term care leave, by region and by income group, 2021 (%)



Note: 180 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.4 for country-level data and methodological explanation.

## Long-term care leave is funded through social protection in 28 countries, but self-employed workers remain largely excluded from this entitlement

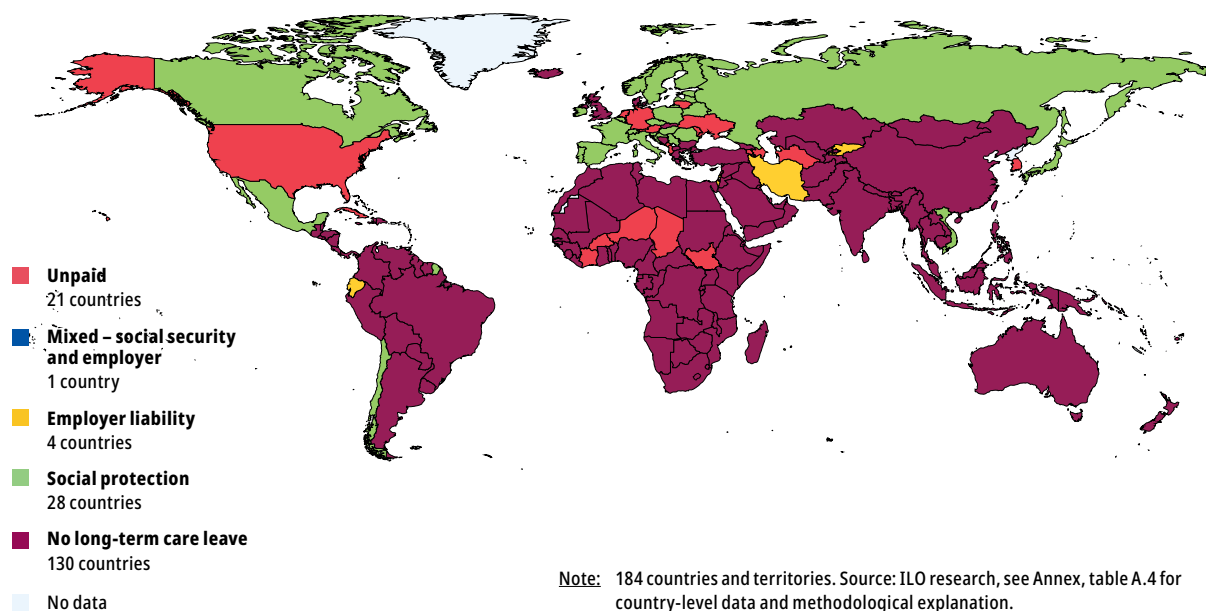
Collective responsibility for paid long-term care leave is also essential to protect carers' – especially women carers' – situation in the labour force within the context of ageing populations. The main source of funding for paid long-term care leave, where available, is social protection (28 countries) (figure 4.23).

However, there are exceptions. In the Seychelles, social protection pays 80 per cent of the worker's previous earnings and the employer tops up the remaining 20 per cent. In Ecuador, the Islamic Republic of Iran, Israel and Kyrgyzstan, the employer is fully responsible for paying long-term care leave cash benefits. In 22 of the 33 countries with paid long-term care leave, cash benefits are also provided for self-employed workers (figure 4.25), with only a mere 1.9 per cent of self-employed workers<sup>26</sup> living in these countries. In some countries, long-term care leave cash benefits provision for self-employed workers is on a voluntary basis (for example, Canada and Czechia).

26 As above, data on self-employment are ILO modelled estimates available on ILOSTAT, except for Andorra, Antigua and Barbuda, British Virgin Islands, Monaco, Saint Kitts and Nevis, San Marino and the Seychelles.



► Figure 4.23. Source of funding of long-term care leave, 2021

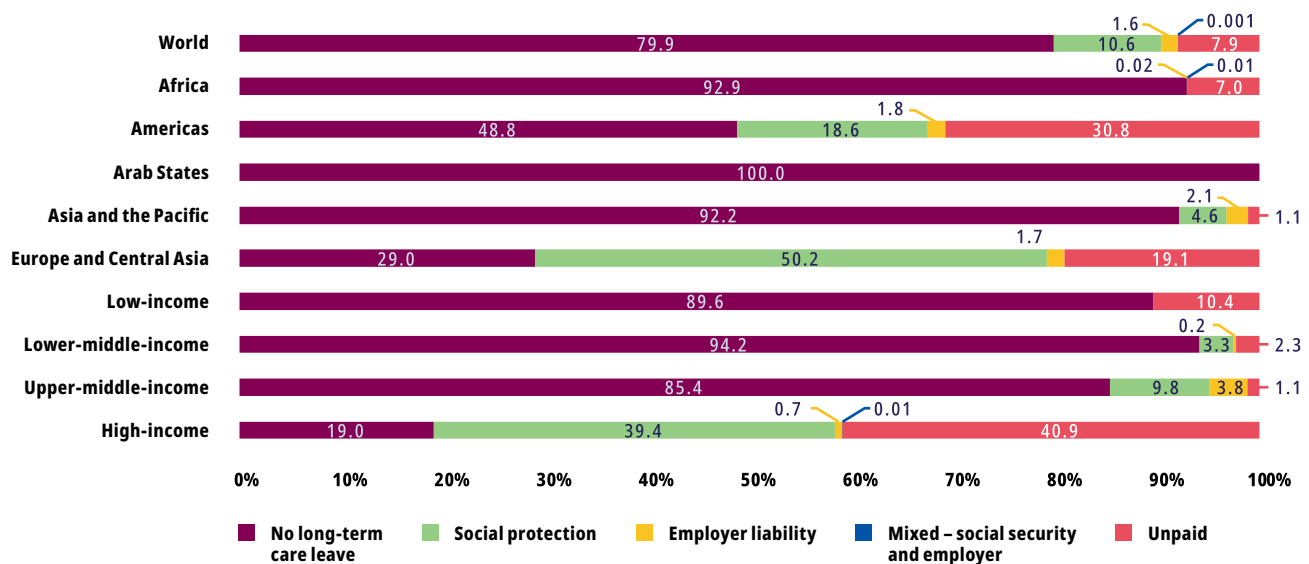


► Table 4.13. Source of funding of long-term care leave, by region and by income group, 2021 (no. of countries)

Region/income group	No long-term care leave	Social protection	Employer liability	Mixed – social security and employer	Unpaid
World	130	28	4	1	21
Africa	47	1	–	1	5
Americas	28	3	1	–	2
Arab States	11	–	–	–	–
Asia and the Pacific	29	2	1	–	1
Europe and Central Asia	15	22	2	–	13
Low-income	24	–	–	–	4
Lower-middle-income	41	2	1	–	3
Upper-middle-income	38	4	2	–	6
High-income	27	22	1	1	8

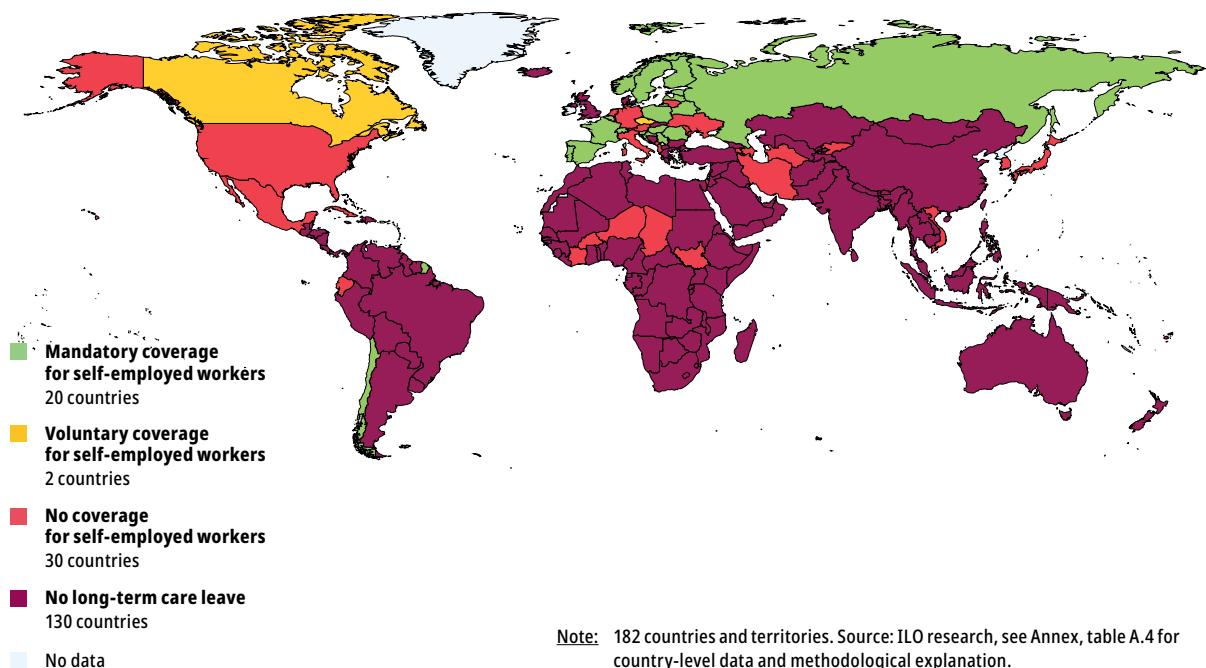
Note: 184 countries and territories. – = nil. Source: ILO research, see Annex, table A.4 for country-level data and methodological explanation.

► Figure 4.24. Share of women and men aged 15-65 years by source of funding of long-term care leave, by region and by income group, 2021 (%)



**Note:** 179 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.4 for country-level data and methodological explanation.

► Figure 4.25. Provision of long-term care leave cash benefits for self-employed workers, 2021



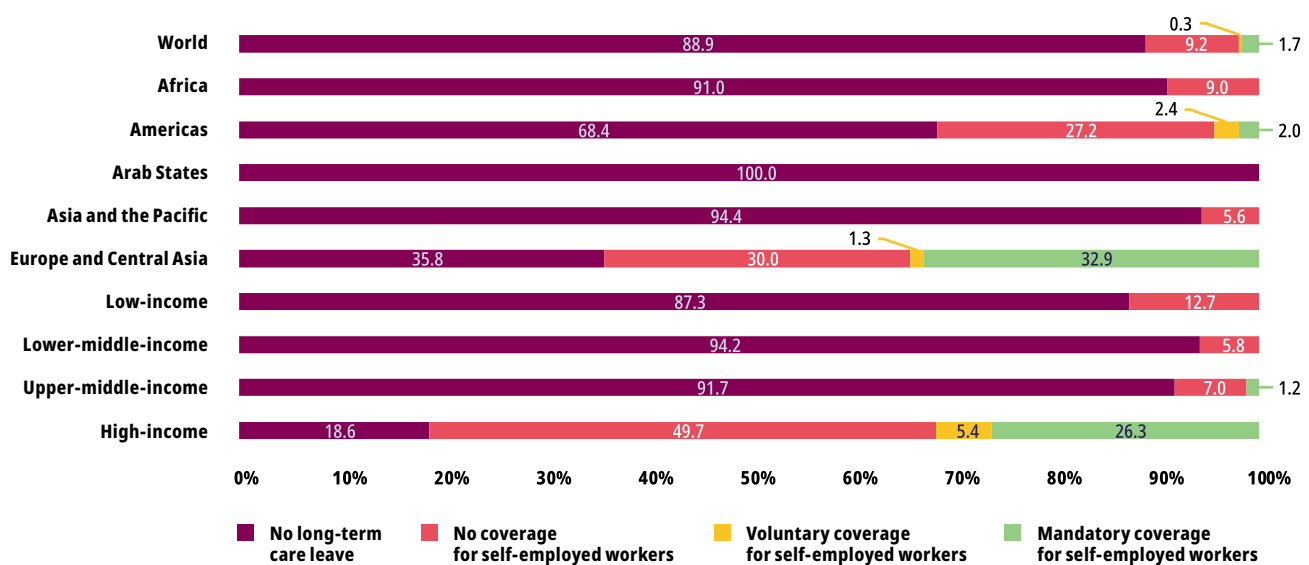
**Note:** 182 countries and territories. Source: ILO research, see Annex, table A.4 for country-level data and methodological explanation.

► Table 4.14. Provision of long-term care leave for self-employed workers, by region and by income group, 2021 (no. of countries)

Region/income group	No long-term care leave	No coverage for self-employed workers	Voluntary coverage for self-employed workers	Mandatory coverage for self-employed workers
World	130	30	2	20
Africa	47	6	–	1
Americas	28	4	1	1
Arab States	11	–	–	–
Asia and the Pacific	29	4	–	–
Europe and Central Asia	15	16	1	18
Low-income	24	4	–	–
Lower-middle-income	41	6	–	–
Upper-middle-income	38	9	–	3
High-income	27	11	2	17

**Note:** 182 countries and territories. – = nil. Source: ILO research, see Annex, table A.4 for country-level data and methodological explanation.

► Figure 4.26. Share of women and men aged 15–65 years by provision of long-term care leave for self-employed workers, by region and by income group, 2021 (%)



**Note:** 179 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.4 for country-level data and methodological explanation.

## Emergency leave: An entitlement available in 127 countries

The ILO normative framework provides guidance on leave entitlements that apply to when workers or their family members are sick or have to be absent from work (ILO 2021b). In particular, it should be possible for a worker with family responsibilities in relation to a dependent child – or another member of the worker’s immediate family who needs that worker’s care or support – to obtain a leave of absence in the case of the family member’s illness.<sup>27</sup> Emergency leave is a special leave of short duration that a worker can take in case of *force majeure* for urgent family reasons that make the immediate presence of the worker indispensable. Depending on the national legislation, the following contingencies might give the worker the right to take emergency leave: accidents to members of the immediate family of the worker; the sudden illness or sickness of any member of the immediate family of the worker requiring the assistance or the presence of the worker; and the worker’s presence during births and deaths of members of their immediate family.

Across the world, 3 billion adults living in 127 countries (or 62.5 per cent of all adults) have a statutory right to emergency leave for urgent family reasons (figure 4.27, figure 4.28 and table 4.15).

## Five out of ten adults live in countries that mandate paid emergency leave

While the right to paid emergency leave has proven an important measure during the COVID-19 pandemic, in only 101 countries (home to 53.7 per cent of adults) is emergency leave paid. Instead, in 26 countries (home to 8.8 per cent of adults), emergency leave is still unpaid. Unlike long-term care leave, emergency leave provision is more widespread across regions. The Arab States are the region where there is the largest share of the adult population living in countries mandating paid emergency leave. Almost 80 per cent of the regional population is living in the seven countries providing an entitlement to paid emergency leave. The second-largest share of adults living in countries with paid emergency leave is in Africa, with 65.1 per cent of the regional population living in the 36 countries that give the right to paid emergency leave. The Asia and the Pacific region follows, with more than 52.6 per cent of the adult population residing in the 15 countries with paid emergency leave provisions. In the Americas, emergency leave is paid in 15 countries, where 48 per cent of the region’s adult population resides. Surprisingly, in Europe and Central Asia, where leave policies are usually the most generous across the world, statutory rights to paid emergency leave are available in only 28 out of 52 countries with available data, with 47 per cent of the regional population living in these countries.

27 ILO Recommendation No. 165, Para. 23(1–2).



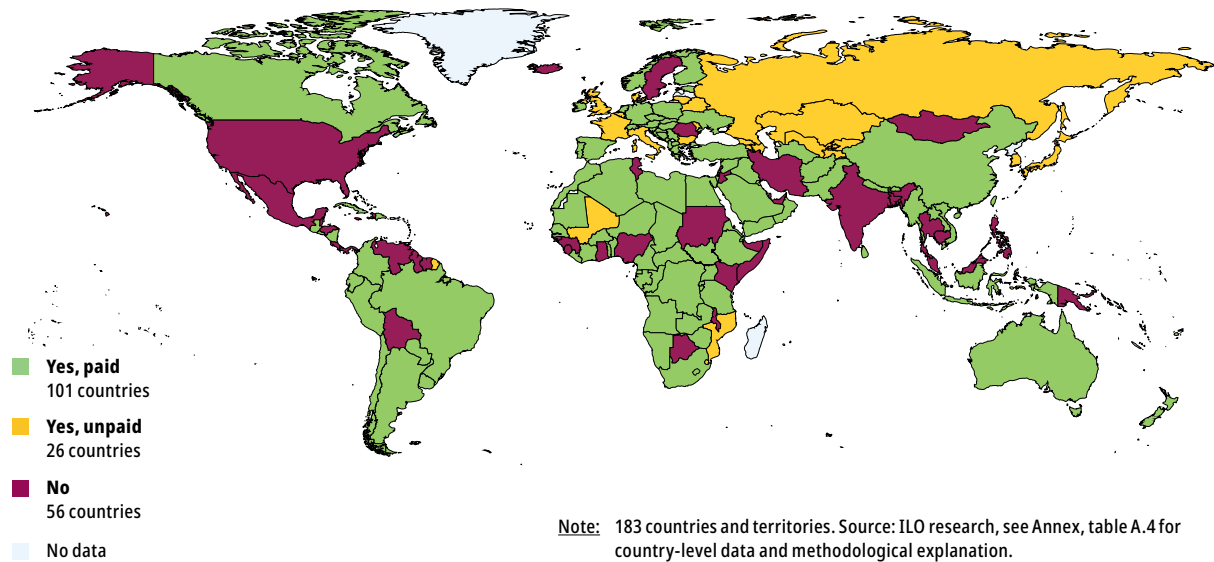
## ► Box 4.1. Supporting workers with family responsibilities through leave policies in the time of COVID-19

During the COVID-19 pandemic, several countries have introduced or extended care leave entitlements for workers with family responsibilities as a means to support the increased unpaid care work resulting from circumstances related to the pandemic, including quarantines or the temporary closure of schools, day-care centres and other care services, including those provided by domestic workers (ILO 2020b).

For example, **Australia** provided a special pandemic leave for all employees unable to attend work as a result of COVID-19. The **Plurinational State of Bolivia** introduced a special paid leave for parents or other caregivers aimed at protecting the health of persons with basic illnesses, persons aged 60 years or older, pregnant women, and persons under five years of age (UN Women and ECLAC 2020). **Italy** introduced a special parental leave entitlement of up to 15 days, which was later extended to 30 days (COVID-19 leave). Such leave was granted to employees and self-employed workers covered by the national social security scheme and paid at 50 per cent of previous wage or income. Significant funds were also allocated to assist persons with disabilities and families with disabled family members, and vouchers for accessing care services were introduced (ILO 2020b).

The **Seychelles** also stipulated special paid leave for workers who are parents to more than one child who is between 3 and a half months and 4 years old, or who is less than 15 years old and attends an education institution that closed during the pandemic (UNDP, n.d.). **Trinidad and Tobago** introduced a “pandemic leave” as a new form of paid leave for mothers and fathers who did not have support networks during the closure of education and care services. This provision was also accompanied by teleworking and other flexible working-time arrangements (UN Women and ECLAC 2020). In **Uzbekistan**, a working parent per household is granted paid leave for the duration of school and kindergarten shutdowns without affecting their regular annual paid leave schedule. In addition, sick leave benefits, which are usually paid at 60–80 per cent of previous earnings depending on the worker’s employment history, were increased to 100 per cent of the salary for everyone. This benefit also covers parents who have a child in quarantine (UNDP, n.d.).

► Figure 4.27. Provision of emergency leave, 2021

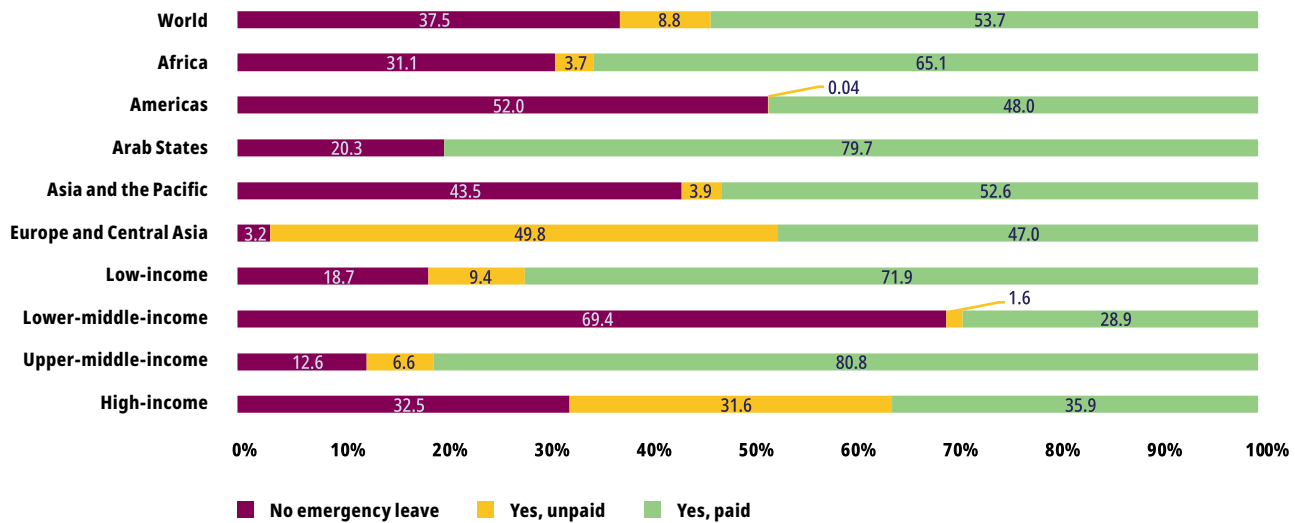


► Table 4.15. Provision of emergency leave by region and by income group, 2021 (no. of countries)

Region/income group	No emergency leave	Yes, unpaid	Yes, paid
World	56	26	101
Africa	13	4	36
Americas	18	1	15
Arab States	4	–	7
Asia and the Pacific	15	3	15
Europe and Central Asia	6	18	28
Low-income	8	3	16
Lower-middle-income	15	6	26
Upper-middle-income	17	7	26
High-income	16	10	33

Note: 183 countries and territories. – = nil. Source: ILO research, see Annex, table A.4 for country-level data and methodological explanation.

► Figure 4.28. Share of women and men aged 15–65 years by provision of emergency leave, by region and by income group, 2021 (%)



**Note:** 178 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.4 for country-level data and methodological explanation.

## Emergency leave is funded through employer liability in 90 out of 101 countries

In 90 out of 101 countries, paid emergency leave is an employer liability. There are only eight countries that rely on social protection to pay emergency leave cash benefits: Chile, Czechia, Estonia, Germany, Luxembourg, Portugal, Slovakia and Slovenia. In two countries – Norway and Singapore – there is a mixed system where employers and social insurance are jointly responsible for the payment of emergency leave. Specifically, in Norway, the first ten days are

paid by the employer and the remaining two by social insurance, and in Singapore three days are paid by the employer and three days by social assistance funds. The high reliance on employer liability to fund emergency leave cash benefits translates into low provision of emergency leave for self-employed workers and platform workers, whose vulnerability has been further exacerbated during the COVID-19 crisis (ILO 2021a). Across the world self-employed workers have an entitlement to emergency leave cash benefits only in Chile, Czechia, Estonia, Latvia, Norway, Portugal, Singapore, Slovakia, Slovenia and Tajikistan.

## ► 4.10. Conclusion: Findings on parental leave in a nutshell

In addition to maternity and paternity leave, parental leave and other care leave policies, such as emergency leave and long-term care leave, are essential to ensuring the continuum of care over the life course. The provision of the right to parental leave is particularly important to bridge care provision up to the point where there is universal availability of quality, accessible and adequate childcare services that meet the needs of working parents. However, parental leave remains a policy that is typically available in countries in Europe and Central Asia (48 out of 68) and is often designed without gender equality in mind. Only 46 countries out of 68 provide a right to paid parental leave, and while mostly funded

by social security, these entitlements are largely too long and too low-paid as well as voluntary and transferable. This results in low uptake by fathers and disadvantages for women's situation in the labour market, as they are the primary users of this care policy. To make uptake of parental leave more equitable and attractive to men, a number of countries have increased the amount of parental leave cash benefits and introduced non-transferable "daddy quotas" of parental leave. Other countries have also made parental leave entitlements more available to categories of workers that have traditionally been excluded, such as adoptive parents and same-sex couples with children.







40

COUNTRIES HAVE  
PARENTAL LEAVE OF  
AT LEAST ONE YEAR

► 1 IN 10 PARENTS



46

COUNTRIES HAVE  
PAID PARENTAL LEAVE

► 1 IN 10 PARENTS

9

countries have parental leave  
cash benefits of at least  
two-thirds of previous earnings

► 1 IN 100 PARENTS

42

countries have parental leave paid  
by social protection

► 1 IN 10 PARENTS



21

COUNTRIES STILL  
HAVE UNPAID  
PARENTAL LEAVE

► 1 IN 10 PARENTS



36

COUNTRIES HAVE  
PARENTAL LEAVE FOR  
SELF-EMPLOYED WORKERS

► 3 IN 100 PARENTS



56

COUNTRIES HAVE  
PARENTAL LEAVE FOR  
ADOPTIVE PARENTS

► 2 IN 10 PARENTS



25

COUNTRIES HAVE  
PARENTAL LEAVE FOR  
SAME-SEX PARENTS

► 1 IN 10 PARENTS

68

COUNTRIES HAVE  
PARENTAL LEAVE

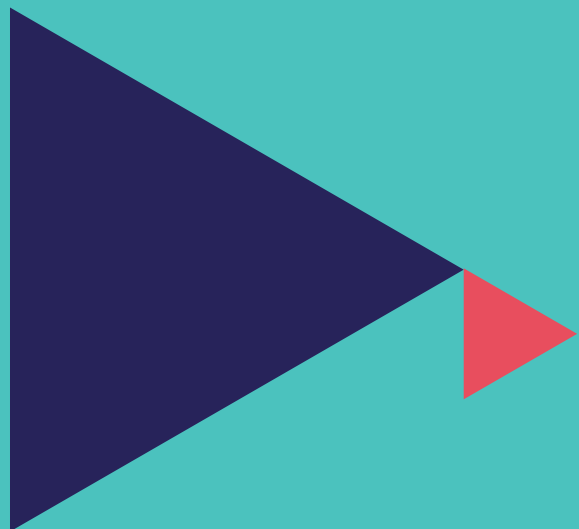
2 in 10 parents live in countries with parental leave



# ► 5

**Health protection for pregnant and nursing women: Leveraging the workplace to promote safety and health and saving lives**

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## Chapter 5 key messages

### ► Are pregnant and nursing women protected against dangerous or unhealthy work?

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- All workers should have a right to a safe and healthy working environment, especially pregnant or nursing women.
- Only 1 in 10 potential mothers live in countries where there is a statutory right to protect them against dangerous or unhealthy work, as mandated by ILO standards on maternity protection.
- 31 countries still have discriminatory prohibitions against dangerous or unhealthy work, thereby compromising the situation of women in the labour market.
- Since 2011, only 11 countries have introduced new restrictions against dangerous or unhealthy work for pregnant and nursing women.
- Workplace risk assessments are key tools to mitigate occupational safety and health (OSH) risks, especially during the COVID-19 pandemic.

### ► Are protective measures provided as an alternative to dangerous or unhealthy work?

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- The law should provide for protective measures as an alternative to dangerous or unhealthy work.
- 6 in 10 potential mothers across the world live in countries where there is no statutory right to protective measures against dangerous or unhealthy work, leaving them exposed to OSH risks.
- Since 2011, 21 countries have introduced new protective measures against dangerous or unhealthy work.

## Chapter 5 key messages

### ► Are pregnant and breastfeeding women protected against the risks of night work?

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- Decent working time is important to the health and quality of working life of all workers, and especially pregnant and breastfeeding women.
- Even so, 4 in 10 potential mothers across the world live in countries where there is still no legal protection against the health risks of night work.
- 34 countries still use blanket prohibitions against night work, putting all women at risk of discrimination.

### ► Do workers have the right to time off for antenatal healthcare?

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- Time off for prenatal examinations and adequate maternal healthcare can save lives by tackling preventable maternal mortality and morbidity.
- Despite the crucial health benefits of antenatal care, 8 in 10 potential mothers live in countries where there is no statutory right to paid time off for prenatal medical examinations.

## ► 5.1. The right to a safe and healthy working environment for all: Essential to decent work, gender equality and health protection

As the COVID-19 crisis continues to threaten many facets of labour markets and societies, guaranteeing a safe and healthy working environment for all workers is fundamental to decent work, gender equality and health protection. A safe and healthy working environment is a right for all workers and is the result of a “policy and system to prevent accidents and injury to health arising out of, linked with or occurring in the course of work, by minimising, so far as is reasonably practicable, the causes of hazards inherent in the working environment”.<sup>1</sup> ILO international standards<sup>2</sup> offer a comprehensive legal framework for a human-centred and gender-responsive occupational safety and health (OSH) approach that can benefit men and women workers as well as employers. This framework:

- establishes a clear system of workplace rights and responsibilities, including the principle of non-discrimination and the right of everyone to a world of work free from violence and harassment;
- recognizes social dialogue at the national and workplace levels as critical to ensuring effective policy design and intervention; and
- gives guidance on how to build effective and resilient OSH systems and on maintaining a safe and healthy working environment for all workers (ILO 2021a).

Taking a gender-responsive approach also requires the utilization of proactive measures aimed at achieving equality of opportunity and treatment between men and women as well as the need to eliminate discriminatory laws and practices. At the same time, such an approach involves specific prevention and mitigation interventions for pregnant and

breastfeeding women that are strictly about providing maternity protections, and that are not based on stereotypes of women’s professional abilities and roles in society (ILO 2014a). These specific measures ensure that pregnant and breastfeeding workers have full access to good-quality maternal healthcare and are not exposed to substances, ergonomic hazards, working conditions, work environments or organizational cultures that might pose particular physical and/or psychological risks to them or their newborn child, so they can safely perform their jobs and thrive at work on an equal footing with other workers.

In times of crisis and recovery, it is even more of a priority that all workers – including pregnant and breastfeeding women as well as potential mothers and fathers – have access without discrimination to effective health protection as a crucial component of both maternity protection at work and business continuity. For example, guidance from the WHO (2021) indicates that pregnant women are at a higher risk of developing severe COVID-19 if they are infected, compared to non-pregnant women of a similar age. COVID-19 during pregnancy has also been associated with an increased likelihood of preterm birth. The pandemic has also intensified stress and anxiety among pregnant and nursing women and among workers with family responsibilities, especially those in vulnerable groups (WHO, n.d.). In particular, migrant workers, workers in the informal economy and workers from ethnic and racial minorities – who were already at increased risk of workplace hazards, income insecurity and job loss – have been particularly affected. Migrant workers face added mental and physical health impacts associated with limited access to healthcare – importantly prenatal, childbirth and postnatal care – inadequate legal and social

<sup>1</sup> ILO Occupational Safety and Health Convention, 1981 (No. 155), Art. 4(2).

<sup>2</sup> In addition to Convention No. 183 and Recommendation No. 191, this framework includes the Discrimination (Employment and Occupation), 1958 (No. 111); the Occupational Safety and Health Convention, 1981 (No. 155); the Occupational Health Services Convention, 1985 (No. 161); the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187); and the Violence and Harassment Convention, 2019 (No. 190).

protection, and a lack of social support networks (ILO and WHO 2021).

This chapter reviews national legislation on two key aspects of health protection at the

workplace for pregnant or nursing women: (i) protection against unhealthy working time; and (ii) protection against dangerous and unhealthy work.

## ► 5.2. Ensuring decent working time for all workers: For a better work–life balance

An important issue affecting the health and working life quality of all workers is the duration, intensity and regularity of working time. Long and non-standard working hours, such as night work and regular overtime, are often neither preferred by workers nor healthy for workers and pose risks to workplace safety. They also affect workers' families by compromising work–life balance; businesses by reducing productivity; and society at large. Working time should be organized in ways that promote safety and health, and therefore, the principle of “decent working time” is even more important during maternity (ILO 2019c). International labour standards set out protective working arrangements for pregnant and nursing women, including in relation to night work and time off for antenatal medical examinations.

### Four in ten potential mothers live in countries where there is no legal protection against the health risks of night work

Recommendation No. 191 (Para. 6(4)) states that a woman should not be obliged to perform night work if this is incompatible with her pregnancy or with nursing, as determined by a medical certificate. Instead of a blanket prohibition against night work, international labour standards encourage legislation to take into account the needs and preferences of individual workers. Among the 182 countries with available data, 116 have statutory provisions regulating night work, while 78 have adopted legislation to regulate night work<sup>3</sup> by pregnant

or breastfeeding workers, with different levels of restrictions (figure 5.1 and table 5.1).

Out of these 78 countries, it is only in 31 that pregnant or breastfeeding workers cannot be obliged to do night work, which is in line with ILO standards. This represents only 7.4 per cent of potential mothers across the world (figure 5.2). The region with the highest level of compliance with ILO standards is Europe and Central Asia (18 countries, including Albania, Cyprus, Greece and Spain), where 24 per cent of potential mothers live in countries with adequate protection. Countries in other regions that are in line with Recommendation No. 191 include Cape Verde, Ghana, Mozambique, Sri Lanka, Suriname, Tajikistan and Viet Nam.

In 47 of the 116 countries with statutory provisions on night work, pregnant or breastfeeding workers are prohibited from doing night work, with 36.5 per cent of the world's potential mothers living in these countries. This statutory prohibition is more frequent in Europe and Central Asia (24 countries, including Belarus, Italy, Switzerland, Uzbekistan), Africa (11 countries, including Ethiopia, the United Republic of Tanzania, Zambia), and Asia and the Pacific (7 countries, including Afghanistan, Bhutan and China) (table 5.1 and figure 5.2).

3 As defined by national legislation.

## Thirty-four countries still use blanket prohibitions against night work, putting all women at risk of discrimination

In some countries, legislation forbids or limits night work for all women, irrespective of their pregnancy or nursing status, with the risk of putting women at a disadvantage in the labour market compared to their male counterparts. These laws mandating blanket prohibitions or restrictions on night work for all women are discriminatory and should be repealed, as they are based on stereotypes regarding women's and men's professional abilities and roles in society. At present, 14.8 per cent of all potential mothers live in countries with such provisions. In four countries – Bangladesh, Malaysia, Morocco and Oman – all women cannot be obliged to do night work; while there is a general prohibition of night work for all women in 34 countries, especially in:

- ▶ Africa (18 countries, including the Democratic Republic of Congo, Madagascar, Mali, and Nigeria);
- ▶ the Arab States (7 countries, including Saudi Arabia and Yemen), affecting 86.8 per cent of potential mothers living in the region; and

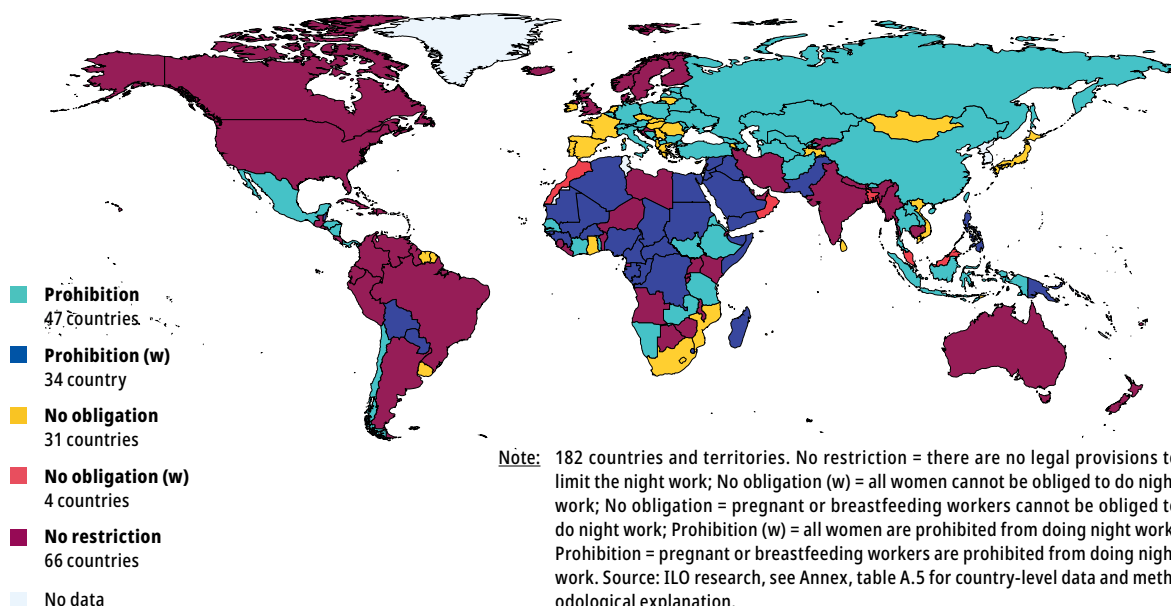
- ▶ Asia and the Pacific (5 countries, including Pakistan and the Philippines).

Such general prohibitions against night work for all women are also found in the Americas, including in Belize, Bolivia and Paraguay (figure 5.1, figure 5.2, and table 5.1).

In 66 countries, there are no legal provisions to limit night work, which affects 37.8 per cent of potential mothers across the world. Labour legislation regimes without any restrictions on night work for pregnant and nursing women are particularly common in:

- ▶ the Americas (24 countries, including Argentina, Brazil, Colombia, Costa Rica and Haiti), with 80 per cent of potential mothers lacking any protection;
- ▶ Africa (17 countries, including Botswana, Kenya, Liberia and Uganda); and
- ▶ Asia and the Pacific (13 countries, including Australia, Cambodia, India and the Islamic Republic of Iran).

▶ Figure 5.1. Provision of night work protection to pregnant and breastfeeding workers, 2021





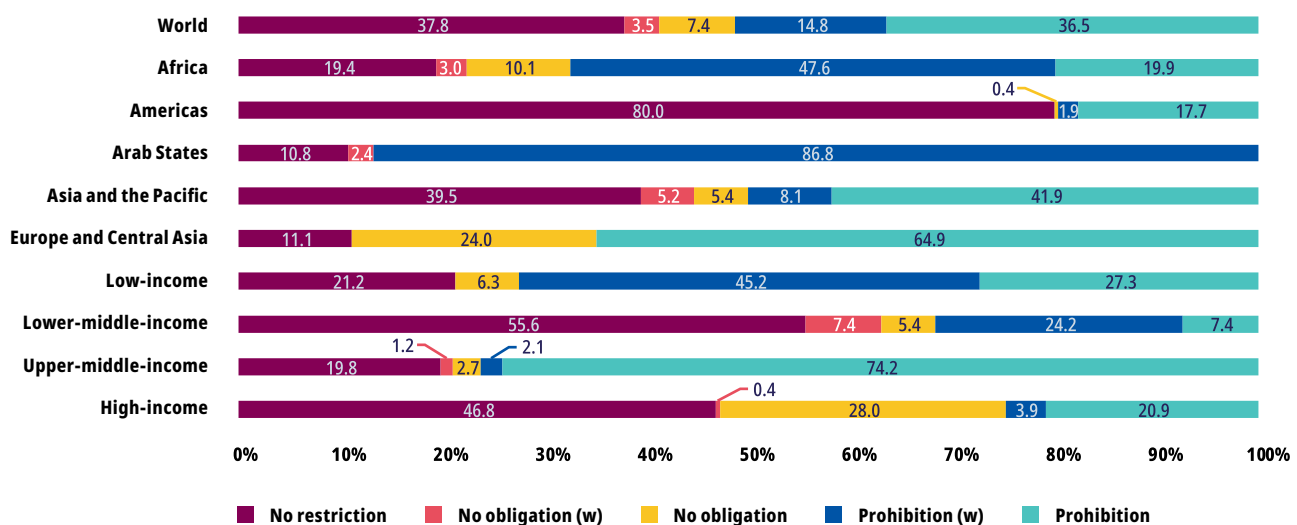
► **Table 5.1.** Provision of night work protection to pregnant and breastfeeding workers, by region and by income group, 2021 (no. of countries)

Region/income group	No restriction	No obligation (w)	No obligation	Prohibition (w)	Prohibition
World	66	4	31	34	47
Africa	17	1	6	18	11
Americas	24	–	2	3	5
Arab States	3	1	–	7	–
Asia and the Pacific	13	2	5	5	7
Europe and Central Asia	9	–	18	1	24
Low-income	9	–	2	12	5
Lower-middle-income	12	2	7	13	12
Upper-middle-income	23	1	5	5	16
High-income	22	1	17	4	14

**Note:** 182 countries and territories. – = nil. No restriction = there are no legal provisions to limit the night work; No obligation (w) = all women cannot be obliged to do night work; No obligation = pregnant or breastfeeding workers cannot be obliged to do night work; Prohibition (w) = all women are prohibited from doing night work; Prohibition = pregnant or breastfeeding workers are prohibited from doing night work. See note to figure 5.1 for details. Source: ILO research, see Annex, table A.5 for country-level data and methodological explanation.

179

► **Figure 5.2.** Share of potential mothers by provision of night work protection to pregnant and breastfeeding workers, by region and by income group, 2021 (%)



**Note:** 177 countries and territories. No restriction = there are no legal provisions to limit the night work; No obligation (w) = all women cannot be obliged to do night work; No obligation = pregnant or breastfeeding workers cannot be obliged to do night work; Prohibition (w) = all women are prohibited from doing night work; Prohibition = pregnant or breastfeeding workers are prohibited from doing night work. Source: ILO calculations based on country-level data. See Annex, table A.5 for country-level data and methodological explanation.

### ► 5.3. Time off for prenatal examinations can save lives by tackling preventable maternal mortality and morbidity

Antenatal care provides a platform for important healthcare functions, including health promotion, screening and diagnosis, and disease prevention. The WHO has established that by implementing timely and appropriate evidence-based practices, antenatal care can save lives by tackling preventable maternal mortality and morbidity. New WHO (2016a) guidelines have increased to eight the recommended number of antenatal contacts between an expectant mother and healthcare providers in order to facilitate assessment of well-being and the provision of interventions to improve health outcomes if complications are identified. ILO standards on maternity protection indicate that 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.<sup>4</sup>

During the COVID-19 pandemic, a number of factors have increased the vulnerability of pregnant women, including: pre-existing severe shortages of health personnel (WHO 2016b) – which is a major determinant of unequal access to health services (ILO 2017); lack of equipment and supplies; closures of routine health services; and fear of infection resulting in reduced use of healthcare services (WHO, n.d.; ICN 2021). By providing paid time off for prenatal maternal healthcare during working hours, workplaces can play a key role in enabling women's access to antenatal care, and in so doing offer recognition of the importance of antenatal care for maternal and child health and for families' economic security, especially during a health crisis.

#### Despite the crucial health benefits of antenatal care, 83.3 per cent of potential mothers live in countries where there is no statutory right to paid time off for prenatal medical examinations

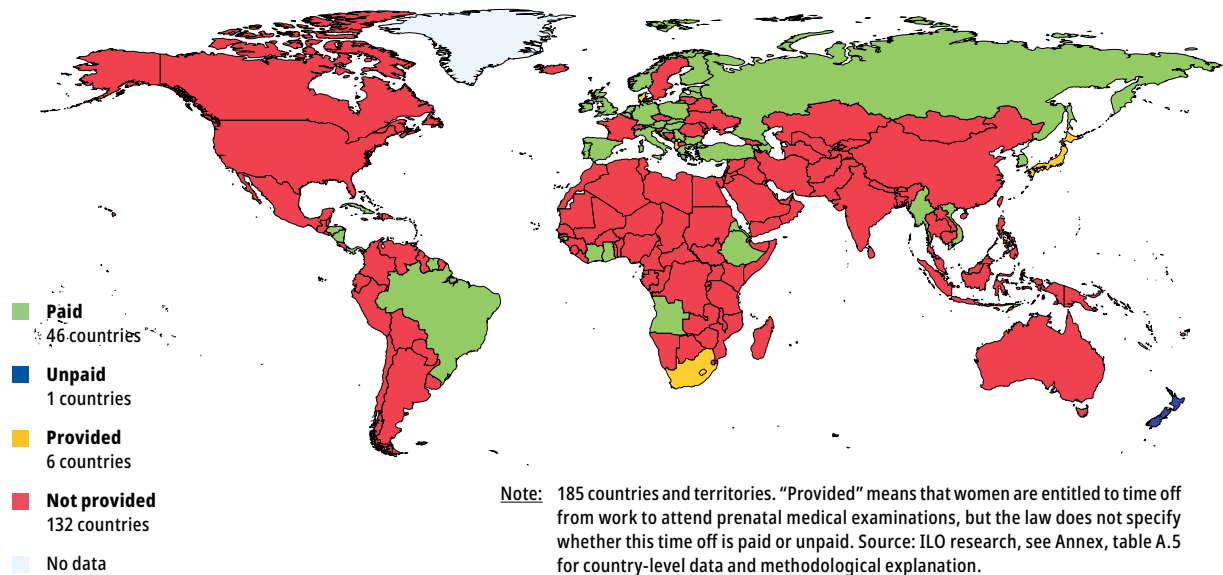
Despite its importance, among the 185 countries with available information, 132 still do not provide time off for prenatal medical examinations, thereby compromising the access of 80.9 per cent of potential mothers to antenatal care across the world (figure 5.3, figure 5.4 and table 5.2). Paid time off for prenatal examinations is particularly uncommon in Africa and Asia and the Pacific, and completely non-existent in the Arab States. Some of these countries are among those in which maternal mortality and morbidity are most prevalent.

Among the 53 countries where the right to time off is available, 46 specify that this entitlement is paid. This corresponds to 16.8 per cent of potential mothers worldwide living in these countries (figure 5.4). Only in one country (New Zealand) is no remuneration provided to leave takers.<sup>5</sup> Paid time off for antenatal care is mainly legislated for in Europe and Central Asia (28 countries, including Montenegro, the Russian Federation and Serbia), benefitting 69.7 per cent of the region's potential mothers, and to a lesser extent in the Americas (7 countries, including Nicaragua, Honduras and Trinidad and Tobago), where a quarter of the target group is protected. In other regions, the following countries stand out as having good practices in regard to providing paid time off for pregnant women: Côte d'Ivoire, Eritrea, Guinea-Bissau and Viet Nam.

4 ILO Recommendation No. 191, Para. 6(6).

5 It should be noted that the laws in six countries (Albania, Cape Verde, Denmark, Japan, Sao Tome and Principe, South Africa) that provide pregnant workers with time off for prenatal medical examinations do not specify whether this time off is paid or unpaid.

► Figure 5.3. Provision of time off for prenatal medical examinations, 2021

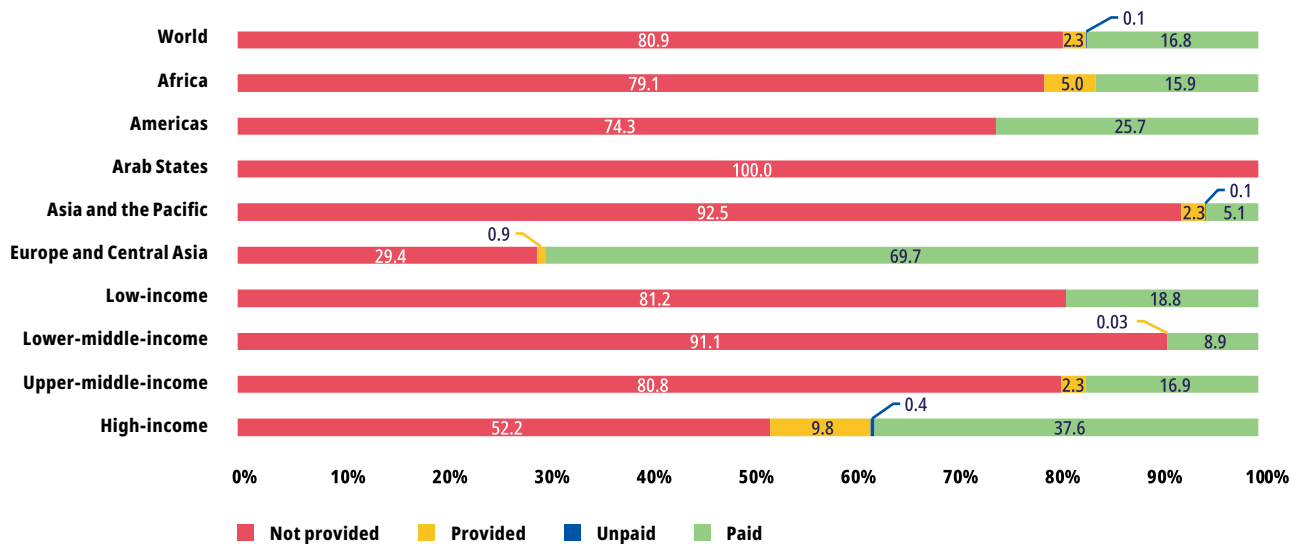


► Table 5.2. Provision of time off for prenatal medical examinations, by region and by income group, 2021 (no. of countries)

Region/income group	Not provided	Provided	Unpaid	Paid
World	132	6	1	46
Africa	45	3	–	6
Americas	27	–	–	7
Arab States	11	–	–	–
Asia and the Pacific	26	1	1	5
Europe and Central Asia	23	2	–	28
Low-income	25	–	–	3
Lower-middle-income	37	2	–	8
Upper-middle-income	38	2	–	10
High-income	32	2	1	25

**Note:** 185 countries and territories. – = nil. "Provided" means that women are entitled to time off from work to attend pre-natal medical examinations, but the law does not specify whether this time off is paid or unpaid. Source: ILO research, see Annex, table A.5 for country-level data and methodological explanation.

► Figure 5.4. Share of potential mothers by provision of time off for prenatal medical examinations, by region and by income group, 2021 (%)



**Note:** 180 countries and territories. “Provided” means that women are entitled to time off from work to attend prenatal medical examinations, but the law does not specify whether this time off is paid or unpaid. Source: ILO calculations based on country-level data. See Annex, table A.5 for country-level data and methodological explanation.

## ► 5.4. All workers should have a right to safe and healthy workplaces: Pregnant or nursing women have a right to special protection

ILO standards mandate that provisions relating to the protection of persons working under dangerous or unhealthy conditions should be aimed at protecting the health and safety of both men and women at work, while taking into account gender differences in regard to specific health risks (ILO 2012b). Effectively regulating dangerous or unhealthy work for women during maternity is a core component of health protection at the workplace. 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.<sup>6</sup> Recommendation No. 191 (Para. 6(3)) promotes the assessment of workplace risks related to safety and health, especially

where conditions involve arduous manual work; exposure to hazardous biological, chemical or physical agents; situations requiring special equilibrium; or situations requiring standing or sitting for prolonged periods, particularly in extreme temperatures or close to vibration.

As seen during the COVID-19 pandemic, workplace risk assessments are important OSH management tools at the enterprise level for helping employers assess and mitigate not only the risk of contagion, but also associated chemical, ergonomic and psychosocial risks, such as violence and harassment, increased workloads, longer working hours and reduced rest periods (ILO 2021a). These newly recognized OSH risks have arisen during the pandemic

<sup>6</sup> This protection principle stems from a general right recognized under OSH Conventions that any worker has the right to remove themselves from a situation of danger. Article 13 of Convention No. 155 mandates that a worker who has removed himself from a work situation which he or she has reasonable justification to believe presents an imminent and serious danger to his/her life or health shall be protected from undue consequences in accordance with national conditions and practice.

due to the introduction of new measures and work processes, including administrative and engineering controls, teleworking, and increased use of personal protective equipment (PPE) and disinfection. Therefore, policy and regulatory frameworks should promote the implementation of a preventive OSH culture and the adoption of a sound OSH management system in the workplace, grounded on regular risk assessments and effective prevention, mitigation and protection measures (ILO 2021a).<sup>7</sup> These are essential for a timely and effective response that takes into account the situation of pregnant and nursing women during a public health crisis and beyond.

### Only one in ten potential mothers across the world live in countries where pregnant or breastfeeding workers cannot be obliged to perform dangerous or unhealthy work

There are statutory measures that – to varying extents – restrict dangerous or unhealthy work for pregnant or nursing women in 133 out of 183 countries with available information (figure 5.5 and table 5.3). In 38 of these 133 countries, pregnant or breastfeeding workers cannot be obliged to perform dangerous or unhealthy work, which is in line with ILO standards. As such, only 10.4 per cent of potential mothers across the world live in countries with such protections (figure 5.6). The regions with the highest level of legal compliance with ILO standards are:

- Africa (17 countries, including Algeria, Benin, Eritrea, Guinea-Bissau and Niger), however only 19.1 per cent of potential mothers in the region reside in countries with such provisions;

- Europe and Central Asia (9 countries, including Estonia, Montenegro, Portugal, Turkmenistan, and Ukraine), with 10.1 per cent of potential mothers in the region living in countries where there is no obligation for pregnant and breastfeeding women to perform dangerous or unhealthy work; and
- the Americas (7 countries, including Canada, the Dominican Republic and Mexico), with 24.7 per cent of the region's potential mothers living in countries with such provisions.

In a plurality (59) of the 133 countries with statutory measures, the legislation adopts a more restrictive approach towards dangerous or unhealthy work by prohibiting it for pregnant or breastfeeding workers. Globally, 54.5 per cent of potential mothers live in these countries. This statutory prohibition is more frequently found in Europe and Central Asia (27 countries, including Albania, Bosnia and Herzegovina, Malta, and the United Kingdom); Africa (10 countries, including Burkina Faso, Mauritania, Senegal and Togo); and the Americas (10 countries, including El Salvador, Panama and Venezuela). In Asia and the Pacific, this total prohibition is also the case in nine countries (including China, India, Japan and the Lao People's Democratic Republic), with 74.6 per cent of potential mothers living in countries where there is such protection. This is the largest share of a regional population enjoying this entitlement.

<sup>7</sup> The importance of preventive and protective OSH measures, alongside workers' compensation, and the relevance of international labour standards in guiding state action was also underlined by the CEACR's 2021 addendum to their 2020 General Report (ILO 2021j).

## A total of 31 countries have discriminatory prohibitions against dangerous or unhealthy work, thereby compromising the situation of women in the labour market

In a significant number of countries (31), the legislation still forbids all women from working under certain conditions classed as dangerous or unhealthy. The ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) considers these blanket bans on dangerous work (as well as on night work and overtime) to be:

- ▶ based on stereotypes regarding women's professional abilities and role in society;
- ▶ contrary to the principle of equality of opportunity and treatment in employment and occupation; and
- ▶ contributing to gender-based discrimination at work (ILO 2018b; ILO 2012b).

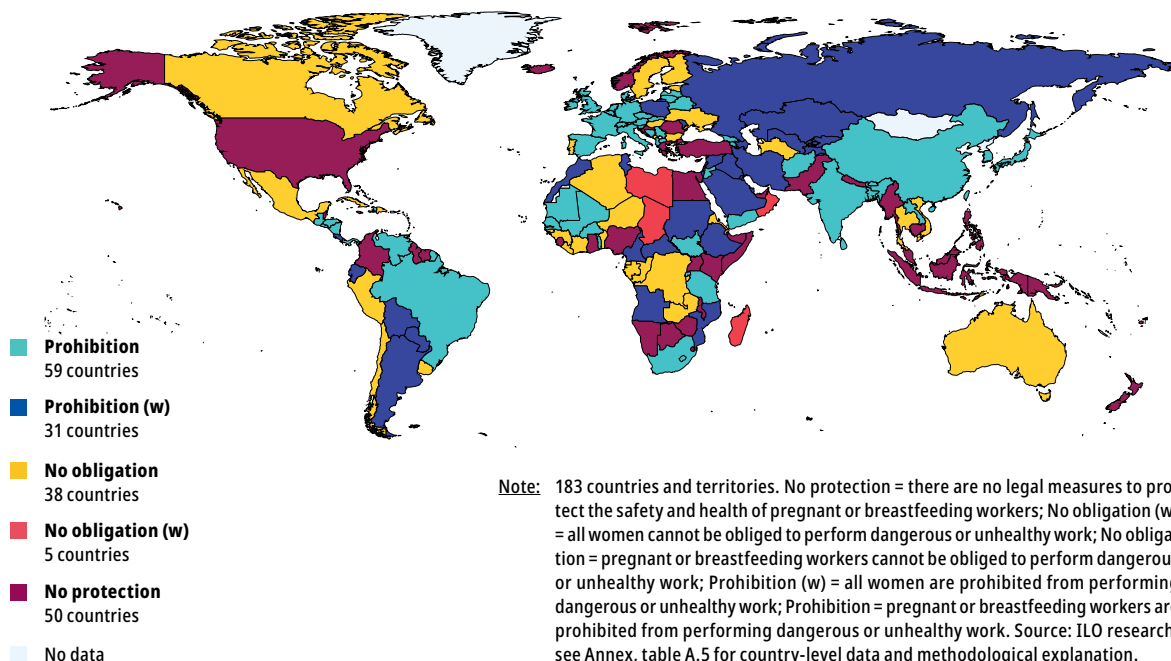
These discriminatory laws still affect 11.8 per cent of potential mothers globally. As shown in

table 5.3, in five countries (Chad, Comoros, Libya, Madagascar and Oman), all women cannot be obliged to dangerous or unhealthy work. In addition, there is a general prohibition against this work covering all women in 31 countries, especially in:

- ▶ Europe and Central Asia (10 countries, including Israel, Poland and a number of Commonwealth of Independent States countries), affecting almost a third of the region's potential mothers;
- ▶ Africa (8 countries, including Angola, Morocco, Cameroon, Sudan);
- ▶ the Arab States (6 countries, including Lebanon, Qatar, Syrian Arab Republic), affecting 66.1 per cent of potential mothers; and
- ▶ the Americas (6 countries, including Barbados, Costa Rica and Ecuador), where 8.7 per cent of potential mothers are affected by discriminatory laws.

In Asia and the Pacific, the Islamic Republic of Iran is the only country with such a general prohibition of dangerous work being performed by women.

▶ Figure 5.5. Provision of statutory protections against dangerous or unhealthy work for pregnant and breastfeeding workers, 2021



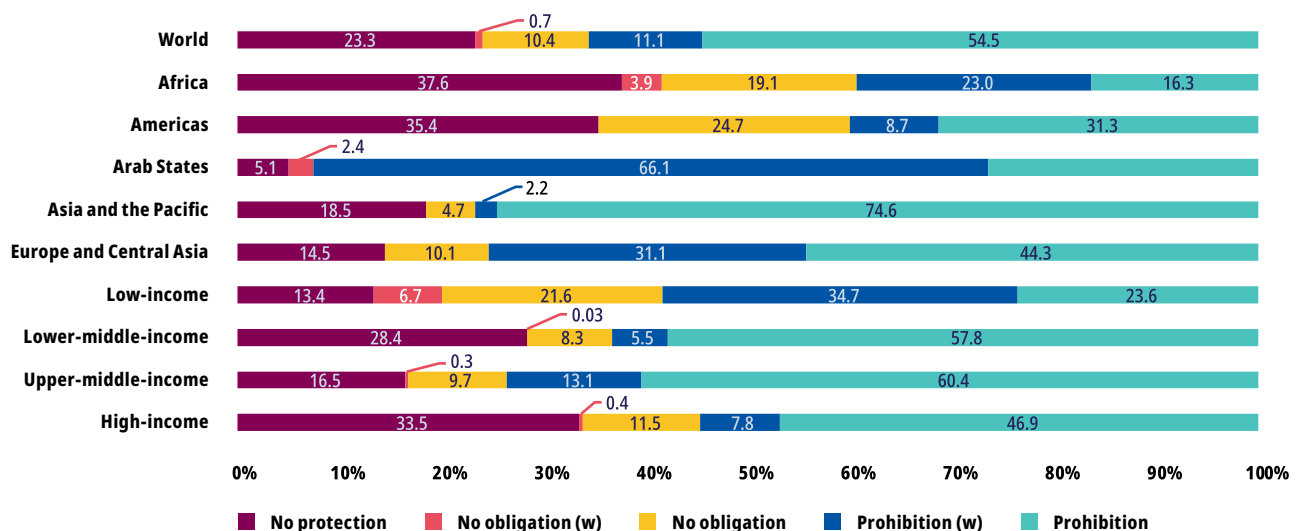
► **Table 5.3.** Provision of statutory protections against dangerous or unhealthy work by pregnant and breastfeeding workers, by region and by income group, 2021 (no. of countries)

Region/income group	No protection	No obligation (w)	No obligation	Prohibition (w)	Prohibition
World	50	5	38	31	59
Africa	15	4	17	8	10
Americas	11	–	7	6	10
Arab States	1	1	–	6	3
Asia and the Pacific	17	–	5	1	9
Europe and Central Asia	6	–	9	10	27
Low-income	4	2	8	6	8
Lower-middle-income	16	1	9	8	12
Upper-middle-income	16	1	10	10	13
High-income	14	1	11	7	26

**Note:** 183 countries and territories. – = nil. No protection = there are no legal measures to protect the safety and health of pregnant or breastfeeding workers; No obligation (w) = all women cannot be obliged to perform dangerous or unhealthy work; No obligation = pregnant or breastfeeding workers cannot be obliged to perform dangerous or unhealthy work; Prohibition (w) = all women are prohibited from performing dangerous or unhealthy work; Prohibition = pregnant or breastfeeding workers are prohibited from performing dangerous or unhealthy work. Source: ILO research, see Annex, table A.5 for country-level data and methodological explanation.

185

► **Figure 5.6.** Share of potential mothers by presence of statutory provisions protecting pregnant and breastfeeding workers from dangerous or unhealthy work, by region and by income group, 2021 (%)



**Note:** 178 countries and territories. No protection = there are no legal measures to protect the safety and health of pregnant or breastfeeding workers; No obligation (w) = all women cannot be obliged to perform dangerous or unhealthy work; No obligation = pregnant or breastfeeding workers cannot be obliged to perform dangerous or unhealthy work; Prohibition (w) = all women are prohibited from performing dangerous or unhealthy work; Prohibition = pregnant or breastfeeding workers are prohibited from performing dangerous or unhealthy work. Source: ILO calculations based on country-level data. See Annex, table A.5 for country-level data and methodological explanation.

## Since 2011, 11 countries have introduced new restrictions against dangerous or unhealthy work being performed by pregnant and nursing women

Between 2011 and 2021, 11 countries without protections against dangerous or unhealthy work being performed by pregnant or nursing women introduced new legislations that either

set out prohibitions (seven countries, including Brazil, Guatemala, Denmark and Senegal) or require that there be no obligation by pregnant or breastfeeding women, in line with Convention No. 183 (Congo, Niger and Zambia). Senegal reformed its legislation to remove certain blanket prohibitions for all women as a result of the country's ratification of Convention No. 183 in 2017. One additional country, Chad, reformed its labour code to introduce a requirement that there be no obligation for dangerous work for all women (table 5.4).

► Table 5.4. Countries that have changed the type of statutory protection provided against dangerous or unhealthy work by pregnant and breastfeeding workers between 2011 and 2021

Region	Country	2011	2021
Africa	Chad	No protection	No obligation (w)
	Congo	No protection	No obligation
	Niger	No protection	No obligation
	Zambia	No protection	No obligation
Americas	Brazil	No protection	Prohibition
	Guatemala	No protection	Prohibition
	Haiti	No protection	Prohibition
	Nicaragua	No protection	Prohibition
	Trinidad and Tobago	No protection	Prohibition
Europe and Central Asia	Bosnia and Herzegovina	No protection	Prohibition
	Denmark	No protection	Prohibition

Source: ILO research, see Annex, table A.5 for country-level data and methodological explanation; ILO 2014a.



## ► 5.5. The provision of protective measures: Offering alternatives to dangerous or unhealthy work

Recommendation No. 191 (Para. 6(2)) indicates that protective measures should be taken when it is determined that a pregnant or nursing worker is engaged in dangerous or unhealthy work that represents a potential danger to the well-being of the worker or their child. In the event that such a workplace risk is established, the Recommendation suggests four alternative measures to be taken, in the following order:

- i. the elimination of the risk;
- ii. an adaptation of the worker's conditions of work;
- iii. a temporary transfer to a safer position, without loss of pay; or
- iv. in the absence of other possibilities, placing a worker on temporary paid leave.

Among the 184 countries with information available, 114 provide pregnant and nursing workers between one and four alternatives to dangerous work, while 70 do not. Consequently, 62.2 per cent of potential mothers have no statutory right to protective measures against dangerous or unhealthy work (figure 5.8).

Globally, six in ten potential mothers live in countries where there is no statutory right to protective measures against/alternatives to dangerous or unhealthy work, leaving them exposed to health risks.

A complete lack of protective legislation is more common in middle-income countries (48 countries) as well as in:

- all of the Arab States, where no alternative work arrangements are offered to pregnant or nursing workers;
- Africa (22 countries);

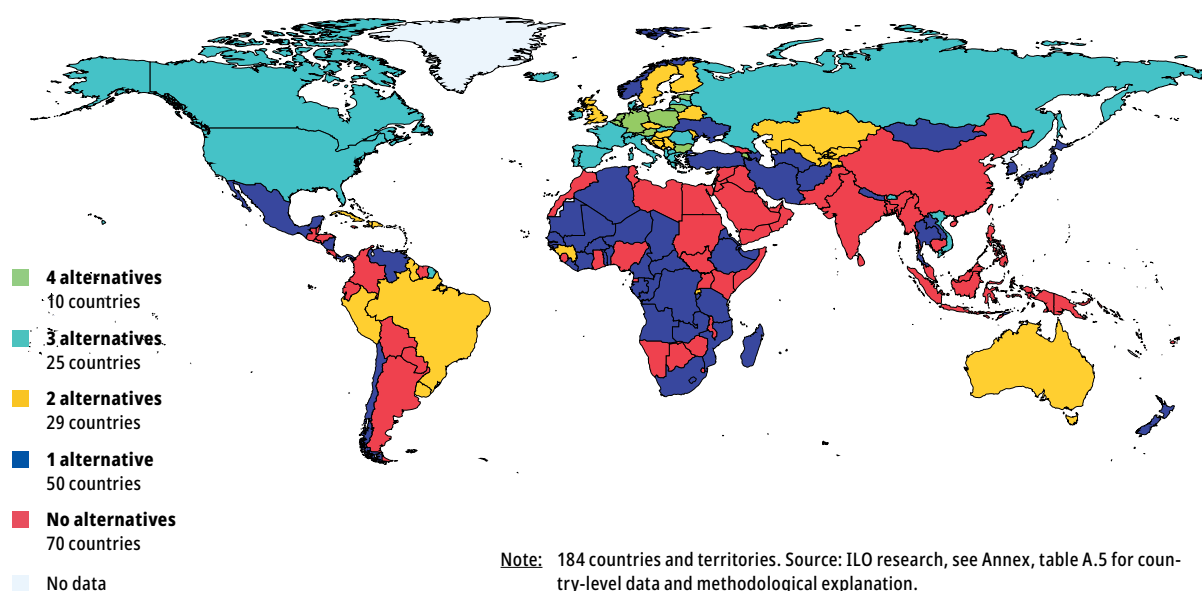
- Asia and the Pacific (19 countries, representing almost 90 per cent of potential mothers); and
- the Americas (17 countries) (figure 5.7, figure 5.8 and table 5.5).

Among the 114 countries that do provide protective measures, a plurality (50) only offer one alternative, which is predominantly a "transfer" (44 countries) and, in five cases, either "adaptation" (Afghanistan, Turkey and Senegal) or "extra leave" (Mexico and Niger). The offering of just one alternative is particularly common in Africa (27 countries, including Angola, Gabon, Senegal, South Africa), affecting half of potential mothers in the region, and in Asia and the Pacific (11 countries, including Japan, the Republic of Korea, Timor-Leste). In Europe and Central Asia, 18.0 per cent of potential mothers are still provided with only one alternative under the legislation of six countries, including Azerbaijan, Turkey and Norway.

Another 54 countries among the 114 with alternative measures – mostly high- and upper-middle income countries in Europe and Central Asia and the Americas – offer pregnant and nursing workers two (29 countries) or three (25 countries) alternative measures to dangerous work. In the Americas, almost two-thirds of potential mothers live in the 12 countries where the law provides for two or three options for protective measures in case of dangerous work, including Canada, Brazil, Peru and Uruguay.

Finally, only ten European and Central Asian countries – where 17.5 per cent of potential mothers live – meet the ILO standard of offering four alternative measures. These ten countries include Armenia, Belgium and Lithuania.

► Figure 5.7. Provision of alternatives to dangerous or unhealthy work being performed by pregnant and breastfeeding workers, 2021

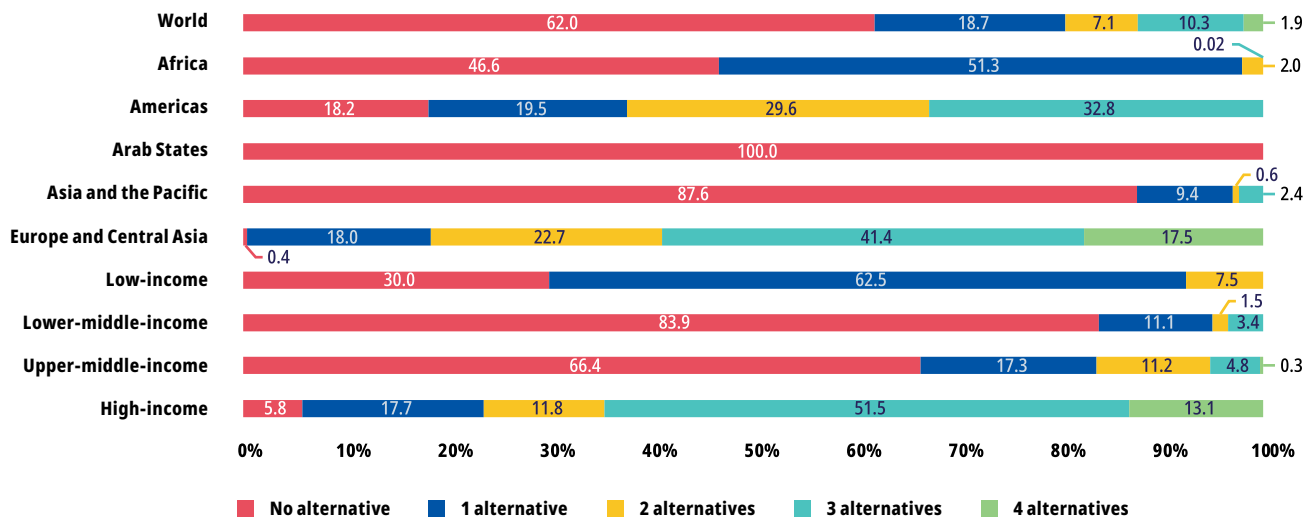


► Table 5.5. Provision of alternatives to dangerous or unhealthy work being performed by pregnant and breastfeeding workers, by region and by income group, 2021 (no. of countries)

Region/income group	No alternative	1 alternative	2 alternatives	3 alternatives	4 alternatives
World	70	50	29	25	10
Africa	22	28	3	1	–
Americas	17	5	9	3	–
Arab States	11	–	–	–	–
Asia and the Pacific	19	11	1	2	–
Europe and Central Asia	1	6	16	19	10
Low-income	9	15	4	–	–
Lower-middle-income	23	18	3	3	–
Upper-middle-income	25	9	11	3	2
High-income	13	8	11	19	8

Note: 184 countries and territories. – = nil. Source: ILO research, see Annex, table A.5 for country-level data and methodological explanation.

► **Figure 5.8.** Share of potential mothers by provision of alternatives to dangerous or unhealthy work being performed by pregnant and breastfeeding workers, by region and by income group, 2021 (%)



**Note:** 179 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.5 for country-level data and methodological explanation.

## Since 2011, 21 countries have introduced new protective measures against/alternatives to dangerous or unhealthy work by pregnant and breastfeeding workers

Between 2011 and 2021, 21 countries that previously had no statutory alternative protective measures adopted new legislation to introduce new protective measures against dangerous or unhealthy work being performed by pregnant and nursing workers (table 5.6). The introduction of such reforms was particularly common in Africa, where alignment to ILO standards was

low in 2011. In all, 13 African countries introduced such reforms; however, most of these countries (11) only introduced just one protective measure (“transfer”). The exceptions are Rwanda, which implemented two alternatives (“elimination” and “adaptation”), and Sao Tome and Principe, which implemented three alternatives (“adaptation”, “transfer” and “extra leave”). Among the 21 countries that introduced reforms, only Germany changed its legislation to comply fully with Recommendation No. 191 by implementing all four alternative measures to dangerous work. Although Albania – like Sao Tome and Principe – introduced three alternatives (“adaptation”, “transfer” and “extra leave”).

► Table 5.6. Countries that have introduced alternatives to dangerous or unhealthy work being performed by pregnant and breastfeeding workers between 2011 and 2021

Region	Country	2011	2021
Africa	Benin	No alternative	Transfer
	Burundi	No alternative	Transfer
	Chad	No alternative	Transfer
	Comoros	No alternative	Transfer
	Congo	No alternative	Transfer
	Democratic Republic of the Congo	No alternative	Transfer
	Guinea-Bissau	No alternative	Transfer
	Mali	No alternative	Transfer
	Rwanda	No alternative	Elimination, Adaptation
	Sao Tome and Principe	No alternative	Adaptation, Transfer, Extra leave
	Senegal	No alternative	Transfer
	Togo	No alternative	Transfer
	Zambia	No alternative	Transfer
Americas	Guyana	No alternative	Adaptation, Transfer
	Mexico	No alternative	Extra leave
	Panama	No alternative	Transfer
	Trinidad and Tobago	No alternative	Adaptation, Transfer
Asia and the Pacific	Nepal	No alternative	Transfer
Europe and Central Asia	Albania	No alternative	Adaptation, Transfer, Extra leave
	Germany	No alternative	Elimination, Adaptation, Transfer, Extra leave
	Serbia	No alternative	Transfer, Extra leave

Source: ILO research, see Annex, table A.5 for country-level data and methodological explanation; ILO 2014a.

## ► 5.6. Conclusion: Findings on health protection in a nutshell

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All workers should have a right to a safe and healthy working environment and decent working time, but prevention, mitigation and protection measures to ensure these rights for pregnant and nursing women represent a particularly important component of maternity protection. These measures contribute to the promotion of gender equality and maternal health, and they can save lives. They are part and parcel of a comprehensive legal framework for a human-centred and gender-responsive occupational safety and health (OSH) approach that can benefit all women and men workers as well as employers. However, many countries are still not leveraging the full potential of the workplace as a key entry point to promoting

safety and health. Since 2011, 28 countries have reformed their laws to introduce OSH-related measures specifically to protect pregnant and breastfeeding workers. Nevertheless, a large majority of potential mothers live in countries where the law does not protect pregnant and nursing workers against dangerous or unhealthy work or night work, as mandated by ILO standards on maternity protection. Globally, eight in ten potential mothers live in countries where there is no statutory right to paid time off for prenatal medical examinations. In addition, more than 30 countries still mandate blanket prohibitions against women performing dangerous work or night work, putting all women in these countries at risk of discrimination in employment.





34

countries still use blanket prohibitions against women engaging in night work



▶ 1 in 10 women



132

countries do not provide time off for prenatal medical examinations



▶ 8 in 10 women



In 38

countries pregnant or breastfeeding workers cannot be obliged to perform dangerous or unhealthy work



▶ 1 in 10 women



31

countries have discriminatory prohibitions against women engaging in dangerous or unhealthy work



▶ 1 in 10 women



In 70

countries pregnant and nursing workers have no statutory right to protective measures against/alternatives to doing dangerous or unhealthy work



▶ 6 in 10 women

Since 2011



11 COUNTRIES HAVE INTRODUCED NEW RESTRICTIONS AGAINST DANGEROUS OR UNHEALTHY WORK BEING PERFORMED BY PREGNANT AND NURSING WOMEN

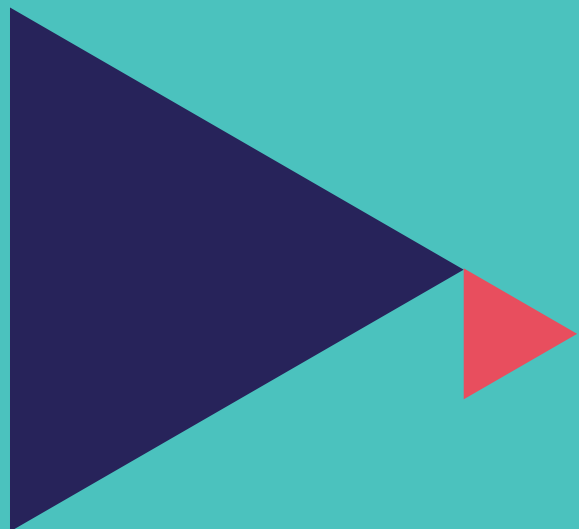


21 COUNTRIES INTRODUCED NEW PROTECTIVE MEASURES AGAINST DANGEROUS OR UNHEALTHY WORK BEING PERFORMED BY PREGNANT AND NURSING WOMEN, MANDATING THAT ALTERNATIVES BE PROVIDED



## Breastfeeding at work: Time, income security and space to enable positive nutrition and health outcomes

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## Chapter 6 key messages

### ► Where does the law provide a right to paid breastfeeding breaks?

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- All women should have the right to paid working time for breastfeeding.
- 138 countries provide a statutory right to time and income security for breastfeeding. This means that 8 in 10 potential mothers<sup>1</sup> live in countries with such a statutory right.
- Nursing breaks still remain unpaid in at least four high-income countries.
- Since 2011, seven countries have introduced paid nursing breaks for the first time.
- At least four countries recognize men's role in supporting breastfeeding and infant nutrition by offering breastfeeding breaks to fathers.

### ► How is the right to paid breastfeeding breaks provided?

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- 80 countries grant two daily breaks. This means that 5 in 10 potential mothers live in countries that provide working mothers with two breastfeeding breaks per day.
- 109 countries offer the right to daily nursing breaks for six months or more. This represents 7 in 10 potential mothers living in countries with a statutory right to six months or more of daily nursing breaks.
- Only 10 countries provide a right to breastfeeding breaks for at least two years.

### ► Where does the law provide a right to workplace nursing facilities?

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- Workplace nursing facilities are a key ingredient of breastfeeding-friendly workplaces.
- Globally, only 42 countries offer a statutory right to workplace nursing facilities. This means that 4 in 10 potential mothers live in countries with such a statutory right.
- Only 13 countries offer a right to workplace nursing facilities irrespective of the number and sex of workers. This represents only 5 in 100 potential mothers living in these countries.
- Statutory requirements for nursing facilities based on sex are discriminatory and remain in place in 19 countries.

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1 "Potential mothers" are women of reproductive age. For the purposes of this report, the age group of "women of reproductive age" is assumed to be the same as that of "men of reproductive age" – that is, 15–49 years.



## ► 6.1. Provision of the right to breastfeeding at work: A key enabler of a health-promoting behaviour

The protection, promotion and support of breastfeeding is essential for the achievement of many of the Sustainable Development Goals by 2030 (Victora et al. 2016). The WHO (2020a, 1) indicates that “breastfeeding is the cornerstone of infant and young child survival, nutrition and development and maternal health”. It contributes to lower rates of acute infant and chronic child illness as well as improved cognitive and educational outcomes. The maternal health benefits are also considerable, including lower rates of postnatal depression and improved physical health. A study published in *The Lancet* estimates that scaling up of breastfeeding according to WHO recommendations<sup>2</sup> could prevent 823,000 annual deaths in children under 5 years and 20,000 annual deaths from breast cancer (Victora et al. 2016).

By supporting the harmonization between women’s paid work and unpaid care work, adequate maternity protection – including maternity, paternity and parental leave, paid breastfeeding breaks, workplace nursing spaces and a supportive breastfeeding environment – is a key enabler of this important health-promoting behaviour (ILO 2014a). Research in low- and middle-income countries shows that a one-month increase in paid parental leave for mothers leads to more than a two-month increase in breastfeeding duration, promoting positive health and economic outcomes (Chai, Nandi, and Heymann 2018). Fathers who take leave around childbirth are more involved in early childcare, share household work more equally, and can support mothers’ breastfeeding, significantly improving the chances of exclusive breastfeeding at six months (Johnston and LeRoy 2018; Rahadian et al. 2020).

However, when the law does not recognize the right of women workers to daily breaks or to a reduction of working time with pay to breastfeed or express breast milk, employment becomes incompatible with breastfeeding, possibly

impacting on the health and economic situation of women and children. The right to reconcile paid work with breastfeeding has been embedded in international labour standards on maternity protection for over a century (ILO 2019). The most recent ILO instrument on the matter – the Maternity Protection Convention, 2000 (No. 183) – sets out that women workers should be provided with the right to one or more daily nursing breaks (or a daily reduction of working hours), which should be counted as working time and remunerated accordingly (Article 10). The accompanying Maternity Protection Recommendation, 2000 (No. 191), also allows for flexibility in the use of nursing breaks to meet personal needs (Paras. 8–9).

Reducing the barriers to breastfeeding for working mothers, including those in the informal economy who face multiple and specific sociocultural and workplace challenges, is even more important during a health and economic crisis (UNICEF, ILO, and WIEGO 2021; Horwood et al. 2020). Recent WHO (2020a) guidelines strongly support breastfeeding as the best choice for infant feeding, even if the mother or her infant are infected with SARS-CoV-2. The lack of adequate paid leave for both women and men and lack of support for breastfeeding have been acutely felt in the COVID-19 pandemic, exacerbating health problems, childcare issues and parental psychosocial stress (Singh, Kumar, and Panda 2021; Margaria 2021).

This chapter presents the status of and trends in national legislation on breastfeeding-friendly measures at the workplace – including the offering of time, income security and space for nursing – according to the standards set by the ILO.

<sup>2</sup> The WHO recommends that mothers initiate breastfeeding within one hour of birth, and that infants be exclusively breastfed for the first six months of life, with continued breastfeeding, combined with other food sources, from six months.

## Eight in ten potential mothers live in countries with a statutory right to time and income security for breastfeeding

Globally, 142 out of 185 countries with available data provide paid or unpaid daily breaks or a daily reduction of hours of work for breastfeeding workers (figure 6.1, figure 6.2 and table 6.1). In 138 countries, these breaks or flexible arrangements are paid, in line with Convention No. 183. In 21 out of these 138 countries, including Angola, Italy, Serbia and the Russian Federation, the law allows workers to choose between paid breaks or a reduction of working time – to allow for late arrival at or early departure from the workplace – offering more flexibility to workers. Together, these provisions offer an adequate right to time and income security for breastfeeding to 85.6 per cent of potential mothers across the world,<sup>3</sup> reflecting the importance of this gender equality and health-promoting practice.

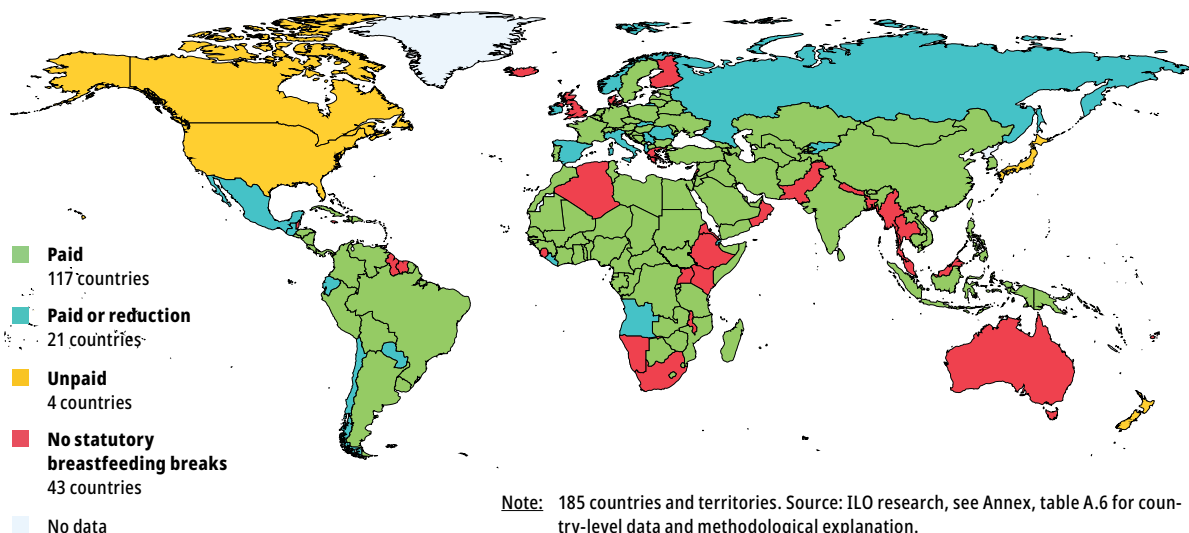
Alignment of national legislation to ILO standards is found consistently across the regions, with the shares of potential mothers living in countries with paid breastfeeding breaks ranging between 93 per cent in the Arab States and 66.5 per cent in the Americas. A large majority of countries in Africa (43, including Burkina Faso, Burundi, the Central African Republic, Egypt and Eswatini); the

Americas (20, including Argentina, Bolivia and Uruguay); the Arab States (9, including Kuwait, Saudi Arabia and Yemen); Asia and the Pacific (19, including Afghanistan, Bhutan and Papua New Guinea); and Europe and Central Asia (47, including Bulgaria, Croatia and Kazakhstan) have established an entitlement to paid nursing breaks or working time reductions.

## Nursing breaks still remain unpaid in four high-income countries

In four high-income countries – Canada, Japan, New Zealand and the United States – nursing breaks or working time reductions for breastfeeding remain unpaid, leaving 41.4 per cent of potential mothers residing in high-income countries without income security for breastfeeding. In addition, in 43 countries, legislation does not provide an entitlement to breastfeeding breaks, with potential mothers living in these countries (14.4 per cent of all potential mothers worldwide) lacking any support to balance paid work with breastfeeding. When zooming in on the regional picture, legal gaps are found more frequently in Africa, the Americas and Asia and the Pacific. As a result, almost 20 per cent of potential mothers residing in low-income countries, where the large majority of women work in the informal economy, are still potentially missing out on the important benefits of breastfeeding at the workplace.

► Figure 6.1. Entitlement to paid nursing breaks, 2021



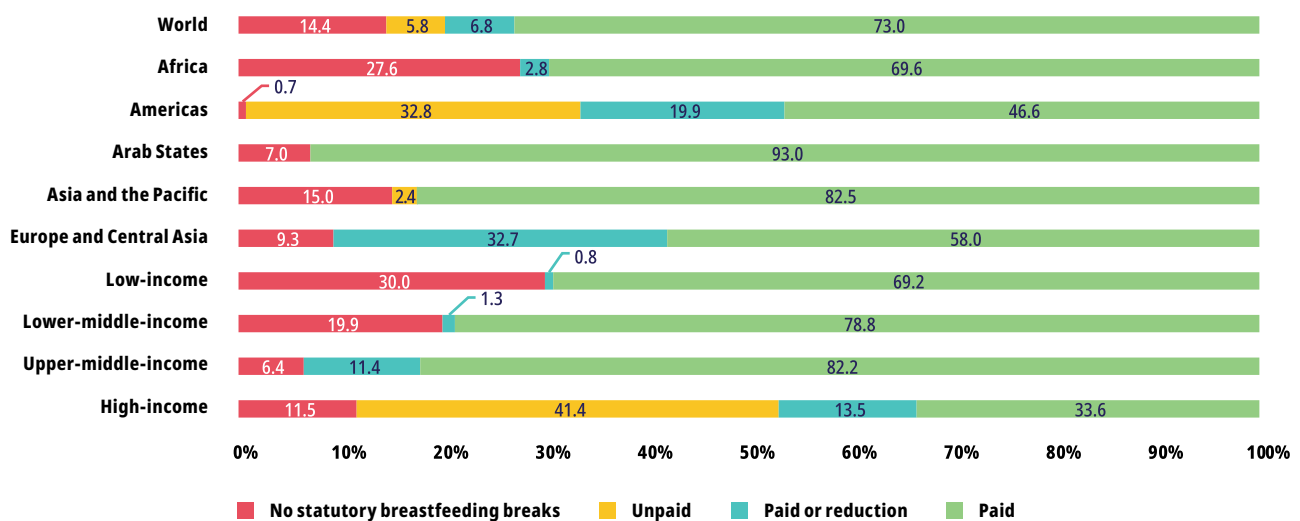
<sup>3</sup> ILO calculations are based on 180 countries with available population data. The United Nations "World Population Prospects: The 2019 Revision" do not provide population data for Andorra, British Virgin Islands, Monaco, Saint Kitts and Nevis, and San Marino. Therefore, the five countries are excluded from the population weighted averages.

► Table 6.1. Entitlement to paid nursing breaks, by region and by income group, 2021 (no. of countries)

Region/income group	No statutory breastfeeding breaks	Unpaid	Paid or reduction	Paid
World	43	4	21	117
Africa	11	–	3	40
Americas	12	2	5	15
Arab States	2	–	–	9
Asia and the Pacific	12	2	1	18
Europe and Central Asia	6	–	12	35
Low-income	6	–	1	21
Lower-middle-income	6	–	3	38
Upper-middle-income	13	–	8	29
High-income	18	4	9	29

Note: 185 countries and territories. – = nil. Source: ILO research, see Annex, table A.6 for country-level data and methodological explanation.

► Figure 6.2. Share of potential mothers by entitlement to paid nursing breaks, by region and by income group, 2021 (%)



Note: 180 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.6 for country-level data and methodological explanation.

## Since 2011, seven countries have introduced paid nursing breaks

Between 2011 and 2021, seven countries have for the first time granted paid working time arrangements for breastfeeding, confirming previous trends (ILO 2014a). In fact, with the exception of Canada, which introduced unpaid breastfeeding breaks, all of the countries that introduced new statutory arrangements for breastfeeding – including Israel, Malta, the Republic of Moldova, Qatar and Zambia

– introduced paid nursing breaks. In Albania and Serbia, women workers are allowed to choose between paid breastfeeding breaks or working time reductions (table 6.2).

Over the same period, Benin, Guinea, Indonesia and Niger moved from unpaid to paid nursing breaks, and Norway moved from unpaid nursing breaks to a choice between paid breaks or reductions in working time (table 6.3). Despite this progress, the number of countries introducing new laws in alignment with ILO standards remains low compared to the total without such provisions (42).

► Table 6.2. Countries that have moved from not providing to providing the entitlement to nursing breaks between 2011 and 2021, by region

Region	Country	Entitlement to paid nursing breaks 2011	Entitlement to paid nursing breaks 2021
Africa	Zambia	Not provided	Paid
Americas	Canada	Not provided	Unpaid
Arab States	Qatar	Not provided	Paid
Europe and Central Asia	Albania	Not provided	Paid or reduction
	Israel	Not provided	Paid
	Malta	Not provided	Paid
	Republic of Moldova	Not provided	Paid
	Serbia	Not provided	Paid or reduction

Source: ILO research, see Annex, table A.6 for country-level data and methodological explanation, and ILO 2014a.

► Table 6.3. Countries that have moved from unpaid to paid entitlement to nursing breaks between 2011 and 2021, by region

Region	Country	Entitlement to paid nursing breaks 2011	Entitlement to paid nursing breaks 2021
Africa	Benin	Unpaid	Paid
	Guinea	Unpaid	Paid
	Niger	Unpaid	Paid
Asia and the Pacific	Indonesia	Unpaid	Paid
Europe and Central Asia	Norway	Unpaid	Paid or reduction

Source: ILO research, see Annex, table A.6 for country-level data and methodological explanation, and ILO 2014a.

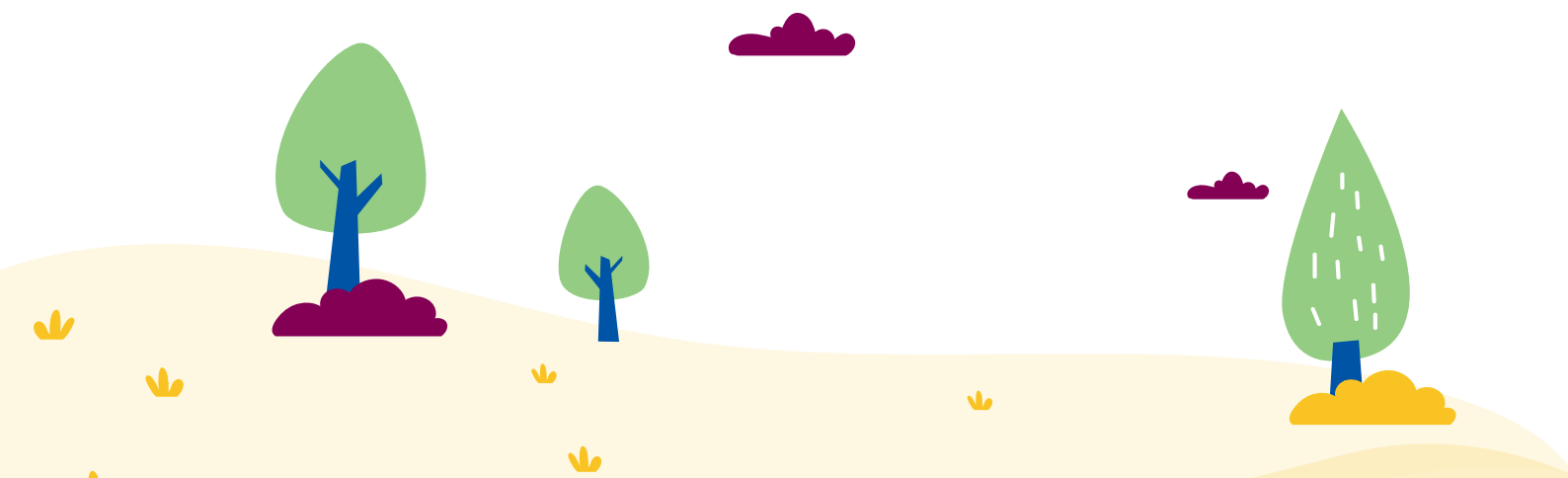
## ► Box 6.1. Towards the progressive recognition of men's role in supporting breastfeeding and infant nutrition

An important trend over the last decade has been recognizing the right of fathers to working arrangements that support breastfeeding and infant feeding. In Spain, fathers are also entitled to nursing breaks or shorter working days until the child is nine months old. Since 2019, this right has become individual and non-transferable for both mothers and fathers. In Cuba, either parent can take 60 minutes off with pay for nursing purposes. In Portugal, the breaks can be split between mothers and fathers. In Tajikistan, the break entitlements are applicable to fathers or legal guardians who are raising the children themselves (ILO 2014a).

Research shows that the majority of fathers perceive the ability to feed their child as a positive experience and as a contributing factor to the formation of the father–infant bond. Therefore, supportive measures, such as the right to nursing breaks, may act as a catalyst for, in the short term, the recognition of fathers as fundamental members of the breastfeeding triad, alongside mothers, and in the long term, the equal participation of fathers in their children's nutrition and care (Sihota et al. 2019).

Countries have also been extending breastfeeding entitlements to workers traditionally excluded by these provisions because their occupation or sector is listed among the excluded categories in the labour code or the law mandates coverage requirements, such as nationality or residence, which excludes migrants, rural workers or

other ethnic minorities or indigenous peoples. For example, in Mauritius, domestic workers are explicitly entitled to two half-hour breaks or one hour-long break with pay. Nigeria's law explicitly offers two half-hour breaks per day to all women, including those working in agricultural undertakings (ILO 2014a).



## ► 6.2. The frequency and duration of nursing breaks: Adjusting to women's needs and preferences through flexibility

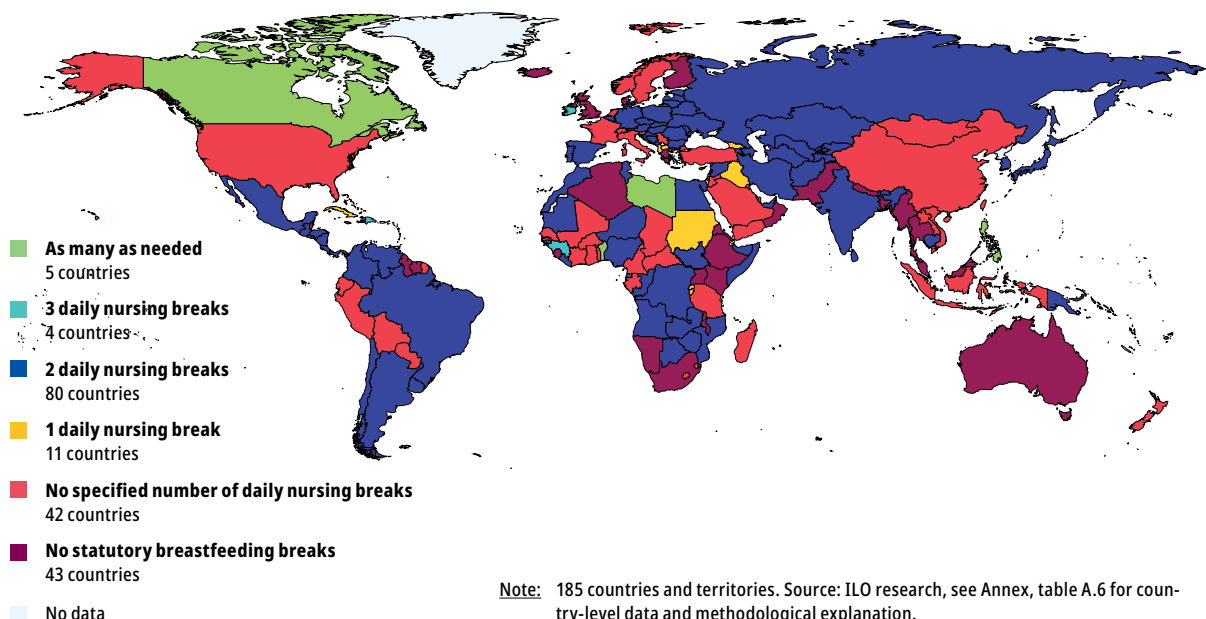
### Eighty countries grant two daily breaks, and five in ten potential mothers live in countries that provide working mothers with two breastfeeding breaks per day

ILO standards leave it to national law and practice to set out the period during which nursing breaks or the reduction of daily hours of work are allowed, as well as their number and their duration.<sup>4</sup> Therefore, legislation varies in terms of the number of daily nursing breaks and the amount time allotted for breastfeeding or expressing milk at the workplace. Among the 142 countries providing for these arrangements, over two-thirds (100 countries) offer at least one nursing break, with the large majority (80 countries) granting two daily breaks. In these 80 countries live 45.5 per cent of all potential mothers across the world (figure 6.3, figure 6.4 and table 6.4).

This is also in line with the prevalent duration of daily breaks found in 98 countries, which is one hour, usually divided into two equal breaks (figure 6.5 and table 6.4). This means that 51.4 per cent of potential mothers globally live in countries with such provisions (figure 6.6).

A similar pattern is found among the 11 countries that provide for only one daily break, which is usually of a duration of one hour, with the exception of Albania (2 hours), Georgia (at least 1 hour), and North Macedonia (1.5 hours including a daily break) (figure 6.5, table 6.4). In the Arab States, 25.1 per cent of potential mothers live in Iraq, which provides one daily nursing break. Even when the breaks are more frequent (three per day), they tend to be of an overall duration of one hour, with the Dominican Republic, Guinea, Ireland and Malta being the only four countries to offer this arrangement.

► Figure 6.3. Number of daily nursing breaks, 2021

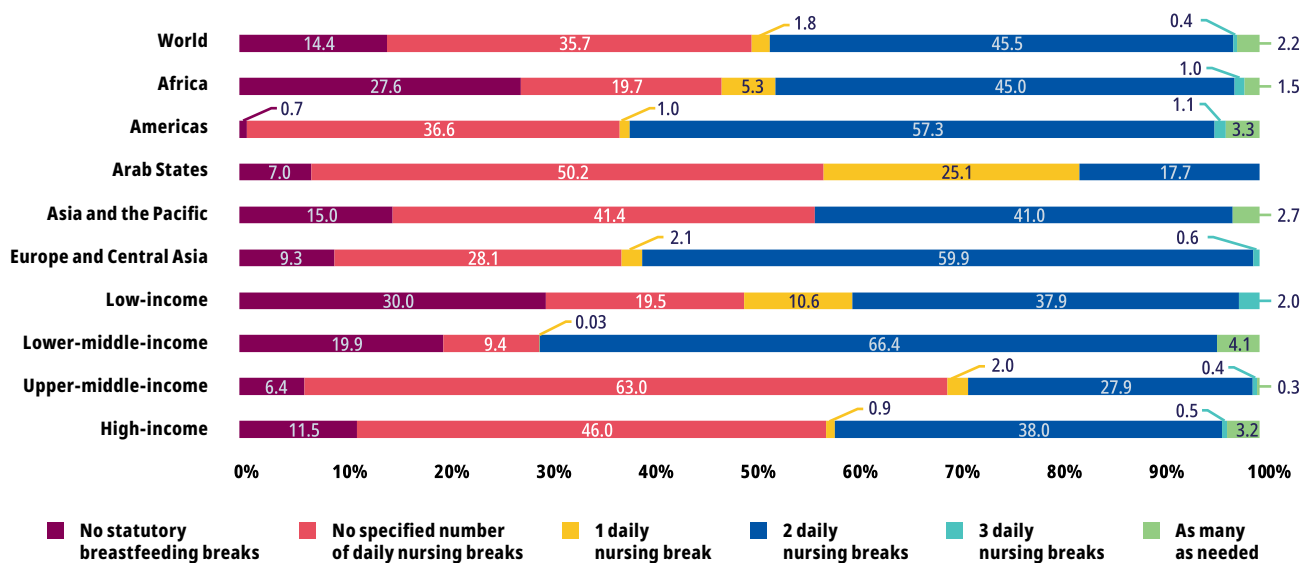


► Table 6.4. Number of daily nursing breaks, by region and by income group, 2021 (no. of countries)

Region/income group	No statutory breastfeeding breaks	No specified number of daily nursing breaks	1 daily nursing break	2 daily nursing breaks	3 daily nursing breaks	As many as needed
World	43	42	11	80	4	5
Africa	11	16	4	20	1	2
Americas	12	5	1	14	1	1
Arab States	2	5	1	3	–	–
Asia and the Pacific	12	6	–	13	–	2
Europe and Central Asia	6	10	5	30	2	–
Low-income	6	7	3	11	1	–
Lower-middle-income	6	13	1	25	–	2
Upper-middle-income	13	9	5	20	1	2
High-income	18	13	2	24	2	1

**Note:** 185 countries and territories. – = nil. Source: ILO research, see Annex, table A.6 for country-level data and methodological explanation.

► Figure 6.4. Share of potential mothers by number of daily nursing breaks by region and by income group, 2021 (%)



**Note:** 180 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A6 for country-level data and methodological explanation.

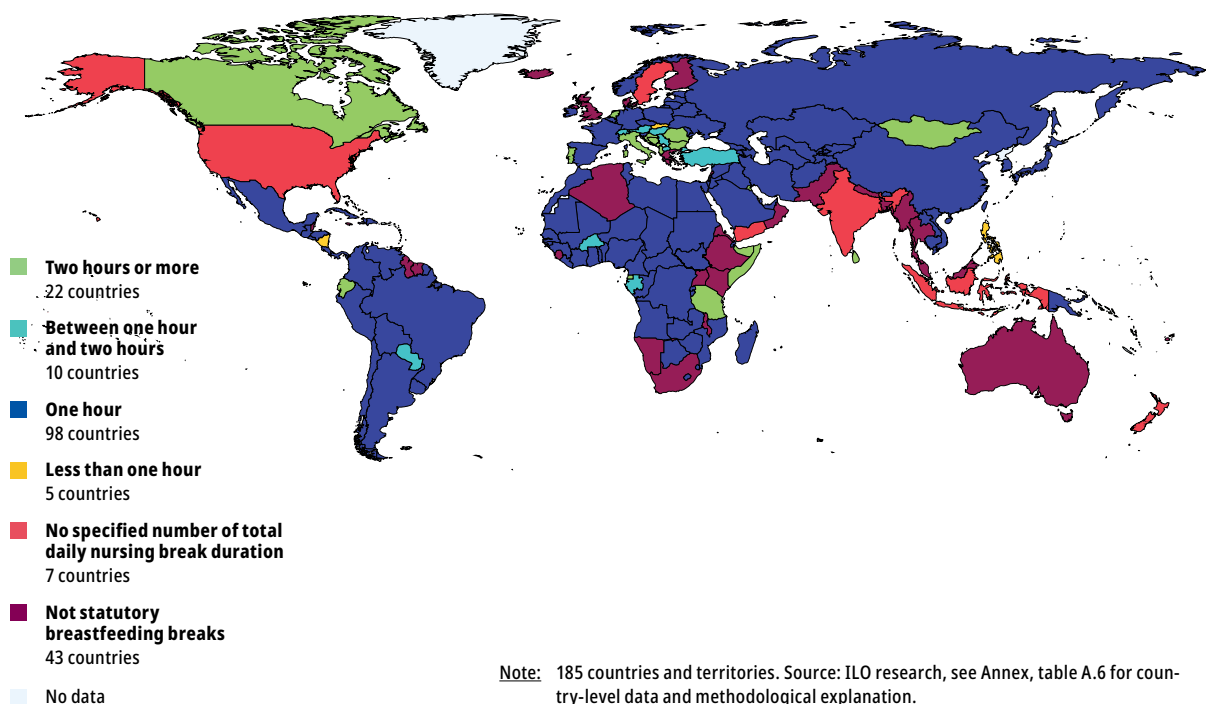
In 42 countries, the legislation does not specify the number of breaks available, although these countries usually indicate the daily time available for breastfeeding, which is generally one hour, with the exception of Burkina Faso, Paraguay and Turkey (1.5 hours); and Ecuador, Italy, Kuwait, Mongolia, the Netherlands, San Marino and the United Republic of Tanzania (2 hours) (figure 6.5). In Gabon, breastfeeding workers can nurse for two hours over the first six months and one hour during the second six months.

In five countries (Indonesia, New Zealand, Sweden, the United States and Yemen), the law remains silent on both the number and the duration of breaks; while in another five countries (Benin, Canada, Libya, the Philippines and Samoa), workers are allowed to take as many breaks as needed. On the one hand, these arrangements can offer workers a maximum level of time and flexibility for breastfeeding according to their needs and preferences, especially in workplaces that display support for this practice. On the other hand, the lack of a clear provision might also deter women from using their entitlement, especially when the breaks are unpaid, such as in Canada, New Zealand and the United States.

## Ninety-eight countries offer only one daily hour for nursing breaks

While the majority (98) of the 142 countries with statutory nursing breaks grant one hour, 32 offer more than one hour per day for breastfeeding. Only 5.4 per cent of potential mothers live in these 32 countries (figure 6.6). The most generous provisions are found in 22 countries where the law grants two or more hours for breastfeeding. Ten of these countries are in Europe and Central Asia, including Montenegro and Romania, and five are in Asia and the Pacific, including, the Solomon Islands, Sri Lanka and Timor-Leste. Other countries among those with the longest durations include Bahrain, Equatorial Guinea and Somalia.

► Figure 6.5. Total daily nursing break duration, 2021



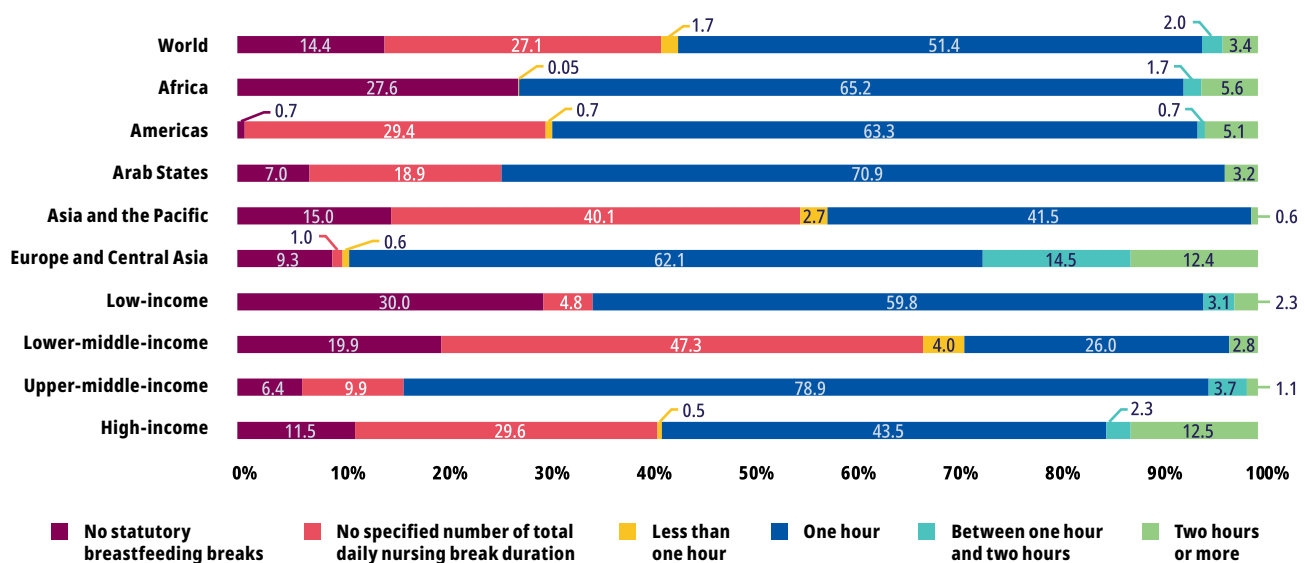


► Table 6.5. Total daily nursing break duration, by region and by income group, 2021 (no. of countries)

Region/income group	No statutory breastfeeding breaks	No specified number of total daily nursing break duration	Less than one hour	One hour	Between one hour and two hours	Two hours or more
World	43	7	5	98	10	22
Africa	11	–	1	37	2	3
Americas	12	1	1	17	1	2
Arab States	2	1	–	6	–	2
Asia and the Pacific	12	4	1	11	–	5
Europe and Central Asia	6	1	2	27	7	10
Low-income	6	1	–	19	1	1
Lower-middle-income	6	1	3	31	–	6
Upper-middle-income	13	2	–	24	5	6
High-income	18	3	2	24	4	9

**Note:** 185 countries and territories. – = nil. Source: ILO research, see Annex, table A.6 for country-level data and methodological explanation.

► Figure 6.6. Share of potential mothers by total daily nursing break duration, by region and by income group, 2021 (%)



**Note:** 180 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.6 for country-level data and methodological explanation.

### ► 6.3. The duration of the right to nursing breaks: Aligning labour rights to international health recommendations on breastfeeding

#### A total of 109 countries offer the right to daily nursing breaks for at least six months

The duration of the entitlement to paid nursing breaks is also essential in order to allow women workers to breastfeed according to their needs and preferences and in line with the WHO recommendations – namely, exclusive breastfeeding through the child’s first six months and breastfeeding with appropriate complementary foods for up to two years or beyond (WHO 2018). Of the 142 countries that offer paid or unpaid breaks or daily reduction of working hours, 112 specify the number of months during which nursing breaks are allowed by law. In total, 72.0 per cent of potential mothers in the world are living in these countries (figure 6.7, figure 6.8 and table 6.6). All of these countries provide breastfeeding breaks for at least six months,<sup>5</sup> except for Bhutan (one month), Eswatini (three months) and Israel (four months). In 28 countries, nursing breaks are provided but the duration of this entitlement is not specified.

About half of the countries with provisions (75 countries) allow for a duration between one year and 23 months, with almost 60 per cent of potential mothers living in these countries. Among these 75 countries, a large majority (46) grant one year, for example, Ghana, the Lao People’s Democratic Republic, Mozambique, Peru and Qatar.

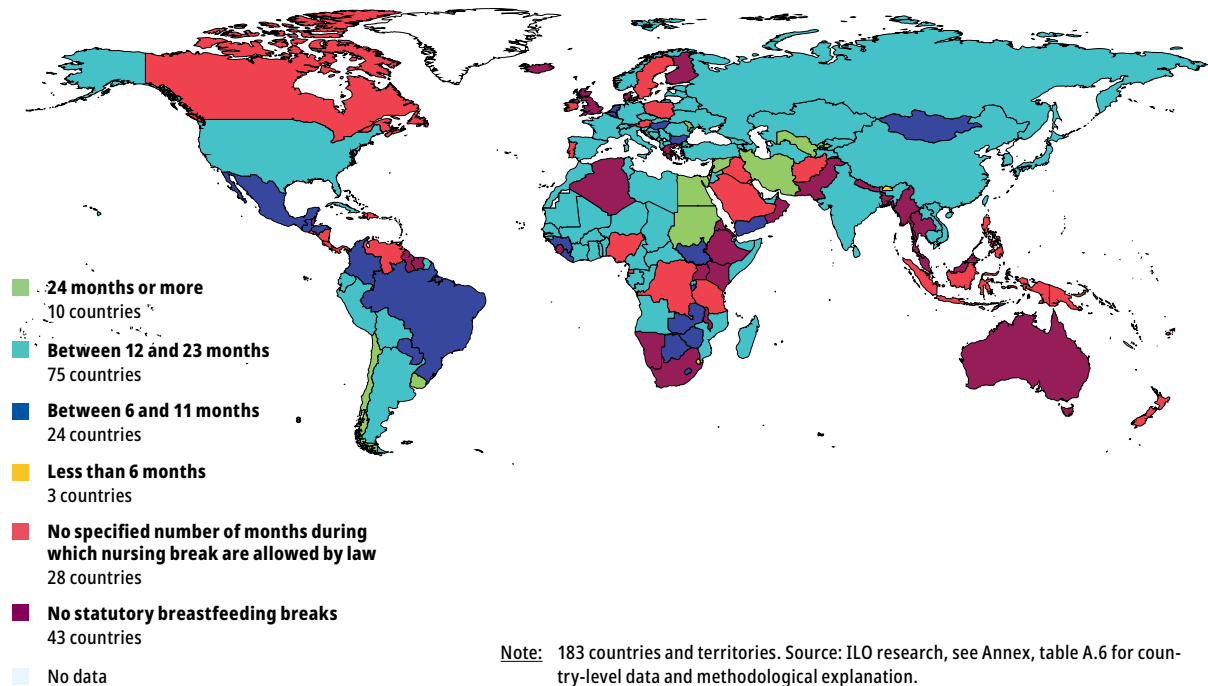
The provision of 12 to 23 months is more common among countries in Europe and Central Asia (31), including Estonia, Turkmenistan and Ukraine, which offer this entitlement for 18 months, and among countries Africa (25), where countries such as Burkina Faso provides 16 months and Libya 18 months following the end of maternity leave. At 72.5 per cent, Europe and Central Asia has the highest share of potential mothers living in countries providing 12 to 23 months of breastfeeding breaks, followed closely by Asia and the Pacific at 72.1 per cent, with China, Japan, and Viet Nam, for example, allowing breastfeeding breaks for one year and India for 15 months. In the Americas, the share of potential mothers living in countries with at least one year of breastfeeding breaks is 43.4 per cent.

#### Only ten countries provide a right to breastfeeding breaks for at least two years

Only nine countries – including Chile, Egypt, the Islamic Republic of Iran, Sao Tome and Principe, Sudan, the Syrian Arab Republic, Uruguay, Uzbekistan and Vanuatu – provide breastfeeding breaks for two years, with the highest shares of potential mothers living in such countries found in Africa (11.1 per cent) and the Arab States (11.7 per cent). The Republic of Moldova is the country with the longest duration, offering a right to nursing at the workplace for three years (figure 6.7, table 6.6 and figure 6.8).

5 The duration period during which breastfeeding breaks are provided by law does not consider the duration of maternity leave after childbirth.

► Figure 6.7. Number of months during which nursing breaks are allowed by law, 2021

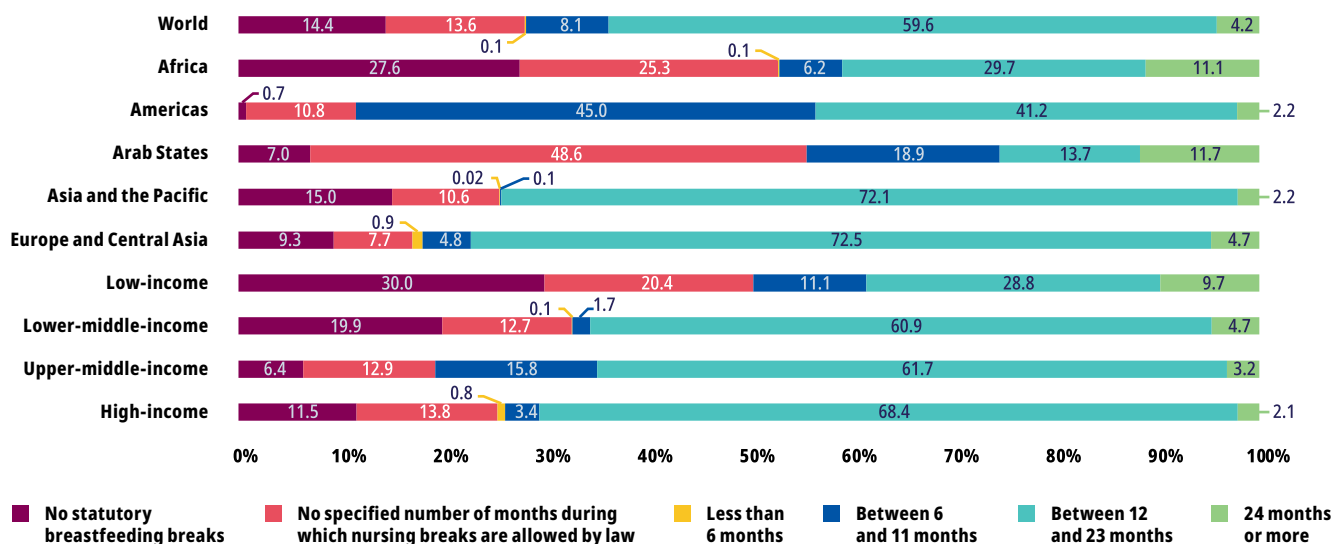


► Table 6.6. Number of months during which nursing breaks are allowed by law, by region and by income group, 2021 (no. of countries)

Region/income group	No statutory breastfeeding breaks	No specified number of months during which nursing breaks are allowed by law	Less than 6 months	Between 6 and 11 months	Between 12 and 23 months	24 months or more
World	43	28	3	24	75	10
Africa	11	4	1	10	25	3
Americas	12	8	–	6	6	2
Arab States	2	3	–	1	4	1
Asia and the Pacific	12	7	1	2	9	2
Europe and Central Asia	6	6	1	5	31	2
Low-income	6	3	–	5	12	2
Lower-middle-income	6	7	2	7	20	5
Upper-middle-income	13	7	–	7	22	1
High-income	18	11	1	5	21	2

Note: 183 countries and territories. – = nil. Source: ILO research, see Annex, table A.6 for country-level data and methodological explanation.

► **Figure 6.8.** Share of potential mothers by duration of the entitlement to nursing breaks, by region and by income group, 2021 (%)



**Note:** 178 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.6 for country-level data and methodological explanation.

## ► 6.4. Workplace nursing facilities: A key ingredient of breastfeeding-friendly workplaces

In addition to time and income security, a workplace that is breastfeeding-friendly provides women with: a comfortable, private space for direct breastfeeding (when possible) or to express breast milk; a chair; access to a fridge to store it (if available); and a clean and safe environment (other than a bathroom) (ILO 2012a). An adequate nursing space also signals that the workplace supports breastfeeding and working parents, and can thus benefit from the strong business case for such support, including lower absenteeism and healthcare costs, higher loyalty, and positive public relations (Morris, Calvert and Lee 2019). Setting up workplace nursing spaces is also in line with ILO standards that recommend the provision of hygienic facilities for nursing at or near the workplace.<sup>6</sup>

### Globally, only 42 countries offer a statutory right to workplace nursing facilities

However, among the 184 countries with available information, just 42 include provisions requiring workplace nursing facilities in their legislation. This means 39.0 per cent of potential mothers worldwide live in countries with such entitlements (figure 6.9, figure 6.10 and table 6.7). In 29 of these countries the provisions around workplace nursing facilities only apply if the enterprise employs a minimum number of workers. In these cases, the law sets a benchmark – usually starting from 20 workers – in order to protect small- and medium-sized enterprises (SMEs) from the potential disruption and costs that providing these accommodations could generate;

examples of such benchmarks can be found in Bangladesh (40 workers), Honduras (20 workers) and the United States (50 workers). However, ILO research shows that these costs are often less than anticipated and are offset by positive productivity-related outcomes for SMEs, in terms of reduction of turnover and absenteeism; better worker morale and commitment; and improved enterprise image (Lewis et al. 2014). For example, SME employers initially expressed particular reservations about the costs of new maternity regulations in Australia and in the state of California in the United States. Yet the majority of employers, who were surveyed some years after experiencing the legislation's implementation in both contexts, reported benefits to business.

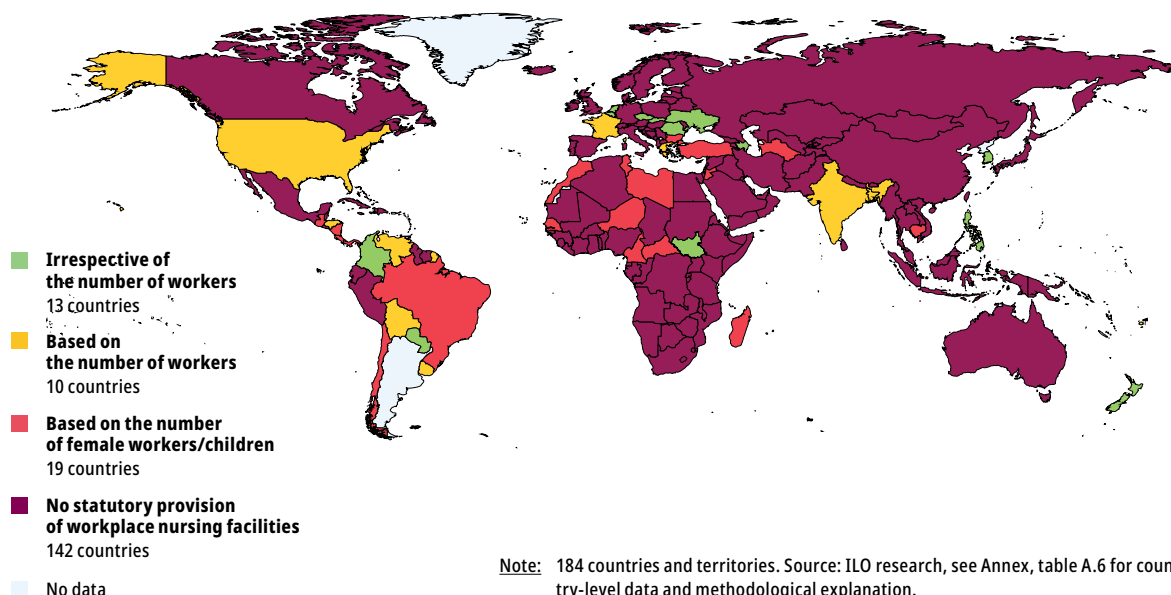
### Only 5 in 100 women live in countries that offer a right to workplace nursing facilities irrespective of the number and sex of workers in the workplace

Despite the benefits noted above, among the 29 countries with statutory conditions for nursing facilities based on the number of workers, 19 mandate the requirement for workplace

facilities based on a minimum number of women. The ILO CEACR considers these clauses to be discriminatory, as they may discourage the hiring of women. These requirements also reinforce the stereotype of women as the main caregivers (ILO 2012b). Across the world, 7.5 per cent of potential mothers live in countries where these conditionalities are in place. They are more common in Africa (eight countries, including Cameroon, Madagascar, Senegal and Tunisia) and the Americas (six countries, including Brazil, Chile, and Costa Rica). These requirements are also found in Bulgaria (20 women), Cambodia and Turkey (100 women). In Jordan, the condition for providing nursing facilities is based on having 15 or more children under five years of age among the employees.

Finally, in just 13 countries, entitlements for workplace facilities are available irrespective of the number and sex of workers, meaning that only 4.6 per cent of potential mothers live in countries where such entitlements are available. While this provision is mostly found in Europe and Central Asia (seven countries), similar good practices from other regions are the entitlements to breastfeeding facilities provided regardless of the number and sex of workers in Colombia, New Zealand, Paraguay, the Philippines, the Republic of Korea and South Sudan.

► **Figure 6.9.** Basis of statutory minimum requirement for mandatory provision of workplace nursing facilities, 2021

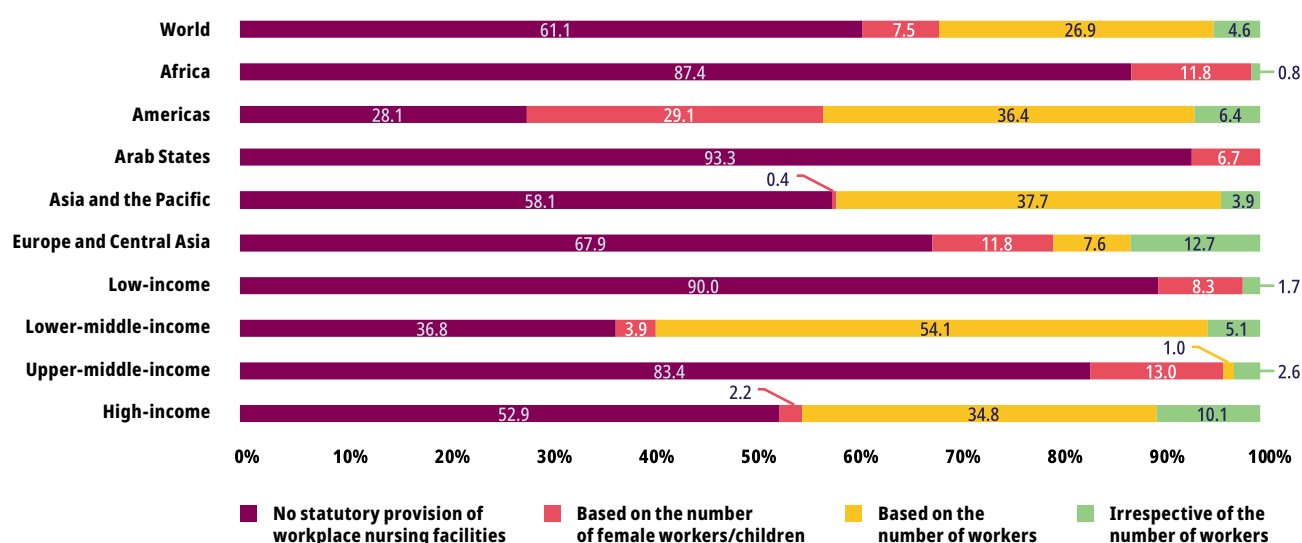


► Table 6.7. Basis of statutory minimum requirement for mandatory provision of workplace nursing facilities, by region and by income group, 2021 (no. of countries)

Region/income group	No statutory provision of workplace nursing facilities	Based on the number of female workers/children	Based on the number of workers	Irrespective of the number of workers
World	142	19	10	13
Africa	45	8	–	1
Americas	20	6	5	2
Arab States	10	1	–	–
Asia and the Pacific	26	1	3	3
Europe and Central Asia	41	3	2	7
Low-income	24	3	–	1
Lower-middle-income	35	6	4	2
Upper-middle-income	36	8	2	3
High-income	47	2	4	7

Note: 184 countries and territories. – = nil. Source: ILO research, see Annex, table A.6 for country-level data and methodological explanation.

► Figure 6.10. Share of potential mothers by basis of statutory minimum requirement for mandatory provision of workplace nursing facilities, by region and by income group, 2021 (%)



Note: 179 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.6 for country-level data and methodological explanation.

## ► 6.5. Conclusion: Findings on in a nutshell

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While the majority of countries across the world provide time for breastfeeding, recognizing the importance of this gender equality and health promoting practice for working women, paid nursing breaks, flexible arrangements and workplace nursing facilities still remain untapped resources for the large majority of women. The available provisions on the frequency and duration of nursing breaks and on the entitlement to these breaks point to the need of improving the suitability and flexibility of these arrangements so they can meet women's needs and preferences

and turn into effective enablers of breastfeeding at work. The current laws also highlight the importance of ensuring that the right to nursing breaks meets international recommendations on the duration of breastfeeding and that breastfeeding-friendly workplaces are promoted. Some countries are pioneering the extension of nursing breaks to fathers and other caregivers as a way to progressively recognize the role of men in supporting breastfeeding and in sharing responsibility for infant nutrition and, ultimately, childcare.





4

HIGH INCOME  
COUNTRIES HAVE UNPAID  
NURSING BREAKS



7

COUNTRIES HAVE  
INTRODUCED PAID  
NURSING BREAKS FOR THE  
FIRST TIME (SINCE 2011)



4

COUNTRIES RECOGNIZE  
MEN'S ROLE IN SUPPORTING  
BREASTFEEDING AND INFANT  
NUTRITION BY OFFERING  
BREASTFEEDING BREAKS TO  
FATHERS



80

COUNTRIES GRANT  
TWO DAILY BREAKS  
► 5 IN 10 WOMEN



109

COUNTRIES OFFER  
THE RIGHT TO DAILY  
NURSING BREAKS FOR  
SIX MONTHS OR MORE  
► 7 IN 10 WOMEN



42

COUNTRIES OFFER A  
STATUTORY RIGHT TO  
WORKPLACE NURSING  
FACILITIES  
► 4 IN 10 WOMEN

138

COUNTRIES PROVIDE A  
STATUTORY RIGHT TO TIME  
AND INCOME SECURITY  
FOR BREASTFEEDING

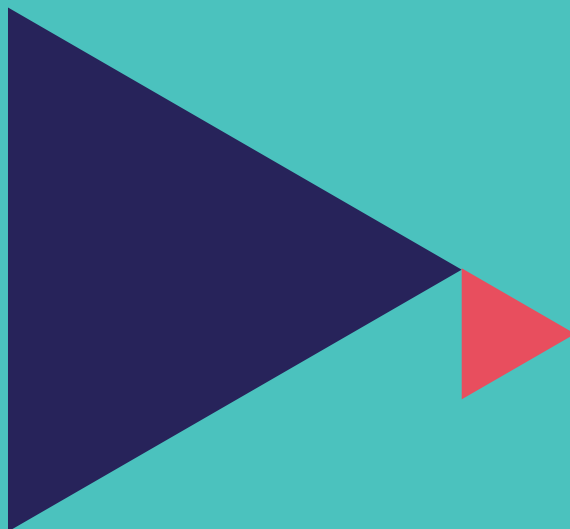
8 in 10 women live in countries with breastfeeding rights





## The vital role of childcare in societies and economies

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## Chapter 7 key messages

### ► Why are childcare services so important?

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- Childcare services offer many benefits by promoting child development, creating jobs, reducing parents' unpaid care work and promoting women's employment and income. But lack of services, gaps in provision and quality, and inadequate working conditions remain a missed opportunity.

### ► Who has a right to childcare services for children aged 0–2 years old?

---

- In only 57 out of 178 countries is there a statutory provision of early childhood educational development (ECED) programmes for children aged 0–2 years. This means only 2 in 10 potential parents<sup>1</sup> live in countries with such a statutory right.
- Only 21 countries' ECED programmes for children aged 0–2 years are a universal right. This translates to 1 in 10 potential parents living in countries with such provisions.

### ► What type of childcare services for children aged 0–2 years old are available to parents?

---

- In only 32 countries are parents entitled to use publicly organized childcare services right after the birth of their children. This means 1 in 10 potential parents live in countries with such entitlements.
- In only 30 countries are parents entitled to statutory ECED programmes for at least 40 hours per week. This means 8 out of 100 potential parents live in countries with such provisions.

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<sup>1</sup> "Potential parents" are men and women of reproductive age, which for the purposes of this report includes individuals between the ages of 15 and 49 years.

## Chapter 7 key messages

### ► Who has a right to childcare services for children as of 3 years of age?

---

- In 105 out of 178 countries there is a statutory provision for pre-primary education services for children between 3 years and the start of primary education. This corresponds to 5 in 10 potential parents living in countries with such a statutory right.
- However, only in 63 countries are pre-primary education services a universal right. This means that 4 in 10 potential parents are residing in countries with such provisions.

### ► What type of childcare services for children as of 3 years of age are available to parents?

---

- In 80 countries parents are entitled to pre-primary education services starting when children are aged 3 years. This means 4 in 10 potential parents are residing in countries with such provisions.
- In only 33 countries are parents entitled to statutory pre-primary education services for at least 40 hours per week. This means only 2 in 10 potential parents live in countries with such an entitlement.

## ► 7.1. Provision of the right to childcare services: Going beyond care leave policies

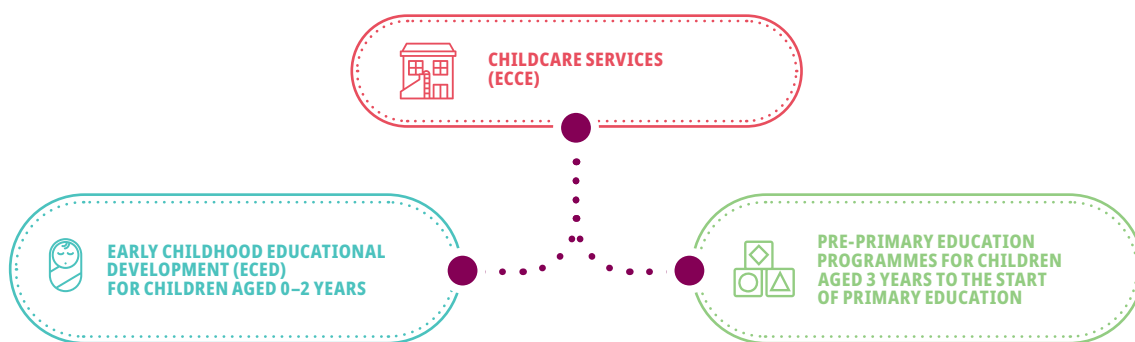
Childcare is an essential element of the continuum of care policies, however childcare deficits are prevalent everywhere. From childbirth to the start of compulsory school, working parents need childcare for their children. Where care leave policies (maternity, paternity, parental) exist, part of the childcare demand can be absorbed by parents while on leave. As highlighted by 2019 conclusions of the UN Commission on the Status of Women, ensuring that mothers and fathers have access to public childcare services is a crucial step towards the achievement of gender equality and the empowerment of all women and girls (UN Women 2019). However, in the majority of countries (177), the starting age of compulsory education is between 5 and 7 years (Institute for the Study of International Development 2017). Only nine countries are providing adequately-paid parental leave<sup>2</sup> that can help parents to juggle work and childcare when the child is aged between 0 and 5 years.

Where such policies do not exist or are insufficient, working parents resort to family or non-family actors, mainly women – mothers, sisters, grandmothers – and domestic workers who are frequently migrants and working in the

informal economy under poor conditions and for low pay (ILO 2021b; ILO 2018a). Since non-family childcare solutions of good quality are hard to afford for the large majority, many working parents (most often mothers) decide to step out the labour market or reduce their working hours to take care of their children. In informal economy settings, women often have no choice but to work and provide childcare at the same time. Once the child reaches compulsory school age, mandatory schooling is usually more affordable. However, additional care arrangements might be needed for before or after school, lunch breaks and school holidays. Nevertheless, mandatory schooling attendance covers a substantive portion of childcare needs.

Early childhood care and education (ECCE) services and programmes are broadly classified into two types: (i) early childhood educational development (ECED) programmes designed for children in the age range of 0–2 years; and (ii) pre-primary education programmes designed for children from 3 years of age to the start of primary education (UNESCO, OECD, and Eurostat 2015) (see figure 7.1).

► Figure 7.1. Childcare services classification



Source: Compiled by the authors.

2 Parental leave cash benefits that replace at least two-thirds of the worker's previous earnings.

Services available to parents can be either regular centre-based ECCE, licensed homebased ECCE or in-home services (domestic workers). Home-based ECCE services usually take place at the provider's home or at a facility with a group of providers (childcare homemaker or community childcare), who are licenced according to national minimum requirements, including health and safety checks (initial or annual), registration requirements for staff and curriculum standards, annual pedagogical inspections, in-training requirements, and pedagogical supervision regularly ensured by an accredited supervisory body. Registered home-based care providers are recruited, supported and, in some cases, employed by a public authority or publicly funded private organization. In some countries, home-based ECCE providers are employed directly by parents.

Hiring a domestic worker (in-home services) to care for a child may be the preferred childcare option for infants and toddlers when publicly provided childcare is lacking or not trusted. ILO research shows that a high reliance on domestic workers for care services is indicative of insufficient care service provision in countries (ILO 2018a). In-home childcare provided by domestic workers is an option primarily for middle- and high-income households who can afford to pay a domestic worker wage. Yet, high rates of informality among domestic workers most often result in low pay and a lack of the necessary labour and social protections.

The right to childcare and maternity protection, specifically, are set out in a number of international instruments, including the United Nation's Universal Declaration of Human Rights (1948), the International Covenant on Economic, Social and Cultural Rights (1966), the Convention on the Elimination of All Forms of Discrimination against Women (1979), as well as the Convention on the Rights of the Child (1989). These human rights frameworks underpin the need to guarantee quality childcare provision, with the view to redistributing women's unequal responsibility for childcare with men, employers, the State and private service providers (ILO and WIEGO 2020). In addition, childcare is also enshrined in selected ILO instruments. In particular, the Workers with Family Responsibilities Convention, 1981 (No. 156), calls for the development of childcare services and facilities. While the accompanying Workers with Family Responsibilities Recommendation, 1981 (No. 165), goes one step further, calling for the development of surveys to assess the needs and preferences of workers with family responsibilities regarding childcare and for the provision of childcare services that are adequate, appropriate, and offered free of charge or at a reasonable charge in accordance with workers' ability to pay. According to Recommendation No. 165, childcare services should also be developed along flexible lines and meet the needs of children of different ages. In addition, the ILO Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204), addresses the exclusion of workers in the informal economy from childcare. The Recommendation calls on ILO Member States to encourage the provision of and access to affordable quality childcare and other care services in order to promote gender equality in entrepreneurship and employment opportunities and to enable the transition to the formal economy.

This chapter provides an overview of the presence of statutory national childcare service systems for children aged 0–2 and children from the age of 3 to the start of primary education (which can vary between the ages of 5 and 7 years). It looks at systems of childcare where the government has a primary role, the type of government support provided, the starting age of children and the number of hours of childcare services.

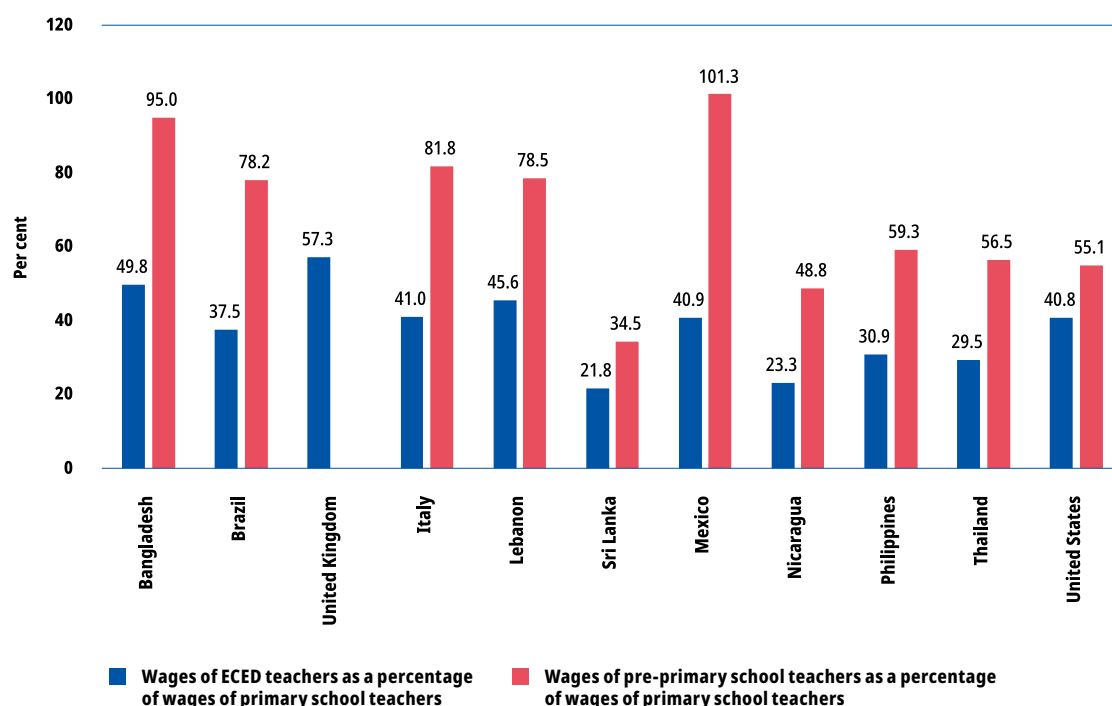


## The missed opportunity for good working conditions in childcare services

Coverage of childcare services is usually assessed using enrolment rates of children in ECCE programmes. Data suggest that the principle of universality is far from being reached in most parts of the world, though there are large regional and country differences. Across OECD countries, the average share of children aged 0–2 years enrolled in ECED was 36.1 per cent in 2018/19, while for pre-primary education it was 87.0 per cent (OECD, n.d.-d). Low public investments in childcare are mainly responsible for this result. In particular, inadequate provision of government resources dedicated to childcare leads to low availability of places in childcare or very long waiting lists, lack of relevant teacher training, low staff-to-child ratios and low pay for childcare workers.

ILO calculations in 11 countries show that the average hourly wages of ECED teachers<sup>3</sup> represent only a fraction of the average wages paid to primary school teachers (figure 7.2). Estimates range from just 21.8 per cent in Sri Lanka to 57.3 per cent in the United Kingdom. This is linked to the low value and recognition attributed to this profession and its very high levels of feminization, as well as very low unionization rates (ILO 2018a). Pre-primary school teachers<sup>4</sup> enjoy better pay compared to teachers working with children 0–2 years, but in many countries, they are still paid considerably less than primary school teachers. Pre-primary school teachers' wages range from 34.5 per cent (Sri Lanka) to 101.3 per cent (Mexico) of primary school teachers wages (figure 7.2).

► **Figure 7.2.** Average wages of ECED and pre-primary school teachers compared to the average wages of primary school teachers in selected countries, latest year (%)



**Note:** See table A.9 for ECED and pre-primary school teachers classification based on ISCO-08/88 and ISIC Rev. 4/3. Source: ILO calculations based on labour force and household surveys: Bangladesh – Quarterly Labour Force Survey 2017; Brazil – Pesquisa Nacional por Amostra de Domicílios Contínua 2019; United Kingdom – European Union Statistics on Income and Living Conditions 2018; Italy – European Union Statistics on Income and Living Conditions 2019; Lebanon – Labour Force and Household Living Conditions Survey 2019; Sri Lanka – Quarterly Labour Force Survey 2018; Mexico – Encuesta Nacional de Ocupación y Empleo 2019; Nicaragua – Encuesta Nacional de Hogares para la Medición del Nivel de Vida 2014; Philippines – Labour Force Survey 2019; Thailand – Labour Force Survey 2019; United States – Current Population Survey 2019.

<sup>3</sup> Teachers working with children aged 0–2 years.

<sup>4</sup> Teachers working with children aged 3 to the start of pre-primary education.

The low pay of ECCE personnel coupled with low staff-to-child ratios result in excessive work burdens, low levels of job satisfaction and poor retention rates of childcare workers. In turn, these factors contribute to lowering the quality of available childcare services (ILO 2018a). Evidence shows that low-quality ECCE can be associated with no benefit to or even a detrimental effect on children's development and learning (OECD 2020a; Howes et al. 2008; Britto, Yoshikawa, and Boller 2011). Governments should not only aim to increase coverage of ECCE services but also to increase the quality of these services. Good quality childcare can change preferences towards the division of childcare work between women and men and between households and the State. Efforts in this direction are still needed, as the International Social Survey Programme 2012<sup>5</sup> showed that 51 per cent of respondents prefer to utilize non-family actors to provide childcare for young children, while 39 per cent consider it to be exclusively the role of the family, which most often means that mothers are the only ones responsible for childcare (ISSP Research Group 2016).

## The many benefits of childcare services

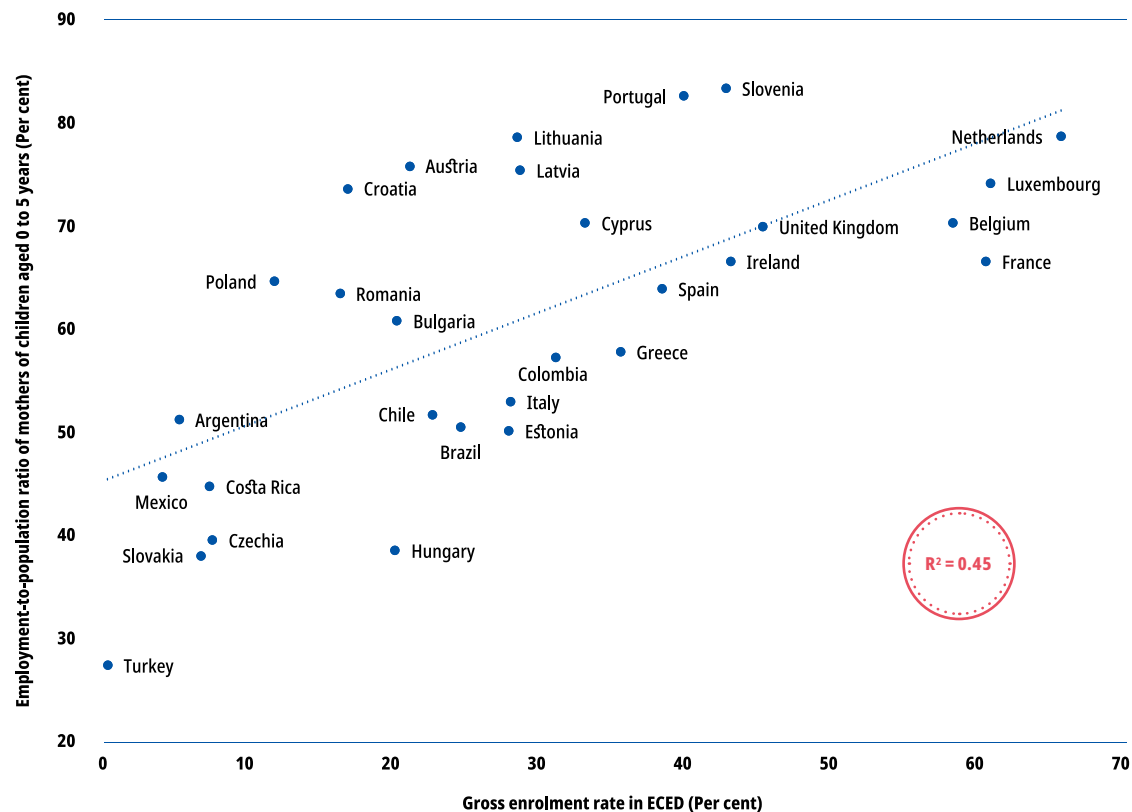
Childcare services support children's survival, growth, development and learning – including health, nutrition and hygiene, as well as cognitive, social, emotional and physical development – from birth to entry into pre- and primary school (UNICEF, ILO, and WIEGO 2021). ECCE programmes introduce young children to organized instruction outside the family context; they have an intentional education component and aim to prepare children for entry into primary education. The benefits of ECCE services are also reinforced by target 4.2 of Sustainable Development Goal 4, which aims to: “By 2030, ensure that all girls and boys have access to quality early childhood development, care and pre-primary education so that they are ready for primary education.”

Evidence suggests that the development of childcare services is beneficial for women's employment participation and income. In 2018, 606 million women of working age declared themselves to be either unavailable for employment or not looking for work due to care responsibilities, compared to only 41 million men (ILO 2018a). Figure 7.3 is showing that there is a strong and positive correlation between the employment-to-population ratios of women with young children and the number of their children enrolled in ECED programmes for children aged 0–2 years. The presence of childcare services is also associated with more women in managerial and leadership positions and thus to a less pronounced motherhood pay gap. Evidence from the United States shows that female applicants to managerial positions increase by 18.4 per cent when extended hours of childcare are offered by the company (Latura 2020).



5 Data from the International Social Survey Programme, representing 62 per cent of the world population.

► **Figure 7.3.** Employment-to-population ratio of women with young children (0–5 years) and gross enrolment rates in ECED programmes in selected countries, latest year



Source: ILO calculations based on data from the ILOSTAT database and OECD Family Database.

Employers also benefit from the availability of childcare opportunities. For many of them, helping employees with childcare is part of a business strategy. Childcare reduces turnover and retains employees, attracts new employees, reduces absenteeism, increases productivity and focus, and enhances employees' morale, motivation and job satisfaction (Hein and Cassirer 2010; IFC 2017). However, many employers – especially small- and medium-sized enterprises – cannot afford to attract employees with childcare

facilities or vouchers. Consequently, one key actor are governments, which need to leverage existing resources and mobilize additional resources to achieve universal provision of adequate and affordable childcare services. These investments will yield returns in terms of firms' profitability and thus GDP, but also in terms of job creation and gender equality at work and at home. Figure 7.4 provides a summary of the benefits of childcare services.



► Figure 7.4. Benefits of childcare services



Source: Compiled by the authors.



## ► 7.2. Childcare services for children aged 0–2 years: A necessary connection between care leave and care services

### Only two in ten potential parents live in countries where there is a statutory provision of childcare for children aged 0–2 years

In 2021, a total of 57 out of 178 countries around the world have a statutory national childcare service system<sup>6</sup> for children between 0 and 2 years (figure 7.5, table 7.1 and box 7.1).<sup>7</sup> In other words, only 17.7 per cent of potential parents (or 687 million) live in countries where there is a statutory provision on childcare services for young children (figure 7.6). However, in some cases, despite the existence of statutory provisions, these childcare services may be of limited scope in practice, and may restrict access to certain regions, lack the required funding, or provide childcare services to targeted populations through social programmes. For example, in Peru the government programme Cuna Mas aims to improve the early childhood development of children under the age of 3 living in places of poverty and extreme poverty. In urban areas, day care centres provide comprehensive care to children between the ages of 6 and 36 months; while in rural areas there is a home visiting service and regular group sessions with primary caregivers of children under 3 and pregnant women (Peru, n.d.).

Across the world, there are still 121 countries, with more than 3 billion residents, where there is no entitlement to a national childcare service system. In these countries, family care for young children is the norm. A minority of working parents may also use fee-paying private childcare facilities or hire domestic workers to take care of their young children. In some other of these countries, parents, where available, can resort to employer-provided childcare or services provided

by religious organizations, cooperatives and NGOs, though coverage is very limited.

The global picture hides substantial regional variations. For example, Europe and Central Asia is the region where national childcare systems are strongest. In that region, 38 out of 50 countries, where 77.7 per cent of potential parents reside, have a national early childhood care and education system. Countries such as Armenia, Azerbaijan, Bulgaria, Czechia, the Republic of Moldova, Tajikistan, Turkey, and Uzbekistan do not have a national childcare system for children aged 0–2 years.

The Americas is the region where there is the second-largest proportion of potential parents living in countries with a national childcare system. This corresponds to 51.1 per cent of the region's potential parents living in 12 countries with such systems. In some countries, despite the presence of national childcare systems for children aged 0–2 years, there are still limitations to access. For example, in Costa Rica, public provision is in mainly in urban areas, and in Uruguay parents still have to pay the largest share of childcare fees.

In Asia and the Pacific, there are 7 countries out of 33 with a national childcare services system. This translates into only 4.3 per cent of potential parents (or 94 million) living in a country with a publicly organized childcare service system. Finally, in Africa and the Arab States, there are no national childcare services systems. Many countries in these regions, especially in the Arab States, rely on migrant domestic workers to care for children aged 0–2 years. In these countries, domestic workers acquire the skills to care for children even if they may not have the training or qualifications to become childcare providers in a home-based setting (ILO 2018a). In order to promote skill-upgrading of domestic workers in

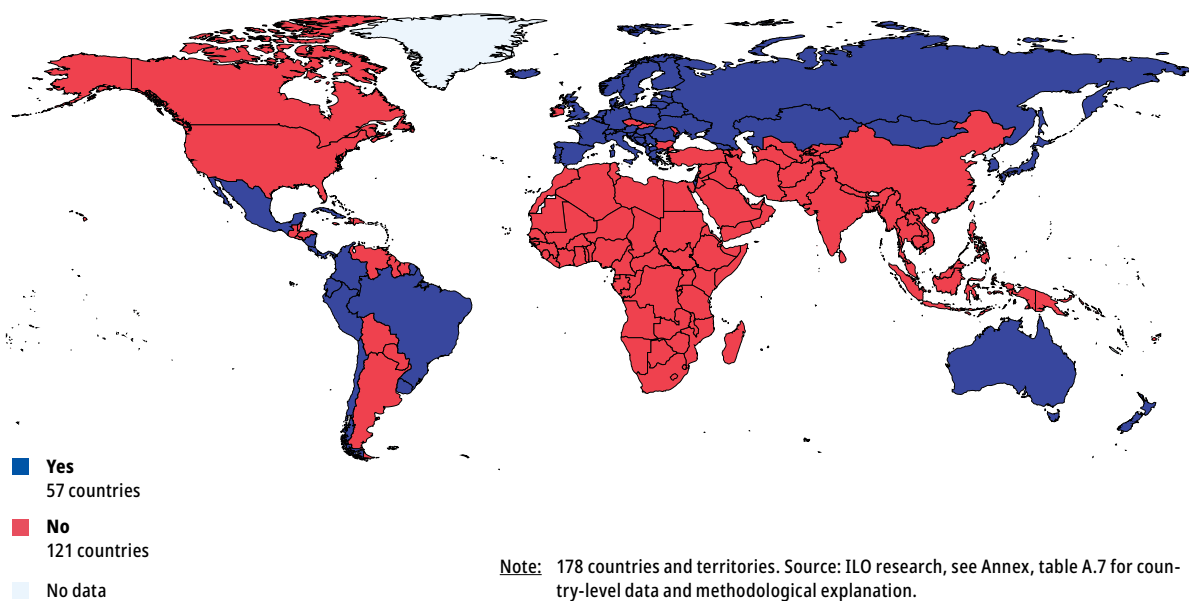
<sup>6</sup> This means publicly organized childcare services where the government provides nationwide regulation and funding.

<sup>7</sup> If childcare services for children aged 0–2 years are available at the sub-national level and the central government oversees these services, the country is considered to have a national childcare services system.

such positions, the ILO has developed a toolkit for organizations and trainers working with domestic workers interested in strengthening their skills on childcare. In addition to providing skills training, these tools help domestic workers gain an awareness of the value of the work they do. Though relevant for all regions, the toolkit was first piloted in Lebanon in collaboration with the International Domestic Workers Federation (IDWF) and targeted at migrant domestic workers (ILO 2018d; ILO and WIEGO 2019).

Table 7.1 and figure 7.6 also show that the presence of statutory childcare service systems is clearly linked with the level of national income. In low-income countries, childcare services could mitigate the dramatic increase in child poverty caused by the COVID-19 pandemic (Devercelli and Beaton-Day 2020; ILO 2021g). However, no low-income country has a national childcare service system, and among the lower-middle income group, only Mongolia, Nicaragua and Ukraine have national childcare service systems, albeit with serious budget limitations.

► Figure 7.5. Presence of a statutory childcare service system for children aged 0–2 years, 2021

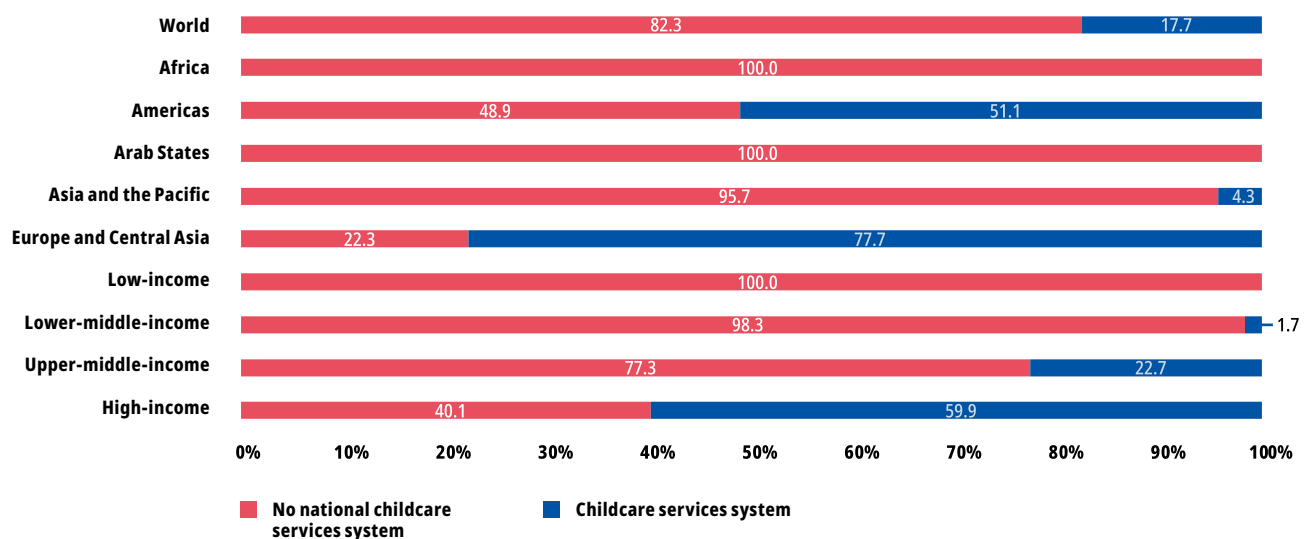


► Table 7.1. Presence of a statutory childcare service system for children aged 0–2 years, by region and by income group, 2021 (no. of countries)

Region/income group	No national childcare services system (0–2 years)	Childcare services system (0–2 years)
World	121	57
Africa	53	–
Americas	19	12
Arab States	11	–
Asia and the Pacific	26	7
Europe and Central Asia	12	38
Low-income	28	–
Lower-middle-income	43	3
Upper-middle-income	34	16
High-income	16	38

Note: 178 countries and territories. – = nil. Source: ILO research, see Annex, table A.7 for country-level data and methodological explanation.

► Figure 7.6. Share of potential parents by presence of public childcare services system for children aged 0–2 years, by region and by income group, 2021 (%)



Note: 178 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.7 for country-level data and methodological explanation.

## ► Box 7.1. National childcare service design

There are several strategies for governments to build a national childcare service system and ensure that childcare services are affordable and of good quality (ILO 2021e). First, governments can fund the supply of childcare by giving subsidies to facilities. For instance, in Egypt private day care centres are regulated and subsidized by the Ministry of Social Affairs. Additionally, governments can supply services directly. In Ukraine, for example, the Government supplies care for infants from 6 weeks to 6 years through nursery schools.

Second, governments can fund the demand for childcare by providing subsidies to parents to pay for private childcare services. For example, in Estonia and Latvia, when public facilities do not have enough places, parents receive financial support to pay for childcare fees in private institutions. Financing demand for childcare rather than providing public facilities or public support to facilities has been viewed as a means to rapidly stimulate the creation of childcare services. However, parental subsidies also have their shortcomings. The amount of the subsidies is often low compared to the cost of good-quality care, and so recipients may tend to choose cheaper, poorer-quality care options. In addition, parental childcare subsidies may only be contingent on certain factors such as income, the age of the child, employment and number of hours worked. This may exclude certain working parents, especially mothers, from accessing childcare services and attenuate the gender transformative potential that is associated with the provision of universal childcare services (Hein and Cassirer 2010).

Whether through support to parents or to facilities, government responsibility for childcare provision is often decentralized, with funds going to local governments, which have the major task of ensuring childcare provision within a framework of government standards, regulations and oversight. For instance, in Finland, Greece, Iceland, Kyrgyzstan, Latvia, Lithuania, the Netherlands, North Macedonia, Norway, the Russian Federation and Switzerland, municipalities are responsible for organizing childcare services. Decentralizing the funding and provision of childcare to the local level has the potential advantage of making services more responsive to local needs – including those of local workplaces. However, when municipalities provide a sizeable part of funding for childcare, disadvantaged regions may have lower coverage (Hein and Cassirer 2010).

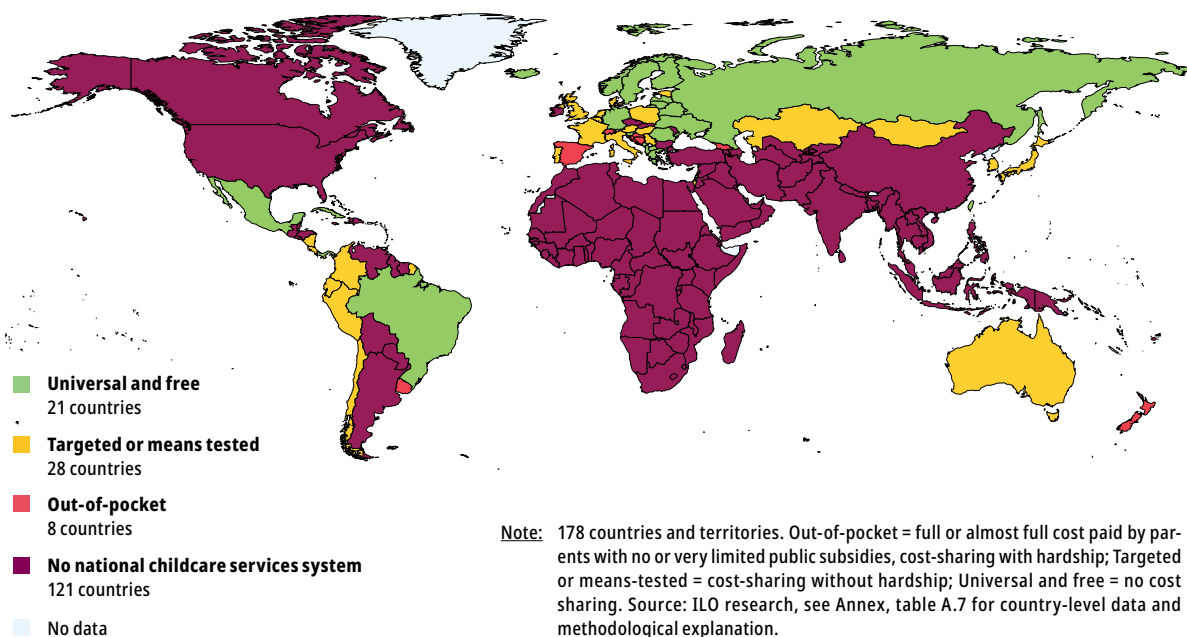
## Only one in ten potential parents live in countries where childcare for children aged 0–2 years is universal

Of the 57 countries with national childcare service systems for children aged 0–2 years, 21 countries, where 345 million or 8.9 per cent of potential parents live, guarantee universal<sup>8</sup> access to free or affordable childcare services (figure 7.7, figure 7.8 and table 7.2). In 28 countries, where 308 million potential parents live, legal provisions around childcare for young children are targeted. For example, in some of these countries, government support is directed towards specific populations (such as, parents residing mainly in cities or urban areas) or it is means tested (ILO 2005) – that is, childcare services are fully or partially paid by the government for parents whose childcare needs cannot be met out of their own resources. ILO research has shown that means-tested benefits suffer from large exclusion errors, thereby failing to cover some vulnerable workers with family responsibilities (ILO 2020f).

In 8 of the 57 countries with national childcare service systems, access to childcare services remains largely fee-paying, thereby causing hardship for parents. This means that the 34 million potential parents living in these countries have the option to access non-family care for children 0–2 organized by the State, but through out-of-pocket payments.

Regional patterns show that the national childcare service systems in Europe and Central Asia and in the Americas tend to provide a greater degree of adequate access. Conversely, in Asia and the Pacific, in the Arab States and in Africa there are no countries that provide universal childcare (see box 7.2 for an example of local provision in Africa). In these regions most parents still need to pay market-based fees to private sector providers in order to gain access to adequate childcare service provision, or they need to hire domestic workers, who are frequently migrants working for low pay under informal working arrangements (ILO 2018a).

► Figure 7.7. Type of government support for statutory childcare services for children aged 0–2 years, 2021



<sup>8</sup> When national regulations mandate for childcare services for broad categories of the population – without a means test – childcare services are universal.

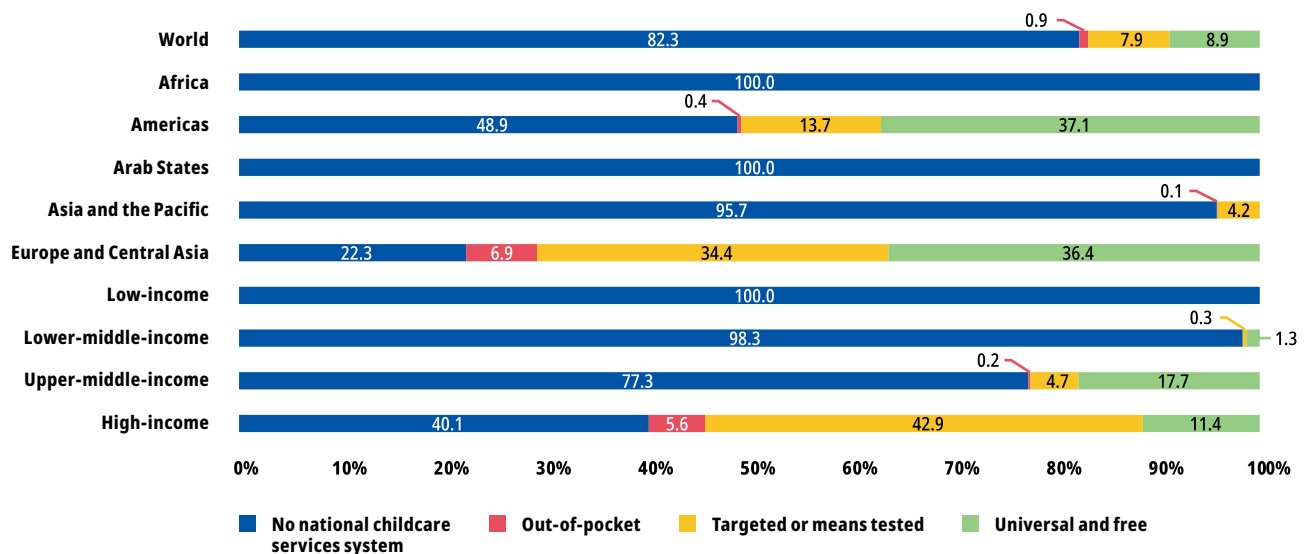
► **Table 7.2.** Type of government support for childcare services for children aged 0–2 years, by region and by income group, 2021 (no. of countries)

Region/income group	No national childcare services system	Out-of-pocket	Targeted or means tested	Universal and free
World	121	8	28	21
Africa	53	–	–	–
Americas	19	2	6	4
Arab States	11	–	–	–
Asia and the Pacific	26	1	6	–
Europe and Central Asia	12	5	16	17
Low-income	28	–	–	–
Lower-middle-income	43	–	2	1
Upper-middle-income	34	2	6	8
High-income	16	6	20	12

**Note:** 178 countries and territories. – = nil. Out-of-pocket = full or almost full cost paid by parents with no or very limited public subsidies, cost-sharing with hardship; Targeted or means-tested = cost-sharing without hardship; Universal and free = no cost sharing. Source: ILO research, see Annex, table A.7 for country-level data and methodological explanation.

225

► **Figure 7.8.** Share of potential parents by type of government support for childcare services for children aged 0–2 years, by region and by income group, 2021 (%)



**Note:** 178 countries and territories. Out-of-pocket = full or almost full cost paid by parents with no or very limited public subsidies, cost-sharing with hardship; Targeted or means-tested = cost-sharing without hardship; Universal and free = no cost sharing. Source: ILO calculations based on country-level data. See Annex, table A.7 for country-level data and methodological explanation.

## ► Box 7.2. Childcare services for workers in the informal economy during the COVID-19 crisis in Senegal

In Senegal, the COVID-19 crisis has highlighted gender gaps and increased the vulnerability of women with family responsibilities in the informal economy. In the absence of schools and traditional family support due to lockdowns, many women had to choose between stopping their economic activities (and thus falling into absolute poverty) or ignoring safety recommendations and bringing their children to the workplace. Both options posed health risks for the child and the mother and increased stress for the mother. To respond to the challenge, the ILO supported the capacity-building of workers' and employers' organizations to implement childcare services for vulnerable women workers in the informal economy in line with the ILO Workers with Family Responsibilities Convention, 1981 (No. 156).

In 2007, Senegal adopted the Integrated Early Childhood Development Policy, which calls for the care of children from birth to school entry (0–6 years). However, in 2010 the gross enrolment ratio in pre-primary education was only 9.8 per cent. Thus, after focus group discussions, a community-based childcare service for women working in the informal economy was established in the city of Bargny. The centre runs through the Young Workers' Union of Bargny (AMJOB), a member of the Centre of Autonomous Syndicates of Senegal (CSA). In 2020, the piloting phase involved 95 children: 20 children aged 1 to 2 and 55 children aged 3 to 12. The centre has since expanded access to children from 7 to 12 years old, after school, on Wednesdays and Saturdays. By allowing working mothers in the informal economy to no longer take small children to the workplace and to know that their children are safe after school, it has allowed them to continue their economic activities, thereby reducing their mental stress and enhancing their productivity and income.

One of the challenges of AMJOB's community childcare service is to be better structured and formalized. In 2020, the service was free and run based on the voluntary work of childcare workers and AMJOB's own funds. Reflections are underway to determine a more sustainable scheme with formal paid jobs for the workforce, based on parents' ability to contribute and the support of local government services (ILO 2021a).



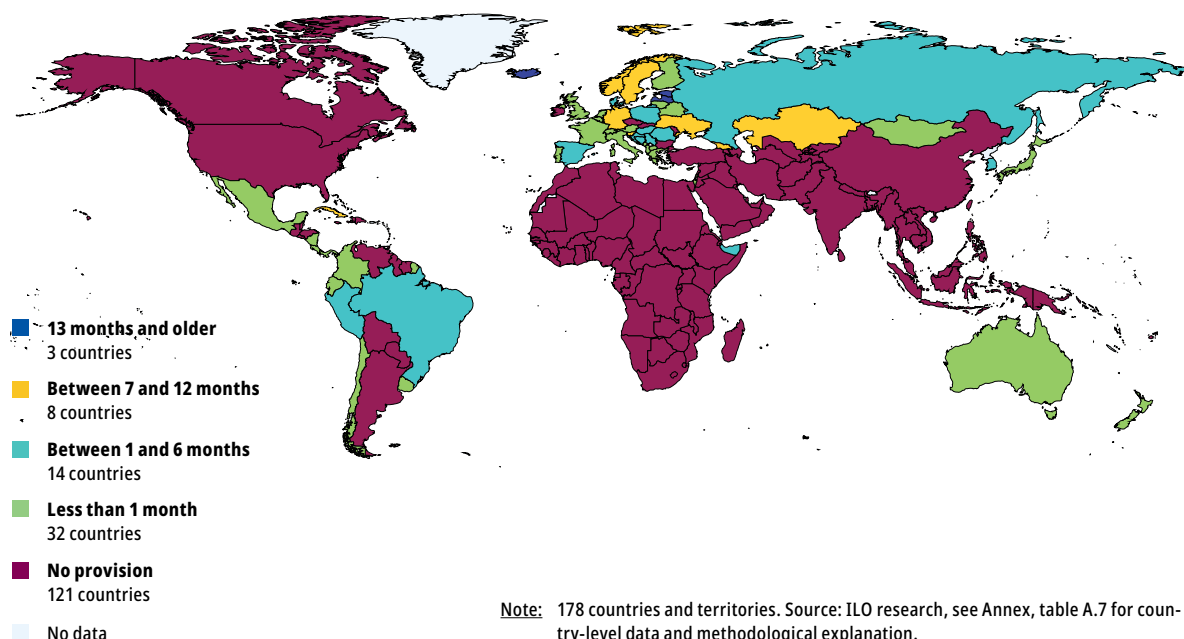
## Only one in ten potential parents can use publicly organized childcare services right after the birth of their children

In 32 out of 57 countries with national childcare service systems for young children, parents can start using early childhood care and education when their children are less than 1 month old. In these 32 countries, 8.2 per cent of potential parents (or 319 million) can potentially use publicly organized childcare services during the first month of life of their child, avoiding any break between the end of statutory care leave (where it exists) and the start of ECED entitlements (figure 7.9, figure 7.10 and table 7.3). The majority of these 32 countries (18) are in Europe and Central Asia, but there are also nine countries in the Americas, and five in Asia and the Pacific. However, only in 9 out of the 32 countries with early childcare provision – including Albania, Finland and Mexico – is the entitlement to childcare services universal.

Across the world, there are also 14 countries where the starting age of statutory childcare services ranges between 1 and 6 months. In eight countries, it is between 7 and 12 months,

and in Estonia, Iceland and Latvia only children older than 1 year can access publicly organized childcare services. Young children are thought to be vulnerable to separation from their primary caregiver. This raises concerns about whether early childcare enrolment may harm child development. However, evidence shows that enrolment in ECED education between the ages of 1 and 2 years is associated with significant gains in language and mathematics at 6–7 years of age and a substantial drop in low scores (Drange and Havnes 2019). In addition, the availability of childcare right after childbirth can improve parental labour market opportunities. For example, in many countries, self-employed parents receive less adequate care leave cash benefits than employees (see section 2.6). Therefore, an early start to childcare could represent a viable option to not forego earnings during the first stages of the life of their child. In addition, many mothers outside of employment might not have maternity benefits paid during pregnancy or recovery from childbirth. With social assistance benefits paid to mothers not in employment being scarcely available (ILO 2020f), childcare services starting in the early stages of a child's life could mean higher chances for mothers to join the labour market.

► **Figure 7.9.** Starting age (in months) of statutory childcare services for children aged 0–2 years, 2021

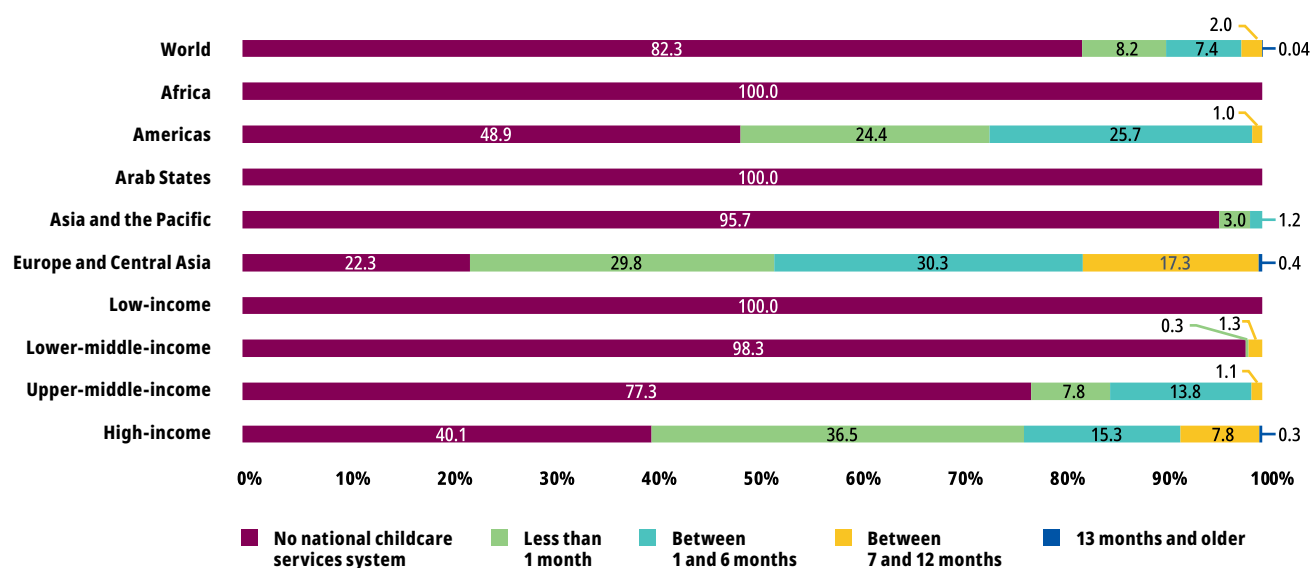


► Table 7.3. Starting age (in months) of statutory childcare services for children aged 0–2 years, by region and by income group, 2021 (no. of countries)

Region/income group	No national childcare services system	Less than 1 month	Between 1 and 6 months	Between 7 and 12 months	13 months and older
World	121	32	14	8	3
Africa	53	–	–	–	–
Americas	19	9	2	1	–
Arab States	11	–	–	–	–
Asia and the Pacific	26	5	2	–	–
Europe and Central Asia	12	18	10	7	3
Low-income	28	–	–	–	–
Lower-middle-income	43	2	–	1	–
Upper-middle-income	34	8	5	3	–
High-income	16	22	9	4	3

Note: 178 countries and territories. – = nil. Source: ILO research, see Annex, table A.7 for country-level data and methodological explanation.

► Figure 7.10. Share of potential parents by starting age (in months) of statutory childcare services for children aged 0–2 years, by region and by income group, 2021 (%)



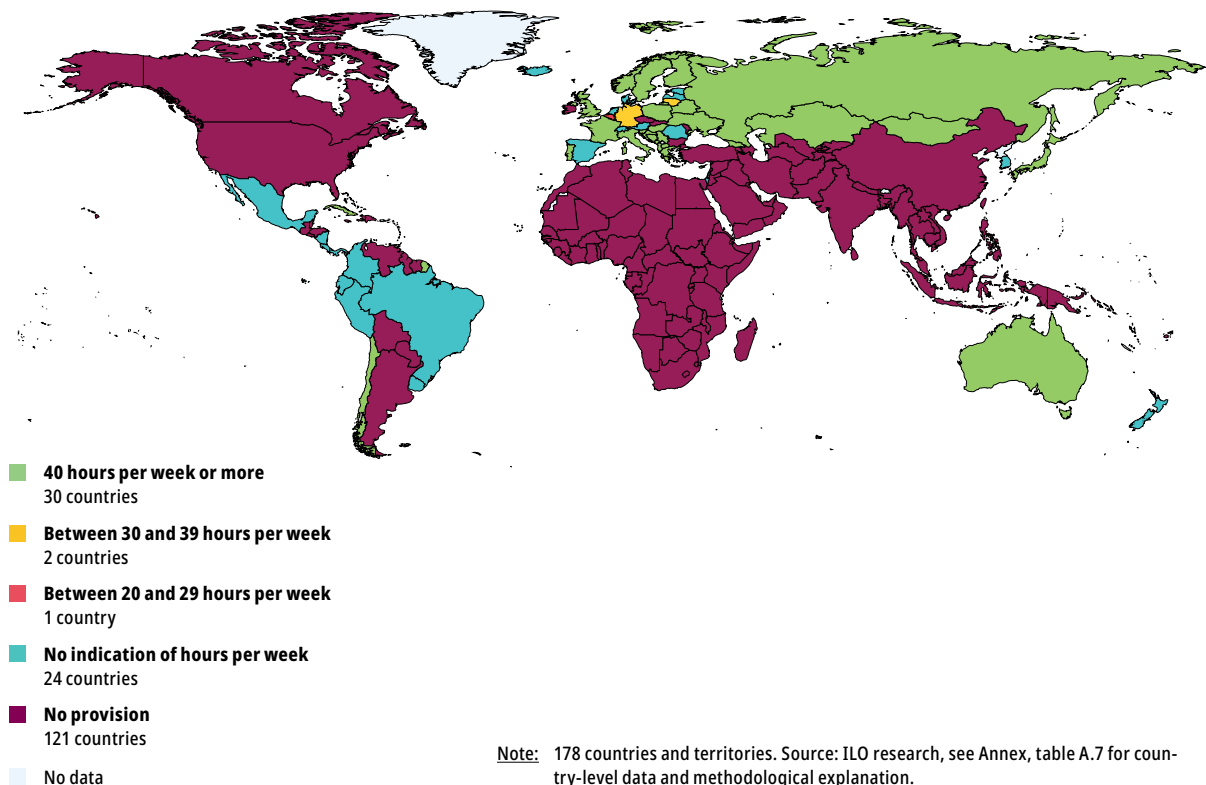
Note: 178 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.7 for country-level data and methodological explanation.

## Only 8 out of 100 potential parents have access to statutory childcare for children aged 0–2 years for at least 40 hours per week

Childcare provision should also ensure a number of hours of service that will accommodate the needs of working parents. In particular, good-quality ECED services showcase their potential to assist parents when they are aligned to the statutory duration of working hours (40 hours per week in most countries), and even more so when they can accommodate the excessive working hours (more than 48 hours per week) of low-paid workers, especially in the informal economy. In

30 countries around the world, childcare services for children aged 0–2 years are available for at least 40 hours per week. In other words, only 8.2 per cent of potential parents worldwide are living in countries where statutory childcare services are available for at least 40 hours per week. The majority of these countries (24) are located in Europe and Central Asia. However, 40-plus hours of weekly childcare services for young children are also available in Australia, Chile, Cuba, French Polynesia, Japan and Mongolia. The provision of full-time childcare services is of paramount importance to enable both parents to freely choose their preferred work arrangement – either part- or full-time – and to increase women's participation and progression in employment.

► Figure 7.11. Hours per week for statutory childcare services for children aged 0–2 years, 2021

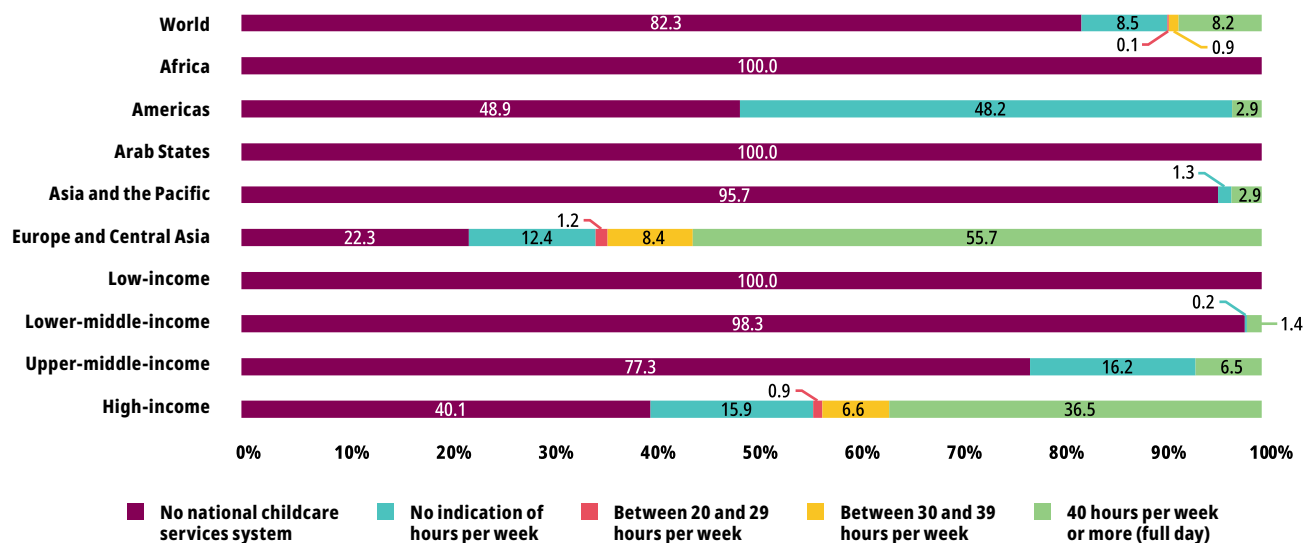


► Table 7.4. Hours per week for statutory for childcare services for children aged 0–2 years, by region and by income group, 2021 (no. of countries)

Region/income group	No national childcare services system	No indication of hours per week	Between 20 and 29 hours per week	Between 30 and 39 hours per week	40 hours per week or more (full day)
World	121	24	1	2	30
Africa	53	–	–	–	–
Americas	19	10	–	–	2
Arab States	11	–	–	–	–
Asia and the Pacific	26	3	–	–	4
Europe and Central Asia	12	11	1	2	24
Low-income	28	–	–	–	–
Lower-middle-income	43	1	–	–	2
Upper-middle-income	34	6	–	–	10
High-income	16	17	1	2	18

Note: 178 countries and territories. – = nil. Source: ILO research, see Annex, table A.7 for country-level data and methodological explanation.

► Figure 7.12. Share of potential parents by hours per week for statutory for childcare services for children aged 0–2 years, by region and by income group, 2021 (%)



Note: 178 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.7 for country-level data and methodological explanation.

### ► 7.3. Childcare services for children aged 3 years to the start of primary school: Essential care services to ensure the continuum of care

#### Five in ten potential parents live in countries where there is a statutory provision for pre-primary education

In 2021, there are a total of 105 countries around the world (out of 178) that have a statutory pre-primary education service system for children between the age of 3 years and the start of primary education (figure 7.13, figure 7.14 and table 7.5). In other words, 54.0 per cent of potential parents, or 2.1 billion, live in countries that provide statutory pre-primary education services. However, there are still 1.7 billion potential parents living in the 73 countries that do not grant access to publicly organized pre-primary education systems for children aged 3 years and above.

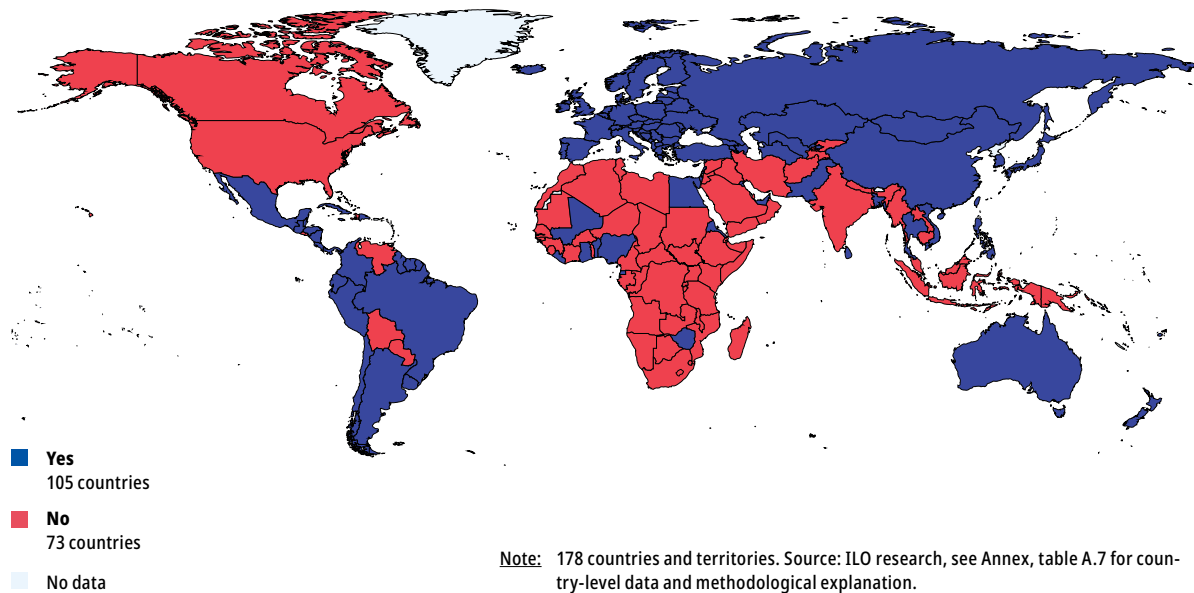
The global picture hides substantial regional variations. Europe and Central Asia is the region where national pre-primary education systems are most commonly available, with all but two countries – Kyrgyzstan and Tajikistan – having such systems. However, some of the 48 countries in the region with a statutory pre-primary education system face limitations in the provision of the service. For example, in some countries the starting age of universal publicly provided pre-primary education is delayed to 5

years (such as in Azerbaijan and Turkey). While in other countries, national pre-primary education services remain largely financed through out-of-pocket expenditure (including in Croatia, Georgia and Turkmenistan).

A similar configuration is observed in the Americas, which grants access to pre-primary education services for the large majority of parents. This corresponds to 60.3 per cent of the region's potential parents living in the 23 countries in the region with pre-primary education systems. In the Arab States, there are no national ECED services, but national pre-primary education services are available in Kuwait, Lebanon and the United Arab Emirates. This, however, leaves 85.4 per cent of potential parents in the region living in countries where there are no national pre-primary education services. By contrast, national pre-primary education systems are more widely available in Asia and the Pacific, where 20 out of 33 countries, in which 52.8 per cent of potential parents reside, provide publicly organized pre-primary education. Pre-primary education services are also available in 11 out of 53 African countries, where 29.5 per cent of potential parents reside. Availability is more prevalent in the West Africa region, and remains scattered across other subregions.



► **Figure 7.13.** Presence of a national pre-primary education system for children aged 3 years and above, 2021

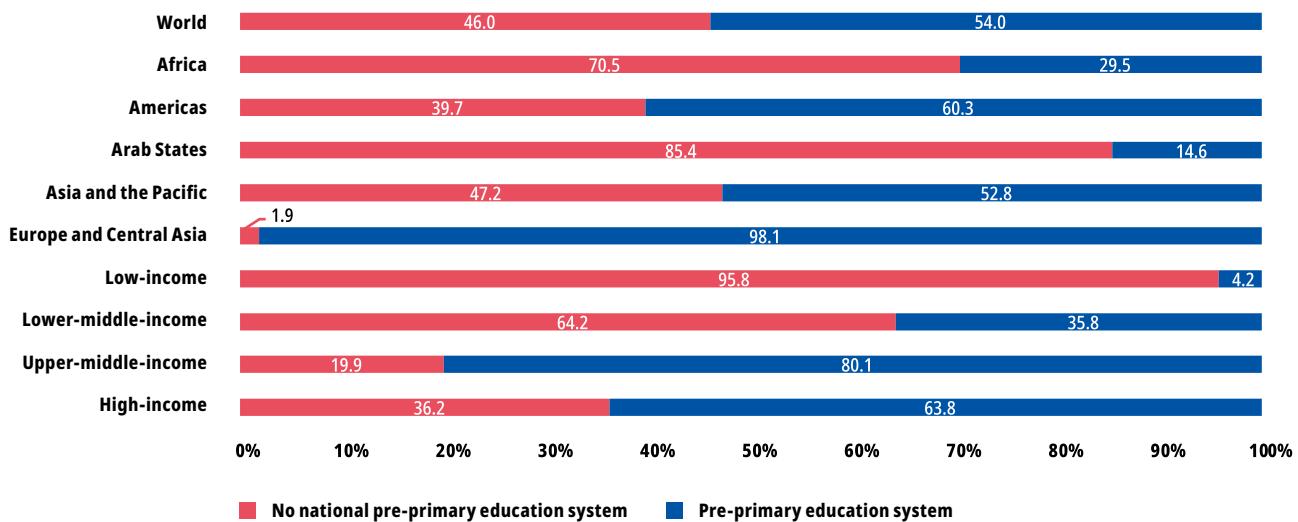


► **Table 7.5.** Presence of a national pre-primary education system for children aged 3 years and above, by region and by income group, 2021 (no. of countries)

Region/income group	No national pre-primary education system	Pre-primary education system
World	73	105
Africa	42	11
Americas	8	23
Arab States	8	3
Asia and the Pacific	13	20
Europe and Central Asia	2	48
Low-income	25	3
Lower-middle-income	27	19
Upper-middle-income	15	35
High-income	6	48

**Note:** 178 countries and territories. Source: ILO research, see Annex, table A.7 for country-level data and methodological explanation.

► **Figure 7.14.** Share of potential parents by presence of a national pre-primary education system for children aged 3 years and above, by region and by income group, 2021 (%)



**Note:** 178 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.7 for country-level data and methodological explanation.

## Only four in ten potential parents reside in countries where pre-primary education is universal

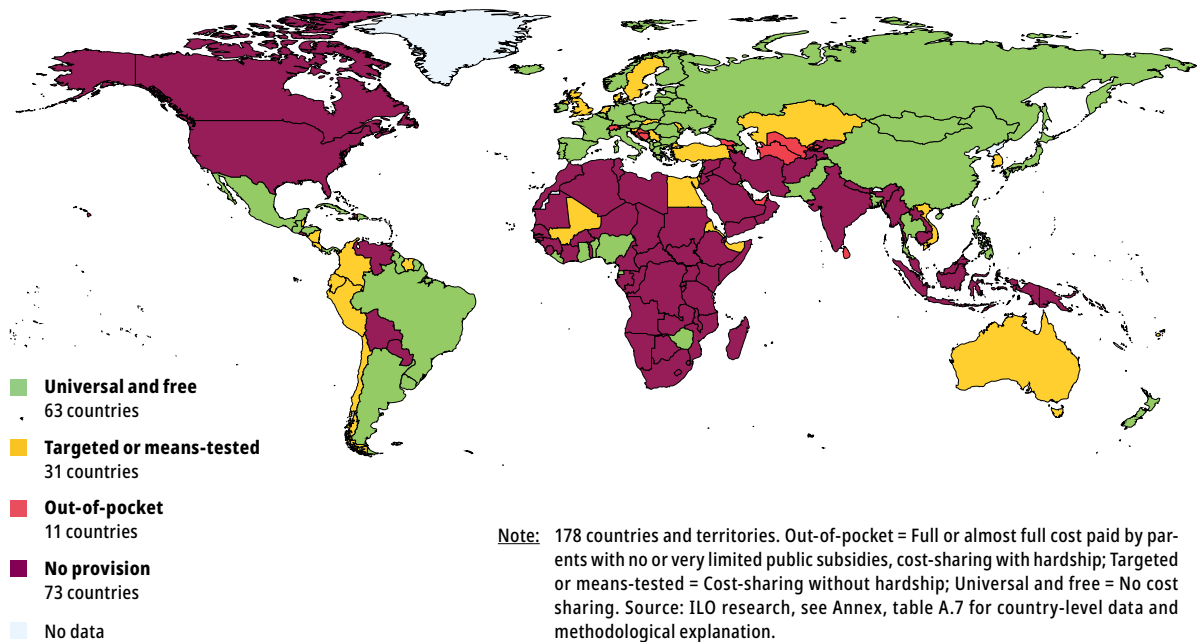
Of the 105 countries with national pre-primary education services, 63 have universal<sup>9</sup> pre-primary education services. These 63 countries are home to 1.7 billion potential parents, or 44.1 per cent of the global total. In 31 countries, where 336 million or 8.6 per cent of potential parents live, pre-primary education services are targeted, meaning they are directed towards certain populations or are means tested. In the remaining 11 countries, 49 million potential parents (or 1.3 per cent) have access to national pre-primary education by paying fees. This means that such services would be available only for those who can afford to pay, while others may opt for family childcare until the start of compulsory primary education. This is likely to have negative consequences, not only on the development of children's cognitive skills, but also on mothers' labour market participation and career progression.

Regional patterns show that the region with the highest share of potential parents residing in countries with universal pre-primary education services is Europe and Central Asia (64.5 per cent in 28 countries). This is followed by Asia and the Pacific (48.2 per cent in 11 countries), the Americas (46.5 per cent in 14 countries), Africa (20.0 per cent in 8 countries) and the Arab States (6.7 per cent in 2 countries).



<sup>9</sup> As above, when national regulations mandate for childcare services for broad categories of the population – without a means test – childcare services are universal.

► Figure 7.15. Type of government support for pre-primary education services for children aged 3 years and above, 2021



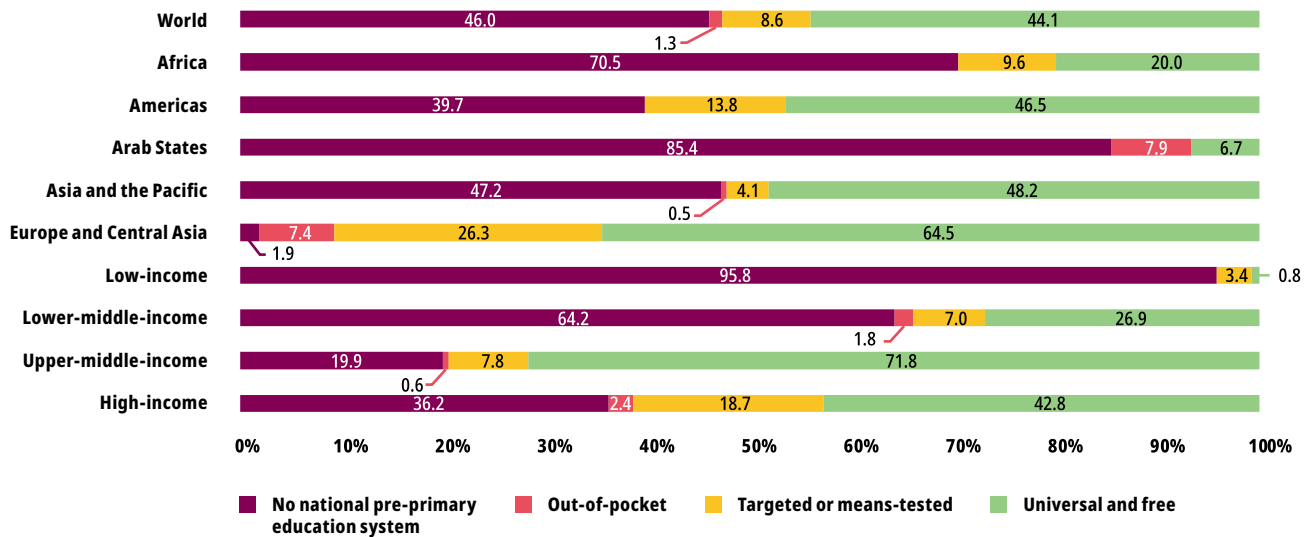
► Table 7.6. Type of government support for pre-primary education services for children aged 3 years and above, by region and by income group, 2021 (no. of countries)

Region/income group	No national pre-primary education system	Out-of-pocket	Targeted or means-tested	Universal and free
World	73	11	31	63
Africa	42	–	3	8
Americas	8	–	9	14
Arab States	8	1	–	2
Asia and the Pacific	13	3	6	11
Europe and Central Asia	2	7	13	28
Low-income	25	–	2	1
Lower-middle-income	27	3	4	12
Upper-middle-income	15	5	11	19
High-income	6	3	14	31

**Note:** 178 countries and territories. – = nil. Out-of-pocket = Full or almost full cost paid by parents with no or very limited public subsidies, cost-sharing with hardship; Targeted or means-tested = Cost-sharing without hardship; Universal and free = No cost sharing. Source: ILO research, see Annex, table A.7 for country-level data and methodological explanation.



► **Figure 7.16.** Share of potential parents by type of government support for pre-primary education services for children aged 3 years and above, by region and by income group, 2021 (%)



**Note:** 178 countries and territories. Out-of-pocket = Full or almost full cost paid by parents with no or very limited public subsidies, cost-sharing with hardship; Targeted or means-tested = Cost-sharing without hardship; Universal and free = No cost sharing. Source: ILO calculations based on country-level data. See Annex, table A.7 for country-level data and methodological explanation.

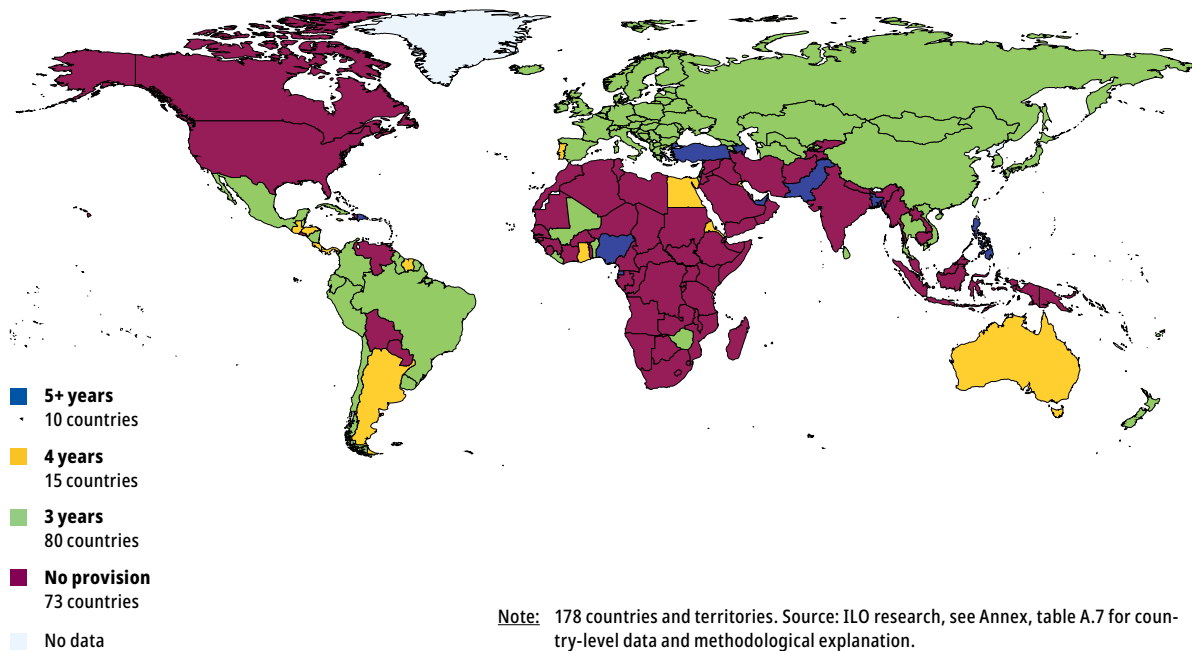
## Only four in ten potential parents reside in countries where pre-primary education starts when children are aged 3 years

According to the UNESCO ISCED classification, national pre-primary education services should start after the completion of a child's ECED education, which coincides with the age of 3 years. However, only 80 of the 105 countries with national pre-primary education provide services for children aged 3 years and above (figure 7.17 and table 7.7). This means that, at the global level, 39.7 per cent of potential parents are residing in countries with such provisions (figure 7.18). A minority of countries are delaying access to pre-primary education. There are 15 countries providing pre-primary education services

starting from the age of 4 years, and 10 countries from the age of 5 or more. Delaying children's entrance to pre-primary education services could be detrimental for children's capacity to develop social and emotional skills, but also for parents' capacity to juggle work and family responsibilities.

Regional patterns regarding the starting age of pre-primary education services show that in Europe and Central Asia almost all countries with national pre-primary education (45 out of 48) provide services starting at the age of 3 years. In the Americas, only 15 out of 23 countries with national pre-primary education provide services for children aged 3 years. The same is true in 14 out of 20 countries in Asia and the Pacific, and in 5 out of 11 countries in Africa. While, in the Arab States only Lebanon provides pre-primary education for children aged 3 years and above.

► Figure 7.17. Starting age (in years) of pre-primary education services for children aged 3 years and above, 2021

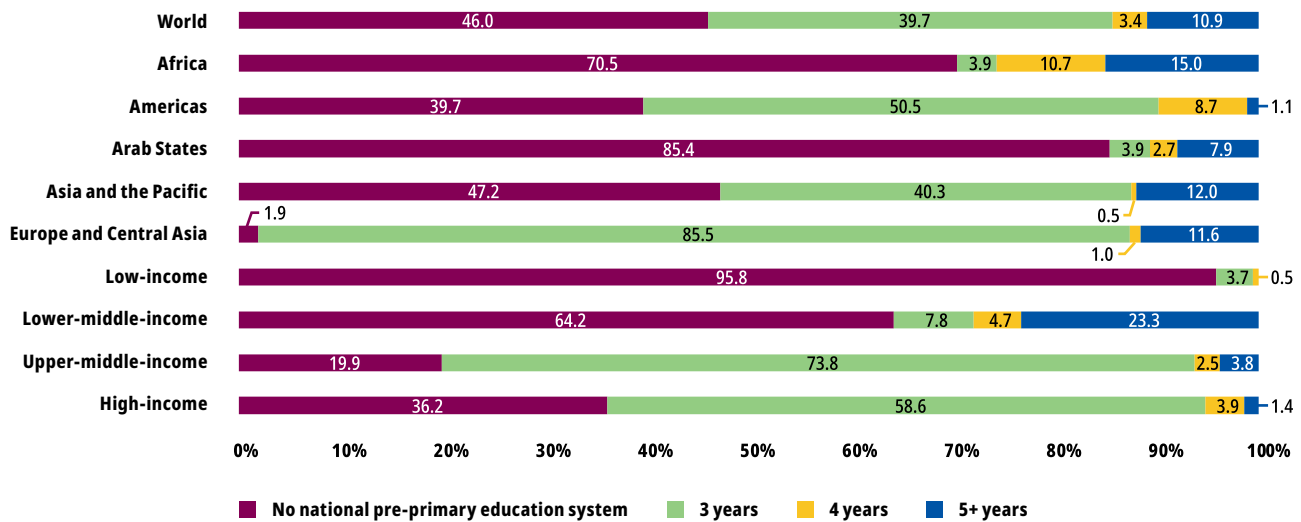


► Table 7.7. Starting age (in years) of pre-primary education services for children aged 3 years and above, by region and by income group, 2021 (no. of countries)

Region/income group	No national pre-primary education system	3 years	4 years	5+ years
World	73	80	15	10
Africa	42	5	4	2
Americas	8	15	7	1
Arab States	8	1	1	1
Asia and the Pacific	13	14	2	4
Europe and Central Asia	2	45	1	2
Low-income	25	2	1	–
Lower-middle-income	27	10	5	4
Upper-middle-income	15	26	5	4
High-income	6	42	4	2

Note: 178 countries and territories. – = nil. Source: ILO research, see Annex, table A.7 for country-level data and methodological explanation.

► **Figure 7.18.** Share of potential parents by starting age (in years) of pre-primary education services for children aged 3 years and above, by region and by income group, 2021 (%)



**Note:** 178 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.7 for country-level data and methodological explanation.

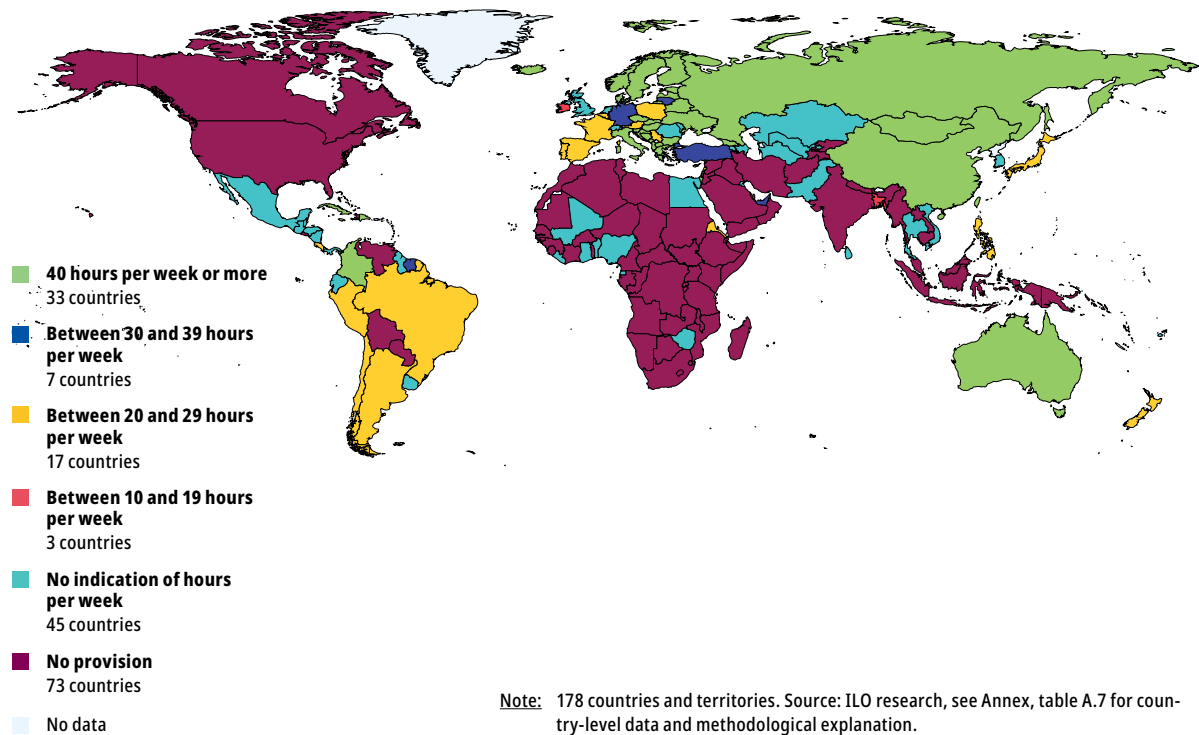
## Only two in ten potential parents have access to statutory pre-primary education for at least 40 hours per week

Globally there is more comprehensive coverage of pre-primary education services compared to ECED, but the availability of full-time pre-primary education services is a reality for only a minority of parents. Across the world, only 932 million potential parents (or 23.9 per cent) reside in one of the 33 countries providing full-time (40 hours or more per week) national pre-primary education services (figure 7.19, figure 7.20 and table 7.8). However, of these 33 countries, only 21 also provide universal access to pre-primary education. By contrast, in seven countries, pre-primary education facilities offer between 30 and 39 hours of services per week. In 17 countries, the hours of operation of nationally organized

pre-primary education facilities range between 20 and 29 hours per week. A plurality of countries with national pre-primary education systems (45) provide no indication of the hours of operation per week.

Countries providing full-time national pre-primary education services are clustered in Europe and Central Asia, with some exceptions. For example, in the Americas, only Colombia, Cuba, the Dominican Republic and Jamaica provide full-time pre-primary education services. Similar provisions are found in four countries in Asia and the Pacific: Australia, China, Mongolia and Singapore. In Africa and in the Arab States, there no countries that supply full-time national pre-primary education services. Equivalent to ECED services, full-time pre-primary education services are of utmost importance, as they enable workers with family responsibilities to freely choose whether to work part-time or full-time.

► Figure 7.19. Hours per week for pre-primary education services for children aged 3 years and above, 2021



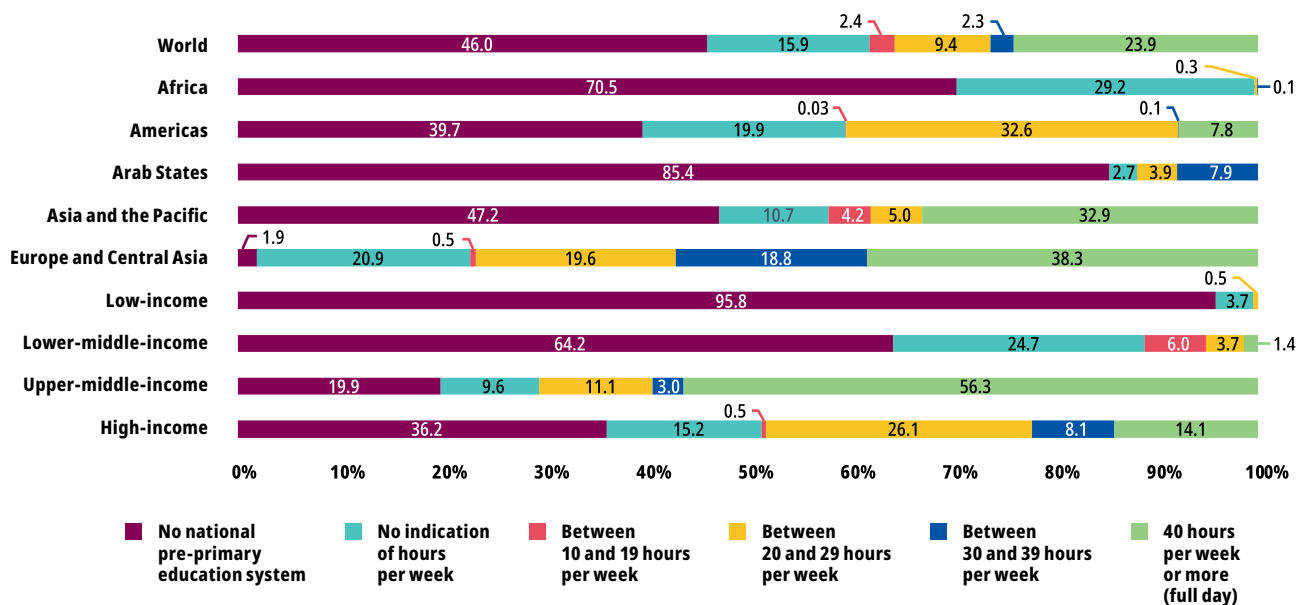
Note: 178 countries and territories. Source: ILO research, see Annex, table A.7 for country-level data and methodological explanation.

► Table 7.8. Hours per week for pre-primary education services for children aged 3 years and above, by region and by income group, 2021 (no. of countries)

Region/income group	No national pre-primary education system	No indication of hours per week	Between 10 and 19 hours per week	Between 20 and 29 hours per week	Between 30 and 39 hours per week	40 hours per week or more (full day)
World	73	45	3	17	7	33
Africa	42	9	–	1	1	–
Americas	8	12	1	5	1	4
Arab States	8	1	–	1	1	–
Asia and the Pacific	13	12	1	3	–	4
Europe and Central Asia	2	11	1	7	4	25
Low-income	25	2	–	1	–	–
Lower-middle-income	27	15	1	1	–	2
Upper-middle-income	15	14	–	6	2	13
High-income	6	14	2	9	5	18

Note: 178 countries and territories. – = nil. Source: ILO research, see Annex, table A.7 for country-level data and methodological explanation.

► Figure 7.20. Share of potential parents by hours per week for pre-primary education services for children aged 3 years and above, by region and by income group, 2021 (%)



Note: 178 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.7 for country-level data and methodological explanation.

## ► 7.4. Conclusion

Evidence shows that ECED services and pre-primary education promote women's labour force participation, spur women's uptake of full-time jobs and improve children's cognitive development. The availability of childcare is found to be particularly beneficial to children from disadvantaged backgrounds, contributing to better nutrition, education and health outcomes. The job-generation potential of childcare is also important to promoting government tax revenues and social security contributions, and thereby supporting the adequacy of childcare and other care services, care leave policies and other social protection benefits (such as pensions). However, the availability of public childcare services is scarce for children aged 0–2 years. Only 57 countries around the world have a statutory childcare service system, and in only 32 countries are publicly organized ECED services statutorily provided during the first month after

childbirth, which is particularly essential when leave policies are not available. Childcare and pre-primary education services are largely not aligned to working parents' needs. For instance, globally the average age at which a child is entitled to free childcare or education services (early education, where available, or mandatory primary school) is 4.7 years, with broad regional and country variations. In addition, only 30 countries provide full-time childcare services (at least 40 hours per week), while only 21 countries guarantee universal and free childcare services for young children. Governments do take on more responsibility in the organization and provision of pre-primary education services than they do in ECED services, resulting in 105 countries having such provisions. Among these, 63 countries have universal and free pre-primary education services, but only 33 countries provide these services for at least 40 hours per week.

21

COUNTRIES HAVE  
UNIVERSAL CHILDCARE  
SERVICES

9 IN 100 PARENTS

57

COUNTRIES HAVE  
STATUTORY CHILDCARE  
SERVICES FOR CHILDREN  
AGED 0-2 YEARS

2 IN 10 PARENTS

30

COUNTRIES HAVE  
STATUTORY CHILDCARE  
FOR AT LEAST 40 HOURS  
PER WEEK

8 IN 100 PARENTS

32

COUNTRIES OFFER  
CHILDCARE SERVICES  
RIGHT AFTER  
CHILDBIRTH

8 IN 100 PARENTS

63

COUNTRIES HAVE  
UNIVERSAL STATUTORY  
PRE-PRIMARY EDUCATION  
SERVICES

4 IN 10 PARENTS

33

COUNTRIES HAVE  
STATUTORY PRE-PRIMARY  
EDUCATION SERVICES FOR  
AT LEAST 40 HOURS  
PER WEEK

2 IN 10 PARENTS

105

COUNTRIES HAVE  
STATUTORY PRE-PRIMARY  
EDUCATION SERVICES

5 IN 10 PARENTS

80

COUNTRIES OFFER  
PRE-PRIMARY  
EDUCATION SERVICES  
STARTING AT AGE 3

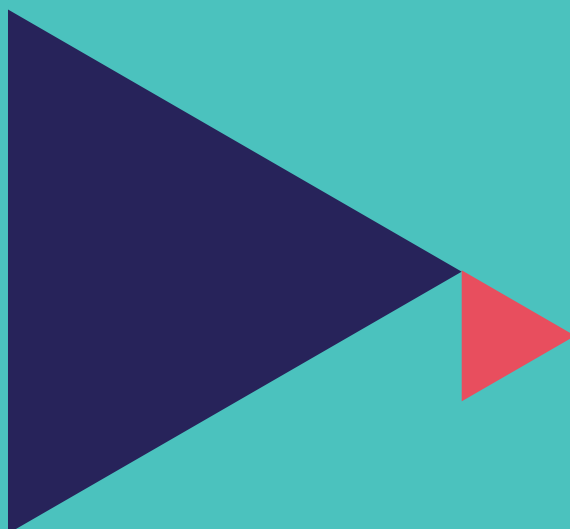
4 IN 10 PARENTS





**Long-term care services  
are essential to ensure  
the right to healthy ageing  
in dignity**

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## Chapter 8 key messages

### ► Who is providing long-term care services?

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- Globally, 89 countries have a statutory provision of public long-term care services for older persons.
- In 70 countries, the law embeds legal obligations for family members to care for older relatives, intensifying women's care responsibilities and relinquishing collective responsibility.

### ► Which long-term care services exist and who is covered?

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- Long-term care services remain inaccessible to and inadequate for the large majority of older persons with care needs:
  - Only 69 countries have a statutory provision of in-home personal care services. 4 in 10 older persons aged above the healthy life expectancy age (HALE) at 60 years live in these countries.
  - Only 33 countries have a statutory provision of community day care services. 3 in 10 older persons with potential care needs live in these countries.
  - Only 87 countries have a statutory provision of residential care services. 5 in 10 older persons with potential care needs live in these countries.

### ► Who is paying for long-term care services?

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- Funding mechanisms for long-term care services should ensure the principles of universality, adequacy, solidarity and non-discrimination.
- Globally, 59 countries fund long-term care services through general taxation; while in 30 countries these services are funded through social insurance only (7 countries) or social insurance in combination with taxation (23 countries).
- Only 29 countries have set up a statutory universal and free long-term care service scheme.
- Out-of-pocket costs of long-term care services remain high, with at least 3 in 10 older persons at risk of income poverty and financial hardship in case of long-term care needs, even when public services are legally mandated.



## ► 8.1. Long-term care services: Guaranteeing the right to health, income security and gender equality

An effective and gender-transformative package of care policies and services that works for all must include services for older persons who have long-term care dependency as well as support for people with chronic disability and illness.<sup>1</sup> Such needs can be over a prolonged period of time, and involve older persons who are unable to independently perform at least one basic activity of daily living, such as eating, using the restroom, showering, dressing, moving about, or getting in and out of bed (WHO 2015). Care dependency<sup>2</sup> also results in difficulties in accessing healthcare and maintaining a healthy lifestyle to prevent deterioration in health and functional status, creating additional emotional needs and strains that must be addressed (ILO 2018a).

Long-term care is an essential piece of the continuum of care policies and services over the life cycle and have the potential to benefit workers with care responsibilities, particularly workers who have children, old persons or other family members that need care or support. While no specific international labour standards have been adopted on long-term care, the ILO Workers with Family Responsibilities Convention (No. 156) and Recommendation (No. 165), 1981, along with the principles embedded in ILO social security standards and WHO recommendations, remain the reference for the design and implementation of long-term care services. Convention No. 156 calls for the adoption of measures to take into account the needs of workers with family responsibilities in community planning, as well as to develop or promote community services “such as child-care and family services and facilities” (Article 5). Accordingly, long-term care services are essential measures both to ensure the right

of older persons to healthy ageing and to enable workers with family responsibilities – both women and men – to exercise their right to engage in employment without discrimination and, as far as possible, without work–family conflict.<sup>3</sup> The International Labour Conference concluded in June 2021 that countries should “invest in the care economy to facilitate access to affordable and quality childcare and long-term care services as an integral part of social protection systems, in a manner that is supportive of the workforce participation of workers with care-giving responsibilities and an equal sharing of care work between women and men” (ILO 2021e, para. 13(h)).

In recent years, the demand for long-term care services for older persons has been rising steeply, especially in middle- and high-income countries where life expectancy has increased. In 2015, there were 906 million persons aged 60 years old and above in the world; by 2030, this number is projected to be 1.4 billion, of whom 292 million will be aged above the healthy life expectancy age (HALE) at 60 years and are likely to need long-term care services (ILO 2018a).<sup>4</sup>

While longer healthy life expectancy implies that older persons can contribute longer to economic and social prosperity, including supporting the care of other family members, such as grandchildren, these projections raise challenges related to pensions, health and long-term care. In addition, the COVID-19 pandemic has disproportionately impacted people who rely on long-term care and those who provide it (both paid and unpaid), predominantly women and many of them migrant workers (Lorrez-Dant and

1 “Long-term care” refers to the provision of policies and services for persons of *all ages* who have long-term functional dependency and includes a range of health and social measures. This chapter only covers long-term care services for older persons with care dependency. For more information on long-term care leave policies for all ages see Chapter 4.

2 “Care dependency” is a functional dependency and differs from “disability” in that the latter concept is grounded on the relation between a certain impairment and the environmental and cultural barriers that prevent people with disabilities’ full, effective and equal participation in society. It is worth noting that not all people with disabilities have a care dependency, while all have the right to independent living and to choose and access different types of services, including personal assistance, as set out in the UN Convention on the Rights of Persons with Disabilities.

3 ILO Workers with Family Responsibilities Convention, 1981 (No. 156), Articles 3 and 5.

4 The term healthy life expectancy at 60 years is defined by the WHO’s Global Health Observatory (2018, as cited in ILO 2018a) and accounts for each country’s demographic heterogeneity.

Comas-Herrera 2021). Unless these challenges are addressed by adequate, good-quality and sustainable long-term care services, this extra demand for care constrains the participation of workers with care responsibilities, women in particular, in the labour market, with adverse impacts not only on their income security in working life and old age alike, but also on their physical and mental well-being (ILO 2021g). It will also undermine the conditions of work of care workers and further accentuate gender inequalities at work.

Therefore, ensuring universal access to quality long-term care services is not just a matter of addressing growing demographic pressures and ensuring the sustainability of health and social protection systems, but very importantly it is

also a matter of ensuring that persons in old age can enjoy the right to healthy ageing in dignity and without hardship (WHO 2015; ILO 2021h). In addition, access to quality long-term care services is crucial to advance gender equality at work, not just in terms of supporting women and men to better balance work and family needs but also in terms of the jobs and working conditions of care workers (ILO 2018a).

To shed light on the current situation, for the first time the ILO has examined legal provisions around long-term care services for older persons in 179 countries and territories. This chapter attempts to assess the extent to which these systems are designed and implemented according to some of the above principles.

## ► 8.2. The provision of public long-term care services for older persons: Sharing the care over the life cycle

The design, implementation and administration of long-term care services matters to the realization of older persons' right to ageing in health and dignity. International labour standards on social security call, among others, for the principles of universality of protection based on social solidarity; "person-centred, high-quality, accessible and affordable public services"; adequacy, predictability and entitlement of benefits in national legislation; as well as solidarity in financing.<sup>5</sup> The ILO and WHO also recommend that governments do not need to deliver the entirety of service provision, but should take "overall and primary responsibility" for ensuring long-term care service functioning, so that "integrated long-term care that is appropriate, affordable, accessible and upholds the rights of older people and caregivers alike" is guaranteed (ILO 2018a, 111; WHO 2017, 2).

### Globally, only 89 countries have statutory provision of public long-term care services for older persons

Globally, in only 89 out of 179 countries does the law set a statutory national long-term care service system<sup>6</sup> for older persons (figure 8.1 and table 8.1). This is equivalent to 119 million or 49.0 per cent of old-age persons<sup>7</sup> living in countries with statutory long-term care services (figure 8.2). Not all of the 89 countries with statutory public long-term care services systems provide adequate and affordable public long-term care services; in fact, in some countries, the system is limited by law and restricted to certain groups of older persons and/or to certain urban centres or regions.

5 ILO Social Protection Floors Recommendation, 2021 (No. 202), Paragraph 3.

6 This means publicly organized long-term care services where the government provides nationwide regulation and funding.

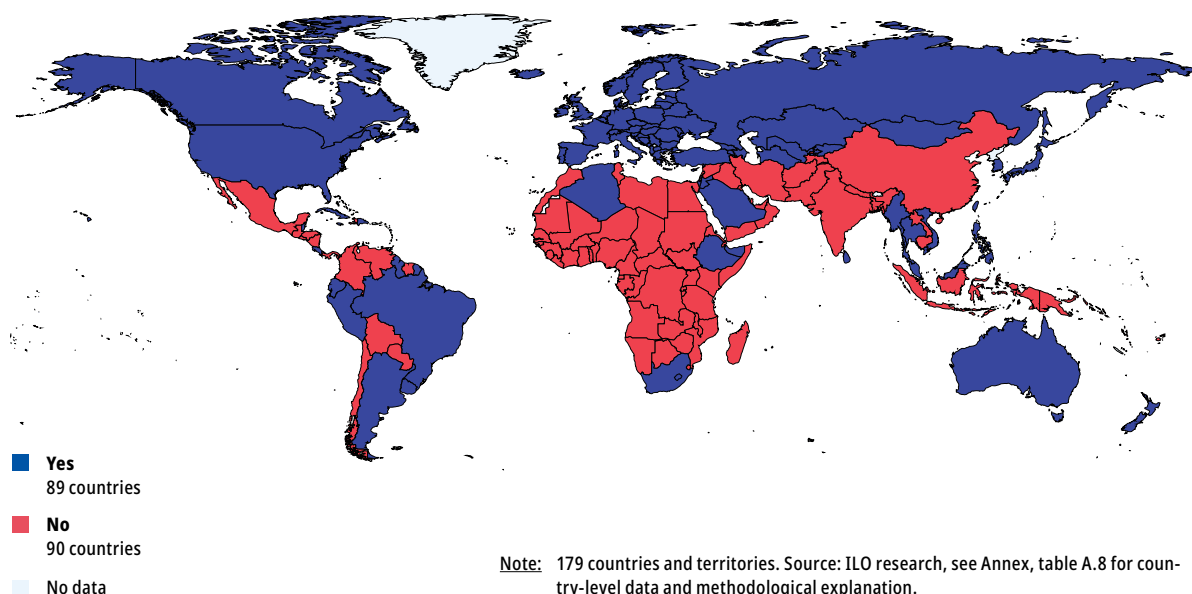
7 "Old-age persons" are those aged at or above the healthy life expectancy at age 60 (HALE at 60). Data on HALE at 60 are not available on the WHO Global Health Observatory for French Polynesia, Guam and Occupied Palestinian Territory.

On the other hand, 90 countries do not have a statutory provision of long-term care services for older persons. As a result of these gaps, 51.0 per cent of old-age persons globally (124 million) fully rely on unpaid carers – family members, friends and volunteers – as the main providers of long-term care services. Women are disproportionately affected by this lack of public provision, since they live longer than men; have fewer financial resources in old age, including through pensions, compared to men; and are often expected to provide such care to their family members until late in their lives (ILO 2018a).

Across the regions of the world, publicly organized long-term care service provision is most frequently found in Europe and Central Asia. In 49 out of 50 countries in the region, where 99.8 per cent of old-age persons reside, there are statutory long-term care services (table 8.1). However, some countries have requirements that limit long-term care service provision. For example, in Greece, Kazakhstan, Kyrgyzstan and Turkmenistan, one of the conditions to access publicly provided long-term care services is to not have a family, thus implying that no support will come from the State for workers with older family members in need of long-term care services.

In Africa, only Algeria, Ethiopia, Mauritius and South Africa have national legislations that envisage the provision of statutory long-term care services. In the Arab States, only Bahrain, Jordan, the Occupied Palestinian Territory and Saudi Arabia provide long-term care services. In Asia and the Pacific, 14 countries provide statutory provision of public long-term care services for older persons, but half of these (7) are high-income countries such as Japan, New Zealand, the Republic of Korea and Singapore. In total, this accounts for just 20.1 per cent of old-age persons in the region. Statutory provision of long-term care services is more prevalent in the Americas, where 81.2 per cent of old-age persons live in the 18 countries with a statutory long-term care service system.

► **Figure 8.1.** Presence of a statutory public long-term care service system for older persons, 2021

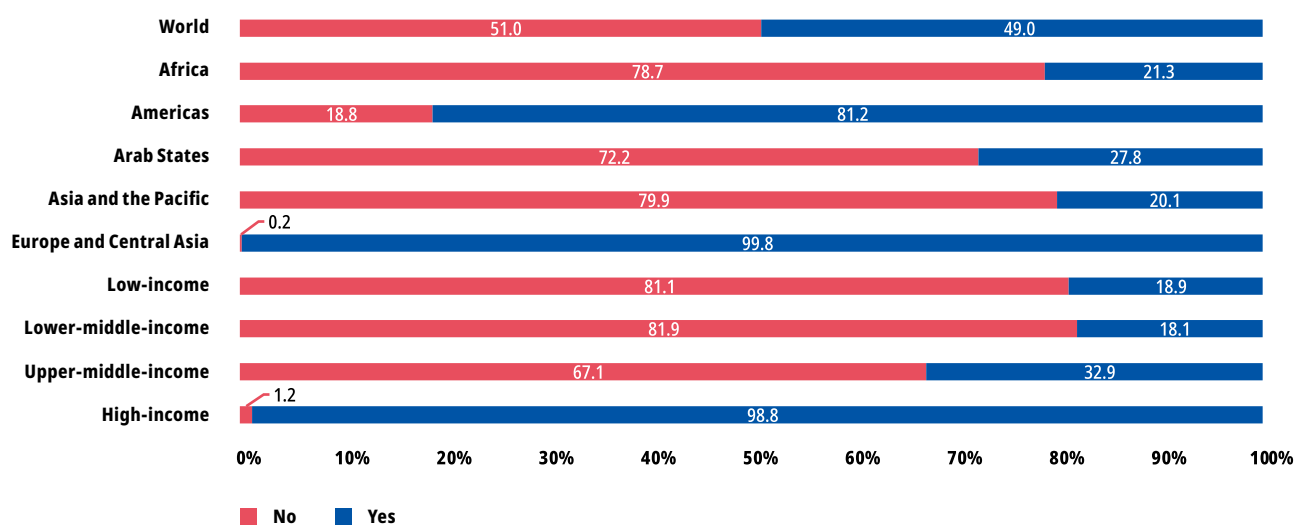


► Table 8.1. Presence of a statutory public long-term care service system for older persons, by region and by income group, 2021 (no. of countries)

Region/income group	No public long-term care system	Public long-term care system
World	90	89
Africa	49	4
Americas	13	18
Arab States	8	4
Asia and the Pacific	19	14
Europe and Central Asia	1	49
Low-income	27	1
Lower-middle-income	36	11
Upper-middle-income	20	30
High-income	7	47

Note: 179 countries and territories. Source: ILO research, see Annex, table A.8 for country-level data and methodological explanation.

► Figure 8.2. Share of old-age persons by presence of a statutory public long-term care service system for older persons, by region and by income group, 2021



Note: 176 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.8 for country-level data and methodological explanation.

## Globally, 70 countries mandate that families have legal obligations to care for older relatives

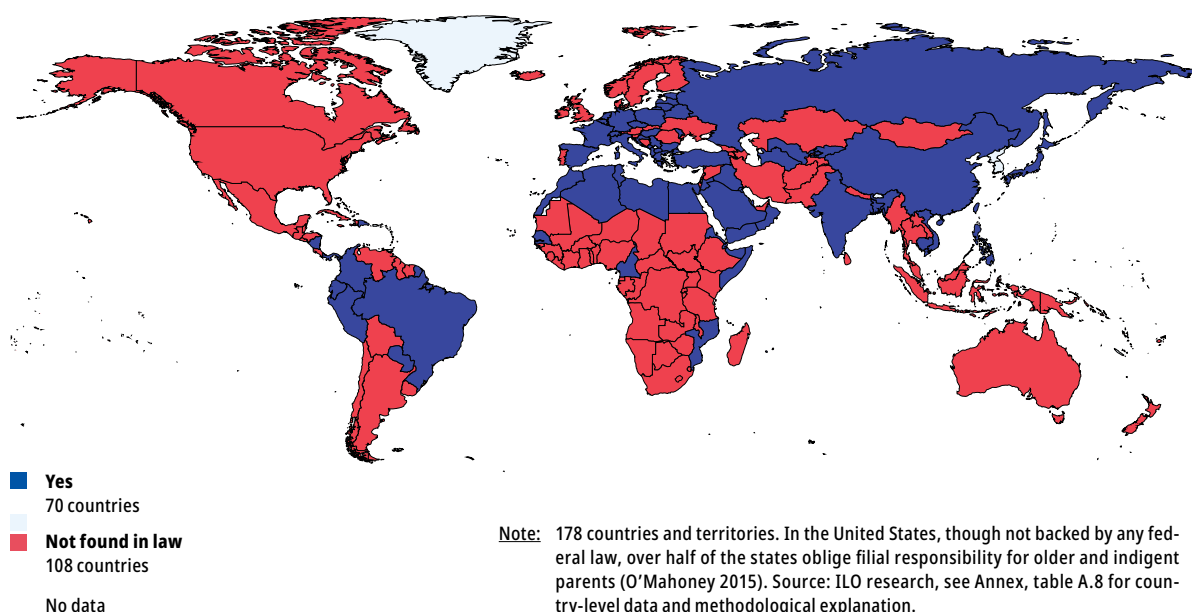
While caring for the older persons is a value in many cultures, the lack of national laws on long-term care services mandating a responsibility of the State, means that long-term care tends to overwhelmingly fall onto women, thus limiting their opportunities to participate in the labour market and adversely affecting their health and well-being due to lack of respite. Promoting gender-transformative care packages entails the legal and social recognition of long-term care as a public good. This would imply reforming laws that either mandate long-term care provision by family members only and without support to their unpaid care work, or that condition eligibility for long-term care services on the absence of family members who could take care of older persons with a care dependency.<sup>8</sup>

Globally, about 40 per cent of the 178 countries with available information reviewed (70) have laws that require family members to care for

older relatives, including in Algeria, Cameroon, Colombia, India, the Russian Federation and Turkey (figure 8.3). In Germany, there is a legal obligation to care for relatives, with “care” in this case often pertaining to the organization and management of services, with some cash benefits available to family members providing unpaid care. Other countries recognize a right of older persons to be protected or cared for by family members, for instance in China and Ecuador. These regulations result in more than two-thirds of old-age persons (163 million) living in countries in which long-term care is statutorily defined as a family obligation, releasing the State from the overall responsibility of public provision as called for by ILO standards and WHO guidelines.

The review shows that the requirement to provide care by family members is often enshrined in the Constitution, the highest law that defines the principles upon which the State is based. For instance, the Constitution of Brazil also mentions state support, but family members are expected to provide care in the first instance, preferably in their own homes.

► Figure 8.3. Presence of statutory family obligations to care for relatives, 2021



8 Examples of this conditionality are provided in later in this chapter.

At the regional level, statutory family obligations have been identified in Europe and Central Asia (30 countries, especially in Eastern European and Commonwealth of Independent States countries; representing 74.6 per cent of old-age

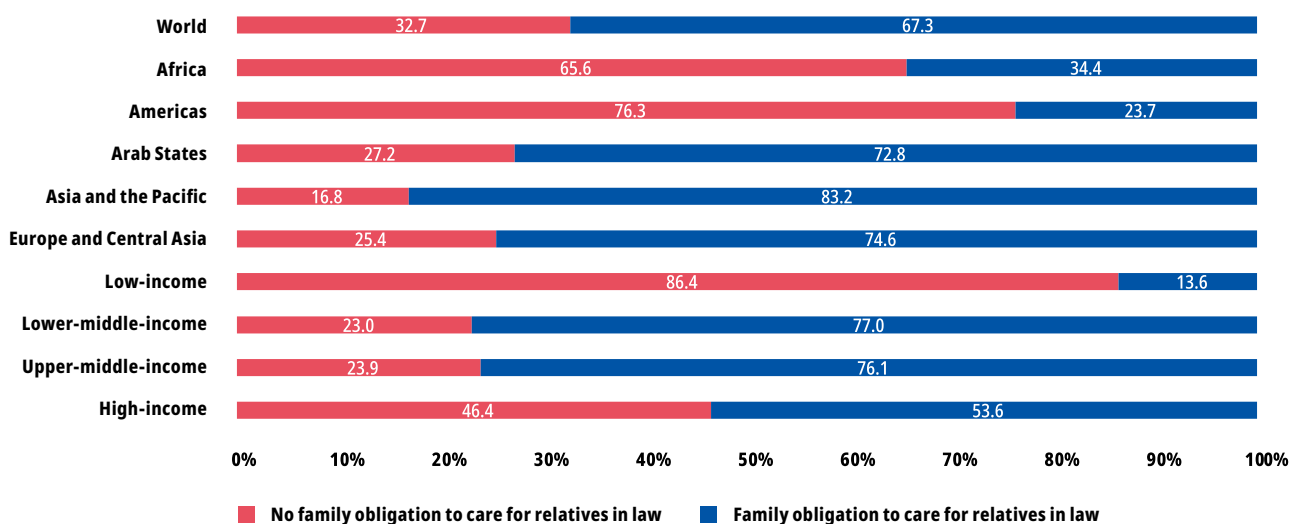
persons) and in Africa (14 countries; 34.4 per cent of old-age persons). They are also common in the Arab States (9 out of 12 countries), affecting 72.8 per cent of old-age persons (table 8.2 and figure 8.4).

► **Table 8.2.** Presence of statutory family obligations to care for relatives, by region and by income group, 2021 (no. of countries)

Region/income group	No family obligation to care for relatives in law	Family obligation to care for relatives in law
World	108	70
Africa	39	14
Americas	23	8
Arab States	3	9
Asia and the Pacific	23	9
Europe and Central Asia	20	30
Low-income	23	5
Lower-middle-income	28	19
Upper-middle-income	30	20
High-income	27	26

**Note:** 178 countries and territories. Source: ILO research, see Annex, table A.8 for country-level data and methodological explanation.

► **Figure 8.4.** Share of old-age persons by presence of statutory family obligations to care for relatives, by region and by income group, 2021 (%)



**Note:** 175 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.8 for country-level data and methodological explanation.

## ► 8.3. In-home, community and residential care: Providing a comprehensive spectrum of long-term care solutions

Long-term care can be provided through a spectrum of services ranging from the most intensive institutional care (such as, nursing homes) to less intensive institutional care (such as, short stay respite care) to community services (such as, day centres, nurse and professional carer visits) to home-based services (such as, cash benefits for carers, home help) (Redondo and Lloyd-Sherlock 2009). In particular, **community-based care services** refer to all forms of care that do not require older persons to reside permanently in an institutional care setting. Community-based care can facilitate ageing in place and has the potential to delay admission to a nursing home, reduce the number of days spent in hospital, and improve quality of life. These services include mainly in-home care and day centres. They also comprise services for caregivers or **respite care**, which provide short-term care in people's homes, day centres or residential facilities, in order to relieve unpaid carers (ILO 2018a). More recently, some countries are offering **telecare**, namely remote services that use information technologies to monitor and provide an urgent response, as a complement to in-home care for persons who are moderately care dependent (Cafagna et al. 2019). The second main category, **institutional residential care services**, refer to institutionalized care delivered in assisted-living facilities and nursing homes. Long-term care services can be provided **in-kind** or **in-cash** (or a combination of both). Under the first method, beneficiary older persons receive services from the public sector or private providers fully or partially compensated by the State (through non-contributory or contributory systems, such as taxation or social insurance). In the second scenario (**cash-for-care schemes**), beneficiaries receive transfers that can either be spent on long-term care services provided by paid care workers (in-home or institutions), or to be used as they see fit, including to compensate for unpaid services provided by family members.

Under both scenarios, service users may be required to pay a share of the cost for the use of such provisions (out-of-pocket payments) or according to their income (means tests) (ILO 2018a).

**Care workers** (such as personal care assistants, childcare workers, nurses or doctors), including domestic and migrant workers, play a key role in the provision of care services, including long-term services. This brings along a tension between care and migration policies and related consequences regarding conditions of work, value of care work and equal treatment (King-Dejardin 2019).

### Globally, 69 countries have statutory provision of in-home long-term care services

In-home care covers services provided in the usual residence of the older person in need. They are supplied by both health and non-health professionals, largely personal care assistants,<sup>9</sup> who help older people perform the basic activities of daily living as well as housework. These services are envisioned for older persons who are mildly to severely care dependent, and can facilitate independent living. ILO Recommendation No. 165 encourages countries to “develop home-help and home-care services which are adequately regulated and supervised and which can provide workers with family responsibilities, as necessary, with qualified assistance at a reasonable charge in accordance with their ability to pay” (Para. 33).

9 According to the ILO Domestic Workers Convention, 2011 (No. 189), personal care assistants are domestic workers, as they are workers employed by households.



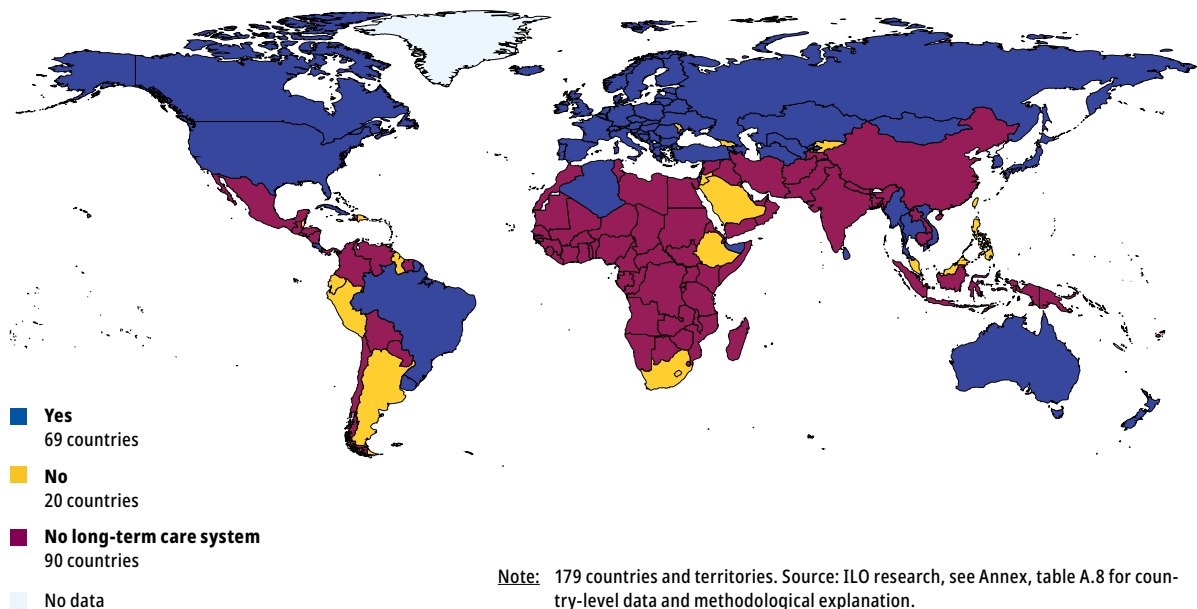
Globally, the legislation of 69 countries and territories out of 179 surveyed by the ILO mandate in-home personal care services as part of statutory long-term care service provision, in line with Recommendation No. 165 (figure 8.5). This statutory provision is found in countries where 44.7 per cent of old-age persons reside (109 million). However, since 110 out of 179 countries either do not have a statutory provision of public long-term care services (90 countries) or do not provide in-home services (20 countries), this corresponds to 135 million old-age persons living in countries across the world without statutory provision of in-home long-term care services (table 8.3 and figure 8.6).

The national income group analysis shows that virtually all old-age persons living in high-income countries (98.1 per cent) reside in a country with

statutory in-home care services, whereas this provision is not available in any of the low-income countries (which are home to 7.9 million old-age persons). The regional analysis shows that out of the 69 countries with statutory provision for in-home care services, 46 are in Europe and Central Asia (affecting 98.9 per cent of old-age persons in the region); 12 in Asia and the Pacific (17.5 per cent of old-age persons); 10 countries in the Americas (72.8 per cent old-age persons); and only Algeria in Africa (5.6 per cent of old-age persons).

Despite the projected growth of ageing populations, in Asia and the Pacific, only 17.5 of old-age persons live in the 12 countries (including the Republic of Korea, Singapore and Thailand) that mandate statutory in-home personal care services, leaving over 104 million older persons in the region with no protection of this sort.

► Figure 8.5. Provision of statutory in-home personal care services for older persons, 2021



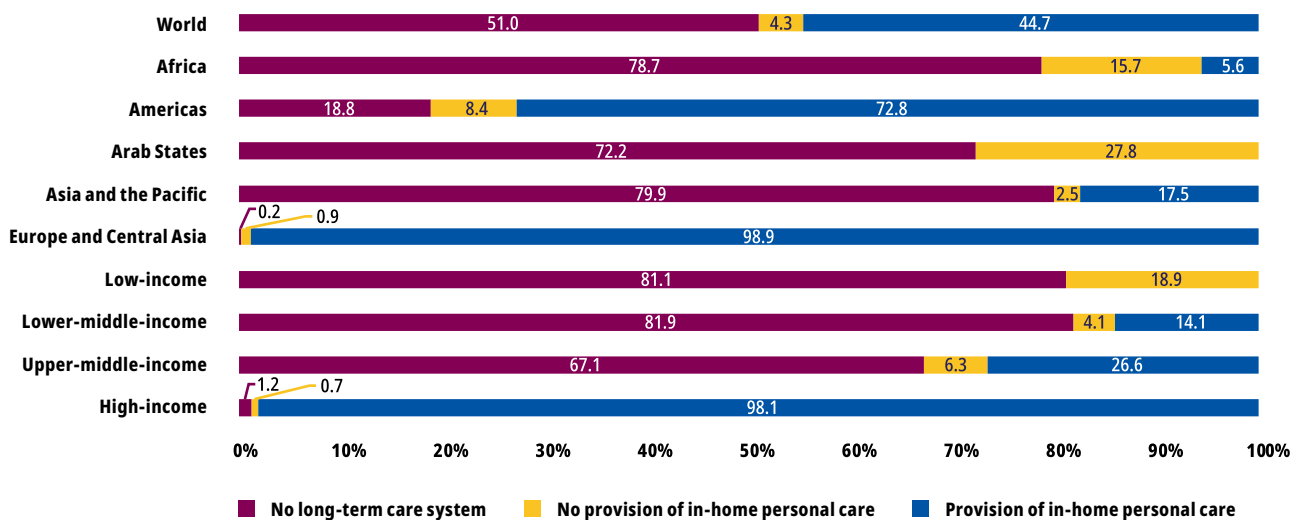


► **Table 8.3.** Provision of statutory in-home personal care services for older persons, by region and by income group, 2021 (no. of countries)

Region/income group	No long-term care system	No provision of in-home personal care	Provision of in-home personal care
World	90	20	69
Africa	49	3	1
Americas	13	8	10
Arab States	8	4	–
Asia and the Pacific	19	2	12
Europe and Central Asia	1	3	46
Low-income	27	1	–
Lower-middle-income	36	4	7
Upper-middle-income	20	11	19
High-income	7	4	43

**Note:** 179 countries and territories. – = nil. Source: ILO research, see Annex, table A.8 for country-level data and methodological explanation.

► **Figure 8.6.** Share of old-age persons by provision of statutory in-home personal care services for older persons, by region and by income group, 2021 (%)



**Note:** 176 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.8 for country-level data and methodological explanation.

Among the 69 countries with entitlements for in-home care, 25 provide in-kind services only, including the Bahamas, where the benefit consists of in-home nursing care. In Armenia and Uzbekistan, for example, in-home services are only available to older persons not living with family members, implying a family obligation to provide care as the primary solution. In Germany, Hungary, Malta and Singapore the services require some form of means test or out-of-pocket payments. In Bahrain and Uruguay, for instance, in-kind medical benefits are supplied as telecare services.

Legislation in some countries sets out a right to cash benefits for in-home benefits only, including, for instance, in Mongolia and Turkey. In Albania, Brunei Darussalam, Ireland and Sri Lanka benefits are only available to support unpaid carers; while in Viet Nam older persons can receive cash benefits only when they live without a family member. In terms of adequacy, the amount of cash benefits often varies according to the age of the beneficiary, the assessed level of functional dependence of the older person, and the income of the older person. For instance, among the countries with available information, the maximum amount of monthly cash benefits can range from €1,719.30 in Austria to €754 in Czechia to €67 in Croatia. Cash benefits are often not sufficient to cover the cost of the service or to hire a care worker with adequate wages. For instance, in Serbia older persons have a right to means-tested cash benefits equivalent to just 18 per cent of net average wages. In North Macedonia, persons with high level of dependency can receive 31 per cent of the minimum wage.

Finally, in some countries provision is made for a mix of in-kind and in-cash benefits. In Slovakia and Spain, cash benefits can be used for unpaid carers. In the Netherlands, in-home care is provided by health insurance, and beneficiaries can choose in-kind service or 75 per cent of the of care value in cash.

### In only 33 countries is there statutory provision of community day services

Community-based provision of long-term care is often offered in day centres, which

refer to services offered at facilities without accommodation. They usually focus on preventive and recreational activities rather than on assisting older persons with the activities of daily living. Thus, they are often used in combination with in-home care services, and are designed for people with little or no care dependence.

Worldwide, the provision of community day services is even more limited than in-home personal care. Among a total of 179 countries, only 33 have a legal entitlement to day services, which means that just 28.6 per cent of old-age persons (70 million) live in these countries (figure 8.7). In the remaining 146 countries – home to 174 million old-age persons (71.4 per cent), the State either has no responsibility (90 countries) or does not provide day services as part of public long-term care services (56 countries) (table 8.4 and figure 8.8).

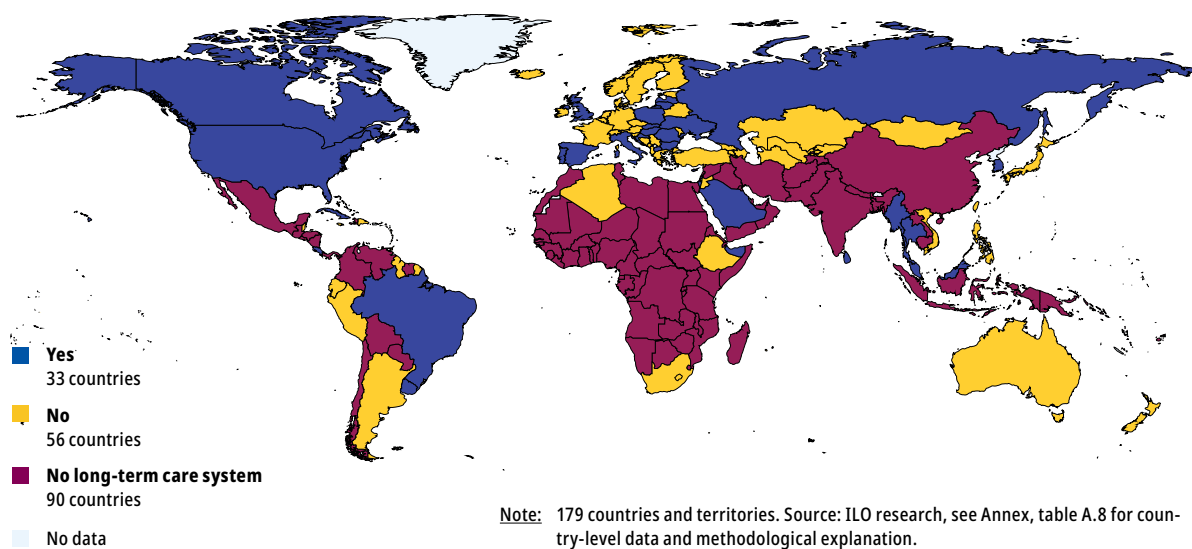
Similar to the previous category of services, regional variations show that statutory provision of community day centres is predominantly found in high-income countries (21 countries), mostly in Europe and Central Asia (17 countries), with the exception of seven middle-income countries: Bulgaria, Costa Rica, Croatia, Cuba, North Macedonia, Romania and Ukraine. In 2015, Uruguay was the first country in Latin America to set up an Integrated National Care System (SNIC) to provide assistance to care-dependent people. The system is primarily funded by general tax revenue and supplemented by co-payments from beneficiaries, who are means tested. The needs-based system offers: in-home care services for 80 hours per month for severely care-dependent people over age 80; telecare for people over age 70 who are moderately or mildly care-dependent; and free day centres for moderately or mildly care-dependent people over age 65. In 2019, almost 6 per cent of persons aged 70 and above received some type of service from the system (although this represents 67 per cent of persons aged 70 and above who requested a service) (Cafagna et al. 2019).

In Africa, long-term care services are usually provided by families, and in some countries, such as the Gambia and Mozambique, there is a constitutional obligation to care for older relatives. Residential long-term care is not generally considered culturally desirable in the region, and there can be stigma attached to not

caring for family at home (Lloyd-Sherlock 2019). Community day centre services are likely to be better received (for example, in Mauritius), but are not widely available. While the prevalence of conditions such as dementia are on the increase in the region, there is very limited medical or

social care support for such patients and their carers. The support that is available is often provided by religious organizations or by the few public organizations that exist, and only to those considered indigent and without family support (such as in Algeria and Mauritius) (WHO 2017).

► Figure 8.7. Provision of statutory community day services for older persons, 2021

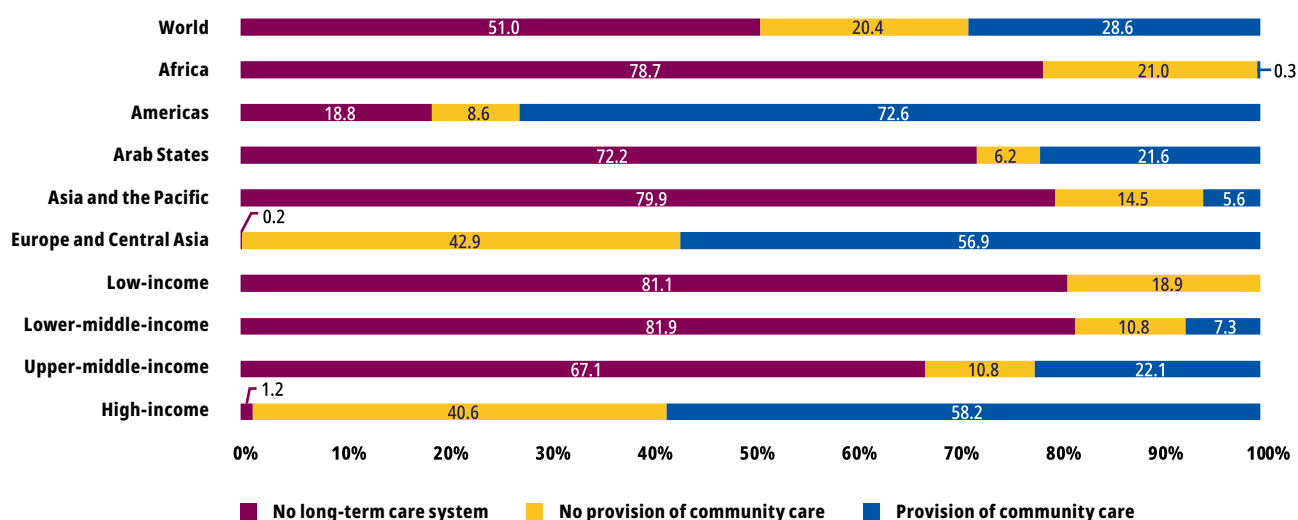


► Table 8.4. Provision of statutory community day services for older persons, by region and by income group, 2021 (no. of countries)

Region/income group	No long-term care system	No provision of community care	Provision of community care
World	90	56	33
Africa	49	3	1
Americas	13	12	6
Arab States	8	1	3
Asia and the Pacific	19	8	6
Europe and Central Asia	1	32	17
Low-income	27	1	–
Lower-middle-income	36	7	4
Upper-middle-income	20	22	8
High-income	7	26	21

Note: 179 countries and territories. – = nil. Source: ILO research, see Annex, table A.8 for country-level data and methodological explanation.

► Figure 8.8. Share of old-age persons by provision of statutory community day services for older persons, by region and by income group, 2021 (%)



Note: 176 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.8 for country-level data and methodological explanation.

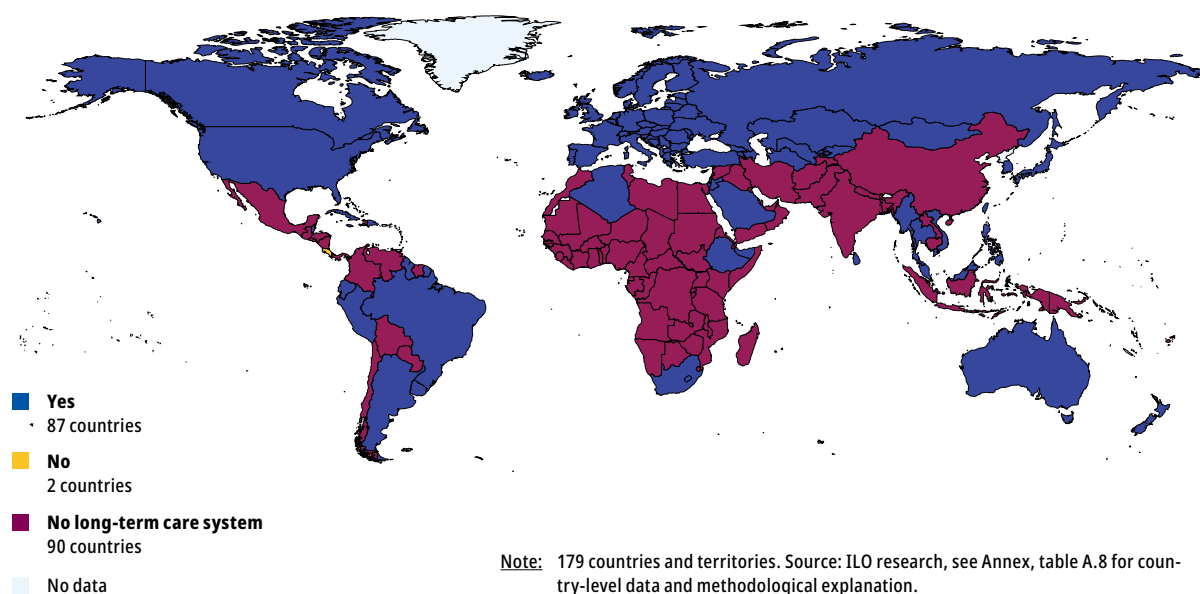
## In only 87 countries is there statutory provision of residential long-term care services

Although in-home care remains the preferred method by users, many older persons with moderate to severe functional dependency will at some point need nursing or designed hospital-like facilities that provide accommodation and long-term care as a package. Across the world, the legislation of 87 countries and territories out of 179 surveyed by the ILO provide residential

care services as part of publicly mandated long-term care services, in line with Convention No. 156 (figure 8.9 and table 8.5). This statutory provision is found in countries where 49 per cent of old-age persons (or 119 million) live (figure 8.10). However, the gaps in provision can be very broad – due to limited supply, extensive requirements of means tests and co-payments, as well as eligibility being restricted to those without family members. In addition, more than half of old-age persons across the world (124 million) live in countries with no statutory provision for residential care in case of need.



► Figure 8.9. Provision of statutory residential care services in the long-term care system, 2021

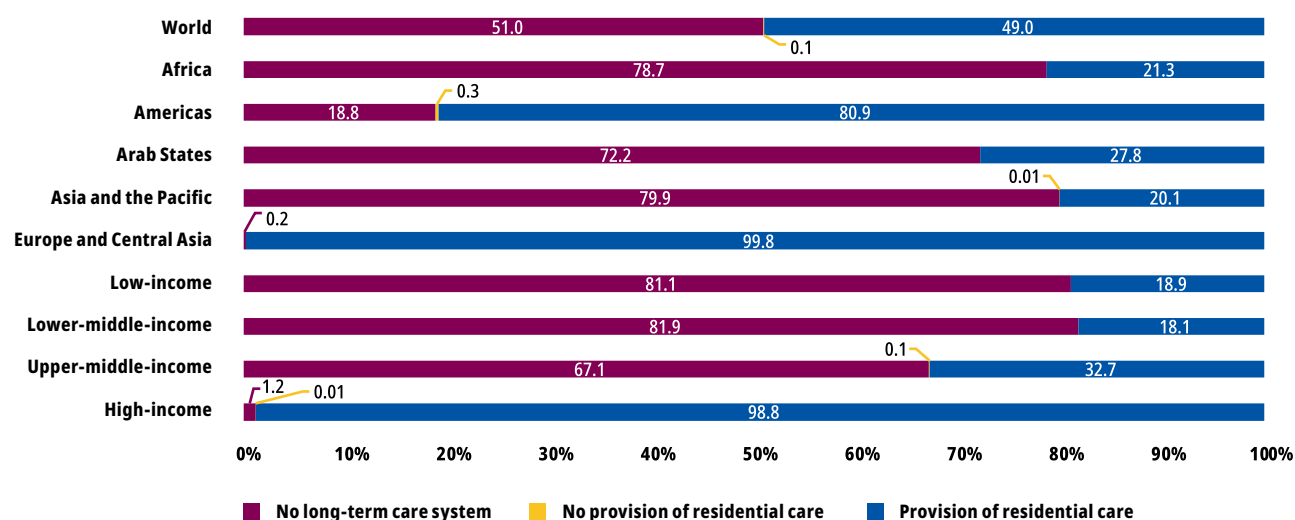


► Table 8.5. Provision of statutory residential care services in the long-term care system, by region and by income group, 2021 (no. of countries)

Region/income group	No long-term care system	No provision of residential care	Provision of residential care
World	90	2	87
Africa	49	–	4
Americas	13	1	17
Arab States	8	–	4
Asia and the Pacific	19	1	13
Europe and Central Asia	1	–	49
Low-income	27	–	1
Lower-middle-income	36	–	11
Upper-middle-income	20	1	29
High-income	7	1	46

**Note:** 179 countries and territories. – = nil. Source: ILO research, see Annex, table A.8 for country-level data and methodological explanation.

► **Figure 8.10.** Share of old-age persons by provision of statutory residential care services in the long-term care system, by region and by income group, 2021 (%)



**Note:** 176 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.8 for country-level data and methodological explanation.

The income group and regional analyses mirror to some extent those for the provision of community-based services. Almost all old-age persons in high-income countries live in countries with provisions on residential care, and OECD data show that from 2005 to 2019 the actual number of long-term care recipients in institutions (other than hospitals) increased in the majority of countries with available and comparable data (OECD n.d.-e). However, concerns about the costs of residential care have led some advanced economies, such as Sweden, Iceland and Finland, to start reducing the generosity of long-term care coverage, either through explicit reforms that shift the attention toward in-home care (and unpaid carers) or by cutting budgets (ILO and OECD 2019).

On the other hand, the Republic of Korea considerably increased the number of beds in long-term care facilities over the same period, following the introduction of a mandatory public long-term care insurance scheme in 2008 (OECD 2020b). The highly developed integrated universal long-term care in the Republic of Korea is funded by taxation and means-tested co-payments (see next section). Home and residential services are provided in kind, and there is a community

care programme under development. Cash benefits are available only in exceptional cases – for example, in remote areas when no service providers are accessible (Australia, Royal Commission into Aged Care Quality and Safety 2020).

Europe and Central Asia is the region with the greatest degree of legal provision for residential care, with 99.8 per cent of old-age persons living in countries where there is provision of long-term care services in residential settings. However, there is a lot of variation in provision across countries (figure 8.10). In Germany, home personal care and residential care services are provided in kind, with some out-of-pocket costs. Eligibility is not based on aged limits, rather care is provided according to a needs assessment. Families typically need to top up the long-term care insurance, as it is often not sufficient to cover all costs. In the Americas, legal provision for residential care is also relatively widespread, with 80.9 per cent of old-age persons living in countries with relevant statutory provisions. However, private fee-paying facilities are prevalent in many countries. Retirement tourism, including residential long-term care, is found in some countries, such as the Dominican Republic

and Panama. These are typically marketed to North Americans looking for a better climate and to utilize their comparative advantage in purchasing power. There are specific retirement visas available for this group of expatriates (Le May 2015). The widespread lack of long-term care

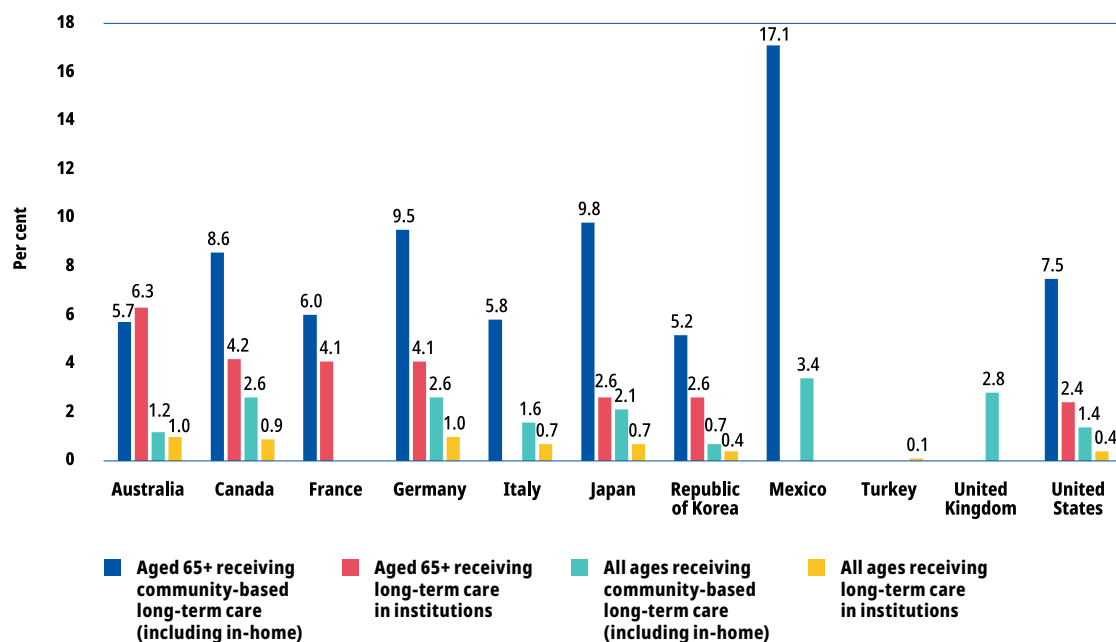
public services in the Africa region translates into extensive gaps in law and practice. In the region, 78.7 per cent of old-age persons are without provision for residential care services. Exceptions are Algeria, Ethiopia, Mauritius and South Africa, which all have residential care.

## ► 8.4. Actual coverage: Long-term care services remain inadequate and inaccessible to the large majority of older persons

Gaps in coverage are even more significant when the actual beneficiaries of long-term care services are taken into account. As illustrated above, the role of the State and cultural norms affect the type of service provision. Statutory family obligations, lower costs and older persons' preferences for ageing in their homes have encouraged

governments to focus on the development of in-home care. In 17 high-income countries, 9 per cent of people aged 65 or over receive long-term care through community-based services (including in-home services) and about 4 per cent in institutions (ILO and OECD 2019).

► Figure 8.11. Share of the population aged 65+ and of the total population receiving long-term care in selected countries, by type of service, latest year



Source: ILO calculations, based on OECD Statistics data for 2016 or most recent year.

**Since 2007, the proportion of long-term care recipients who received in-home personal care services rose in high-income countries, but to an insufficient degree**

The supply of long-term care services is growing in some countries, but overall not as fast as the population with care needs, due to insufficient levels of public investment. Average long-term care expenditure remains low, at generally less than 1.5 per cent of GDP in G20 and high-income countries (ILO and OECD 2019). Between 2007 and 2017, the proportion of long-term care

recipients who received care at home rose from 64 to 68 per cent in OECD countries. Increases have been particularly large in Portugal, Australia, Sweden, Germany and the United States (OECD 2019). While some countries have increased public spending on long-term care, in Germany part of the increase resulted from policy reforms expanding the definition of long-term care to include persons living with dementia (OECD 2020b). Other countries are progressively recognizing the need for collective responsibility for long-term care and the need to offer alternative care solutions beyond family care or care provision by domestic or migrant workers (box 8.1).





## ► Box 8.1. Examples of long-term care provision in the Arab States and North Africa

Women in the Arab States and North Africa bear a disproportionate amount of care responsibility for older persons, affecting their ability to take up employment. While there is a need for countries in these regions to establish national long-term care systems, some governments have recognized the need to meet future challenges associated with expected population ageing. In these countries, in-home and day care services for older people are available; however, these are mostly initiated and supported by civil society and often religious-based organizations, sometimes subsidized through public funds (Kronfol et al. 2013, as cited in UNFPA 2017).

For example, in **Egypt**, the “Regular Medical Caravans” provide free medical consultation and services, including minor surgeries at homes in rural areas, and **Bahrain** has ten government-sponsored mobile clinics. In **Tunisia**, the Union of Social Solidarity offers mobile teams to providing free home-based health services for older adults. Tunisia also provides specialized government-funded rehabilitation and physical therapy services to older persons for little or no fees. Home-based care in **Kuwait** is entirely free of charge, and in **Morocco** NGOs provide free medication, medical consultation to older persons in need, and support families and caregivers of older persons with Alzheimer’s disease. In Jordan, the private sector has recently expanded to include up to 53 companies registered at the Ministry of Health that provide home care for older persons. In **Lebanon**, there are 26 mobile clinics for older people living at home. In Lebanon and the **Occupied Palestinian Territory** “meals on wheels” services that cater to older people living alone are also available (Hussein and Ismail 2017).

**Oman’s** Strategy on Social Development (2016–2025) detailed a new model for long-term care benefits and services. Although it still places the family as the central focus of its social policy structure, the policy indicates the start of an attention-shifting process to long-term care. Through its implementation, attention on investing in long-term care, infrastructure of services, and general awareness of ageing issues would be useful to address the practical challenges and successes of such an approach (Ismail and Hussein 2017).

## ► 8.5. Funding mechanisms for long-term care services: Ensuring the principles of universality, adequacy, solidarity and non-discrimination

A crucial aspect in the design and implementation of long-term care service systems is how national governments are funding such systems. This section reviews three key aspects of long-term care funding mechanisms: the **source**, the **type** of funding scheme, and their **adequacy**.

A number of countries have invested in long-term care schemes through a variety of institutional and financing arrangements, which can either encompass the effective provision of services or provide a cash benefit that can be used to buy services from long-term care providers. These schemes include: dedicated long-term care schemes; “top-up” pension benefits and/or expansion of the scope of disability benefits; and long-term care provision embedded within social health protection benefit packages (ILO 2021g).

The main sources of funding for public risk-coverage long-term care schemes are **general tax revenue** (non-contributory), **contributory social insurance** or a combination of the two (**mixed social insurance and taxation**), usually to provide tax-funded services to individuals who do not qualify for social insurance benefits. The funding method can also include complementary mechanisms like voluntary occupational or other private pension schemes. Private insurance normally represents a very small portion of total expenditure on long-term care and is usually not used as a sole or primary funding mechanism (Cafagna et al. 2019).

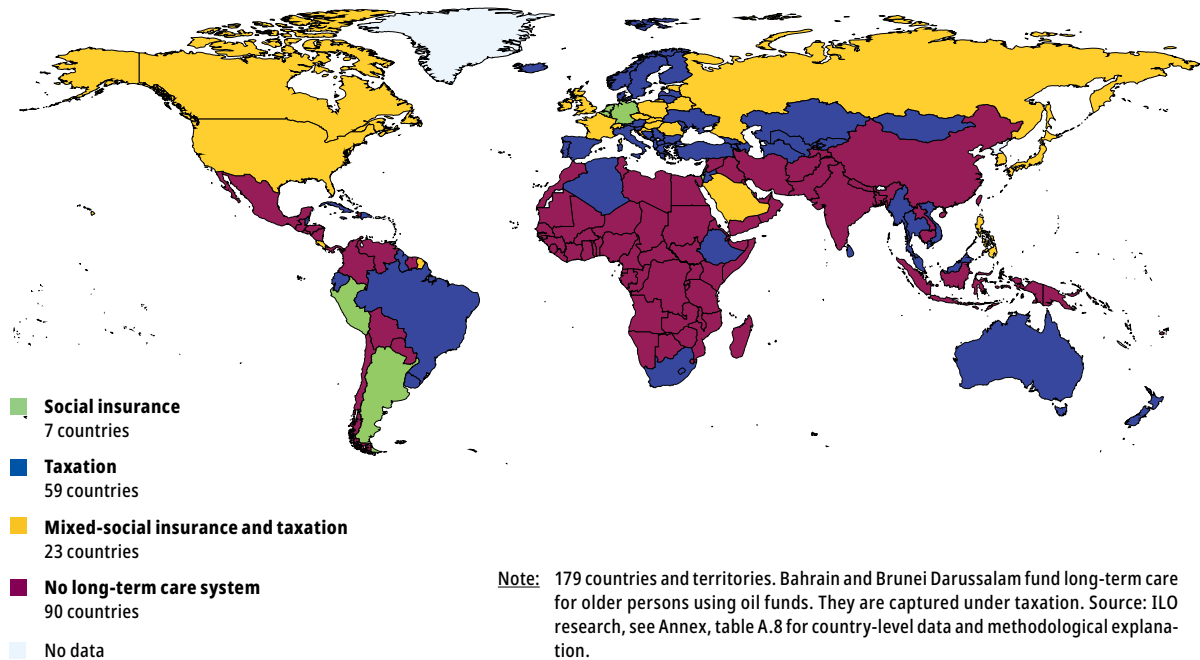
Sources financed through universal contributions or risk-pooling, such as social insurance, enable the financial burden to be spread among all participants, and help ensure access for older persons with low incomes or from vulnerable groups (ILO 2014b). The effective provision of good-quality long-term care services without hardship requires strong coordination between income support and healthcare schemes, as well

as high levels of integration between health and social care services. Insufficient investment in both areas leaves important adequacy gaps, even in countries where long-term care is recognized as a life contingency in its own right (ILO 2021g).

### In 30 countries long-term care services are funded through social insurance only or in combination with general taxation

Among the 89 countries that have a statutory provision of long-term care services, the large majority (59 countries) finance these services through non-contributory general taxation, as is the case in Algeria, Brazil, Brunei Darussalam, Ethiopia, Kazakhstan, Thailand and Sweden. This means that, globally, 18 per cent of the old-age persons are living in countries where long-term care services are financed through general taxation. In addition, 30 countries mandate the funding of long-term care services by specific social insurance schemes. Among these 30 countries, social insurance is the only source of funding of long-term care services in seven countries, including Argentina, Belgium, the Netherlands and Peru. In these countries live only 5 per cent of the world’s old-age persons. Germany offers one of the most developed and integrated national long-term care systems. It is a universal scheme funded by public and private long-term care insurance (figure 8.12) (Gerlinger 2018). In 23 countries, long-term care services are funded by a mixed scheme of social insurance and taxation, including in France, the Philippines, the Russian Federation and Saudi Arabia. These countries represent 26 per cent of the global population of old-age persons.

► Figure 8.12. Source of funding of long-term care services for older persons, 2021

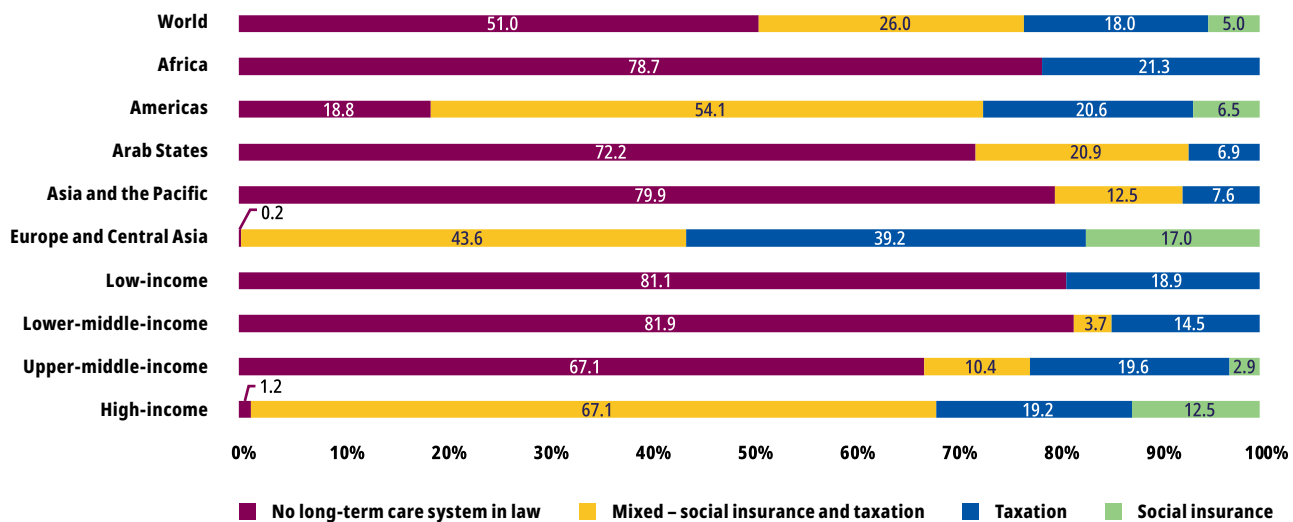


► Table 8.6. Source of funding of long-term care services for older persons, by region and by income group, 2021 (no. of countries)

Region/income group	No long-term care system	Mixed – social insurance and taxation	Taxation	Social insurance
World	90	23	59	7
Africa	49	–	4	–
Americas	13	4	12	2
Arab States	8	1	3	–
Asia and the Pacific	19	5	9	–
Europe and Central Asia	1	13	31	5
Low-income	27	–	1	–
Lower-middle-income	36	1	10	–
Upper-middle-income	20	4	24	2
High-income	7	18	24	5

**Note:** 179 countries and territories. – = nil. Source: ILO research, see Annex, table A.8 for country-level data and methodological explanation.

► Figure 8.13. Share of old-age persons by source of funding of long-term care services for older persons, by region and by income group, 2021 (%)



Note: 176 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.8 for country-level data and methodological explanation.

## Only 29 countries have established a statutory universal and free long-term care service scheme

Only 29 (mostly high-income) countries have set up a universal<sup>10</sup> and free long-term care service scheme in national legislation (figure 8.14). Only 15.8 per cent of the world's old-age persons (38 million) live in these countries (figure 8.15).

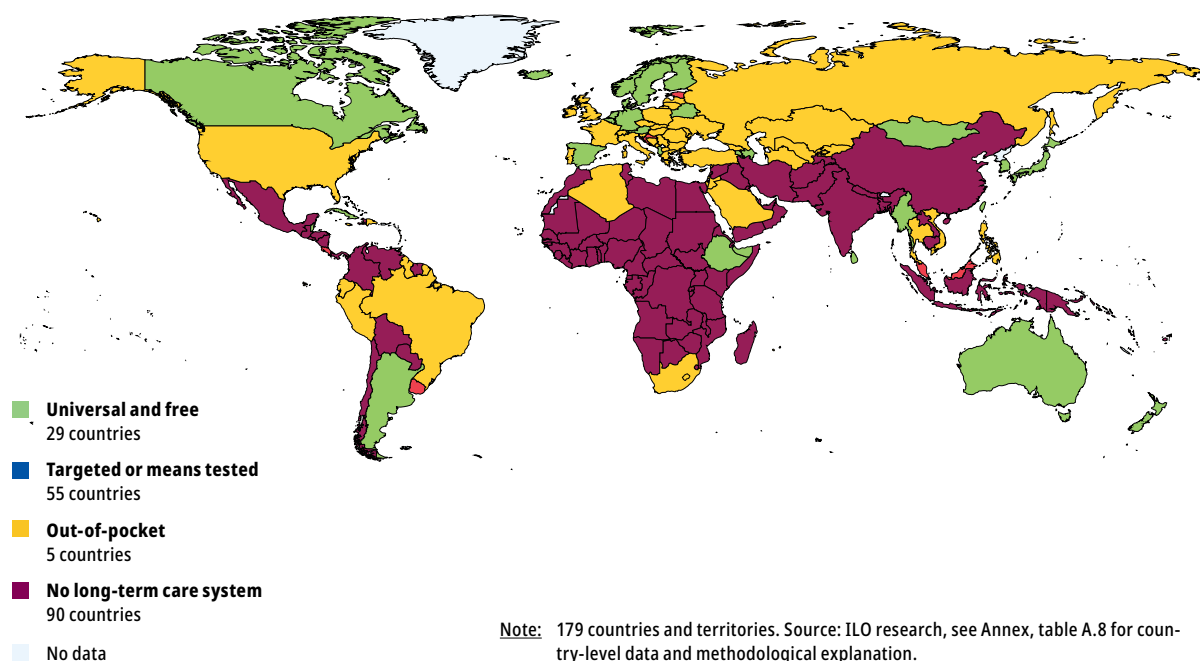
Of the remaining 60 countries with some public provision, 55 have targeted or means-tested schemes (table 8.8). If designed and implemented in a way that includes all in need and at a level sufficient to maintain the beneficiaries "in health and decency", according to the requirements of ILO social security standards, means-tested schemes can effectively provide long-term care services and prevent recipients and their families from falling into poverty or facing financial hardship (ILO 2014b; ILO 2021g). For example, Singapore has a means-tested scheme with co-payments. It is a distinct and integrated system of medical and social care across care settings, and is funded largely by a mandatory long-term care insurance (the CareShield Life programme).

The scheme is publicly organized, and services are provided in kind – but co-payments are required. Services include in-home personal care, community care at day centres and residential care. There is also the legal obligation to care for parents in Singapore (Maintenance of Parents Act, 1995), including co-paying of fees. Long-term care services are available to those who need it who are age 30 and above. Finally, there are still five countries that require out-of-pocket payments for the provision of statutory long-term care services.

Among the Arab States, Bahrain, Jordan, Occupied Palestinian Territory and Saudi Arabia currently support a statutory long-term care service scheme, although there is increasing awareness of a need to develop and regulate services for older persons (for example, in Oman, see also box 8.1). It is common for there to be the legal obligation for families to provide care, and even where this is not legislated, the family is assumed as the provider of support, with an important role played by migrant domestic workers (Hussein and Ismail 2017).

<sup>10</sup> When national regulations mandate for long-term care services for broad categories of the population, without a means-test, long-term care services are universal.

► Figure 8.14. Type of government scheme for long-term care services for older persons, 2021

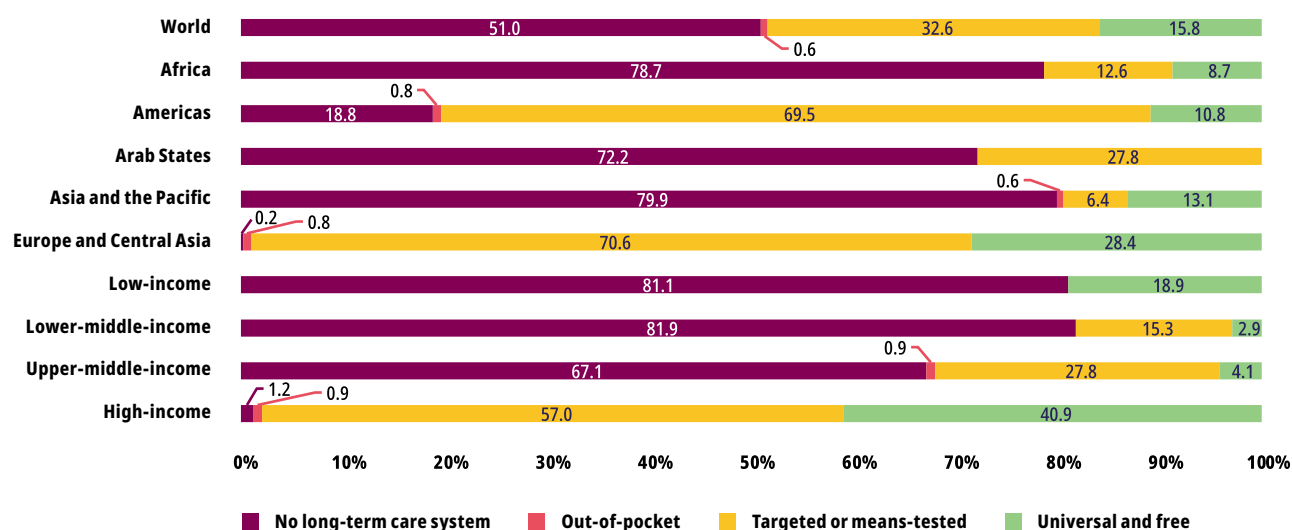


► Table 8.7. Type of government scheme for long-term care services for older persons, by region and by income group, 2021 (no. of countries)

Region/income group	No long-term care system	Out-of-pocket	Targeted or means-tested	Universal and free
World	90	5	55	29
Africa	49	–	3	1
Americas	13	2	11	5
Arab States	8	–	4	–
Asia and the Pacific	19	1	5	8
Europe and Central Asia	1	2	32	15
Low-income	27	–	–	1
Lower-middle-income	36	–	8	3
Upper-middle-income	20	2	21	7
High-income	7	3	26	18

Note: 179 countries and territories. – = nil. Source: ILO research, see Annex, table A.8 for country-level data and methodological explanation.

► **Figure 8.15.** Share of old-age persons by type of government scheme for long-term care services for older persons, by region and by income group, 2021 (%)



**Note:** 176 countries and territories. Source: ILO calculations based on country-level data. See Annex, table A.8 for country-level data and methodological explanation.

## Due to legal and adequacy gaps, the insurgence of care dependency would put at least three in ten older persons at risk of income poverty, even where public services are mandated

Even when a public scheme to provide long-term care services is enshrined in national legislation, the share of long-term care costs that is left by law for older persons to cover, even after public support, might still be very high when compared to the disposable incomes of older persons. The OECD estimates that even across 26 high-income countries the reported total costs of long-term care services represent between one-half to five times the median disposable income of persons of retirement age or older (OECD 2020b). Without public long-term care services, the majority of older persons with care needs, even in high-income countries, would not be able to afford

such care (unless they have personal savings), and any mild to severe dependency would result in catastrophic expenditures for individuals, with significant impoverishing effects. Persons with low incomes, persons with high dependency and women are of particular concern.

Because of the significant costs of long-term care and the legal and adequacy gaps in statutory long-term care services, 33.2 per cent of old-age persons (81 million) live in countries with a public long-term care scheme that relies on users' out-of-pocket payments or that provides benefits only for specific target groups (figure 8.15). This means that in virtually all regions, the insurgence of care dependency would put at least three in ten old-age persons at risk of income poverty or hardship, even after receiving public benefits. If one also considers the 90 countries that have no statutory provision for public long-term services, the existing gaps in services provision affect 84.2 per cent of old-age persons worldwide, or 205 million older persons.

## ► 8.6. Conclusion: Findings on long-term care services in a nutshell

Long-term care services are an essential piece of the continuum of care policies and services over the life cycle that have the potential to benefit workers with care responsibilities and to ensure the right to healthy ageing in dignity. With longer life expectancies and the challenges posed by the COVID-19 pandemic, the demand for long-term care services for older persons has been rising steeply. In-home, community and residential care services provide a spectrum of long-term care solutions, but legal frameworks and service supply remain insufficient and inadequate. This has detrimental effects on women's employment opportunities, but also on individuals' income

security, health and well-being. Globally, only 89 countries have a statutory provision of public long-term care services for older persons, with 30 countries funding long-term care either through social insurance only (7 countries) or in combination with general taxation (23 countries). In addition, only 29 countries have established a statutory universal and free long-term care service scheme. Even when these services are legally mandated, out-of-pocket costs remain high, putting older persons and their families at risk of income poverty, hardship and adverse health conditions.





29

COUNTRIES HAVE A  
UNIVERSAL AND FREE  
LONG-TERM CARE  
SERVICE SCHEME

► 2 IN 10 OLDER PERSONS



70

COUNTRIES HAVE LEGAL  
OBLIGATIONS FOR FAMILY  
MEMBERS TO CARE FOR  
OLDER RELATIVES

► 7 IN 10 OLDER PERSONS



69

COUNTRIES HAVE A  
STATUTORY PROVISION  
OF IN-HOME PERSONAL  
CARE SERVICES

► 4 IN 10 OLDER PERSONS



33

COUNTRIES HAVE A  
STATUTORY PROVISION  
OF COMMUNITY DAY  
SERVICES

► 3 IN 10 OLDER PERSONS



87

COUNTRIES HAVE A  
STATUTORY PROVISION  
OF RESIDENTIAL CARE  
SERVICES

► 5 IN 10 OLDER PERSONS

89

COUNTRIES HAVE A  
STATUTORY NATIONAL  
SYSTEM OF LONG-TERM  
CARE SERVICES

5 in 10 older persons

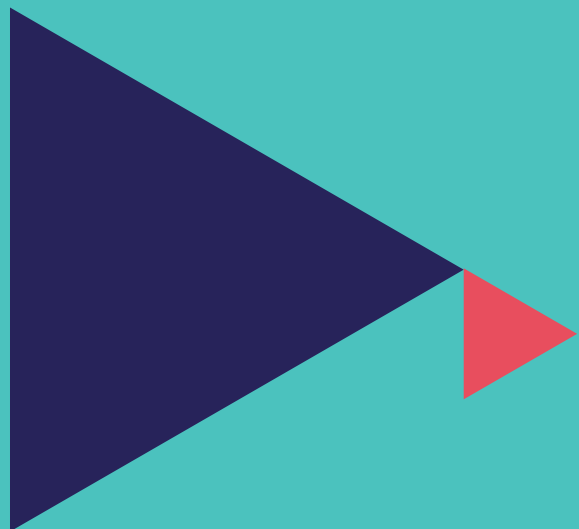






# Investing in transformative care policy packages: Translating commitments into realities

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## Chapter 9 key messages

### ► What are the current trends and gaps in care leave policies and care services, globally?

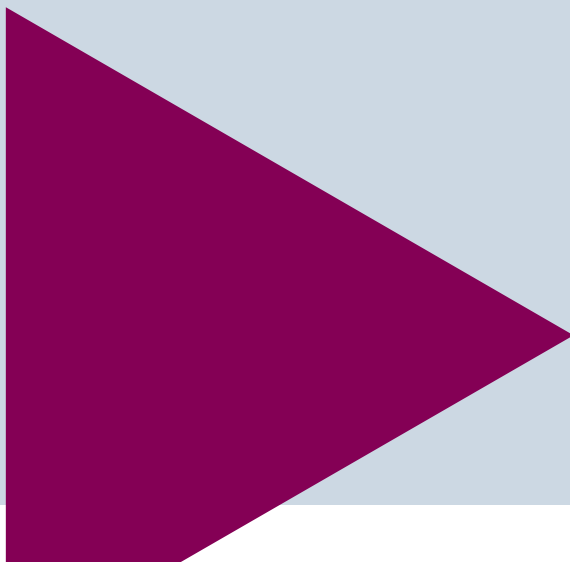
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- Over the past ten years, some progress in care leave policies and care services has been registered in terms of better conformity of national laws to international labour standards and the recognition of men's role in caregiving.
- However, significant gaps in the design, availability, access, adequacy and quality of leave policies and care services persist that translate into a lack of protection and support for millions of workers and their families across the world.

### ► What policy gaps are there, globally, in the continuum of childcare-related leave and services?

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- Parents need a continuum of childcare-related leave and services. However, **an average childcare policy gap of 4.2 years is found globally**. This is the period of time between the end of paid leave entitlements available to households and the beginning of the right to free and universal ECCE or primary education.
- Over this extensive period, care needs are solely covered by unpaid care work or family-paid care solutions. This is the time during which gender inequalities at home, at work and in society are cemented, with detrimental short- and long-term impacts on the well-being and prosperity of families, businesses and societies.
- In 91 out of 175 countries, the childcare policy gap is more than 5 years, with 51.1 per cent of potential parents (1.9 billion) living in these countries. Only 10.5 per cent of actual and potential parents (408 million) live in the 27 countries with no childcare policy gap.

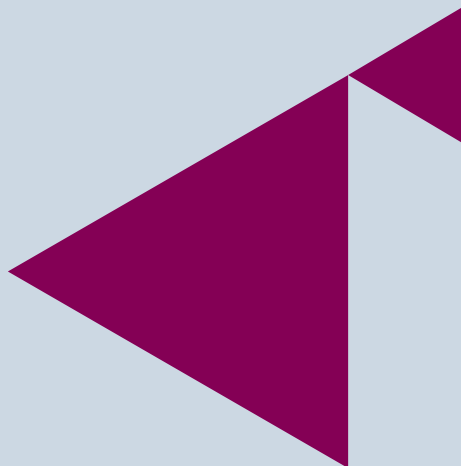


## Chapter 9 key messages

### ► What is the investment case for filling these policy gaps and achieving universal access to care leave, benefits, services and rights?

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- There is a strong investment case to be made to fill these gaps and progressively achieve universal access to transformative and nationally designed care policy packages that include a combination of: time (leave), benefits (income security), services, and the right to care and be cared for.
- Investing in universal childcare and long-term care services could generate up to 280 million jobs by 2030 and a further 19 million by 2035, for a total of 299 million jobs. Of these jobs, by 2035, 234 million (78 per cent) will go to women and 251 million (84 per cent) will be formal jobs.
- This job creation potential by 2035 would be driven by 96 million direct jobs in childcare, 136 million direct jobs in long-term care, and 67 million indirect jobs in non-care sectors.



Previous chapters provided a global overview of national laws and practices regarding care policies, including maternity protection, paternity, parental, long-term and other care-related leave policies, as well as childcare and long-term care services. This concluding chapter outlines the key components and characteristics of transformative care packages, recognizing that no one size fits all and that progressive approaches can be advantageous. Recovering from the COVID-19 pandemic and “building forward better” to a more gender-equal world of work requires bold action and concrete investments. In light of this, this chapter offers an analysis of the potential costs and benefits of investments in transformative care policy packages and makes the case that investing in the care economy is a crucial component of measures to close long-standing gender gaps in the labour market and in the home.

The chapter highlights a legal “global childcare policy gap”, namely the time difference between the end of an entitlement to paid leave available to households and the right to free and universal ECCE or primary education, and argues for adequate and ambitious investments in national care policies to ensure a continuum of universally available care leave policies and care services. Recognizing the different levels of development of countries, addressing the “global childcare policy gap” aims to be an entry point for more inclusive and sustainable care systems.

Finally, the chapter presents the ILO’s contribution to the investing in the care economy agenda, the breakthrough pathway for building a better and more gender-equal world of work, through support to ILO constituents – governments, workers and employers – and in partnership with major international and national players of the global care agenda.

## ► 9.1. Global care policies: Promising trends and persisting gaps

These past decades have seen important improvements in the overall design of care leave policies and services. However, significant legal gaps persist that translate into a lack of protection and support for millions of workers and their families across the world, especially caregivers from the most marginal and disadvantaged groups.

### Guaranteeing universal and adequate leave rights to all parents as part of social protection systems

As this report has highlighted, positive trends are evident in the ratifications of international labour standards on care policies and the availability, duration and source of funding of maternity protection in line with ILO Convention No.183 (box 9.1). Yet, at the pace of current legal reforms,

it will take at least 46 years to fill the current gap of 649 million women living in countries which are not aligned to ILO standards on maternity leave. Similarly, while many countries provide time for breastfeeding with income security, the frequency, duration and flexibility of nursing breaks require improvements to meet women’s needs and preferences and effectively enable breastfeeding at work.

Paternity leave rights are on the rise. However, when comparing the average duration of maternity leave (18 weeks) and paternity leave (on average 9 days, or 1.3 weeks), there is a global “gender leave gap” of 16.7 weeks. Greater availability of a universal right to longer, adequately paid and compulsory paternity leave would prompt an increase in take-up rates, thereby promoting a more equal sharing of family responsibilities between mothers and fathers. Parental leave rights remain scattered, and are largely low paid, voluntary and transferable,

despite their potential to bridge childcare provision up to the start of universal availability of quality, accessible and adequate childcare services (see box 9.1). Furthermore, lack of childcare services and gaps in their quality and provision, together with inadequate working conditions of childcare personnel, remain a missed opportunity for sustainable development

and gender equality. Childcare and pre-primary education services are largely not aligned to working parents' needs, thus limiting the potentials of ECCE and pre-primary education to improve child development, promote women's labour force participation and incomes, create jobs and reduce parents' unpaid care work.

## ► Box 9.1. Trends and gaps in care leave policies

### ► Trends in ratification of the Maternity Protection Convention, 2000 (No. 183)



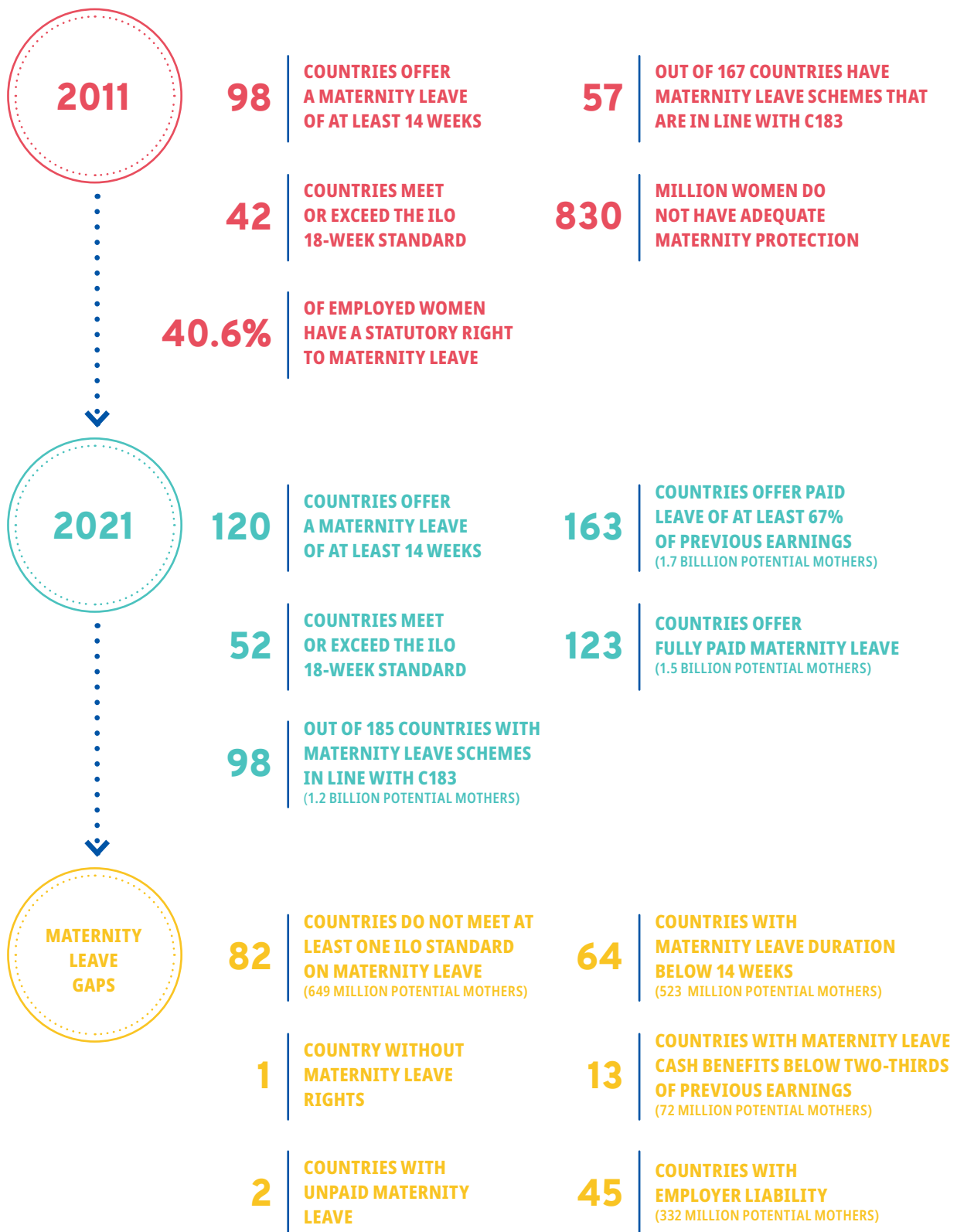
Source: ILO research and ILO NORMLEX database.

### ► Trends in ratification of the Workers with Family Responsibilities Convention, 1981 (No. 156)

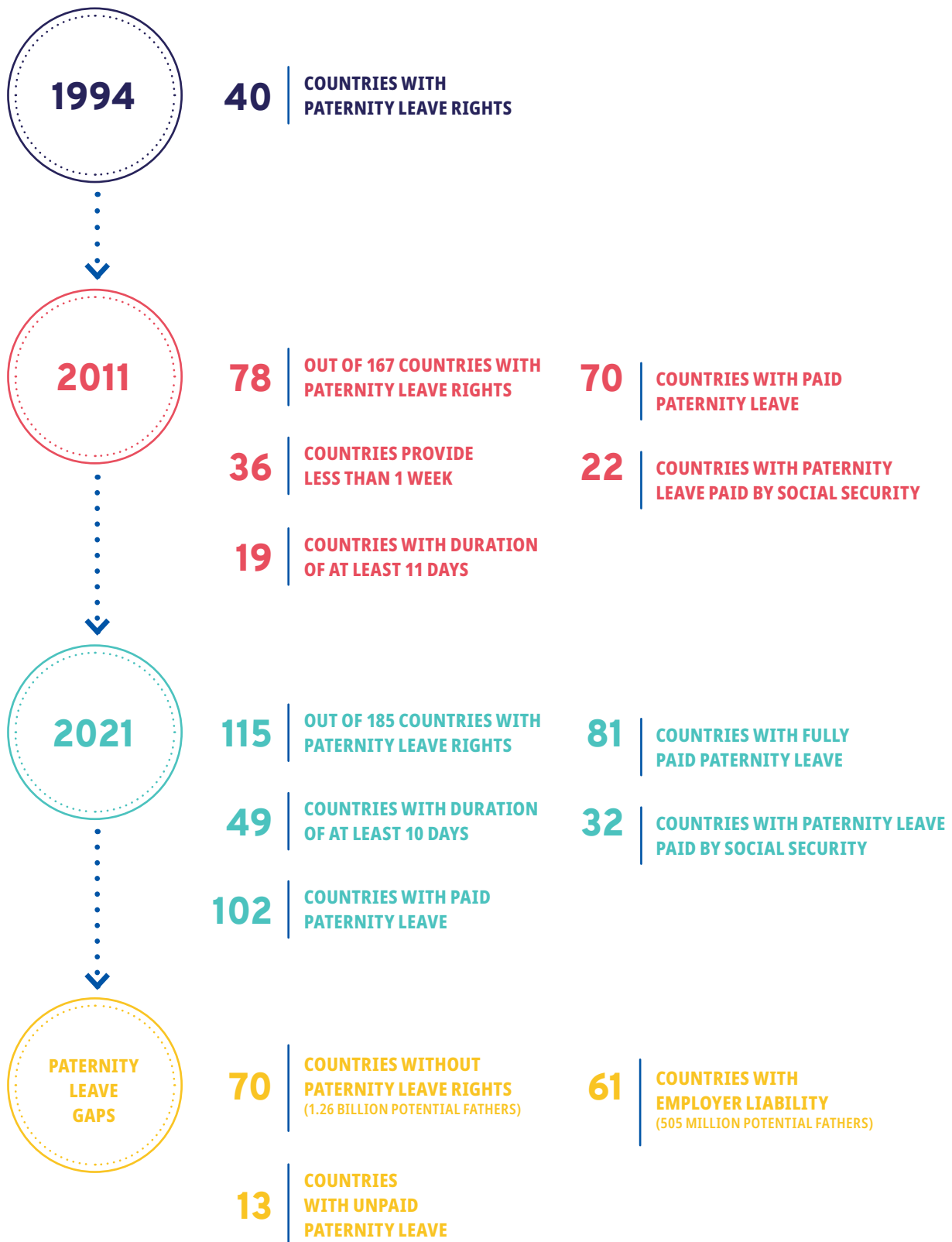


Source: ILO research and ILO NORMLEX database.

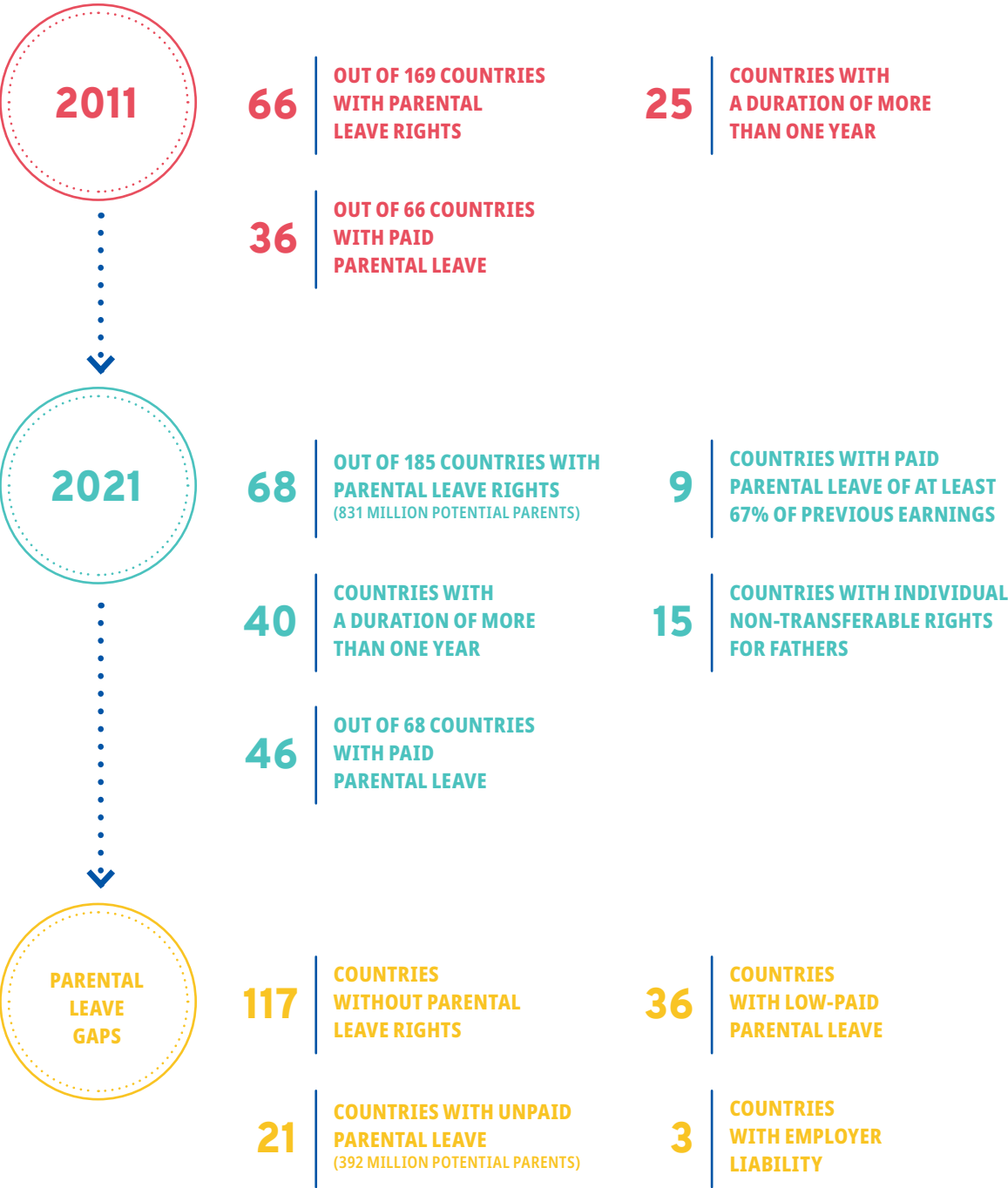
► Trends and gaps in maternity leave provision



► Trends and gaps in paternity leave provision

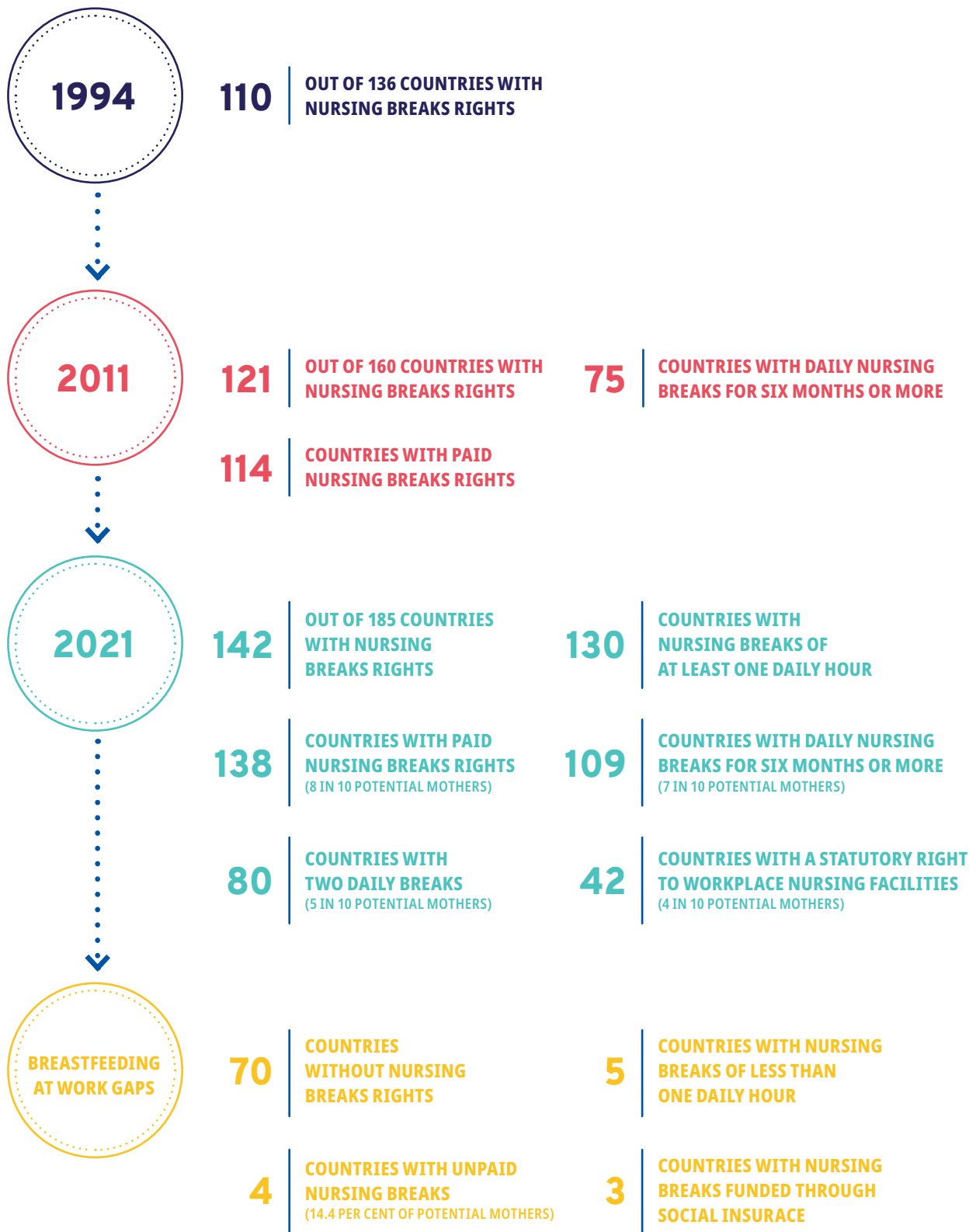


► Trends and gaps in parental leave provision





► Trends and gaps in breastfeeding breaks provision



## Guaranteeing quality long-term care services for a right to healthy ageing in dignity

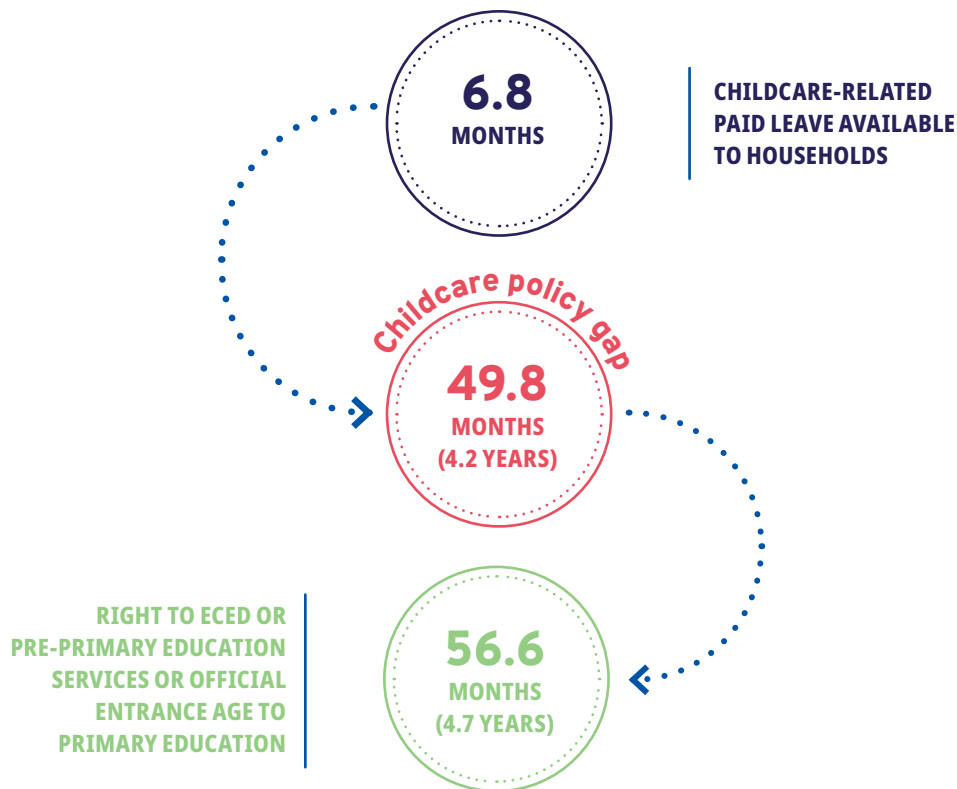
With longer life expectancies and the challenges posed by the COVID-19 pandemic, the demand for long-term care services for older persons has been rising steeply. In-home, community and residential care services provide a spectrum of long-term care solutions, but legal frameworks and service supply remain insufficient and inadequate. This has detrimental effects on women's employment opportunities, but also on individuals' income security, health and well-being. Globally, only 89 countries have a statutory provision of public long-term care services for older persons, with 30 countries funding long-term care either through social insurance only (7 countries) or in combination with general taxation (23 countries). In addition, only 29 countries have established a statutory universal and free long-term care service scheme. Even when these services are legally mandated, out-of-pocket costs remain high, putting older persons and their families at risk of income poverty, hardship and adverse health conditions.

## The childcare policy gap: Ensuring a continuum of childcare-related leave and services

Gaps in care policy provision can be assessed by also reviewing the relationship between two main care policy areas, namely childcare-related leave (in particular, maternity, paternity and parental leave) and childcare services. More specifically, such a review can show whether these policies are coordinated and provided as a continuum from the last stages of pregnancy and childbirth until an entitlement to free and universal ECCE (when available) or mandatory primary education, which usually starts when children are 5 or 6 years old (Kowslowski et al. 2021). The time difference (in months or years) between the end of paid leave available to households and the right to free and universal ECCE or primary education is referred to as the "childcare policy gap". It points to the period in which parents lack any type of care policy entitlement and in which care needs are covered by unpaid care work or individual sub-optimal paid care solutions (such as domestic, migrant or other care workers lacking labour and social protection rights).



► Figure 9.1. Average duration of a global childcare policy gap



**Note:** 175 countries and territories. Source: ILO calculations based on country-level data and UNESCO Institute for Statistics (UIS).

Globally, an average of 6.8 months<sup>1</sup> of statutory paid childcare-related leave is reserved for households (maternity, paternity and parental leave combined) and the average starting age in law of free and universal ECCE (where available) or mandatory primary school is 4.7 years<sup>2</sup>. Consequently, an average childcare policy gap of 4.2 years is found globally (figure 9.1).

This gap and the number of parents lacking childcare solutions would be even larger if one took into account only the duration of childcare-related leave that is both adequately paid (that is, at a rate of at least 67 per cent of previous earnings) and paid by social insurance or public funds, as well as the actual availability of breastfeeding breaks and adequate, acceptable and affordable childcare services.

<sup>1</sup> The average childcare-related leave available to households of 6.8 months is the result of 4 months (17 weeks) of paid maternity leave, 0.1 months (3 days) of paid paternity leave and 2.7 months (12 weeks) of paid parental leave. This average duration is based on 175 countries with available data and weighted by the reproductive age population (15–49 years). For a methodological note see table A.10 in the Appendix.

<sup>2</sup> The average starting age in law of free and universal ECCE or mandatory primary school is based on 175 countries with available data and weighted by the reproductive age population (15–49 years).

► Table 9.1. Duration of childcare policy gap in months and years, by region and level of national income, 2021 (weighted averages)

Region/income group	Childcare related paid leave reserved to households (months)	Starting age of free ECCE or primary education (years)	Childcare policy gap (months)	Childcare policy gap (years)
World	6.8	4.7	49.8	4.2
Africa	3.1	6.0	68.7	5.7
Americas	3.3	3.7	40.6	3.4
Arab States	2.8	5.8	67.1	5.6
Asia and the Pacific	5.3	4.8	52.8	4.4
Europe and Central Asia	24.9	3.2	13.1	1.1
Low-income	3.5	6.4	72.8	6.1
Lower-middle-income	5.6	5.7	62.3	5.2
Upper-middle-income	5.0	3.5	37.1	3.1
High-income	16.7	4.4	35.8	3.0

Note: 175 countries and territories. Source: ILO calculations based on country-level data and UNESCO Institute for Statistics (UIS).

Childcare policy gap periods vary broadly across regions, income groups and countries (tables 9.1 and 9.2). By region, the smallest average gap period – 13.1 months (1.1 years) – is found in Europe and Central Asia, where parental leave durations and childcare services are largely integrated. The average gap period is 3.4 years in the Americas, mostly the result of short leave provisions (3.3 months), as the average starting

age of free and universal ECCE is 3.7 years. In Asia and the Pacific, the childcare policy gap is 4.4 years, as the region's relatively longer leave packages (5.3 months) fail to cover for late entitlements to ECCE (4.8 years). In Africa and the Arab States, the care policy gap is almost 6 years, simultaneously driven by very short leave durations and almost non-existent childcare and early education service entitlements.



► **Table 9.2.** Duration of childcare policy gap, by region and by income group, 2021 (no. of countries)

Region/income group	No childcare policy gap	2 years or less (1–24 months)	2–3 years (25–36 months)	3–4 years (37–48 months)	4–5 years (49–60 months)	5–6 years (61–72 months)	6+ years (More than 72 months)
World	27	8	15	16	18	76	15
Africa	–	–	4	2	1	35	11
Americas	4	–	5	4	5	12	1
Arab States	–	–	1	1	–	9	–
Asia and the Pacific	–	1	3	3	8	13	2
Europe and Central Asia	23	7	2	6	4	7	1
Low-income	–	–	1	–	–	19	8
Lower-middle-income	1	–	2	6	8	25	3
Upper-middle-income	9	1	5	5	7	20	3
High-income	17	7	7	5	3	12	1

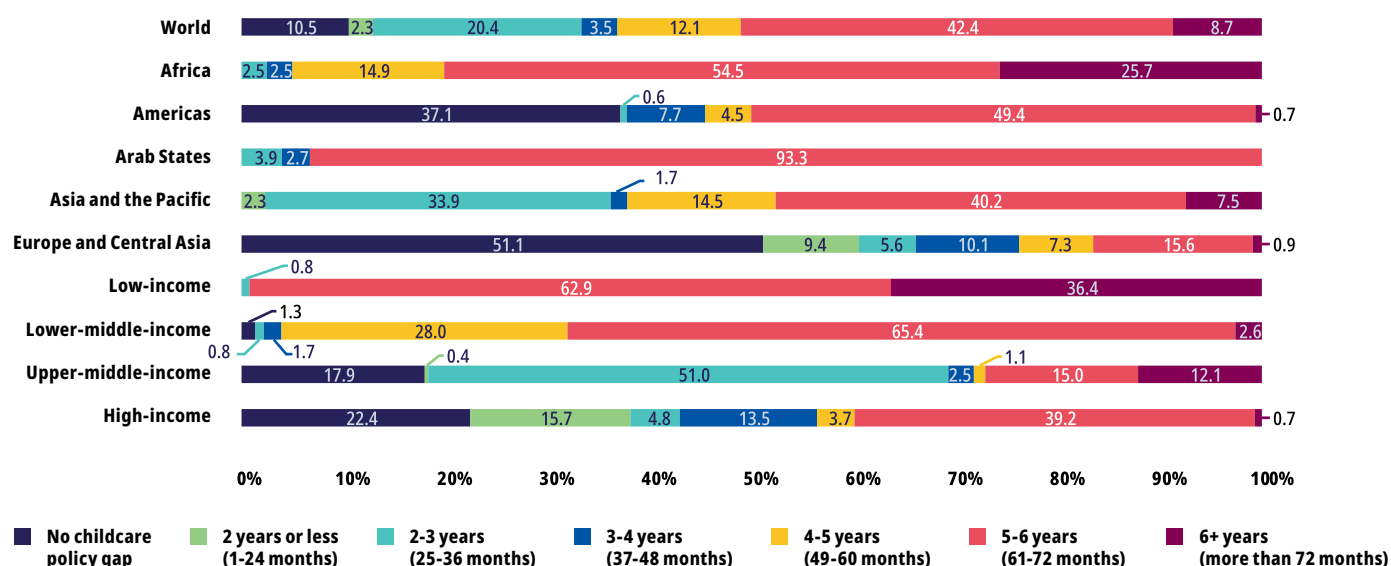
**Note:** 175 countries and territories. – = nil. Source: ILO calculations based on country-level data and UNESCO Institute for Statistics (UIS).

These childcare policy gaps affect millions of actual and potential parents, who must cope with the lack of adequate public care policies. In 91 out of 175 countries, the childcare policy gap is more than 5 years (table 9.3), with 51.1 per cent of potential parents (1.9 billion) living in these countries (figure 9.2). In only 27 out of 175 countries does legislation ensure by law a continuum of statutory childcare provision and leave policies and ECCE services. This means that globally only 10.5 per cent of actual and potential parents (408 million) live in countries with no childcare policy gap (figure 9.2). Of these countries, 23 are in Europe and Central Asia and four are in the Americas (Brazil, Cuba, Mexico and Panama).<sup>3</sup>

In Norway and Sweden, there is an overlap of one month between the end of well-paid leave (13 months) and children's entitlement to ECCE (12 months). Similarly, in Finland and Slovenia, ECCE entitlements start from the end of parental leave (at around one year). In Mexico and Panama, entitlements to childcare services start at childbirth, and at three months in Brazil. Childcare provisions follow or overlap with the duration of maternity leave, which is 12 weeks in Mexico, 14 weeks in Panama and 17 weeks in Brazil.

3 The full list is: Albania, Belarus, Belgium, Brazil, Bulgaria, Cuba, Czechia, Finland, France, Germany, Greece, Hungary, Iceland, Latvia, Lithuania, North Macedonia, Malta, Mexico, Montenegro, North Macedonia, Norway, Panama, Poland, Romania, Russian Federation, Slovenia, Sweden, and Ukraine. See also table A.10 in the Appendix.

► Figure 9.2. Share of actual and potential parents by duration of the childcare policy gap, by region and by income group, 2021 (%)



Note: 175 countries and territories Source: ILO calculations based on country-level data and UNESCO Institute for Statistics (UIS).

The childcare policy gap is a major structural barrier in the world of work. When policies fail to deliver on sustainable and integrated care provision, inequalities at home, at work and in society are cemented, with detrimental impacts on women, children and families across working lives. The longer the policy care gap, the higher the amount of unpaid care work shouldered by parents, in particular mothers, and the more intense the so-called “motherhood penalties” in employment, pay, leadership and pensions, which perpetuate inequalities, poverty and social exclusion (ILO 2019b). Although the gap only

assesses legal and not actual provision, it offers an important road map to guide countries in their journey towards strengthening national care policies.

Identifying and progressively closing all care policy gaps – for maternity, for children and for adults of working age and in old age who need care or support – through nationally designed and transformative care policy packages are central steps towards investing in the care economy that countries will need to build forward better.



## ► 9.2. Closing care policy gaps: Key features of transformative care policy packages

Care policies are key enablers of the right to care and be cared for, of decent work and of gender equality. As called for by the 2019 ILO Declaration for the Future of Work, achieving gender equality requires a transformative agenda with investment in the care economy and enabling a more balanced sharing of family responsibilities. Care policies maximize their transformative potential when they are designed to meet the needs of working parents and families over their life cycle, are grounded in social dialogues

and representation of care workers, and rest on a gender-responsive package of rights, leave policies, benefits and good-quality services. These policies depend in turn on the availability of quality care jobs and of benefits that are adequate and collectively financed as part of universal and comprehensive social protection systems or by public funds (figure 9.3).

► Figure 9.3. Key features of a transformative care policy package



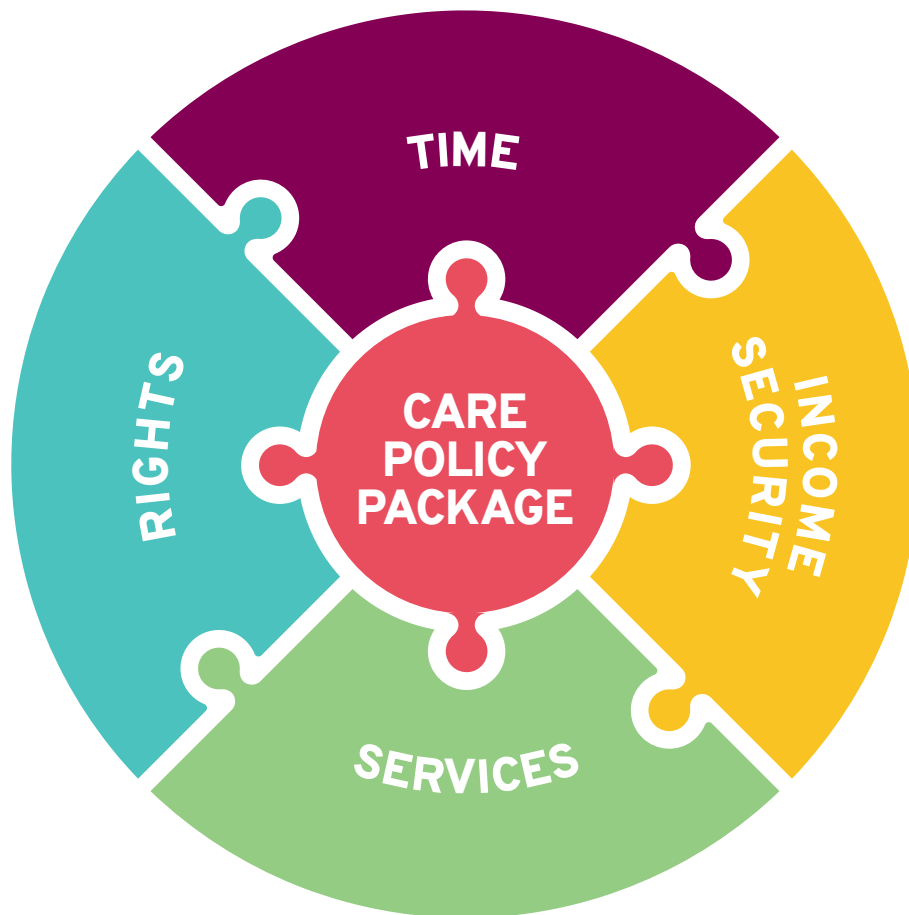
Source: Compiled by the authors.

## An integrated continuum of care policies and services to provide care over the life cycle

To be transformative, care provisions should be rights- and needs-based, follow a life-cycle

approach and offer an integrated continuum of policies and services from pregnancy up to old age. This spectrum of policies and services should be responsive to multiple specific and often overlapping care needs, and be available to all (figure 9.4).

► **Figure 9.4.** A care policy package that comprises time, income security, rights and services



- |   |  |
|---|--|
| ■ Care leave for parents: maternity, paternity, parental leave                        | ■ Maternity, paternity and parental leave cash benefits      |
| ■ Breastfeeding breaks  | ■ Income security for breastfeeding                          |
| ■ Other care-related leave: long-term care leave; emergency leave                     | ■ Long-term care cash benefits                               |
| ■ Time off for antenatal healthcare   | ■ Maternal and child health care services                    |
| ■ Non-discrimination, freedom from violence and harassment, and employment protection | ■ Childcare services (in-home, community and centre-based)   |
| ■ Right to decent working time  | ■ Primary and secondary education and out-of-school services |
| ■ Right to safe and healthy workplaces  | ■ Nursing facilities   |
|   | ■ Long-term care services (in-home, respite and residential) |

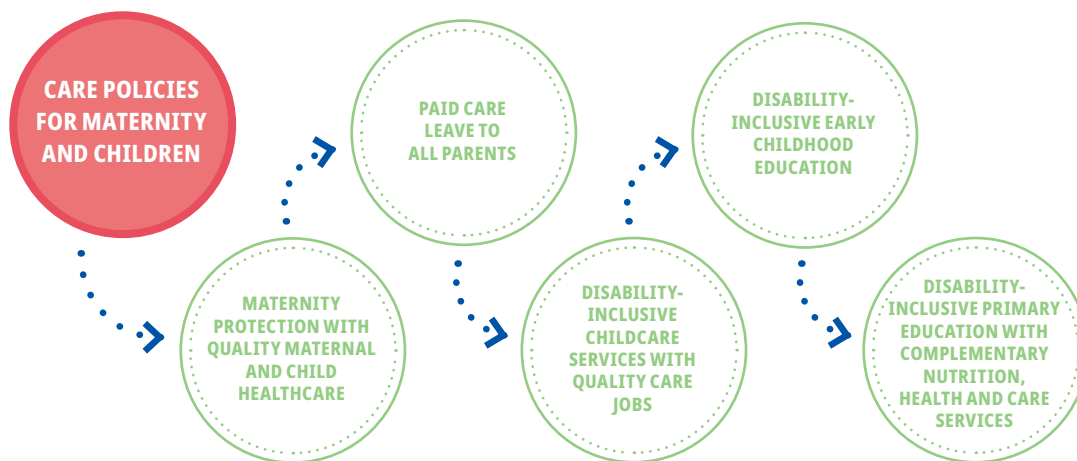
**Source:** Compiled by the authors.



Importantly, all women should have access to **maternity protection (care for maternity)** starting from pregnancy, and including: maternity leave, cash benefits, maternal and child healthcare, employment protection and non-discrimination, health protection at the workplace, and breastfeeding at work. Other elements of the care package linked to the **care for children** include other forms of **care leave**<sup>4</sup> with **income security and rights** (including non-discrimination, freedom from violence and harassment, employment protection, decent working time, and safe and healthy workplaces).

Childcare services – including early childhood education and primary and secondary education – should be **disability-inclusive** and of good quality, with qualified childcare and education staff and complementary nutrition, health and care services (such as school lunches, after school and holiday care services, and preventive health services) (figure 9.5). A continuum of care leave policies and care services is essential in preventing reduced labour market opportunities for women and decreasing their chances of falling into poverty. Accordingly, ECED entitlements would be important when accessible after the end of statutory care leave – which should be paid at a rate of at least 67 per cent of previous earnings – or from childbirth for parents lacking a right to or effective access to adequate care leave policies.

► Figure 9.5. Care policies for mothers and children: A continuum of care provision from pregnancy to mandatory school age and beyond



Source: Compiled by the authors.

4 Including paternity leave, parental leave, childcare leave, emergency leave and long-term leave for children with disabilities.

Workers also need specific care policies to support the needs of adults in old age, with chronic disabilities, or suffering from short- and long-term illnesses who need care or support – particularly during health crises (**care for adults of working age and in old age**). These policies include long-term care leave with income security and rights, as well as disability-inclusive services

(in-home, community and residential long-term care services supplemented by quality healthcare) staffed with quality and qualified care staff to meet the care needs of adults – both of working age and in old age – in full alignment with the rights to independent living and employment of persons with disabilities (figure 9.6).

► **Figure 9.6.** Care for adults of working age and in old age: A continuum of care provision throughout the life cycle



Source: Compiled by the authors. LTC = Long-term care.

Lack of access to this complementary benefit package over the life cycle might not only jeopardize the safety, health, nutrition and well-being of women and their children and other vulnerable family members, but also harm caregivers' – and especially women's – economic empowerment and agency, triggering gender gaps in employment, pay, poverty and social exclusion that delayed or scattered care-related interventions might not be able to offset.

### Grounded on representation of those who provide and receive care, social dialogue and co-responsibility

This is a core governance principle. Care policies have the potential to be empowering and to guarantee the rights, agency, autonomy and well-being of care receivers, unpaid carers and care workers (the “care triad”) when they are built and delivered with the active participation of all the actors in society that can be well-being providers. As set out in ILO international labour standards, workers' and employers' organizations and, among them, representatives of care workers and their employers have a key role to play in designing, implementing, monitoring and evaluating care policies and ensuring that they are adequately and sustainably funded while also reflecting national and local contexts and circumstances.<sup>5</sup> Enterprises and their employer and business membership organizations can also be pathfinders by advancing transformative work-life balance measures, supporting sustainable national care systems and joining global and national advocacy efforts. In addition, care recipients and unpaid carers should be empowered and included in policymaking decisions by supporting their right to organize, be represented, dialogue and bargain collectively. The voices of those most concerned – including older persons, persons with disabilities and persons living with HIV – should also be part of enforceability and accountability mechanisms, in order to evaluate, ensure and, if needs be, re-direct policies and services so that they meet the needs and expectations of the care triad. In so doing, transformative care policies can have

overall positive effects on governance, citizenship and social accountability (ILO 2018a).

### Universal in scope to leave no one behind

Care policies should be universal and provide adequate and equitable benefits without any exclusion and discrimination. Care policies can benefit all women and men, especially those most likely to be left behind, which places them within the spirit of the 2030 Agenda for Sustainable Development. Achieving this universal scope requires that entitlements are prescribed by national law and reach the entire population with similar, high-quality services and generous cash transfers. The principle of universality in design, implementation and outcomes also implies a distribution of coverage and generosity across beneficiaries. This means a massive outreach – to women and men, formal and informal workers, poor and non-poor, urban and rural, citizen and non-citizen – of a combination of adequate and predictable benefits as well as high-quality, accessible and affordable public services that are funded not only through general revenues, but also through social insurance combined with social assistance. In addition, the principle of social solidarity excludes the funding of care policies, such as maternity or paternity leave or childcare services, through direct employer liability. This funding mechanism is likely to put women, caregivers and other specific groups at risk of discrimination.

### Solidarity-based and sustainable

A universal and sustainable care policy package should also be collectively funded or solidarity-based, as well as anchored in national legislation and social protection systems. As per ILO international labour standards, this dimension is grounded on the principle of care as a social good that calls for the “overall and primary responsibility of the State”.<sup>6</sup> While governments do not need to deliver the entirety of service provision, they should be chiefly responsible in ensuring the adequate set up and functioning

5 As per ILO Convention No. 156.

6 ILO Recommendation No. 202, Para. 3; see also WHO 2015.

of care systems. The leading role of the State includes:

- ▶ setting benefits and defining the quality of services (eligibility, level, entitlements, funding, delivery, monitoring and evaluation);
- ▶ effectively regulating provision; and
- ▶ acting as a statutory and core funding entity, as well as a direct provider and an employer of care workers in the public sector.

In particular, the overall responsibility of the State is central in identifying the fiscal space needed to invest in care and in ensuring the feasibility and sustainability of nationally defined care packages. Governments' lead at the national, provincial and municipal levels can prevent care policies from being poorly designed, funded or implemented – which would perpetuate inequalities – and can guarantee integrated care systems that are appropriate, affordable, accessible and uphold the rights of care recipients, unpaid carers and the care workforce alike.

and well-being of all members of the care triad – care receivers, unpaid carers and care workers (ILO 2018a). It should actively and systematically promote non-discrimination and gender equality at home, at work and in society in two ways: (i) by changing the structural gender division of unpaid care work; and (ii) by promoting an egalitarian and caring model of masculinity (Ugarte and Terán 2014). As shown in the previous chapters, care policies can expand the rights, well-being and opportunities of women and men, and can mitigate other dimensions of inequality related to ethnicity, origin, disability, cast and income. However, poorly designed care policies can also accentuate inequality and confine women to traditional roles associated with femininity and motherhood. For instance, when leave or workplace childcare are directed only at women, they hinder women's participation in quality employment, discourage the hiring of parents, and undermine men's right and responsibility to care. In addition, care policies should value caregiving in society and support the construction of a masculinity that discards violence and coercion and values caring for the needs of others as a form of transformative leadership (ITUC 2021; Kloosterman and Safier 2014). Policy design and effective implementation are central to ensuring that care policies contribute to the achievement of substantive gender equality and women's empowerment.

## Women's empowerment and gender equality as explicit objectives

A transformative care package should guarantee, at the same time, the rights, capabilities, agency

### ▶ 9.3. A common agenda for action: Investing in care

#### The investment case for care policies: Choosing the breakthrough scenarios

Closing the aforementioned care policy gaps requires public investments in universal and comprehensive care policy packages. To illustrate what a transformative agenda for care

investments would entail, a simulation exercise<sup>7</sup> of annual public investment requirements and employment benefits was carried out for 82 economies, representing 87 per cent of the world's employed population and 94 per cent of the world GDP. For the first time, the estimations also cover women and men working in the informal economy. In addition, they

7 All of these calculations and the related methodological explanation are available in De Henau 2022.

show the short-term economic benefits of care investments, including employment creation for women and men and increases in real GDP and short-term tax revenues.

The simulation took into consideration four collectively funded policy scenarios, with the aim of closing the care policy gaps in law and practice and providing adequate care support throughout people's lives:

1. Adequately paid maternity, paternity and parental leave geared towards equal sharing of leave between parents, extending existing provision and covering those in the informal economy as well.
2. Fully paid breastfeeding breaks to enable at least six months of exclusive breastfeeding.
3. High-quality, universal free full-time childcare services to all children before their entry into primary school, starting from the end of statutory periods of parental leave – and mapping plausible take-up rates by region.
4. High-quality, universal free long-term care services to all children and adults with disabilities and older persons in need of care, based on countries' priorities and circumstances.

The exercise simulates projections of annual investment, taking into consideration different regional and country realities with the understanding of a progressive and country-specific design and implementation – grounded on social dialogue and representation – over time for the reference years 2030 and 2035, including more transformative scenarios to be reached by 2035 for lower-income countries.<sup>8</sup> The scenarios are guided by international labour standards, the UN 2030 Sustainable Development Goals and other international frameworks.

The exercise also simulates the short-term impact of care investment on employment and tax revenue. While employment creation in the care sector can be directly calculated from the policy scenario parameters, indirect employment is derived from standard input-output analysis to calculate the number of jobs required in the supplying industries of the care sectors.<sup>9</sup>

### Extending adequately paid childcare-related leave and breastfeeding breaks would cost US\$269 billion, or 0.25 per cent of GDP, in 2030

Expanding paid childcare-related leave to each employed potential parent at an adequate level of pay (at least 67 per cent of average previous earnings) and expanding breastfeeding breaks, with funding entirely provided by social insurance or public funds, would require – in 2019 prices – an additional spending of US\$269 billion in 2030 (0.25 per cent of GDP), and a further US\$109 billion by 2035. The total expansion by 2035 represents 0.3 per cent of 2035 GDP across all regions, ranging from 0.2 per cent in Asia to 0.5 per cent in Africa (table 9.3).<sup>10</sup>

<sup>8</sup> Population, wages and real GDP were projected to 2030 and 2035 using UN and International Monetary Fund data. The simulations show the additional annual investment required in those years relative to a baseline scenario in each of those years, which maintains the 2019 current public spending as a constant proportion of GDP (reflecting a business-as-usual counterfactual). It corresponds to the difference between the high-road (expansion) and the low-road (baseline) scenarios constructed in ILO 2018a. See De Henau (2022) for a detailed explanation of the simulation methodology and choice of policy parameters.

<sup>9</sup> This is the same method as used in ILO 2018a. See De Henau (2022) for a detailed explanation, including of the main assumptions required.

<sup>10</sup> These cost figures are calculated so as to provide paid leave to parents during the first 6 months to one year of the child's life. In practice, national priorities will determine the exact combination of paid leave entitlements and access to childcare services.

## ► Collectively funded policy scenarios for extending adequately paid childcare-related leave and breastfeeding breaks

By 2030, at least:

- Extending provision of maternity leave to at least 14 weeks paid at a rate of at least 67 per cent of previous earnings, or to 18 weeks paid at 100 per cent if provision of paid maternity leave is already above 14 weeks.
- Extending provision of paid paternity leave to the level of the region's best performing country.
- Extending paid parental leave to both parents with a view to closing the childcare policy gap.
- Extending paid childcare-related leave to informally employed parents paid at a rate of at least the minimum wage (or 45 per cent of national average earnings if no minimum wage).
- Offering at least 60 minutes of paid breastfeeding breaks for 6 months.

Extending provision further by 2035 if not yet providing at least 18 weeks of paid leave per parent.

Costings of the expansion in percentage of GDP are presented in table 9.3 for each target year. While in Africa and lower-income countries of Asia, the bulk of the extension in paid childcare-related leave will go towards potential parents in informal employment, a substantial proportion

of the investment in Europe will go towards increasing the care leave available to fathers (paternity as well as parental leave). In the Americas, where the United States dominates in regard to population size, a substantial part of the investment is to extend paid parental leave.



► **Table 9.3.** Annual investment in paid care leave and breastfeeding breaks under proposed scenarios, by region (% GDP)

	Maternity leave	Paternity leave	Parental leave	Total paid leave	Breast-feeding breaks	Share of total costs going to informal jobs (%)
<b>2030 (% GDP 2030)</b>						
Africa	0.17	0.01	0.29	0.48	0.04	76
Americas	0.09	0.01	0.14	0.24	0.03	12
Arab States	0.04	0.01	0.08	0.13	0.01	60
Asia Lower	0.05	0.01	0.12	0.18	0.02	77
Asia/Pac. Upper	0.03	0.02	0.15	0.19	0.03	27
Europe	0.03	0.08	0.11	0.22	0.03	14
All regions	0.05	0.03	0.14	0.22	0.03	25
<b>2035 (% GDP 2035)</b>						
Africa	0.20	0.04	0.30	0.54	0.04	65
Americas	0.15	0.03	0.20	0.39	0.03	7
Arab States	0.05	0.01	0.16	0.22	0.01	33
Asia Lower	0.06	0.01	0.12	0.19	0.01	66
Asia/Pac. Upper	0.03	0.03	0.14	0.20	0.03	25
Europe	0.03	0.10	0.09	0.23	0.03	13
All regions	0.07	0.04	0.15	0.27	0.03	20

**Source:** De Henau 2022. "Asia Lower" stands for lower-middle- and low-income countries in Asia (including Kyrgyzstan); "Asia/Pac. Upper" stands for upper-middle- and high-income countries in Asia and the Pacific (including Kazakhstan); Europe includes Russian Federation, Turkey and Israel. Arab States comprises only Saudi Arabia.

## Expanding early childhood care and education provision would cost US\$1.6 trillion, or 1.45 per cent of GDP, in 2030

Universal provision of ECCE after the end of paid childcare-related leave requires additional annual

spending (in 2019 prices) of about US\$1.6 trillion by 2030 (or 1.45 per cent of GDP) and a further US\$291 billion by 2035. The total expansion of US\$1.9 trillion by 2035 represents 1.5 per cent of 2035 GDP, ranging between 1.1 per cent in Europe and 4.2 per cent in Africa.

## ► Collectively funded policy scenarios for expanding ECCE provision

### Upper-middle- and high-income countries

By 2030 (same as 2035), at least:

- 60 per cent of children ages 0–2 years enrolled in full-time childcare and 100 per cent of 3–5-year-olds.
- 82 per cent of staff paid at teacher-level wage or equivalent, and 18 per cent paid at 120 per cent of minimum wage.
- Child/staff ratios of 4:1 for 0–2-year-olds and 8:1 for 3–5-year-olds.

### Lower-middle- and low-income countries:

By 2030, at least:

- 50 per cent of children ages 0–2 years enrolled in full-time childcare, and 90 per cent of 3–5-year-olds.
- 63 per cent of staff paid at teacher-level wage or equivalent, and 37 per cent paid at 120 per cent of minimum wage.
- Child/staff ratios of 5:1 for 0–2-year-olds and 15:1 for 3–5-year-olds.

By 2035, reach targets of higher income group.<sup>11</sup>

Childcare services can take various forms, from community settings (including homebased services) to school-based centres, but the simulations assume that on average the scenario criteria such as staff pay, staff qualifications, child/staff ratios and enrolment will be met, as much as possible, within each local area of the country. The policy scenarios are such that wages are modulated according to increasing levels of qualifications and progressively adopting pay levels on par with primary school teachers.

This is because of the crucial importance of quality in delivering transformative childcare policies from a very early age, and the quality of ECCE services is deeply related to high qualifications and good working conditions of ECCE personnel (ILO 2014c). This is also why child/staff ratios follow average standards found in the literature. Provision for staff training is also costed (alongside support staff and overheads). Full-time childcare is assumed to be 40 hours available per week for 52 weeks. Table 9.4 shows the additional public annual investment (expansion), over and above the 2019 baseline public spending projected to each target year.<sup>12</sup>

<sup>11</sup> Except for child/staff ratios, which stay at the same level.

<sup>12</sup> The model assumes that current spending will remain constant in proportion of GDP, modulated to follow the projections of the population share of young children. See De Henau (2022) for details.



► **Table 9.4.** Annual investment requirements in ECCE under proposed scenarios, by region (% GDP)

	Baseline	Expansion	Baseline	Expansion	Share of expansion going to 0–2-year-olds	
	2030		2035		2030	2035
	% GDP 2030		% GDP 2035		% total	
Africa	0.09	3.52	0.09	4.19	62	64
Americas	0.30	1.43	0.30	1.38	54	54
Arab States	0.04	1.85	0.03	1.67	55	55
Asia Lower	0.05	2.01	0.05	2.36	63	64
Asia/Pac. Upper	0.18	1.40	0.16	1.38	55	55
Europe	0.61	1.16	0.60	1.14	53	53
All regions	0.31	1.45	0.29	1.48	58	60

**Source:** De Henau 2022. Baseline spending is 2019 public spending assumed to follow real GDP projections and child population share in 2030 and 2035. “Asia Lower” stands for lower-middle- and low-income countries in Asia (including Kyrgyzstan); “Asia/Pac. Upper” stands for upper-middle- and high-income countries in Asia and the Pacific (including Kazakhstan); Europe includes Russian Federation, Turkey and Israel. Arab States comprises only Saudi Arabia.

About 1.5 per cent of GDP would be required to provide universal childcare of high-quality, over and above the current public spending of 0.3 per cent of GDP. Africa and lower-income countries of Asia would require a larger expansion in percentage of their GDP, which reflects the lower public spending they start from as well as the higher wages of qualified teachers relative to GDP per capita compared to higher-income countries. Of these aggregate figures, about 53–55 per cent of total investment goes to the 0–2-year-old age group in upper-middle- and high-income countries, and 62–64 per cent in Africa and in the lower-middle- and low-income countries of Asia. The main factors influencing cross-country differences in cost (in percentage of GDP) are their share of young children in the total population, ratios of average wages to GDP per capita, and modelled ECCE wages as a percentage of average wages.

## Expanding long-term care provision would cost US\$2.5 trillion, or 2.3 per cent of GDP, in 2030

The cost of universal provision of long-term care services to all adults and children with care needs will depend on national demographics, priorities and conditions, with the latter posing higher challenges to lower-income countries. Nevertheless, the care needs of persons with disabilities and in old age are vastly overlooked in national care systems and would have to be taken into account in transformative care policy packages.

In this light, expanding provision of long-term care services requires additional annual spending of about US\$2.5 trillion by 2030 (or 2.3 per cent of GDP) and a further US\$578 billion by 2035. The total expansion of US\$3.1 trillion by 2035 represents 2.4 per cent of GDP, ranging from

1.8 per cent in Europe to 2.8 per cent in upper-middle- and high-income countries in Asia (table 9.6). Long-term care needs are calculated using healthy life expectancy (HALE) data and on a smaller group of OECD countries with more accurate indicators on actual functional limitations.<sup>13</sup>



## ► Collectively funded policy scenarios to expand long-term care provision

292

### Upper-middle- and high-income countries

By 2030 (same as 2035), at least:

- 2.5 long-term care recipients per full-time personal care worker.
- Personal care workers paid at least 75 per cent of nurses' wages.

### Lower-middle- and low-income countries

By 2030, at least:

- 3 recipients (65+) of long-term care per full-time personal care worker, and 4 recipients (under 65) per personal care worker.
- 33 per cent of personal care workers paid at least 75 per cent of nurses' wages, and 67 per cent paid at 120 per cent of minimum wage.

By 2035, at least 67 per cent of personal care workers are paid at 75 per cent of nurses' wages, and 33 per cent at 120 per cent of minimum wage.

<sup>13</sup> Our estimates show that about 15 to 20 per cent of over-65s have potential care needs, compared to about 4 to 5 per cent of the 15–64-year-olds and 1 per cent of 0–14-year-olds.

The scenario for lower-middle- and low-income countries includes slightly lower recipients-to-care worker ratios and lower care worker wages to reflect greater challenges in achieving more transformative scenarios in line with national priorities. Policy parameters are established based on data found in countries with universal long-term care provision and high-quality services. As with ECCE, provision for staff training and overhead is also costed, as is an annual preventative visit by a nurse to all residents aged 65+.

Table 9.5 below shows the additional public annual investment (expansion), over and above the 2019 baseline public spending projected to each reference year in each scenario.<sup>14</sup> Despite higher wages relative to GDP per capita, the additional investment required of lower-income countries in terms of percentage of their GDP is relatively on par with that of the higher-income regions, reflecting a much younger population with fewer care needs. By 2035, spending on over-65s would account for 58–59 per cent of the total additional investment in Europe and upper-income Asia, compared to 34 per cent in lower-income Asia and 20 per cent in Africa. Cross-country differences within and between regions are mostly explained by the share of over-65s in the population projected in those years, as well as the average wage estimated for nurses in proportion of GDP per capita.<sup>15</sup>

► **Table 9.5.** Annual long-term care investment requirements under proposed scenarios, by region (% GDP)

	Baseline	Expansion	Baseline	Expansion	Share of expansion going to over-65s	
	2030		2035		2030	2035
	% GDP 2030		% GDP 2035		% total	
Africa	0.04	2.04	0.04	2.61	19	20
Americas	0.55	2.45	0.55	2.48	39	42
Arab States	0.00	2.58	0.00	2.67	20	26
Asia Lower	0.08	1.85	0.08	2.40	31	34
Asia/Pac. Upper	0.38	2.64	0.34	2.79	51	59
Europe	1.33	1.79	1.32	1.84	55	58
All regions	0.63	2.30	0.59	2.44	40	44

**Source:** De Henau (2022). “Asia Lower” stands for lower-middle- and low-income countries in Asia (including Kyrgyzstan); “Asia/Pac. Upper” stands for upper-middle- and high-income countries in Asia and the Pacific (including Kazakhstan); Europe includes Russian Federation, Turkey and Israel. Arab States comprises only Saudi Arabia. Baseline spending is public spending in 2019 maintained constant in % of GDP.

<sup>14</sup> The model assumes that current spending will remain constant in proportion of GDP. See De Henau (2022) for details.

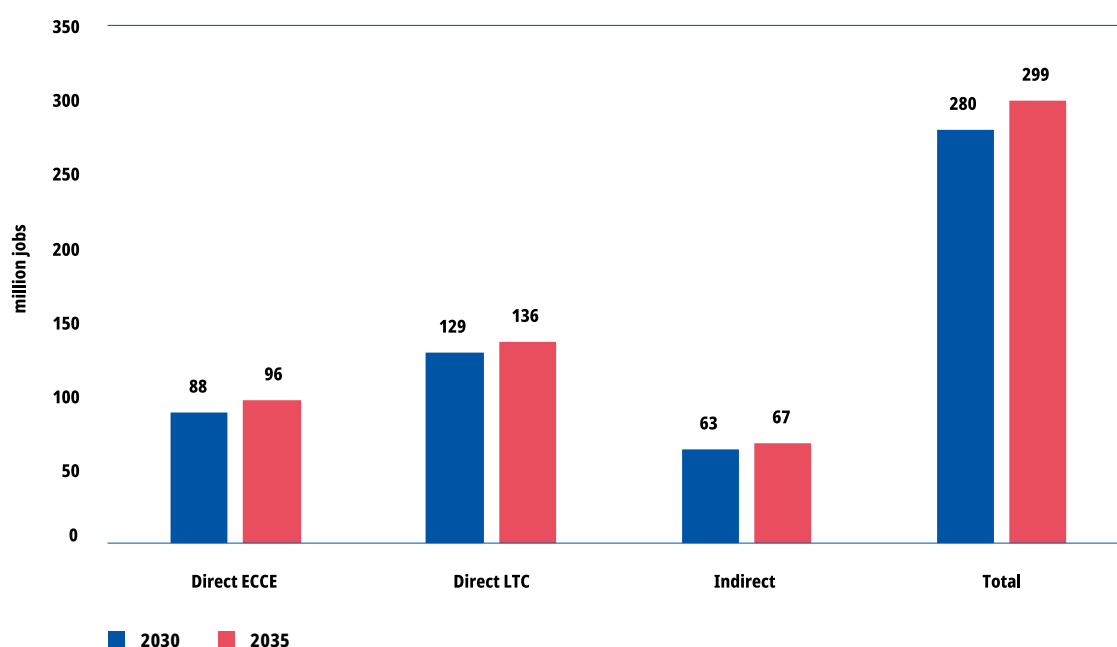
<sup>15</sup> See De Henau (2022) for details.

## Investing in the care policy package would generate 280 million jobs by 2030

Globally, investing in the care policy package to provide adequate care leave provision (maternity, paternity and parental), breastfeeding breaks, universal childcare and long-term care services

could generate up to 280 million jobs by 2030 and a further 19 million by 2035, for a total of 299 million. This job creation potential by 2035 would be driven by 96 million direct jobs in childcare, 136 million direct jobs in long-term care, and 67 million indirect jobs in non-care sectors (figure 9.7).<sup>16</sup>

► **Figure 9.7.** Total employment creation from investment in care services in 82 countries throughout the life cycle, 2030 and 2035



Source: De Henau 2022.

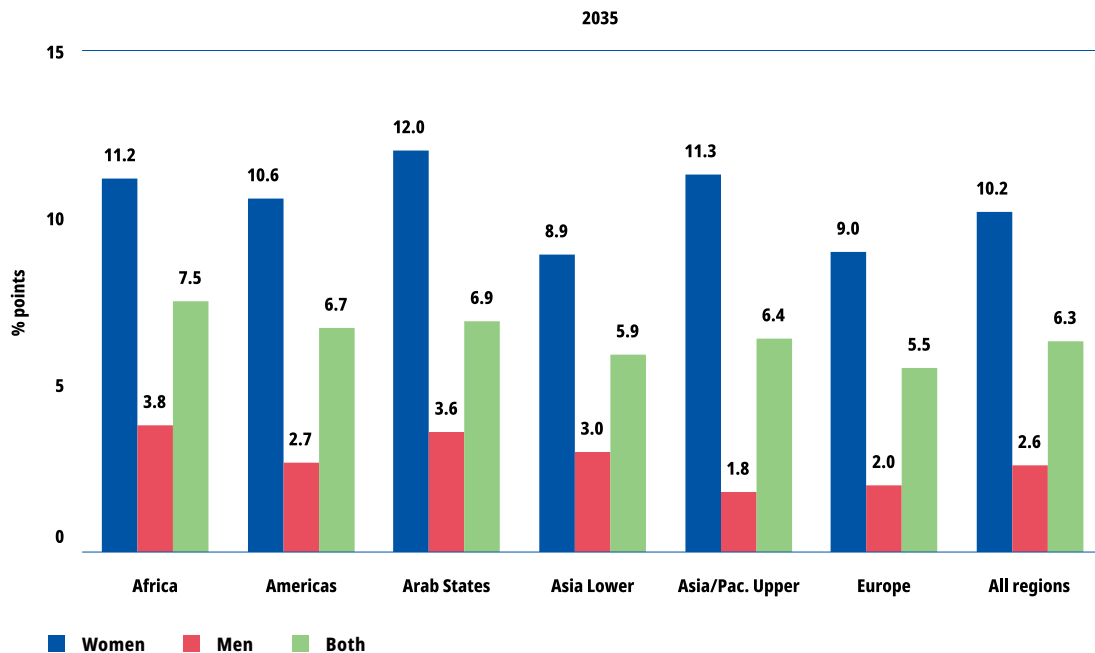
Turning to employment rates, figure 9.8 shows that these would increase by 6.3 percentage points overall by 2035,<sup>17</sup> ranging from 5.5 percentage points in Europe to 7.5 in Africa. Employment rates of women would rise by 10 percentage points overall, ranging from 9 percentage points in Europe and lower-middle and low-income countries in Asia to 12 percentage points in the Arab States, far more than for men. This means the gender gap in employment rates would fall by around 7.5 percentage points globally and would

almost close completely or become negative in a third of the countries studied (where the gap was much smaller to start with). Moreover, economies would be transformed in more caring ways, with employment in both childcare and long-term care representing about 8 per cent of the total employment post-investment (up from 1 per cent), closer to shares found in the Nordic countries that already have near-universal provision.

<sup>16</sup> Note that the simulations presented here do not include the effect of increased consumption in the domestic economy stemming from the new employment, called “induced” effects, that would be generated from investment in both care leave and services. Therefore, the figures presented here are a lower-bound estimate of overall employment creation and tax revenue.

<sup>17</sup> Changes to employment rates in 2030 are qualitatively similar to those illustrated in Figure 9.8 – only a fraction of percentage point differences.

► Figure 9.8. Changes in employment-to-population ratios (ages 15–64) by gender, 2035



**Source:** De Henau (2022). “Asia Lower” stands for lower-middle- and low-income countries in Asia (including Kyrgyzstan); “Asia/Pac. Upper” stands for upper-middle- and high-income countries in Asia and the Pacific (including Kazakhstan); Europe includes Russian Federation, Turkey and Israel. Arab States comprises only Saudi Arabia.

Of the total net employment creation in 2035, 78 per cent is expected to go to women and 84 per cent is expected to be formal employment. This is estimated keeping constant the gender distribution and formalization levels of employment in each industry, while all the care jobs created are assumed to be formal. However, it could be expected that an increase in care jobs – as well as higher levels of wages and qualifications of care workers – might make care jobs more attractive to men, and therefore reduce occupational segregation in the care economy. In addition, higher availability of care policies might make it easier for women to take up other highly paid occupations, thus further reducing overall occupational segregation in the labour market. The investment in care services and care leave could also have an impact on the gap between male and female earnings, as a result of both increased employment (and wages) in care and increased maternal earnings overall.

An annual investment of US\$4.4 trillion (4.0 per cent of GDP) by 2030 or an annual investment of US\$5.4 trillion (4.2 per cent of GDP) by 2035 to close the large coverage gaps in care leave, breastfeeding, childcare and long-term care services would result in GDP higher than its projected baseline value for 2030 by US\$3.7 trillion (a 3.4 per cent increase) and for 2035 by US\$4.5 trillion (a 3.6 per cent increase). Tax revenue from increased earnings and employment would rise as well, reducing the funding requirement for all policies from 4.2 per cent of GDP (before taxes) to a net 3.2 per cent of GDP (after taxes) in 2035 (or US\$4.2 trillion after taxes).<sup>18</sup> The proportion of the spending effort required that can be recouped by short-term tax revenue varies between 9 per cent in the Arab States (low-tax country of Saudi Arabia) to 36 per cent in Europe. Note that if induced effects were included, such “recouping” rates could reach up to two-thirds in some European countries.

<sup>18</sup> Figures for 2030 are a reduction in spending from 4 per cent of GDP before taxes to 3 per cent after taxes (US\$3.4 trillion).

While the transformative benefits extend beyond financial concerns, funding the investment beyond this immediate tax revenue would require mobilizing diverse resources, from domestic progressive tax reforms to increase the tax base (including social security coverage) to international cooperation on debt restructuring and fighting corruption and illicit financial flows (Durán-Valverde et al. 2020; Schmitt and Bierbaum 2022). These changes would happen gradually, moving away from default positions of relying on private market solutions or unpaid care work. A virtuous cycle is expected to emerge. As care constraints are relieved, allowing women to remain attached to the labour market with increased earnings. This is much more likely to be the case through direct investment in care services than through cash transfers to pay for such services on the market. Greater labour market attachment would bring in more tax revenue to help fund care services and leave provision. At the same time, more formal employment is created, expanding the tax base further.<sup>19</sup> This would enable structural tax reforms towards a sustainable path without choking off employment, contributing to making the investment pay for itself over time.

Beyond narrow economic considerations of fiscal and employment benefits, as has become clear during the pandemic, there is a compelling rights-based and existential case to put forward about the need to keep investing in transformative care policies that offer high-quality care services: an economy, let alone a society, cannot function and be sustained without adequate care provision that guarantees the well-being of those who provide and receive care. Ignoring the care needs of millions around the world and the huge contribution of both unpaid and paid care work to gainful economic activities is as dangerous as ignoring the damage that the “productive” sphere of the economy does to the environment. Therefore, the primary question should be whether we can afford not to care, rather than worrying about whether or not governments can afford public care provision.

## Accelerating support for investment in the care economy

Investment in the care economy is a cornerstone of the transformative agenda for gender equality called for by the ILO’s tripartite constituents. Based on the diagnostic of this report, the policy recommendations contained herein and the investment case, the ILO will engage in national policy dialogues in selected countries in order to support ILO constituents in:

- ▶ enhancing the statistical capacity to measure the total work burden – both paid and unpaid – including by adding light time-use modules to existing labour force surveys (ILO 2021k);
- ▶ identifying the care needs of target populations, and assessing and promoting investments in the care economy, including in care-relevant infrastructure and through the creation of decent employment opportunities directly in the care economy sectors and indirectly in other sectors;
- ▶ building the fiscal, regulatory and technical capacity to design, finance and implement inclusive care policies, including maternity, paternity and parental leave and protections, care services and care-related social protection benefits;
- ▶ designing rights-based programmes, through social dialogue, that address decent work deficits in the care economy, particularly among care workers; and
- ▶ enhancing the capacity of the social partners to contribute to policy development and implementation for a more balanced sharing of family responsibilities (ILO 2020h).

This action will directly contribute to the ILO and UN agendas on the care economy, including the Global Alliance for Care. Along those lines, box 9.2 summarizes the programmatic areas of the ILO investing in care agenda for technical assistance and capacity-building.

<sup>19</sup> The effect of creating formal jobs in care – and thereby expecting to attract tax and social security contributions revenue – was not simulated in this exercise. Therefore, the tax revenue estimates are a lower bound in countries with a large proportion of informal employment.

## ► Box 9.2. ILO Areas of Action to support transformative care policy packages

### Building knowledge, data and awareness

- Evidence-based knowledge to fill key research gaps, including the link between care work and just transitions.
- Statistics and measurement of paid and unpaid care work and their impact on the world of work.
- Raising awareness to recognize the right to care as a collective responsibility (as opposed to the sole or primary responsibility of women and girls) and to protect the rights of care workers.
- Engaging men and boys and other social actors at the household, community, business and national levels and in the media to challenge gender norms and promote positive masculinity.

### Designing and implementing care policies and services

- Ratification and implementation of ILO international labour standards.
- Legal and policy reforms on care policies and services to support unpaid carers in the world of work.
- Gender-responsive social protection extension strategies to reduce economic and social vulnerabilities, with a particular focus on excluded categories of workers.
- Labour protection and decent working conditions, including transition to formality of care workers (domestic workers, teachers, childcare, long-term care and health workers, including migrants care workers).

### Costing care policies and services

- Design and financing of social protection benefits and services in relation to care.
- Design and financing of employment policies for the generation of care jobs.

### Enhancing capacities

- Developing the capacities of governments, workers' organizations and employers' organizations to recognize and value unpaid and paid care work and address this in policymaking.
- Building institutional capacities and frameworks to define, recognize and value care competencies and skills.
- Training, certification and professionalization of care workers.
- Assisting enterprises and women's entrepreneurs with work-life balance policies.
- Development of social solidarity economy, including cooperatives and market systems on care work.

### Strengthening representation and social dialogues

- Strengthening paid care workers' right to organize and bargain collectively.
- Ensuring representation of care workers in workers' and employers' organizations and the participation of care workers in social dialogues.
- Promote participation and leadership of both paid and unpaid care workers in decision-making, including in social protection and training institutions and other policy design and accountability mechanisms.
- Supporting advocacy and social mobilization of care workers and women's, children's and youth rights organizations, networks and movements, including young feminists, to position care work issues onto national agendas.



## ► 9.4. Conclusion

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The COVID-19 pandemic has had dramatic consequences on societies and economies everywhere, and has called into question the overreliance of care systems on unpaid care work, mostly performed by women. Despite the clear commitment of global agendas, the progress and challenges presented in this report point to a disarming diagnostic on the state of care policies across the world and urge immediate and transformative action at the national level. With the exception of a few pathfinders in the Global South, national agendas have only recently started to place care as a priority of national laws, policies and budgets, on the one hand, as part of incipient efforts to build national care systems and, with more limitations, as a component of COVID-19 crisis responses (Martínez and Siddharth 2021). The reasons for this state of affairs are multiple. They relate to both the multifaceted and cultural dimensions of care and the need for enhanced capacities and resources to transform the existing care system. To overcome this situation, there is a need for political commitment to prioritizing public and private investments in the care economy and to creating fiscal space for care as part of transformative national agendas for gender equality and social protection.

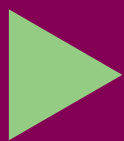
As the world is at a historical crossroad, the United Nations' Secretary-General has called for a renewal of the social contract between governments and their people and within societies (United Nations 2021). A care-led recovery centred on people and on the planet is not only necessary to address the care deficits around the world, but also, more fundamentally, to rethink the care economy and transform the systems for delivering it. This report shows that there is a strong investment case for progressively achieving universal access to transformative care policies for all workers with family responsibilities everywhere. It argues that prioritizing investments that benefit and uplift paid and unpaid care work is part and

parcel of this paradigm shift, which also involves promoting a sustainable economy and a just transition that puts gender equality at its heart (Novello 2021). Framing investments in the collective reorganization of care as another dimension of sustainability would ensure that future economic stimulus and growth plans address current and future care gaps, and that policy responses to care and the environment are integrated and increase resilience, welfare and well-being for all (Martínez and Siddharth 2021).

Investing in care policies is a bold commitment that governments, workers and employers need to take for meaningful recovery from the COVID-19 pandemic and for rapid progress. This report has shown that to level the playing field for women and men in the world work there is a need for transformative care packages of leave and services that guarantee to all carers a continuum of care provision from pregnancy to old age.

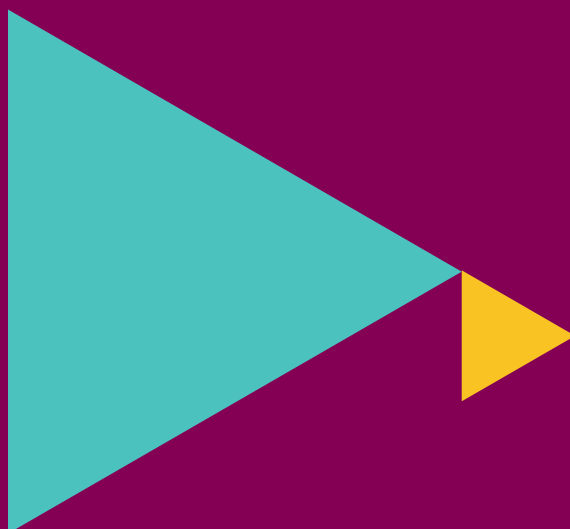
This journey towards investing in transformative care policies can become a reality through national social dialogue, with governments, employers and workers and their representative organizations, the private sector, civil society, UN agencies and other relevant stakeholders such as academia and philanthropy. The voice and representation of those who provide and receive care is essential. The ILO's care agenda, as outlined in the Centenary Declaration for the Future of Work and the Call to Action, offers a powerful platform to scale-up and accelerate progress in this area. Tripartism and social dialogue are fundamental to generating the political will to explore all possible fiscal space options to scale-up public investments in care. Hopefully, this report will prompt national consultations with representatives of governments and workers' and employers' organizations to lay the foundations of a future with care as a priority and to build breakthrough pathways towards a better and more gender-equal world of work.





# Annex. Country-level data, definitions, methodology and sources

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► Table A.1. Maternity leave

Country	Duration of maternity leave in national legislation	Transfer of the maternity leave period to fathers	Amount of maternity leave cash benefits (% of previous earnings)	Source of funding of maternity leave cash benefits	Ratification of Convention No. 183	Alignment with requirements of Convention No. 183	Provision of maternity leave cash benefits for self-employed workers	Provision of maternity leave for adoptive parents	Maternity leave - Length of protection against dismissal	Burden of proving the reasons for dismissal are not related to maternity leave	Right to return to the same or equivalent position	Prohibitions against pregnancy test in employment
Africa												
Northern Africa												
Algeria	14 weeks	No	100	Social insurance only		Aligned	Yes	No	No explicit protection	Employer not required to prove	Not guaranteed	No prohibition
Egypt	90 days (13 weeks)	No	100	Social insurance only		Not aligned	No	No	Pregnancy, leave, as a result of	Employer not required to prove	Not guaranteed	No prohibition
Libya	14 weeks	No	100	Contributory scheme and employer liability		Aligned	Yes (social insurance)	No	Pregnancy, leave	Not specified	Not guaranteed	No prohibition
Morocco	14 weeks	No	100 (up to maximum 1 812.98 dirhams per month)	Social insurance only		Aligned	Certain self-employed excluded <sup>1</sup>	No	Pregnancy, leave	Employer must prove	Same position	No prohibition
Sudan	8 weeks	No	100	Employer liability		Not aligned	No	No	Pregnancy, leave	Employer not required to prove	Not guaranteed	No prohibition
Tunisia	30 days (4 weeks)	No	66.7	Social insurance only		Not aligned	Yes	No	Pregnancy, leave, additional period	Employer not required to prove	Not guaranteed	Not provided
Sub-Saharan Africa												
Angola	13 weeks (3 months)	No	100	Social insurance only		Not aligned	Yes	No	Pregnancy, leave, additional period	Employer not required to prove	Not guaranteed	No prohibition
Benin	14 weeks	No	100	Social insurance only		Aligned	No	No	Pregnancy, leave, as a result of	Employer not required to prove	Not guaranteed	No prohibition
Botswana	12 weeks	No	50	Employer liability		Not aligned	No	No	Pregnancy, leave, additional period	Employer not required to prove	Not guaranteed	No prohibition
Burkina Faso	14 weeks	No	100 up to a ceiling (600 000 CFA francs per month are the max monthly earnings from which to calculate)	Social insurance only		Aligned	No	No	Pregnancy, leave	Employer must prove	Not guaranteed	Implicit
Burundi	12 weeks	No	100	Employer liability		Not aligned	No	No	Pregnancy, leave, as a result of	Employer not required to prove	Not guaranteed	No prohibition
Cabo Verde	9 weeks (60 days)	Exceptional circumstances	90	Social insurance only		Not aligned	Yes	No	Pregnancy, leave, additional period	Employer must prove	Not guaranteed	No prohibition

Country	Duration of maternity leave in national legislation	Transfer of the maternity leave period to fathers	Amount of maternity leave cash benefits (% of previous earnings)	Source of funding of maternity leave cash benefits	Ratification of Convention No. 183	Alignment with requirements of Convention No. 183	Provision of maternity leave cash benefits for self-employed workers	Provision of maternity leave for adoptive parents	Maternity leave - Length of protection against dismissal	Burden of proving the reasons for dismissal are not related to maternity leave	Right to return to the same or equivalent position	Prohibitions against pregnancy test in employment
Africa												
Sub-Saharan Africa												
Cameroon	14 weeks	No	100	Social insurance only		Aligned	No	No	Pregnancy, leave	Employer not required to prove	Not guaranteed	No prohibition
Central African Republic	14 weeks	No	50	Social insurance only	2003	Not aligned	No	No	No explicit protection	Employer not required to prove	Same position	No prohibition
Chad	14 weeks	No	100	Contributory scheme and employer liability	2008	Aligned	No	No	Pregnancy, leave	Employer must prove	Not guaranteed	No prohibition
Comoros	14 weeks	No	100	Employer liability		Not aligned	No	No	Pregnancy, leave	Employer must prove	Not guaranteed	No prohibition
Congo	15 weeks	No	100	Contributory scheme and employer liability		Aligned	No	No	No explicit protection	Employer not required to prove	Not guaranteed	No prohibition
Côte d'Ivoire	14 weeks	No	100	Social insurance only	2009	Aligned	No	No <sup>2</sup>	Pregnancy, leave, additional period	Employer not required to prove	Same position	Implicit
Democratic Republic of the Congo	14 weeks	No	100	Social insurance only	2008	Aligned	Yes (voluntary)	No	Pregnancy, leave, additional period	Employer not required to prove	Not guaranteed	Explicit
Djibouti	14 weeks	No	100	Contributory scheme and employer liability		Aligned	No	No	Pregnancy, leave	Employer not required to prove	Not guaranteed	No prohibition
Equatorial Guinea	12 weeks	No	75	Social insurance only		Not aligned	Yes (voluntary)	No	Pregnancy, leave	Employer not required to prove	Same position	No prohibition
Eritrea	9 weeks (60 days)	No	Paid (amount unidentified)	Employer liability		Not aligned	No	No	Leave, as a result of	Employer not required to prove	Same position <sup>3</sup>	No prohibition
Eswatini	12 weeks (2 paid)	No	100 for 2 weeks	Employer liability		Not aligned	No	No	Pregnancy, leave, additional period	Employer not required to prove	Same position or equivalent	No prohibition
Ethiopia	17 weeks (120 days)	No	100	Employer liability		Not aligned	No	No	Pregnancy, leave, additional period	Employer not required to prove	Not guaranteed	No prohibition
Gabon	14 weeks	No	100	Social insurance only		Aligned	No	No	Pregnancy, leave, additional period	Employer not required to prove	Same position or equivalent	No prohibition
Gambia	26 weeks (6 months) <sup>4</sup>	No	100 <sup>5</sup>	Employer liability		Not aligned	No	No	Pregnancy, leave	Employer must prove	Same position	No prohibition
Ghana	12 weeks	No	100	Employer liability		Not aligned	No	No	Pregnancy, leave, as a result of	Employer not required to prove	Not guaranteed	No prohibition
Guinea	14 weeks	No	100	Contributory scheme and employer liability	2016	Aligned	No	No	Pregnancy, leave	Employer not required to prove	Not guaranteed	No prohibition
Guinea-Bissau	9 weeks (60 days)	No	100	Employer liability		Not aligned	Yes (voluntary)	No	No explicit protection	Employer not required to prove	Not guaranteed	No prohibition

Country	Duration of maternity leave in national legislation	Transfer of the maternity leave period to fathers	Amount of maternity leave cash benefits (% of previous earnings)	Source of funding of maternity leave cash benefits	Ratification of Convention No. 183	Alignment with requirements of Convention No. 183	Provision of maternity leave cash benefits for self-employed workers	Provision of maternity leave for adoptive parents	Maternity leave - Length of protection against dismissal	Burden of proving the reasons for dismissal are not related to maternity leave	Right to return to the same or equivalent position	Prohibitions against pregnancy test in employment
Africa												
Sub-Saharan Africa												
Kenya	13 weeks (3 months)	No	100	Employer liability		Not aligned	No	No	Pregnancy, leave, as a result	Employer must prove	Same position or equivalent	Implied
Lesotho	12 weeks	No	100 <sup>6</sup>	Employer liability		Not aligned	No	No	Pregnancy, leave	Employer must prove	Not guaranteed	No prohibition
Liberia	14 weeks	No	100	Employer liability		Not aligned	No	No	Pregnancy, leave, additional period, as a result of	Employer must prove	Same position	Implicit
Madagascar	14 weeks	No	100	Contributory scheme and employer liability	2004	Aligned	No	No	Pregnancy, leave	Employer not required to prove	Not guaranteed	No prohibition
Malawi	8 weeks <sup>7</sup>	No	100	Employer liability		Not aligned	No	No	Pregnancy, leave, as a result of	Employer must prove	Same position or equivalent	Implicit
Mali	14 weeks	No	100	Social insurance only	2012	Aligned	Yes (voluntary)	No	Leave	Employer not required to prove	Not guaranteed	No prohibition
Mauritania	14 weeks	No	100 up to a ceiling (7,000 ouguiyas per month)	Social insurance only		Aligned	No	No	No explicit protection	Employer not required to prove	Not guaranteed	No prohibition
Mauritius	14 weeks	No	100	Employer liability		Not aligned	No	Yes	Pregnancy, leave, additional period	Employer not required to prove	Not guaranteed	Implicit
Mozambique	9 weeks (60 days)	No	100	Social insurance only		Not aligned	Yes	No	Pregnancy, leave, additional period	Employer not required to prove	Not guaranteed	No prohibition
Namibia	12 weeks	No <sup>8</sup>	100 up to a ceiling of 13 000 Namibian dollars a month	Contributory scheme and employer liability	2013	Not aligned	Yes (voluntary)	No	Pregnancy, leave, additional period, as a result of	Employer not required to prove	Not guaranteed	Implicit
Niger	14 weeks	No	100	Contributory scheme and employer liability <sup>9</sup>		Aligned	No	No	Pregnancy	Employer must prove	Not guaranteed	No prohibition
Nigeria	12 weeks	No	50	Employer liability		Not aligned	No	No	Leave	Employer not required to prove	Not guaranteed	No prohibition
Rwanda	12 weeks	No	100	Contributory scheme and employer liability <sup>10</sup>		Not aligned	No	No	Leave	Employer not required to prove	Same position	no prohibition
Sao Tome and Principe	14 weeks	Exceptional circumstances	100	Social insurance only		Aligned	No	No	Pregnancy, leave, additional period, as a result of	Employer must prove	Not guaranteed	No prohibition
Senegal	14 weeks	No	100	Social insurance only		Aligned	No (unless women married to an insured man)	No	Leave	Employer not required to prove	Not guaranteed	No prohibition

Country	Duration of maternity leave in national legislation	Transfer of the maternity leave period to fathers	Amount of maternity leave cash benefits (% of previous earnings)	Source of funding of maternity leave cash benefits	Ratification of Convention No. 183	Alignment with requirements of Convention No. 183	Provision of maternity leave cash benefits for self-employed workers	Provision of maternity leave for adoptive parents	Maternity leave - Length of protection against dismissal	Burden of proving the reasons for dismissal are not related to maternity leave	Right to return to the same or equivalent position	Prohibitions against pregnancy test in employment
Africa												
Sub-Saharan Africa												
Seychelles	28 weeks (16 weeks paid and 12 weeks unpaid)	Exceptional circumstances	100 for 16 weeks	Contributory scheme and employer liability		Aligned	Yes	No	Pregnancy, leave	Employer not required to prove	Same position or equivalent	Implied
Sierra Leone	12 weeks (84 days) <sup>11</sup>	No	0	Employer liability	2004	Not aligned	No	No	No explicit protection	Employer not required to prove	Not guaranteed	No prohibition
Somalia	14 weeks	No	50	Employer liability	2017	Not aligned	No	No	Pregnancy, leave, additional period	Employer not required to prove	Same position	Implicit
South Africa	17 weeks (4 months)	No	66 up to a ceiling (14 ,872 rand per month)	Social insurance only		Not aligned	No	Yes (10 weeks, also for same-sex couples)	Pregnancy, leave, additional period, as a result of	Employer must prove	Not guaranteed	No prohibition
South Sudan	13 weeks (90 days)	No	100	Employer liability		Not aligned	No	90 days	Pregnancy, leave	Employer not required to prove	Same position or equivalent	Implicit
Togo	14 weeks	No	100	Contributory scheme and employer liability		Aligned	Yes	No	Pregnancy, leave	Employer not required to prove	Not guaranteed	No prohibition
Uganda	12 weeks (60 working days)	No	100	Employer liability		Not aligned	No	No	Pregnancy, leave, as a result of	Employer must prove	Not guaranteed	No prohibition
United Republic of Tanzania	12 weeks (84 days)	No	Flat-rate	Social insurance only		Not aligned	Yes (voluntary)	No	Pregnancy, leave, as a result of	Employer must prove	Not guaranteed	Implicit
Zambia	14 weeks	No	100 <sup>12</sup>	Employer liability		Not aligned	No	No	Pregnancy, leave, as a result of	Employer must prove liability	Not guaranteed	No prohibition
Zimbabwe	14 weeks (98 days)	No	100 <sup>13</sup>	Employer liability		Not aligned	No	No	No protection	Employer not required to prove	Not guaranteed	Implicit
Americas												
Latin America and the Caribbean												
Antigua and Barbuda	13 weeks <sup>14</sup>	No	60	Social insurance only		Not aligned	Yes	No	No protection	Employer not required to prove	Not guaranteed	No prohibition
Argentina	13 weeks (90 days)	No	100	Social insurance only		Not aligned	Yes	Yes (however it is only granted through judicial application)	Pregnancy, leave, additional period	Employer must prove	Same position	Explicit
Bahamas	12 weeks	No	100	Social insurance only		Not aligned	Yes	No	Pregnancy, leave	Employer must prove	Same position or equivalent	No prohibition

Country	Duration of maternity leave in national legislation	Transfer of the maternity leave period to fathers	Amount of maternity leave cash benefits (% of previous earnings)	Source of funding of maternity leave cash benefits	Ratification of Convention No. 183	Alignment with requirements of Convention No. 183	Provision of maternity leave cash benefits for self-employed workers	Provision of maternity leave for adoptive parents	Maternity leave - Length of protection against dismissal	Burden of proving the reasons for dismissal are not related to maternity leave	Right to return to the same or equivalent position	Prohibitions against pregnancy test in employment
Americas												
Latin America and the Caribbean												
Barbados	12 weeks	No	100 up to a ceiling (maximum weekly maternity benefit is 1 112 Barbados dollars)	Social insurance only		Not aligned	Yes	No	Pregnancy, leave	Employer not required to prove	Same position or equivalent	No prohibition
Belize	14 weeks	No	80 up to a ceiling (maximum weekly benefit is 384.00 Belize dollars)	Social insurance only	2001	Aligned	Yes	No	Pregnancy, leave, as a result of	Employer not required to prove	Not guaranteed	No prohibition
Bolivia (Plurinational State of)	13 weeks (90 days)	No	90	Social insurance only		Not aligned	Yes (voluntary)	No	Pregnancy, leave, additional period	Employer must prove	Same position	No prohibition
Brazil	17 weeks (120 days)	Exceptional circumstances	100	Social insurance only		Aligned	Yes	Yes	Pregnancy, leave, additional period	Employer not required to prove	Same position	Explicit
British Virgin Islands	13 weeks	No	66.7 up to a ceiling (\$837 weekly)	Social insurance only		Not aligned	Yes	No	Pregnancy, leave, as a result of	Employer must prove	Not guaranteed	Explicit
Chile	18 weeks	Yes (6 weeks); exceptional circumstances (all)	100 up to a ceiling (UF73.20 per month)	Social insurance only	2012	Aligned	Yes	Yes	Pregnancy, leave, additional period	Employer not required to prove	Same position	Implicit
Colombia	18 weeks	Exceptional circumstances	100	Social insurance only		Aligned	Yes	Yes	Pregnancy, leave, additional period	Employer must prove	Same position	Implicit
Costa Rica	17 weeks (4 months)	No	100	Contributory scheme and employer liability		Aligned	Yes	Yes	Pregnancy, additional period	Employer must prove	Same position or equivalent	No prohibition
Cuba	18 weeks	Exceptional circumstances	100	Social insurance only	2019	Aligned	No	No information found	Leave	Employer not required to prove	Same position	No prohibition
Dominican Republic	14 weeks	No	100	Social insurance only	2012	Aligned	No	No information found	Pregnancy, leave, additional period	Employer not required to prove	Same position	No prohibition
Ecuador	12 weeks	Exceptional circumstances	100	Contributory scheme and employer liability	2011	Not aligned	Yes	Yes (15 days)	Pregnancy, leave, additional period	Employer not required to prove	Not guaranteed	No prohibition
El Salvador	16 weeks	No	100	Social insurance only		Aligned	Yes (voluntary)	Yes (3 days)	Pregnancy, leave, additional period	Employer must prove	Same position	Explicit
Guatemala	12 weeks (84 days)	No	100	Social insurance only		Not aligned	No	Yes (54 days)	Pregnancy, leave, additional period	Employer must prove	Same position or equivalent	No prohibition
Guyana	13 weeks <sup>15</sup>	No	70	Social insurance only		Not aligned	Yes	No	Pregnancy, as a result of	Employer not required to prove <sup>16</sup>	Not guaranteed	Implicit
Haiti	12 weeks	No	100	Social insurance only	2012	Not aligned	Yes (voluntary)	No	Pregnancy	Employer not required to prove	Same position	No prohibition
Honduras	12 weeks (84 days)	No	100	Contributory scheme and employer liability		Not aligned	Yes	No	Pregnancy, leave, additional period	Employer must prove	Same position	No prohibition

Country	Duration of maternity leave in national legislation	Transfer of the maternity leave period to fathers	Amount of maternity leave cash benefits (% of previous earnings)	Source of funding of maternity leave cash benefits	Ratification of Convention No. 183	Alignment with requirements of Convention No. 183	Provision of maternity leave cash benefits for self-employed workers	Provision of maternity leave for adoptive parents	Maternity leave - Length of protection against dismissal	Burden of proving the reasons for dismissal are not related to maternity leave	Right to return to the same or equivalent position	Prohibitions against pregnancy test in employment
Americas												
Latin America and the Caribbean												
Honduras	12 weeks (84 days)	No	100	Contributory scheme and employer liability		Not aligned	Yes	No	Pregnancy, leave, additional period	Employer must prove	Same position	No prohibition
Jamaica	12 weeks (8 paid)	No	100 (8 weeks)	Employer liability	2017	Not aligned	No	No	Pregnancy, leave	Employer must prove	Same position or equivalent	No prohibition
Mexico	12 weeks	Exceptional circumstances	100	Social insurance only		Not aligned	No	Yes	Pregnancy, leave, additional period	Employer must prove	Same position	Explicit
Nicaragua	12 weeks	No	100	Contributory scheme and employer liability	2014	Not aligned	Yes (voluntary)	No	Pregnancy, leave	Employer not required to prove	Not guaranteed	Explicit
Paraguay	18 weeks	Exceptional circumstances <sup>17</sup>	100	Social insurance only		Aligned	No	Yes (mother only)	Pregnancy, leave, additional period	Employer not required to prove	Not guaranteed	No prohibition
Peru	14 weeks (98 days)	Exceptional circumstances	100 up to a ceiling (not specified in ISSA)	Social insurance only		Aligned	Yes (voluntary)	Yes (30 days)	Pregnancy, leave, additional period	Employer must prove	Not guaranteed	No prohibition
Saint Kitts and Nevis	13 weeks	No	65	Social insurance only		Not aligned	Yes	No	Pregnancy, leave, additional period, as a result of	Employer must prove	Not guaranteed	No prohibition
Saint Lucia	13 weeks	No	65	Social insurance only		Not aligned	Yes	No	Pregnancy, leave, as a result of	Employer must prove	Same position or equivalent	Implicit
Saint Vincent and the Grenadines	13 weeks	No	65	Social insurance only		Not aligned	Yes	No	Pregnancy, leave, as a result of	Employer not required to prove	Not guaranteed <sup>18</sup>	No prohibition
Suriname	16 weeks	Exceptional circumstances	100	Social insurance only	2020	Aligned	No	Yes (6 weeks)	Pregnancy, leave, additional period	Employer must prove	Same position or equivalent	No prohibition
Trinidad and Tobago	14 weeks	No	100	Contributory scheme and employer liability <sup>19</sup>		Aligned	No	No	Pregnancy, as a result of	Employer not required to prove	Same position or equivalent	No prohibition
Uruguay	14 weeks	No	100	Social insurance only		Aligned	Yes	Yes (6 weeks)	Pregnancy, leave	Employer not required to prove	Same position	No prohibition
Venezuela (Bolivarian Republic of)	26 weeks	No	100	Social insurance only		Aligned	Yes (voluntary)	Yes	Pregnancy, leave, additional period	Employer not required to prove	Same position	Explicit
Northern America												
Canada	17 weeks	No	55 up to a ceiling for 15 weeks (up to 595 Canadian dollars per week; up to 1 204 Canadian dollars over 15 weeks in Quebec)	Social insurance only		Not aligned	Yes (voluntary)	Yes	Pregnancy, leave, additional period	Employer not required to prove	Same position or equivalent	Implicit

Country	Duration of maternity leave in national legislation	Transfer of the maternity leave period to fathers	Amount of maternity leave cash benefits (% of previous earnings)	Source of funding of maternity leave cash benefits	Ratification of Convention No. 183	Alignment with requirements of Convention No. 183	Provision of maternity leave cash benefits for self-employed workers	Provision of maternity leave for adoptive parents	Maternity leave - Length of protection against dismissal	Burden of proving the reasons for dismissal are not related to maternity leave	Right to return to the same or equivalent position	Prohibitions against pregnancy test in employment
Americas												
Northern America												
United States of America	12 weeks	No	0 <sup>20</sup>	No statutory cash periodic benefit		Not aligned	No	Yes	Pregnancy, leave	Employer not required to prove	Same position or equivalent	Implicit
Arab States												
Bahrain	11 weeks (75 days – 60 paid, 15 unpaid)	No	100 (60 days)	Employer liability		Not aligned	No	No	Pregnancy, leave, additional period, as a result of	Employer must prove	Not guaranteed	No prohibition
Iraq	14 weeks	No	100	Employer liability		Aligned	No	No	Leave	Employer not required to prove	Same position or equivalent	No prohibition
Jordan	10 weeks	No	100	Social insurance only		Not aligned	No	No	Pregnancy, leave	No information found	Not guaranteed	No prohibition
Kuwait	27 weeks (70 days plus 4 months unpaid)	No	100 for 70 days; 0 for remaining 4 months	Employer liability	2004	Not aligned	No	No	Leave, additional period	Employer not required to prove	Not guaranteed	no prohibition
Lebanon	7 weeks	No	0	Employer liability	2010	Not aligned	No	No	Pregnancy, leave	No information found	Not guaranteed	No prohibition
Oman	7 weeks (50 days)	No	100	Employer liability		Not aligned	No	No	Leave, additional period	Employer not required to prove	Not guaranteed	No prohibition
Qatar	7 weeks (50 days)	No	100	Employer liability		Not aligned	No	No	Leave	Employer not required to prove	Not guaranteed	No prohibition
Saudi Arabia	10 weeks	No	50–100 <sup>21</sup>	Employer liability		Not aligned	No	No	Pregnancy, leave, additional period	Employer not required to prove	Not guaranteed	No prohibition
Syrian Arab Republic	21 weeks (120 days (for the first child), 90 days (for the second child), 75 days (for the third child) plus one month unpaid leave)	No	100 for 120 days	Employer liability		Not aligned	No	No	Leave	Employer not required to prove	Not guaranteed	No prohibition
United Arab Emirates	6 weeks (45 days)	No	100 <sup>22</sup>	Employer liability		Not aligned	No	No	Pregnancy	Employer not required to prove	Not guaranteed	No prohibition
Yemen	10 weeks (70 days)	No	100	Employer liability		Not aligned	No	No	Leave	Employer not required to prove	Not guaranteed	no prohibition
Asia and the Pacific												
Eastern Asia												
China	14 weeks (98 days)	No	100	Social insurance only		Aligned	Yes (voluntary)	No	Pregnancy, leave, additional period	Employer not required to prove	Not guaranteed	No prohibition



Country	Duration of maternity leave in national legislation	Transfer of the maternity leave period to fathers	Amount of maternity leave cash benefits (% of previous earnings)	Source of funding of maternity leave cash benefits	Ratification of Convention No. 183	Alignment with requirements of Convention No. 183	Provision of maternity leave cash benefits for self-employed workers	Provision of maternity leave for adoptive parents	Maternity leave - Length of protection against dismissal	Burden of proving the reasons for dismissal are not related to maternity leave	Right to return to the same or equivalent position	Prohibitions against pregnancy test in employment
Asia and the Pacific												
Eastern Asia												
Hong Kong, China	14 weeks	No	80	Employer liability	2002	Not aligned	No	No	Pregnancy, leave	Employer must prove	Same position	Implicit
Japan	14 weeks	No	66.7 up to a ceiling (very high ceiling though not specified)	Social insurance only	2010	Aligned	No	No	Pregnancy, leave, additional period	Employer must prove	Not guaranteed	Implicit
Mongolia	17 weeks (120 days)	No	70	Social insurance and non-contributory scheme		Aligned	Yes (voluntary)	Yes (60 days)	Pregnancy, leave, additional period	Employer not required to prove	Same position	Explicit
Republic of Korea	13 weeks (90 days)	No	100 for 60 days, 100 up to ceiling (2 000 000 won) for last 30 days	Social insurance only		Not aligned	Yes	No	Pregnancy, leave, additional period	Employer must prove	Same position or equivalent	Implicit
South-Eastern Asia and the Pacific												
Australia	52 weeks (16 weeks paid to primary carer) <sup>23</sup>	Yes; exceptional circumstances (paid 12 weeks)	Fate-rate benefit (federal minimum wage) 740 Australian dollars per week	Non-contributory scheme only		Not assessable	Yes	Yes	Pregnancy, leave	Employer must prove	Same position or equivalent	No prohibition
Brunei Darussalam	15 weeks (13 paid)	No	100 (for 13 weeks)	Employer liability and non-contributory scheme		Aligned	No	No	Pregnancy, leave	Employer not required to prove	Not guaranteed	No prohibition
Cambodia	13 weeks (90 days)	No	120	Contributory scheme and employer liability		Not aligned	No	No	Leave	Employer not required to prove	Not guaranteed	No prohibition
Fiji	14 weeks (98 days)	No	100	Employer liability <sup>24</sup>	2019	Not aligned	No	No	Pregnancy, leave, additional period	Employer must prove	Same position or equivalent	Implicit
Indonesia	13 weeks (3 months)	No	100	Employer liability		Not aligned	No	No	Pregnancy, leave, additional period	Employer not required to prove	Not guaranteed	No prohibition
Lao People's Democratic Republic	15 weeks (105 days)	No	80	Social insurance only	2000	Aligned	Yes (voluntary)	No	Pregnancy, leave, additional period, as a result of	Employer not required to prove	Not guaranteed	Explicit
Malaysia	9 weeks (60 days)	No <sup>25</sup>	100	Employer liability		Not aligned	No	No	No information found	Employer not required to prove	Not guaranteed	No prohibition
Myanmar	14 weeks	No	70	Social insurance only	2001	Aligned	Yes (voluntary)	Yes	Leave	Employer not required to prove	Not guaranteed	No prohibition
New Zealand	26 weeks	Yes all (includes same-sex partner or actual carer)	100 up to a ceiling (585.80 New Zealand dollars per week before tax)	Non-contributory scheme only		Aligned	Yes	Yes	Pregnancy, leave, additional period, as a result of	Employer must prove	Same position	Implicit

Country	Duration of maternity leave in national legislation	Transfer of the maternity leave period to fathers	Amount of maternity leave cash benefits (% of previous earnings)	Source of funding of maternity leave cash benefits	Ratification of Convention No. 183	Alignment with requirements of Convention No. 183	Provision of maternity leave cash benefits for self-employed workers	Provision of maternity leave for adoptive parents	Maternity leave - Length of protection against dismissal	Burden of proving the reasons for dismissal are not related to maternity leave	Right to return to the same or equivalent position	Prohibitions against pregnancy test in employment
Asia and the Pacific												
South-Eastern Asia and the Pacific												
Papua New Guinea	6 weeks (as necessary for hospitalization before confinement and 6 weeks after)	No	0	No statutory cash periodic benefit		Not aligned	No	No	Pregnancy, leave, as a result of	Employer not required to prove	Not guaranteed	No prohibition
Philippines	19 weeks (135 days – 105 paid)	Yes (7 days); exceptional circumstances (all)	100 for 105 days	Social insurance only		Aligned	Yes	No	Pregnancy, leave, additional period	Employer must prove	Same position or equivalent	No prohibition
Samoa	6 weeks	No	66.7	Employer liability		Not aligned	No	No	Pregnancy, additional period, as a result of	Employer must prove	Same position or equivalent	implicit
Singapore	16 weeks <sup>26</sup>	Yes (4 weeks)	100 for first and second child (third child is 100 up to a ceiling of 10 000 Singapore dollars per 4-week period).	Employer liability and non-contributory scheme <sup>27</sup>	2005	Aligned	Yes	Yes	Pregnancy, leave	Employer not required to prove	Not guaranteed	no prohibition
Solomon Islands	12 weeks	No	25	Employer liability		Not aligned	No	No	Leave	Employer not required to prove	Not guaranteed	No prohibition
Thailand	13 weeks (not more than 90 days)	No	100 for 45 days, 50 for the last 45 days (social insurance)	Social insurance only		Not aligned	Yes <sup>28</sup>	No	Pregnancy	Employer not required to prove	Not guaranteed	No prohibition
Timor-Leste	12 weeks	Exceptional circumstances	100	Social insurance only		Not aligned	Yes	No <sup>29</sup>	Pregnancy	Employer must prove	Same position or equivalent	No prohibition
Tonga	–	–	–	No statutory cash periodic benefit		Not aligned	–	–	–	–	–	No prohibition
Vanuatu	12 weeks	No	66	Employer liability		Not aligned	No	No	Pregnancy, leave	Employer not required to prove	Same position or equivalent	No prohibition
Viet Nam	26 weeks (6 months)	Exceptional circumstances	100	Social insurance only		Aligned	No	Yes	Pregnancy, leave, additional period	Employer not required to prove	Same position or equivalent	Implicit
Southern Asia												
Afghanistan	13 weeks (90 days)	No	100	Employer liability		Not aligned	No	No	No explicit protection	Employer not required to prove	Not guaranteed <sup>30</sup>	Implicit
Bangladesh	16 weeks	Exceptional circumstances	100	Employer liability		Not aligned	No	No	No explicit protection	Employer not required to prove	Not guaranteed	No prohibition
Bhutan	8 weeks	No	100	Employer liability		Not aligned	No	No	Pregnancy, leave	Employer not required to prove	Same position or equivalent	Implicit
India	26 weeks	No	100	Social insurance only <sup>31</sup>		Aligned	No	Yes (12 weeks)	Leave	Employer not required to prove	Same position or equivalent	Implicit

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Asia and the Pacific												
Southern Asia												
Iran (Islamic Republic of)	39 weeks (9 months)	No	66	Social insurance only		Not aligned	No	No	No explicit protection	Employer not required to prove	Same position	No prohibition
Maldives	9 weeks (60 days)	No	100	Employer liability	2005	Not aligned	No	No	Pregnancy, leave, additional period	Employer must prove	Same position or equivalent	implicit
Nepal	14 weeks (60 days paid)	Exceptional circumstances (38 days unpaid)	100 (for 60 days); unpaid (for 38 days)	Social insurance only		Not aligned	No	No	No explicit protection	Employer not required to prove	Not guaranteed	No prohibition
Pakistan	12 weeks	No	100	Social insurance only		Not aligned	No	No	Leave	Employer not required to prove	Not guaranteed	no prohibition
Sri Lanka	12 weeks (84 days)	No	6/7 or 100 <sup>32</sup>	Employer liability		Not aligned	No	No	Pregnancy, leave, additional period	Employer must prove	Not guaranteed	No prohibition
Europe and Central Asia												
Central and Western Asia												
Armenia	20 weeks (140 days)	No	100 up to a ceiling	Social insurance only		Aligned	Yes	Yes	Pregnancy, leave, additional period	Employer not required to prove	Not guaranteed	Implicit
Azerbaijan	18 weeks (126 days)	Exceptional circumstances	100	Social insurance only		Aligned	Yes	Yes	Pregnancy, leave, additional period	Employer must prove	Not guaranteed	Implicit
Cyprus	18 weeks	No	72	Social insurance only		Aligned	Yes	Yes (16 weeks)	Pregnancy, leave, additional period	Employer must prove	Same position or equivalent	Implicit
Georgia	104 weeks (730 calendar days (183 calendar days paid)) <sup>33</sup>	No	100 up to a ceiling (1 000 lari daily)	Social insurance only		Aligned	Yes	Yes	Pregnancy, leave, additional period	Employer not required to prove	Not guaranteed	Explicit
Israel	26 weeks (15 paid)	Yes (20 weeks); exceptional circumstances (all)	100 up to a ceiling for the first 15 weeks (upper limit of five times the average salary (€371.95) per day). 0 for 11 weeks	Social insurance only	2017	Aligned	Yes	Yes	Pregnancy, leave, additional period	Employer must prove	Same position or equivalent	Implicit
Kazakhstan	18 weeks (126 days)	No	100	Social insurance only		Aligned	No	Yes (56 days)	Pregnancy, leave, additional period	Employer not required to prove	Same position	Implicit
Kyrgyzstan	18 weeks (126 days)	Exceptional circumstances	100 for first 10 days; flat rate for other 116 days (10 times the basic rate. The basic rate is 100 soms a month)	Social insurance only		Not assessable	Yes	Yes	Pregnancy, leave, additional period	Employer not required to prove	Not guaranteed	Implicit

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Europe and Central Asia												
Central and Western Asia												
Tajikistan	20 weeks (140 days)	Exceptional circumstances	100	Social insurance only		Aligned	Yes	No <sup>34</sup>	Pregnancy, leave, additional period	Employer not required to prove	Same position	Implicit
Turkey	16 weeks	No	66.7	Social insurance only		Aligned	Yes	Yes (3 days)	Pregnancy, leave, as a result of	Employer must prove	Not guaranteed	Implicit
Turkmenistan	16 weeks (112 days)	Exceptional circumstances	100	Social insurance only		Aligned	No	Yes	Pregnancy, leave, additional period	No information found	Not guaranteed	Implicit
Uzbekistan	18 weeks (126 days)	Exceptional circumstances	100	Social insurance only		Aligned	No	Yes	Pregnancy, leave, additional period	Employer not required to prove	Not guaranteed	Implicit
Eastern Europe												
Belarus	18 weeks (126 days)	Exceptional circumstances	100 up to a ceiling (three times the national average monthly wage – as of May 2021 average wage is 1 419.6 Belarus rubles)	Social insurance only		Aligned	Yes	Yes	Pregnancy, leave, additional period	Employer not required to prove	Not guaranteed	No prohibition
Bulgaria	58 weeks (410 days)	Yes (275 days) (once child reaches 6 months old)	90 up to a ceiling (monthly maximum insurance income of 3 000 lev)	Social insurance only		Aligned	Yes (voluntary)	Yes	Pregnancy, leave	Employer not required to prove	Same position or equivalent	Implicit
Czechia	28 weeks	Yes (16 weeks)	70 up to a ceiling (42 720 korunas per month)	Social insurance only	2006	Aligned	Yes (voluntary)	Yes	Pregnancy, leave	Employer not required to prove	Same position or equivalent	Implicit
Hungary	24 weeks	Exceptional circumstances	70	Social insurance only		Aligned	Yes	Yes	Pregnancy, leave	Employer must prove	Not guaranteed	Implicit
Poland	20 weeks	Yes (6 weeks), exceptional circumstances 12 weeks	100	Social insurance only		Aligned	Yes	Yes	Pregnancy, leave	Employer must prove	Same position or equivalent	No prohibition
Republic of Moldova	18 weeks (126 days)	Exceptional circumstances	100	Social insurance only	2010	Aligned	Yes	Yes (56 calendar days)	Pregnancy, leave, additional period	Employer not required to prove	Not guaranteed	implicit
Romania	18 weeks (126 days)	Exceptional circumstances	85	Social insurance only		Aligned	Yes	No	Pregnancy, leave, additional period, as a result of	Employer must prove	Same position or equivalent	Explicit
Russian Federation	20 weeks (140 days)	Exceptional circumstances	100 up to a ceiling (70 042 rubles per month)	Social insurance only		Aligned	Yes	Yes	Pregnancy, leave, additional period	Employer must prove	Same position	Implicit
Slovakia	34 weeks	Exceptional circumstances	75 up to a ceiling (€1 549 per month)	Social insurance only		Aligned	Yes	Yes	Pregnancy, leave, additional period	Employer not required to prove	Same position or equivalent	Explicit

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Europe and Central Asia												
Eastern Europe												
Ukraine	18 weeks (126 days)	Exceptional circumstances <sup>35</sup>	100	Social insurance only		Aligned	Yes	Yes	Pregnancy, leave, additional period	No information found	Not guaranteed	Implicit
Northern, Southern and Western Europe												
Albania	52 weeks (365 days)	Yes (267)	80 (for the first 185 days; 50 for the remaining days)	Social insurance only		Aligned	Yes	Yes (at least 28 days)	Pregnancy, leave, additional period, as a result of	Employer must prove	Same position or equivalent	Explicit
Andorra	20 weeks	Yes (from the sixth week)	100	Social insurance only	2004	Aligned	Yes	Yes	Pregnancy, as a result of	No information found	Yes	No prohibition
Austria	16 weeks	No	100	Social insurance only	2003	Aligned	Yes	Yes	Pregnancy, leave, additional period	Employer not required to prove	Same position or equivalent	No prohibition*
Belgium	15 weeks	Yes	82 (for the first 30 days); 75 up to a ceiling (€139.7388 daily) (from the 31st day up to 15 weeks)	Social insurance only		Aligned	Yes	Yes (7 weeks each parent)	Pregnancy, leave, additional period	Employer must prove	Same position or equivalent	No prohibition
Bosnia and Herzegovina	52 weeks (1 year) <sup>36</sup>	Yes (after 42 days), exceptional circumstances (all)	40–100 depending on the canton	Social insurance only	2012	Aligned	No	Yes	Pregnancy, leave, additional period	Employer not required to prove	Not guaranteed	Implicit
Croatia	30 weeks (6 months and 28 days)	Yes (3 months); exceptional circumstances (all)	100	Social insurance and non-contributory scheme		Aligned	Yes	Yes	Pregnancy, leave, additional period	Employer must prove	Same position or equivalent	Explicit
Denmark	18 weeks	Exceptional circumstances	100 up to a ceiling (4 405 kroner per week for full time employees, before tax)	Non-contributory scheme only		Aligned	Yes	Yes (14 weeks)	Pregnancy, leave, as a result of	Employer must prove	Same position or equivalent	Implicit
Estonia	20 weeks (140 days)	No	100	Social insurance only	2009	Aligned	Yes	Yes (70 days)	Pregnancy, leave, additional period	Employer must prove	Not guaranteed	Implicit
Finland	18 weeks (105 working days (one calendar week consists of six working days))	Exceptional circumstances	90 up to a ceiling (€59 444 annually)	Social insurance only		Aligned	Yes	Yes	Pregnancy, leave, as a result of	Employer must prove	Same position or equivalent	Implicit
France	16 weeks	Exceptional circumstances	100 up to a ceiling (€3 377 monthly)	Social insurance only	2015	Aligned	Yes	Yes	Pregnancy, leave, additional period	Employer must prove	Same position or equivalent	Explicit
Germany	14 weeks	Exceptional circumstances	100	Social insurance only		Aligned	Yes	No	Pregnancy, leave, additional period	Employer must prove	Not guaranteed <sup>37</sup>	Implicit

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Europe and Central Asia												
Northern, Southern and Western Europe												
Greece	43 weeks (17 weeks maternity followed by 6 months special leave)	No	100 up to a ceiling for 17 weeks (cannot exceed those granted to insured persons who belong to the highest insurance class of IKA); flat-rate benefit for following 6 months (minimum daily wage agreed in the national general collective agreement)	Social insurance only		Aligned	Yes	Yes	Pregnancy, leave, additional period	Employer must prove	Same position or equivalent	Implicit
Iceland	20 weeks (4.5 months)	Exceptional circumstances	80 up to a ceiling (600 000 krónur per month)	Social insurance and non-contributory scheme		Aligned	Yes	Yes	Pregnancy, leave, additional period	Employer must prove	Same position or equivalent	Implicit
Ireland	42 weeks	Exceptional circumstances	Flat-rate benefit for 26 weeks (€245 weekly)	Social insurance only	2019	Not assessable	Yes	Yes	Pregnancy, leave, additional period	Employer must prove	Same position or equivalent	Implicit
Italy	22 weeks (5 months)	Yes (1 day), exceptional circumstances	80	Social insurance only		Aligned	Yes	Yes	Pregnancy, leave, additional period	Employer must prove	Same position or equivalent	Implicit
Latvia	16 weeks (112 days)	Exceptional circumstances	80	Social insurance only	2010	Aligned	Yes	No	Pregnancy, leave, additional period	Employer must prove	Same position or equivalent	Implicit
Lithuania	18 weeks (126 days)	No	77.58	Social insurance only		Aligned	Yes	Yes	Pregnancy, leave, additional period	Employer must prove	Same position or equivalent	Implicit
Luxembourg	20 weeks	No	100 up to a ceiling (€10 709.97 per month)	Social insurance only		Aligned	Yes	Yes	Pregnancy, leave	Employer must prove	Same position or equivalent	Implicit
Malta	18 weeks	No	100 (for 14 weeks), flat rate benefit for remaining 4 weeks (€179.33 per week)	Employer liability and non-contributory scheme		Not assessable	Yes	Yes	Pregnancy, leave, additional period	Employer must prove <sup>38</sup>	Same position or equivalent	Implicit
Monaco	16 weeks	Exceptional circumstances	90 up to a ceiling (€255 daily)	Social insurance only		Aligned	Yes (special system)	Yes (8 weeks)	Pregnancy, leave, additional period	Employer not required to prove	Same position or equivalent	Explicit
Montenegro	14 weeks (98 days)	Exceptional circumstances	100 <sup>39</sup>	Social insurance only		Aligned	Yes	No	Pregnancy, leave	Employer not required to prove	Same position or equivalent	Explicit
Netherlands	16 weeks	Exceptional circumstances	100 up to a ceiling (€209.26 daily)	Social insurance only		Aligned	Yes	Yes (6 weeks each parent)	Pregnancy, leave, additional period	Employer must prove	Not guaranteed	Implicit
North Macedonia	39 weeks (9 months)	Yes	100	Social insurance only		Aligned	Yes	Yes (6 months)	Pregnancy, leave	Employer not required to prove	Same position or equivalent	implicit

Country	Duration of maternity leave in national legislation	Transfer of the maternity leave period to fathers	Amount of maternity leave cash benefits (% of previous earnings)	Source of funding of maternity leave cash benefits	Ratification of Convention No. 183	Alignment with requirements of Convention No. 183	Provision of maternity leave cash benefits for self-employed workers	Provision of maternity leave for adoptive parents	Maternity leave - Length of protection against dismissal	Burden of proving the reasons for dismissal are not related to maternity leave	Right to return to the same or equivalent position	Prohibitions against pregnancy test in employment
Europe and Central Asia												
Northern, Southern and Western Europe												
Norway	18 weeks (or 22 weeks)	Exceptional circumstances	100 up to a ceiling (six times the basic national insurance benefit payment) (or 80% for 22 weeks)	Social insurance only		Aligned	Yes	Yes	Pregnancy, leave, additional period, as a result of	Employer must prove	Same position or equivalent	Explicit
Portugal	17 weeks (120 days (or 150 days)) <sup>40</sup>	Yes (the remaining leave may be divided between parents by mutual agreement)	100 (or 80 for 150 days)	Social insurance and non-contributory scheme		Aligned	Yes	Yes	Pregnancy, leave, additional period	Employer must prove	Same position	Explicit
San Marino	21 weeks (150 days)	Exceptional circumstances	100	Social insurance only		Aligned	Yes	Yes	Pregnancy, leave as a result of	Employer must prove	Not guaranteed	No prohibition
Serbia	20 weeks (120 days)	Exceptional circumstances	66.7 up to a ceiling (three times the national average gross monthly wage, 197 598 dinars)	Social insurance only		Aligned	Yes	Yes	Pregnancy, leave, additional period	Employer not required to prove	Not guaranteed	explicit
Slovenia	15 weeks	Exceptional circumstances	100	Social insurance only		Aligned	Yes	Yes	Pregnancy, leave, additional period	Employer must prove	Same position or equivalent <sup>41</sup>	Explicit
Spain	16 weeks	Yes (2 weeks); exceptional circumstances (all)	100 up to a ceiling (€4 070.10 monthly)	Social insurance only		Aligned	Yes	Yes	Pregnancy, leave, additional period	Employer must prove	Same position	Implicit
Sweden	14 weeks	No	77.6 up to a ceiling (465 000 kronor per year or 38 750 kronor per month)	Social insurance and non-contributory scheme		Aligned	Yes	No	Leave, as a result of	Employer must prove	Same position	No prohibition
Switzerland	14 weeks	No	80 up to a ceiling (CHF196 per day)	Social insurance only <sup>42</sup>	2016	Aligned	Yes	No	Pregnancy, leave, additional period	Employer must prove	Not guaranteed	no prohibition
United Kingdom of Great Britain and Northern Ireland	52 weeks (39 paid)	Yes (50 weeks)	First 6 weeks paid at 90% with no upper limit. lower between a flat rate of £151.20 or 90% of average gross weekly earnings for the next 33 weeks. The remaining 13 weeks are unpaid.	Social insurance and non-contributory scheme <sup>43</sup>		Not assessable	Yes	Yes	Pregnancy, leave, additional period	Employer must prove	Same position or equivalent	Implicit

**Note:** 185 countries and territories. – = No maternity leave.

**Source:** Compiled by authors from national legislation.

## Methodological notes

Legal information in this appendix refers to the normal general provisions on maternity leave for singleton and uncomplicated childbirths as provided for by legislation at the national level for private sector workers. It does not cover the numerous provisions or exceptions that the law usually sets out for specific sectors, categories of workers or circumstances, such as for multiple births, illnesses and complications, single mothers or number of births, among others. For federal States, the federal legislation is reported.

### Duration of maternity leave in national legislation

Unless otherwise specified, the duration of maternity leave in days is intended as “consecutive” or “calendar” days, since maternity leave is usually provided over a consecutive period.

### Transfer part of the maternity leave period to fathers

“Yes” indicates that mothers can transfer all or part of the maternity leave to fathers according to Paragraph 10 (1 and 2) of Recommendation No. 191. The amount of leave that can be transferred is indicated in brackets. “Exceptional circumstances” indicates mothers can transfer some amount (indicated in brackets) or all (no amount indicated) leave to fathers in case of exceptional circumstances such as death or illness.

### Amount of maternity leave cash benefits (% of previous earnings)

Based on Article 6 of the Maternity Protection Convention, 2000 (No. 183), the amount of cash benefits is expressed as a percentage of the worker’s earnings prior to the beginning of maternity leave or of such of those earnings as are taken into account for the purpose of computing benefits. In addition, the classification takes into account the duration of maternity leave. In some countries, benefits are paid up to a ceiling or a flat rate benefit is provided regardless of previous earnings. In other countries, the amount of the cash benefit entitlement decreases over the maternity leave period.

### Source of funding of maternity leave cash benefits

Based on Article 6 of the Maternity Protection Convention, 2000 (No. 183), countries are classified as financed by:

- ▶ social insurance (contributory scheme);
- ▶ social assistance (non-contributory scheme, funded through general taxation);
- ▶ the employer (“employer liability”);
- ▶ a combination of these systems (“mixed system”).

Employer liability includes systems in which employers are statutorily responsible for the full payment of the previous earnings of workers on maternity leave. It also includes mixed systems in which employers are liable for the payment of at least one-third of previous earnings.

A **mixed system** might involve an initial payment by the employer, followed by a partial reimbursement by social insurance or public funds. Mixed systems might also provide that the employer pays the difference between the social insurance benefit and the worker’s previous earnings. Some systems stipulate that the employer has to pay for workers who are not covered by social security. For the purposes of this report, the benefits paid to these latter workers are classified as being funded by social security.

### Ratification of Convention No. 183

Year of ratification by the country in question, if applicable.



### Alignment with requirements of Convention No. 183

National maternity leave legislations aligned to ILO Convention No. 183 should provide leave for not less than 14 weeks; and cash benefits paid at an amount equivalent to at least two-thirds of previous earnings (for the purposes of this report calculated as 67 per cent of previous earnings). In addition, these cash benefits should preferably be provided through compulsory social insurance or public funds, and the provision of maternity leave cash benefits should include self-employed workers.

Where the source of funding for the maternity leave benefit is employer liability, or where the social insurance or state funding scheme does not include self-employed persons, the indicator is expressed as “No”. Where the social insurance or state funding scheme does include self-employed persons on a mandatory basis, the indicator is expressed as “Yes”. “Voluntary” (added in brackets) indicates that statutory provision of maternity leave cash benefits is mandated for self-employed persons only on a non-mandatory basis.

### Provision of maternity leave for adoptive parents

“Yes” indicates that legislation expressly provides for leave to be applicable to adoptive parents. “No” indicates that legislation does not expressly provide for leave to be applicable to adoptive parents.

### Maternity leave – Length of protection against dismissal

- ▶ Pregnancy = Workers are protected from dismissal during pregnancy.
- ▶ Leave = Workers are protected from dismissal during maternity leave.
- ▶ Additional period = Workers are protected from dismissal during a period after their return to work from maternity leave.
- ▶ As a result of = Workers are protected from dismissal as a result of/in relation to maternity leave, however the specific period is not defined and may therefore cover before, during and after maternity leave.
- ▶ No explicit protection = The law does not provide any type of legal protection against dismissal in relation to maternity leave.

Maternity Protection Convention, 2000 (No. 183), Article 8.1. – It shall be unlawful for an employer to terminate the employment of a woman during her pregnancy or absence on [maternity leave or leave before or after the maternity leave in the case of illness, complications or risk of complications arising out of pregnancy or childbirth] or during a period following her return to work to be prescribed by national laws or regulations, except on grounds unrelated to the pregnancy or birth of the child and its consequences or nursing.

This indicator determines whether the legislation provides employment protection during maternity, which constitutes a period including pregnancy, maternity leave and an additional period following the worker’s return to work. All the periods covered by statutory employment protection for which information was available or could be identified are reported for each country. The indicator does not specify whether the legislation allows dismissal on grounds unrelated to the pregnancy or birth of the child and its consequences or nursing. The value “additional period” includes any period of protection from dismissal upon return to work and any period before taking leave such as from the moment the worker notified their intention to take leave; the length of this period varies from country to country.

### Burden of proving the reasons for dismissal are not related to maternity leave

- ▶ Employer = The burden of proof rests on the employer.
- ▶ Not provided = The legislation does not include a statutory provision on the burden of proof.

### Maternity Protection Convention, 2000 (No. 183), Article 8.1

The burden of proving that the reasons for dismissal are unrelated to pregnancy or childbirth and its consequences or nursing shall rest on the employer.

This indicator aims to determine on which party, if any, the legislation places the obligation to prove that whether unlawful dismissal has or has not occurred ("burden of proof"). The shift to the defendant (that is, to the employer) to prove that discrimination had not occurred is a significant asset in assisting victims of discrimination in judicial or other dispute settlement mechanisms.

### Right to return to the same or equivalent position

- ▶ Same position = Workers are entitled to return to the same position after maternity leave.
- ▶ Same position or equivalent = Workers are entitled to return to the same position or an equivalent position after maternity leave.
- ▶ Not guaranteed = Workers are not guaranteed the right to return to the same or an equivalent position after maternity leave.

### Maternity Protection Convention, 2000 (No. 183), Article 8.2.

A woman is guaranteed the right to return to the same position or an equivalent position paid at the same rate at the end of her maternity leave.

This indicator assesses whether the legislation grants the right to job-protected maternity leave and under what conditions. Since, in some countries, the legislation provides for the right to return to the same position, while in others employers can choose to reintegrate the worker into the same position or an equivalent one after maternity leave, a distinction is made between "same position" and "same position or equivalent". This indicator does not specify whether the same or equivalent position is paid at the same rate as before maternity leave.

### Prohibition against pregnancy test in employment

- ▶ Explicit = Pregnancy testing is explicitly prohibited in the legislation.
- ▶ Implicit = Pregnancy testing is implicitly prohibited in the legislation.
- ▶ No prohibition = Pregnancy testing is not explicitly or implicitly prohibited.

### Maternity Protection Convention, 2000 (No. 183), Article 9.2.

Measures [to ensure that maternity does not constitute a source of discrimination in employment] shall include a prohibition from requiring a test for pregnancy or a certificate of such a test when a woman is applying for employment, except where required by 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.

This indicator determines whether the legislation includes an explicit prohibition of pregnancy tests. In cases where there is an explicit prohibition of discrimination in access to employment based on pregnancy it is interpreted that pregnancy testing is implicitly prohibited.

## Sources

All information in the table is based on a review of data which took place from mid-2020 to mid- 2021. The main sources of information used to collect the data were the [ILO NATLEX Database](#) of national labour, social security and related human rights legislation, and official government websites using the most recent published and consolidated versions of the laws.

## Table notes

- 1 Morocco: Certain categories of self-employed are excluded according to the ISSA.
- 2 Cote d'Ivoire: There is no provision for leave for adoption; however, the provisions on unlawful dismissal under article 23.4 of the Labour Code include protection for leave taken for adoption of a child.
- 3 Eritrea: Return to work protection is given in context of returning to same position following transfer to a temporary job during pregnancy.
- 4 Gambia: There are entitlements to maternity leave in the Women's Act 2010 and the Labour Act. The Women's Act provides "6 months with pay or comparable social benefit without loss of employment, seniority or similar benefits", while the Labour Act provides 12 weeks of leave.
- 5 Gambia: The Labour Act provides 100 per cent of salary for 12 weeks from employer. Information could not be found regarding amount and source of funding under the maternity entitlement in the Women's Act.
- 6 Lesotho: Under Section 134 of the Labour Code (Order No. 24 of 1992, as amended in 2006), there is no legal obligation for employers to pay wages during maternity leave. However, the Labour Code Wages (Amendment) Notice 2015, part k, sets out that an employee who has completed more than one year of continuous service with same employer (other than in the textile, clothing and leather manufacturing sector and private security sector) shall be entitled to 12 weeks paid leave. Employees in the textile, clothing, leather manufacturing sector and private security sectors are entitled to six weeks paid maternity leave after one year of continuous service with same employer
- 7 Malawi: Maternity leave entitlement is eight weeks every three years.
- 8 Namibia: However maternity cash benefits may be transferred to caregiver if mother dies.
- 9 Niger: A woman who has worked for at least two years at the same company shall receive from the employer 100 per cent of her salary, after deduction of any amount already covered by the social security or any other fund replacing this service.
- 10 Rwanda: The employer pays the worker, and is reimbursed by the Rwanda Social Security Board for six weeks of leave.
- 11 Sierra Leone: Maternity leave is provided through the Commercial Employers Association Collective Agreement of 2011.
- 12 Zambia: Employee is entitled to full pay if in continuous employment with the same employer for a period of 24 months immediately preceding the beginning of leave; otherwise the leave is unpaid.
- 13 Zimbabwe: Entitlement to full pay for maternity leave where the employee has served for at least one year.
- 14 Antigua and Barbuda: Leave entitlement under the Labour Code is stated as "at least 6 weeks". The source of paid leave is 13 weeks in Social Security Regulations.
- 15 Guyana: Legislation states that maternity leave may be extended "for such longer period as the General Manager may determine taking into consideration the particular circumstances of the case but not exceeding the maximum period of 26 weeks".
- 16 Guyana: Under article 23 of the Prevention of Discrimination Act, where the unlawful dismissal complaint is brought on the grounds of discrimination, the burden of proof is on the worker.
- 17 Paraguay: Leave can be transferred to father or actual carer.
- 18 Saint Vincent and the Grenadines: However, under article 29 of the Protection of Employment Act, cessation of employment of or by an employee during any period of maternity leave shall not constitute a break in the continuity of a contract of employment.
- 19 Trinidad and Tobago: Under the Maternity Protection Act, an employee is entitled to receive pay from her employer to an amount equivalent to one month's leave with full pay and two months' leave with half pay. The social insurance system pays a benefit depending on earnings. When the amount paid by the employer and the maternity benefit is less than full pay, the employer shall pay the difference to the employee.

- 20 United States: Eight states, the District of Columbia and one territory offer all or some employees the statutory right to partly compensated leaves for family reasons (California, Massachusetts, New Jersey, New York, Rhode Island, state of Washington, Connecticut (benefits to start in 2022), Oregon (benefits to start in 2023), District of Columbia, and Puerto Rico).
- 21 Saudi Arabia: 50 per cent if the employee has one to three years of service before the beginning of maternity leave; 100 per cent with three years or more. A female worker shall not be paid any wages during her regular annual leave if she has enjoyed in the same year a maternity leave with full wage.
- 22 United Arab Emirates: 50 per cent before one continuous year of employment.
- 23 Australia: There is no difference made between maternity leave and parental leave. There are 52 weeks of leave available to each parent and 18 of those weeks are paid at the federal minimum wage to whomever is taking care of the child. A pregnant women can use this paid or unpaid leave before and after the birth as a form of maternity leave.
- 24 Fiji: The 2018–19 National Budget introduced a social assistance benefit for pregnant women in low-income households. The Parenthood Assistance Payment provides 1,000 Fijian dollars to eligible women (the first 500 dollars are paid immediately after childbirth and the remaining 500 once the child reaches age of one).
- 25 Malaysia: Article 39 of the Employment Act states that if a female employee dies from any cause during the eligible period of maternity leave and benefit, her employer is liable to pay any maternity allowance to the person nominated by her. However, there is no provision for leave to be transferred.
- 26 Singapore: The maternity leave is 12 weeks if the child is not a Singaporean citizen.
- 27 Singapore: For the first and second child, the employer pays the first eight weeks and can claim reimbursement from the Government up to a ceiling for the last eight weeks. For the third and subsequent children, the Government pays the 16 weeks up to a ceiling.
- 28 Thailand: There is also voluntary coverage under social insurance for self-employed persons in the informal sector.
- 29 Timor-Leste: However, there is a separate entitlement to adoption cash benefit in article 12 of Decree-Law No. 18/2017, although adoption leave is not specified in Labour Code.
- 30 Afghanistan: However, the employer may not reduce wages because of pregnancy or nursing.
- 31 India: Employers provide maternity benefits to employees in factories and establishments not covered by the Employees' State Insurance Act of 1948.
- 32 Sri Lanka: The amount of maternity leave benefits is 6/7 of previous earnings for employees covered by the Maternity Benefits Ordinance and 100 per cent for those covered by the Shops and Offices Employees Act.
- 33 Georgia: The legislation deems this period as one long period of "Maternity and childcare leave" and can be taken at the discretion of the worker both for prenatal and postnatal periods. The unpaid portion has been reflected in this report as maternity leave as opposed to parental leave because the periods are not separated in the legislation; however, the 547 unpaid days could also be characterized as parental leave available only to the mother.
- 34 Tajikistan: This is not strictly termed maternity leave; however, employees who adopt are granted 70 calendar days of leave from the day of child birth for the period of adoption and are paid allowance for this period from the public social insurance fund.
- 35 Ukraine: Under exceptional circumstances the leave may be transferred to parents, guardians (trustees), foster parents, one of the adoptive parents, or one of the parent-educators.
- 36 Bosnia and Herzegovina: There is no labour law at the state/national level. The main labour laws are those passed in the following two entities and a district: The Federation of Bosnia and Herzegovina, the Republika Srpska, and the Brcko District of Bosnia and Herzegovina. All share a common length of leave (one year) however other indicators are for the Federation of Bosnia and Herzegovina only.
- 37 Germany: There is a right not to be transferred to a lower position after maternity leave in case law; however, case law is beyond the scope of this report. As it has not been possible to check case law for all countries, only legislative provisions, regulations and collective agreements that cover most workers have been consulted to ensure comparability between countries.
- 38 Malta: It appears from article 12A(c) of Subsidiary Legislation 452.91 of 5 January 2004 that the burden of proof applies to employees only during a probation period.
- 39 Montenegro: The per cent cash benefit the employee receives depends on the length of service with the employer; employees with at least 12 months service receive 100 per cent, but employees with less service receive lower benefit (70 per cent for 6–12 months service, 50 per cent for 3–6 months service, and 30 per cent for less than 3 months service).
- 40 Portugal: The Initial Parental Leave scheme provides for 120 days of parental leave paid at 100 per cent or 150 days at 80 per cent. Mothers must take at least 45 days (six weeks) of postnatal leave. The remaining period may be divided between parents by mutual agreement. A "sharing bonus" of an additional 30 days is provided if both parents share the leave. An Additional Parental Leave of three months is available to each parent immediately after the initial parental leave (see parental leave table).

- 41 Slovenia: Article 186 of the Parental Care and Family benefits Act 2014 specifies, "(3) After the termination of parental leave, the employer must enable the employee to start performing work under the conditions from the employment contract."
- 42 Switzerland: If the social insurance maternity compensation criteria are not met, a mother may make a claim against her employer for the continued payment of her salary, based on article 324a of the Swiss Code of Obligations. Moreover, certain cantons provide for specific maternity benefits for mothers who do not meet the federal eligibility criteria.
- 43 United Kingdom: The employer administers the payment. Employers in medium and large companies can be reimbursed for 92 per cent of the costs by the State (general revenues). Small employers can claim back 103 per cent through reductions of national insurance contributions paid by employers to the Government's tax authority.

► Table A.2. Paternity leave

Country	Duration of paternity leave in national legislation	Amount of paternity leave cash benefits (% of previous earnings)	Source of funding of paternity leave cash benefits	Provision of paternity leave cash benefits for self-employed workers	Provision of paternity leave for adoptive parents	Provision of paternity leave for same-sex parents	Paternity leave – Length of protection against dismissal	Burden of proving the reasons for dismissal are not related to paternity leave	Right to return to the same or equivalent position
<b>Africa</b>									
<b>Northern Africa</b>									
Algeria	3 days	100	Employer liability	No	No	No	No explicit protection	Employer not required to prove	Not guaranteed
Egypt	–	–	–	–	–	–	–	–	–
Libya	–	–	–	–	–	–	–	–	–
Morocco	3 days	100	Social insurance <sup>1</sup>	No	No	No	No explicit protection	Employer not required to prove	Not guaranteed
Sudan	–	–	–	–	–	–	–	–	–
Tunisia	1 day	100	Social insurance	No	No	No	No explicit protection	Employer not required to prove	Not guaranteed
<b>Sub-Saharan Africa</b>									
Angola	1 day	100	Employer liability	No	No	No	No explicit protection	Employer not required to prove	Not guaranteed
Benin	3 days <sup>2</sup>	100	Employer liability	No	No	No	No explicit protection	Employer not required to prove	Same position
Botswana	–	–	–	–	–	–	–	–	–
Burkina Faso	3 days	100	Employer liability	No	No	No	As a result of	Employer must prove	Not guaranteed
Burundi	4 days	100	Employer liability	No	Yes	No	No explicit protection	Employer not required to prove	Not guaranteed
Cabo Verde	2 days	100	Employer liability	No	No	No	No explicit protection	Employer not required to prove	Not guaranteed
Cameroon	3 days (from collective agreement)	100	Employer liability	No	No	No	No explicit protection	Employer not required to prove	Not guaranteed
Central African Republic	–	–	–	–	–	–	–	–	–
Chad	1 day for childbirth by wife	100	Employer liability	No	No	No	No explicit protection	Employer not required to prove	Not guaranteed
Comoros	–	–	–	–	–	–	–	–	–
Congo	–	–	–	–	–	–	–	–	–
Côte d'Ivoire	2 days	100	Employer liability	No	No	No	No explicit protection	Employer not required to prove	Not guaranteed
Democratic Republic of the Congo	2 days	100	Employer liability	No	No	No	No explicit protection	Employer not required to prove	Not guaranteed

Country	Duration of paternity leave in national legislation	Amount of paternity leave cash benefits (% of previous earnings)	Source of funding of paternity leave cash benefits	Provision of paternity leave cash benefits for self-employed workers	Provision of paternity leave for adoptive parents	Provision of paternity leave for same-sex parents	Paternity leave – Length of protection against dismissal	Burden of proving the reasons for dismissal are not related to paternity leave	Right to return to the same or equivalent position
Africa									
Sub-Saharan Africa									
Djibouti	3 days	100	Employer liability	No	No	No	No explicit protection	Employer not required to prove	Not guaranteed
Equatorial Guinea	3 days	100	Employer liability	No	No	No	No explicit protection	Employer not required to prove	Not guaranteed
Eritrea	–	–	–	–	–	–	–	–	–
Eswatini	–	–	–	–	–	–	–	–	–
Ethiopia	3 consecutive days	100	Employer liability	No	No	No	No explicit protection	Employer not required to prove	Not guaranteed
Gabon	3 days	100	Employer liability	No	No	No	No explicit protection	Employer not required to prove	Not guaranteed
Gambia	10 days	100	Employer liability	No	No	No	No explicit protection	Employer not required to prove	Not guaranteed
Ghana	–	–	–	–	–	–	–	–	–
Guinea	–	–	–	–	–	–	–	–	–
Guinea-Bissau	–	–	–	–	–	–	–	–	–
Kenya	14 days (2 weeks)	100	Employer liability	No	Yes	No	Paternity leave	Employer must prove	Not guaranteed
Lesotho	–	–	–	–	–	–	–	–	–
Liberia	5 days	0	n/a	No	No	No	As a result	Employer must prove	Not guaranteed
Madagascar	–	–	–	–	–	–	–	–	–
Malawi	–	–	–	–	–	–	–	–	–
Mali	3 days	100	Social insurance	Yes (voluntary)	No	No	No explicit protection	Employer not required to prove	Not guaranteed
Mauritania	–	–	–	–	–	–	–	–	–
Mauritius	5 continuous working days	100	Employer liability	No	No	No	Paternity leave <sup>3</sup>	Employer not required to prove	Not guaranteed
Mozambique	1 day	100	Employer liability	No	No	No	No explicit protection	Employer not required to prove	Not guaranteed
Namibia	–	–	–	–	–	–	–	–	–
Niger	1 day	100	Employer liability	No	No	No	No explicit protection	Employer not required to prove	Not guaranteed
Nigeria	–	–	–	–	–	–	–	–	–
Rwanda	4 days	100	Employer liability	No	No	No	Paternity leave	Employer not required to prove	Not guaranteed
Sao Tome and Principe	–	–	–	–	–	–	–	–	–
Senegal	1 day	100	Employer liability	No	No	No	No explicit protection	Employer not required to prove	Not guaranteed

Country	Duration of paternity leave in national legislation	Amount of paternity leave cash benefits (% of previous earnings)	Source of funding of paternity leave cash benefits	Provision of paternity leave cash benefits for self-employed workers	Provision of paternity leave for adoptive parents	Provision of paternity leave for same-sex parents	Paternity leave – Length of protection against dismissal	Burden of proving the reasons for dismissal are not related to paternity leave	Right to return to the same or equivalent position
Africa									
Sub-Saharan Africa									
Seychelles	10 consecutive working days <sup>4</sup>	100	Mixed (80 up to a ceiling (2 480 rupees a month) (universal), employer pays the difference between the universal amount and the full salary)	Yes	No	No	No explicit protection	Employer not required to prove	Not guaranteed
Sierra Leone	–	–	–	–	–	–	–	–	–
Somalia	–	–	–	–	–	–	–	–	–
South Africa	10 consecutive days	66 up to a ceiling (14 872 rand per month)	Social insurance	No	Yes	Yes	Paternity leave, additional period, as a result of	Employer must prove	Not guaranteed
South Sudan	14 days (2 weeks)	100	Employer liability	No	No	No	Paternity leave	Employer not required to prove	Same position
Togo	2 days in collective agreement	100	Employer liability	No	No	No	No explicit protection	Employer not required to prove	Not guaranteed
Uganda	4 days	100	Employer liability	No	No	No	Paternity leave	Employer must prove	Same position
United Republic of Tanzania	3 days (of a 36 month cycle)	100	Employer liability	No	No	No	Paternity leave	Employer must prove	Not guaranteed
Zambia	5 continuous working days	0	n/a	No	No	No	Paternity leave	Employer must prove	Not guaranteed
Zimbabwe	–	–	–	–	–	–	–	–	–
Americas									
Latin America and the Caribbean									
Antigua and Barbuda	–	–	–	–	–	–	–	–	–
Argentina	2 days	100	Employer liability	No	No	No <sup>5</sup>	No explicit protection	Employer not required to prove	Not guaranteed
Bahamas	7 days (1 week) <sup>6</sup>	0	n/a	No	No	No	No explicit protection	Employer not required to prove	Not guaranteed
Barbados	–	–	–	–	–	–	–	–	–
Belize	–	–	–	–	–	–	–	–	–
Bolivia (Plurinational State of)	3 days	100	Employer liability	No	No	No	No explicit protection	Employer not required to prove	Not guaranteed



Country	Duration of paternity leave in national legislation	Amount of paternity leave cash benefits (% of previous earnings)	Source of funding of paternity leave cash benefits	Provision of paternity leave cash benefits for self-employed workers	Provision of paternity leave for adoptive parents	Provision of paternity leave for same-sex parents	Paternity leave – Length of protection against dismissal	Burden of proving the reasons for dismissal are not related to paternity leave	Right to return to the same or equivalent position
Americas									
Latin America and the Caribbean									
Brazil	5 days	100	Employer liability	No	Yes	No	No explicit protection	Employer not required to prove	Not guaranteed
British Virgin Islands	30 days (1 month)	0	n/a	No	No	No	As a result of	Employer must prove	Not guaranteed
Chile	5 days	100	Employer liability	No	Yes	No	No explicit protection	Employer not required to prove	Not guaranteed
Colombia	8 days	100	Social insurance	Yes	No <sup>7</sup>	No	Paternity leave, additional period	Employer must prove	Same position
Costa Rica	–	–	–	–	–	–	–	–	–
Cuba	–	–	–	–	–	–	–	–	–
Dominican Republic	2 days	100	Employer liability	No	No	No	No explicit protection	Employer not required to prove	Not guaranteed
Ecuador	10 days	100	Employer liability	No	Yes	No	No explicit protection	Employer not required to prove	Not guaranteed
El Salvador	3 days	100	Employer liability	No	Yes	No	No explicit protection <sup>8</sup>	Employer not required to prove	Not guaranteed
Guatemala	2 days	100	Employer liability	No	No	No	No protection	Employer not required to prove	Not guaranteed
Guyana	–	–	–	–	–	–	–	–	–
Haiti	–	–	–	–	–	–	–	–	–
Honduras	–	–	–	–	–	–	–	–	–
Jamaica	–	–	–	–	–	–	–	–	–
Mexico	5 days	100	Employer liability	No	Yes	Yes	Paternity leave, additional period	Employer not required to prove	Not guaranteed
Nicaragua	5 calendar days	100	Employer liability	No	No	No	No explicit protection	Employer not required to prove	Not guaranteed
Panama	3 days	100	Employer liability	No	No	No	No explicit protection	Employer not required to prove	Not guaranteed
Paraguay	14 days (2 weeks)	100	Employer liability	No	No	No	Paternity leave	Employer not required to prove	Not guaranteed
Peru	10 calendar days	100	Employer liability	No	No	No	No explicit protection	Employer not required to prove	Not guaranteed
Saint Kitts and Nevis	–	–	–	–	–	–	–	–	–
Saint Lucia	–	–	–	–	–	–	–	–	–
Saint Vincent and the Grenadines	–	–	–	–	–	–	–	–	–
Suriname	8 days	100	Social insurance (interim employer liability) <sup>9</sup>	No	Yes (5 days)	No	Paternity leave; as a result of	Employer not required to prove	Same position or equivalent





Country	Duration of paternity leave in national legislation	Amount of paternity leave cash benefits (% of previous earnings)	Source of funding of paternity leave cash benefits	Provision of paternity leave cash benefits for self-employed workers	Provision of paternity leave for adoptive parents	Provision of paternity leave for same-sex parents	Paternity leave – Length of protection against dismissal	Burden of proving the reasons for dismissal are not related to paternity leave	Right to return to the same or equivalent position
Asia and the Pacific									
South-Eastern Asia and the Pacific									
Vanuatu	–	–	–	–	–	–	–	–	–
Viet Nam	5 days	100	Social insurance	No	No	No	Paternity leave, additional period	Employer not required to prove	Same position or equivalent
Southern Asia									
Afghanistan	10 days	100	Employer liability	No	No	No	No explicit protection	Employer not required to prove	Not guaranteed
Bangladesh	–	–	–	–	–	–	–	–	–
Bhutan	5 days	100	Employer liability	No	No	No	Paternity leave	Employer not required to prove	Not guaranteed
India	–	–	–	–	–	–	–	–	–
Iran (Islamic Republic of)	14 days (2 weeks)	100	Employer liability	No	No information found	No	No explicit protection	Employer not required to prove	Not guaranteed
Maldives	3 days (commencing on date of birth)	100	Employer liability	No	No	No	Paternity leave	Employer must prove	Not guaranteed
Nepal	15 days	100	Employer liability <sup>14</sup>	No	No	No	No explicit protection	Employer not required to prove	Not guaranteed
Pakistan	–	–	–	–	–	No information found	No explicit protection	Employer not required to prove	Not guaranteed
Sri Lanka	–	–	–	–	–	No	Paternity leave, additional period	Employer not required to prove	Same position
Europe and Central Asia									
Central and Western Asia									
Armenia	61 days (2 months)	0	n/a	No	Yes	Yes	Paternity leave	Employer not required to prove	Same position
Azerbaijan	14 calendar days	0	n/a	No	No	No	Paternity leave, additional period <sup>15</sup>	Employer must prove	Not guaranteed
Cyprus	14 days (2 weeks)	72	Social insurance	Yes	Yes	No	Paternity leave, additional period	Employer must prove	Same position
Georgia	–	–	–	–	–	–	–	–	–
Israel <sup>16</sup>	–	–	–	–	–	–	–	–	–
Kazakhstan	5 days	0	n/a	No	No	No	Paternity leave	Employer not required to prove	Same position
Kyrgyzstan	5 days	0	n/a	No	No	No	No explicit protection	Employer not required to prove	Not guaranteed

Country	Duration of paternity leave in national legislation	Amount of paternity leave cash benefits (% of previous earnings)	Source of funding of paternity leave cash benefits	Provision of paternity leave cash benefits for self-employed workers	Provision of paternity leave for adoptive parents	Provision of paternity leave for same-sex parents	Paternity leave – Length of protection against dismissal	Burden of proving the reasons for dismissal are not related to paternity leave	Right to return to the same or equivalent position
Europe and Central Asia									
Central and Western Asia									
Tajikistan	7 calendar days	0	n/a	Yes	No	No	No explicit protection	Employer not required to prove	Not guaranteed
Turkey	5 days	100	Employer liability	No	Yes (3 days)	No	As a result of	Employer must prove	Not guaranteed
Turkmenistan	–	–	–	–	–	–	–	–	–
Uzbekistan	–	–	–	–	–	–	–	–	–
Eastern Europe									
Kazakhstan	5 days	0	n/a	No	No	No	Paternity leave	Employer not required to prove	Same position
Kyrgyzstan	5 days	0	n/a	No	No	No	No explicit protection	Employer not required to prove	Not guaranteed
Tajikistan	7 calendar days	0	n/a	Yes	No	No	No explicit protection	Employer not required to prove	Not guaranteed
Belarus	14 calendar days	0	n/a	No	Yes	No	Paternity leave, additional period	Employer not required to prove	Not guaranteed
Bulgaria	15 days	90 up to a ceiling (monthly maximum insurance income of 3 000 leva)	Social insurance	Yes	Yes	No	Paternity leave	Employer not required to prove	Not guaranteed
Czechia	7 calendar days	70 up to a ceiling (8 575 korunas per 7 days)	Social insurance	Yes (voluntary)	Yes	No	Paternity leave, as a result of	Employer must prove	Not guaranteed
Hungary	5 days	100	Social insurance	Yes	No	No	No explicit protection	Employer not required to prove	Not guaranteed
Poland	14 days (2 weeks)	100	Social insurance	Yes	Yes	No	No explicit protection	Employer not required to prove	Not guaranteed
Republic of Moldova	–	–	–	–	–	–	–	–	–
Romania	5 days <sup>17</sup>	100	Employer liability	No	No	No	Paternity leave, as a result of	Employer must prove	Not guaranteed
Russian Federation	–	–	–	–	–	–	–	–	–
Slovakia	197 days (28 weeks) <sup>18</sup>	75 up to a ceiling (twice the national average wage from two years before: €1 549)	Social insurance	Yes	Yes	No	Paternity leave, additional period	Employer not required to prove	Same position or equivalent
Ukraine	14 calendar days	0	n/a	No	Yes <sup>19</sup>	No	No protection	Employer not required to prove	Not guaranteed
Northern, Southern and Western Europe									
Albania	3 days	100	Employer liability	No	No	No	As a result of	Employer must prove	Not guaranteed

Country	Duration of paternity leave in national legislation	Amount of paternity leave cash benefits (% of previous earnings)	Source of funding of paternity leave cash benefits	Provision of paternity leave cash benefits for self-employed workers	Provision of paternity leave for adoptive parents	Provision of paternity leave for same-sex parents	Paternity leave – Length of protection against dismissal	Burden of proving the reasons for dismissal are not related to paternity leave	Right to return to the same or equivalent position
Europe and Central Asia									
Northern, Southern and Western Europe									
Andorra	28 days (4 weeks)	100	Social insurance	No	Yes	No	As a result	Employer not required to prove	Same position or equivalent
Austria	30 days (1 month)	Flat-rate benefit €22.60 per calendar day	Mixed (70% social insurance, 30% universal)	Yes (special system)	Yes	Yes	Paternity leave, additional period	Employer not required to prove	No information found
Belgium	10 days	100% for first 3 days, 82% remaining days (there is an upper limit of €120.52 per day as of March 2020)	Mixed (employer liability first 3 days; social security (remaining days))	Yes	No	Yes	Paternity leave, additional period	Employer must prove	Not guaranteed
Bosnia and Herzegovina <sup>20</sup>	7 days	100	Employer liability	No	Yes	No	No explicit protection	Employer not required to prove	Not guaranteed
Croatia	–	–	–	–	–	–	–	–	–
Denmark	14 calendar days	100 up to a ceiling (4 405 kroner per week for full-time employees, before tax.) (All workers covered by collective agreements have no ceiling) <sup>21</sup>	Mixed (state-funded flat-rate benefit; employer tops up the remaining gap)	Yes	Yes	Yes <sup>22</sup>	Paternity leave, as a result of	Employer must prove	Same position or equivalent
Estonia	10 days	100 up to a ceiling (three times the national average monthly income for the previous quarter)	Social insurance	No	No	No	No explicit protection	Employer not required to prove	Not guaranteed
Finland	54 days	70 up to a ceiling <sup>23</sup>	Social insurance	Yes	Yes	Yes <sup>24</sup>	Paternity leave, as a result of	Employer must prove	Same position or equivalent
France	25 calendar days	100 up to a ceiling (€3 311 monthly)	Social insurance	Yes	Yes	Yes	No explicit protection	Employer not required to prove	Same position or equivalent
Germany	–	–	–	–	–	–	–	–	–
Greece	2 days	100	Employer liability	No	Yes	No <sup>25</sup>	Paternity leave	Employer must prove	Same position or equivalent
Iceland	183 days (6 month)	80 up to a ceiling (600 000 krónur per month)	Social insurance	Yes	Yes	Yes	Paternity leave, additional period	Employer must prove	Same position or equivalent

Country	Duration of paternity leave in national legislation	Amount of paternity leave cash benefits (% of previous earnings)	Source of funding of paternity leave cash benefits	Provision of paternity leave cash benefits for self-employed workers	Provision of paternity leave for adoptive parents	Provision of paternity leave for same-sex parents	Paternity leave – Length of protection against dismissal	Burden of proving the reasons for dismissal are not related to paternity leave	Right to return to the same or equivalent position
Europe and Central Asia									
Northern, Southern and Western Europe									
Ireland	14 days (2 weeks)	Flat rate (€235 a week)	Social insurance	Yes	Yes	Yes	Paternity leave	Employer must prove	Same position or equivalent
Italy	10 days	100	Social insurance	No	Yes	No	Paternity leave, additional period	Employer must prove	Same position or equivalent
Latvia	10 calendar days	80	Social insurance	Yes	Yes	No	Paternity leave	Employer must prove	Same position or equivalent
Lithuania	30 days (1 month)	77.58 up to a ceiling (the country's average wage as calculated quarterly)	Social insurance	Yes	No	No	Paternity leave, additional period	Employer must prove	Same position or equivalent
Luxembourg	10 days	100	Mixed (2 days employer liability; 8 days universal (state funded))	No	Yes	Yes	No explicit protection	Employer not required to prove	Not guaranteed
Malta	1 day	100	Employer liability	No	No	No	No explicit protection	Employer not required to prove	Not guaranteed
Monaco	12 calendar days	90 up to a ceiling (€255 daily)	Social insurance	Yes (special system)	No	No	Paternity leave, additional period	Employer must prove	Same position
Montenegro	–	–	–	–	–	–	–	–	–
Netherlands	42 days (6 weeks)	100 for first week, 70 for 5 weeks	Mixed: 100% employer liability for first week, 70% social insurance for additional 5 weeks	No	Yes	Yes	Paternity leave, additional period	Employer must prove	Not guaranteed
North Macedonia	7 days	100	Employer liability	No	No	No	Paternity leave	Employer not required to prove	Same position or equivalent
Norway	14 consecutive days	0	n/a	No	Yes	Yes	Paternity leave, additional period, as a result of	Employer must prove	Not guaranteed
Portugal	25 working days	100	Social insurance	Yes	Yes	Yes	Paternity leave	Employer must prove	Same position
San Marino	–	–	–	–	–	–	–	–	–
Serbia	5 days	100	Employer liability	No	No	No	No protection	Employer not required to prove	Not guaranteed

Country	Duration of paternity leave in national legislation	Amount of paternity leave cash benefits (% of previous earnings)	Source of funding of paternity leave cash benefits	Provision of paternity leave cash benefits for self-employed workers	Provision of paternity leave for adoptive parents	Provision of paternity leave for same-sex parents	Paternity leave – Length of protection against dismissal	Burden of proving the reasons for dismissal are not related to paternity leave	Right to return to the same or equivalent position
Europe and Central Asia									
Northern, Southern and Western Europe									
Slovenia	30 calendar days	100 up to a ceiling (of 2.5 times the average salary in Slovenia (€3 664.30 per month).)	Social insurance	Yes	Yes	Yes	Paternity leave, additional period	Employer must prove	Same position or equivalent
Spain	112 days (16 weeks)	100 up to a ceiling (€4 070.10 monthly)	Social insurance	Yes	Yes	Yes	Paternity leave, additional period	Employer must prove	Same position
Sweden	10 days	77.6 up to a ceiling (348 750 kronor per year)	Social insurance	Yes	Yes	Yes	Paternity leave, as a result of	Employer must prove	Same position
Switzerland	14 days (2 weeks)	80 up to a ceiling (CHF196 per day)	Social insurance	Yes	No	No	As a result of	Employer must prove	Not guaranteed
United Kingdom of Great Britain and Northern Ireland	14 days (2 weeks)	Lower of 90% or flat-rate (£151.20 weekly)	Mixed (employers reimbursed up to 92% by public funds) <sup>26</sup>	No	Yes	Yes	Paternity leave, additional period	Employer must prove	Same position or equivalent

**Note:** 185 countries and territories. – = No paternity leave. n/a = Not applicable.

**Source:** Compiled by authors from national legislation.



## Methodological notes

Paternity leave is defined as a leave period reserved for fathers or partners of the birthing parents in relation to childbirth or leave that can be used exclusively by fathers or partners as paternity leave. It does not include parental leave provisions that can be used by the father or mother or parts of maternity leave entitlements that the mother can transfer to the father. It does not include “special” leave provisions in addition to annual leave that may be used by fathers at the time of birth, but which are not strictly “paternity leave” (such as in Benin, Burkina Faso, Burundi, Cameroon, Central African Republic, Chad, Comoros, Cote d’Ivoire, Djibouti, Libya, Madagascar, Mali, Mauritania, Togo). In the previous ILO (2014a) report *Maternity and Paternity at Work: Law and Practice Across the World*, these “special leave” provisions were counted as paternity leave. In this report these provisions have instead been included under the new section “emergency leave”, and paternity leave durations for these countries have been calculated according to the provisions of collective bargaining agreements applicable to the large majority of workers in the private sector.

Legal information in this appendix refers to the normal general provisions on paternity leave for singleton and uncomplicated childbirths as provided for by legislation at the national level (or collective bargaining agreements, where applicable) for private sector workers. For federal States, the federal legislation is reported unless indicated otherwise in an endnote.

### Duration of paternity leave in national legislation

Unless otherwise specified, the duration of paternity leave in days is intended as working days, since paternity leave is usually provided in this way. Paternity leave entitlement can often be taken flexibly and not over a consecutive period. For comparative purposes, duration in weeks and months as expressed in the national legislation has also been converted into working days and the leave, as found in national legislation, has been put in brackets next to the working days.

### Amount of paternity leave cash benefits (% of previous earnings)

Based on Article 6 of Convention No. 183, the amount of cash benefits is expressed as a percentage of the worker’s earnings prior to the beginning of paternity leave or of such of those earnings as are taken into account for the purpose of computing benefits.

### Source of funding of paternity leave cash benefits

Countries are classified as being financed by:

- ▶ social insurance (contributory scheme);
- ▶ social assistance (non-contributory scheme, funded through general taxation);
- ▶ the employer (“employer liability”); or
- ▶ a combination of these systems (“mixed system”).

**Employer liability** includes systems in which employers are statutorily responsible for the full payment of the previous earnings of workers on paternity leave. It also includes mixed systems in which employers are liable for the payment of at least one-third of previous earnings.

A mixed system might involve an initial payment by the employer, followed by a partial reimbursement by social insurance or public funds. Mixed systems might also provide that the employer pays the difference between the social insurance benefit and the worker’s previous earnings. Some systems stipulate that the employer has to pay for workers who are not covered by social security. For the purposes of this report, benefits paid to these latter workers are classified as being funded by social security.

### Provision of paternity leave cash benefits for self-employed workers

Where the source of funding for the paternity leave benefit is employer liability, or where the social insurance or state funding scheme does not include self-employed persons, the indicator is expressed as “No”. Where the social insurance or state funding scheme does include self-employed persons, the indicator is expressed as “Yes”. “Voluntary” (added in brackets) indicates that statutory provision of paternity leave cash benefits is mandated for self-employed persons only on a non-mandatory basis.

### Provision of paternity leave for adoptive parents

“Yes” indicates that legislation expressly provides for leave to be applicable to adoptive parents. “No” indicates that legislation does not expressly provide for leave to be applicable to adoptive parents.

### Provision of paternity leave for same-sex parents

“Yes” indicates that the law provides paternity leave entitlements to either a male and female partner in a same-sex partnership (the non-birthing or non-primary carer partner). “No” indicates that the law does not provide paternity leave entitlement to either a male and female partner in a same-sex partnership. Where same-sex partnerships are prohibited, “No” has been used. Where the law is not clear and could provide this entitlement to same-sex partners, but there is no evidence of the law entering into force, “No information found” has been used.

### Paternity leave – Length of protection against dismissal

- ▶ Paternity leave = workers are protected from dismissal during paternity leave.
- ▶ Additional period = workers are protected from dismissal during a period before or after their return to work from paternity leave.
- ▶ As a result of = workers are protected from dismissal as a result of/in relation to paternity leave; however, the specific period is not defined and may therefore cover before, during and after paternity.
- ▶ No explicit protection = the law does not provide any type of legal protection against dismissal in relation to paternity.

This indicator determines whether the legislation provides employment protection during paternity, which constitutes a period including leave and an additional period following the worker's return to work. All the periods covered by statutory employment protection for which information was available or could be identified are reported for each country. The indicator does not specify whether the legislation allows dismissal on grounds unrelated to the paternity. The value “additional period” includes any period of protection from dismissal upon return to work in relation to paternity and any period before taking paternity, such as from the moment the worker notified their intention to take leave. The length of this “additional period” varies from country to country.

### Burden of proving the reasons for dismissal are not related to paternity leave

- ▶ Employer = the burden of proof rests on the employer.
- ▶ Worker = the burden of proof rests on the worker.
- ▶ Not provided = the legislation does not include a statutory provision on the burden of proof.

This indicator aims to determine on which party, if any, the legislation places the obligation to prove whether an unlawful dismissal has or has not occurred (“burden of proof”). The shift to the defendant (that is, to the employer) to prove that discrimination had not occurred is a significant asset in assisting victims of discrimination in judicial or other dispute settlement mechanisms.

## Right to return to the same or equivalent position

- ▶ Same position = workers are entitled to return to the same position after paternity leave.
- ▶ Same position or equivalent = workers are entitled to return to the same or an equivalent position after paternity leave.
- ▶ Not guaranteed = workers are not guaranteed the right to return to the same or an equivalent position after paternity leave.

This indicator assesses whether the legislation grants the right to job-protected paternity leave and under what conditions. In some countries, the legislation provides for the right to return to the same position, while in other countries, employers can choose to reintegrate the worker into the same position or an equivalent one after paternity leave. Therefore, a distinction is made between return to the “same position” and return to the “same position or equivalent”. This indicator does not specify whether the same or equivalent position is paid at the same rate as before paternity leave.

## Sources

All information in the table is based on a review of data which took place from mid-2020 to mid-2021. The main sources of information used to collect the data were the [ILO NATLEX Database](#) of national labour, social security and related human rights legislation, and official government websites using the most recent published and consolidated versions of the laws.

## Table notes

- 1 Morocco: For insured workers, the National Social Security Fund refunds the employer up to a ceiling.
- 2 Benin: This is a collective agreement which covers most of the private sector. In previous reports Benin, Burkina Faso, Burundi, Cameroon, Central African Republic, Chad, Comoros, Cote d'Ivoire, Libya, and Djibouti, Madagascar, Mali, Mauritania, Togo stated additional days of paternity leave.
- 3 Mauritius: Protection from dismissal pertains to exercising any rights provided within the act. Paternity leave is characterized as a right. Unlawful dismissal based on paternity leave is therefore implicit rather than explicit.
- 4 Seychelles: The working days must be taken consecutively.
- 5 Argentina: There has been at least one judgment in favour of a same-sex couple to extend paternity leave to same-sex partners; see: <http://www.va-abogados.com.ar/licencia-por-maternidad-paternidad-equiparacion-en-el-matrimonio-igualitario>.
- 6 Barbados: This leave is available to any employee following the birth of a child.
- 7 Colombia: The person taking paternity leave must be the spouse or partner of the person giving birth. The taker of paternity need not be the biological father or mother; however, the other parent must have given birth.
- 8 El Salvador: Under the Labour Code all dismissals are considered unjust dismissal unless for a reason specified in the Labour Code, however there are no explicit protections like those protecting pregnancy and maternity leave.
- 9 Suriname: According to guidance issued by the Government, the 2019 law introducing social insurance for maternity and paternity leave benefits must be in force within three years of passing the Act. In the transition phase, workers are entitled to the leave with the benefit paid by the employer. See: <http://atm.gov.sr/media/1261/wag-pdf.pdf>.
- 10 China: No statutory entitlement exists nationally. However, in all provinces, paternity leave is provided ranging from 7 days (Shandong and Tianjin) to 30 days/one month (Yunnan, Gansu, Henan, and Tibet). Fifteen days is the standard in most areas. Where paternity leave is provided, fathers taking leave receive full earnings.
- 11 Republic of Korea: The Employment Insurance Fund pays for five days on behalf of SMEs to reduce the financial burden on the SME.
- 12 Republic of Korea: The burden of proof is placed on the employer in discrimination cases; however, discrimination is limited in definition to sex, marriage, status within the family, pregnancy and childbirth. It does not cover workers with family responsibilities or paternity leave.
- 13 Fiji: Article 75 of the Labour Code does not explicitly cite family responsibilities as an unlawful ground for discrimination for this part of the Code, however article 77(c) states that an employer shall not terminate a qualified employee if other employees in the same position would not be terminated.

- 14 Nepal: The 2017 law established a mandatory social insurance programme for private-sector employees, including daily workers. The programme is being gradually implemented and started in May 2019. Until the full programme is implemented, employers will continue to bear liability for maternity and paternity benefits.
- 15 Azerbaijan: "Additional period" protection against dismissal is for men who are bringing up the child independently or are the sole earners for dependent children.
- 16 Israel: Fathers are entitled to take sick leave and annual leave from the start of labour for six calendar days. Fathers who have not accumulated enough sickness leave or annual leave days are not entitled to this leave.
- 17 Romania: Paid paternity leave is provided to fathers for 5 days however an extension of 10 days for a total of 15 days paid paternity leave is provided if fathers undertake an infant care course.
- 18 Slovakia: The leave captured in this section is maternity leave reserved for fathers, paid at the same rate and under the same conditions as maternity benefits. Fathers can take the leave from birth, while receiving the maternity benefit reserved for father.
- 19 Ukraine: Fathers have access to 56 paid calendar days of leave for adoption under the provision related to leave granted to women who have adopted children.
- 20 Bosnia and Herzegovina: The information provided is for the Federation of Bosnia and Herzegovina.
- 21 Denmark: About 75 per cent of the workforce is covered by collective agreements, mandating employers to top up the state benefits, which represent on average around 50 per cent of previous earnings. Under this framework, workers receive compensation during leave from their employer up to their full previous earnings (up to a ceiling).
- 22 Denmark: The female same-sex partner of the biological mother can adopt from birth and is entitled to paternity and parental leave. The non-biological father can only adopt the child after 2.5 years and does therefore not have eligibility for paternity (and parental) leave.
- 23 Finland: 70 per cent of previous earnings up to a ceiling, with 40 per cent of previous earnings above that ceiling up to a ceiling and 25 per cent of previous earnings above that ceiling.
- 24 Finland: Female same-sex couples only, as the leave-taker must be living with, married to or registered as a partner to the biological mother.
- 25 Greece: The National General Collective Agreement (2008/9) provides that all leave provisions that address biological or adoptive parents are extended to foster parents. As foster parents can be same-sex couples, they should be able to access leave via this route, however neither the law nor other sources researched have confirmed this.
- 26 United Kingdom: The employer administers the payment. Employers in medium and large companies can be reimbursed for 92 per cent of the costs by the State (general revenues). Small employers can claim back 103 per cent through reductions of national insurance contributions paid by employers to the Government's tax authority.



[illegible]













Country	Duration of parental leave in national legislation	Amount of parental leave cash benefits (% of previous earnings)	Source of funding of parental leave cash benefits	Provision of parental leave cash benefits for self-employed workers	Provision of parental leave for adoptive parents	Provision of parental leave for same-sex parents	Parental leave – Length of protection against dismissal	Burden of proving the reasons for dismissal are not related to parental leave	Right to return to the same or equivalent position
Europe and Central Asia									
Central and Western Asia									
Armenia	156 weeks (3 years either parent)	Flat rate is paid to a parent who takes time off work to care for a child under 2	Social assistance	No	Yes	No	Parental leave	Employer not required to prove	Not guaranteed
Azerbaijan	156 weeks (until the child is three) either parent or actual carer	Partially paid social leave in the amount determined by legislation (44 manat a month is paid for each eligible child younger than 18 months; 28 manat a month for each child aged 18 months to 3 years)	Social insurance	Yes	Yes	No	Parental leave, additional period	Employer must prove	Not guaranteed
Cyprus	36 weeks (18 weeks each parent (only 5 weeks can be taken per year))	0	n/a	No	Yes	No	Parental leave, additional period	Employer must prove	Same position or equivalent
Georgia	–	–	–	–	–	–	–	–	–
Israel	104 weeks (52 weeks each parent)	0	n/a	No	Yes	Yes	As a result of	Employer must prove	Not guaranteed
Kazakhstan	156 weeks (156 weeks (until child reaches 3 years) either parent or actual carer)	100 for 52 weeks (1 year)	Social insurance	No	Yes	No	Parental leave	Employer not required to prove	Same position
Kyrgyzstan	312 weeks (until child reaches 3 years for each parent (or actual caregiver))	Flat rate (700 soms a month) (payment only for mother)	Universal	Yes	Yes	No	No information found	Employer not required to prove	Same position
Tajikistan	156 weeks (paid leave until their children reach 18 months and an additional unpaid leave until the child reaches 3 years)	100 paid to the mother until their children reach 18 months. unpaid until the child reaches three years old.	Social insurance	Yes	Yes	No	No explicit protection	Employer not required to prove	Same position
Turkey	26 weeks (6 months) ^	0	n/a	No	No	No	As a result of	Employer must prove	Not guaranteed

Country	Duration of parental leave in national legislation	Amount of parental leave cash benefits (% of previous earnings)	Source of funding of parental leave cash benefits	Provision of parental leave cash benefits for self-employed workers	Provision of parental leave for adoptive parents	Provision of parental leave for same-sex parents	Parental leave – Length of protection against dismissal	Burden of proving the reasons for dismissal are not related to parental leave	Right to return to the same or equivalent position
Europe and Central Asia									
Central and Western Asia									
Turkmenistan	156 weeks (until the child reaches 3 years of age)	Flat amount (65% of base amount for calculating state benefits)	Social insurance	No	Yes	No	Parental leave (women with children under 3)	Employer not required to prove	Same position
Uzbekistan	104 weeks (child until the age of two years) ^	Flat amount (200% of the monthly minimum wage)	Employer liability (parental leave is paid by citizens' self-government bodies for public sector)	No	Yes	No	Parental leave (mothers only) <sup>10</sup>	Employer not required to prove	Not guaranteed
Eastern Europe									
Belarus	156 weeks (until the child is three years) either parent or actual carer	35% of the national average wage from the relevant quarter is paid for the first eligible child; 40% for the second and subsequent eligible children	Social insurance	Yes	Yes	No	Parental leave	Employer not required to prove	Not guaranteed
Bulgaria	156 weeks (104 weeks either parent (until the child is 2), plus 6 months unpaid for each parent)	Flat rate (the monthly benefit rate is 380 leva (2019) for paid parental leave of 104 weeks) unpaid for 6 months	Social insurance	Yes	Yes	No	Parental leave, additional period (additional period for mothers only)	Employer not required to prove	Not guaranteed
Czechia	312 weeks (156 weeks each parent)	Flat rate benefit (per family: provided until the total amount of 300 000 korunas has been drawn, before the child's fourth birthday)	Universal	Yes	Yes	Yes	Parental leave	Employer not required to prove	Same position or equivalent

Country	Duration of parental leave in national legislation	Amount of parental leave cash benefits (% of previous earnings)	Source of funding of parental leave cash benefits	Provision of parental leave cash benefits for self-employed workers	Provision of parental leave for adoptive parents	Provision of parental leave for same-sex parents	Parental leave – Length of protection against dismissal	Burden of proving the reasons for dismissal are not related to parental leave	Right to return to the same or equivalent position
Europe and Central Asia									
Eastern Europe									
Hungary	156 weeks (either parent)	70% up to a ceiling (70% of twice the minimum wage of 225 288 florints per month) for 104 weeks for insured parents; flat rate benefits (the amount of the minimum pension of 28 500 florints monthly) for non-insured and all parents for the last 52 weeks	Social insurance	Yes	Yes	No	Parental leave	Employer must prove	Not guaranteed
Poland	188 weeks (32 weeks either parent (additional 36 months childcare leave either parent))	100 (6 weeks), 60 (26 weeks), childcare leave is flat rate	Social insurance (childcare leave is social assistance)	Yes	Yes	No	Parental leave, additional period	Employer must prove	Same position or equivalent
Republic of Moldova	156 weeks (until the child reaches 3 years of age)	30	Social insurance	Yes	Yes	No	Leave, additional period	Employer not required to prove	Not guaranteed
Romania	104 weeks either parent (2 years)	85 up to a ceiling (8 500 lei monthly)	Universal	Yes	Yes (less time and lower rate)	No	Parental leave, as a result of	Employer must prove	Same position or equivalent
Russian Federation	156 weeks (3 years (either parent or actual caregiver))	40 up to a ceiling for 18 months (either parent or actual caregiver) (27 984.66 rubles monthly)	Social insurance	Yes	Yes	No	Parental leave, additional period (women only)	Employer not required to prove	Same position
Slovakia	312 weeks (until the child is 3 years and can be taken simultaneously) <sup>11</sup>	Flat rate benefit for 128 weeks, either parent <sup>12</sup>	Universal	Yes	Yes	No	Parental leave, additional period	Employer not required to prove	Same position or equivalent
Ukraine	156 weeks (until the child reaches 3 years of age)	Income-tested benefit to a maximum of 1 841 hryvnias <sup>13</sup>	Social assistance	Yes	Yes	No	Parental leave (mothers only) <sup>14</sup>	Employer not required to prove	Not guaranteed
Northern, Southern and Western Europe									
Albania	35 weeks (4 months each parent)	0	n/a	No	Yes	No	As a result of	Employer must prove	Not guaranteed

Country	Duration of parental leave in national legislation	Amount of parental leave cash benefits (% of previous earnings)	Source of funding of parental leave cash benefits	Provision of parental leave cash benefits for self-employed workers	Provision of parental leave for adoptive parents	Provision of parental leave for same-sex parents	Parental leave – Length of protection against dismissal	Burden of proving the reasons for dismissal are not related to parental leave	Right to return to the same or equivalent position
Europe and Central Asia									
Northern, Southern and Western Europe									
Andorra	–	–	–	–	–	–	–	–	–
Austria	104 weeks (2 years either parent)	Mixed (80% of previous earnings or flat rate but cannot exceed €2 000 net per month) <sup>15</sup>	Social insurance	Yes	Yes	Yes (as long as they are the parent)	Parental leave, additional period	Employer not required to prove	Same position or equivalent
Belgium	139 weeks (4 months for each parent – plus one year full-time leave under the time credit system for each parent)	Flat rate (€750.33 per month after taxation (€834.90 before taxation). (For the time credit system, the maximum payment varies and it is approximately €500 for a full-time break)	Social insurance	No	Yes	Yes	Parental leave, additional period	Employer must prove	Not guaranteed
Bosnia and Herzegovina	–	–	–	–	–	–	–	–	–
Croatia	35 weeks (4 months paid each parent) <sup>16</sup>	The rate is 100% of the remuneration base with a ceiling of 5 654.20 kuna for parental leave of 6 or 8 months and a minimum of 2 328.20 kuna	Universal	Yes	Yes (6 months)	Yes	Parental leave, additional period	Employer must prove	Same position or equivalent
Denmark	64 weeks (32 each parent)	100 up to a ceiling (4 405 kroner per week for full-time employees, before tax) for 32 weeks <sup>17</sup>	Mixed: universal up to ceiling and employer top up	Yes	Yes	Yes <sup>18</sup>	Parental leave, as a result of	Employer must prove	Same position or equivalent
Estonia	156 weeks (156 weeks (until child reaches age of 3) either parent)	100 up to a ceiling (€3 089.55 monthly) for 62 weeks	Universal	Yes	Yes	Yes (if child is adopted by the other parent)	Parental leave, additional period	Employer must prove	Not guaranteed
Finland	26 weeks (158 working days either parent (one calendar week consists of six working days))	70 up to a ceiling <sup>19</sup>	Social insurance	Yes	Yes	Yes <sup>20</sup>	Parental leave, as a result of	Employer must prove	Same position or equivalent

Country	Duration of parental leave in national legislation	Amount of parental leave cash benefits (% of previous earnings)	Source of funding of parental leave cash benefits	Provision of parental leave cash benefits for self-employed workers	Provision of parental leave for adoptive parents	Provision of parental leave for same-sex parents	Parental leave – Length of protection against dismissal	Burden of proving the reasons for dismissal are not related to parental leave	Right to return to the same or equivalent position
Europe and Central Asia									
Northern, Southern and Western Europe									
France	312 weeks (until the child is 3 years and can be taken simultaneously)	Flat rate	Universal	Yes	Yes	Yes	No explicit protection	Employer not required to prove	Same position or equivalent
Germany	312 weeks (3 years each parent))	65 up to a ceiling (€1 800 per month) for 12 months either parent	Universal	Yes	Yes (parental benefit)	Yes (parental benefit)	Parental leave, additional period	Employer not required to prove	Not guaranteed
Greece	51 weeks (4 months each parent (there is also a reduced workday that can be taken as a block which amounts to 3.6 months of extra leave paid to either parent))	Flat rate for 2 months per parent and 100% of previous earnings for the block leave of 3.6 months	Employer liability for the block leave	No	Yes	No	Parental leave	Employer must prove	Same position or equivalent
Iceland	87 weeks (12 months either parent (paid), 4 months each parent unpaid))	80 up to a ceiling (600 000 krónur per month) for 12 months	Social insurance	Yes	Yes	Yes	Parental leave, additional period	Employer must prove	Same position or equivalent
Ireland	62 weeks (26 weeks each parent unpaid, plus parent leave of 5 weeks per parent paid)	Flat rate for 5 weeks each parent	Social insurance	Yes	Yes	Yes	Parental leave	Employer must prove	Same position or equivalent
Italy	48 weeks (11 months either parent, 10 months if father does not take at least 3 months)	30	Social insurance	Yes	Yes	Yes	Parental leave, additional period	Employer must prove	Same position or equivalent
Latvia	156 weeks (18 months each parent)	If a parent chooses to receive the benefit until a child reaches one year of age, the parental benefit is 60% of the previous earnings; if a parent chooses to receive the benefit until a child reaches 18 months of age, the parental benefit is 43.6% of the previous earnings	Social insurance	Yes	Yes	No	Parental leave	Employer must prove	Same position or equivalent



Country	Duration of parental leave in national legislation	Amount of parental leave cash benefits (% of previous earnings)	Source of funding of parental leave cash benefits	Provision of parental leave cash benefits for self-employed workers	Provision of parental leave for adoptive parents	Provision of parental leave for same-sex parents	Parental leave – Length of protection against dismissal	Burden of proving the reasons for dismissal are not related to parental leave	Right to return to the same or equivalent position
Europe and Central Asia									
Northern, Southern and Western Europe									
Lithuania	104 weeks (24 months) either parent or actual carer	31.03 up to a ceiling (€810.69) (more if shorter leave is taken)	Social insurance	Yes	Yes	No	Parental leave, additional period	Employer must prove	Same position or equivalent
Luxembourg	52 weeks (6 months each parent)	100 up to a ceiling	Universal	Yes	Yes	Yes	Parental leave, additional period	Employer must prove	Same position or equivalent
Malta	35 weeks (4 months each parent)	0	n/a	No	Yes	No	Parental leave	Employer not required to prove	Same position or equivalent
Monaco	–	–	–	–	–	–	–	–	–
Montenegro	52 weeks (up to 365 days from the birth of child (after expiry of maternity leave))	100	Social insurance	Yes	Yes	No	Leave	Employer not required to prove	Same position or equivalent
Netherlands	52 weeks (26 weeks each parent)	0	n/a	No	Yes	Yes	As a result of	Employer must prove	Not guaranteed
North Macedonia	13 weeks (3 months) <sup>A22</sup>	0	n/a	No	Yes	No	Parental leave, additional period	Employer not required to prove	Same position or equivalent
Norway	163 weeks (59 weeks either parent; plus 1 year each parent)	80% for 59 weeks or 100% for 49 weeks	Mixed: 31 weeks social insurance, universal for flat rate benefit for 1 year	Yes	Yes	Yes	Parental leave, additional period, as a result of	Employer must prove	Same position or equivalent
Portugal	130 weeks (3 months each parent (two more years of unpaid child-care leave available if parental leave was taken))	25 (two more years unpaid)	Social insurance	Yes	Yes	Yes	Parental leave	Employer must prove	Same position
San Marino	78 weeks (until child is 18 months (starting after compulsory leave of mother), either parent)	30 until child is 1 year, 20 thereafter	Social insurance	Yes	Yes	No	Parental leave	Employer not required to prove	Same position (until child reached 16 months)

Country	Duration of parental leave in national legislation	Amount of parental leave cash benefits (% of previous earnings)	Source of funding of parental leave cash benefits	Provision of parental leave cash benefits for self-employed workers	Provision of parental leave for adoptive parents	Provision of parental leave for same-sex parents	Parental leave – Length of protection against dismissal	Burden of proving the reasons for dismissal are not related to parental leave	Right to return to the same or equivalent position
Europe and Central Asia									
Northern, Southern and Western Europe									
Serbia	52 weeks (365 days from the date of commencement of maternity leave) <sup>23</sup>	66.7	Social insurance	Yes	Yes	No	Leave	Employer not required to prove	Not guaranteed
Slovenia	37 weeks (130 days each parent)	100 up to a ceiling of 2.5 times the average salary in Slovenia (€3 664.30 per month)	Social insurance	Yes	Yes	Yes	Parental leave, additional period	Employer must prove	Same position
Spain	312 weeks (3 years each parent)	0	n/a	No	Yes	Yes	Parental leave, additional period	Employer must prove	Same position or equivalent
Sweden	68 weeks (240 days each parent (a single parent is entitled to a full 480 days))	80 up to a ceiling for 390 days (465 000 kronor); flat rate for the remaining 90 days (180 kronor per day)	Social insurance	Yes	Yes	Yes	Parental leave, as a result of	Employer must prove	Same position <sup>24</sup>
Switzerland	–	–	–	–	–	–	–	–	–
United Kingdom of Great Britain and Northern Ireland	36 weeks (18 weeks each parent) <sup>25</sup>	0	n/a	No	Yes	Yes	Parental leave, additional period	Employer must prove	Same position or equivalent

**Note:** 185 countries and territories. – = No parental leave. n/a = Not applicable. ^ = Parental leave is only available to mothers.

**Source:** Compiled by authors from national legislation.

## Methodological notes

### Duration of parental leave in national legislation

Unless otherwise specified, the duration of parental leave in days, weeks or months is intended as “consecutive” days, since this leave entitlement is usually long, although it can sometimes be taken flexibly in portions over a longer period (for example, until the child is 8 years old). For comparative purposes, duration of parental leave in years or until the child reaches a certain age (usually in years or months) as expressed in the national legislation has been converted into “consecutive” weeks. Statutory duration in “working days” has been converted based on a five-day week. The leave as found in legislation is expressed in brackets next to the number of consecutive weeks.

### Amount of parental leave cash benefits (% of previous earnings)

Based on Article 6 of Convention No. 183, the amount of cash benefits is expressed as a percentage of the worker’s earnings (or other standard reference earnings) prior to the beginning of parental leave or it is expressed as a “flat rate benefit” in order to summarize more complex methods used for the purpose of computing benefits.

### Source of funding of parental leave cash benefits

Similar to previous indicators, countries are classified as financed by:

- ▶ social insurance (contributory scheme);
- ▶ social assistance (non-contributory scheme, funded through general taxation);
- ▶ the employer (“employer liability”);
- ▶ a combination of these systems (“mixed system”).

**Employer liability** includes systems in which employers are statutorily responsible for the full payment of the previous earnings of workers on parental leave. It also includes mixed systems in which employers are liable for the payment of at least one-third of previous earnings.

A mixed system might involve an initial payment by the employer, followed by a partial reimbursement by social insurance or public funds. Mixed systems might also provide that the employer pays the difference between the social insurance benefit and the worker’s previous earnings. Some systems stipulate that the employer has to pay for workers who are not covered by social security. For the purposes of this report, benefits paid to these latter workers are classified as being funded by social security.

### Provision of parental leave for self-employed workers

Where the source of funding for the parental leave benefit is employer liability, or where the social insurance or state funding scheme does not include self-employed persons, the indicator is expressed as “No”. Where the social insurance or state funding scheme does include self-employed persons, the indicator is expressed as “Yes”. “Voluntary” (added in brackets) indicates that statutory provision of parental leave cash benefits is mandated for self-employed persons only on a non-mandatory basis.

### Provision of parental leave for adoptive parents

“Yes” indicates that legislation expressly provides for leave to be applicable to adoptive parents. “No” indicates that legislation does not expressly provide for leave to be applicable to adoptive parents.

### Provision of parental leave for same-sex parents

“Yes” indicates that male and female same-sex partners can access parental leave in law and practice. “No” indicates that in law or in practice, male and female same-sex couples cannot access parental leave. Where same-sex partnerships are prohibited in law, “No” has been used. Where the law is not clear and could allow for same-sex partners to access leave, but there is no evidence in practice that this has been accessible or used by same-sex partners, “No information found” has been used.

### Parental leave – Length of protection against dismissal

- ▶ Parental leave = workers are protected from dismissal during parental leave.
- ▶ Additional period = workers are protected from dismissal during a period before or after their return to work from parental leave.
- ▶ As a result of = workers are protected from dismissal as a result of/in relation to parental leave; however, the specific period is not defined and may therefore cover before, during and after parental leave.
- ▶ No explicit protection = the law does not provide any type of legal protection against dismissal in relation to parental leave.

This indicator determines whether the legislation provides employment protection during parental leave, which constitutes a period including leave and an additional period following the worker’s return to work. All the periods covered by statutory employment protection for which information was available or could be identified are reported for each country. The indicator does not specify whether the legislation allows dismissal on grounds unrelated to the parental leave. The value “additional period” includes any period of protection from dismissal upon return to work in relation to having taken parental leave and any period before taking parental leave, such as from the moment the worker notified their intention to take leave. The length of this “additional period” varies from country to country.

### Burden of proving the reasons for dismissal are not related to parental leave

- ▶ Employer = the burden of proof rests on the employer.
- ▶ Worker = the burden of proof rests on the worker.
- ▶ Not provided = the legislation does not include a statutory provision on the burden of proof.

This indicator aims to determine on which party, if any, the legislation places the obligation to prove that whether unlawful dismissal has or has not occurred (“burden of proof”). The shift to the defendant (that is, to the employer) to prove that discrimination had not occurred is a significant asset in assisting victims of discrimination in judicial or other dispute settlement mechanisms.

### Right to return to the same or equivalent position

- ▶ Same position = workers are entitled to return to the same position after parental leave.
- ▶ Same position or equivalent = workers are entitled to return to the same or an equivalent position after parental leave.
- ▶ Not guaranteed = workers are not guaranteed the right to return to the same or an equivalent position after parental leave.

This indicator assesses whether the legislation grants the right to job-protected parental leave and under what conditions. In some countries, the legislation provides for the right to return to the same position,

while in other countries, employers can choose to reintegrate the worker into the same position or an equivalent one after parental leave. Therefore, a distinction is made between return to the “same position” and return to the “same position or equivalent”. This indicator does not specify whether the same or equivalent position is paid at the same rate as before parental leave.

## Sources

All information in the table is based on a review of data which took place from mid-2020 to mid-2021. The main sources of information used to collect the data were the [ILO NATLEX Database](#) of national labour, social security and related human rights legislation, and official government websites using the most recent published and consolidated versions of the laws.

## Table notes

- 1 Egypt: Leave is only available to workers in establishments with 50 or more workers.
- 2 Canada: Canada is a federal State and leave varies among provinces and territories. Federal legislation has been provided for employment protection indicators, discrimination and parental benefits, while the provincial and territory minimum (with the exception of Nunavut) has been used for the amount of leave. Therefore, in many of the provinces and territories, leave may be longer than what is provided in this table. Leave amount generally ranges between 61 and 77 weeks. Note that Quebec has its own leave and benefits scheme, and Nunavut only provides 37 weeks of leave, which is less than the length of the federal payment benefit.
- 3 Canada: Standard parental: up to 40 weeks, but one parent cannot receive more than 35 weeks of standard benefits. Extended parental: up to 69 weeks, but one parent cannot receive more than 61 weeks of extended benefits.
- 4 Canada: This raises to 43 weeks when both parents take the leave and share the benefits.
- 5 United States: The Family and Medical Leave Act of 1993 provides up to 12 weeks of unpaid leave in a 12-month period to women and men who have worked for a covered employer for at least 1,250 hours over the preceding 12 months. This law provides unpaid leave for a variety of reasons, including childbirth or the care of a newborn child up to 12 months.
- 6 Japan: If both parents share some of the leave, parental leave can be extended up to 14 months (as a “bonus”).
- 7 Mongolia: Under the Labour Code, a mother’s (or single father’s) employment cannot be terminated until the child reaches the age of 3.
- 8 Republic of Korea: In cases where both parents take parental leave for the same child at different times, the allowance for the first three months of leave taken by the second parent increases to 100 per cent of ordinary earnings, with a limit of 2,500,000 won. These so-called “daddy months” aim to encourage fathers to take parental leave – as fathers conventionally take leave after the mother – by providing higher benefits when both parents participate in parental leave consecutively.
- 9 New Zealand: Amount of leave depends on length of service before taking leave.
- 10 Uzbekistan: Termination of the employment contract with pregnant women and women with children under three years, on the initiative of the employer, is prohibited.
- 11 Slovakia: Leave is until child reaches three. However, 28 weeks of paternity and maternity leave are included in this three-year period of leave. If parents are not eligible for maternity or paternity, they can take the full three years of parental leave that is universal, meaning all parents are eligible.
- 12 Slovakia: While both parents can take parental leave at the same time, only one parent is entitled to the parental allowance at any given time.
- 13 Ukraine: The monthly benefit is based on the number of children, the minimum monthly subsistence level, and average family income.
- 14 Ukraine: Protection from dismissal is for women with children under the age of three (up to six years if a child needs home care for medical reasons) and for single mothers taking care of a child under the age of 14 years or a child with disabilities.
- 15 Austria: There is a range of payment options depending on the length of leave taken and whether both parents take leave, in which case length and benefit increase.
- 16 Croatia: There is also a right for either parent to take leave until the child reaches the age of 3, but only if maternity and parental leave have already been taken. During that time, the parent’s rights and obligations regarding their employment are suspended, and the rights to compulsory health insurance and retirement insurance are maintained. This leave is unpaid, and contributions for pensions and healthcare are not paid during that period.

- 17 Denmark: Payment is per family. All workers covered by collective agreements have no ceiling for some or all of the weeks. About 75 per cent of the workforce is covered by collective agreements mandating employers to top up the state benefits (currently 4 405 kroner per week), which represent on average around 50 per cent of previous earnings (daily cash benefits in relation to previous earnings up to a ceiling). Within this framework, workers receive compensation during leave from their employer up to their full previous earnings, up to a ceiling.
- 18 Denmark: Female same-sex partners can adopt from birth and are entitled to leave. Male same-sex partners are not entitled to leave because there can be only two parents (biological surrogate mother and one of the fathers). The non-biological father can only adopt the child after 2.5 years and does not therefore have eligibility for paternity (and parental) leave. See: [https://www.leavenetwork.org/fileadmin/user\\_upload/k\\_leave-network/country\\_notes/2020/PMedited.Denmark.with\\_supplement.31aug2020.pdf](https://www.leavenetwork.org/fileadmin/user_upload/k_leave-network/country_notes/2020/PMedited.Denmark.with_supplement.31aug2020.pdf).
- 19 Finland: 70 per cent up to a ceiling.
- 20 Finland: This only applies to female same-sex couples, as the partner must be living with or married to or registered as a partner to the biological mother.
- 21 Montenegro: The cash benefit the employee receives depends on length of service with the employer. Employees with 12 months' service receive 100 per cent, but employees with less service receive a lower benefit (70 per cent for 6–12 months' service, 50 per cent for 3–6 months' service, and 30 per cent for less than 3 months' service).
- 22 North Macedonia: Fathers and adoptive parents are able to access entitlement in the exceptional event that the mother is unable to use maternity leave.
- 23 Serbia: An employed woman in Serbia is entitled to leave for pregnancy and childbirth, as well as leave for childcare for a total duration of 365 days. She may start her maternity leave 28 days before her due date at the latest. Maternity leave shall last until three months after childbirth. Therefore, the parental leave part of the leave would be reduced by the amount of leave taken during maternity.
- 24 Slovenia: Article 186 of the Parental Care and Family Benefits Act 2014 specifies: "(3) After the termination of parental leave, the employer must enable the employee to start performing work under the conditions from the employment contract."
- 25 United Kingdom: Only four weeks of leave may be taken in any one calendar year for each child, unless an employer agrees otherwise.

► **Table A.4. Long-term care leave and emergency leave**

Country	LONG-TERM CARE LEAVE			EMERGENCY LEAVE		
	Provision of long-term care leave	Source of funding of long-term care leave cash benefits	Provision of long-term care leave for self-employed workers	Provision of emergency leave	Source of funding of emergency leave cash benefits	Provision of emergency leave for self-employed workers
<b>Africa</b>						
<b>Northern Africa</b>						
Algeria	No	–	–	Yes, paid	Employer liability	No
Egypt	No	–	–	Yes, paid	Employer liability	No
Libya	No	–	–	Yes, paid	Employer liability	No
Morocco	No	–	–	Yes, paid	Employer liability	No
Sudan	No	–	–	No	–	–
Tunisia	No	–	–	No	–	–
<b>Sub-Saharan Africa</b>						
Angola	No	–	–	Yes, paid	Employer liability	No
Benin	No	–	–	Yes, paid	Employer liability	No
Botswana	No	–	–	No	–	–
Burkina Faso	Yes, unpaid	n/a	No	Yes, paid	Employer liability	No
Burundi	No	–	–	Yes, paid	Employer liability	No
Cabo Verde	No	–	–	Yes, paid	Employer liability	No
Cameroon	No	–	–	Yes, paid	Employer liability	No
Central African Republic	No	–	–	Yes, paid	Employer liability	No
Chad	Yes, unpaid	n/a	No	Yes, paid	Employer liability	No
Comoros	No	–	–	Yes, paid	Employer liability	No
Congo	No	–	–	Yes, paid	Employer liability	No
Côte d'Ivoire	Yes, unpaid	n/a	No	Yes, paid	Employer liability	No
Democratic Republic of the Congo	No	–	–	Yes, paid	Employer liability	No

Country	LONG-TERM CARE LEAVE			EMERGENCY LEAVE		
	Provision of long-term care leave	Source of funding of long-term care leave cash benefits	Provision of long-term care leave for self-employed workers	Provision of emergency leave	Source of funding of emergency leave cash benefits	Provision of emergency leave for self-employed workers
Africa						
Sub-Saharan Africa						
Djibouti	No	–	–	Yes, paid	Employer liability	No
Equatorial Guinea	No	–	–	Yes, paid	Employer liability	No
Eritrea	No	–	–	Yes, paid	Employer liability	No
Eswatini	No	–	–	Yes, unpaid	n/a	No
Ethiopia	No	–	–	Yes, paid	Employer liability	No
Gabon	No	–	–	Yes, paid	Employer liability	No
Gambia	No	–	–	No	–	–
Ghana	No	–	–	No	–	–
Guinea	No	–	–	No	–	–
Guinea-Bissau	No	–	–	No	–	–
Kenya	No	–	–	No	–	–
Lesotho	No	–	–	No	–	–
Liberia	No	–	–	Yes, paid	Employer liability	No
Madagascar	No	–	–	Not assessable	Not specified	No
Malawi	No	–	–	No	–	–
Mali	No	–	–	Yes, unpaid	n/a	No
Mauritania	No	–	–	Yes, paid	Employer liability	No emergency leave
Mauritius	No	–	–	Yes, paid	Employer liability	No
Mozambique	No	–	–	Yes, unpaid	n/a	No
Namibia	No	–	–	Yes, paid	Employer liability	No
Niger	Yes, unpaid	n/a	No	Yes, paid	Employer liability	No
Nigeria	No	–	–	No	–	–
Rwanda	No	–	–	Yes, paid	Employer liability	No
Sao Tome and Principe	Yes, paid	Social insurance	No	Yes, unpaid	n/a	No
Senegal	No	–	–	Yes, paid	Employer liability	No



Country	LONG-TERM CARE LEAVE			EMERGENCY LEAVE		
	Provision of long-term care leave	Source of funding of long-term care leave cash benefits	Provision of long-term care leave for self-employed workers	Provision of emergency leave	Source of funding of emergency leave cash benefits	Provision of emergency leave for self-employed workers
Africa						
Sub-Saharan Africa						
Seychelles	Yes, paid	Mixed – 80 up to a ceiling (2 480 rupees a month) (universal); employer pays the difference between the universal amount and the full salary	Yes	Yes, paid	Employer liability	No
Sierra Leone	No	–	–	No	–	–
Somalia	No	–	–	No	–	–
South Africa	No	–	–	Yes, paid	Employer liability	No
South Sudan	Yes, unpaid	n/a	No	Yes, paid	Employer liability	No
Togo	No	–	–	Yes, paid	Employer liability	No
Uganda	No	–	–	Yes, paid	Employer liability	No
United Republic of Tanzania	No	–	–	Yes, paid	Employer liability	No
Zambia	No	–	–	Yes, paid	Employer liability	No
Zimbabwe	No	–	–	Yes, paid	Employer liability	No
Americas						
Latin America and the Caribbean						
Antigua and Barbuda	No	–	–	No	–	–
Argentina	No	–	–	Yes, paid	Employer liability	No
Bahamas	No	–	–	Yes, unpaid	n/a	No
Barbados	No	–	–	No	–	–
Belize	No	–	–	No	–	–
Bolivia (Plurinational State of)	No	–	–	No	–	–
Brazil	No	–	–	Yes, paid	Employer liability	No
British Virgin Islands	No	–	–	Yes, paid	Employer liability	No
Chile	Yes, paid	Social insurance	Yes	Yes, paid	Social insurance	Yes; no
Colombia	No	–	–	Yes, paid	Employer liability	No

Country	LONG-TERM CARE LEAVE			EMERGENCY LEAVE		
	Provision of long-term care leave	Source of funding of long-term care leave cash benefits	Provision of long-term care leave for self-employed workers	Provision of emergency leave	Source of funding of emergency leave cash benefits	Provision of emergency leave for self-employed workers
Africa						
Sub-Saharan Africa						
Costa Rica	No	–	–	No	–	–
Cuba	Yes, unpaid	n/a	No	Yes, paid	Employer liability	No
Dominican Republic	No	–	–	Yes, paid	Employer liability	No
Ecuador	Yes, paid	Employer liability	No	Yes, paid	Employer liability	No
El Salvador	No	–	–	Yes, paid	Employer liability	No
Guatemala	No	–	–	Yes, paid	Employer liability	No
Guyana	No	–	–	No	–	–
Haiti	No	–	–	No	–	–
Honduras	No	–	–	No	–	–
Jamaica	No	–	–	No	–	–
Mexico	Yes, paid	Social insurance	No	No	–	–
Nicaragua	No	–	–	Yes, paid	Employer liability	No
Panama	No	–	–	No	–	–
Paraguay	No	–	–	Yes, paid	Employer liability	No
Peru	No	–	–	Yes, paid	Employer	No
Saint Kitts and Nevis	No	–	–	No	–	–
Saint Lucia	No	–	–	No	–	–
Saint Vincent and the Grenadines	No	–	–	No	–	–
Suriname	No	–	–	No	–	–
Trinidad and Tobago	No	–	–	No	–	–
Uruguay	No	–	–	Yes, paid	Employer	No
Venezuela (Bolivarian Republic of)	No	–	–	No	–	–
Northern America						
Canada	Yes, paid	Social insurance	Yes (voluntary)	Yes, paid	Employer liability	No
United States of America	Yes, unpaid	n/a	No	No	–	–

Country	LONG-TERM CARE LEAVE			EMERGENCY LEAVE		
	Provision of long-term care leave	Source of funding of long-term care leave cash benefits	Provision of long-term care leave for self-employed workers	Provision of emergency leave	Source of funding of emergency leave cash benefits	Provision of emergency leave for self-employed workers
Arab States						
Bahrain	No	–	–	Yes, paid	Employer liability	No
Iraq	No	–	–	Yes, paid	Employer liability	No
Jordan	No	–	–	No	–	–
Kuwait	No	–	–	Yes, paid	Employer	No
liability	No	–	–	Yes, paid	Employer liability	No
Lebanon	No	–	–	No	–	–
Oman	No	–	–	Yes, paid	Employer liability	No
Qatar	No	–	–	No	–	–
Saudi Arabia	No	–	–	Yes, paid	Employer liability	No
Syrian Arab Republic	No	–	–	Yes, paid	Employer liability	No
United Arab Emirates	No	–	–	No	–	–
Yemen	No	–	–	Yes, paid	Employer liability	No
Asia and the Pacific						
Eastern Asia						
China	No	–	–	Yes, paid	Employer liability	No
Hong Kong, China	No	–	–	No	–	–
Japan	Yes, paid	Social insurance	No	Yes, unpaid	n/a	No
Mongolia	No	–	–	No	–	–
Republic of Korea	Yes, unpaid	n/a	No	Yes, unpaid	n/a	No
South-Eastern Asia and the Pacific						
Australia	No	–	–	Yes, paid	Employer liability	No
Brunei Darussalam	No	–	–	No	–	–
Cambodia	No	–	–	No <sup>1</sup>	–	–
Fiji	No	–	–	Yes, paid	Employer liability	No
Indonesia	No	–	–	Yes, paid	Employer liability	No

Country	LONG-TERM CARE LEAVE			EMERGENCY LEAVE		
	Provision of long-term care leave	Source of funding of long-term care leave cash benefits	Provision of long-term care leave for self-employed workers	Provision of emergency leave	Source of funding of emergency leave cash benefits	Provision of emergency leave for self-employed workers
Asia and the Pacific						
South-Eastern Asia and the Pacific						
Lao People's Democratic Republic	No	–	–	Yes, paid	Employer liability	No
Malaysia	No	–	–	No	–	–
Myanmar	No	–	–	Yes, paid	Employer liability	No
New Zealand	No	–	–	Yes, paid	Employer liability	No
Papua New Guinea	No	–	–	No	–	–
Philippines	No	–	–	No	–	–
Samoa	No	–	–	No	–	–
Singapore	No	–	–	Yes, paid	Mixed (3 days employer, 3 days universal)	Yes
Solomon Islands	No	–	–	No	–	–
Thailand	No	–	–	No	–	–
Timor-Leste	No	–	–	Yes, unpaid	n/a	No
Tonga	No	–	–	No	–	–
Vanuatu	No	–	–	No	–	–
Viet Nam	Yes, paid	Social insurance	No	Yes, paid	Employer liability	No
Southern Asia						
Afghanistan	No	–	–	Yes, paid	Employer liability	No
Bangladesh	No	–	–	No	–	–
Bhutan	No	–	–	Yes, paid	Employer liability	No
India	No	–	–	No	–	–
Iran (Islamic Republic of)	Yes, paid	Employer liability	No	No	–	–
Maldives	No	–	–	Yes, paid	Employer liability	No
Nepal	No	–	–	Yes, paid	Employer liability	No
Pakistan	No	–	–	Yes, paid	Employer liability	No
Sri Lanka	No	–	–	Yes, paid	Employer liability	No

Country	LONG-TERM CARE LEAVE			EMERGENCY LEAVE		
	Provision of long-term care leave	Source of funding of long-term care leave cash benefits	Provision of long-term care leave for self-employed workers	Provision of emergency leave	Source of funding of emergency leave cash benefits	Provision of emergency leave for self-employed workers
Europe and Central Asia						
Central and Western Asia						
Armenia	Yes, unpaid	n/a	No	Yes, unpaid	n/a	No
Azerbaijan	Yes, unpaid	n/a	No	Yes, unpaid	n/a	No
Cyprus	No	–	–	Yes, unpaid	n/a	No
Georgia	No	–	–	Yes, unpaid	n/a	No
Israel	Yes, paid	Employer liability	No	Yes, paid	Employer liability	No
Kazakhstan	No	–	–	Yes, unpaid	n/a	No
Kyrgyzstan	Yes, paid	Employer liability	No	Yes, unpaid	n/a	No
Tajikistan	No	–	–	Yes, unpaid	n/a	Yes
Turkey	No	–	–	Yes, paid	Employer liability	No
Turkmenistan	Yes, unpaid	n/a	No	Yes, paid	Employer liability	No
Uzbekistan	No	–	–	Yes, unpaid	n/a	No
Eastern Europe						
Belarus	Yes, paid	Social insurance	Yes	Yes, unpaid	n/a	No
Bulgaria	No	–	–	Yes, unpaid	n/a	n/a
Czechia	Yes, paid	Social insurance	Yes (voluntary)	Yes, paid	Social insurance	Yes (voluntary)
Hungary	Yes, paid	Social assistance	Yes	Yes, paid	Employer	No
Poland	Yes, paid	Social insurance for company with less than 20 workers; employer in company with more than 20 workers	Yes	Yes, paid	Employer	No
Republic of Moldova	Yes, unpaid	n/a	No	Yes, unpaid	n/a	No
Romania	Yes, paid	Social insurance	Yes	No	–	–
Russian Federation	Yes, paid	Social insurance	Yes	Yes, unpaid	n/a	No
Slovakia	No	–	–	Yes, paid	Social insurance	Yes
Ukraine	Yes, unpaid	n/a	No	Yes, paid	Not specified	No

Country	LONG-TERM CARE LEAVE			EMERGENCY LEAVE		
	Provision of long-term care leave	Source of funding of long-term care leave cash benefits	Provision of long-term care leave for self-employed workers	Provision of emergency leave	Source of funding of emergency leave cash benefits	Provision of emergency leave for self-employed workers
Europe and Central Asia						
Northern, Southern and Western Europe						
Albania	Yes, unpaid	n/a	No	Yes, paid	Employer liability	No
Andorra	Yes, unpaid	n/a	No information found	No	–	–
Austria	Yes, unpaid	n/a	No	Yes, paid	Employer liability	No
Belgium	Yes, paid	Social insurance	Yes	Yes, unpaid	n/a	No
Bosnia and Herzegovina	No	–	–	Yes, paid	Employer liability	No
Croatia	Yes, paid	Social insurance	Yes	Yes, paid	Employer liability	No
Denmark	No	–	–	Yes, unpaid	n/a	No information found
Estonia	Yes, paid	–	Yes	Yes, paid	Universal	Yes
Finland	Yes, paid	Social assistance	Yes	Yes, paid	Employer	No
France	Yes, paid	Social insurance	Yes	Yes, unpaid	n/a	No
Germany	Yes, unpaid	n/a	No	Yes, paid	Social insurance	No
Greece	No	–	–	Yes, paid	Employer liability	No
Iceland	No	–	–	No	–	–
Ireland	Yes, paid	Social assistance	Yes	Yes, paid	Employer liability	No
Italy	Yes, paid	Social insurance	No	Yes, unpaid	n/a	No
Latvia	Yes, paid	Social insurance	Yes	Not assessable	Social insurance	Yes
Lithuania	Yes, unpaid	n/a	No	Yes, unpaid	n/a	No
Luxembourg	Yes, paid	Social insurance	No	Yes, paid	Social insurance	No
Malta	Yes, unpaid	n/a	No	No	–	–
Monaco	No	–	–	Yes, paid	Employer liability	No
Montenegro	Yes, unpaid	n/a	No	Yes, paid	Employer liability	No
Netherlands	Yes, unpaid	n/a	No	Yes, paid	Employer liability	No
North Macedonia	No	–	–	Yes, paid	Employer liability	No
Norway	Yes, paid	Social insurance	Yes	Yes, paid	Mixed (first 10 days employer, rest social insurance)	Yes

Country	LONG-TERM CARE LEAVE			EMERGENCY LEAVE		
	Provision of long-term care leave	Source of funding of long-term care leave cash benefits	Provision of long-term care leave for self-employed workers	Provision of emergency leave	Source of funding of emergency leave cash benefits	Provision of emergency leave for self-employed workers
Europe and Central Asia						
Northern, Southern and Western Europe						
Portugal	Yes, paid	Social insurance	Yes	Yes, paid	Social insurance	Yes (for worker caring for a sick child)
San Marino	Yes, paid	Not information found	No information found	No	–	–
Serbia	Yes, paid	Social insurance	Yes	Yes, paid	Employer liability	No
Slovenia	Yes, paid	Social insurance	Yes	Yes, paid	Social insurance	Yes
Spain	Yes, paid	Social insurance	Yes	Yes, paid	Employer liability	No
Sweden	Yes, paid	Social insurance	Yes	No	–	–
Switzerland	Yes, paid	Social insurance	Yes	Yes, paid	Employer liability	No
United Kingdom of Great Britain and Northern Ireland	No	–	–	Yes, unpaid	n/a	No

**Note:** 185 countries and territories. – = No long-term care leave or no emergency leave. n/a = not applicable.

**Source:** Compiled by authors from national legislation.

## Methodological notes

### Provision of long-term care leave

Long-term care leave is a special leave entitlement available to employed persons to take care of family members (both children and adults) who have a long-term functional dependency, for example, persons who have difficulties in carrying out activities of daily living, such as bathing, dressing and getting in and out of bed. Long-term care leave can be either paid or unpaid.

### Presence of emergency leave

Emergency leave is a special leave of short duration that a worker can take in case of *force majeure* for urgent family reasons that make the immediate presence of the worker indispensable. Emergency leave can be either paid or unpaid.

### Source of funding of long-term and emergency leave cash benefits

Countries are classified as financed by:

- ▶ social insurance (contributory scheme);
- ▶ social assistance (non-contributory scheme, funded through general taxation);
- ▶ the employer ("employer liability");
- ▶ a combination of these systems ("mixed").

**Employer liability** includes systems in which employers are statutorily responsible for the full payment of the previous earnings of workers on long-term or emergency leave. It also includes mixed systems in which employers are liable for the payment of at least one-third of previous earnings.

A mixed system might involve an initial payment by the employer, followed by a partial reimbursement by social insurance or public funds. Mixed systems might also provide that the employer pays the difference between the social insurance benefit and the worker's previous earnings. Some systems stipulate that the employer has to pay for workers who are not covered by social security. For the purposes of this report, benefits paid to these latter workers are classified as being funded by social security.

### Provision of leave for self-employed workers

Where the source of funding for the leave benefit is employer liability, or where the social insurance or state funding scheme does not include self-employed persons, the indicator is expressed as "No". Where the social insurance or state funding scheme does include self-employed persons, the indicator is expressed as "Yes". "Voluntary" (added in brackets) indicates that statutory provision of long-term or emergency leave cash benefits is mandated for self-employed persons only on a non-mandatory basis.

### Sources

All information in the table is based on a review of data which took place from mid-2020 to mid-2021. The main sources of information used to collect the data were the [ILO NATLEX Database](#) of national labour, social security and related human rights legislation, and official government websites using the most recent published and consolidated versions of the laws.

### Table notes

- 1 Cambodia: However, article 171 of the Labour Code states: "The employer has the right to grant his worker special leave during the event directly affecting the worker's immediate family. If the worker has not yet taken his annual leave, the employer can deduct the special leave from the worker's annual leave. If the worker has taken all his annual leave, the employer cannot deduct the special leave from the worker's annual leave for the next year. Hours lost during the special leave can be made up under the conditions set by a Prakas of the Ministry in Charge of Labour."



► **Table A.5. Health protection for pregnant and nursing women**

Country	Night work protection	Time off for prenatal medical examinations	Protections against dangerous or unhealthy work	Alternatives to dangerous or unhealthy work
<b>Africa</b>				
<b>Northern Africa</b>				
Algeria	Prohibition (w)	Not provided	No obligation	Transfer
Egypt	Prohibition (w)	Not provided	No protection	No alternative
Libya	No restriction	Not provided	No obligation (w)	No alternative
Morocco	No obligation (w)	Not provided	Prohibition (w)	No alternative
Sudan	Prohibition (w)	Not provided	Prohibition (w)	No alternative
Tunisia	No information found	Not provided	Prohibition (w)	No alternative
<b>Sub-Saharan Africa</b>				
Angola	No restriction <sup>1</sup>	Paid	Prohibition (w)	Transfer <sup>2</sup>
Benin	No restriction	Not provided	No obligation	Transfer
Botswana	No restriction	Not provided	No protection	No alternative
Burkina Faso	Prohibition (w)	Not provided	Prohibition(w)	Transfer
Burundi	No restriction	Not provided	No obligation	Transfer
Cabo Verde	No obligation	Provided	No protection	No alternative
Cameroon	Prohibition (w)	Not provided	Prohibition (w)	Transfer
Central African Republic	Prohibition (w)	Not provided	Prohibition (w)	Transfer
Chad	Prohibition (w)	Not provided	No obligation (w)	Transfer
Comoros	No restriction	Not provided	No obligation (w)	Transfer
Congo	Prohibition (w)	Not provided	No obligation	Transfer
Côte d'Ivoire	Prohibition	Paid	No obligation	Transfer
Democratic Republic of the Congo	Prohibition (w)	Not provided	No obligation	Transfer
Djibouti	No restriction	Not provided	No obligation	Transfer
Equatorial Guinea	No restriction	Not provided	No obligation	No alternative
Eritrea	Prohibition	Paid	No obligation	Transfer

Country	Night work protection	Time off for prenatal medical examinations	Protections against dangerous or unhealthy work	Alternatives to dangerous or unhealthy work
Africa				
Sub-Saharan Africa				
Eswatini	Prohibition (w)	Not provided	No protection	No alternative
Ethiopia	Prohibition	Paid	Prohibition (w)	Transfer
Gabon	Prohibition (w)	Not provided	No obligation	Transfer
Gambia	No restriction	Not provided	No obligation	No alternative
Ghana	No obligation	Paid	No protection	No alternative
Guinea	Prohibition (w)	Not provided	No obligation	Transfer, extra leave
Guinea-Bissau	Prohibition (w)	Paid	No obligation	Transfer <sup>3</sup>
Kenya	No restriction	Not provided	No protection	No alternative
Lesotho	No obligation	Not provided	No protection	No alternative
Liberia	No restriction	Not provided	No obligation	Transfer
Madagascar	Prohibition (w)	Not provided	No obligation (w)	Transfer
Malawi	No restriction	Not provided	No protection	No alternative
Mali	Prohibition (w)	Not provided	Prohibition	Transfer
Mauritania	Prohibition (w)	Not provided	Prohibition	Transfer
Mauritius	No obligation	Not provided	No obligation	No alternative
Mozambique	No obligation	Not provided	Prohibition (w)	Transfer
Namibia	Prohibition	Not provided	No protection	No alternative
Niger	No restriction	Not provided	No obligation <sup>4</sup>	Leave
Nigeria	Prohibition (w)	Not provided	No protection	No alternative
Rwanda	No restriction	Not provided	Prohibition	Elimination, adaptation
Sao Tome and Principe	Prohibition	Provided	Prohibition	Adaptation, transfer, leave
Senegal	Prohibition	Not provided	Prohibition	No alternative
Seychelles	Prohibition	Not provided	No protection	Transfer, extra leave
Sierra Leone	No restriction	Not provided	No protection	No alternative
Somalia	Prohibition (w)	Not provided	No protection	No alternative
South Africa	No obligation	Provided	Prohibition	Transfer
South Sudan	Prohibition	Not provided	Prohibition	No alternative

Country	Night work protection	Time off for prenatal medical examinations	Protections against dangerous or unhealthy work	Alternatives to dangerous or unhealthy work
Africa				
Sub-Saharan Africa				
Togo	Prohibition	Not provided	Prohibition	Transfer <sup>5</sup>
Uganda	No restriction	Not provided	No protection	No alternative
United Republic of Tanzania	Prohibition	Not provided	Prohibition	Transfer
Zambia	Prohibition	Not provided	No obligation	Transfer
Zimbabwe	No restriction	Not provided	No protection	No alternative
Americas				
Latin America and the Caribbean				
Antigua and Barbuda	No restriction	Not provided	No protection	No alternative
Argentina	No restriction	Not provided	Prohibition (w)	No alternative
Bahamas	No restriction	Not provided	No protection	No alternative
Barbados	No restriction	Not provided	Prohibition (w) (only for working with lead)	No alternative
Belize	Prohibition (w)	Not provided	No protection	No alternative
Bolivia (Plurinational State of)	Prohibition (w)	Not provided	Prohibition (w)	No alternative
Brazil	No restriction	Paid	Prohibition	Transfer, extra leave
British Virgin Islands	No restriction	Not provided	Prohibition	Adaptation, transfer, extra leave
Chile	Prohibition	Not provided	No obligation	Transfer
Colombia	No restriction	Not provided	No protection	No alternative
Costa Rica	No restriction	Not provided	Prohibition (w)	No alternative
Cuba	No restriction	Paid	No obligation	Transfer, extra leave
Dominican Republic	No restriction	Not provided	No obligation	Transfer, extra leave
Ecuador	No restriction	Not provided	Prohibition (w)	No alternative
El Salvador	No restriction	Not provided	Prohibition	No alternative
Guatemala	No restriction	Not provided	Prohibition	No alternative
Guyana	No restriction	Not provided	No protection	Adaptation, transfer
Haiti	No restriction	Not provided	Prohibition <sup>6</sup>	Transfer, extra leave
Honduras	Prohibition <sup>7</sup>	Paid	Prohibition	No alternative
Jamaica	No restriction	Not provided	No protection	No alternative

Country	Night work protection	Time off for prenatal medical examinations	Protections against dangerous or unhealthy work	Alternatives to dangerous or unhealthy work
<b>Americas</b>				
<b>Latin America and the Caribbean</b>				
Mexico	Prohibition	Not provided	No obligation	Extra leave
Nicaragua	Prohibition	Paid	Prohibition	Transfer
Panama	Prohibition	Paid	Prohibition	Transfer
Paraguay	Prohibition (w)	Not provided	Prohibition (w)	No alternative
Peru	No restriction	Not provided	No obligation	Adaptation, transfer
Saint Kitts and Nevis	No restriction	Not provided	No protection	No alternative
Saint Lucia	No restriction	Not provided	No protection	Adaptation, transfer
Saint Vincent and the Grenadines	No restriction	Not provided	No protection	No alternative
Suriname	No obligation	Paid	No protection	No alternative
Trinidad and Tobago	No restriction	Paid	Prohibition	Adaptation, transfer
Uruguay	No obligation	Not provided	No obligation	Transfer, extra leave
Venezuela (Bolivarian Republic of)	No restriction	Not provided	Prohibition	Transfer
<b>Northern America</b>				
Canada	No restriction	Not provided	No obligation	Adaptation, transfer, extra leave
United States of America	No restriction	Not provided	No protection	Adaptation, transfer, extra leave
<b>Arab States</b>				
Bahrain	Prohibition (w)	Not provided	Prohibition	No alternative
Iraq	Prohibition (w)	Not provided	Prohibition (w)	No alternative
Jordan	Prohibition (w)	Not provided	Prohibition(w)	No alternative
Kuwait	Prohibition (w)	Not provided	Prohibition (w)	No alternative
Lebanon	No restriction	Not provided	Prohibition (w)	No alternative
Oman	No obligation (w)	Not provided	No obligation (w)	No alternative
Qatar	No restriction	Not provided	Prohibition (w)	No alternative
Saudi Arabia	Prohibition (w)	Not provided	Prohibition (w)	No alternative
Syrian Arab Republic	Prohibition (w)	Not provided	Prohibition(w)	No alternative
United Arab Emirates	No restriction	Not provided	No protection	No alternative
Yemen	Prohibition (w)	Not provided	Prohibition(w)	No alternative

Country	Night work protection	Time off for prenatal medical examinations	Protections against dangerous or unhealthy work	Alternatives to dangerous or unhealthy work
Asia and the Pacific				
Eastern Asia				
China	Prohibition	Not provided	Prohibition	No alternative
Hong Kong, China	No restriction	Paid	No obligation	Transfer
Japan	No obligation	Provided	Prohibition	Transfer
Mongolia	No obligation	Not provided	No information found	Transfer
Republic of Korea	No information found	Paid	Prohibition	Transfer
South-Eastern Asia and the Pacific				
Australia	No restriction	Not provided	No obligation	Transfer, extra leave
Brunei Darussalam	No restriction	Not provided	No protection	No alternative
Cambodia	No restriction	Not provided	No protection	No alternative
Fiji	No restriction	Not provided	No protection	No alternative
Indonesia	Prohibition	Not provided	No protection	No alternative
Lao People's Democratic Republic	Prohibition	Not provided	Prohibition	Transfer
Malaysia	No obligation (w) <sup>8</sup>	Not provided	No protection	No alternative
Myanmar	No restriction	Paid	No protection	No alternative
New Zealand	No restriction	Unpaid	No protection	Transfer
Papua New Guinea	Prohibition (w)	Not provided	No protection	No alternative
Philippines	Prohibition (w)	Not provided	No protection	No alternative
Samoa	No restriction	Not provided	No protection	No alternative
Singapore	Prohibition	Not provided	No protection	No alternative
Solomon Islands	Prohibition (w)	Not provided	No protection	No alternative
Thailand	Prohibition	Not provided	No obligation	Transfer
Timor-Leste	No obligation	Paid	No obligation	Transfer <sup>9</sup>
Tonga	No restriction	Not provided	No protection	No maternity leave
Vanuatu	Prohibition (w)	Not provided	No protection	No alternative
Viet Nam	No obligation	Paid	No obligation	Adaptation, transfer, extra leave

Country	Night work protection	Time off for prenatal medical examinations	Protections against dangerous or unhealthy work	Alternatives to dangerous or unhealthy work
Asia and the Pacific				
Southern Asia				
Afghanistan	Prohibition	Not provided	Prohibition	Adaptation
Bangladesh	No obligation (w)	Not provided	Prohibition	No alternative
Bhutan	Prohibition	Not provided	Prohibition	Elimination, adaptation, transfer
India	No restriction	Not provided	Prohibition	No alternative
Iran (Islamic Republic of)	No restriction	Not provided	Prohibition (w)	Transfer
Maldives	No restriction	Not provided	No protection	No alternative
Nepal	No restriction	Not provided	No protection	Transfer
Pakistan	Prohibition (w)	Not provided	No protection	No alternative
Sri Lanka	No obligation	Not provided	Prohibition	No alternative
Europe and Central Asia				
Central and Western Asia				
Armenia	No obligation	Paid	Prohibition	Elimination, adaptation, transfer, extra leave
Azerbaijan	Prohibition	Paid	Prohibition (w)	Transfer
Cyprus	No obligation	Paid	No information found	Adaptation, transfer
Georgia	Prohibition	Not provided	Prohibition	No alternative
Israel	No information found	Not provided	Prohibition (w) <sup>10</sup>	No information found
Kazakhstan	Prohibition	Not provided	Prohibition (w)	Transfer, extra leave
Kyrgyzstan	No restriction	Not provided	Prohibition (w)	Transfer, extra leave
Tajikistan	No obligation	Not provided	Prohibition (w)	Transfer, extra leave
Turkey	Prohibition	Paid	No protection <sup>11</sup>	Adaptation
Turkmenistan	Prohibition	Not provided	No obligation	Transfer
Uzbekistan	Prohibition	Not provided	Prohibition (w)	Transfer, leave
Eastern Europe				
Belarus	Prohibition	Not provided	Prohibition	Transfer, extra leave
Bulgaria	Prohibition	Paid	No obligation	Elimination, adaptation, transfer, extra leave
Czechia	No obligation	Not provided	Prohibition	Adaptation, transfer
Hungary	No obligation	Paid	No obligation	Transfer, extra leave

Country	Night work protection	Time off for prenatal medical examinations	Protections against dangerous or unhealthy work	Alternatives to dangerous or unhealthy work
Europe and Central Asia				
Eastern Europe				
Poland	Prohibition	Paid	Prohibition (w)	Elimination, adaptation, transfer, extra leave
Republic of Moldova	Prohibition	Not provided	Prohibition (w)	Transfer, extra leave
Romania	No obligation	Not provided	No protection	Adaptation, transfer, extra leave
Russian Federation	Prohibition	Paid	Prohibition (w)	Adaptation, transfer, extra leave
Slovakia	No obligation	Paid	Prohibition	Adaptation, transfer, extra leave
Ukraine	Prohibition	Not provided	No obligation	Transfer
Northern, Southern and Western Europe				
Albania	No obligation	Provided (upon an agreement with the employer)	Prohibition	Adaptation, transfer, extra leave
Andorra	Prohibition	Not provided	Prohibition	Adaption, transfer, extra leave
Austria	Prohibition	Paid	Prohibition	Elimination, adaptation, transfer, extra leave
Belgium	Prohibition	Paid	Prohibition	Elimination, adaptation, transfer, extra leave
Bosnia and Herzegovina	Prohibition	Not provided	Prohibition	Transfer, extra leave
Croatia	No restriction	Paid	No protection	Adaptation, extra leave
Denmark	No restriction	Provided	Prohibition	Adaptation, transfer, extra leave
Estonia	Prohibition	Paid	No obligation	Elimination, adaptation, transfer, extra leave
Finland	No restriction	Paid	No obligation	Elimination, transfer
France	No obligation	Not provided	Prohibition	Adaptation, transfer, extra leave
Germany	Prohibition	Paid	Prohibition	Elimination, adaptation, transfer, extra leave
Greece	No obligation	Paid	No protection <sup>12</sup>	Adaptation, transfer, extra leave
Iceland	No restriction	Not provided	No protection	Adaptation, transfer, extra leave
Ireland	No obligation	Paid	Prohibition	Adaptation, transfer, extra leave
Italy	Prohibition	Paid	Prohibition	Adaptation, transfer, extra leave
Latvia	Prohibition	Paid	Prohibition	Adaptation, transfer, extra leave
Lithuania	No obligation	Not provided	Prohibition	Elimination, adaptation, transfer, extra leave
Luxembourg	No obligation	Paid	Prohibition	Elimination, adaptation, transfer, extra leave
Malta	No obligation	Paid	Prohibition	Adaptation, transfer, extra leave
Monaco	Prohibition (w)	Not provided	Prohibition (w)	Transfer

Country	Night work protection	Time off for prenatal medical examinations	Protections against dangerous or unhealthy work	Alternatives to dangerous or unhealthy work
Europe and Central Asia				
Northern, Southern and Western Europe				
Montenegro	Prohibition	Paid	No obligation	Transfer, extra leave
Netherlands	No obligation	Paid	Prohibition	Elimination, adaptation, transfer, extra leave
North Macedonia	Prohibition	Not provided	Prohibition	Adaptation, transfer, extra leave
Norway	No restriction	Paid	No protection	Transfer
Portugal	No obligation	Paid	No obligation	Adaptation, transfer, extra leave
San Marino	No restriction	Not provided	Prohibition	Adaptation, transfer, extra leave
Serbia	No obligation	Paid	Prohibition	Transfer, extra leave
Slovenia	Prohibition	Not provided	Prohibition	Adaptation, transfer, extra leave
Spain	No obligation	Paid	Prohibition	Adaptation, transfer, extra leave
Sweden	No restriction	Not provided	No obligation	Transfer, extra leave
Switzerland	Prohibition	Not provided	Prohibition	Adaptation, transfer, extra leave
United Kingdom of Great Britain and Northern Ireland	No restriction <sup>13</sup>	Paid	Prohibition	Adaptation, extra leave

**Note:** 185 countries and territories. n/a = not applicable.

**Source:** Compiled by authors from national legislation.



## Methodological notes

### Night work protection

- ▶ No obligation = pregnant or breastfeeding workers cannot be obliged to do night work.
- ▶ No obligation (w) = all women cannot be obliged to do night work.
- ▶ Prohibition = pregnant or breastfeeding workers are prohibited from doing night work.
- ▶ Prohibition (w) = all women are prohibited from doing night work.
- ▶ No restriction = there are no legal provisions to limit night work.

Health protection – Paragraph 6(4) of Recommendation No. 191: “A 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.”

This indicator determines whether the legislation includes any provision to limit night work (defined according to national legislation) by pregnant or breastfeeding workers. It distinguishes between “no obligation”, namely the worker’s right not to be obliged to do night work, and “prohibition”, namely the statutory interdiction to prevent pregnant or breastfeeding from doing night work. In some cases, the legislation forbids night work to all women, irrespective of their pregnancy or nursing status. These instances are marked by “(w)”.

### Time off for prenatal medical examinations

- ▶ Paid = women are entitled to time off from work with pay to attend prenatal medical examinations.
- ▶ Unpaid = women are entitled to time off from work without pay to attend prenatal medical examinations.
- ▶ Provided = women are entitled to time off from work to attend prenatal medical examinations, but the law does not specify whether this time off is paid.
- ▶ Not provided = the legislation does not provide for paid or unpaid time off to attend prenatal medical examinations.

Health protection – Paragraph 6(6) of 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.”

This indicator assesses whether the legislation provides pregnant workers with time off to attend antenatal healthcare visits and whether this time off is paid.

### Protections against dangerous or unhealthy work

- ▶ No obligation = pregnant or breastfeeding workers cannot be obliged to perform dangerous or unhealthy work.
- ▶ No obligation (w) = all women cannot be obliged to perform dangerous or unhealthy work.
- ▶ Prohibition = pregnant or breastfeeding workers are prohibited from performing dangerous or unhealthy work.
- ▶ Prohibition (w) = all women are prohibited from performing dangerous or unhealthy work.
- ▶ No protection = there are no legal measures to protect the safety and health of pregnant or breastfeeding workers.

Health protection – Maternity Protection Convention, 2000 (No. 183), Article 3: “Each Member shall, after consulting the representative organizations of employers and workers, 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 an assessment has established a significant risk to the mother’s health or that of her child.”

Paragraph 6(3) of the Maternity Protection Recommendation, 2000 (No. 191) defines work prejudicial to the health of the mother or the child as follows: “(a) arduous work involving the manual lifting, carrying, pushing or pulling of loads; (b) work involving exposure to biological, chemical or physical agents which represent a reproductive health hazard; (c) work requiring special equilibrium; (d) work involving physical strain due to prolonged periods of sitting or standing, to extreme temperatures, or to vibration”.

This indicator establishes whether the legislation includes any provision to protect pregnant or breastfeeding workers from dangerous or unhealthy work. It distinguishes between “no obligation”, namely the worker’s right not to be obliged to perform dangerous work, and “prohibition”, namely the statutory interdiction to prevent pregnant or breastfeeding from performing dangerous work. The indicator refers to general non-obligation/prohibition of dangerous or unhealthy work as well as to non-obligation/prohibition that is limited to specific tasks or conditions (for example, working with chemicals, certain loads, etc.). In some cases, the legislation forbids hazardous or unhealthy work for all women, with or without special measures for pregnant or breastfeeding workers. These instances are marked by a “(w)”.

“No protection” does not distinguish between countries that have not provided any protections at all for pregnant or breastfeeding workers and countries that have not prohibited dangerous work, but have introduced mandatory alternative measures. This indicator must therefore be read with the indicator “Alternatives to dangerous work” to understand which countries may in fact have a plethora of protections without explicitly prohibiting dangerous work.

### Alternatives to dangerous or unhealthy work

- ▶ Elimination = where dangerous or unhealthy work or a risk has been identified, the hazard/risk should be eliminated.
- ▶ Adaptation = in case of hazard or risk, pregnant or breastfeeding workers’ conditions of work should be adapted in order to prevent hazard or risk exposure.
- ▶ Transfer = in case of hazard or risk, pregnant or breastfeeding workers should be transferred to a post that does not entail hazard or risk exposure.
- ▶ Extra leave = in case of hazard or risk, pregnant or breastfeeding workers should be entitled to additional leave.
- ▶ No alternative = the law does not provide for alternatives to dangerous or unhealthy work.

Health protection – Paragraph 6(2) of Recommendation No. 191: “In any of the situations [in which work has been determined by the competent authority to be prejudicial to the health of the mother or the child] or where a significant risk has been identified ..., measures should be taken to provide, on the basis of a medical certificate as appropriate, 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, when such an adaptation is not feasible; or (d) paid leave, in accordance with national laws, regulations or practice, when such a transfer is not feasible.”

This indicator assesses the extent to which the legislation entitles pregnant or breastfeeding workers to any of the above alternative measures to dangerous or unhealthy work. All the statutory alternative measures for which information was available or could be identified are reported for each country. In cases where the worker is entitled to extra leave, the indicator does not specify whether this additional leave is paid, counted as sick leave, paid by the employer or social security, or unpaid.

## Sources

All information in the table is based on a review of data which took place from mid-2020 to mid-2021. The main sources of information used to collect the data were the [ILO NATLEX Database](#) of national labour, social security and related human rights legislation, and official government websites using the most recent published and consolidated versions of the laws.

## Table notes

- 1 Angola: Pregnant women are restricted from night work for some industrial work.
- 2 Angola: The employer must assure the pregnant worker of employment appropriate to her condition.
- 3 Guinea-Bissau: Section 157(1)(a) of the Labour Code states that pregnant employees are not to perform tasks which medically unadvised, considering the state of pregnancy, without loss of remuneration, during the pregnancy and after the birth. This has been captured as “transfer”, however elimination, adaptation or extra leave may also be an alternative, although not explicitly stated.
- 4 Niger: The prohibition provision under article 177 of Décret 2017 states that an employer must not employ women in work which by its nature or the conditions under which it is carried out is likely to affect reproductive capacity.
- 5 Togo: Requirement to transfer employee is limited to circumstances where pregnant and breastfeeding women’s work exposes them to agents proven to be toxic to reproduction.
- 6 Haiti: Dangerous work is prohibited during the three months before the expected date of birth.
- 7 Honduras: The prohibition on night work relates only for night work of more than five hours in length.
- 8 Malaysia: The prohibition on night work for women only applies to agricultural and industrial undertakings.
- 9 Timor-Leste: Article 63(1) of the Labour Code does not specify alternatives to dangerous work but states that “a pregnant or nursing worker shall be entitled, without loss of remuneration, to not carry out tasks that are medically inadvisable for her health”. Therefore, any alternatives proposed by the employer must ensure the retention of previous wages.
- 10 Israel: Article 1 of the Employment of Women Law, 5714-1954, states that the Minister of Labour and Social Affairs may, by regulations, prohibit or limit the employment of a female worker in any specific work, production process or workplace, employment in which is likely, in the Minister’s opinion, to be especially prejudicial to the health of a female.
- 11 Turkey: Under the Bylaw on the Working Conditions for Pregnant or Nursing Workers, and Nursing Rooms and Day Nurseries and the Occupational Health and Safety Act, as soon as a female employee notifies her employer of her pregnancy or breastfeeding period, the employer must immediately implement the necessary protective measures. However, there is no explicit prohibition of lack of obligation for working in dangerous conditions.
- 12 Greece: While there is no prohibition or explicit lack of obligation for pregnant workers to working dangerous work, the employer is required take all the necessary measures so that a pregnant worker is not exposed to risks that may harm her health or the health of her child.
- 13 United Kingdom: Under article 17 of the Management of Health and Safety at Work Regulations 1999, night work is permitted except if a certificate is provided from a medical practitioner stating that the pregnant person should not work at night.

► **Table A.6. Breastfeeding at work**

Country	Entitlement to paid nursing breaks	Number of daily nursing breaks	Total daily nursing break duration	Period during which nursing breaks are allowed by law	Statutory provisions of working nursing facilities
<b>Africa</b>					
<b>Northern Africa</b>					
Algeria	Not provided	Not provided	Not provided	Not provided	Not provided
Egypt	Paid	2	60	24 months post-birth	Not provided
Libya	Paid	1 or more	60 minutes	18 months following confinement	Women/children
Morocco	Paid	2	60	12 months from starting date of return to work	50fw over age of 16
Sudan	Paid	1	60	2 years from date of birth of child	Not provided
Tunisia	Paid	2	60	Until child reaches 1 years old	50fw
<b>Sub-Saharan Africa</b>					
Angola	Paid or reduction	2	60	12 months	Not provided
Benin	Paid	Not limited	60	15 months	Not provided
Botswana	Paid	2	60	6 months	Not provided
Burkina Faso	Paid	Not specified	90	14 months after return from leave	Not provided
Burundi	Paid	1	60	6 months	Not provided
Cabo Verde	Paid	Not specified	45	The first six months after the birth	Not provided
Cameroon	Paid	Not specified	60	15 months from birth	50fw
Central African Republic	Paid	Not specified	60	15 months following confinement	50fw
Chad	Paid	Not specified	60	15 months after the birth	Not provided
Comoros	Paid	Not specified	60	15 months	Not provided
Congo	Paid	2	60	15 months	Not provided
Côte d'Ivoire	Paid	Not specified	60	15 months	Not provided
Democratic Republic of the Congo	Paid	2	60	Not specified	Not provided
Djibouti	Paid or reduction	1	60	15 months from resumption of work	Not provided
Equatorial Guinea	Paid	2	120	Not specified	Not provided

Country	Entitlement to paid nursing breaks	Number of daily nursing breaks	Total daily nursing break duration	Period during which nursing breaks are allowed by law	Statutory provisions of working nursing facilities
Africa					
Sub-Saharan Africa					
Eritrea	Not provided	Not provided	Not provided	Not provided	Not provided
Eswatini	Paid	Not specified	60	3 months	Not provided
Ethiopia	Not provided	Not provided	Not provided	Not provided	Not provided
Gabon	Paid	Not specified	120 first six months, 60 last six months	12 months	Not provided
Gambia	Not provided	Not provided	Not provided	Not provided	Not provided
Ghana	Paid	Not specified	60	12 months	Not provided
Guinea	Paid	1, 2 or 3	60	9 months from birth	Not provided
Guinea-Bissau	Paid	2	60	12 months from delivery	Not provided
Kenya	Not provided	Not provided	Not provided	Not provided	Not provided
Lesotho	Paid	Not specified	60 minutes	6 months from return to work	Not provided
Liberia	Paid or reduction	2 or reduction of 60 minutes from daily hours	60 minutes	Child reaches age of 6 months	Not provided
Madagascar	Paid	Not specified	60	15 months after birth	25fw
Malawi	Not provided	Not provided	Not provided	Not provided	Not provided
Mali	Paid	Not specified	60	15 months from birth	Not provided
Mauritania	Paid	2	60	15 months from birth	Not provided
Mauritius	Paid	2 or 1	60 minutes	6 months from confinement or such longer period as a medical practitioner may recommend	Not provided
Mozambique	Paid	1 or 2	60	Maximum of 12 months	Not provided
Namibia	Not provided	Not provided	Not provided	Not provided	Not provided
Niger	Paid	2	60	12 months from birth of child	25fw
Nigeria	Paid	2	60	Not specified	Not provided
Rwanda	Paid	1	60	12 months from resuming work	Not provided
Sao Tome and Principe	Paid	1 or 2	60	Limit of 2 years after childbirth	Not provided
Senegal	Paid	Not specified	60	15 months from birth of child	25fw
Seychelles	Not provided	Not provided	Not provided	Not provided	Not provided

Country	Entitlement to paid nursing breaks	Number of daily nursing breaks	Total daily nursing break duration	Period during which nursing breaks are allowed by law	Statutory provisions of working nursing facilities
Africa					
Sub-Saharan Africa					
Sierra Leone	Not provided	Not provided	Not provided	Not provided	Not provided
Somalia	Paid	2	120	12 months after date of birth of child	Not provided
South Africa	Not provided <sup>2</sup>	Not provided	Not provided	Not provided	Not provided
South Sudan	Paid	2 or reduction in work by 60 minutes	60	6 months from date of return	All
Togo	Paid	Not specified	60	15 months from childbirth	Not provided
Uganda	Not provided	Not provided	Not provided	Not provided	Not provided
United Republic of Tanzania	Paid	Not specified	120	Not specified	Not provided
Zambia	Paid	1 or 2	60 minutes	6 months from date of delivery	Not provided
Zimbabwe	Paid	1 or 2	60 minutes	The lesser of the period that employee nurses her child or 6 months	Not provided
Americas					
Latin America and the Caribbean					
Antigua and Barbuda	Not provided	Not provided	Not provided	Not provided	Not provided
Argentina	Paid	2	60	12 months	No information found <sup>3</sup>
Bahamas	Not provided	Not provided	Not provided	Not provided	Not provided
Barbados	Not provided	Not provided	Not provided	Not provided	Not provided
Belize	Not provided	Not provided	Not provided	Not provided	Not provided
Bolivia (Plurinational State of)	Paid	Not specified	60	12 months	50w
Brazil	Paid	2	60	Until child reaches 6 months	30fw
British Virgin Islands	Not provided	Not provided	Not provided	Not provided	Not provided
Chile	Paid or reduction	2	60	Until the child reaches 2 years of age	20fw
Colombia	Paid	2	60	Until child is 6 months of age	All
Costa Rica	Paid	2	60	Not specified	30fw
Cuba	Paid	1	60 (either parent)	Until child 12 months	Not provided
Dominican Republic	Paid	3	60	Not specified	Not provided
Ecuador	Paid or reduction <sup>4</sup>	n/a	120	12 months after birth	Not provided

Country	Entitlement to paid nursing breaks	Number of daily nursing breaks	Total daily nursing break duration	Period during which nursing breaks are allowed by law	Statutory provisions of working nursing facilities
Americas					
Latin America and the Caribbean					
El Salvador	Paid	2	60	Not specified	Not provided <sup>5</sup>
Guatemala	Paid or reduction	1 or 2	60 minutes	10 months on return from work	30fw
Guyana	Not provided	Not provided	Not provided	Not provided	Not provided
Haiti	Paid	Every 3 hours	60	Not provided	Not provided
Honduras	Paid	2	60	6 months	20w
Jamaica	Not provided	Not provided	Not provided	Not provided	Not provided
Mexico	Paid or reduction	2	60	6 months	Not provided
Nicaragua	Paid	Every 3 hours	30	Not specified	30fw
Panama	Paid	Every 3 hours or 2	60 minutes	Not stated	20fw
Paraguay	Paid or reduction	Not specified	90	6 months	All
Peru	Paid	Not specified	60	Until child reaches 12 months of age	Not provided
Saint Kitts and Nevis	Not provided	Not provided	Not provided	Not provided	Not provided
Saint Lucia	Not provided	Not provided	Not provided	Not provided	Not provided
Saint Vincent and the Grenadines	Not provided	Not provided	Not provided	Not provided	Not provided
Suriname	Not provided	Not provided	Not provided	Not provided	Not provided
Trinidad and Tobago	Not provided	Not provided	Not provided	Not provided	Not provided
Uruguay	Paid	1 or 2	60 minutes	Up to 24 months	20fw or 50w
Venezuela (Bolivarian Republic of)	Paid	2	60	Not specified	20w
Northern America					
Canada	Unpaid <sup>6</sup>	As necessary	As necessary	Not specified	Not provided
United States of America	Unpaid	Not specified	Not specified	Until child reaches 1 year	50w
Arab States					
Bahrain	Paid	2	120	6 (or one year for "care breaks", which could be used for breastfeeding)	Not provided
Iraq	Paid	1	60	Not specified	Not provided
Jordan	Paid	Not specified	60	12 months	15 or more children under 5 years of age among employees

Country	Entitlement to paid nursing breaks	Number of daily nursing breaks	Total daily nursing break duration	Period during which nursing breaks are allowed by law	Statutory provisions of working nursing facilities
Arab States					
Kuwait	Paid	Not specified	120 minutes	Not specified	Not provided
Lebanon	Not provided	Not provided	Not provided	Not provided	Not provided
Oman	Not provided	Not provided	Not provided	Not provided	Not provided
Qatar	Paid	Not specified	60	1 year after delivery	Not provided
Saudi Arabia	Paid	Not specified	60	Not specified	Not provided
Syrian Arab Republic	Paid	1 or 2	60	After leave for 24 months	Not provided
United Arab Emirates	Paid	2	60	18 months from date of delivery	Not provided
Yemen	Paid	Not specified	Not specified	6 months from birth of child	Not provided
Asia and the Pacific					
Eastern Asia					
China	Paid	Not specified	60	Until the child reaches 1 year of age	Not provided
Hong Kong, China	Not provided	Not provided	Not provided	Not provided	Not provided
Japan	Unpaid	2	60	Until child reaches 12 months	Not provided
Mongolia	Paid	Not specified	120	6 months	Not provided
Republic of Korea	Paid	2	60	Until child reaches 12 months	All
South-Eastern Asia and the Pacific					
Australia	Not provided	Not provided	Not provided	Not provided	Not provided
Brunei Darussalam	Not provided	Not provided	Not provided	Not provided	Not provided
Cambodia	Paid	2	60	1 year from date of delivery	100fw
Fiji	Not provided	Not provided	Not provided	Not provided	Not provided
Indonesia	Paid	Not specified	Not specified	Not specified	Not provided
Lao People's Democratic Republic	Paid	Not specified	60	1 year after birth	Not provided
Malaysia	Not provided	Not provided	Not provided	Not provided	Not provided
Myanmar	Not provided	Not provided	Not provided	Not provided	Not provided
New Zealand	Unpaid	Not specified	Not specified	Not specified	All
Papua New Guinea	Paid	2	60	Not specified	Not provided
Philippines	Paid	Not limited	40	Not specified	All



Country	Entitlement to paid nursing breaks	Number of daily nursing breaks	Total daily nursing break duration	Period during which nursing breaks are allowed by law	Statutory provisions of working nursing facilities
Asia and the Pacific					
South-Eastern Asia and the Pacific					
Samoa	Paid or reduction	1 or more	Not specified	Not specified	Not provided
Singapore	Not provided	Not provided	Not provided	Not provided	Not provided
Solomon Islands	Paid	2	120	Not specified	Not provided
Thailand	Not provided	Not provided	Not provided	Not provided	Not provided
Timor-Leste	Paid	2	120	Up to 6 months	Not provided
Tonga	No maternity leave	No maternity leave	No maternity leave	No maternity leave	No maternity leave
Vanuatu	Paid	2	120	24 months	Not provided
Viet Nam	Paid	Not specified	60	Until child reaches 12 months of age	Not provided
Southern Asia					
Afghanistan	Paid	Every 3 hours	60	Not specified	Not provided
Bangladesh	Not provided	Not provided	Not provided	Not provided	Not provided
Bhutan	Paid	Every 4 hours	60	1 month	Not provided
India	Paid	2	Not specified	15 months	50w
Iran (Islamic Republic of)	Paid	Every 3 hours	60	Until child reaches 2 years of age	Not provided
Maldives	Paid	2	60	Until child 1 year of age	Not provided
Nepal	Not provided	Not provided	Not provided	Not provided	Not provided
Pakistan	Not provided	Not provided	Not provided	Not provided	Not provided
Sri Lanka	Paid	2	60-120 <sup>7</sup>	Until the child reaches 1 year of age	Not provided
Europe and Central Asia					
Central and Western Asia					
Armenia	Paid	Every 3 hours	60	12 months	Not provided
Azerbaijan	Paid	Every 3 hours	60	Until child is 1.5 years	All
Cyprus	Paid or reduction	1	60	6 months	Not provided
Georgia	Paid	1	60 (at least)	Until child is 1 year	Not provided
Israel	Paid	1	60	4 months (after the end of maternity leave)	Not provided

Country	Entitlement to paid nursing breaks	Number of daily nursing breaks	Total daily nursing break duration	Period during which nursing breaks are allowed by law	Statutory provisions of working nursing facilities
Europe and Central Asia					
Central and Western Asia					
Kazakhstan	Paid	Every 3 hours	60	Until child is 18 months	Not provided
Kyrgyzstan	Paid or reduction	Every 3 hours	60	Until child is 1.5 years	Not provided
Tajikistan	Paid	Every 3 working hours	Not specified (30 min break for every 3 working hours)	Child under 18 months	Not provided
Turkey	Paid	Not specified	90	Until child reaches 1 years old	100fw
Turkmenistan	Paid	Every 3 hours	Each break at least 30 min (mother with 2 or more children has at least 60 min for each break)	Children under the age of one and a half years	Women/children <sup>9</sup>
Uzbekistan	Paid	At least every 3 hours	Not specified (each break may be 30 mins)	Children under the age of two years	Not provided
Eastern Europe					
Belarus	Paid	Every 3 hours	60	18 months	Not provided
Bulgaria	Paid	2	120	Until child is 8 months	20fw
Czechia	Paid	2	60	Until child is 1 year	All
Hungary	Paid	2	120 first six months, 60 last 3 months	9 months	Not provided
Poland	Paid	2	60	Not specified	Not provided
Republic of Moldova	Paid	Every 3 hours	60 minutes	36 months	Not provided
Romania	Paid or reduction	2	120	Until child reaches 12 months	All
Russian Federation	Paid or reduction	Every three hours	60	Until child reaches 18 months	Not provided
Slovakia	Paid or reduction	2 for first 6 months, 1 for second six months	60 first 6 months, 30 last six months	Until child reaches 12 months	All <sup>10</sup>
Ukraine	Paid	Every 3 hours	Not specified (each break may be 30 mins)	Children under age of 1.5	All
Northern, Southern and Western Europe					
Albania	Paid or reduction	1	120 minutes	Until the child reaches 1 year of age	Not provided
Andorra	Not provided	Not provided	Not provided	Not provided	Not provided
Austria	Paid	2	90	Not specified	Not provided
Belgium	Paid	2	60	9 months	All

Country	Entitlement to paid nursing breaks	Number of daily nursing breaks	Total daily nursing break duration	Period during which nursing breaks are allowed by law	Statutory provisions of working nursing facilities
Europe and Central Asia					
Northern, Southern and Western Europe					
Bosnia and Herzegovina	Paid	2	120	12 months	Not provided
Croatia	Paid	1, 2	120	12 months from birth	Not provided
Denmark	Not provided	Not provided	Not provided	Not provided	Not provided
Estonia	Paid	Every 3 hours	60	Until child is 18 months	Not provided
Finland	Not provided	Not provided	Not provided	Not provided	Not provided
France	Paid	Not specified	60	Until the child is 1 year	100w
Germany	Paid	1 or 2	60	12 months	Not provided
Greece	Not provided <sup>11</sup>	Not provided	Not provided	Not provided	Not provided
Iceland	Not provided	Not provided	Not provided	Not provided	Not provided
Ireland	Paid or reduction	1,2,3	60	Not specified	Not provided <sup>12</sup>
Italy	Paid or reduction	Not specified	120	Until child is 12 months	Not provided
Latvia	Paid	Every 3 hours	60	Until child is 1.5 years	Not provided
Lithuania	Paid	Every 3 hours	60	No information found	Not provided
Luxembourg	Paid or reduction	2	90	Not specified	Not provided
Malta	Paid	3, 2, 1	60	No information found	Not provided
Monaco	Paid	Every 4 hours	30 minutes	12 months from birth	Not provided
Montenegro	Paid	1 or 2	120 minutes	Until child 12 months	Not provided
Netherlands	Paid	Not specified	120	9 months	All
North Macedonia	Paid	1	90 minutes (including daily break)	Child is 12 months	Not provided
Norway	Paid or reduction	Not specified	60	Until child reaches 1 year of age	Not provided
Portugal	Paid	2	120	Not specified	Not provided
San Marino	Paid	Not specified	120 minutes	Children under age of 1	Not provided
Serbia	Paid or reduction	Not specified	90 minutes	12 months from birth	Not provided
Slovenia	Paid <sup>13</sup>	Not specified	60	Until child reaches 18 months	Not provided
Spain	Paid or reduction <sup>14</sup>	1 or 2	60	Until the child reaches 9 months (or 12 months if both parents take the leave)	Not provided

Country	Entitlement to paid nursing breaks	Number of daily nursing breaks	Total daily nursing break duration	Period during which nursing breaks are allowed by law	Statutory provisions of working nursing facilities
Europe and Central Asia					
Northern, Southern and Western Europe					
Sweden	Paid	Not specified	Not specified	Not specified	Not provided
Switzerland	Paid	Not specified	90 minutes (7 or more hour day)	During child's 1st year	Not provided
United Kingdom of Great Britain and Northern Ireland	Not provided	Not provided	Not provided	Not provided	Not provided

Note: 185 countries and territories. n/a = not applicable.

Source: Compiled by authors from national legislation.

## Methodological notes

### Entitlement to paid nursing breaks

- ▶ Paid = women workers are entitled to daily breaks with pay to breastfeed or express breast milk.
- ▶ Paid or reduction = women workers are entitled to daily breaks or a reduction of working time with pay to breastfeed or express breast milk.
- ▶ Unpaid = women workers are entitled to daily breaks or a reduction of working time without pay to breastfeed or express breast milk.
- ▶ Not provided = the law does not provide women workers with the right to daily breaks or a reduction of working time to breastfeed or express breast milk.

Breastfeeding mothers – Maternity Protection Convention, 2000 (No. 183), Article 10(1–2): “A woman shall be provided with the right to one or more daily breaks or a daily reduction of hours of work to breastfeed her child. ... These breaks or the reduction of daily hours of work shall be counted as working time and remunerated accordingly.”

This indicator determines whether the legislation provides women workers with the right to daily breaks or a daily reduction of working time in order to breastfeed their child or express breast milk to bottle-feed their child later. When the law allows workers to choose between paid breaks or a reduction of working time, this is indicated (“Paid or reduction”). The indicator also specifies whether this entitlement is paid. Unless the legislation explicitly provides that nursing breaks or reduction of working time are remunerated, they are considered as “unpaid”.

### Number of daily nursing breaks

- ▶ # = number of statutory daily breaks to which workers are entitled in order to nurse their babies or express breast milk.
- ▶ Not specified = breastfeeding breaks are provided, but the number of breaks is not specified.
- ▶ Every # hours = breastfeeding breaks can be taken every certain number of hours.
- ▶ Not limited = no limit into the number of daily nursing breaks to which the worker is entitled.

Breastfeeding mothers – Maternity Protection Convention, 2000 (No. 183), Article 10(2): “The period during which nursing breaks or the reduction of daily hours of work are allowed, their number, the duration of nursing breaks and the procedures for the reduction of daily hours of work shall be determined by national law and practice.”

This indicator measures the number of daily nursing breaks as indicated by national legislation.

### Total nursing break daily duration

- ▶ # = total duration of daily nursing breaks or reduction of daily hours of work in minutes.
- ▶ Not specified = breastfeeding breaks are provided, but the total daily duration of nursing breaks is not specified.

Breastfeeding mothers – Maternity Protection Convention, 2000 (No. 183), Article 10(2): “The period during which nursing breaks or the reduction of daily hours of work are allowed, their number, the duration of nursing breaks and the procedures for the reduction of daily hours of work shall be determined by national law and practice.”

This indicator measures the total daily duration of statutory nursing breaks or reduction of daily hours of work in minutes.

### Period during which nursing breaks are allowed by law

- ▶ # = number of months (or years) during which nursing breaks or the reduction of daily hours of work are allowed by law.
- ▶ Not specified = breastfeeding breaks are provided, but the duration of the entitlement is not specified by law.

Breastfeeding mothers – Maternity Protection Convention, 2000 (No. 183), Article 10(2): “The period during which nursing breaks or the reduction of daily hours of work are allowed, their number, the duration of nursing breaks and the procedures for the reduction of daily hours of work shall be determined by national law and practice.”

This indicator measures the period during which women workers are entitled to daily breastfeeding breaks or a reduction of working time. In national legislation, the entitlement duration can either refer to the number of months during which a woman can use nursing breaks upon return to work at the end of maternity leave or to the age of the child (usually expressed in months or years) up to which the mother can avail herself of this entitlement. For comparative purposes, the duration of nursing breaks included in national legislation was converted into months and the reference is made in bracket to the provision in national legislation. If no reference in brackets is provided, the period of months is considered to begin at the birth of the child.

### Statutory provision of working nursing facilities

- ▶ All = employers are requested to provide nursing or childcare facilities at or near their workplaces (or a reimbursement of childcare costs) regardless of the number of workers.
- ▶ Women/children = employers are requested to provide facilities based on an undefined number of women workers or children, but there is no minimum number included in the legislation.
- ▶ #fw = employers with more than # number of female workers should provide for nursing or childcare facilities at their workplace (or a reimbursement of childcare costs).
- ▶ #w = employers with more than # number of workers, regardless of their sex, should provide for nursing or childcare facilities at their workplace (or a reimbursement of childcare costs).
- ▶ Not provided = the provision of nursing or childcare facilities or reimbursement of childcare costs is not mandated by law.

Breastfeeding mothers – Maternity Protection Recommendation, 2000 (No. 191), Paragraph 9: “Where practicable, provision should be made for the establishment of facilities for nursing under adequate hygienic conditions at or near the workplace.”

This indicator provides information on the statutory provision of workplace nursing or childcare facilities and the conditions under which their establishment is mandatory. Cases in which this provision is not included in the law on a mandatory basis are marked as “Not provided”. In some countries, employers are mandated to provide facilities based on a statutory number of workers (indicated by “w”), both women and men, or only on a specified number of female workers (indicated by “fw”). In other instances, the legislation prescribes the creation of nursing or childcare facilities based on an unspecified number of workers, women or children (for example, “many” women; “prescribed number of women”; “according to the number of children, with due regard to their age”). As an alternative to the provision of workplace facilities, the law can mandate the reimbursement of childcare costs.

## Sources

All information in the table is based on a review of data which took place from mid-2020 to mid-2021. The main sources of information used to collect the data were the [ILO NATLEX Database](#) of national labour, social security and related human rights legislation, and official government websites using the most recent published and consolidated versions of the laws.

## Table notes

- 1 Mauritania: However, article 163 of the Labour Code specifies that Minister for Work has the power to make an order requiring establishments with more than 100 female workers to have nursing facilities.
- 2 South Africa: However, the Code of Good Practice on Pregnancy and Afterbirth provides for a number of best practices related to workers with family responsibilities including paid nursing breaks and advising employers to provide flexible work arrangements. See: <https://www.labour-guide.co.za/ccma-informations/43-general/general/515-code-of-good-practice-on-pregnancy-and-afterbirth>.
- 3 Argentina: Article 179 of the Ley Contrato de Trabajo requires establishments with a certain number of female employees to have lactation rooms and childcare facilities, however specific regulations that establish the number of female employees and exact requirements are not consistent across the country.
- 4 Ecuador: Women who are nursing their child are entitled to a working day of six hours.
- 5 El Salvador: Article 42 of the Constitution states, "The laws will regulate the obligation of the employers to install and maintain rooms for infants [*salas cunas*] and day care places [*lugares de custodia*] for the children." While this article implies these rooms are for childcare, it is possible they could be used for nursing facilities.
- 6 Canada: The breaks are unpaid at the federal level, however individual provinces and territories have their own laws and regulations.
- 7 Sri Lanka: Where a daycare or suitable place is provided by the employer for nursing, the breaks are 30 minutes each, and where no suitable place for nursing is provided the breaks are one hour each.
- 8 Azerbaijan: If a woman with children under the age of 18 months encounters difficulties in connection with feeding the child, the employer, at the woman's request, must transfer her to lighter work or provide the necessary facilities for breastfeeding.
- 9 Turkmenistan: For both nursing and childcare facilities "enterprises with a wide use of female labor must provide nurseries and gardens, nursing rooms, and women's personal hygiene rooms".
- 10 Slovakia: According to the Labour Code, an employer shall be obliged to establish, maintain and improve the level of social facilities and personal sanitation facilities for women.
- 11 Greece: No general legal provisions on breastfeeding breaks could be identified, however Act No. 1483 of 1983 establishes a duty on the head of industrial enterprises or farms with more than 300 employees to provide adequate facilities for breastfeeding.
- 12 Ireland: Providing nursing facilities is not obligatory if the cost would be more than nominal for the employer.
- 13 Slovenia: Nursing breaks are paid through social insurance.
- 14 Spain: During the first nine months of the child's life, adoption or foster care, employees (both parents) are entitled to one hour of absence during the working day without a loss of earnings. This part-time leave (*permiso de cuidado del lactante*) was originally meant to support breastfeeding, but is defined now as period of nursing care. It is an individual, non-transferable entitlement. By consolidating this entitlement, parents can also extend maternity (and paternity) leave by two to four weeks. In the private sector, if both parents make use of this leave equally and in the same way, they can extend the leave until the child's first birthday. In this case, the wage reduction during this period is compensated by social security funds.

► Table A.7. Childcare services

Country	CHILDCARE SERVICE SYSTEM (CHILDREN AGED 0–2 YEARS)				PRE-PRIMARY EDUCATION SYSTEM (CHILDREN AGED 3 YEARS AND ABOVE)			
	Provision of a national childcare service system	Type of funding scheme for childcare services	Starting age of entitlement	Guaranteed hours of service	Provision of national pre-primary education system	Type of funding scheme for pre-primary education services	Starting age of entitlement	Guaranteed hours of services
Africa								
Northern Africa								
Algeria	No	–	–	–	No	–	–	–
Egypt	No	–	–	–	Yes	Targeted	Age 4 and 5	No indication of hours per week
Libya	No	–	–	–	No	–	–	–
Morocco	No	–	–	–	No	–	–	–
Sudan	No	–	–	–	No	–	–	–
Tunisia	No	–	–	–	No	–	–	–
Sub-Saharan Africa								
Angola	No	–	–	–	No	–	–	–
Benin	No	–	–	–	Yes	Universal	Age 3	No indication of hours per week
Botswana	No	–	–	–	No	–	–	–
Burkina Faso	No	–	–	–	No	–	–	–
Burundi	No	–	–	–	No	–	–	–
Cabo Verde	No	–	–	–	Yes	Universal	Age 4	No indication of hours per week
Cameroon	No	–	–	–	No	–	–	–
Central African Republic	No	–	–	–	No	–	–	–
Chad	No	–	–	–	No	–	–	–
Comoros	No	–	–	–	No	–	–	–
Congo	No	–	–	–	No	–	–	–



Country	CHILDCARE SERVICE SYSTEM (CHILDREN AGED 0–2 YEARS)				PRE-PRIMARY EDUCATION SYSTEM (CHILDREN AGED 3 YEARS AND ABOVE)			
	Provision of a national childcare service system	Type of funding scheme for childcare services	Starting age of entitlement	Guaranteed hours of service	Provision of national pre-primary education system	Type of funding scheme for pre-primary education services	Starting age of entitlement	Guaranteed hours of services
Africa								
Sub-Saharan Africa								
Côte d'Ivoire	No	–	–	–	No	–	–	–
Democratic Republic of the Congo	No	–	–	–	No	–	–	–
Djibouti	No	–	–	–	No	–	–	–
Equatorial Guinea	No	–	–	–	Yes	Universal	Age 3 (private) age 6 (public)	No indication of hours per week
Eritrea	No	–	–	–	Yes	Targeted	Age 4	4 hours per day (where available)
Eswatini	No	–	–	–	No	–	–	–
Ethiopia	No	–	–	–	No	–	–	–
Gabon	No	–	–	–	No	–	–	–
Gambia	No	–	–	–	No	–	–	–
Ghana	No	–	–	–	Yes	Universal	Age 4 and 5	No indication of hours per week
Guinea	No	–	–	–	No	–	–	–
Guinea-Bissau	No	–	–	–	No	–	–	–
Kenya	No	–	–	–	No	–	–	–
Lesotho	No	–	–	–	No	–	–	–
Liberia	No	–	–	–	Yes	Universal	Age 3	No indication of hours per week
Madagascar	No	–	–	–	No	–	–	–
Malawi	No	–	–	–	No	–	–	–
Mali	No	–	–	–	Yes	Targeted	Age 3	No indication of hours per week
Mauritania	No	–	–	–	No	–	–	–

Country	CHILDCARE SERVICE SYSTEM (CHILDREN AGED 0–2 YEARS)				PRE-PRIMARY EDUCATION SYSTEM (CHILDREN AGED 3 YEARS AND ABOVE)			
	Provision of a national childcare service system	Type of funding scheme for childcare services	Starting age of entitlement	Guaranteed hours of service	Provision of national pre-primary education system	Type of funding scheme for pre-primary education services	Starting age of entitlement	Guaranteed hours of services
Africa								
Sub-Saharan Africa								
Mauritius	No	–	–	–	Yes	Universal	Age 3	6 hours per day, child-minding services may be available
Mozambique	No	–	–	–	No	–	–	–
Namibia	No	–	–	–	No	–	–	–
Niger	No	–	–	–	No	–	–	–
Nigeria	No	–	–	–	Yes	Universal	Age 5	School day
Rwanda	No	–	–	–	No	–	–	–
Sao Tome and Principe	No	–	–	–	No	–	–	–
Senegal	No	–	–	–	No	–	–	–
Sierra Leone	No	–	–	–	No	–	–	–
Somalia	No	–	–	–	No	–	–	–
South Africa	No	–	–	–	No	–	–	–
South Sudan	No	–	–	–	No	–	–	–
Togo	No	–	–	–	No	–	–	–
Uganda	No	–	–	–	No	–	–	–
United Republic of Tanzania	No	–	–	–	No	–	–	–
Zambia	No	–	–	–	No	–	–	–
Zimbabwe	No	–	–	–	Yes	Universal	Age 3	No indication of hours per week
Americas								
Latin America and the Caribbean								
Argentina	No	–	–	–	Yes	Universal	Age 4	Half day
Bahamas	No	–	–	–	Yes	Universal	Age 3	No indication of hours per week

Country	CHILDCARE SERVICE SYSTEM (CHILDREN AGED 0–2 YEARS)				PRE-PRIMARY EDUCATION SYSTEM (CHILDREN AGED 3 YEARS AND ABOVE)			
	Provision of a national childcare service system	Type of funding scheme for childcare services	Starting age of entitlement	Guaranteed hours of service	Provision of national pre-primary education system	Type of funding scheme for pre-primary education services	Starting age of entitlement	Guaranteed hours of services
Americas								
Latin America and the Caribbean								
Barbados	Yes	Largely fee paying	Age 0	As required	Yes	Universal	Age 3	15 hours per week in the public institutions
Belize	No	–	–	–	Yes	Targeted	Age 3	School day (includes going home for lunch)
Bolivia (Plurinational State of)	No	–	–	–	No	–	–	–
Brazil	Yes	Universal	Age 0 (3 months)	No indication of hours per week	Yes	Universal	Age 4 (start of ISCED 02, ISCED 01 at age 3)	School day is 5 hours
Chile	Yes	Targeted	Age 0	Part time and full time available	Yes	Targeted	Age 3 (targeted) age 4 (universal)	22 hours per week from age 4
Colombia	Yes	Targeted	Age 0	No indication of hours per week	Yes	Targeted	Age 3 (targeted) age 5 (universal)	Full day
Costa Rica	Yes	Targeted	Age 0	No national regulation	Yes	Targeted	Age 4 and 3 months is start of compulsory pre school	3–4 hours per day (pre school)
Cuba	Yes	Universal	Age 1	Full day	Yes	Universal	Age 3 and age 5 (pre school)	Full day
Dominican Republic	No	–	–	–	Yes	Universal	Age 5	Full day
Ecuador	Yes	Targeted	Age 0	Childcare centers and home provision	Yes	Targeted	Age 3 to 5	No indication of hours per week
El Salvador	No	–	–	–	No	–	–	–
Guatemala	No	–	–	–	Yes	Universal	Age 4 and 5	No indication of hours per week
Guyana	No	–	–	–	Yes	Universal	Age 3	No indication of hours per week
Haiti	No	–	–	–	No	–	–	–
Honduras	No	–	–	–	Yes	Universal	Age 4 to 6	No indication of hours per week

Country	CHILDCARE SERVICE SYSTEM (CHILDREN AGED 0–2 YEARS)				PRE-PRIMARY EDUCATION SYSTEM (CHILDREN AGED 3 YEARS AND ABOVE)			
	Provision of a national childcare service system	Type of funding scheme for childcare services	Starting age of entitlement	Guaranteed hours of service	Provision of national pre-primary education system	Type of funding scheme for pre-primary education services	Starting age of entitlement	Guaranteed hours of services
Americas								
Latin America and the Caribbean								
Jamaica	No	–	–	–	Yes	Universal	Age 4	Full day
Mexico	Yes	Universal	Age 0	No indication of hours per week	Yes	Universal	Age 3	No indication of hours per week
Nicaragua	Yes	Targeted	Age 0	No indication of hours per week	Yes	Targeted	Age 3	No regulation
Panama	Yes	Universal	Age 0 to 6	No indication of hours per week	Yes	Universal	Age 4 (compulsory from age 5)	No indication of hours per week
Paraguay	No	–	–	–	No	–	–	–
Peru	Yes	Targeted	6 months	No indication of hours per week	Yes	Targeted	Age 3 (in theory) age 5 (in practice)	8 to 2
Saint Lucia	No	–	–	–	No	–	–	–
Saint Vincent and the Grenadines	No	–	–	–	Yes	Targeted	Age 3	No indication of hours per week
Suriname	No	–	–	–	Yes	Targeted	Age 4	School day (7am to 1.30pm)
Trinidad and Tobago	No	–	–	–	Yes	Universal	Age 3	No indication of hours per week
Uruguay	Yes	Largely fee paying	Age 0	No indication of hours per week	Yes	Universal	Age 3	No indication of hours per week
Venezuela (Bolivarian Republic of)	No	–	–	–	No	–	–	–
Northern America								
Canada	No	–	–	–	No	–	–	–
United States of America	No	–	–	–	No	–	–	–
Arab States								
Bahrain	No	–	–	–	No	–	–	–
Iraq	No	–	–	–	No	–	–	–

Country	CHILDCARE SERVICE SYSTEM (CHILDREN AGED 0–2 YEARS)				PRE-PRIMARY EDUCATION SYSTEM (CHILDREN AGED 3 YEARS AND ABOVE)			
	Provision of a national childcare service system	Type of funding scheme for childcare services	Starting age of entitlement	Guaranteed hours of service	Provision of national pre-primary education system	Type of funding scheme for pre-primary education services	Starting age of entitlement	Guaranteed hours of services
Arab States								
Jordan	No	–	–	–	No	–	–	–
Kuwait	No	–	–	–	Yes	Universal	Age 4–6	No indication of hours per week
Lebanon	No	–	–	–	Yes	Universal	Age 3–5	4 hours per day
Oman	No	–	–	–	No	–	–	–
Qatar	No	–	–	–	No	–	–	–
Saudi Arabia	No	–	–	–	No	–	–	–
Syrian Arab Republic	No	–	–	–	No	–	–	–
United Arab Emirates	No	–	–	–	Yes	Out-of-pocket	Age 5	Up to 7 hours per day
Yemen	No	–	–	–	No	–	–	–
Asia and the Pacific								
Eastern Asia								
China	No	–	–	–	Yes	Universal	Age 3	Full day
Japan	Yes	Targeted	Age 0 to 2	Full day	Yes	Universal	Age 3 to 5	9am to 2pm
Mongolia	Yes	Targeted	Age 0	8 hours per day	Yes	Universal	Age 3	8 hours per day
Republic of Korea	Yes	Targeted	Age 0 (100 days)	No indication of hours per week	Yes	Targeted	Age 3 to 5	No indication of hours per week
South-Eastern Asia and the Pacific								
Australia	Yes	Targeted	Age 0 to 3	Up to 100 funded hours per fortnight	Yes	Targeted	Age 4	Up to 100 hours per fortnight (for private provision)
Brunei Darussalam	No	–	–	–	Yes	Universal	Age 5 (private kindergarten available from age 3)	No indication of hours per week
Cambodia	No	–	–	–	No	–	–	–
Fiji	No	–	–	–	Yes	Targeted	Age 3 & age 5	No indication of hours per week

Country	CHILDCARE SERVICE SYSTEM (CHILDREN AGED 0–2 YEARS)				PRE-PRIMARY EDUCATION SYSTEM (CHILDREN AGED 3 YEARS AND ABOVE)			
	Provision of a national childcare service system	Type of funding scheme for childcare services	Starting age of entitlement	Guaranteed hours of service	Provision of national pre-primary education system	Type of funding scheme for pre-primary education services	Starting age of entitlement	Guaranteed hours of services
Asia and the Pacific								
South-Eastern Asia and the Pacific								
French Polynesia	Yes	Targeted	Age 0	Full day	Yes	Universal	Age 3	School day
Guam	No	–	–	–	Yes	Targeted	Age 3	No indication of hours per week
Indonesia	No	–	–	–	No	–	–	–
Lao People's Democratic Republic	No	–	–	–	No	–	–	–
Malaysia	No	–	–	–	No	–	–	–
Myanmar	No	–	–	–	No	–	–	–
New Zealand	Yes	Out-of-pocket	Age 0	No indication of hours per week	Yes	Universal	Age 3	20 hours per week
Papua New Guinea	No	–	–	–	No	–	–	–
Philippines	No	–	–	–	Yes	Universal	Age 5	3–4 hours per day
Samoa	No	–	–	–	No	–	–	–
Singapore	Yes	Targeted	2 months	As required	Yes	Targeted	Age 3 (childcare) age 4/5 (preschool kindergarten)	Half or full day
Solomon Islands	No	–	–	–	Yes	Out-of-pocket	Age 3	No indication of hours per week
Thailand	No	–	–	–	Yes	Universal	Age 3	No indication of hours per week
Timor-Leste	No	–	–	–	No	–	–	–
Tonga	No	–	–	–	No	–	–	–
Vanuatu	No	–	–	–	Yes	Universal	Age 4	No indication of hours per week
Viet Nam	No	–	–	–	Yes	Targeted	Age 3 to 5, school starts age 6	No indication of hours per week

CHILDCARE SERVICE SYSTEM (CHILDREN AGED 0–2 YEARS)					PRE-PRIMARY EDUCATION SYSTEM (CHILDREN AGED 3 YEARS AND ABOVE)			
Country	Provision of a national childcare service system	Type of funding scheme for childcare services	Starting age of entitlement	Guaranteed hours of service	Provision of national pre-primary education system	Type of funding scheme for pre-primary education services	Starting age of entitlement	Guaranteed hours of services
Asia and the Pacific								
Southern Asia								
Afghanistan	No	–	–	–	No	–	–	–
Bangladesh	No	–	–	–	Yes	Universal	Age 5	12 hours per week
India	No	–	–	–	No	–	–	–
Iran (Islamic Republic of)	No	–	–	–	No	–	–	–
Maldives	No	–	–	–	Yes	Out-of-pocket	Age 3	No indication of hours per week
Nepal	No	–	–	–	No	–	–	–
Pakistan	No	–	–	–	Yes	Universal	Age 5	School day
Sri Lanka	No	–	–	–	Yes	Out-of-pocket	Age 3	No regulation
Europe and Central Asia								
Central and Western Asia								
Armenia	No	–	–	–	Yes	Out-of-pocket	Age 3	No regulation; public provision tends to offer shorter hours as a cost cutting measure
Azerbaijan	No	–	–	–	Yes	Universal	Age 5	No indication of hours per week
Cyprus	Yes	Targeted	Age 0	Full day	Yes	Targeted	Age 3	Full day
Georgia	Yes	Out-of-pocket	Age 1	Full day	Yes	Out-of-pocket	Age 3	Full day
Israel	Yes	Targeted	Age 0	No national provision	Yes	Targeted	Age 3 (free from age 5)	Full day
Kazakhstan	Yes	Targeted	Age 1	Full day or part time	Yes	Targeted	Age 3 (in theory) age 5 (compulsory)	No indication of hours per week
Kyrgyzstan	No	–	–	–	No	–	–	–
Tajikistan	No	–	–	–	No	–	–	–
Turkey	No	–	–	–	Yes	Targeted	Aimed at 5-year-olds	6 hours per day

CHILDCARE SERVICE SYSTEM (CHILDREN AGED 0–2 YEARS)					PRE-PRIMARY EDUCATION SYSTEM (CHILDREN AGED 3 YEARS AND ABOVE)			
Country	Provision of a national childcare service system	Type of funding scheme for childcare services	Starting age of entitlement	Guaranteed hours of service	Provision of national pre-primary education system	Type of funding scheme for pre-primary education services	Starting age of entitlement	Guaranteed hours of services
Europe and Central Asia								
Central and Western Asia								
Turkmenistan	No	–	–	–	Yes	Out-of-pocket	Age 3	No indication of hours per week
Uzbekistan	No	–	–	–	Yes	Out-of-pocket	Age 3–5	No indication of hours per week
Eastern Europe								
Belarus	Yes	Universal	Age 0	6 hours per day (part time) or 12 hours per day (full time)	Yes	Universal	Age 3 & age 5	6 hours per day (part time) or 12 hours (full time) for kindergarten. school is 6 hours per day.
Bulgaria	No	–	–	–	Yes	Universal	Age 3 (compulsory from age 4 since September 2020, previously age 5)	Full day or half day; flexible as required
Czechia	No	–	–	–	Yes	Universal	Age 3 (subsidized) age 5 free and compulsory (pre school)	Full day
Hungary	Yes	Targeted	20 weeks	Up to 10 hours per day	Yes	Universal	Age 3	Full day (at least 4 hours)
Poland	Yes	Targeted	20 weeks	Full day or part time	Yes	Universal	Age 3	5 hours (free of charge)
Republic of Moldova	No	–	–	–	Yes	Targeted	Age 3	No indication of hours per week
Romania	Yes	Universal	3 months	No indication of hours per week	Yes	Universal	Age 3–6	Various options available
Russian Federation	Yes	Universal	2 months	Full day	Yes	Universal	Age 3 to 5	Full day
Slovakia	No	–	–	–	Yes	Targeted	Age 3	Full day
Ukraine	Yes	Universal	Usually from 12 months	9 hours per day	Yes	Universal	Age 3 – with strategy emphasis on age 5–6	Up to 9 hours per day
Northern, Southern and Western Europe								
Albania	Yes	Universal	Age 0	Half or full day	Yes	Universal	Age 3	Half day or full day
Austria	Yes	Targeted	No national provision, but may be available from age 0	No indication of hours per week	Yes	Universal	Age 5 (kindergarten available from age 3, but varies by region)	20 hours per week from age 5, though many in full time (paying extra fees)



Country	CHILDCARE SERVICE SYSTEM (CHILDREN AGED 0–2 YEARS)				PRE-PRIMARY EDUCATION SYSTEM (CHILDREN AGED 3 YEARS AND ABOVE)			
	Provision of a national childcare service system	Type of funding scheme for childcare services	Starting age of entitlement	Guaranteed hours of service	Provision of national pre-primary education system	Type of funding scheme for pre-primary education services	Starting age of entitlement	Guaranteed hours of services
Europe and Central Asia								
Northern, Southern and Western Europe								
Belgium	Yes	Targeted	From 0 years in Flanders	6.5 hours per day (3 hours on Wednesdays)	Yes	Universal	Age 3 (though children often grouped age 2/3 and then age 4/5)	6.5 hours per day (3 hours on Wednesdays)
Bosnia and Herzegovina	Yes	Out-of-pocket	6 months	Half or full day	Yes	Out-of-pocket	Age 3 (age 5 funded)	Half or full day
Croatia	Yes	Out-of-pocket	6 months	Can be full or half day	Yes	Out-of-pocket	Age 3	Minimum 150–250 hours pre school year before primary school) otherwise can be full day or half day.
Denmark	Yes	Targeted	6 months	No indication of hours per week	Yes	Targeted	Age 3	Full day
Estonia	Yes	Targeted	18 months	No indication of hours per week	Yes	Universal	Age 3	Full day
Finland	Yes	Universal	Age 0	Available on full or part time basis (limited to 20 hours unless both parents are working/studying)	Yes	Universal	Age 3	Available on a full time and part time basis (limited to 20 hours unless both parents working/studying)
France	Yes	Targeted	Age 0	Full day	Yes	Universal	Age 3	24 hours per week
Germany	Yes	Universal	Age 1	5–7 hours per day	Yes	Universal	Age 3	5–7 hours per day
Greece	Yes	Universal	Age 0	Full day	Yes	Universal	Age 3 (compulsory from age 4 and 5)	Full day
Iceland	Yes	Universal	Usually around 18 months (age not specified in law and varies by municipality)	No indication of hours per week	Yes	Universal	Age 3 (in practice)	Full time
Ireland	No	–	–	–	Yes	Universal	Age 3	Usually 3 hours per day if on the ECCE programme.
Italy	Yes	Targeted	Age 0	Full day	Yes	Universal	Age 3 to 6	Full day
Latvia	Yes	Universal	18 months	No indication of hours per week	Yes	Universal	Age 3	Full day (can include nighttime provision)

Country	CHILDCARE SERVICE SYSTEM (CHILDREN AGED 0–2 YEARS)				PRE-PRIMARY EDUCATION SYSTEM (CHILDREN AGED 3 YEARS AND ABOVE)			
	Provision of a national childcare service system	Type of funding scheme for childcare services	Starting age of entitlement	Guaranteed hours of service	Provision of national pre-primary education system	Type of funding scheme for pre-primary education services	Starting age of entitlement	Guaranteed hours of services
Europe and Central Asia								
Northern, Southern and Western Europe								
Lithuania	Yes	Universal	Age 0	20 funded hours per week, usually 30 hours in practice	Yes	Universal	Age 3	20 funded hours per week (usually 30 hours in practice)
Luxembourg	Yes	Targeted	Age 0 (regulated); age 1 (language education)	No indication of hours per week. 10–20 hours free language education from age 1; nighttime cover may be available	Yes	Universal	Age 3	Full school day (may not include lunch time); nighttime cover may be available if establishment wishes to offer it (up to 2 nights per week)
Malta	Yes	Universal	3 months	Public childcare centres operate between 0730hrs and 1630hrs.	Yes	Targeted	Age 3	Public kindergarten 8.30 a.m. to 2.30 p.m.
Montenegro	Yes	Universal	Age 0	Half or full day	Yes	Universal	Age 3	Half or full day
Netherlands	Yes	Targeted	Age 0	No indication of hours per week	Yes	Targeted	Age 3, entitlement to a free place from age 4	No indication of hours per week
North Macedonia	Yes	Universal	Age 0	Half or full day	Yes	Universal	Age 3	Half or full day
Norway	Yes	Universal	Age 1	Available usually for 41 hours per week	Yes	Universal	Age 3	Up to 41 hours per week
Portugal	Yes	Targeted	Age 0	Full day or part time	Yes	Universal	Age 3 (usually fee paying) age 4 free and universal	At least 25 hours per week (age 4)
Serbia	Yes	Targeted	6 months	Can be half or full day	Yes	Targeted	Age 2–5.5 (kindergarten) and then compulsory pre school (5.5–7)	Pre school is 4 hours per day (free); whole day for an additional fee.
Slovenia	Yes	Universal	11 months	Half or full day	Yes	Targeted	Age 3	Half or full day
Spain	Yes	Out-of-pocket	3 months	As required	Yes	Universal	Age 3	25 hours per week
Sweden	Yes	Universal	Age 1	Full time for employed parents (otherwise part time)	Yes	Targeted	Age 3–5 (preschool starts age 6)	Full day for employed parents
Switzerland	Yes	Out-of-pocket	Age 0	Hours are flexible	Yes	Out-of-pocket	Age 3	Flexible

Country	CHILDCARE SERVICE SYSTEM (CHILDREN AGED 0–2 YEARS)				PRE-PRIMARY EDUCATION SYSTEM (CHILDREN AGED 3 YEARS AND ABOVE)			
	Provision of a national childcare service system	Type of funding scheme for childcare services	Starting age of entitlement	Guaranteed hours of service	Provision of national pre-primary education system	Type of funding scheme for pre-primary education services	Starting age of entitlement	Guaranteed hours of services
Europe and Central Asia								
Northern, Southern and Western Europe								
United Kingdom of Great Britain and Northern Ireland	Yes	Targeted	Age 0	Full day	Yes	Targeted	Age 3	Funded part varies by nation and eligibility; full day available for those paying fees

Note: 178 countries and territories. – = No national childcare service or no pre-primary education system.

Source: Compiled by authors from national legislation.

## Methodological notes

### Provision of a national childcare service system or a national pre-primary education system

“Yes” indicates that the government not only mandates a statutory right to early childhood educational development (ECED) programmes (childcare services) or pre-primary education, but also provides funding or subsidises the service. “No” indicates when there is no or minimal government statutory provision of these services.

Type of funding scheme for childcare and pre-primary education services

This indicator defines the type of government schemes funding childcare or pre-primary education services. Funding schemes are classified according to the following categories:

- ▶ Universal and free = full or almost full cost of services is paid by the State or general taxation;
- ▶ Targeted or means-tested = the cost of services is shared between parents and the States according to means tests and without causing financial hardship to parents;
- ▶ Out-of-pocket = full or almost full cost of services is paid by parents with no or very limited public subsidies causing financial hardship to parents.

### Starting age of entitlement to services

The starting age refers to the statutory age at which the child is guaranteed a legal entitlement to a place in childcare or pre-primary education.

### Guaranteed hours of services

The guaranteed hours are the number of hours of service provided by law that every family can claim for each child. A child may use fewer hours than the ones guaranteed by the national childcare/pre-primary education system.

### Sources

All information in the table is based on a review of data which took place from mid-2020 to mid-2021. The main sources of information used to collect the data were the official government websites using the most recent published and consolidated versions of the laws.

► **Table A.8. Long-term care services for older persons**

Country	Provision of a public long-term care service system for older persons	Statutory family obligations to care for older relatives	Provision of in-home personal care services for older persons	Provision of community day services for older persons	Provision of residential care services for older persons	Source of funding of long-term care services	Government support for long-term care services
<b>Africa</b>							
<b>Northern Africa</b>							
Algeria	Sporadic (most care is provided by families)	Yes	Yes	No	Yes	Taxation	Targeted or means-tested
Egypt	No	Yes	–	–	–	–	–
Libya	No	Yes	–	–	–	–	–
Morocco	No	Yes	–	–	–	–	–
Sudan	No	Not found in law	–	–	–	–	–
Tunisia	No	Yes	–	–	–	–	–
<b>Sub-Saharan Africa</b>							
Angola	No	Not found in law	–	–	–	–	–
Benin	No	Not found in law	–	–	–	–	–
Botswana	No	Not found in law	–	–	–	–	–
Burkina Faso	No	Not found in law	–	–	–	–	–
Burundi	No	Not found in law	–	–	–	–	–
Cabo Verde	No	Yes	–	–	–	–	–
Cameroon	No	Yes	–	–	–	–	–
Central African Republic	No	Not found in law	–	–	–	–	–
Chad	No	Not found in law	–	–	–	–	–
Comoros	No	Yes	–	–	–	–	–
Congo	No	Not found in law	–	–	–	–	–
Côte d'Ivoire	No	Not found in law	–	–	–	–	–
Democratic Republic of the Congo	No	Not found in law	–	–	–	–	–

Country	Provision of a public long-term care service system for older persons	Statutory family obligations to care for older relatives	Provision of in-home personal care services for older persons	Provision of community day services for older persons	Provision of residential care services for older persons	Source of funding of long-term care services	Government support for long-term care services
Africa							
Sub-Saharan Africa							
Djibouti	No	Yes	–	–	–	–	–
Equatorial Guinea	No	Not found in law	–	–	–	–	–
Eritrea	No	Yes	–	–	–	–	–
Eswatini	No	Not found in law	–	–	–	–	–
Ethiopia	Sporadic (not widely available)	Not found in law	No	No	Yes	Taxation	Universal and free
Gabon	No	Not found in law	–	–	–	–	–
Gambia	No	Yes	–	–	–	–	–
Ghana	No	Not found in law	–	–	–	–	–
Guinea	No	Not found in law	–	–	–	–	–
Guinea-Bissau	No	Not found in law	–	–	–	–	–
Kenya	No (though regulation of private provision)	Not found in law	–	–	–	–	–
Lesotho	No	Not found in law	–	–	–	–	–
Liberia	No	Not found in law	–	–	–	–	–
Madagascar	No	Not found in law	–	–	–	–	–
Malawi	No	Not found in law	–	–	–	–	–
Mali	No	Not found in law	–	–	–	–	–
Mauritania	No	Not found in law	–	–	–	–	–
Mauritius	Sporadic (not widely available)	Not found in law	No	Yes	Yes	Taxation	Targeted or means-tested
Mozambique	No	Yes	–	–	–	–	–
Namibia	No	Not found in law	–	–	–	–	–
Niger	No	Not found in law	–	–	–	–	–
Nigeria	No	Not found in law	–	–	–	–	–
Rwanda	No	Not found in law	–	–	–	–	–
Sao Tome and Principe	No	Not found in law	–	–	–	–	–

Country	Provision of a public long-term care service system for older persons	Statutory family obligations to care for older relatives	Provision of in-home personal care services for older persons	Provision of community day services for older persons	Provision of residential care services for older persons	Source of funding of long-term care services	Government support for long-term care services
Africa							
Sub-Saharan Africa							
Senegal	No (though there is provision of healthcare)	Yes	–	–	–	–	–
Sierra Leone	No	Not found in law	–	–	–	–	–
Somalia	No	Yes	–	–	–	–	–
South Africa	Yes	Not found in law	No	No	Yes	Taxation	Targeted or means-tested
South Sudan	No	Not found in law	–	–	–	–	–
Togo	No	Not found in law	–	–	–	–	–
Uganda	No	Not found in law	–	–	–	–	–
United Republic of Tanzania	No	Not found in law	–	–	–	–	–
Zambia	No	Not found in law	–	–	–	–	–
Zimbabwe	No	Not found in law	–	–	–	–	–
Americas							
Latin America and the Caribbean							
Argentina	Sporadic (no national system & not available in all areas)	Not found in law	No	No	Yes	Social insurance	Universal and free
Bahamas	Yes	Not found in law	Yes	No	Yes	Taxation	Universal and free
Barbados	Yes	Not found in law	No	No	Yes	Taxation	Targeted or means-tested
Belize	Sporadic (not widely available)	Not found in law	No	No	Yes	Taxation	Universal and free
Bolivia (Plurinational State of)	No	Not found in law	–	–	–	–	–
Brazil	Sporadic (most care is provided by families)	Yes	Yes	Yes	Yes	Taxation	Targeted or means-tested
Chile	No (available in some regions but no national provision)	Not found in law	–	–	–	–	–
Colombia	No	Yes	–	–	–	–	–
Costa Rica	Yes	Not found in law	Yes	Yes	No	Mixed social insurance and taxation	Out-of-pocket
Cuba	Yes	Not found in law	Yes	Yes	Yes	Taxation	Universal and free

Country	Provision of a public long-term care service system for older persons	Statutory family obligations to care for older relatives	Provision of in-home personal care services for older persons	Provision of community day services for older persons	Provision of residential care services for older persons	Source of funding of long-term care services	Government support for long-term care services
Africa							
Latin America and the Caribbean							
Dominican Republic	Yes	Yes	No	No	Yes	Taxation	Targeted or means-tested
Ecuador	Yes	Yes	No	No	Yes	Taxation	Targeted or means-tested
El Salvador	No	Not found in law	–	–	–	–	–
Guatemala	No	Not found in law	–	–	–	–	–
Guyana	Yes	Not found in law	No	No	Yes	Taxation	Targeted or means-tested
Haiti	No	Not found in law	–	–	–	–	–
Honduras	No	Not found in law	–	–	–	–	–
Jamaica	Yes	Not found in law	No	No	Yes	Taxation	Targeted or means-tested
Mexico	No	Not found in law	–	–	–	–	–
Nicaragua	No	Yes	–	–	–	–	–
Panama	No	Yes	–	–	–	–	–
Paraguay	No	Yes	–	–	–	–	–
Peru	Sporadic (not widely available)	Yes	No	No	Yes	Social insurance	Targeted or means-tested
Saint Lucia	Sporadic (not widely available)	Not found in law	Yes	No	Yes	Mixed social insurance and taxation	Targeted or means-tested
Saint Vincent and the Grenadines	Yes	Not found in law	Yes	No	Yes	Taxation	Targeted or means-tested
Suriname	No	Not found in law	–	–	–	–	–
Trinidad and Tobago	Yes	Not found in law	Yes	No	Yes	Taxation (Oil fund)	Targeted or means-tested
Uruguay	Sporadic (not widely available)	Not found in law	Yes	Yes	Yes	Taxation	Out-of-pocket
Venezuela (Bolivarian Republic of)	No	Not found in law	–	–	–	–	–
Northern America							
Canada	Yes (but varies by region)	Not found in law	Yes	Yes	Yes	Mixed social insurance and taxation	Universal and free
United States of America	Yes (varies by state)	Not found in law	Yes	Yes	Yes	Mixed social insurance and taxation	Targeted or means-tested



Country	Provision of a public long-term care service system for older persons	Statutory family obligations to care for older relatives	Provision of in-home personal care services for older persons	Provision of community day services for older persons	Provision of residential care services for older persons	Source of funding of long-term care services	Government support for long-term care services
Arab States							
Bahrain	Yes	Yes	No	Yes	Yes	Taxation	Targeted or means-tested
Iraq	No	Yes	–	–	–	–	–
Jordan	Yes	Yes	No	No	Yes	Taxation	Targeted or means-tested
Kuwait	No	Yes	–	–	–	–	–
Lebanon	No	Not found in law	–	–	–	–	–
Occupied Palestinian Territory	Sporadic (most care is provided by families)	Yes	No	Yes	Yes	Taxation	Targeted or means-tested
Oman	No	Yes	–	–	–	–	–
Qatar	No	Yes	–	–	–	–	–
Saudi Arabia	Sporadic (most care is provided by families)	Yes	No	Yes	Yes	Mixed social insurance and taxation	Targeted or means-tested
Syrian Arab Republic	No	Not found in law	–	–	–	–	–
United Arab Emirates	No	Not found in law	–	–	–	–	–
Yemen	No	Yes	–	–	–	–	–
Asia and the Pacific							
Eastern Asia							
China	No	Yes	–	–	–	–	–
Japan	Yes	Yes	Yes	No	Yes	Mixed social insurance and taxation	Universal and free
Mongolia	Sporadic (not widely available)	Not found in law	Yes	No	Yes	Taxation	Universal and free
Republic of Korea	Yes	No information found	Yes	Yes	Yes	Mixed social insurance and taxation	Universal and free
South-Eastern Asia and the Pacific							
Australia	Yes	Not found in law	Yes	No	Yes	Taxation	Universal and free
Brunei Darussalam	Yes	Not found in law	Yes	No	No	Taxation (Oil fund)	Universal and free
Cambodia	No	Yes	–	–	–	–	–
Fiji	No (though regulation of the very few (public) institutions)	Not found in law	–	–	–	–	–

Country	Provision of a public long-term care service system for older persons	Statutory family obligations to care for older relatives	Provision of in-home personal care services for older persons	Provision of community day services for older persons	Provision of residential care services for older persons	Source of funding of long-term care services	Government support for long-term care services
Asia and the Pacific							
South-Eastern Asia and the Pacific							
French Polynesia	No	Not found in law	–	–	–	–	–
Guam	Yes	Not found in law	Yes	No	Yes	Mixed social insurance and taxation	Targeted or means-tested
Indonesia	No	Not found in law	–	–	–	–	–
Lao People's Democratic Republic	No	Not found in law	–	–	–	–	–
Malaysia	Sporadic (most care is provided by families)	Not found in law	No	Yes	Yes	Taxation	Out-of-pocket
Myanmar	Sporadic (not widely available)	Not found in law	Yes	Yes	Yes	Taxation	Universal and free
New Zealand	Yes	Not found in law	Yes	No	Yes	Taxation	Universal and free
Papua New Guinea	No	Not found in law	–	–	–	–	–
Philippines	Sporadic (most care is provided by families)	Yes	No	No	Yes	Mixed social insurance and taxation	Targeted or means-tested
Samoa	No	Not found in law	–	–	–	–	–
Singapore	Yes	Yes	Yes	Yes	Yes	Mixed social insurance and taxation	Targeted or means-tested
Solomon Islands	No	Not found in law	–	–	–	–	–
Thailand	Sporadic (not widely available)	Not found in law	Yes	Yes	Yes	Taxation	Targeted or means-tested
Timor-Leste	No (though there is provision of healthcare and a basic pension)	Not found in law	–	–	–	–	–
Tonga	No (though free healthcare)	Not found in law	–	–	–	–	–
Vanuatu	No	Not found in law	–	–	–	–	–
Viet Nam	Sporadic (most care is provided by families)	Yes	Yes	No	Yes	Taxation	Targeted or means-tested
Southern Asia							
Afghanistan	No	Not found in law	–	–	–	–	–

Country	Provision of a public long-term care service system for older persons	Statutory family obligations to care for older relatives	Provision of in-home personal care services for older persons	Provision of community day services for older persons	Provision of residential care services for older persons	Source of funding of long-term care services	Government support for long-term care services
Asia and the Pacific							
Southern Asia							
Bangladesh	No	Yes	–	–	–	–	–
India	No	Yes	–	–	–	–	–
Iran (Islamic Republic of)	No (though there is provision of healthcare)	Not found in law	–	–	–	–	–
Maldives	No (though there is provision of healthcare and a basic pension)	Yes	–	–	–	–	–
Nepal	No	Not found in law	–	–	–	–	–
Pakistan	No	Not found in law	–	–	–	–	–
Sri Lanka	Sporadic (most care is provided by families)	Not found in law	Yes	Yes	Yes	Taxation	Universal and free
Europe and Central Asia							
Central and Western Asia							
Armenia	Sporadic (most care is provided by families)	Not found in law	Yes	No	Yes	Taxation	Universal and free
Azerbaijan	Sporadic (most care is provided by families)	Not found in law	Yes	No	Yes	Taxation	Universal and free
Cyprus	Yes	Yes	Yes	Yes	Yes	Taxation	Targeted or means-tested
Georgia	Sporadic (no national system & not available in all areas)	Not found in law	No	No	Yes	Taxation	Targeted or means-tested
Israel	Yes	Not found in law	Yes	Yes	Yes	Social insurance	Targeted or means-tested
Kazakhstan	Sporadic (most care is provided by families)	Not found in law	Yes	No	Yes	Taxation	Targeted or means-tested
Kyrgyzstan	Sporadic (most care is provided by families)	Yes	No	No	Yes	Taxation	Targeted or means-tested
Tajikistan	No	Not found in law	–	–	–	–	–
Turkey	Yes	Yes	Yes	No	Yes	Taxation	Targeted or means-tested
Turkmenistan	Sporadic (most care is provided by families)	Yes	Yes	No	Yes	Taxation	Targeted or means-tested

Country	Provision of a public long-term care service system for older persons	Statutory family obligations to care for older relatives	Provision of in-home personal care services for older persons	Provision of community day services for older persons	Provision of residential care services for older persons	Source of funding of long-term care services	Government support for long-term care services
Europe and Central Asia							
Central and Western Asia							
Uzbekistan	Sporadic (most care is provided by families)	Yes	Yes	No	Yes	Taxation	Targeted or means-tested
Eastern Europe							
Belarus	Yes	Yes	Yes	No	Yes	Mixed social insurance and taxation	Universal and free
Bulgaria	Yes	Yes	Yes	Yes	Yes	Taxation	Targeted or means-tested
Czechia	Yes	Yes	Yes	No	Yes	Mixed social insurance and taxation	Targeted or means-tested
Hungary	Yes	Yes	Yes	Yes	Yes	Mixed social insurance and taxation	Targeted or means-tested
Poland	Sporadic (most care is provided by families)	Yes	Yes	Yes	Yes	Mixed social insurance and taxation	Targeted or means-tested
Republic of Moldova	Yes	Yes	No	No	Yes	Taxation	Targeted or means-tested
Romania	Yes	Not found in law	Yes	Yes	Yes	Mixed social insurance and taxation	Targeted or means-tested
Russian Federation	Yes	Yes	Yes	Yes	Yes	Mixed social insurance and taxation	Targeted or means-tested
Slovakia	Yes	Not found in law	Yes	Yes	Yes	Mixed social insurance and taxation	Targeted or means-tested
Ukraine	Yes	Not found in law	Yes	Yes	Yes	Taxation	Targeted or means-tested
Northern, Southern and Western Europe							
Albania	Yes	Yes	Yes	No	Yes	Taxation	Universal and free
Austria	Yes	Not found in law	Yes	No	Yes	Taxation	Universal and free
Belgium	Yes	Yes	Yes	No	Yes	Social insurance	Universal and free
Bosnia and Herzegovina	Yes	Not found in law	Yes	No	Yes	Taxation	Targeted or means-tested
Croatia	Yes	Yes	Yes	Yes	Yes	Mixed social insurance and taxation	Out-of-pocket
Denmark	Yes	Not found in law	Yes	No	Yes	Taxation	Universal and free
Estonia	Yes	Yes	Yes	No	Yes	Mixed social insurance and taxation	Out-of-pocket
Finland	Yes	Not found in law	Yes	No	Yes	Taxation	Universal and free

Country	Provision of a public long-term care service system for older persons	Statutory family obligations to care for older relatives	Provision of in-home personal care services for older persons	Provision of community day services for older persons	Provision of residential care services for older persons	Source of funding of long-term care services	Government support for long-term care services
Europe and Central Asia							
Northern, Southern and Western Europe							
France	Yes	Yes	Yes	No	Yes	Mixed social insurance and taxation	Targeted or means-tested
Germany	Yes	Yes	Yes	No	Yes	Social insurance	Universal and free
Greece	Sporadic (most care is provided by families)	Yes	Yes	No	Yes	Taxation	Targeted or means-tested
Iceland	Yes	Not found in law	Yes	No	Yes	Taxation	Universal and free
Ireland	Yes	Not found in law	Yes	No	Yes	Mixed social insurance and taxation	Targeted or means-tested
Italy	Yes	Yes	Yes	Yes	Yes	Taxation	Targeted or means-tested
Latvia	Yes	Yes	Yes	Yes	Yes	Taxation	Targeted or means-tested
Lithuania	Yes	Yes	Yes	Yes	Yes	Taxation	Targeted or means-tested
Luxembourg	Yes	Yes	Yes	No	Yes	Social insurance	Universal and free
Malta	Yes	Yes	Yes	No	Yes	Taxation	Targeted or means-tested
Montenegro	No (only one facility)	Yes	Yes	No	Yes	Taxation	Targeted or means-tested
Netherlands	Yes	Yes	Yes	No	Yes	Social insurance	Universal and free
North Macedonia	Yes	Yes	Yes	Yes	Yes	Taxation	Targeted or means-tested
Norway	Yes	Not found in law	Yes	No	Yes	Taxation	Universal and free
Portugal	Yes	Not found in law	Yes	Yes	Yes	Taxation	Targeted or means-tested
Serbia	Yes	Yes	Yes	No	Yes	Taxation	Targeted or means-tested
Slovenia	Yes	Not found in law	Yes	No	Yes	Taxation	Targeted or means-tested
Spain	Yes	Yes	Yes	Yes	Yes	Taxation	Universal and free
Sweden	Yes	Not found in law	Yes	No	Yes	Taxation	Universal and free
Switzerland	Yes	Yes	Yes	No	Yes	Mixed social insurance and taxation	Targeted or means-tested
United Kingdom of Great Britain and Northern Ireland	Yes	Not found in law	Yes	Yes	Yes	Mixed social insurance and taxation	Targeted or means-tested

**Note:** 179 countries and territories. – = No long-term care services.

**Source:** Compiled by authors from national legislation.

## Methodological notes

### Provision of a public long-term care service system for older persons

“Yes” indicates that the government not only mandates a statutory right to public long-term care services, but also directly provides public long-term care services and infrastructure or funding or subsidies. “No” indicates that – while there may be a few institutions – there is no public long-term care service system.

### Statutory family obligations to care for older relatives

“Yes” indicates that legislation expressly indicates that there exists a family obligation to care for older relatives. “Not found in law” indicates that legislation does not expressly indicate that there exists a family obligation to care for relatives.

### Provision of in-home personal care services for older persons

In-home care involves services provided in the usual residence of the older person in need of long-term care. “Yes” indicates that the long-term care service system provides a right to public or subsidized in-home personal care services. “No” indicates that the long-term care service system does not provide in-home personal care services.

### Provision of statutory community day services for older persons

Community day services refer to all forms of care that do not require older persons to reside permanently in an institutional care setting. They are often offered in day centres and usually focus on preventive and recreational activities rather than on assisting older persons with activities of daily living. “Yes” indicates that the long-term care service system provides for community care services. “No” indicates that the long-term care service system does not provide for community care services.

### Provision of statutory residential care services for older persons

Residential care refers to institutionalized care delivered in assisted-living facilities and nursing homes. “Yes” indicates that the long-term care service system provides residential care services. “No” indicates that the long-term care service system does not provide for residential care services.

### Source of funding of long-term care services

Similar to previous indicators, countries are classified as financed by:

- ▶ social insurance (contributory scheme);
- ▶ general tax revenue (“Taxation”);
- ▶ a combination of these systems (“Mixed social insurance and taxation”).

### Type of funding schemes for long-term care services

This indicator defines the type of government schemes funding long-term care services. Funding schemes are classified according to the following categories:

- ▶ Universal and free = full or almost full cost of services is paid by social insurance, general taxation or a combination of these systems;
- ▶ Targeted or means-tested = the cost of services is shared between old persons and the above funding systems according to means tests and without causing financial hardship to old persons;

- ▶ Out-of-pocket = full or almost full cost of services is paid by users with no or very limited public subsidies, causing financial hardship to old persons.

### Sources

- ▶ All information in the table is based on a review of data which took place from mid-2020 to mid-2021. The main sources of information used to collect the data were the official government websites using the most recent published and consolidated versions of the laws.

► **Table A.9. Childcare workers – ISCO classification**

Occupational classification (ISCO 08)	Occupational classification (ISCO 88)	Industry classification (ISIC Rev 4)	Industry classification (ISIC Rev 3)	Category
5311 Child Care Workers	5131 Child-care workers	Not 97	Not 95	ECED workers
2342 Early Childhood Educators	2332 Pre-primary education teaching professionals 3320 Pre-primary education teaching associate professionals	Not 97	Not 95	Pre-primary education teachers
2341 Primary School Teachers	2331 Primary education teaching professionals 3310 Primary education teaching associate professionals	Not 97	Not 95	Primary education teachers
2330 Secondary Education Teachers	2320 Secondary education teaching professionals	Not 97	Not 95	Secondary education teachers
5311 Child Care Workers	5131 Child-care workers	97	95	Child-care workers in the household

Source: Compiled by the authors.



► **Table A.10. Childcare policy gap**

Country	Starting age of universal and free ECCE or primary education (months)	Starting age of universal and free ECCE or primary education (years)	Childcare related paid leave reserved to households (months)	Childcare related paid leave reserved to households (years)	Childcare policy gap (months)	Childcare policy gap (years)
<b>Africa</b>						
<b>Northern Africa</b>						
Algeria	72	6.0	3.3	0.3	68.7	5.7
Egypt	72	6.0	3.0	0.3	69.0	5.8
Libya	72	6.0	3.2	0.3	68.8	5.7
Morocco	72	6.0	3.3	0.3	68.7	5.7
Sudan	72	6.0	1.8	0.2	70.2	5.8
Tunisia	72	6.0	1.0	0.1	71.0	5.9
<b>Sub-Saharan Africa</b>						
Angola	72	6.0	3.0	0.3	69.0	5.7
Benin	36	3.0	3.3	0.3	32.7	2.7
Botswana	72	6.0	2.8	0.2	69.2	5.8
Burkina Faso	72	6.0	3.3	0.3	68.7	5.7
Burundi	84	7.0	2.9	0.2	81.1	6.8
Cabo Verde	48	4.0	2.1	0.2	45.9	3.8
Cameroon	72	6.0	3.3	0.3	68.7	5.7
Central African Republic	72	6.0	3.2	0.3	68.8	5.7
Chad	72	6.0	3.3	0.3	68.7	5.7
Comoros	72	6.0	3.2	0.3	68.8	5.7
Congo	72	6.0	3.5	0.3	68.5	5.7
Côte d'Ivoire	72	6.0	3.3	0.3	68.7	5.7
Democratic Republic of the Congo	72	6.0	3.3	0.3	68.7	5.7
Djibouti	72	6.0	3.3	0.3	68.7	5.7

Country	Starting age of universal and free ECCE or primary education (months)	Starting age of universal and free ECCE or primary education (years)	Childcare related paid leave reserved to households (months)	Childcare related paid leave reserved to households (years)	Childcare policy gap (months)	Childcare policy gap (years)
Africa						
Sub-Saharan Africa						
Equatorial Guinea	72	6.0	2.9	0.2	69.1	5.8
Eritrea	72	6.0	2.1	0.2	69.9	5.8
Eswatini	72	6.0	2.8	0.2	69.2	5.8
Ethiopia	84	7.0	4.0	0.3	80.0	6.7
Gabon	72	6.0	3.3	0.3	68.7	5.7
Gambia	84	7.0	6.3	0.5	77.7	6.5
Ghana	48	4.0	2.8	0.2	45.2	3.8
Guinea	84	7.0	3.2	0.3	80.8	6.7
Guinea-Bissau	72	6.0	2.1	0.2	69.9	5.8
Kenya	72	6.0	3.5	0.3	68.5	5.7
Lesotho	72	6.0	2.8	0.2	69.2	5.8
Liberia	36	3.0	3.2	0.3	32.8	2.7
Madagascar	72	6.0	3.2	0.3	68.8	5.7
Malawi	72	6.0	1.8	0.2	70.2	5.8
Mali	84	7.0	3.3	0.3	80.7	6.7
Mauritania	72	6.0	3.2	0.3	68.8	5.7
Mauritius	36	3.0	3.4	0.3	32.6	2.7
Mozambique	72	6.0	2.1	0.2	69.9	5.8
Namibia	84	7.0	2.8	0.2	81.2	6.8
Niger	84	7.0	3.3	0.3	80.7	6.7
Nigeria	60	5.0	2.8	0.2	57.2	4.8
Rwanda	84	7.0	2.9	0.2	81.1	6.8
Sao Tome and Principe	72	6.0	3.2	0.3	68.8	5.7
Senegal	72	6.0	3.3	0.3	68.7	5.7
Sierra Leone	72	6.0	2.8	0.2	69.2	5.8
Somalia	72	6.0	3.2	0.3	68.8	5.7

Country	Starting age of universal and free ECCE or primary education (months)	Starting age of universal and free ECCE or primary education (years)	Childcare related paid leave reserved to households (months)	Childcare related paid leave reserved to households (years)	Childcare policy gap (months)	Childcare policy gap (years)
Africa						
Sub-Saharan Africa						
South Africa	84	7.0	4.3	0.4	79.7	6.6
South Sudan	72	6.0	3.5	0.3	68.5	5.7
Togo	72	6.0	3.3	0.3	68.7	5.7
Uganda	72	6.0	2.9	0.2	69.1	5.8
United Republic of Tanzania	84	7.0	2.9	0.2	81.1	6.8
Zambia	84	7.0	3.2	0.3	80.8	6.7
Zimbabwe	36	3.0	3.2	0.3	32.8	2.7
Americas						
Latin America and the Caribbean						
Argentina	48	4.0	3.1	0.3	44.9	3.7
Bahamas	36	3.0	2.8	0.2	33.2	2.8
Barbados	36	3.0	2.8	0.2	33.2	2.8
Belize	60	5.0	3.2	0.3	56.8	4.7
Bolivia (Plurinational State of)	72	6.0	3.1	0.3	68.9	5.7
Brazil	3	0.3	4.1	0.3	0.0	0.0
Chile	72	6.0	7.1	0.6	64.9	5.4
Colombia	72	6.0	4.4	0.4	67.6	5.6
Costa Rica	72	6.0	3.9	0.3	68.1	5.7
Cuba	12	1.0	16.2	1.3	0.0	0.0
Dominican Republic	60	5.0	3.3	0.3	56.7	4.7
Ecuador	72	6.0	3.1	0.3	68.9	5.7
El Salvador	84	7.0	3.8	0.3	80.2	6.7
Guatemala	48	4.0	2.8	0.2	45.2	3.8
Guyana	36	3.0	3.0	0.3	33.0	2.8
Haiti	72	6.0	2.8	0.2	69.2	5.8
Honduras	48	4.0	2.8	0.2	45.2	3.8

Country	Starting age of universal and free ECCE or primary education (months)	Starting age of universal and free ECCE or primary education (years)	Childcare related paid leave reserved to households (months)	Childcare related paid leave reserved to households (years)	Childcare policy gap (months)	Childcare policy gap (years)
Americas						
Latin America and the Caribbean						
Jamaica	48	4.0	2.8	0.2	45.2	3.8
Mexico	0	0.0	2.9	0.2	0.0	0.0
Nicaragua	72	6.0	2.9	0.2	69.1	5.8
Panama	0	0.0	3.3	0.3	0.0	0.0
Paraguay	72	6.0	4.6	0.4	67.4	5.6
Peru	72	6.0	3.6	0.3	68.4	5.7
Saint Lucia	60	5.0	3.0	0.3	57.0	4.8
Saint Vincent and the Grenadines	60	5.0	3.0	0.3	57.0	4.8
Suriname	72	6.0	4.0	0.3	68.0	5.7
Trinidad and Tobago	36	3.0	3.2	0.3	32.8	2.7
Uruguay	36	3.0	3.7	0.3	32.3	2.7
Venezuela (Bolivarian Republic of)	72	6.0	6.5	0.5	65.5	5.5
Latin America and the Caribbean						
Canada	72	6.0	19.8	1.7	52.2	4.3
United States of America	72	6.0	0.0	0.0	72.0	6.0
Arab States						
Bahrain	72	6.0	2.6	0.2	69.4	5.8
Iraq	72	6.0	3.2	0.3	68.8	5.7
Jordan	72	6.0	2.4	0.2	69.6	5.8
Kuwait	48	4.0	6.2	0.5	41.8	3.5
Lebanon	36	3.0	1.6	0.1	34.4	2.9
Oman	72	6.0	1.6	0.1	70.4	5.9
Qatar	72	6.0	1.6	0.1	70.4	5.9
Saudi Arabia	72	6.0	2.4	0.2	69.6	5.8
Syrian Arab Republic	72	6.0	4.8	0.4	67.2	5.6

Country	Starting age of universal and free ECCE or primary education (months)	Starting age of universal and free ECCE or primary education (years)	Childcare related paid leave reserved to households (months)	Childcare related paid leave reserved to households (years)	Childcare policy gap (months)	Childcare policy gap (years)
Arab States						
United Arab Emirates	72	6.0	1.8	0.2	70.2	5.8
Yemen	72	6.0	2.3	0.2	69.7	5.8
Asia and the Pacific						
Eastern Asia						
China	36	3.0	3.2	0.3	32.8	2.7
Japan	36	3.0	27.2	2.3	8.8	0.7
Republic of Korea	72	6.0	27.3	2.3	44.7	3.7
South-Eastern Asia and the Pacific						
Australia	60	5.0	16.5	1.4	43.5	3.6
Brunei Darussalam	60	5.0	3.5	0.3	56.5	4.7
Cambodia	72	6.0	3.0	0.3	69.0	5.8
Fiji	72	6.0	3.4	0.3	68.6	5.7
Indonesia	84	7.0	3.1	0.3	80.9	6.7
Lao People's Democratic Republic	72	6.0	3.6	0.3	68.4	5.7
Malaysia	72	6.0	2.1	0.2	69.9	5.8
Myanmar	60	5.0	3.7	0.3	56.3	4.7
New Zealand	36	3.0	6.0	0.5	30.0	2.5
Papua New Guinea	72	6.0	0.0	0.0	72.0	6.0
Philippines	60	5.0	4.6	0.4	55.4	4.6
Samoa	60	5.0	1.5	0.1	58.5	4.9
Singapore	72	6.0	4.2	0.3	67.8	5.7
Solomon Islands	72	6.0	2.8	0.2	69.2	5.8
Thailand	36	3.0	3.0	0.3	33.0	2.8
Timor-Leste	72	6.0	2.9	0.2	69.1	5.8
Tonga	72	6.0	0.0	0.0	72.0	6.0
Vanuatu	48	4.0	2.8	0.2	45.2	3.8
Viet Nam	72	6.0	6.2	0.5	65.8	5.5

Country	Starting age of universal and free ECCE or primary education (months)	Starting age of universal and free ECCE or primary education (years)	Childcare related paid leave reserved to households (months)	Childcare related paid leave reserved to households (years)	Childcare policy gap (months)	Childcare policy gap (years)
Asia and the Pacific						
Southern Asia						
Afghanistan	84	7.0	3.3	0.3	80.7	6.7
Bangladesh	60	5.0	3.7	0.3	56.3	4.7
India	72	6.0	6.0	0.5	66.0	5.5
Iran (Islamic Republic of)	72	6.0	9.5	0.8	62.5	5.2
Maldives	72	6.0	2.2	0.2	69.8	5.8
Nepal	60	5.0	3.7	0.3	56.3	4.7
Pakistan	60	5.0	2.8	0.2	57.2	4.8
Sri Lanka	60	5.0	2.8	0.2	57.2	4.8
Europe and Central Asia						
Central and Western Asia						
Armenia	72	6.0	28.6	2.4	43.4	3.6
Azerbaijan	60	5.0	40.2	3.3	19.8	1.7
Cyprus	72	6.0	4.6	0.4	67.4	5.6
Georgia	72	6.0	24.0	2.0	48.0	4.0
Israel	72	6.0	6.0	0.5	66.0	5.5
Kazakhstan	72	6.0	16.2	1.3	55.8	4.7
Kyrgyzstan	84	7.0	40.2	3.3	43.8	3.7
Tajikistan	84	7.0	22.6	1.9	61.4	5.1
Turkey	72	6.0	3.9	0.3	68.1	5.7
Turkmenistan	72	6.0	39.7	3.3	32.3	2.7
Uzbekistan	84	7.0	28.2	2.3	55.8	4.7
Eastern Europe						
Belarus	0	0.0	40.2	3.3	0.0	0.0
Bulgaria	36	3.0	37.9	3.2	0.0	0.0
Czechia	36	3.0	78.7	6.6	0.0	0.0
Hungary	36	3.0	41.7	3.5	0.0	0.0

Country	Starting age of universal and free ECCE or primary education (months)	Starting age of universal and free ECCE or primary education (years)	Childcare related paid leave reserved to households (months)	Childcare related paid leave reserved to households (years)	Childcare policy gap (months)	Childcare policy gap (years)
Europe and Central Asia						
Eastern Europe						
Poland	36	3.0	48.5	4.0	0.0	0.0
Republic of Moldova	84	7.0	40.2	3.3	43.8	3.7
Romania	3	0.3	28.3	2.4	0.0	0.0
Russian Federation	2	0.2	22.6	1.9	0.0	0.0
Slovakia	72	6.0	50.3	4.2	21.7	1.8
Ukraine	12	1.0	40.2	3.3	0.0	0.0
Northern, Southern and Western Europe						
Albania	0	0.0	12.1	1.0	0.0	0.0
Austria	36	3.0	28.7	2.4	7.3	0.6
Belgium	36	3.0	35.9	3.0	0.1	0
Bosnia and Herzegovina	72	6.0	12.2	1.0	59.8	5.0
Croatia	84	7.0	15.0	1.3	69.0	5.8
Denmark	72	6.0	12.0	1.0	60.0	5.0
Estonia	36	3.0	19.3	1.6	16.7	1.4
Finland	0	0.0	11.9	1.0	0.0	0.0
France	36	3.0	76.5	6.4	0.0	0.0
Germany	12	1.0	17.3	1.4	0.0	0.0
Greece	0	0.0	21.8	1.8	0.0	0.0
Iceland	18	1.5	22.6	1.9	0.0	0.0
Ireland	36	3.0	12.5	1.0	23.5	2.0
Italy	36	3.0	16.5	1.4	19.5	1.6
Latvia	18	1.5	40.0	3.3	0.0	0.0
Lithuania	0	0.0	29.1	2.4	0.0	0.0
Luxembourg	36	3.0	16.9	1.4	19.1	1.6
Malta	3	0.3	4.2	0.3	0.0	0.0
Montenegro	0	0.0	15.2	1.3	0.0	0.0

Country	Starting age of universal and free ECCE or primary education (months)	Starting age of universal and free ECCE or primary education (years)	Childcare related paid leave reserved to households (months)	Childcare related paid leave reserved to households (years)	Childcare policy gap (months)	Childcare policy gap (years)
Europe and Central Asia						
Northern, Southern and Western Europe						
Netherlands	72	6.0	5.1	0.4	66.9	5.6
North Macedonia	0	0.0	9.2	0.8	0.0	0.0
Norway	12	1.0	17.8	1.5	0.0	0.0
Portugal	48	4.0	10.7	0.9	37.3	3.1
Serbia	84	7.0	16.8	1.4	67.2	5.6
Slovenia	11	0.9	13.0	1.1	0.0	0.0
Spain	36	3.0	7.4	0.6	28.6	2.4
Sweden	12	1.0	19.3	1.6	0.0	0.0
Switzerland	84	7.0	3.7	0.3	80.3	6.7
United Kingdom of Great Britain and Northern Ireland	60	5.0	12.5	1.0	47.5	4.0



## Methodological notes

### Starting age of universal and free ECCE or primary education (months or years)

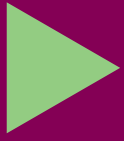
The starting age of universal and free ECCE (early childhood care and education) refers to the statutory age at which the child is guaranteed a legal entitlement to a place in early childhood educational development (ECED) or pre-primary education (see also Table A.7). The official entrance age to primary education (UNESCO Institute for Statistics) is used in cases where statutory universal and free ECCE is not provided. Primary education is considered universal and free in all countries. The starting age of universal and free ECCE or primary education does not represent actual provision or enrolment. This methodology does not consider the daily or yearly opening hours of childcare or education services (intensity of the service). See also table A.7.

### Childcare-related paid leave reserved to households (months or years)

The childcare related paid leave reserved to households is the sum of the duration of paid maternity, paternity and parental leave (in months) regardless of the source of funding and the amount of cash benefits. When a bonus system or optional longer paid leave periods are provided, the extended or longer duration of paid leave is considered. Leave entitlements are assumed to be postnatal and consecutive.

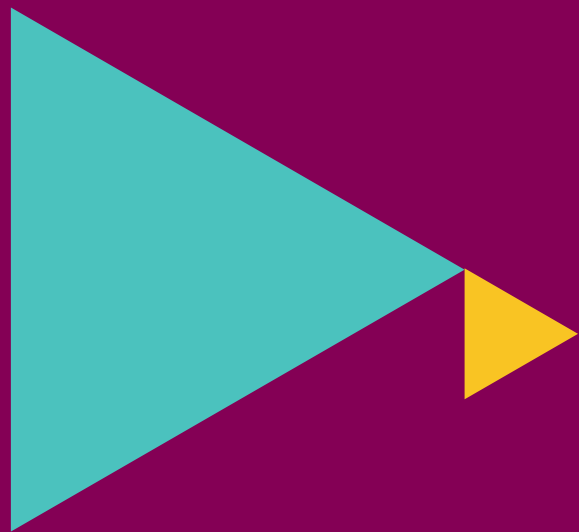
### Childcare policy gap (months or years)

The childcare policy gap is the difference (in months or years) between the starting age of universal and free ECCE or primary education and the duration of paid leave available to households.



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The report provides a global overview of national laws and practices regarding care policies, namely maternity protection, paternity, parental and other care-related leave policies, as well as childcare and long-term care services. Based on an ILO legal survey of 185 countries, it reviews progress made around the world over the past decade while assessing the persisting and significant legal gaps that translate into a lack of protection and support for millions of workers with family responsibilities across the world. It takes the requirements and principles of relevant international labour standards – in particular the ILO Conventions and Recommendations on maternity protection and workers with family responsibilities – as the benchmark. The report pays attention to the most frequently excluded workers, such as the self-employed, workers in the informal economy, migrants, and adoptive and LGBTQI+ parents. It concludes with a call for action to invest in a transformative package of care policies that is central to the broader international agenda on investing in the care economy – a breakthrough pathway for building a better and more gender-equal world of work.

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