

Annex 2. Summary of ILO Maternity Protection Convention 2000 (No. 183) Provisions¹:

- Maternal protection against work that presents risks to the mother or child's health
- Maternity leave is more than 14 weeks; must include 6 weeks compulsory leave after childbirth
- Prenatal period of leave is to be extended between the presumed date of childbirth and actual data of childbirth without reducing compulsory portion of prenatal leave
- In case of illness or complications, leave is to be provided before or after the maternity leave period with medical documentation of illness, complications, or risk of pregnancy or childbirth complications
- Cash benefits
 - No less than 2/3rds of a woman's earnings; where laws stipulate other methods to determine the cash benefits, the amount is to be comparable to the amount resulting on average of such of those earnings as are taken into account for the purpose of computing benefits.
 - Must be satisfied by a large majority of women covered under the convention
 - If a woman does not qualify for cash benefits, she is entitled to adequate benefits from social assistance funds
 - Medical benefits for prenatal, childbirth, and postnatal care plus hospitalization if necessary are to be provided in accordance with national law
 - For countries whose economy and social security systems are not well-developed, they are in compliance if cash benefits are provided at a rate equivalent to the rate payable for sickness or temporary disability in accordance with national laws and regulations; these countries need to explain the rate of cash benefits and the reason for that rate
- Employment protection
 - Pregnant or breastfeeding women cannot be terminated during pregnancy, leave, or a period of time following return to work
 - A woman is guaranteed her position or an equivalent paid position when she returns to work after maternity leave
 - A woman cannot be discriminated against because of maternity
 - Pregnancy tests are prohibited during application for employment except when under law where work is prohibited/restricted for pregnant/nursing mothers or there is significant risk to health or mother/child
- Breastfeeding breaks - entitled to one or more daily breaks or daily reduction of work hours to breastfeed and that time is counted as working time with pay

¹ Reference: International Labor Organization, Maternity Protection Convention 2000, http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C183