



# WHAT WOMEN NEED FOR

# MATERNITY PROTECTION!

Women's work spaces are so diverse, from formal to non-formal sites. Hence, a more generic framework of **TIME • SPACE • SUPPORT** advocated since 1993 continues to be the central pillars for an effective **Mother-Baby/ Parent or Family-Friendly/Breastfeeding-Friendly workplace.**

## TIME

1. Six months paid maternity leave post-natally to support exclusive breastfeeding. And, adequate paid leave prenatally. Where leave is shorter, women need means to extend their leave period so that they can be with their babies, combining fully paid, unpaid or some other form of leave.
2. Additional paid leave for mothers of premature or other vulnerable infants who may need extra time for special care, and to express and provide life-saving human milk for their babies.
3. One or more paid breastfeeding breaks or a daily reduction of hours of work to breastfeed her child.
4. Flexible work hours to breastfeed or to express breastmilk such as part-time work schedules, longer lunch and other breaks, job sharing or any such alternatives.

## SPACE/ PROXIMITY

1. Infant and child-care at or near the workplace, and transportation for mothers to be with their babies. For rural worksites and seasonal work, women could use mobile child-care units or shared child-care and wet nursing arrangements according to accepted cultural practices.
2. Private facilities for expressing and storing breastmilk. It can be a breastfeeding room, a corner or any safe space at or near the worksite.
3. A clean work environment safe from hazardous waste and chemicals.

## SUPPORT

1. Information about national maternity laws and benefits as well as maternity provisions provided at their workplace or sector-wide, which may be better than national laws and practices.
2. Support from employers, management, superiors and co-workers in terms of positive attitudes towards pregnancy, motherhood and breastfeeding in public.
3. Information about women's health during pregnancy and lactation in order to be better able to combine employment with breastfeeding and child care needs.
4. Support from worker's or trade unions either from their own work sector or the larger national unions.
5. Job security and non-discrimination on the grounds of maternity and breastfeeding.



World Breastfeeding Week is coordinated by the World Alliance for Breastfeeding Action (WABA), a global network of individuals and organisations concerned with the protection, promotion and support of breastfeeding worldwide based on the Innocenti Declarations, the Ten Links for Nurturing the Future and the WHO/UNICEF Global Strategy for Infant and Young Child Feeding. WABA's core partners are the Academy of Breastfeeding Medicine (ABM), International Baby Food Action Network (IBFAN), International Lactation Consultant Association (ILCA), La Leche League International (LLL), and Wellstart International. WABA is in consultative status with UNICEF and an NGO in Special Consultative Status with the Economic and Social Council of the United Nations (ECOSOC).

WABA, PO Box 1200  
10850 Penang, Malaysia  
Tel: 60-4-658 4816 Fax: 60-4-657 2655  
Email: [wbw@waba.org.my](mailto:wbw@waba.org.my)  
Web: [www.waba.org.my](http://www.waba.org.my)  
WBW Archives: [www.worldbreastfeedingweek.net](http://www.worldbreastfeedingweek.net)

# INTERNATIONAL CONVENTIONS AND INSTRUMENTS THAT SUPPORT MATERNITY PROTECTION GLOBALLY

## International Labor Organisation (ILO) Conventions on Maternity Protection

In 1919, the first ILO maternity protection convention (C3, 1919) was adopted by the tripartite ILO conference, and since then two more conventions on the same issue (C103, 1952; and C183, 2000), as well as two recommendations (R95, 1952; and R191, 2000) have been adopted.

Each of them entitles women workers to a larger range of rights than its predecessor; and the recommendations show the way towards even stronger protective measures.

### ARTICLE 4 OF C-183:

On production of a medical certificate or other appropriate certification, as determined by national law and practice, stating the presumed date of childbirth, a woman to whom this Convention applies shall be entitled to a period of maternity leave of not less than 14 weeks.

### ARTICLE 10

1. 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.
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. These breaks or the reduction of daily hours of work shall be counted as working time and remunerated accordingly.

### R-191 (1.1)

Members should endeavour to extend the period of maternity leave referred to in Article 4 of the Convention to at least 18 weeks.

[http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:P12100\\_ILO\\_CODE:C183](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:P12100_ILO_CODE:C183)

## WHO Global Strategy for Infant and Young Child Feeding

In 2002, the WHO Global Strategy on Infant and Young Child Feeding have several paragraphs on the importance of maternity legislation for working women, enabling them to balance their work and family responsibilities.

[http://www.who.int/nutrition/publications/gs\\_infant\\_feeding\\_text\\_eng.pdf](http://www.who.int/nutrition/publications/gs_infant_feeding_text_eng.pdf)

## Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

CEDAW in 1979 adopted several measures aiming for the protection of maternity and specifically of maternity protection for working women (Art.11.1.f & 11.2.a-d)

### ARTICLE 11

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:
  - (f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.
2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:

- (a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;
- (b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;
- (c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;
- (d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.

<http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm>

## Convention on the Rights of the Child (CRC)

- In 1989, the CRC stipulated the right of the child to adequate nutritious food (Art.24.2.c), the right of the mother to pre- and postnatal care (Art.24.2.d), and the rights of parents to measures assisting them in their work and parental responsibilities (Art.18.2) and to material assistance and support (Art 27.3). Almost all countries of the world have ratified these two conventions and are therefore obliged to comply by them.
- 2013 CRC General Comment 15 on the right to health, reference to paras 44 and 55; Para 44: Special measures should be taken to promote community and workplace support to mothers in relation to pregnancy and lactation, and feasible and affordable child-care services, and compliance to the ILO Maternity Protection Convention 2000 (no. 183). Para 55: The Committee recommends that social protection interventions include ensuring universal coverage or financial access to care, paid parental leave, and other social security benefits, and legislation to restrict the inappropriate marketing and promotion of breast-milk substitutes.

[http://www2.ohchr.org/english/bodies/crc/docs/GC/CRC-C-GC-15\\_en.doc](http://www2.ohchr.org/english/bodies/crc/docs/GC/CRC-C-GC-15_en.doc)

## Beijing Declaration and Platform for Action

The Beijing Declaration and Platform for Action 1995 underlined the numerous areas where women at work need protection, as well as the specific actions to be led by government and other actors to meet these needs. The main objective being:

### “Strategic objective F.6.

Promote harmonization of work and family responsibilities for women and men

### Actions to be taken

By Governments:

- c) Ensure, through legislation, incentives and/or encouragement, opportunities for women and men to take job-protected parental leave and to have parental benefits; promote the equal sharing of responsibilities for the family by men and women, including through appropriate legislation, incentives and/or encouragement, and also promote the facilitation of breast-feeding for working mothers; ”

<http://www.un.org/womenwatch/daw/beijing/platform/>