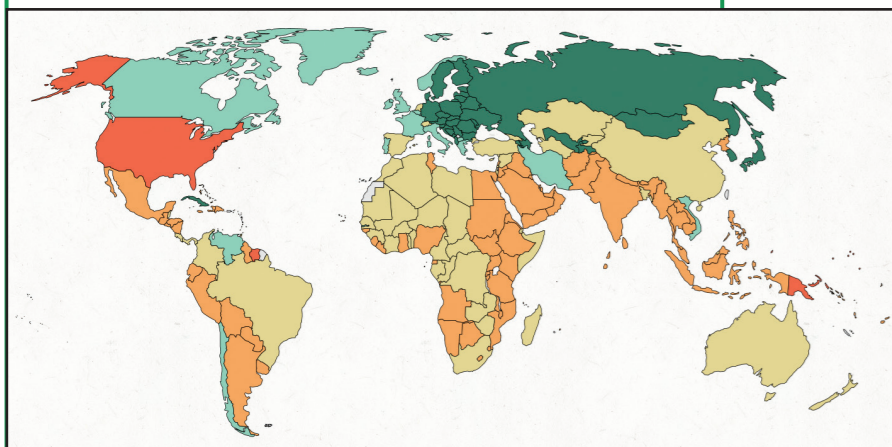


WHO BENEFITS FROM MATERNITY PROTECTION AT WORK?

- Everyone benefits from measures protecting maternity at the workplace!
- Mothers and babies are healthier, happier, more rested, and less stressed. Improved long and short term health.
 - The entire family benefits from the protection a woman receives in job security, cash and medical benefits, and peace of mind to be with her newborn and to recuperate.
 - Fathers and partners benefit from being equal partners in parenting, and sharing parental and paternity leaves.
 - Babies are sick less often, so both families and nations save on health care costs, with lower morbidity and mortality rates.
 - Employers benefit from having a more contented and productive workforce due to less employee absenteeism, increased loyalty and less staff turnover. "Lactation programs have been found to produce a 3 to 1 Return on Investment!"³
 - States become more egalitarian and enhance human resource, wealth and societal well-being by protecting women workers and facilitating maternity rights!⁴



WHERE IS PAID LEAVE AVAILABLE FOR MOTHERS OF INFANTS?



- No paid leave
- Less than 14 weeks
- 14 - 25.9 weeks
- 26 - 51.9 weeks
- 52 weeks or more

Source: <http://worldpolicyforum.org/policies/is-paideleaveavailable-for-mothers-of-infants>

3. The Business Case for Breastfeeding – Worksite Lactation Support– http://everymother.org/worksite_lactation_support.php
 4. <http://ibfan.org/ips/IBFAN-Statement-on-Maternity-Protection-at-Work.pdf>
 5. Working Conditions Laws Report 2012, p. 37
 6. http://www.waba.org.my/whatwedo/womenandwork/pdf/mp_chart_2015_updated-Feb%202015.pdf
 7. Atabay, Moreno, Nandi et al (2014). Facilitating working mothers' ability to breastfeed: global trends in guaranteeing breastfeeding breaks at work, 1995-2014
 8. *Negotiating the tensions of having to attach and detach concurrently: A qualitative study on combining breastfeeding and employment in public education and health sectors in New Delhi, India. Midwifery, 3-1(2015) 473-481.

THE FORMAL, ORGANISED SECTOR

Status Of Maternity Protection (MP) Globally

We often think of MP mainly in terms of maternity leave, but it is much more than that. MP includes the seven areas of (1) scope, (2) maternity leave, (3) maternity/cash benefits, (4) health protection, (5) job protection and non-discrimination, (6) breastfeeding breaks, and (7) breastfeeding facilities. According to the ILO in 2012, less than one-third of countries' national legislation satisfies two of the seven provisions of ILO Convention No.183. These include the length of maternity leave, paid benefits and payment schemes.⁵

Regarding length of leave, the majority of countries (85%) provide 12 weeks or more, in line with ILO Conventions No.3 and No.103, but ONLY 53% of these countries provide more than 14 weeks as stipulated in ILO Convention No. 183. Less than 20 countries provide at least 6 months post-natally (immediately after birth) which is needed for exclusive breastfeeding. (See map for global overview).

Legalised breastfeeding breaks fare better with 122 out of 182 countries having such a provision, but fewer countries have paid breaks (114 out of 182)⁶. Even taking legal breaks is a challenge and depends on effective enforcement, the working environment and staff attitudes. Globally, this provision has progressed modestly since 1995 with only 15 more countries providing guaranteed breaks⁷.



WHAT WOMEN NEED FOR ADEQUATE MP

While paid maternity leave is a NECESSARY condition for women to breastfeed optimally, it is NOT a sufficient condition. Research found that in addition to the provision of paid maternity leave, women need information and support during antenatal and postnatal period to address factors at individual, family and workplace levels.⁸

The range of **What Women Need for Adequate Maternity Protection** is summarised in the generic areas of TIME, SPACE & SUPPORT (See Insert).

Many of these conditions, including the maternity rights of women are recognised in a series of international conventions, treaties and declarations. These include:

- The various ILO Conventions 52, 103, 183 and Recommendation 191
- Convention of the Elimination of Discrimination against Women (CEDAW), 1979
- Convention on the Rights of the Child (CRC), 1989
- Innocenti Declarations 1990, 2005
- Beijing Declaration and Platform for Action, 2005
- Global Strategy for Infant and Young Child Feeding, 2002.

ADVOCACY FOR BETTER MATERNITY PROTECTION THROUGH LEGISLATIONS!

How can you find out the status of Maternity Protection (MP) in your country?

A country's maternity protection status according to the seven areas (mentioned previously) can vary widely and may exclude large groups of working women. To improve MP in your country, you first need to find out its status, identify the weakest aspects, and then decide where to focus your WBW 2015 campaign efforts. Various resources can be referred to for this, including:

1. WABA Maternity Protection Chart.⁹
2. ILO Data Collection on Maternity Protection.¹⁰
3. Maternity at Work: a Review of National Legislation Findings from the ILO Database of Conditions of Work and Employment Laws, Geneva, International Labour Organization, 2010.
4. World Breastfeeding Trends Initiative Report - Are Our Babies Falling Through the Gaps?¹¹
5. IBFAN CRC and CEDAW alternative reports on IBFAN's website.¹²



WHAT CAN YOU DO?

What can you do to improve MP in your country?

Once you have identified the gaps in legislation and implementation, focus your actions to address them. Collaborate with trade unions, workers and women's groups, local government, employers and others for greater impact!

The focus of your action could be on any one or more of the following legislative aspects:

- increase the length of paid maternity leave;
- extend the scope of coverage for MP to more sectors of working women;
- extend paid leave to parental, paternity and other forms of leave that give more time for parents and infants to be together;
- strengthen anti-discrimination policies at the workplace;
- legislate paid breastfeeding breaks for at least 6 months or more;
- work with government to find ways for creative financing of maternity benefits to ensure sustainability and not burden employers alone.

You can also:

- Regularly monitor the implementation of these laws and practices to ensure that more women actually receive maternity benefits due to them.
- Link with national and/or global Trade Union MP campaigns, as well as national breastfeeding advocacy organisations to cooperate on MP actions to improve on the seven MP areas.
- Study and adopt ways to value women's reproductive work, including breastfeeding and include it in your country's Gross Domestic Product. See "Making Mothers' Milk Count"¹³ to kick off national discussion and initiate steps for change.
- Rally around the 25th Anniversary of the Innocenti Declaration in 2015 on this fourth target.

COUNTRY CASES

Not many countries globally have six or more months paid maternity leave. In 2008, Brazil extended its maternity leave from 120 days to six months for all public sector employees (except for some municipalities). In November 2014, Myanmar passed legislation for six months maternity leave with pay as well as Vietnam and Bangladesh.

In many countries the scope for paid maternity leave is limited to certain groups of women and often excludes those most in need. You can galvanise action to increase the scope of leave and/or advocate for additional forms like parental and paternity leaves. Some countries like Sweden are moving towards parental leave to address gender equality issues and encourage greater balance in sharing parenting time. This move however should not shorten breastfeeding or take health protection away from pregnant and breastfeeding women.

In Australia, a national scheme for Paid Parental Leave was introduced in 2011 funded from general taxation and covers the minimum wage for 18 weeks. Unlike earlier where 12 months leave was unpaid and only 12 weeks was paid by the employer to public service or professional women, the new scheme has wide eligibility and includes the self employed, casual workers, etc. and all mothers employed for more than a week in the year before birth.¹⁴ Paid paternity leave of one week is also provided. The scheme has been successful in increasing breastfeeding duration at 12 months¹⁵, benefited employers as women returned to work earlier than otherwise, and benefited mothers' mental health by longer leave.¹⁶

In Venezuela in 2012, the new Labour Law for Workers established postnatal leave of 20 weeks, adding 6 weeks prenatal leave, equivalent to six and a half months of prenatal and postnatal paid leave. In addition, the father receives 14 days postnatal leave and 21 days for multiple births in order to support the mother. The Law also requires every employer to have a centre for early childhood education and a nursery room, and provides for two 30 minutes breastfeeding breaks if there is a lactation room in the worksite, otherwise one and a half hours twice a day if there is none!

Philippines passed a law in 2009 titled Expanded Breastfeeding Promotion Act, co-authored by a breastfeeding mother. It advocates for 45 minutes paid breastfeeding breaks for working women at the workplace and the establishment of breastfeeding stations. Companies observing the law are privileged through tax deductions.

These, and many other successful cases, have been the result of long term national level advocacy, ordinary people taking action and doing so consistently. You can draw from these success stories that have improved MP laws and practices. See WBW website for more.

9. http://www.waba.org.my/whatwedo/womenandwork/pdf/mp_chart_2015_updated-Feb%202015.pdf
 10. http://www.ilo.org/travail/areasofwork/maternity-protection/WCMS_145724/lang-en/index.htm
 11. http://www.ibfan-alc.org/noticias/Are_babies_falling_through_gaps.pdf
 12. <http://ibfan.org/committee-on-the-rights-of-the-child/> and <http://ibfan.org/cedaw/>
 13. Smith, JP (2014) 'Making Mothers' Milk Count'. Counting on Marilyn Waring: New Advances of Feminist Economics, M Bjornholt & A McKay. Bradford, Ontario, Demeter Press: 267-286.
 14. <http://www.humanservices.gov.au/customer/enablers/centrelink/parental-leave-pay/eligibility-for-parental-leave-pay>
<http://www.humanservices.gov.au/customer/enablers/centrelink/parental-leave-pay/work-test-for-parental-leave-pay>
 15. <http://www.dailytelegraph.com.au/news/nsw/dads-fall-to-claim-baby-pay-cash-under-the-parental-leave-scheme/story-fni0cx12-1227252890019>
 16. <https://www.dss.gov.au/our-responsibilities/families-and-children/programmes-services/paid-parental-leave-scheme/paid-parental-leave-evaluation>

WORKPLACE SOLUTIONS TO SUPPORT WOMEN COMBINE BREASTFEEDING AND PAID EMPLOYMENT:

Breastfeeding and Family-Friendly Workplaces
 Legislative changes take time; so shorter-term solutions for supporting working women to breastfeed and care for children should also be pursued. These include strategies to make the workplace a family or breastfeeding-friendly environment. Over the past two decades, since the 1990 Innocenti Declaration, many advances in workplace policy and practices are visible around the world and should be celebrated! (See column on the right)



WHAT CAN YOU DO?

- Advocate for a breastfeeding-friendly programme within your workplace. Assume collective responsibility for sustaining it with a supportive work environment.
- Offer breastfeeding support and practical information on managing work and breastfeeding for pregnant women and women going back to work.
- Learn about other Family/breastfeeding-friendly employers and the shared benefits for employer and employees when women are supported to combine paid work with motherhood.
- Check out inspiring examples of breastfeeding-friendly workplaces, accreditation processes and other online resources. See web links under Workplace Support in the Resource section. Be a cutting edge employer.
- Support part time work arrangements for your breastfeeding staff as breastfeeding could take up to half the work time of a woman.¹⁷
- Health professionals and staff can discuss strategies with women on combining work and breastfeeding
- Campaign for safe and breastfeeding-friendly child care services that are Code compliant in or near your workplace or home.



17. Time use research in Australia has shown that exclusive breastfeeding at 6 months takes around 17 hours a week of the mothers time. This is half of a full time job. This and other studies show that having a part time job is less harmful to optimal breastfeeding practices. See Baxter, J, AR Cooklin, et al. (2009) "Which Mothers Wean Their Babies Prematurely from Full Breastfeeding? An Australian Cohort Study", Acta Paediatrica 98 (8): 1274-1277. Also see Smith, JP, PE McIntyre, et al. (2013) "Workplace Support, Breastfeeding, and Health", Family Matters 93 (December): 58-73.

COUNTRY CASES

In Australia, for instance, the implementation of the Breastfeeding-Friendly Workplace Accreditation (BFWA) by the Australian Breastfeeding Association (ABA) has made great strides with over 150 organisations accredited since the programme began. The parliamentary committee in 2007 recommended that the Australian government provide funding to expand this initiative¹⁸. One outstanding example is the Royal Australian Air Force that led the way in 2014 by becoming the first military organisation in the world to achieve accreditation as a Breastfeeding-Friendly Workplace.¹⁹

CALMA-IBFAN El Salvador developed the Women and Child-Friendly Working Centers in 2010 with the national authorities that include breastfeeding rooms, training for the workers in companies, industries and commercial settlements both in public and private sector, and surveillance of MP laws implementation. Two-hundred inspectors have been trained. The programme now has 532 breastfeeding rooms for approximately 15,823 women.

In Peru, the Supreme Decree No. 29896 established the implementation of breastfeeding and breastmilk rooms in the public and private sector to promote and support breastfeeding. They are obligatory for all public or private establishments with 20 or more workers.

In Colombia, a law by the Council of Bogotá requires Family and Children-Friendly Rooms to be established in communities and enterprises, irrespective of the number of women workers.

In New Zealand, "industrial and service workers, in particular women in sales, restaurant, hotel, factory or service occupations have the greatest difficulty in managing breastfeeding and thus require greater support from their employers to balance their work and family responsibilities."²⁰ The Breastfeeding-Friendly Workplaces Programme has been set up as a national service to provide information and support to women, employees and employers encouraging the latter to be accredited as Breastfeeding-Friendly Workplace similar to the Australian programme.²¹

In Switzerland, the Swiss Foundation for the Promotion of Breastfeeding provides ample resources on their website for working women, employees and employers in a number of languages.²² Numerous other examples exist showing a real growth in public information and workplace support via Breastfeeding-Friendly programmes (i.e. USA, Australia, New Zealand, Switzerland, and others).

In Brazil, the breastfeeding support rooms (SALM) are spaces within the workplace for expression of breastmilk and storage when breastmilk is to be transported to homes at the end of the day. These rooms have been growing in number all over the country since their launch in 2010 by the Ministry of Health. A few SALM exist in non-hospital health units open to informal workers of the community as well.

18. http://www.aph.gov.au/parliamentary_business/committees/house_of_representatives_committees?url=haa/breastfeeding/report.htm
 19. "Breastfeeding support for working mums in the construction industry," by Maggie Lighzeolo and Natasha Pollock. http://printgraphics.net.au/myfiles/Essence_Magazine_Vol_41_Issue_1_index.html#28/zoomed
 20. http://www.bfw.org.nz/Breastfeeding-and-work_280.aspx
 21. See also <http://www.bfw.org.nz/default.aspx>
 22. See http://www.alaliter.ch/logicio/client/stillen/summary.php?lang_iso639=en