



International  
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# ▶ Achieving gender equality at work

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EXECUTIVE SUMMARY

1. The Committee of Experts on the Application of Conventions and Recommendations (CEACR) is pleased to present this new General Survey, which examines the implementation of the Discrimination (Employment and Occupation) Convention (No. 111) and Recommendation (No. 111), 1958; the Workers with Family Responsibilities Convention (No. 156) and Recommendation (No. 165), 1981; as well as the Maternity Protection Convention (No. 183) and Recommendation (No. 191), 2000. This is the first General Survey that examines together the topics of gender discrimination, maternity protection, and workers with family responsibilities, as well as the first General Survey to consider Convention No. 183 and Recommendation No. 191.
2. The Committee highlights the timeliness of this General Survey, which addresses one of the key objectives set out in the Centenary Declaration – advancing a transformative agenda for achieving gender equality. The relevance of the instruments examined to current debates on the promotion of equality at work and the equal distribution of care responsibilities provides a valuable opportunity to explore the potential of these instruments in promoting successful measures and addressing shortfalls. The Committee also acknowledges the wealth of existing ILO standards (Conventions, Recommendations and Protocols) that, in addition to the instruments examined in the present Survey, are relevant to the achievement of gender equality.
3. The Committee has examined the six instruments from a gender equality perspective, on the basis of the reports communicated by governments under articles 19 and 22 of the ILO Constitution, the observations submitted by organizations of employers and workers under article 23 of the ILO Constitution, and taking into account other relevant publicly available information on the implementation of these instruments in national law and practice.
4. The General Survey provides an overview of national laws and practice in ILO Member States in respect of the application of the principles set out in the instruments under review, progress achieved and existing obstacles and gaps. It considers the manner and extent to which the six instruments are mutually reinforcing and the need for them to form part and parcel of a broader gender-transformative agenda aimed at realizing decent work and social justice for all. The Committee hopes that the General Survey will provide useful action-oriented policy recommendations and guidance for ILO constituents, including stakeholders involved in the development of national policies on equality, so they can use the instruments to step up efforts in promoting gender equality and decent work. The Survey is also intended to serve as a key reference for practitioners, academics, and the general public in relation to the principles of the instruments examined and their effective implementation. Ultimately, it is hoped that the practices and recommendations put forward in the Survey will assist countries in leaving no one behind and in achieving progress towards meeting the Sustainable Development Goals (SDGs) by 2030, in particular SDGs Nos 3 (good health and wellbeing), 5 (gender equality) and 8 (decent work and economic growth).
5. The General Survey is structured in three parts: **Part I** sets out the legal and institutional national framework required to achieve gender equality at work, as set out in the instruments under examination, as well as the action needed to promote a culture of gender equality; **Part II** examines in detail the various measures implementing the labour and employment rights that are key to gender equality and the implementation of rights and measures related to maternity protection and the reconciliation of work and family responsibilities. It further emphasizes the importance of establishing a legal and institutional framework for the effective monitoring and enforcement of the measures and policies adopted and explores the various means through which this can be done. **Part III** presents the way forward to promoting gender equality, equality for workers with family responsibilities, and maternity protection.

## ► Convention No. 111 and Recommendation No. 111 as the overarching framework to achieve gender equality in employment and occupation

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6. Convention No. 111 and Recommendation No. 111 provide the overall framework for achieving equality and non-discrimination in employment and occupation. Their main objective is for Members to declare and pursue a national policy to promote equality of opportunity and treatment in respect of employment and occupation with a view to eliminating discrimination. This “national equality policy” is a multifaceted tool made up of a range of laws and regulations, collective agreements, policies, strategies and plans of action, as well as other means, such as awareness-raising measures and affirmative action. The national equality policy required by Convention No. 111 and Recommendation No. 111 should address discrimination based on the different grounds covered by the instruments. This includes discrimination based on sex and gender and the promotion of gender equality.

**7. Discrimination is a constantly evolving phenomenon: clearly defining and prohibiting discrimination is imperative to effectively implement the principles of equality of opportunity and treatment and non-discrimination in employment and occupation.** The definition enshrined in Convention No. 111 includes all forms of discrimination with respect to all aspects of employment and occupation, including direct and indirect discrimination, multiple and intersectional discrimination, as well as harassment, based on the grounds covered by the Convention. It is especially important to have a clear framework for addressing all forms of discrimination. As the General Survey recalls, provisions that define discrimination in employment and occupation should be precise and comprehensive and encompass all the elements of the definition provided in Convention No. 111: (i) a fact (a distinction, an exclusion, or a preference); (ii) an effect (nullifying or impairing equality of opportunity and treatment); and (iii) a prohibited ground of discrimination. In so doing, it is particularly relevant to clearly address indirect discrimination, which occurs when apparently neutral situations, regulations or practices result in unequal treatment of persons with certain characteristics. Consequently, indirect discrimination is often difficult to identify and tends to be entrenched in structural inequalities, including gender-specific barriers. Moreover, the General Survey shows that other specific forms of discrimination are increasingly being recognized and addressed, such as discrimination-based harassment, discrimination based on multiple grounds and intersectional discrimination.

**8. The notion of discrimination based on sex has evolved and expanded over time. Measures in law and practice increasingly address some of its most evident forms, as well as discrimination based on other grounds relevant to gender equality.** Article 1(1) (a) of Convention No. 111 explicitly sets out seven prohibited grounds of discrimination (race, colour, sex, religion, political opinion, national extraction and social origin), and Article 1(1)(b) allows Member States, upon consultation with the social partners, to determine additional prohibited grounds. As indicated in the General Survey, discrimination based on sex goes beyond distinctions based on biological characteristics and includes the concept of gender, understood as the socially constructed roles and responsibilities assigned to a particular sex. Discrimination based on maternity, including pregnancy and breastfeeding, is one of the main forms of discrimination based on sex and is expressly prohibited in many countries. In addition, the General Survey reveals that prohibited grounds of discrimination that were at their origins linked to discrimination based on sex, such as civil status, marital status, family situation and family responsibilities, are increasingly being prohibited as such and, hence, such prohibitions are acquiring stand-alone legitimacy. The General Survey also shows progress in

the national law and practice of a number of countries with respect to addressing discrimination based on sexual orientation, gender identity and other related grounds; and measures are increasingly being taken to address sex-based harassment and gender-based harassment. It is noted, however, that further efforts are necessary to fully address specific aspects of sex discrimination, such as blanket restrictions in a number of countries which prevent women from working in specific fields or sectors, as well as efforts to prevent, prohibit and eliminate sexual harassment.

**9. In order to effectively implement Convention No. 111 and Recommendation No. 111 with respect to gender equality, it is necessary to ensure that there is no discrimination based on sex as regards its scope of application, particularly in relation to indirect discrimination stemming from different legislative or regulatory regimes for specific jobs and occupations. It should also be ensured that digitalization brings equal opportunities and treatment for all.** There are no provisions in Convention No. 111 and Recommendation No. 111 limiting the scope of these instruments with regard to the individuals or occupations covered. However, as shown in the General Survey, differences in the legislative coverage of specific sectors, occupations or work arrangements may have pronounced gendered effects, as these differences may inadvertently lead to the establishment of less favourable conditions in jobs with a predominantly female workforce, or occupations where women tend to be in particularly vulnerable situations. This can be the case, for instance, for workers in the public sector, in domestic work, in the informal economy and in self-employment; many of these workers face decent work deficits. Moreover, in an era in which digitalization has opened up a myriad of possibilities in employment and occupation, it is necessary to ensure that digital tools do not perpetuate gender inequality in employment and occupation and that women can access and advance in the technology-enabled jobs of the future on an equal footing with men. This effort includes taking measures to address the gender digital divide.

**10. Gender equality in access to employment and occupation concerns equal opportunities in accessing education, vocational training and guidance and employment services, and in recruitment procedures.** Women and girls often face more obstacles than men and boys to access education and training in general. These obstacles include existing legislative and regulatory barriers, gender stereotypes, and the disproportionate shouldering of unpaid care work and family responsibilities by women. Such obstacles are even larger for women and girls from groups in situations of vulnerability, such as women and girls belonging to indigenous peoples or living in rural areas. As indicated in the General Survey, education and training measures should ensure that women and girls have equal opportunities to access education and vocational training opportunities, including by promoting and ensuring school enrolment for girls and preventing their drop-out. Also, access of women to employment and placement services should be facilitated, and such services should, both, abstain from discrimination and take equality of opportunity and treatment into account in their activities. It is also necessary to ensure gender equality in the course of recruitment procedures, from the publication of job advertisements and establishment of selection criteria to the inquiry of information from the candidate considered.

**11. Horizontal and vertical gender occupational segregation continues to be a persistent obstacle to achieving gender equality. It is therefore imperative to adopt measures aimed at effectively addressing this phenomenon, including its root causes.** Women tend to be concentrated in traditionally female-dominated jobs and fields of education and are often underrepresented in higher and management level positions. This is due to diverse reasons, such as gender stereotypes and norms which lead women and girls to fields of education and jobs for which they are considered more suitable, as well as women's need to reconcile paid work with the disproportionate share of unpaid care work and family responsibilities that they typically shoulder. Accordingly, occupational segregation usually leads women to jobs and sectors with lower salaries and prospects of professional

advancement and poorer working conditions. The Committee stresses that it is therefore crucial to adopt measures aiming to broaden the areas in which girls and women receive education and vocational training, as well as to promote the presence of women in a wider range of jobs, sectors and occupations at all levels and to ensure that vocational guidance does not perpetuate gender segregation. As per the information received, these positive measures may include different admission criteria and reserved quotas for women and girls, specific courses and targeted scholarships and programmes, as well as awareness-raising to combat gender bias and gender stereotypes that have a negative impact on the vocational aspirations and capabilities of girls and women. In the same vein, measures are also needed to promote increased representation of women in higher and management-level positions. In this respect, the General Survey shows that it is essential to ensure the use of objective criteria for recruitment and promotion that do not perpetuate gender inequalities and discrimination, as well as to promote gender equality in organizational and workplace cultures. In addition, measures to facilitate women's access to training, re-skilling and upskilling during employment and to opportunities for advancement, as well as measures to assist them in conciliating work and family responsibilities, can contribute significantly to the advancement of all women to higher level positions.

**12. Measures to promote gender equality must also address discrimination in terms and conditions of work, particularly with regard to remuneration, social security and conditions for termination of employment.** The gender pay gap is linked to many factors, including occupational gender segregation and differences between men and women's careers resulting from the difficulty of reconciling work and family responsibilities. In this regard, the Committee recalls that the effective implementation of the Equal Remuneration Convention, 1951 (No. 100) and the Equal Remuneration Recommendation, 1951 (No. 90) is essential to ensure that women have access to equal remuneration for work of equal *value*. This involves the undertaking of objective job evaluation processes to assure that the value of work is rewarded free from gender discrimination. It is also observed that gender gaps persist in social security coverage, in part due to the fact that women tend to be more concentrated in sectors and occupations that have little or no coverage, as well as because of the gender pay gap and women's higher share of unpaid care work. Likewise, major disparities continue to exist regarding the coverage of men and women by old-age pensions, including in relation to the establishment of different pensionable ages for men and women. Examples of national law and practice show that measures are being adopted to prevent discrimination with respect to social security coverage and benefits, such as by recognizing maternity and family-related leave periods for entitlement to social security benefits. In addition, the Committee stresses that it is essential to prevent and prohibit discrimination in employment termination, particularly with regard to practices that may lead to indirect discrimination against women such as certain practices based on time of service.

**13. The national equality policy should provide for measures to be taken to create and maintain an enabling environment for gender equality.** Educational measures, awareness-raising and public information are key to fostering public awareness and engagement in promoting the principle of equality and non-discrimination and in addressing gender stereotypes. The information received from the tripartite constituents indicates that Governments, social partners and specialized equality bodies, among others, are carrying out a wide range of awareness-raising measures, including campaigns to prompt attitudinal change among the broader public, the publication of resources and materials on gender equality, and the use of educational curricula to promote and raise awareness on gender equality.

**14. Employers' and workers' organizations have an essential role to play in the elaboration and operationalization of the national equality policy.** Their first-hand experience and active engagement help to ensure that agreed measures are effectively implemented, monitored, evaluated and revised to respond to evolving needs and realities

in the country. As shown in the General Survey, social partners can play their part in the design and implementation of the national equality policy in diverse ways, including via tripartite commissions and other specific means of collaboration, as well as by adopting gender equality measures through collective bargaining and at the workplace or enterprise level, and incorporating measures to promote women’s representation in employers’ and workers’ organizations.

**15. It is critical to ensure regular monitoring and review of policy measures, as well as the effective enforcement of non-discrimination legislation.** National policies, including those focused on gender equality, shall be regularly monitored and reviewed in order to allow for the informed modification of measures and strategies and the assessment of their impact. In this regard, the General Survey notes that collaboration with employers’ and workers’ organizations and the effective collection of statistical data, including data disaggregated by sex, are crucial. Moreover, the enforcement and safeguarding of rights in cases of discrimination continues to be one of the keys to ensure the effective implementation of the instruments in practice. The enforcement and the treatment of cases of discrimination in employment and occupation, often entrusted to labour inspectorates and courts, is also increasingly addressed by specialized equality bodies. It is important that bodies and institutions participating in the enforcement of the Convention are well equipped to do so, including as regards the necessary technical knowledge, resources, and capacity. In this regard, the General Survey notes that measures are being adopted to provide targeted training and awareness-raising to specific personnel, as well as to promote the increased presence of women in labour inspectorates and courts.

## ► Convention No. 156 and Recommendation No. 165: reconciling work and family responsibilities, a key component of effective gender equality

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**16.** Convention No. 156 and its accompanying Recommendation No. 165 seek to promote equality of opportunity and treatment in employment for men and women workers with family responsibilities, as well as between workers with family responsibilities and those without such responsibilities. With this objective, the Convention calls for the adoption of a national policy “to enable persons with family responsibilities who are engaged or wish to engage in employment to exercise their right to do so without being subject to discrimination and, to the extent possible, without conflict between their employment and family responsibilities” (Article 3 (1)). The two instruments therefore contribute to the wider framework of measures set out in the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). In light of Convention No. 156, achieving gender equality requires policies to better enable men and women with family responsibilities to prepare for, enter, advance and remain in employment. The challenges of balancing work and family responsibilities affect the equal opportunities and treatment in employment and occupation of women, in particular, as they continue to shoulder the main bulk of family responsibilities. Insufficient or non-existent work-family facilities is one of the main barriers that prevent millions of women from enjoying equal access to employment and decent work.

17. According to the instruments, the term “family responsibilities” include responsibilities in respect of dependent children and other members of workers’ immediate family, such as elderly parents or disabled relatives, who clearly need their care or support. This is particularly relevant since, in recent years, a growing number of workers have some responsibility towards ageing relatives or adults with disabilities. Household tasks are also considered as falling within the scope of family responsibilities. It is up to each country to define, within the framework of the Convention, in relation to which persons family responsibilities exist (for instance, parents, brothers, grandchildren, or family in law) as the notions of “family” and “family responsibilities” can vary depending on the national context.

18. Making family responsibilities more compatible with work involves measures that can help better balance work with family life. In this regard, Recommendation No. 165 offers practical policy guidance to assist workers with family responsibilities to better balance work and family life. The two instruments also call for tripartite consultation and dialogue between governments and the social partners in designing and implementing measures within the framework of a national policy aimed at promoting equality of opportunity and treatment, to protect workers with family responsibilities from discrimination in employment and occupation.

19. In light of Convention No. 156 and Recommendation No. 165, achieving gender equality requires the adoption of a range of family-friendly measures to better enable men and women with family responsibilities to prepare for, enter, advance and remain in employment on an equal basis with workers without family responsibilities. Family-friendly measures have been broadly recognized among the most cost-effective and gender-transformative solutions to support the needs of workers with family responsibilities. Such measures may vary depending on the family responsibility they bear upon; the most common include those indicated below.

**20. Adopting a comprehensive system of leave policies as a transformative tool to enhance gender equality at work.** The provision of parental leave is referred to in both Recommendations Nos. 165 and 191. Parental leave typically follows maternity leave and refers to a relatively long-term leave available to either or both parents, enabling one or both parents to care for an infant or a young child over a specified period of time without loss of employment and with their employment rights protected. The General Survey reveals that, although many ILO Member States have adopted statutory provisions on parental leave, in some countries such leave is only available to women, perpetuating the traditional role of women as primary carer for children. Even when leave is available to both parents, statistical information shows that the take-up rate by women is much higher in comparison to men. The General Survey also shows that many countries have introduced paid parental leave on a “use it or lose it” basis to encourage men to take parental leave.

21. Recommendation No. 165 also refers to leave in case of illness of family members (whether these are children or close family members). While the Recommendation does not specify the duration of such leave, the laws and practices among ILO Member States that provide for family illness leave show that this type of leave may be short or long-term. Long-term care leave is a special leave entitlement available to employed persons to take care of family members who have a long-term dependency. The information received for the General Survey shows that a growing number of countries have statutory provisions on long-term care leave, whether to care for children or other immediate family members. Demographic trends, such as the aging of the population and the increasing proportion of dependent elderly, show that the provision of long-term leave, together with accessible and good quality social services, is increasingly needed to support the continued employment of women and men with family responsibilities.

**22. Other leave arrangements.** While no ILO standard explicitly requires ratifying States to provide workers with paternity leave, a positive trend has emerged from the reports received. A growing number of countries have adopted statutory provisions on paternity leave, both in national laws and collective bargaining agreements.

**23.** In designing the type and extent of leave arrangements to be provided, Governments should ensure, in consultation with the social partners, that both women and men are equally entitled to access these arrangements. The General Survey shows that leave arrangements can only be an acceptable solution when they are supported by adequate payment to ensure income security for the workers concerned by such leaves.

**24. Equal access to flexible work arrangements.** Family-unfriendly working conditions, such as long working hours and asocial and unpredictable schedules, can have a negative impact on the physical and mental health of employees. Moreover, the lack of flexible working arrangements often pushes women either to take one or more career breaks or to drop out of the labour market altogether in order to care for small children or to provide care for sick family member(s). In contrast, when men opt to take up care roles, they may be stigmatized due to the prevailing social context and employment culture. Recommendation No. 165 offers practical guidance on reducing daily hours of work and overtime, providing flexible working schedules, organising shift work, adopting rearrangements where the job requires night work, as well as on the consideration of spousal mobility in case of transfers. It is noted in the General Survey that flexible working arrangements can contribute to reducing absenteeism and lateness, and hence increase productivity and decrease the costs of employee turnover.

**25. Improving the availability of affordable, accessible, and good-quality childcare and long-term services and facilities to ease pressure on workers with family responsibilities.** The lack of childcare, family and other community services, whether public or private, is an obstacle to the advancement of both women and men with family responsibilities at work. Recommendation No. 165 provides considerable policy guidance on how the competent authorities can assess the needs and preferences for childcare and family services. For example, the authorities can collect and publish adequate statistics on the number of workers with family responsibilities who are engaged in or seeking employment, and on the number and age of their children and of other dependants requiring care. The Recommendation also underlines the importance of providing services and facilities free of charge or at a reasonable charge in accordance with the workers' ability to pay, as well as providing appropriate training for the personnel needed in these services and facilities.

**26. Ensuring equality and non-discrimination in employment and occupation for workers with family responsibilities.** Convention No. 156 calls for the national policy to enable workers with family responsibilities who are engaged or wish to engage in employment to exercise their right to do so without being subject to discrimination and, to the extent possible, without conflict between their employment and family responsibilities. The lack of measures designed to reconcile family responsibilities with education or vocational guidance and training often leads workers with family responsibilities to miss out on opportunities to access employment and occupation. Moreover, those workers – predominantly women – who leave the labour market due to family responsibilities may subsequently encounter significant obstacles preventing them from re-entering the labour market, including as regards their need to retrain or reskill. Measures, such as flexible training schedules, paid educational leave arrangements during working hours, schedules compatible with childcare arrangements, childcare allowances or the provision of childcare during training hours, targeted grants for entrepreneurship, as well as the recognition in law of the right to re-skilling after a period of leave, were reported in the General Survey as supportive to workers with family responsibilities. Similarly, the struggle to balance work and family responsibilities may prevent workers with family responsibilities from enjoying career advancement opportunities, particularly where management-level positions require extensive travel or long working hours. In this respect, measures are necessary not only to facilitate the reconciliation of work with family responsibilities, but also to promote an equal distribution of care responsibilities in the household, so as to build and maintain an environment in which women and men workers, including those with family responsibilities, can enjoy effective equality of opportunity in professional and career advancement.



## ► Convention No. 183 and Recommendation No. 191: Maternity protection is a precondition to achieve gender equality

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27. Safeguarding employment, health and income security of women workers during pregnancy and after childbirth is fundamental to the achievement of social inclusion and gender equality at work. Convention No. 183 and Recommendation No. 191 establish a broad set of public measures aiming at securing women's right to work without discrimination. These consist primarily in measures aiming to protect women from discrimination in employment on the ground of maternity and against dismissal during periods of maternity; safeguard the health of pregnant and breastfeeding women in the workplace; provide the necessary time to rest and recover from childbirth; maintain the earnings of pregnant and nursing women during the periods of absence from work on maternity-related leave; provide available, accessible and acceptable maternity medical care that is affordable or free of charge; and provide time and facilities to support breastfeeding.

**28. Maternity protection is a joint responsibility of governments and society.** As highlighted in Convention No. 183, the circumstances of women workers and the need to provide protection for pregnancy are the shared responsibility of governments and society. While the government bears the primary and overall responsibility for the adoption and implementation of the policy and legislative framework on maternity protection, employers and workers' representatives and other stakeholders have a fundamental role to play and should be involved. Sufficient public funding, which must be secured by the public authorities to ensure the effective implementation of maternity protection provisions and measures, should be amassed through the principle of solidarity in financing and not be reliant on the sole responsibility of employers. Moreover, the efficiency of maternity protection measures is a function of their coherence and coordination with other social and economic policies, and of their integration within comprehensive work-family policy frameworks.

**29. There is a need to address the gaps in the legal and effective coverage of women by maternity protection, which may otherwise lead to negative consequences for women, children, and societies as a whole.** Convention No. 183 and Recommendation No. 191 adopt an inclusive and broad approach to the scope of coverage for maternity protection by extending it to all women in employment, including those in atypical forms of dependent work. Despite positive developments in the extension of scope of coverage observed in many countries, many pregnant and nursing women all over the world are still largely or entirely excluded from coverage, in law and/or practice. The General Survey reveals that those most likely to be left unprotected are women in atypical forms of employment, such as domestic workers; casual and temporary workers; homeworkers; agricultural workers; part-time workers, as well as workers in digital platforms. Own-account and self-employed women are also largely excluded from coverage. Difficulties in extending maternity protection are due to multiple factors, such as irregular and low incomes, job insecurity, high levels of informality and low levels of organization.

**30. It is necessary to take measures to prevent and eliminate discrimination on the grounds of maternity at all stages of the working life cycle.** Convention No. 183 and Recommendation No. 191 establish employment protection and non-discrimination standards which ensure the protection of women workers in accessing, advancing and remaining in employment and occupation. The General Survey reveals that the legislation of many countries makes provision for the protection of employment of pregnant women and new and nursing mothers, in line with Convention No. 183 and Recommendation No. 191. However,

discriminatory practices are still observed. Examples of such practices include job-seeking women being asked about their intention to have children or requested to undergo pregnancy testing during the interview process. Furthermore, the right for new mothers to return to their position or an equivalent job paid at the same rate after maternity leave is not always ensured, either in law or in practice. There still are frequent instances of women whose jobs are not secured upon return from maternity leave, or who suffer important losses in salary or promotion opportunities due to their absence on maternity leave. Moreover, instances of women's employment being terminated as a result of pregnancy, during maternity-related leave or in the months following childbirth, remain common.

**31. Guaranteeing the health and safety of pregnant and breastfeeding women in the workplace is fundamental to bring about decent work and ensure gender equality.**

An important aspect of maternity protection is to ensure that pregnant and breastfeeding women are not exposed to working conditions, work environments or substances at the workplace that might pose particular risks for them or their children. Statutory measures to address dangerous or unhealthy work that may affect the health of pregnant or breastfeeding women or that of their child have been adopted in a large number of countries. In this regard, the General Survey underlines the need for a gender-responsive approach to maternity health protection, which requires both prevention and mitigation interventions to ensure that the health of pregnant or breastfeeding women and of their babies is protected, and that any restrictions or bans on performing dangerous or unhealthy work is based on factual evidence and not on stereotypes of women's professional abilities and role in society. In the same manner, the determination of types of work that are likely to harm the reproductive capacity of women and men, and that may be the object of restrictions, must be based on epidemiological studies showing the presence of specific risks to reproductive health.

**32. Collectively financed paid maternity leave is critical to ensure the health and economic protection of pregnant and nursing mothers and their children as well as gender equality at work.**

The absence of paid maternity leave may result in interruption or reduction of women's labour market participation, and is often linked to discriminatory practices, such as dismissal and loss of pay. It may also have a detrimental impact on the health of women and their children, as they may continue to engage in economic activity too far into pregnancy or not take adequate rest following childbirth. As observed in the General Survey, progress has been made in the extension of the duration of paid maternity leave in recent years. However, the minimum of 14 weeks maternity leave, paid at a level not less than two-thirds of the woman's previous earnings, as required by Convention No. 183, is still not a reality for many women. The General Survey further underlines that the principles of collective financing, based on risk sharing and solidarity, has proved to provide better protection for women workers in comparison with employer's liability mechanisms which shift the obligation to finance maternity benefits solely onto employers. In this respect, the positive legislative changes that have transferred the source of financing of maternity benefits from employer's liability schemes to social insurance have been noted in a growing number of countries.

**33. Available, accessible, acceptable, and quality maternal medical care, that is affordable or free of charge, is essential to improve health outcomes for mothers and their children.**

While maternity medical care, such as prenatal, childbirth and postnatal care, as well as hospitalization, is guaranteed in a significant number of countries, the effective coverage of social health schemes varies significantly and is particularly limited in low-income countries. One of the important barriers in accessing maternal medical care remains high user fees, co-payments and other out-of-pocket payments which may also lead to impoverishment of women workers and their families. In this respect, positive developments have been observed in some countries, where free maternal medical care was introduced.

**34. Measures to facilitate nursing are not only important for the well-being of mothers and their children, but also contribute to the re-integration of women into work, and thereby to a gender-responsive working environment.** In this regard, the widespread practice of granting women workers time off for daily nursing breaks upon their return to work from maternity leave is adopted in most Member States. In some instances, however, such breaks are not counted as working time and are therefore not remunerated, which may create pressure and financial constraints for the women concerned and have various negative effects, including forcing new mothers to forego breastfeeding their child. In addition, many women are not provided with adequate facilities to breastfeed in the workplace.

## ► Forging a way forward for gender equality at work

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**35.** The trends, progress and challenges identified in the General Survey show the interconnection, and, to some extent, the interdependence of Conventions Nos 111, 156 and 183 and their respective Recommendations: achieving maternity protection and equality for men and women workers with family responsibilities is essential to attain gender equality at work; at the same time, if discrimination based on sex and gender is not eliminated, the full realization of maternity protection and equality for men and women workers with family responsibilities will remain a challenge.

**36.** In this regard, it is noted that, out of 187 ILO members, only 20 have ratified all three Conventions examined. Nonetheless, the General Survey shows that specific measures are being adopted in numerous countries to address the diverse dimensions of gender inequality at work, including in relation to matters addressed by Conventions Nos. 156 and 183, which are less ratified in comparison to Convention No. 111. Furthermore, as indicated in the General Survey, a number of governments would appreciate technical assistance in relation to legislative matters, including with a view to start or consider ratification procedures. Interest has also been expressed for technical assistance regarding training and capacity-building on gender equality for a variety of stakeholders in the world of work, as well as awareness-raising measures and data collection.

**37.** Employers' and workers' organizations are necessary participants in any future efforts to achieve gender equality at work. Their role, which is recognized in all the instruments examined as well as in the ILO Centenary Declaration for the Future of Work, will be crucial to build long-lasting and effective gender dynamics in the future of work.

**38.** The Committee reaffirms that there cannot be full equality at work in a broader context of existing and ongoing inequality, and that a qualitative and comprehensive change in the dynamics that cause gender-specific constraints and structural obstacles is urgently needed. In this respect, it recalls that the implementation of Conventions Nos 111, 156 and 183 and their respective Recommendations is essential for advancing a transformative agenda for gender equality at work, as called for by the ILO Centenary Declaration for the Future of Work, as well as for achieving social justice and decent work.

