

What is our role as trade union organisations?

The principle of equal opportunities risks being undermined unless this right and the social function of maternity are both recognised and firmly defended. Trade union organisations need to assume their full responsibility for defending, protecting and promoting the specific rights of women, who constitute an increasingly large section of their membership.

Trade union organisations should:

- Ensure that ratification and implementation of C. 183 and R. 191 are placed at the top of their priority lists. As the Maternity Protection Convention only applies to women workers from the ILO member states that have ratified it, trade union organisations have an important role to play in ensuring that their governments ratify and implement C. 183 and R. 191.
- Include the issue of maternity protection at all levels of the social dialogue in their respective countries and particularly in collective bargaining.
- Monitor the implementation of the maternity protection provisions by all employers and demand that measures are taken to ensure that maternity is not a source of discrimination.
- Put pressure on governments and employers to ensure that provisions are made for all women who are covered by C. 183 and R. 191 to receive the cash benefits.
- Secure consultation by governments prior to any decisions being taken concerning the conventions covering women workers' rights.

What concrete action can we take?

To speed up the ratification of Convention 183 and Recommendation 191, we can organise collective representations to our political leaders and employers and launch action in cooperation with NGOs and the various associations and social groups in our country. We could, for instance:

- Inform and raise the awareness of our members, employers community and the general population, about the importance of maternity protection and seek everyone's support for the campaign.
- Write to our local and national political leaders to encourage them to ratify C. 183 and R. 191, whilst providing them with arguments on the benefits that the ratification could bring to the country and its development.
- Inform and gain support from the media to join in the international campaign for ratification of these instruments.
- Analyse the gaps in national legislation and the barriers preventing our country from ratifying this Convention and propose solutions to overcome the barriers.
- Organise public events, conferences, debates, lobbying and campaigns linked to maternity protection.

All actions we take in our companies, sectors and countries will help promote the ratification and application of C. 183 and R. 191.

**It is up to us
to make maternity protection a reality!**

INTERNATIONAL CAMPAIGN
for the ratification and application of Convention 183
and Recommendation 191 of the ILO



Why do we need a campaign on ratification of Convention 183 and Recommendation 191 on maternity protection?

While women's participation in the formal and informal economies has risen considerably in all parts of the world and whole host of legislation has been drafted for improving the situation of working mothers, maternity is still one of the areas in which gender-based discrimination is most blatant. Too many women around the world do not yet enjoy maternity protection. They are subjected to numerous forms of discrimination, including pregnancy tests on recruitment, sacking of pregnant women, and reductions in, or a total lack of the income on which many families rely for their survival. In addition, pregnant women and their children are exposed to many health problems that cost them their future and, in many cases, their lives.

On paper, the principle of equality between women and men has gained ground, but in practice there is a considerable way to go. Women's important role in society is not yet recognised and valued correctly by society as a whole, by politicians and by many employers who regard maternity as a barrier to profitability and profit-making. This conception of maternity as being unprofitable or unproductive tends to ignore the fact that procreation is a major contribution that women make to the renewal of populations and the workforce.

The ITUC regards maternity protection as a right that it is up to us to promote. That is why it has been leading a campaign, since 8 March 2007, on the ratification and implementation of the ILO's Convention 183 and Recommendation 191 on maternity protection. And since maternity protection makes a central contribution to a decent life and decent work, it is an integral part of the Global Campaign on **"Decent Work, Decent Life for Women"**.

www.ituc-csi.org (click on 'equality' and 'women') or www.wddw.org

What are the aims of this campaign?

- To mobilise trade union organisations' promotion of gender equality.
- To secure the ratification and implementation of Convention 183 and Recommendation 191 so as to make maternity protection a reality.

Which demands should be at the centre of our campaign?

- Preserving the health and wellbeing of mothers and children.
- Ensuring that women who work are not punished financially for giving birth to or raising children. Cash benefits should be provided to women that will enable them to live in decent conditions.
- Application of the minimum standards of protection set by Convention 183 and Recommendation 191, through national legislation and collective agreements, to all working women, including those employed in forms of atypical work, home work, part-time work, in the export processing zones and in domestic service.
- Ensuring that all precautions and safety measures are taken to ensure that pregnant or breast-feeding women and unborn children are not exposed to any risk as a result of the work the women do.
- Ensuring that these protective measures do not have a negative impact on women's promotion and their pension rights or become a source of discrimination in any other regard.

Which legal instruments can we refer to?

Clear undertakings have been made by many countries at international conferences, including the Universal Declaration of Human Rights (<http://www.un.org/Overview/rights.html>), the specific ILO conventions, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (<http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm>) and the third Millennium Development Goal (MDG) on gender equality.

The Beijing action plan adopted at the (UN) World Conference on Women in 1995 highlighted twelve basic problems including health questions and the specific goal of significantly reducing maternal mortality (<http://www.un.org/womenwatch/daw/beijing/platform/health.htm>). The fifth Millennium Development Goal (MDG) stressed the same targets for mothers' health (<http://www.un.org/millenniumgoals/>).

As for the ILO, it revised Convention 103 to adapt its legal coverage to changes in the world of work, leading to the adoption of Convention 183 (<http://www.ilo.org/ilolex/english/convdisp1.htm>) and Recommendation 191 in the year 2000 (<http://www.ilo.org/ilolex/english/recdisp1.htm>). Whilst Convention 103 remains in force in the countries that ratified it, Convention 183 brought improvements and is the only other ILO Convention on this issue to date.

Why is it important to ratify Convention 183?

When adopting Convention 183, the ILO's International Labour Conference established a series of minimum standards including:

- Extension of the coverage of the protection to all employed women, including those in atypical forms of dependent work (for example in the informal economy).
- A period of maternity leave of not less than 14 weeks.
- At least six weeks' compulsory leave after childbirth.
- The right to cash benefits during maternity leave or leave in case of illness, complications or risk of complications arising out of pregnancy or childbirth; those cash benefits must be based on previous earnings and 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.
- Protection of the health of pregnant and breastfeeding women.
- Protection against dismissal during pregnancy, maternity leave and the period afterwards.
- Guarantee of the right to return to the same position.

Since its adoption in 2000, this Convention has been one of the least well ratified of the ILO conventions. Ratification implies that the Convention has been endorsed by the Parliament and transposed into national legislation.

It should be stressed that pursuant to Paragraph 8 of Article 19 of the ILO's Philadelphia Declaration, the ratification of Convention 183 does not entail any regression where national legislation is superior to the provisions in the Convention.