

Legislation on maternity protection in countries belonging to the Arab World

Information taken from ILO database

<http://www.ilo.org/dyn/travail/travmain.byCountry2>

ALGERIA: See AFRICA REGION

BAHRAIN

Name of Acts:

- The Labour Law for the Private Sector, promulgated 1976, amended 1993
- The Consolidated Act on Social Insurance, amended 2010.

Scope:

- Maternity benefits shall apply compulsorily to all workers without discrimination as to sex, nationality, or age, who work by virtue of an employment contract for the benefit of one or more employers, or for the benefit of an enterprise in the private, co-operative, or para-statal sectors and, unless otherwise provided for, those engaged in public organisations or bodies. The provisions of this law are not applicable to the following categories, unless otherwise stated: civil servants and employees of public corporate entities that are subject to the Civil and Military Service Regulations; domestic servants and persons regarded as employed in temporary and casual work which is out of the scope of the employer's business and for the duration of less than 1 year; sailors, officers, engineers, seamen and others whose employment contract is subject to a special law; members of the employer's family such as husband, wife, parents and offspring whom he actually supports; lastly, persons employed in agricultural work other than: workers employed in agricultural firms which process or market their products; workers permanently employed in operating or repairing mechanically driven equipment used in agriculture; workers engaged in management or as security guards in agricultural operations. **Maternity leave:**
- **Conditions:** Maternity leave is non-deductible from the worker's annual leave provided she produces a medical certificate attested by the Ministry of Health stating the expected date of her confinement.

A female worker shall forfeit her entitlements if it is proved that she was found to have been employed by another employer during her approved leave of absence.

- **Length:** 45 days (6 weeks). Such maternity leave shall include the period before and after confinement.
- **Compulsory leave:** No compulsory leave.
- **Extension:** an additional leave without pay for 15 days.

Cash benefits:

- **Maternity leave benefits: Conditions:** A female worker shall forfeit her entitlements if it is proved that she was found to have been employed by another employer during her approved leave of absence.

Amount/Duration: 100% of the normal salary for the full duration of the leave (45 days/6 weeks).

Benefits paid by Social Security System (Social Insurance Organization) which is financed by different sources: monthly contributions paid by the employer, additional amounts and interests due for delay, the amounts paid by the Government Pension and Retirement Fund in respect of contributions by the insured and interest thereon, the loans which are annually paid to the Fund by the Treasury of the State, fees paid by the employer or the insured, subsidies, donations and bequests which the Board of Directors decides to accept and profits derived from the investment of the Fund and other income resulting from its activities.

Medical benefits:

- None identified.

Health protection:

- It is prohibited to employ any female in industries or occupations which are dangerous or unhealthy for her unborn child.

Non-discrimination/Job protection:

- **Non-discrimination:** No provisions identified.
- **Dismissal:** No employer is permitted to terminate the service of a female worker on the grounds of her marriage or during her leave due to pregnancy and confinement.

- **Job guarantee:** No mention.

Breastfeeding:

- **Breastfeeding breaks:** During the 2 years following the date of birth, a female worker returning to work after maternity leave shall be entitled to one or two periods of rest not exceeding a total of 1 hour daily in order to breastfeed her newly-born child, in addition to the normal intervals of rest given to all workers.

The employer shall request every 6 months from the date of delivery that the female worker provide an official certificate from the health centre located in the vicinity of her residence indicating that she continues to suckle her child; if she fails to submit such a certificate within 2 months from the date of the employer's request, she forfeits her right to breastfeeding breaks.

EGYPT: See AFRICA REGION

IRAQ

Name of Acts:

- A new Labour Law is under discussion.
- Act No. 71, 1987 promulgating the Labour Code, as amended in Law No. 17, 2000
- Revolutionary Command Council Resolution No. 882.

Scope:

- This Code applies to all workers employed in the private, mixed and co-operative sectors.
- However, the provisions of the Chapter on the Protection of Women Workers do not apply to women who are engaged in a family enterprise in which only family members work and which is under the authority and supervision of a woman's spouse, father, mother or brother.

Maternity leave:

- **Conditions:** A woman worker on maternity leave shall not be permitted to engage in remunerative work or in any activity likely to endanger her health.
- **Length:** *Every woman worker* is entitled to 62 days' (8 weeks) maternity leave at full pay. A pregnant worker may, upon the presentation of a medical certificate from the competent service, begin the above-mentioned leave 30 days before the projected date of confinement and may take the remaining days after confinement.
The *Resolution No.882, 1987* provides for *workers of the Departments of State and the Socialist Sector* the right to a fully paid period of 6.5 months for the second 6 months in case of pregnancy.
- **Compulsory leave:** not specified but the worker can take 30 days before and 32 days after birth.
- **Extension:** The competent medical service may extend the period of leave for up to 9 months in the case of a *difficult childbirth*, the birth of *more than one child*, or the appearance of *complications* before or after confinement. Days which exceed the length of the leave shall be counted as unpaid leave.
Unpaid leave: A working mother may, with the consent of her employer, take a special unpaid maternity leave for a period of up to 1 year in order to take care of her child, until the child is 1 year of age.
Illness of a child: A woman worker with one or more children under 6 may be absent from work without pay for a period of up to 3 days whenever one of her children is sick and needs her care.

Cash benefits:

- **Maternity leave benefits: Amount/Duration:** 100% of salary for full period of leave.
Paid by the employer. Information seems contradictory as until 2004 at least, financing was by Social Security.

Medical benefits:

- No mention.

Health protection:

- **Overtime:** It is prohibited to assign pregnant women additional work which is likely to endanger their health or the health of the foetus.
- **Dangerous work:** Prohibited to employ women in arduous work or that is harmful to her health. A woman worker on maternity leave shall not be permitted to engage in remunerative work or in any activity likely to endanger her health.

Non-discrimination/Job protection:

- **General:** Any employer employing one or more women is required to post at the workplace a copy of the provisions regarding the protection of women workers.
- **Dismissal:** The employer cannot terminate an employee's contract if the latter holds trade union responsibilities and the organisation does not agree with the termination.
- **Job guarantee:** There is no mention of job protection during maternity leave, pregnancy, breastfeeding period, etc.

Breastfeeding:

- **Breastfeeding breaks:** Nursing mothers shall have a nursing break of up to 1 hour during working hours.
The nursing break shall count as an hour of work.

JORDAN

Name of Acts:

- Labour Code, 1996, amended in 2010
- Social Security Law, Temporary Law No. 7, 2010
- Order of the Minister of Labour on Jobs and Hours in Which the Employment of Women Is Prohibited in Accordance with the Provisions of Section 69 of the Labour Code No.8, 1996.

Scope:

- The provisions of the *Labour Law* shall be applied to all employees and employers with the exception of public and municipality employees, family members of the employer who work in his/her business against no wage, domestic workers, cooks and so forth, agricultural workers except those who are subject to any of the provisions of this law.
- The provisions of the *Social Security Law* shall be applicable to all workers except: public employees subject to pension under the provision of civil or military pension laws; foreign employees by regional, international, political or Arab or foreign military, and attachés, educational and art centres affiliated to them; labourers whose relationship with their employer is irregular. The executive directives shall decide terms and conditions that govern considering the work relationship to be regular.

Maternity leave:

- **Length:** Every working woman shall be entitled to a full paid maternity leave with a total duration of 10 weeks.
- **Compulsory leave:** The period subsequent to delivery shall not be less than 6 weeks.
- **Extensions:** 1 year unpaid leave.

Parental leave:

- **Unpaid leave:** The woman working in an establishment that employs ten employees or more has the right to an unpaid leave for a period not exceeding 1 year to dedicate herself to caring for her children, provided that she has not worked in any other establishment with pay during that period.

Cash benefits:

- **Maternity leave benefits: Scope:** Besides the exclusions listed above (under Scope), Maternity Insurance shall be applied on all the insured except self-employed workers and any segment of government department employees, public and official institutions.
Conditions: The insured female worker may benefit from maternity insurance for a maximum of four deliveries and in accordance with determined periods in the valid *Labour Law* provided that: a) she has been included in the insurance system for the last 9 months preceding her entitlement to maternity leave; and b) the birth is officially certified.
Amount/Duration: The insured female is entitled to an allowance corresponding to 100% of her last wage subject to deduction at the beginning of her maternity leave, during the full time of her maternity leave.
The insured female worker may not combine between maternity leave allowance and her work wage, however she may combine between her maternity entitlement and her entitlement to permanent, partial or total, disability pension.
Benefits are paid by: the Social Security System which is financed by different sources: monthly contributions apportioned by the employer at a rate of 0.25% of the insured wages; interest, fines and additional sums shall be entailed in case of non-compliance with the provisions of this insurance; and the proceeds of investments of the above-mentioned resources.
- **Parental leave benefits:** Unpaid leave.

Medical benefits:

- No provisions on medical benefits seem to exist.

Health protection:

- The Minister specifies by resolution the industries and occupations in which employment of women is prohibited.

- It is prohibited to employ pregnant women in the following work: work involving exposure to atomic or nuclear radiation and X rays during pregnancy; work involving exposure to or inhalation of fumes or smoke from oil-derived products; work involving the processing of products that affect the genes; work involving the use of aniline in the paint and dyoxide carbon in the manufacture of artificial silk and cellophane, as well as hydrocarbon products in the petroleum refining, mercury and phosphorus, nitrobenzoyl, manganese, calcium and burlium.

Non-discrimination/Job protection:

- **Non-discrimination:** There seem to be no provisions.
- **Dismissal:** The employer shall not terminate the services of an employee, or address a notification to terminate her services in the case of pregnant working woman beginning from the 6th month of her pregnancy or during the maternity leave.
- **Job guarantee:** After the expiry of the maternity leave the working woman shall be entitled to return to her post and to take paid intermittent periods for nursing.

Breastfeeding:

- **Breastfeeding breaks:** At expiry of her maternity leave, the working woman is entitled to take paid intermittent period(s) for nursing her newborn baby for 1 year after the delivery date. These breastfeeding breaks shall not exceed 1 hour per day. Nursing breaks are paid.
- **Breastfeeding facilities:** The employer who employs not less than 20 women shall prepare a suitable place under the supervision of a qualified nursemaid for the children of the working women whose ages are less than 4 years provided that they are not less than 10 children.

KUWAIT

Name of Acts:

- New Private Sector Labour Law, Act No. 6, 2010
- Ministry of Social Affairs and Labour Report (MOSAL Report).

Scope:

- Pregnant women are entitled to a leave, not included in their other leaves, for delivery on the condition that they give birth within this period.
- Under the *New Private Sector Labour Act*, the following workers shall be excluded from the implementation of its provisions: workers subject to the enforcement of other laws; and domestic workers regarding whom a decision shall be issued by the competent Minister for organizing their affairs and the rules and regulations governing the relationship between them and their employers.

Maternity leave:

- **Conditions:** A pregnant woman is entitled to a leave, not included in her other leaves, for delivery, on the condition that she gives birth within this period.
- **Length:** The duration of the maternity leave is 70 days in total (10 weeks).
- **Extension:** The female employee may after the determined maternity leave enjoy an additional leave without pay for a maximum of 100 days (4 months) whether continuous or intermittent if such absence is due to a *disease* established by a medical certificate to be the result of pregnancy and/or delivery.

Parental leave:

- **Unpaid leave:** After completing the maternity leave, the employer can grant a working woman, based on her request, leave of not more than 4 months (16 weeks) without pay to care for the child.

Cash benefits:

- **Maternity leave benefits: Scope:** Every pregnant worker is entitled to maternity benefits for the period in which she enjoys maternity leave (70 days/10 weeks) with the exception of the workers listed above (under Scope).
Amount: The amount of maternity leave benefits corresponds to 100% of the worker's salary.
Benefits paid by: The employer pays the cash benefits during maternity leave.
- **Parental leave benefits:** Unpaid leave.

Medical benefits:

- None seem to exist.

Health protection:

- **Dangerous jobs:** It is prohibited to employ women in hazardous jobs or those that are harmful to their health.

Non-discrimination/Job protection:

- **Non-discrimination:** No provisions noted.
- **Job guarantee:** No provisions noted.

Breastfeeding:

- **Breastfeeding breaks:** Female workers are entitled to a 2-hour break during work hours to nurse their babies in accordance with the conditions stipulated in the Ministry's Decision.
- **Breastfeeding facilities:** The employer shall arrange a nursery (Day Care Centre) for children below 4 years if s/he has more than 50 female workers or the total number of employees therein is more than 200.

LEBANON

Name of Acts:

- Labour Code, 1946, amended 2010
- Social Security Act, 1963, amended 2003
- Decree No. 11802, regulating Occupational Prevention, Safety and Health in all Enterprises Subject to the Labour Code
- Decree No. 7352, implementing the section of the Optional Insurance as Provided in the Branch of Health Insurance and Maternity, 2002.

Scope:

- Maternity leave under the *Labour Code* applies to all female salaried employees and wage-earners in commercial, industrial, educational establishments and charity foundations. Are excluded under the *Labour Code*: domestic servants employed in private houses; agricultural corporations which have no connection with trade or industry and which are the object of a special law; family concerns employing solely members of the family under the management either of the father, the mother or the guardian; municipal or government services in what concerns the employees and casual wage-earners and journeymen who are not governed by the civil servants' regulations. These agents shall be the object of a special law. Under the *Social Security Act*, the following are excluded: national workers engaged in Lebanon by an institution having its headquarters or a branch in Lebanon and working abroad if they enjoy such benefits in the country where they work; and foreign workers working in Lebanon, but who benefit from similar provisions in their home country. **Maternity leave:**
- **Labour Code: Scope/Conditions:** Women in all categories indicated in the Labour Code are entitled to maternity leave on production of a medical certificate stating the presumed date of childbirth.
Length: Under the *Labour Code*, total duration is 7 weeks including the pre-natal and post-natal periods.
- **Social Security Act: Conditions:** To be insured.
Length: Insured workers are entitled to 10 weeks of leave.
Extension: Supplementary benefits to those workers who are temporarily unable to perform work as the result of an *illness* related to the birth (up to 26 weeks).

Cash benefits:

- **Maternity leave benefits:** depend on the law covering the worker.
- **Labour Code: Amount/Duration:** 100% of normal wage for 7 weeks. Beneficiaries, have the right to receive on top of this, and during the same year, the wage or salary corresponding to her ordinary annual leave.
- **Social Security Act: Conditions:** No other employment during maternity leave.
Amount/Duration: two-thirds (66.6%) of the average daily earning for 10 weeks as long as they do not work elsewhere during this period.
- **Benefits under both laws are paid by** a mixed payment system, both the employer and since 2009 the Social Security. The *Social Security Act* provides that cash benefits will be paid by the National Social Security Fund but it is unclear how these benefit entitlements interact.

Medical benefits:

- No mention.

Health protection:

- **Dangerous work:** Women who are medically proven to be pregnant and breastfeeding mothers shall not be employed in a work that involves exposure to benzene or products containing benzene.

Non-discrimination/Job protection:

- **General:** The employer may not discriminate between working men and women with regard to: type of work, amount of wage or salary, employment, promotion, professional qualification, and apparel.
- **Dismissal:** Under the *Labour Code* it is prohibited to terminate the employment of a pregnant woman or send her notice during her maternity period or when she is on leave on grounds of childbirth or sick leave. However, dismissal with notice is permitted during these periods if the woman works elsewhere.
- **Job guarantee:** No mention.

Breastfeeding:

- **Breastfeeding breaks:** No mention.

LIBYA: See AFRICA REGION

MOROCCO: See AFRICA REGION

OMAN

There is no information on the ILO website concerning maternity protection in Oman. However, the following information was found:

Name of Act:

- Royal Decree No. 113, 2011:

Maternity leave:

- **Conditions:** This entitlement is limited to a maximum of three separate sets of maternity leave during employment.
- **Length:** Maternity leave has been increased to 50 days or 7 weeks (previously maximum 6 weeks).

QATAR

Name of Act:

- Law No. 14, 2004 issuing the Labour Law of Qatar, 2004.

Scope:

- Are included all female workers shall enjoy paid maternity leave with exceptions.
- This Law applies to all workers except the following categories: 1) The employees and workers of the Ministries and other governmental organs, public institutions, corporations and companies which are established by Qatar Petroleum by itself or with others, and the workers whose employment affairs are regulated by special laws. 2) The officers and members of the Armed Forces and Police and the workers employed at sea. 3) The workers employed in casual works. 4) The persons employed in domestic employment such as drivers, nurses, cooks, gardeners and similar workers. 5) Working members of the employer's family. These are the wife, ascendants and descendants who are residing with and are wholly dependent on him. 6) The workers employed in agriculture and grazing other than the persons employed in the agricultural establishments processing and marketing their own products or those who are permanently employed in the operation or repair of the necessary agricultural mechanical appliances.

Maternity leave:

- **Conditions:** In order to be entitled to enjoy maternity leave a female worker shall have completed at least 1 year of work with the same employer.
Maternity leave shall be granted subject to a medical certificate issued by a licensed physician stating the probable date of delivery.
- **Length:** The general total duration of maternity leave is 50 days (7 weeks).
- **Compulsory leave:** Maternity leave shall include the period before and after the delivery. The period following the delivery shall not be less than 35 days (5 weeks).
- **Extension:** If the remaining period of leave after delivery is *less than 30 days* (4 weeks) the female worker may be granted a complementary leave from her annual leave. Otherwise the complementary period shall be deemed to be a leave without pay.
If the *medical condition* of the female worker prevents her from resuming her work after expiry of her leave she shall be deemed to be on leave without pay provided that the period of her absence from work shall not exceed 60 consecutive or interrupted days and provided that a medical certificate of her medical condition shall be produced from a licensed physician.

Cash benefits:

- **Maternity leave benefits: Amount/Duration:** The worker shall receive the 100% of her wage during maternity leave.
Benefits paid by: The employer shall provide maternity benefits (from 1998-2004, payment was by Social Security).

Medical benefits:

- No mention.

Health protection:

- **Working hours:** Women shall not be employed otherwise than in the time-periods to be specified by a Decision of the Minister.
- **Dangerous jobs:** Women shall not be employed in dangerous arduous works, works detrimental to their health, morals or other works to be specified by a Decision of the Minister.

Non-discrimination/Job protection:

- **Dismissal:** the employer may not notify the termination of employment of a female worker during maternity leave and may not send her a notification which expires during the said leave.
- **Job guarantee:** No mention.

Breastfeeding:

- **Breastfeeding breaks:** Nursing workers shall be entitled during the year following the confinement to enjoy an interval which shall not be less than 1 hour per day to breastfeed their children.
The fixing of the nursing times shall be made by the female worker.
The nursing interval shall be calculated as part of the working hours and shall not result in a deduction of wage.

SAUDI ARABIA

Name of Act:

- Labour Law (Royal Decree No. M/51), 2005.

Scope:

- Are included in the *Labour Law*: Every female worker, with some exceptions.
- Are excluded: 1) The employer's family members, namely the spouse, the ascendants and descendants who constitute the only workers of the firm. 2) Domestic helpers and the like. 3) Sea workers working on board of vessels with a load of less than 500 tons. 4) Agricultural workers other than the categories stated in Article 5 of the law. 5) Non-Saudi workers entering the Kingdom to perform a specific task for a period not exceeding 2 months. 6) Players and coaches of sports clubs and federations.

Maternity leave:

- **Conditions:** The probable date of delivery shall be determined by the physician of the firm or pursuant to a medical report certified by a health authority.
- **Length:** A female worker shall be entitled to a maternity leave of 10 weeks: 4 weeks immediately preceding the expected date of delivery and the subsequent 6 weeks.
- **Compulsory leave:** A woman may not work during the 6 weeks immediately following delivery.
- **Extension:** If a female worker is *ill* as the result of the pregnancy or delivery she shall be entitled to enjoy a leave up to 180 days (16 weeks) during which she may not be dismissed. She shall provide a certified medical report establishing her temporary incapacity. (There are no specifications about if this leave is paid or unpaid.)

Cash benefits:

- **Maternity leave benefits: Conditions:** To be entitled to enjoy maternity leave benefits the female worker shall at least have been in service for 1 year or more. A female worker shall forfeit her entitlements if she works for another employer during her authorized leave. In such an event, the original employer may deprive her of her wage for the duration of the leave or recover any payments made to her.

Amount: During the maternity leave, an employer shall pay the female worker half her wage (50%) if she has been in his service for 1 year or more, and a full wage (100%) if she has served for 3 years or more as of the date of commencement of such leave.

Duration: The duration of maternity leave benefits are enjoyed during the 10 weeks of such leave.

Benefits are paid by the employer.

Medical benefits:

- Employers shall provide medical care for female workers during pregnancy and delivery.

Health protection:

- **Work authorized:** Women shall work in all fields suitable to their nature.
- **Dangerous jobs:** It is prohibited to employ women in hazardous jobs or industries. The Minister shall determine the professions and jobs that are deemed detrimental to the health and are likely to expose women to specific risks; in which cases, women's employment shall be prohibited or restricted under certain terms.

Non-discrimination/Job protection:

- **Non-discrimination measures:** No mention.
- **Dismissal:** An employer may not terminate the employment of a female worker or give her a warning of the same while she is enjoying maternity leave:
An employer cannot terminate the employment of a female worker during illness resulting from pregnancy or delivery and subsequent extended leave (180 days).
- **Job guarantee:** No explicit mention, but implicitly accepted.

Breastfeeding:

- **Breastfeeding breaks:** When a female worker returns to work following maternity leave, she is entitled, in addition to the rest periods granted to all workers, to a rest period or periods not exceeding a total of 1 hour per day for nursing her infant.
Nursing breaks are calculated as part of the actual working hours and shall not entail any reduction in wages.
- **Breastfeeding facilities:** An employer who employs 50 or more female workers shall provide them with a suitable place with an adequate number of babysitters to care the children under 6 years of the age if the number of children reaches 10 or more.
The Minister may require an employer employing 100 or more women in one city to set up a nursery, either on his own or in conjunction with other employers in the same city, or alternatively to contract an existing nursery to care during the work day for the children of the female workers under 6 years of age. In such a case, the Minister shall set forth the terms and conditions regulating such facilities as well as the charges imposed on the female workers benefiting from the service.

SYRIAN ARAB REPUBLIC

Name of Acts:

- Labour Law No. 17, 2010
- Constitution of the Syrian Arab Republic, 1973
- Decree No. 1663 on Female Employment on Production Jobs
- Ministry of Social Affairs and Labour Decree No. 980 concerning Women's Rights at Work and Working Hours in the Agriculture Sector, 2006
- Ministerial Regulation No. 1663
- Order No. 666, to amend Order No. 618, 1960, 1976
- Legislative Decree No. 35, on Maternity Leave, 2002
- Basic Law on State Employees No. 50, 2004.

Scope:

- The *Labour Code* applies to labour relations in the private sector, Arab and foreign union companies, cooperative sector, and the mixed sector that is not covered by the *Civil Servants Basic Law*.
- The provisions of the *Labour Law* on maternity protection do not apply to: 1) Workers subject to the *Civil Servants Basic Law* No 50/2004 and amendments thereof. 2) Workers subject to the *Agricultural Relations Law*. 3) Family members of the employers actually supported by the employer. 4) Domestic servants and similar categories. 5) Workers in charity associations and organizations. 6) Casual workers. 7) Part-time workers whose hours of work do not exceed 2 hours per day.

Maternity leave:

- **Conditions:** 6 consecutive months of service for the same employer and duly authenticated medical certificate.
- **Length:** 120 days (17 weeks) for the first child; 90 days (14 weeks) for the second child; 75 days (10 weeks plus) for the third child.
- **Compulsory leave:** There is no compulsory leave.
- **Extension:** Additional maternity leave of 1 month (4 weeks) without pay may be granted to female workers upon request.

Paternity leave:

- **Scope:** Public servants under the *Basic Law on State Employees No. 50/2004* enjoy paternity leave (not more information).
- **Length:** There are no express legal provisions on paternity leave in the *Labour Code*. Nevertheless, all workers may interrupt work for no more than 6 days a year and maximum 2 days at a time for urgent and valid reasons.
The emergency leave shall be deducted from the annual leave prescribed for workers.
Workers who have exhausted their annual leave may take emergency leave without pay.

Parental leave:

- **Conditions:** This right shall be forfeited whenever they work for another employer during such period. Female workers shall be entitled to leave without pay, maximum three times throughout their employment.
The female worker who takes such leave for the first time shall pay the contributions payable to the General Corporation of Social Security. As regard other leaves, she shall pay the General Corporation of Social Security any and all Social Security contributions payable by her and by the employer.
- **Length:** In the case of employers employing more than 15 workers, female workers may request leave without pay for no more than 1 year to look after their child, while reserving the right to return to work upon completion of such leave.

Cash benefits:

- **Maternity leave benefits: Amount:** Benefits amount to 100% of wages.

Benefits are paid by the employer.

- **Paternity leave benefits:** No information.
- **Parental leave benefits:** No information.

Medical benefits:

- Medical benefits are not expressly included as female workers' rights.

Health protection:

- **General work hours:** The work day is of 8 hours per day (40 hours per week) exclusive of meal and rest breaks. In certain cases hours of work may be increased to 9 hours per day for some categories of industries and activities. Minors shall not work more than 6 hours per day.
- **Night work:** Under the previous Ministerial Regulation No.1663 female night work is prohibited. In agriculture, working hours for women are limited and night work is forbidden from 9 pm to 5 am. Exceptions are given in emergency situations. The Minister shall determine, by Ministerial Decision, such activities, instances and circumstances where women shall be allowed to perform night work, as well as harmful, immoral and other activities prohibited to women. Not prohibited for women or pregnant workers.
- **Dangerous work:** List of occupations for which women shall not be employed: work in mines, work with exposure to furnaces for production of metal, fabrication of explosives, fabrication of power generators, work involving exposure to lead, fabrication of concrete, and work in slaughter houses. Women may, however, perform administrative work related to such activities. There is a prohibition to employ women for work involving lifting or moving of heavy objects. Also establishes that, apart from activities mentioned in this regulation, female workers are subject to same provisions as male workers.
Assessment of dangerous work: No special mention of pregnant workers but the National Commission for Occupational Safety and Health has the responsibility to assess risks at the workplace.

Non-discrimination/Job protection:

- **General:** Without prejudice to the provisions on maternity leave, any and all provisions governing the employment of workers shall apply to female workers, without discrimination, in case of equal work.
- **Dismissal:** No employer may dismiss a female worker or terminate her contract while on maternity leave.
- **Job guarantee:** For women taking 1 year unpaid leave to look after their child the right to return to her work is guaranteed. But it is not provided in the case of sickness during pregnancy.

Breastfeeding:

- **Breastfeeding breaks:** During 24 months following confinement, nursing female workers are entitled, in addition to the prescribed breaks, to two daily nursing breaks of no less than half an hour each, which may be combined together.
These breaks shall be considered part of the working hours and shall not entail any wage reduction.
- **Breastfeeding facilities:** Employers employing 100 or more female workers in one location must set up a day-care centre to look after their children.
Employers who employ no less than 20 married female workers shall allocate an appropriate space under the care of a qualified nurse to look after children of female workers under 5 years of age, provided there are a minimum 10 children of that age.

TUNISIA: See AFRICA REGION

UNITED ARAB EMIRATES

Name of Acts:

- Law concerning the Regulation of Labour Relations - Federal Law No. 8, 1980, amended by Federal Decree Law No. 08, 2007
- Law No. 5, 1983, concerning Nurseries
- Law concerning the Establishment of the Mother and Child Supreme Council No. 1, 2003
- Ministerial Resolution 46/1, 1980, specifying the Professions Women Can Practice from 10 pm to 7 am, 1980
- Ministerial Resolution 47/1, 1980, Excluding Some Foundations From Some Rules Mentioned in the Law regulating the Employment Relations Concerning the Work of Women and Youth, 1980
- Ministerial Resolution 6/1, 1981 specifying the Dangerous, Strict or Morally and Hygienically Harmful Jobs Women are not Allowed to Perform, 1981.

Scope:

- The entitlement to maternity leave mirrors the scope of the *Labour Law*, subject to any exemptions granted by the Minister of Labor and Social Affairs to philanthropic and educational institutions.
- The *Labour Law* excludes the following categories of workers from its scope: a) Employees and workers of the Federal Government and the governmental departments in the Emirates, members of the State, the employees and workers in public entities and institutions, whether Federal or local, the employees and workers appointed for governmental, Federal and local projects. b) Members of the Armed Forces, Police and Security. c) Domestic servants in private households and similar occupations. d) Workers in farms and pastures with the exception of persons working in agricultural institutions processing the products thereof or the persons permanently operating or repairing mechanical machines requires for agriculture. e) Workers in philanthropic or educational institutions. To obtain an exemption these institutions must aim at the rehabilitation or professional training of youth or women and have the by-laws that stipulate the nature of the works carried out by youths and women, the working hours, the conditions of work, therein in a manner not contradicting with the actual capacity of youths and women.

Maternity leave:

- The *Labour Law 1980* establishes an entitlement to maternity leave.
- **Condition:** the employee has to have completed 1 continuous year of service to be entitled to full pay for the period.
- **Length:** 45 days (>6 weeks) that include pre- and post-natal periods.
- **Compulsory leave:** No mention of compulsory leave.
- **Extension:** At the end of maternity leave, the worker may remain absent from work without pay for a period of 100 consecutive or non-consecutive days at most, should such absence be caused by an *illness* hindering her from returning to work. Such illness shall be established by means of a medical certificate issued by the medical entity appointed by the competent health authority or ratified by such authority stating that such illness arises from the pregnancy or the delivery.

Cash benefits:

- **Maternity leave benefits: Conditions/Amount:** The female worker is entitled to a maternity leave with full payment of her wage (100%) if she has served a continuous service period for the employer of 1 year at least. If she has not, she is granted half a wage (50%).
Duration: Payment for full period of leave (45 days).
Benefits paid by the employer.

Medical benefits:

- No entitlement to pregnancy-related medical benefits identified.

Health protection:

- **Night work:** Women (whether or not pregnant) may not be employed at night, except when work in the firm ceases by a force majeure; work in administrative and technical position; work in

health services and other jobs determined by virtue of a decision issued by the Minister of Labour and Social Affairs should the working woman not normally practice a manual job.

- **Dangerous work:** There is a general prohibition on the employment of women in hazardous, strenuous or physically or morally harmful jobs, but no protections specific to pregnant women or new mothers.

Non-discrimination/Job protection:

- **General:** The female worker shall be granted a wage equal to that of the man should she be performing the same work.
- **Dismissal:** The *Labour Law* establishes a complaint process in the event that a worker is arbitrarily dismissed. The remedy in the event that arbitrary dismissal is established is compensation; there is no right to reinstatement in the event of arbitrary dismissal. There is a prohibition on terminating the employment of workers who are unfit for work, unless the workers' sick leave entitlements are exhausted.
- **Job guarantee:** Not explicitly stated.

Breastfeeding:

- **Breastfeeding breaks:** The *Labour Law* establishes an entitlement to two 30-minute paid nursing breaks per day for 18 months. These breaks are in addition to the normal rest period. The nursing break periods shall be deemed as part of the working hours and do not entail any deduction of the wage.

YEMEN

Name of Act:

- Law No. 25, 1997, amending certain provisions of the Presidential Order to Promulgate the Labour Code No. 5, 1995.

Scope:

- The *Labour Code* applies to all employers and workers except those covered by a special provision of this code.
- Excluded categories are: a) employees of the state administration and the public sector; b) officers of the judiciary and the diplomatic and consular corps; c) staff of military and security establishments; d) foreigners seconded to work with the State; e) foreigners working in the Republic under an international Convention to which the Republic is a party, this exemption being subject to the limits set by the Convention in question; f) foreigners holding diplomatic or special passports who have obtained a visa and who work in the Republic subject to the conditions of such political visas as may be issued to them; g) casual workers; h) persons related to and working with the employer who are effectively his dependants regardless of their degree of kinship; i) household servants and workers of equivalent status; j) persons employed in agriculture and pastoral work other than (i) persons employed in agricultural corporations, establishments or associations or in enterprises which process or market their own products; (ii) persons who, on a permanent basis, operate or repair mechanical equipment required for agriculture or permanent irrigation works; and (iii) persons working in livestock husbandry.

Maternity leave:

- **Conditions:** There do not seem to be any qualifying conditions.
- **Length:** 60 days (8 weeks plus).
- **Extension:** A pregnant worker is granted a further 20 days' (3 weeks) leave, in addition to the maternity leave period, if the *labour was difficult* as established by a medical report; or if she gives birth to a twins.

Cash benefits:

- **Maternity leave benefits: Amount/Duration:** 100% of salary for same workers as maternity leave for full period of leave.
Paid by the employer.

Medical benefits:

- A health insurance programme exists for public-sector employees only but details are not available.

Health protection:

- **General:** Employers have to provide the working environment, conditions, guarantees and precautions provided for in the labour legislation and regulations and in contracts and collective agreements.
- **Night work:** It is forbidden to employ women at night, except during the month of Ramadhan and in jobs which are specified by order of the Minister.
- **Overtime:** For pregnant workers, no overtime from the 6th month of pregnancy and during the first 6 months following the return to work after maternity leave. Women's working time shall be 5 hours a day as from their 6th month pregnancy and, if breastfeeding, until the end of the 6th month after childbirth. Such working time may be further reduced for health reasons on the basis of a certified medical report.
- **Dangerous work:** It is prohibited to employ women in industries and occupations which are hazardous, arduous or harmful to their health or social standing. The occupations prohibited under this paragraph shall be specified by order of the Minister.

Non-discrimination/Job protection:

- **General:** Women are equal to men in relation to all conditions of employment and employment rights, duties and relationships, without any discrimination.

Women are equal to men in employment, promotion, wages, training and rehabilitation and social insurance.

- **Specific:** No special mention regarding pregnancy or breastfeeding.
- **Job guarantee:** no overtime for 6 months following return to work after maternity leave (see above) implies that women are entitled to return to their job.

Breastfeeding:

- **Breastfeeding breaks:** Women's working time shall be 5 hours a day as from their 6th month pregnancy and, if breastfeeding, until the end of the 6th month after childbirth.
The working time of women breastfeeding their children shall be reckoned from the day following the end of maternity leave to the end of the 6th month after the birth of the child.