

Indicator name
Extent to which policies and measures are in place to regulate paid maternity, paternity and parental leave, including in the context of COVID-19 recovery plans.
Aggregable indicator
No
Indicator type (quantitative/qualitative)
Qualitative
GAP III thematic area of engagement
Promoting economic and social rights and empowering girls and women
Related objective in the Gender Action Plan III
Overall thematic objective: Women, men, girls and boys, in all their diversity, fully enjoy and exercise their equal economic, labour and social rights. Specific thematic objective 2: Improved policy, legal framework and access to care services enabling equal division of domestic and care work between women and men.
Technical Definition
This indicator intends to measure the existence and implementation of policies and legislation in partner countries which provide for paid maternity, paternity and parental leave, including in the context of Covid-19 recovery plans. The following definitions apply: - Policies and measures regulating paid maternity, paternity and parental leave refer to legal and regulatory frameworks reflecting the international labour standards designed to protect the employment rights of working people during maternity¹/paternity or parental paid leave.² Such policies and measures may be part of the national Labour Code, Social Security laws and regulations or anti-discrimination laws. The implementation of this framework may be the responsibility of one or more line ministry (e.g., labour, justice) or department, and often differ in the private and public sectors.³ - Paid maternity, paternity and parental leave in the context of COVID-19 recovery plans refers to the response of partner country to address the pandemic's impact on the ability of people to balance work and care for their children and families. This response may include supporting access to social protection systems that include exceptional paid maternity, paternity and parental leave.
Rationale
Countries that are members of the ILO⁴ should comply with its labour standards, but there are many that do not. The ILO labour standards may provide more comprehensive protection than the national law. Some labour aspects may also be negotiated by employers and trade unions as part of collective bargaining agreements, in-house policies, or rules and regulations. Nevertheless, collective agreements should differ from the minimum standards granted by the law only to the extent that they are more protective than them. Civil society plays also an important role in the field

¹ [ILO, Maternity Protection Convention, 2000 \(No. 183\)](#)

² [ILO \(2014\): Maternity and paternity at work: Law and practice across the world](#)

³ Adapted from ILO (2012) [Maternity Protection Resource Package](#) Module 12: Assessing national legislation on Maternity Protection at work.

⁴ [ILO Member States](#)

of advocacy and capacity building.

In the context of COVID 19 recovery plans, extended contributory social insurance and non-contributory social assistance measures are needed to build universal social protection systems that are inclusive of informal workers, those most affected by the pandemic, and women, whose labour rights were affected due to family care responsibilities. Based on ILO labour standards, these should be financed in a progressive way and include maternity, paternity and parental leave, in order to support workers in the informal economy to balance their work and care responsibilities.⁵

Data source and calculation

Reporting covers cooperation, development and humanitarian (if applicable) initiatives and investment frameworks funded by the EC (INTPA, NEAR, FPI, ECHO) and EEAS.

EUMS may provide information related to their interventions through their contributions to GAP III reports or through the EUDs, e.g., in cases of joint dialogue (i.e., as part of joint programming or TEI).

Data sources:

Mapping and assessment of the country's policy and regulatory framework on maternity, paternity and parental leave, including in the context of COVID-19 recovery plans.

The intervention's monitoring and reporting systems, e.g., inception, interim and final reports from implementing organisations (including governments, international organisations, national and international civil society organisations, private sector, etc.), ROM reviews and evaluations.

Surveys/interviews conducted and budgeted by the intervention can also be relevant data sources.

Baseline and endline studies conducted and budgeted within the EU intervention using the same data collection methodology. The studies can be conducted as part of the gender country profile and / or gender sector analysis, or be based on existing official reports and published data.

Calculation:

- Existence, application and effectiveness of specific policies and regulations promoting maternity, paternity and parental leave, including those specific to the country's COVID-19 recovery plan. To measure the application of these policies and regulations, carry out surveys among rights-holders (workers, families), workers' representative bodies (trade unions, workers' organisations), and other stakeholders (e.g., women's organisations and national/international organisations).

Worked examples

The EU supports country A's Covid-19 recovery plan. Among the planned interventions is the enhancement of emergency measures to extend existing parental leave arrangements to allow both fathers and mothers to care for their children, when necessary, during periods of distance learning. At the end of the intervention, there was a decrease of 40% in lay-offs from work as compared to the previous year.

Baseline

Data from official counterparts (i.e., national women's machinery, national gender observatories, line ministries/ authorities in charge of labour policies and planning, statistical institutes, etc.). Data from international and national organisations working on women's employment and labour rights or

⁵ [ILO, UNICEF, WIEGO \(2021\): Family friendly policies for workers in the informal economy. Protecting and ensuring social protection and care systems for all children and families in the context of COVID-19 and beyond](#)

other independent non-state actors.
If baseline data are lacking, a mapping can be done at the start of the intervention using surveys/ interviews.
The baseline can be 0 when the indicator is achieved with the EU funded intervention.
Disaggregation
N/A
Availability and Timeliness
Information should become available annually, depending on the duration of the action.
Related DAC CRS code
122 - Basic Health / 12264 – Covid-19 control
160 - Other Social Infrastructure & Services / 16070 – Labour rights
Associated SDGs
SDG 3 Ensure healthy lives and promote well-being for all at all ages Target 3.2, Indicators 3.2.1 (see Metadata), 3.2.2 (see Metadata)
SDG 5 Achieve gender equality and empower all women and girls Target 5.1, Indicator 5.1.1 (see Metadata) Target 5.c, Indicator 5.c.1 (see Metadata)
SDG 8 Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all Target 8.8, Indicator 8.2.2 (see Metadata)
Other issues
Despite the statutory requirements, additional obstacles should be taken into account in order to track the effective implementation of policies and measures such as lack of awareness of legal entitlements and benefits, reluctance to rely on social security systems, inadequate enforcement of policies and measures, insufficient contributory capacity, discriminatory practices or informality and social exclusion. All these factors can prevent women and men, in all their diversity, from receiving the benefits to which they are entitled.
Regarding the pandemic Covid-19, in many countries policies introducing or expanding leave for parents have been a common measure to reduce the burden of unpaid care work during the time when childcare services and schools were closed. The measure either extended pre-existing leave provisions, such as parental leave or maternity leave, or a new leave entitlement was introduced in response to the emerging leaves linked to the pandemic. Nevertheless, it is necessary to address the special situation of self-employed people by including them in existing schemes or introducing new pandemic-related leave and benefit schemes for self-employed parents ⁶ .
The gender country profile and/ or gender sector analysis can be relevant sources of information for establishing baselines.
If there is no gender analysis available at the EUD, it is recommended to look at the analysis undertaken by EU Member States or other trusted partners (UN, World Bank, human rights national and regional mechanisms, etc.) as well as the national-level reviews carried out in 2019 by UN Women and the partner countries to assess progress made and challenges encountered in the

⁶ [Policy Brief “Women’s economic empowerment and the care economy in the ECE region: The impact of economic and social policies during the COVID-19 response and recovery”](#).

implementation of the Beijing Declaration and Platform for Action.

Special attention should be paid to following up on partner country institutions reached with EU support.