



LACRO

Maternidad y paternidad en el lugar de trabajo en América Latina y el Caribe — políticas para la licencia de maternidad y paternidad y apoyo a la lactancia materna

Are national workplace policies supporting new mothers in Latin America and the Caribbean?

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EDITORIAL INSIGHT

Reviewers commended this piece of research for its comprehensive coverage and comparative analysis of current maternity, paternity and parental leave policies, as well as workplace support for breastfeeding, across 24 countries in the Latin America and Caribbean region. The research was also able to extract very clear recommendations for policy reforms necessary at both the national and regional level for countries to reach minimum international standards.

Reviewers also commented on the report's engaging structure and, in particular, the clear way it synthesizes information for policy discussion, including through the use of a 'traffic light' system, enabling easy comparison of how countries are performing across a given variable.

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Guatemala, 2019
Woman breastfeeds her 16-month-old son of the community of Chicoy, Todos Santos, Huehuetenango, Guatemala.



Despite the importance of lactation for maternal and child health, breastfeeding rates in Latin America and the Caribbean remain very low and many of the region's workplace policies on parental leave and breastfeeding do not meet minimum international standards.

Protecting the right to parenthood is an essential component of family and labour policies worldwide. Not only do these policies support the health and early development of children and help reduce maternal stress, but they also promote gender equality – by enabling women to become parents and continue with their careers. Governments can support the right to parenthood through two key policy areas: maternity, paternity and parental leave for workers, and measures to support breastfeeding in the workplace.

This research by the International Policy Centre for Inclusive Growth (IPC-IG) and the UNICEF Latin America and Caribbean Regional Office (LACRO) reviewed national policies regarding parental leave and breastfeeding in 24 countries across the region. The result is an up-to-date comparative analysis that can serve as a basis to inform policy action in areas of inclusivity, monitoring and fundraising.

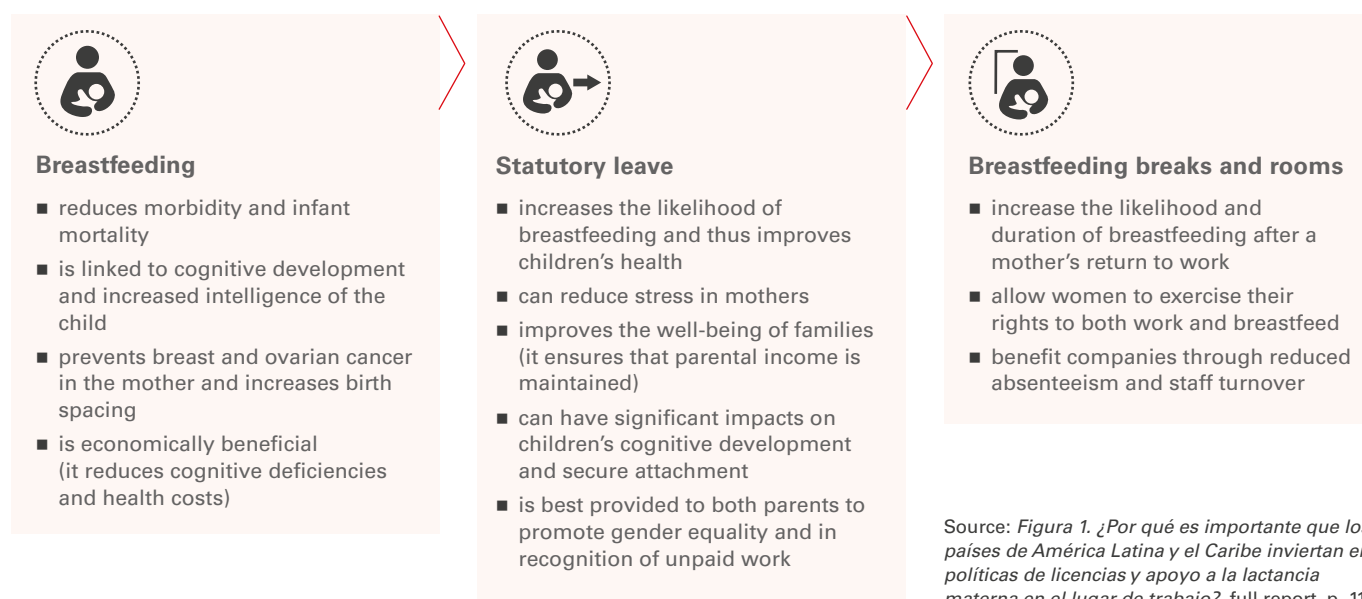
PURPOSE

There is solid evidence that adequate maternity, paternity and parental leave improves the health, cognitive development and secure attachment of children. This statutory leave also provides wider benefits such as reduced stress in mothers, increased economic well-being for families and the promotion of gender equality.

Similarly, it is well known that breastfeeding can give children the healthiest start in life, while positively affecting maternal health. As well as reducing infant morbidity and mortality, breastfeeding has been shown to influence children's cognitive development and intelligence.

FIGURE 1

Why do Latin American and Caribbean countries need to invest in breastfeeding?



Previous research in Latin America and the Caribbean revealed significant shortfalls in the region's policies on maternity, paternity and parental leave, and breastfeeding in the workplace. In a 2014 analysis, the International Labour Organization (ILO) found that only three countries (Chile, Cuba and the Bolivarian Republic of Venezuela) provided a full 18 weeks of leave as stipulated in ILO Recommendation No. 191, and only two countries (Chile and Cuba) offered parental leave allowing either or both parents to care for their children. The ILO analysis also found that less than half of Latin American and Caribbean countries required workplaces to provide breastfeeding rooms, and only 69 per cent of the region's countries had legislation on breastfeeding breaks for workers. On this latter point, Latin American and the Caribbean was tied with Asia as the world region with the lowest proportion of such legislation.

In 2019, research by UNICEF found that, contrary to World Health Organization (WHO) guidelines, only 38 per cent of infants in Latin America and the Caribbean are exclusively breastfed for the first six months of life and just 31 per cent of infants receive breast milk up to 2 years of age. These rates are below the global averages of 41 and 46 per cent respectively.

This limited provision for parental leave and breastfeeding among the region's countries is linked, in part, to a structural lack of protection measures for workers. In this context, the present research by IPC-IG and UNICEF LACRO aims to present a detailed analysis of relevant policies in force across the majority of countries in the region (24 out of 33) and compare these with global standards and best practices. The objective is to provide clear recommendations for reforming the policy infrastructure at both national and regional levels to better support working parents.

APPROACH

The analysis drew data on maternity, paternity and parental leave policies and breastfeeding policies in the 24 countries, from national legislation and regulations, national databases and social security profiles. The research team also reviewed a breadth of recent studies from the region to further examine the characteristics of these policies and related programmes, including their effects on children's health, development and mortality. Consultations with the 24 relevant UNICEF country offices complemented this review.

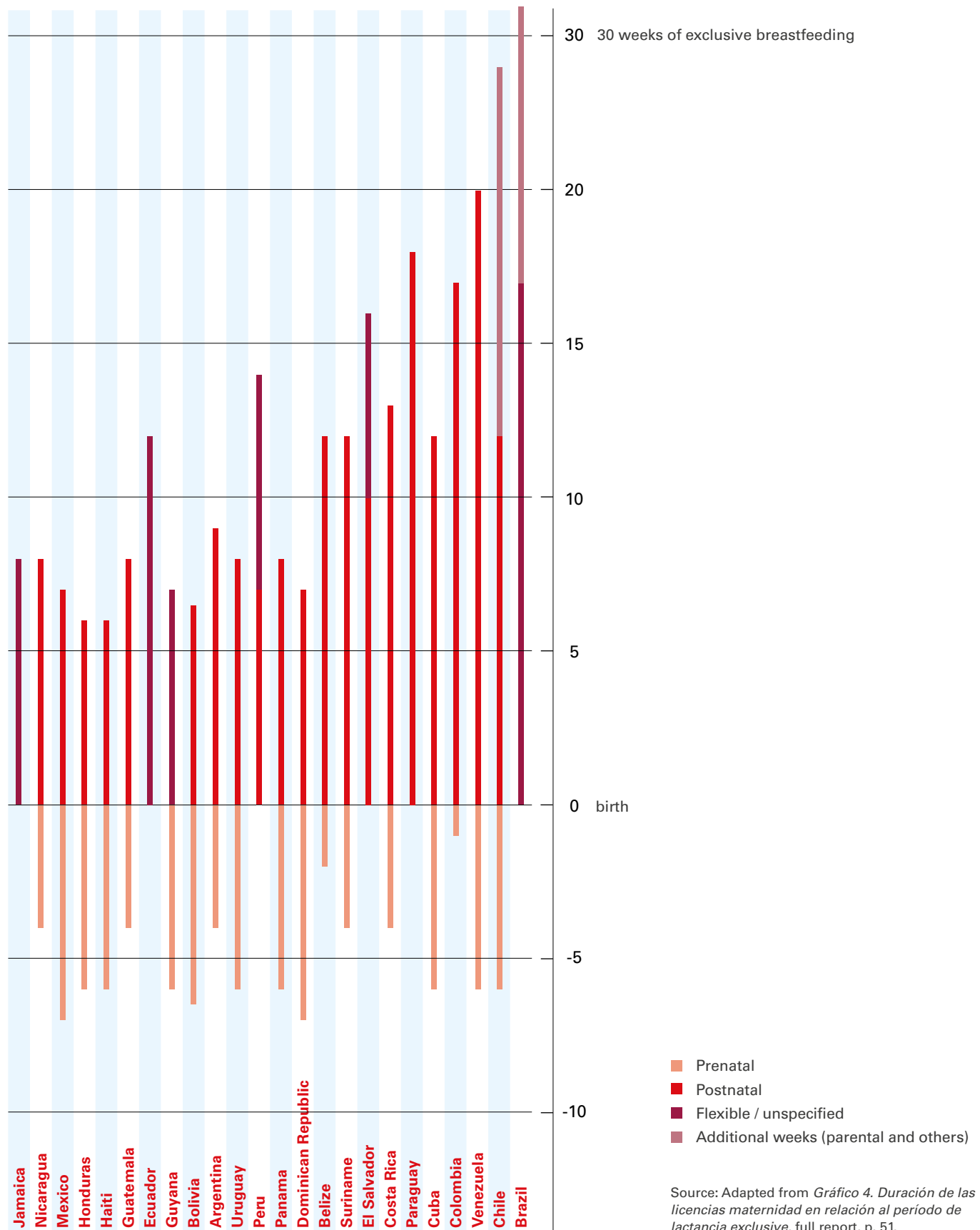
Analysis of current policies was comparative in nature. Each policy was assessed against international standards established by the ILO; international and regional agreements; and best practices for the policy type worldwide, which were assembled from a literature review.



Some countries, such as Chile, El Salvador and Peru, have made considerable advances in encouraging conditions that allow women to continue breastfeeding after their return to work. These three countries, along with Bolivia and Guatemala, are also the countries with the highest rates of breastfeeding.

– Research report



FIGURE 2**Period of exclusive breastfeeding versus duration of maternity leave (in weeks)**

KEY FINDINGS

Shortfalls in statutory leave policies

Nine of the 24 countries analysed do not provide the minimum 14 weeks of maternity leave established in ILO Convention No. 183. Seven countries grant no paternity leave whatsoever, and in most countries, paternity leave is five days or less – limiting the opportunities for fathers in the region to play a significant part in the care of their infants. Only Chile, Cuba and Uruguay currently offer paid leave that can be used by either parent.

Breastfeeding breaks and facilities

Apart from Belize, Guyana, Jamaica and Suriname, all of the countries studied offer paid daily breaks for breastfeeding or breast pumping, enabling mothers to exclusively breastfeed their infants for the first six months of life. Very few workplace policies permit women to continue taking such breaks beyond this time, however. Only Chile enables mothers to take breastfeeding breaks right up until the child is 2 years of age.

Legislation on breastfeeding rooms has not yet been enacted in Belize, Cuba, Guyana, Haiti, Jamaica or Suriname. Most other countries specify a minimum number of eligible employees before the requirement takes effect, which means that many women do not benefit. Where legislation is in place, only a small number of rooms have been made available, and data on their use are limited. There is also little information on the environment and comfort of such rooms – important considerations because women can have difficulty expressing milk when under stress.

Despite this, some countries have made considerable progress in promoting conditions for women to continue breastfeeding after returning to work. Half of the 24 countries studied require the provision of day care services in addition to, or instead of, breastfeeding rooms. Not only can day care play an important part in facilitating breastfeeding, but it is also essential for women's equal participation in the labour market.

Policy coverage and funding

An estimated 54 per cent of women and 52 per cent of men in Latin America and the Caribbean work in the informal sector. Many, if not most, parents therefore do not benefit from the social security policies that only apply to those in the formal labour market. Although progress has been made in assimilating vulnerable groups of workers (such as domestic workers) into the formal economy, a large proportion are still overlooked by parental policies.

Even where work is regularized, many employers are reluctant to extend parental support because of the costs involved, low awareness of policies and bureaucratic barriers. Some countries require employers to cover part of the cost of maternity leave; in Jamaica, employers are liable for the full cost. Paternity leave is typically paid for by employers. Few countries stipulate the use of public funds to support the creation of breastfeeding rooms in workplaces. This results in high costs for employers that, along with significant bureaucratic barriers to policy implementation, make them less willing to hire workers with family commitments and can lead to hiring practices that discriminate against women.

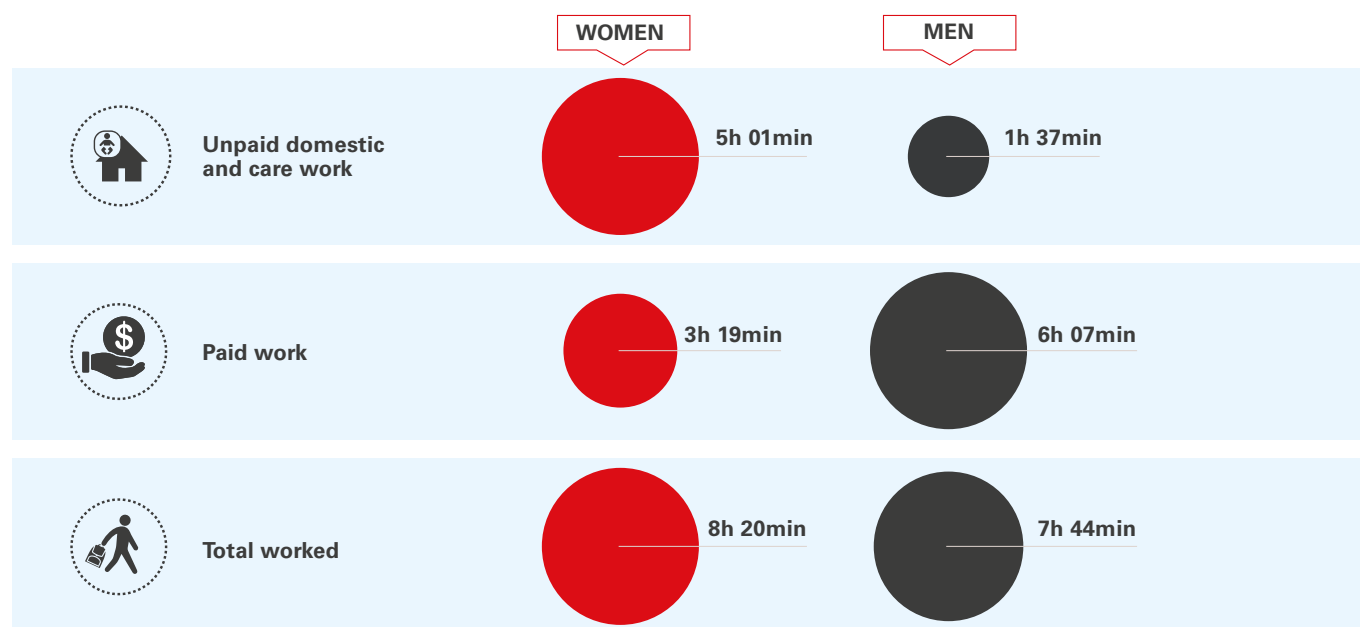
Monitoring, assessment and awareness of policies

Only preliminary impact assessments of parental policies in the region have been conducted to date. Employers and workers by and large lack awareness of the legal rights that exist, and deficits in supervision, sanctioning and monitoring capacities have been observed. These are significant impediments to increasing the coverage and quality of existing policies to benefit parents and children.

The extension of social security to workers who are especially vulnerable, such as those working in domestic services, is fundamental to improving the coverage of maternity protection.

– Research report



FIGURE 3**Average time spent per day by women and men on work across 24 Latin American and Caribbean countries**Source: Adapted from *Figura 3. Distribución del uso de tiempo en una selección de países de América Latina y el Caribe (promedio)*, full report, p. 30.

INFLUENCE ON POLICY AND PROGRAMMING

The research report proposes a wide range of recommendations for governments based on international standards and best practices. The recommendations cover policies on maternity, paternity and parental leave and support for breastfeeding in the workplace, as well as improvements in monitoring and assessment.

Maternity, paternity and parental leave

Governments are recommended to extend the duration of statutory leave – particularly those countries that do not yet meet the 14-week minimum requirement. To allow workplaces to adapt to the new standards, the report proposes that the duration of leave is extended gradually. While it will be important to attract more people to formal employment and expand social security system coverage, governments must also explore support options for the most vulnerable groups of informal workers (e.g., through tax reforms).

The report points to best practice examples to help achieve equitable participation in childcare by both parents, benefiting the individual child's development and gender equality overall. In Brazil, which offers the greatest paternity benefits in the region, greater use of parental leave, in combination with other family-friendly policies, has been associated with economic benefits for families. The report recommends introducing incentives for fathers to become more involved in childcare (e.g., 'use-it-or-lose-it' quotas for parental leave).

Breastfeeding support

The report calls for entitlements to daily breastfeeding breaks, and requirements for employers to set up breastfeeding rooms, to be introduced where these are not yet in place. The researchers also recommend extending the right to breastfeeding breaks until a child is 2 years of age, as per WHO advice. Government financing to incentivize employers to establish breastfeeding rooms should be considered. For informal workers, introducing public breastfeeding rooms could be a solution.





BOX 1

KEY PARENTAL POLICY RECOMMENDATIONS FOR LATIN AMERICA AND THE CARIBBEAN

Statutory leave

- Extend maternal leave to 18 weeks and introduce/improve paternity or parental leave.
- Extend coverage of statutory leave to informal workers.
- Reduce the cost to employers of statutory leave through social security provision.
- Study the impacts of extending leave duration in those countries already providing leave.
- Use cost-effectiveness studies and simulations to advocate for the benefits linked to implementing leave policies.

Breastfeeding at work

- Introduce entitlements to daily breastfeeding breaks, and requirements for breastfeeding rooms, in countries where these are not yet in place.
- Extend women's rights to breastfeeding breaks until a child is 2 years of age.
- Consider public financing for workplace breastfeeding rooms, as well as public breastfeeding rooms for informal workers.
- Raise awareness of workers' rights and the **benefits** of breastfeeding.

LOOKING AHEAD

It is hoped that the report's up-to-date information and actionable recommendations on parental policies and legislation in Latin America and the Caribbean will provide an excellent basis to inform future policy development in the region.

International organizations, such as UNICEF, the Economic Commission for Latin America and the Caribbean (CEPAL) and ILO, are encouraged produce more comparative data on coverage in the region of social protection systems, including leave policies. National monitoring and supervisory mechanisms should be strengthened by setting up independent commissions for their oversight. Finally, more research is needed, both on the effects of policies supporting breastfeeding in Latin America and the Caribbean and to generate data on the real costs of establishing and maintaining breastfeeding rooms.

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Father reads a book to his one-year-old son in the community of San Juancito, Monjas, Jalapa, Guatemala.



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