



Several female worker-related legal regulations

Legal documents

- Labor Code 2012
- Social Insurance Law 2006
- Documents guiding the implementation of these laws

Maternity Leave

Who is entitled with maternity leave:

- Female workers who are pregnant
- Female workers who give births
- Female workers who adopt children under 4 months old
- Female workers who have Intra-uterine devices inserted or use sterilization methods

Female workers who give births and adopt children under 4 months old must **contribute** to the social insurance for at least **6 months** during the **12 month** period before delivery or child adoption

Benefits for pregnant female workers:

- To take leave of absences for 5 pregnancy check-ups
- To be assigned to less heavy work
- Not to be assigned to go on business trips at distant locations or work at night
- Not to be eligible for labor disciplines
- To have the right to unilaterally terminate or postpone labor contract

Maternity leave:

- **6 months** (in case of twin or multiple birth, female workers are entitled to additional thirty (30) days leave for each additional child).
- 3 Conditions for **early return to work**: complete 4 month leave, health confirmation, employer agreement.
- Work should be ensured for female workers after maternity leave

Days of leave in cases of miscarriage, abortion or still birth:

- 10 days for under 1 month pregnancy
- 20 days for 1 month to under 3 month pregnancy
- 40 days for 3 month to under 6 month pregnancy
- 50 days for 6 month pregnancy or above

Days of leave to apply contraceptive methods :

- 7 days for insertion of intra-uterine device
- 15 days for applying sterilization methods
Including holidays, Tet holidays, weekends

Other benefits:

- **One-time allowance:** Female workers who give births and adopt children under 4 months old are entitled to one-time allowance of 2 month minimum wage.
- **Leave for convalescence and recovery:** Female workers who have weak health after delivery are entitled to 5-10 days of leave/year for convalescence and recovery; 25% minimum wage if staying at home, 40% minimum wage if staying at health facilities.
- Female workers who are raising children under 12 months are entitled to 60 minute paid break/day.

Female workers who take leaves to take care of sick children:

- 20 days/year: children under 3 years
- 15 days/year: children under 7 year
- To be entitled to **75% salary** contributed to Social Insurance/26 days * actual days of leave

Responsibilities of employers:

- To organize OBGYN check-ups for female workers
- To ensure appropriate bathrooms & toilets
- To support in building kindergartens or providing kindergarten fees for female workers

Thank you!

