

FREQUENTLY ASKED QUESTIONS

The National Maternity Entitlement Study

THE STUDY

Q: Why was the National Maternity Entitlement Study conducted?

A: The National Maternity Entitlement Survey was carried out to examine and understand implementation of parental leave entitlements and workplace lactation support policies; the variety of maternity entitlements offered by the public and private sectors; the kinds of support provided to employees in Nigeria; the barriers and enablers of workplace policies that affect working parents and how they care for their children; and the potential implications of extending maternity leave to six months.

Q: What was the scope of the National Maternity Entitlement Study?

A: Researchers interviewed 2,111 working mothers and 396 policy administrators or HR personnel for the quantitative portion of the study, and carried out 73 key informant interviews among group leaders and business owners as well as 40 focus group discussions among employees and employers for the qualitative portion of the study. Research was conducted in both the formal and informal sectors in the Federal Capital Territory as well as Lagos, Anambra, Rivers, Bauchi, Kano, and Kaduna states.

LEGISLATION

Q: What are the national laws for maternity entitlements in Nigeria?

A: Nigeria currently implements two maternity entitlement provisions: 1) Recently adopted by the Federal Public Service, yet to be ratified down to the states and local government civil service: a 16-week maternity leave provision with full pay, and upon return to work a maximum of two hours off each day to breastfeed for up to six months after she resumes duty, and special leave for examinations; and 2) Recognised by the Nigerian Labour Act: 12-week maternity leave provision with at least 50% of salary, and upon return to work, half an hour twice a day during working hours to breastfeed.

Q: What are companies required to provide to expectant and working mothers? Are private sector institutions held to different laws than public sector ones?

A: Private sector institutions are held to the Nigeria Labour Act. Women are allowed 12 weeks of maternity leave (6 weeks before and 6 weeks after pregnancy), during which she should be paid no less than 50% of her salary, and upon return to work be allowed half an hour twice a day during her working hours to breastfeed. However, many private sector organizations do not comply with this basic minimum.

Q: How do maternity entitlement laws differ across states?

A: Laws vary by state based on local policies and context. For example, while national legislation does not specify this, some states include paternity leave (Lagos State) and up to six months of maternity leave (Lagos and Kaduna States), in their state government policies. States have the ability to set their own guidelines; the federal law is considered the minimum standard.

MATERNITY ENTITLEMENTS

Q: What are the perceived benefits of maternity leave?

A: Women interviewed in the survey reported using maternity leave as a way to rest and recover from giving birth; to be able to exclusively breastfeed their new baby; and to adjust to the new family structure.

Q: Should men be provided paternity leave?

A: Only 10% of organizations in this study were found to offer paternity leave as a benefit to new fathers. Both women and HR administrators (some of whom were men) viewed paternity leave as very important as long as it is paid (to avoid financial burden on the family) and the man spends this time supporting the mother and new family.

Q: What is the average length of maternity leave taken in Nigeria?

A: According to the survey results, 67% of the women who were able to take maternity leave took the standard 12 weeks, 20% of women took less, and only 13% enjoyed more than 12 weeks of maternity leave. These variances were based on several factors including challenges women face in taking their full maternity leave and inconsistent organizational policies. The study found that the length of maternity leave offered is closely related to the length of maternity leave taken by women. Meaning, if employers offer 12 weeks of maternity leave, women will take it; if employers offer more than 12 weeks of maternity leave and enable them to do so, women are eager to take advantage of that benefit.

Q: What are the challenges women face in taking their entitled maternity leave period?

A: Respondents in the survey reported not taking their full 12 weeks of leave for various reasons. Some women were not able to take their full leave because it created a financial burden or because they felt pressure from their jobs to return to work. Other women reported their organizations included weekends in the total number of days they get off, resulting in fewer than 12 weeks being offered. Women in the informal sector had little to no protections offered to them during or after pregnancy, and were often not able to take significant maternity leave as their leave is not paid and they are often solely responsible for the wellbeing of their shop.

Q: Do women and employers support extending maternity leave to six months?

A: Seventy-two percent of women surveyed said that longer maternity leave is needed in Nigeria. The women who favoured this change recognized the benefits of longer leave for both the mother and the baby, specifically to be able to exclusively breastfeed. The women who were hesitant about extending the duration of maternity leave cited concerns of their careers suffering or the financial burden associated with taking such long leave. When employers were asked about expanding maternity leave to six months, most respondents were concerned about their ability to adhere to it, citing potential financial challenges in complying.

Q: Is parental leave the same thing as annual leave?

A: The 2008 Public Service Rules regard annual leave as part of maternity leave, meaning a woman is not entitled to both annual and maternity leave in the same year. Nearly ninety-two percent of women across all sectors reported that their organizations do not allow maternity leave and annual leave to be taken in the same year. However, paternity leave, when offered by organizations, did not disqualify men from taking their annual leave in that same year.

SUPPORTING WOMEN

Q: How can employers support working mothers?

A: Based on survey findings, employers should ensure consistency with national and state policies; offer private breastfeeding rooms, flexible hours, breastfeeding breaks, and creches within their official policies; identify and eliminate discriminatory policies toward expectant and new mothers; and create supportive workplaces that encourage a balanced work life. It became clear in this study that employers are very supportive of making their workplaces more breastfeeding friendly, even at a cost to the organization. Among many resources available to help facilitate this change is a breastfeeding friendly workplace toolkit.

Q: How can policymakers support working mothers?

A: The study highlighted the need for policymakers to advocate for and support legislation that enable women to take advantage of sufficient and paid maternity leave; as well as policies that support mothers and fathers after they return to work.

Q: What makes a workplace breastfeeding friendly?

A: Workplaces can focus on complying with the law and allowing paid breaks for breastfeeding; developing a workplace breastfeeding policy; providing adequate facilities, equipment and human resources; monitoring breastfeeding-friendly programs; encouraging mothers to use their full maternity leave; and ensuring non-discriminatory hiring practices with regards to new or expectant mothers.

Q: How can government regulatory and enforcement entities support working mothers?

A: The variance in maternity entitlements across sectors, subsectors, and states suggest that work is needed in the standardization of these benefits. Government entities can develop monitoring and enforcement mechanisms to ensure organizations offer consistent benefits to women and caregivers, engage with the informal sector to create supportive environments for women, require organizations to educate and inform employees about all policies and benefits offered, and continue to educate and engage public and private sector institutions on the importance of offering these benefits to working mothers and families.