



# Maternity Protection

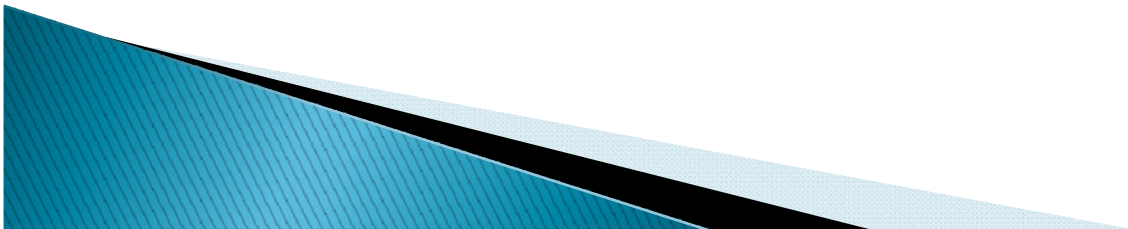
Lesotho – Maseru

*23-24 APRIL 2013*

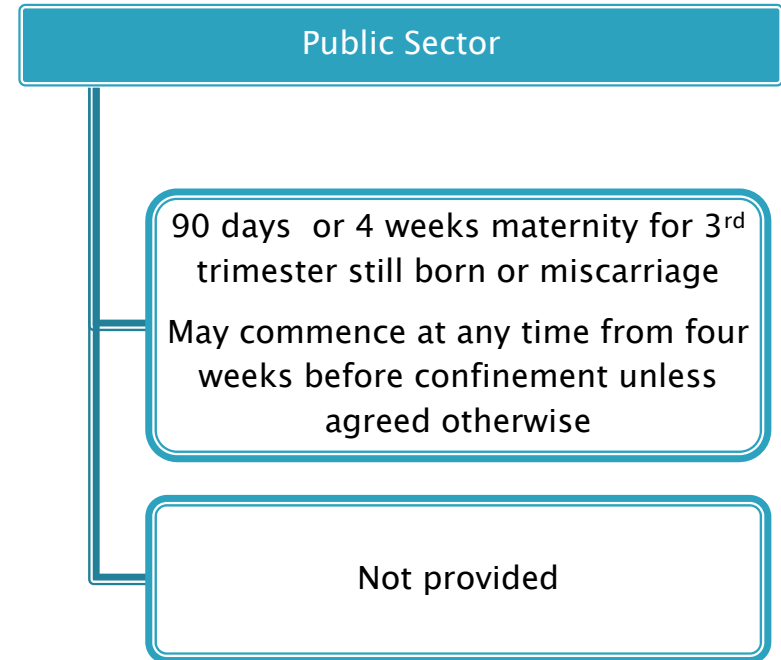
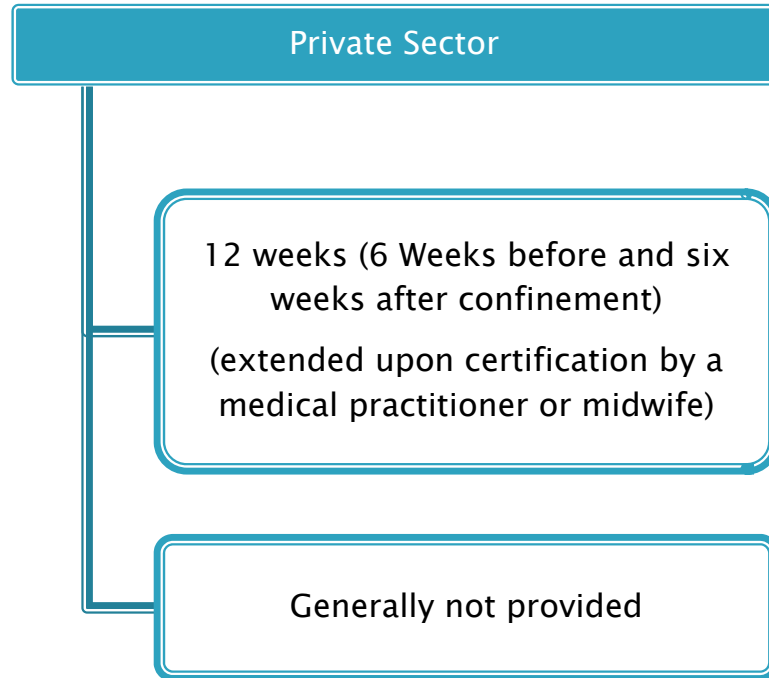
By B. BITSO

# Introduction

- Workers in both private sector & public are protected
- Labour code order of 1992 for private sector and the public service act of 2005 (Basic conditions of employment no. 32 of 2011) for the public sector



# Maternity & paternity leave



## Nursing time

### Private Sector

An hour per day allowed for nursing  
(in addition to lunch hour)

No deduction of wages is permitted  
for being off duty

Entitlement lasts for six months  
from the 1<sup>st</sup> day of reporting to duty

Parties to agree on the suitable time

No obligatory provision for  
employers to provide a nursing  
facility at their premises

### Public Sector

Two hours a day for breast feeding  
and nursing (the time includes  
travelling)

Commences at the end of maternity  
leave and last for six months

No obligatory provision for  
employers to provide a nursing  
facility at their premises

# DISMISSAL & RETURN TO WORK

## Private Sector

Workers protected from dismissal under the act

Any dismissal that is done during this period is constitutes an unfair dismissal

## Public Sector

The law is silent on dismissal during pregnancy

Law prohibits exposure to hazardous work during pregnancy and within four weeks after work

# Payment of maternity

## Private Sector

100% replacement rate

An employee who has completed more than one year of continuous service with the same employer in the textile, clothing and leather manufacturing shall be entitled to receive two (2) weeks paid maternity leave.

An employee who has completed more than one year of continuous service with the same employer in the private security sector shall be entitled to receive six weeks paid maternity leave and six weeks unpaid maternity leave.

Any other employee who has completed more than one year of continuous service with the same employer and does not fall in either of the above named sectors shall be entitled to receive six weeks paid maternity leave before confinement and six weeks paid maternity leave after confinement.

## Public Sector

100% replacement rate to all for whole duration

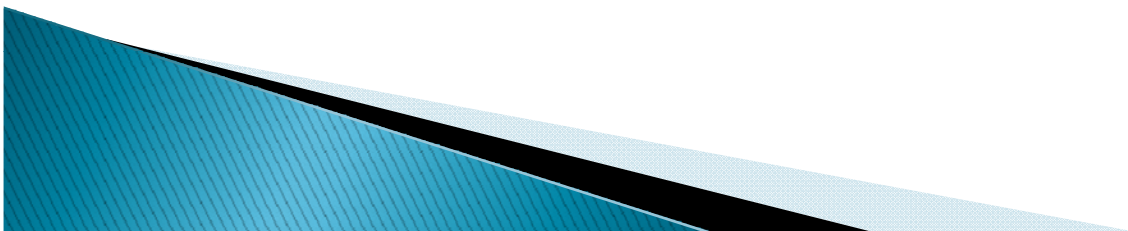
## Health care

- Lesotho is on track only in far as two MGD's are concerned, 2 and 3
- Health care in Lesotho is financed by government, occupational and private arrangements
- Lesotho is off track on achieving many MDG's including 4 & 5 on child mortality and maternal health.
- The under-five mortality rate increased from 90 per 1,000 live births in 1996 to 117 per 1,000 live births in 2009
- The maternal mortality ratio (MMR) increased from 762 per 100,000 live births in 2004 to 1,155 in 2009.
- Free access at primary level & subsidised at secondary level including supply of antiretroviral drugs
- Does not have NHI



# Conclusion

- No consistency in terms of application of maternity benefit between private and public sectors and within the private sector
- Access to health care a challenge
- No comprehensive social protection system







THANK YOU