



The Road to Reforming Ethiopia's Policies on Maternity and Paternity Leave

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This Brief provides insight into how Ethiopia increased the duration of paid maternity leave from 90 to 120 days and introduced three days of paid paternity leave in 2019. While ensuring job-protected leave of adequate length and pay for both parents is critical for a variety of health, economic, and social development outcomes, just slightly more than half of economies in the Sub-Saharan Africa region provide paid maternity and paternity leave. The Brief highlights specific characteristics of Ethiopia's socioeconomic environment that incentivized the reform. It explores the critical role of political momentum and tripartite negotiations among the Confederation of Ethiopian Trade Unions, Ethiopian Employers' Federation, and the government, coupled with persistence by the country's trade unions, that led to the adoption of the reform. It outlines key lessons learned that could be useful to other countries seeking to enhance their own leave policies for parents. It also describes remaining challenges to the implementation and presents recommendations on how to address these challenges to improve gender equality in Ethiopia.

The need for better paid maternity and paternity leave

Despite a growing body of evidence that adequate maternity and paternity leave can enhance a number of health, social, and economic outcomes (Burtle, Bezruchka 2016; Del Rey, Kyriacou, and Silva 2021; Kim 2020; Lavy and Danzer 2018), improving leave policies remains a challenge in much of the world. In 2018, the Nigerian Parliament rejected a bill that would have guaranteed fathers the right to paternity leave. In Kenya, a bill to increase maternity leave from three to six months has been stalled since 2017. The Jamaican government similarly started consultations on the introduction of a Paternity Leave Act to encourage shared parenting in 2018 but has not moved on it since. Even the United States—one of the richest countries in the world—has been unable to enact a paid family leave policy at the federal level despite strong advocacy efforts.

Women, Business and the Law (WBL) is a World Bank Group project that measures the laws and regulations that affect women's economic opportunities in 190 economies. It features eight indicators—Mobility, Workplace, Pay, Marriage, Parenthood, Entrepreneurship, Assets, and Pension—structured around women's interactions with the law as they move through their working lives. According to the *Women, Business and the Law 2022* report, the most persistent gender gaps worldwide are in the Parenthood indicator, which examines laws affecting women's work during pregnancy and after having children (see figure 1).

The average economy WBL score is 55.6 out of 100 possible points (see figure 2). The data show that 159 economies still have room to improve their laws in the areas measured by this indicator, which covers: (1) paid leave for mothers; (2) paid leave for fathers; (3) paid leave for parents; (4) whether the government administers 100 percent of maternity benefits; and (5) whether employers are prohibited from dismissing pregnant workers.

Nearly every economy in the world has paid maternity leave, but only 62 percent guarantee at least 14 weeks, in line with the minimum standard set by the International Labour Organization's (ILO's) Convention on Maternity Protection No. 183. In Sub-Saharan Africa, the percentage of countries that have such policies on the books is even smaller: 56 percent. While 60 percent of economies globally have paid paternity leave upon the birth of a child, the share in Sub-Saharan Africa is 58 percent. The median duration globally is short—only one week—and is even shorter in Sub-Saharan Africa: fewer than four days total in most economies in the region. Currently, no country in Sub-Saharan Africa establishes the right to some form of full-time paid parental leave, either shared between mother and father or available as an individual entitlement that each parent can take regardless of the other. This type of leave provides parents equal opportunity to care for a child after childbirth and in most cases can only be taken after the end of maternity leave. In this context, Ethiopia's path to reform on increasing maternity leave to ILO's standard of at least 14 weeks and the introduction of paternity leave for private sector workers presents an interesting case. Ethiopia's experience can provide practical guidance for other countries seeking to improve their own paid leave policies for parents.

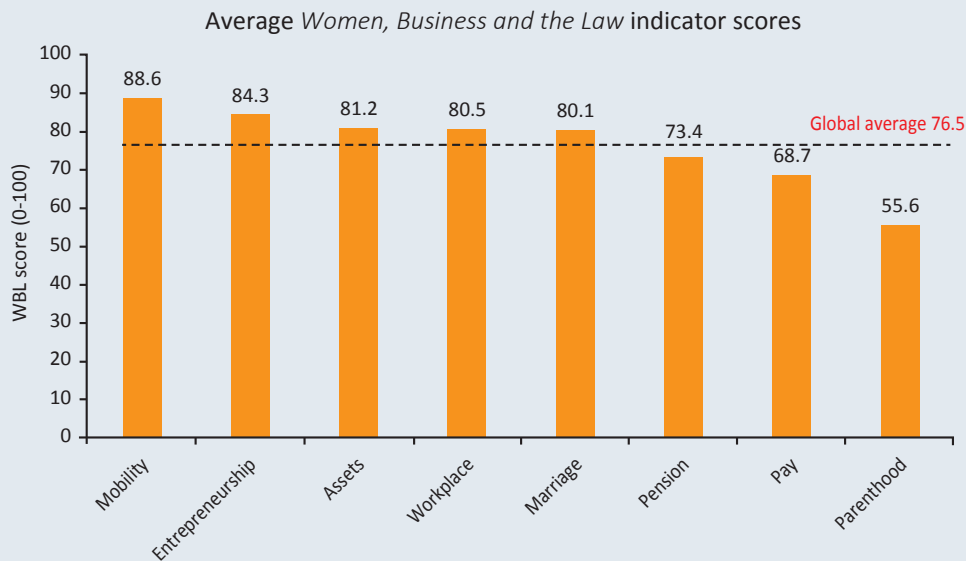
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Figure 1

The most persistent gender gaps around the world are in the laws affecting women’s work during pregnancy and after having children

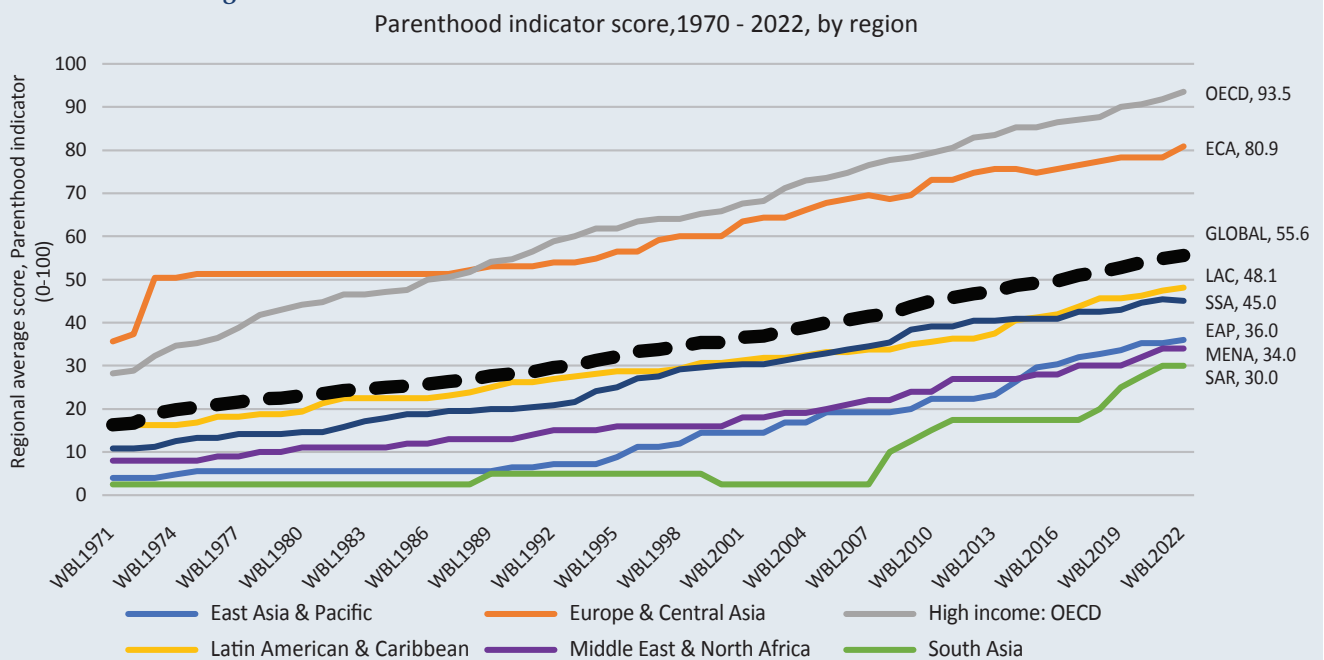


Source: Women, Business and the Law database.

Note: Data are for 190 economies. WBL = Women, Business and the Law

Figure 2

While all regions have made progress on the WBL Parenthood indicator since 1970, the global average is low



Source: Women, Business and the Law (WBL) database.

Ethiopia’s progress toward gender equality is an example for the region

Over the course of nearly three decades, Ethiopia has made several transformative reforms. To track progress over time, WBL analyzed laws for the period from 1971 to 2022 (available at <https://wbl.worldbank.org/en/wbl-data>). According to the WBL database, Ethiopia adopted ten reforms increasing women’s economic opportunities and inclusion. Over the past 50 years, Ethiopia’s score on the *Women, Business and the Law* index has almost doubled, increasing from 44.4 in 1971 to 76.9 in 2021 (see table 1), and now exceeds the Sub-Saharan Africa region’s average score of 71.5. With the adoption in 1993 of Labor Proclamation No. 42/1993, Ethiopia

prohibited gender discrimination in employment and the dismissal of pregnant workers. In the 1995 Constitution, Ethiopia reinforced the prohibition of discrimination based on gender, recognized that women shall have equal rights with men, and provided a specific set of rights for women such as the right to maternity.¹ Article 35 of the Constitution stipulates that women have the right to maternity leave with full pay and duration determined by law. Further, the new Family Law adopted in 2002 significantly strengthened women’s economic rights by allowing women to be head of household and to choose where to live in the same way as men, and by granting spouses equal property rights. In 2004, Ethiopia passed a law protecting women from domestic violence and criminalized spousal and intimate partner violence. A reform in 2011 introduced an old-age pension system that

Table 1 Nearly three decades of reform in Ethiopia, as measured by *Women, Business and the Law*, 1994–2022

| WBL year | Score | Law | Indicator | Reform description and year of passage |
|----------|-------|--|------------|---|
| 1994 | 50.0 | Labor Proclamation No. 42/1993 | Parenthood | Ethiopia prohibited the dismissal of pregnant workers (1993). |
| | | | Workplace | Ethiopia prohibited gender discrimination in employment (1993). |
| 2002 | 63.1 | Revised Family Code, Proclamation No. 213/2000 | Assets | Ethiopia revised Family Code granted spouses equal rights to immovable property and equal administrative authority over assets during marriage (2000). |
| | | | Marriage | Ethiopia's revised Family Code allowed women to be head of household. Ethiopia no longer requires a married woman to obey her husband (2000). |
| | | | Mobility | Ethiopia's revised Family Code allowed a woman to choose where to live in the same way as a man (2000). |
| 2006 | 65.6 | Criminal Code, Proclamation No. 414/2004 | Marriage | Ethiopia enacted legislation protecting women from domestic violence (2004). |
| 2013 | 71.9 | Private Organization Employees Pension Proclamation No. 715/2011 | Pension | Ethiopia introduced an old-age pension system that sets equal ages at which women and men can retire with full pension benefits. It does not establish an age at which women and men can retire with partial pension benefits (2011). |
| 2021 | 76.9 | Labor Proclamation No. 1156/2019 | Parenthood | Ethiopia increased paid maternity leave from 90 to 120 days and introduced 3 days of paid paternity leave (2019). |

Source: *Women, Business and the Law*.

Note: There is a lag between the year a reform is passed and progress is recorded in the WBL scores.

sets equal ages at which women and men can retire with full pension benefits. This step increased Ethiopia's score to 71.9 in the WBL index. Most recently, in 2019, Ethiopia passed the new Labor Proclamation No. 1156/2019, which included the increase of maternity leave from 90 to 120 days and the introduction of paid paternity leave for private sector workers. Specifically, Article 81 (2) of the new law provides that male employees shall be entitled to three consecutive days of paternity leave with full pay. Article 88 (3) stipulates that a pregnant worker shall be granted a period of 30 consecutive days of leave with pay of pre-natal leave and a period of 90 consecutive days of post-natal leave. This Brief explores the political and socioeconomic factors around the adoption of this 2019 reform.

How growing demand for labor reform has led to change

A number of socioeconomic and political factors led to the labor reform that, among other things, ushered in three days of paternity leave for employees and expanded maternity leave from 90 to 120 days. Among them were a changing labor force coupled with Ethiopia's rapid economic growth, demands for change from employees and employers, the government's drive to reduce poverty and encourage investment, and lastly, the political transition that created a conducive environment for comprehensive legal reform in Ethiopia.

With a population of more than 117 million and a population growth rate of nearly 3 percent, Ethiopia is the second largest country on the African continent. It is also one of the fastest growing economies in the region. Ethiopia's annual growth rate was 6.3 percent in 2020/2021. Over the past 15 years, Ethiopia's economy has grown an average of 9.5 percent per year. This flourishing growth comes in no small part from public investment, which increased from a mere 5 percent of gross domestic product (GDP) in the early 1990s to 19 percent in 2011, strengthening everything from power production, roads, railways, and industrial parks to education, health, and water provision (World Bank 2019). Furthermore, the increase of nonfarm employment and productivity were among the factors that brought a structural transformation in Ethiopia. For example, since 2005, the service sector has accounted for about half of GDP growth (World

Bank 2017). Consequently, the Ethiopian labor force has dramatically changed since the enactment of the previous labor law in 2004. As the private sector grew, many stakeholders, including employers, employees, and the government, started demanding labor law reform to keep up with the changing economic environment. According to the Central Statistical Agency of Ethiopia, nearly one-sixth of Ethiopia's urban employment remains in the informal sector as of 2020.

First, the demands from trade unions played an important role in reformulating the existing labor law. Low wages, poor working conditions, and violations of the rights of workers, including lack of employment security, contributed substantially to the effort from the trade unions' side. The unions' push for reforms across several of these areas, in turn, naturally strengthened their ability to voice support for the extension of maternity leave and the introduction of paternity leave for private sector workers. While unions represent only a small share of labor force in Ethiopia, the Confederation of Ethiopian Trade Unions (CETU)—Ethiopia's largest civil society organization, representing more than one million members organized into nine affiliated industrial federations and more than 2,200 basic trade unions—has left its fingerprints on the labor law in many of the clauses favorable to employees.²

Second, as economic investment increased and industrial parks expanded, employers also demanded a change in the labor law. Employers considered the previous law an impediment to investment, and thus sought to limit some of its benefits to employees. For instance, the Ethiopian Employers' Federation—a national employers' organization that includes sister federations, branches, and sectoral associations all over the country—argued that the previous law cost them dearly because it did not provide employers with the right to apply disciplinary measures when employees consistently and systematically arrived late for work. The president of the Ethiopian Employer's Federation, Dawit Moges, shared this insight during an interview: "If our employees benefit from maternity leave, we as employers would also benefit. A woman who worked in one company for 20 years might take maternity leave twice or maximum three times. The number of days this employee take for maternity leave is not that much. However, if she arrives to work 30 minutes late every day for 20 years, it is financially

*more costly to the company.*³ The Federation was willing to support a certain increase of days in maternity leave if it could address the problem in the old law of not being able to discipline tardy workers.

Third, the government supported the revision of the law as a way to boost economic growth, guarantee the sustainability of poverty reduction strategies, and strengthen the industrial sector in the country. To this end, it developed a plan with the goal to increase foreign investment and transitioning the economy from agriculture to industry (Growth and Transformation Plan II).⁴ Thus, the government wanted to develop a legal framework that balances policies and strategies that simultaneously encourage investment and create more jobs and conducive working environments for workers. Similarly, gaps in the previous law were among other reasons that motivated labor law reform. Labor inspectors identified several implementation gaps, while the representatives of employers and employees communicated their issues concerning the former law to the Ministry of Labor and Skills (previously, the Ministry of Labor and Social Affairs). Also, the Ministry received comments from the ILO regarding Ethiopia's compliance with the ratified Conventions; this international benchmark increased the government's motivation to revise the former law. Lastly, to address the gender gaps in economic outcomes and achieve Ethiopia's inclusive growth targets, the government required a fundamental rethinking of policies and programming aimed at reducing gender inequality.

Finally, one crucial factor that led to the adoption of the labor reform was Ethiopia's political transition. A popular uprising from 2015 to 2018, which protested dispossession, exclusion, unemployment, and discrimination, brought a new administration to power. The commitments announced by the new government, which came to power in 2018, partly coincided with labor demands. Correspondingly, this transition created the momentum for legal reform that resulted in revisions and/or amendments to a dozen other major laws—something that had not occurred since 1993—as the new government pledged to reform Ethiopia's authoritarian state. Moreover, the politicization of legal and justice institutions, as well as a lack of trust in the justice system, served as contributing factors to fueling the uprising, which resulted in a political transition. Therefore, reforming the legal and justice system, and more specifically, legislation, was among the first major steps taken by the new leadership. Consequently, the Civil Society Proclamation (adopted in 2009), which severely restricted the engagement of civil society in the advocacy and promotion of human rights, including labor rights, was revised in 2019, along with many other restrictive laws. Similarly, the new administration positively viewed the initiative and the progress made to revise the labor law.

In sum, Ethiopia had a wide variety of actors interested in promoting labor reform coupled with favorable political momentum. All these factors combined to create an environment for new labor reform, culminating in 2019 with the adoption of Labor Proclamation No. 1156/2019, which, among other things, introduced three days of paternity leave for male employees and expanded maternity leave from 90 to 120 days for female employees. Table 2 summarizes progress on paid leave for parents over time.

The critical role of social dialogue and tripartite negotiations

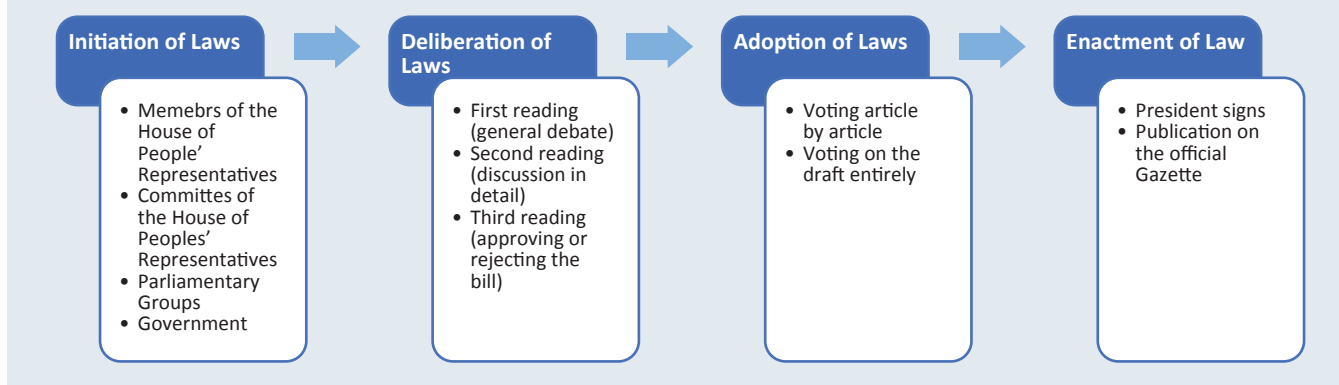
The development of the new Labor Proclamation was a tripartite effort that involved the three main stakeholders: employers (Ethiopia Employers' Federation); employees (CETU); and the government (the Ministry of Labor and Skills, the Investment Commission, the Ministry of Industry, the Federal Attorney General, and public enterprises). The discussions and negotiations to revise the previous labor law took about seven years (see figure 3).

CETU played a strong role in developing the new leave policies for parents. The labor organization initially provided the first draft of the new labor law to the Council of Ministers in 2016. The draft included provisions on the extension of the duration of maternity leave to six months and the introduction of five days of paternity leave. However, the proposal was rejected because the draft law was considered overly ambitious and seen as heavily favoring employees. As CETU's president Mr. Kassahun Follo recalled: "*[S]ome of the parties even mocked the Confederation, saying why not instead suggest for women to stop working.*" The Employers' Federation disagreed with the proposal to extend the duration of maternity leave, arguing "*When you have employees out for six months, you must hire another person to fill the position.*" Regarding paternity leave, the Employers' Federation supported the introduction of no more than three days of leave and envisioned it as a legal recognition of the good practice of "*male employees taking days off for parenthood-related health emergencies.*"

In late 2016, the government rejected the first legislative draft and tasked the Deputy Director of the Ethiopian Investment Commission to draft the law in a way that reflected the government's perspective. In 2017, the Commission prepared a second draft; however, more than a dozen provisions from CETU's draft were not included, among them the provisions on leave for parents. CETU argued that employees must have a better standing in industrial society and threatened to go on strike as an ultimatum to resume negotiations and try to find a shared resolution to differences. By 2018, to bridge the government-trade unions divide, representatives of the International Trade Union

Table 2 Increasing maternity and paternity leave days over time

| Type of employees | Year | Maternity leave | Paternity leave | Law |
|------------------------|------|--------------------|-------------------|---|
| Private sector workers | 1960 | 30 days (half pay) | None | Civil Code Proclamation No. 165/1960 |
| | 1975 | 45 days | None | Labor Proclamation, No. 64/1975 |
| | 1993 | 90 days | None | Labor Proclamation No. 42/1993 |
| | 2003 | 90 days | None | Labor Proclamation No. 377/2003 |
| | 2019 | 120 days | 3 days | Labor Proclamation No. 1156/2019 |
| Civil servants | 2007 | 90 days | 5 days (working) | Federal Civil Servants Proclamation No. 515/2007 |
| | 2017 | 120 days | 10 days (working) | Federal Civil Servants Proclamation No. 1064/2017 |

Figure 3 The legislative process in Ethiopia

Confederation, which represents 200 million workers in 168 countries and territories, addressed the Prime Minister, highlighting the strong need to continue negotiations and avoid the strike.

The government responded by establishing a task force composed of the representatives of three Ministers who would participate in consultations with CETU and Ethiopian Employers' Federation. About three dozen clauses were identified as key points of disagreement: roughly half of these provisions were in the government's draft and the rest were proposed by CETU.

Halfway into negotiations, political reforms began to take shape, and a new government came into power. Once the new government set up its offices, the tripartite negotiations between CETU, the Employers' Federation, and the government resumed. The draft was further developed by the Ministry of Labor and Skills, with the goal of creating an enabling environment for investments, poverty reduction and industry growth.

The draft went through various stages of discussion before it was presented to Parliament in 2019. CETU again proposed the provisions on extending maternity leave to six months and introducing five days of paternity leave. CETU, as discussed, mostly relied for its arguments on best practices within the region and the Civil Servants Proclamation (No. 1064/2017), which provided better paid leave policies for parents working in the public sector.

The concern from the government was that the provisions would affect "women's employability," meaning that the private sector would be scared to hire women employees for fear of longer maternity leave, which the employers themselves must pay as opposed to in the civil service, for which the Ethiopian government pays. This concern was raised due to reported cases where women were denied the three months of maternity leave mandated by law and where they were terminated from their jobs upon disclosing pregnancy. Other arguments by government representatives included concerns about the adequacy of legal protections already afforded to pregnant women employees (ranging from the right to medical leave and job transfer if the job is hazardous to health during pregnancy) and the need to protect the emerging formal private sector, which might not be able to afford extended maternity leave. As Ms. Hana Maru, Industry relations Director of the Ministry of Labor and Skills recalled: "We argued to be careful not to enact a law that would destroy the formal sector. The more standards we have, the more we harm the formal private sector" and emphasized that an increased duration of maternity leave "harms the private sector..., the government's industrialization plan, and women's chance of employment."

While the final proposal included 120 days of maternity leave, the parties debated until the government accepted CETU's recommendations and a consensus was reached. There was also a concern that private sector foreign investor employers potentially would not want to hire women. The government was committed to improve the investment climate to encourage foreign investment, which had increased consistently from only about \$1 billion in 2000 to

\$15 billion in 2016 and \$22.25 billion in 2018. China is the primary source of investments in Ethiopia, followed by Saudi Arabia and Turkey, according to 2015 data from the Ethiopian Investment Commission. Other significant source countries include India, the Netherlands, and the United Kingdom (Geda et al. 2022). To respond to the concern, CETU found that foreign investors working in Ethiopia are mostly from countries that recognize more than four months of maternity leave. The president of CETU, Mr. Kassahun Follo, recalled arguing: "[T]hey (investors) can't expect a different kind of maternity leave when they come here."

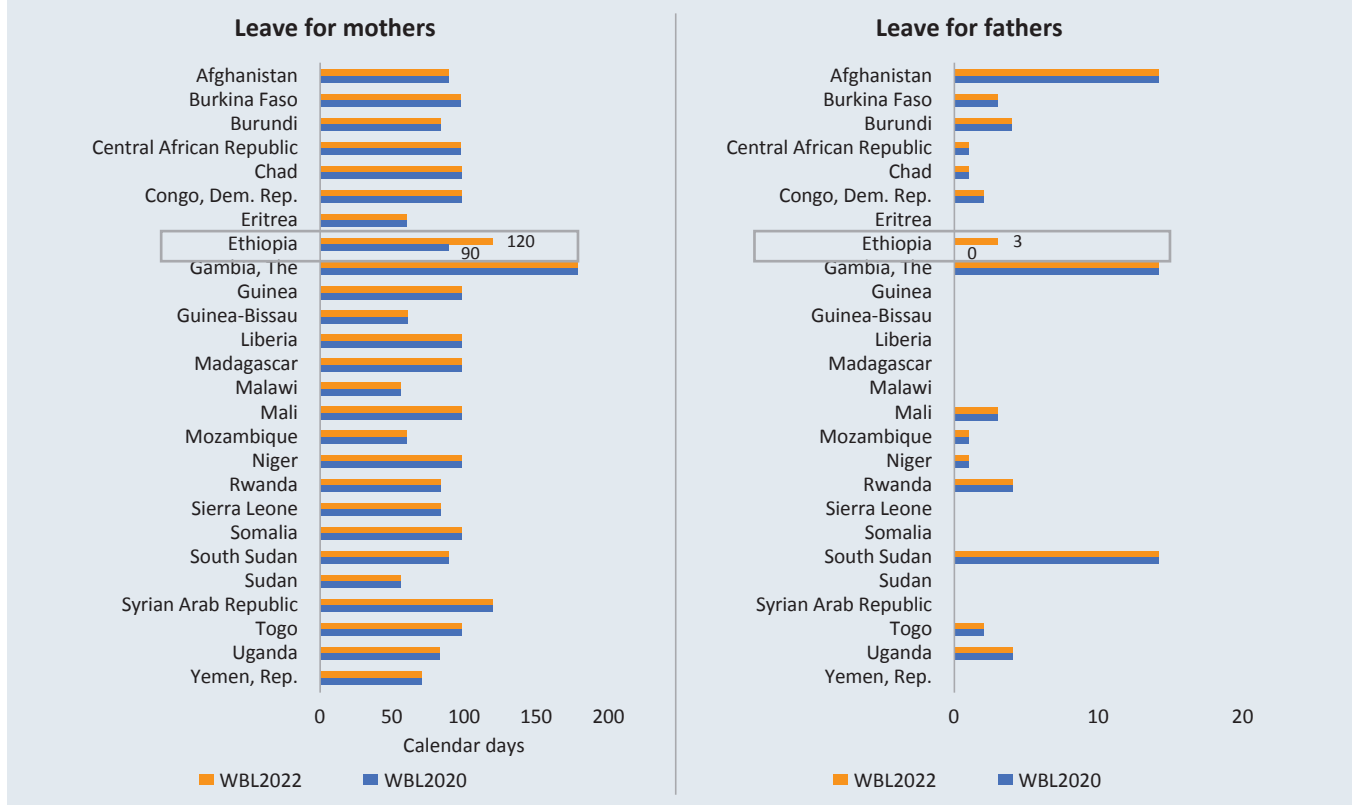
After long discussions around each provision, the draft submitted to the Council of Ministers included a provision for 120 days of maternity leave. However, the Council revised the draft, shortening the maternity leave to 90 days. This triggered another round of debates in the Ethiopian Parliament. CETU insisted on the inclusion of the provisions from the original version it prepared. The government was neutral because the provisions were not associated with budgetary commitments. A consensus was subsequently reached when the Ethiopian Employers' Federation agreed to extend maternity leave to 120 days. The president of the Ethiopian Employers' Federation, Dawit Moges, noted in an interview: "As employers we want women workers' full presence at work: physically, emotionally, psychologically, and spiritually. We believe the remedy for this is to give mothers enough time to bond with their babies and take care of their newborn."

Advocating for paid maternity and paternity leave

In advocating for the increase of maternity leave and the introduction of paternity leave for private sector workers, two arguments by trade unions stand out: equal treatment of workers and the experiences of other countries.

One crucial factor that motivated advocacy for the extension of maternity leave, as well as the introduction of paternity leave, has been the relatively generous paid leave for mothers and fathers working in the public sector, which was introduced in 2017 with the new Civil Service Proclamation (see table 2). CETU, representing trade unions, capitalized on the provision of leave policies for public sector employees (four months of maternity leave and 10 working days of paternity leave) and insisted on the inclusion of the same paid leave benefits for private sector employees. Thus, CETU argued that all employees in a country should have the same kinds of rights and that there shall not be discrimination based on who is the employer. In CETU's president Mr. Kassahun Follo's words: "[A]ll women should be treated equally as they face the same problems during pregnancy and birth, and there shouldn't be a discrimination based on whom they work for."

The existing legal framework that guarantees and promotes the right to equal treatment and nondiscrimination played an important role in creating a legal landscape for the adoption of the Labor Proclamation. A whole range of general principles of labor rights are firmly anchored among the fundamental rights proclaimed in the Constitution. Additionally, governmental strategies aimed to mainstream gender equality and highlight the importance of equal

Figure 4 Ethiopia's duration of maternity and paternity leave compares well to other low-income countries

Source: Women, Business and the Law (WBL) database.

participation of parents in unpaid work. Specifically, statements in various policy instruments supported the introduction of paternity leave, such as the National Strategy for Infant and Young Child Feeding (2004), which emphasized that breastfeeding is enhanced by fathers' support in their roles as family providers and caregivers. Similarly, the 2006 National Action Plan on Gender Equality (2006–2010) outlined transformative measures to achieve shared work and parental responsibilities between men and women.

Ethiopia's ratification of the ILO Convention No. 156 on Workers with Family Responsibilities (1981) in 1991 also contributed. In 2018, for instance, the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) requested information as to the status of Ethiopia's plan to reform the labor law to introduce paternity leave. With the share of jobs created by the private sector growing, state strategies were focused on fitting the demand from the labor market, the active labor force, and the changing structure of the economy to make jobs in the private sector more attractive to reduce unemployment.

In addition to this focus, a comparison of laws and policies in other countries played a critical role in the reform effort. During the tripartite negotiations, as stakeholders navigated the reform process, trade unions, employers' organizations, and the government searched for examples of maternity and paternity leave policies that apply in other countries. This analysis helped to define criteria for comparison with the context of Ethiopia. The arguments, substantiated by the comparative analysis of leave policies, provided the grounds for maternity leave to be increased and helped to resolve disagreements between negotiating parties. Similarly, visits to the Republic of Korea and Vietnam by government delegation provided insights into what directions Ethiopia should be headed to drive economic growth.

To call for a specific number of days to be increased, CETU, which initiated the reform, undertook wide-ranging research across different countries, including more than a dozen within Africa. CETU also compared policies among developed and developing countries. Indeed, there was fear that the proposal could be rejected if the benchmarks were more closely aligned with economically advanced

countries, which have generous family leave benefits covered by governments. Hence, in order to substantiate the proposal to increase maternity leave, CETU relied on countries within a similar income group. A challenge arose when amid the negotiation process, Rwanda amended its labor laws and granted 84 days of maternity leave. The opponents of the draft used this argument against the increase. However, the previous labor law of Rwanda provided only 42 days of maternity leave, while the 2003 labor law in Ethiopia already provided 90 days (see figure 4). Ultimately, CETU addressed this challenge by circulating the most updated information to the opponents and demonstrated that well-structured and well-implemented maternity and paternity leave reforms based on the experience of other countries enhance social welfare and contribute to better economic performance.

Remaining challenges for implementation and recommendations for how to address them

By investigating the road to reforming Ethiopia's maternity and paternity leave policies, this Brief has outlined Ethiopia's experience with leave reform in order to share lessons learned with other countries seeking to enhance their own leave policies for parents. These lessons are summarized in box 1.

With the adoption of extended maternity leave and newly introduced paternity leave, several challenges need to be addressed. These are summarized in box 2. First, the dissemination of the new Labor Proclamation has not been sufficient. Awareness campaigns of changes to the law are critical to successful implementation. After the passage of the new Labor Proclamation, the government and several organizations across the country started preparing campaigns. The time of the campaigns, however, sadly coincided with the outbreak of the COVID-19 pandemic, which disrupted efforts to effectively communicate the new reform to both workers and employers. Some groups switched to alternative modalities and raised awareness through social media and virtual learning sessions. The disruption made CETU seek alternative ways of communication to connect with its members. The most immediate plan is to create a platform—the first of its kind in an African trade union association—that would allow the

Box 1 Key lessons that facilitate the reform process

Five key lessons emerge from Ethiopia's experience:

1. Alignment of interests from a variety of stakeholders, such as employers, employees, trade unions, and business associations, can overcome obstacles and achieve significant gains.
2. Political transition opens opportunities for demand for social dialogue and economic change from the bottom up.
3. Use of evidence enhances the business case to employers for paid family leave.
4. Reference to international standards, such as International Labour Organization (ILO) Conventions, and specific examples from other countries with similar socioeconomic backgrounds can motivate governments to improve laws.
5. Improving the understanding that adequate paid leave policies for parents are not an impediment to foreign investment can mobilize support.

Confederation to offer training virtually and enable its members to submit complaints online. Concurrently, CETU is providing trainings to trade union leaders through its branches and identifying gaps in implementation. The lack of online infrastructure and connectivity, however, has hindered efforts. Consequently, three years since the reform, there is still a need to improve familiarity with the new Labor Proclamation, especially among workers who are not members of trade unions.

Second, there are no readily available data on the compliance of employers with the reformed leave policy. Similarly, data on the maternity and paternity leave uptake by employees have not been collected. In Ethiopia, employees whose rights are violated in the form of reduction of wages, denial of leave, or termination can seek appropriate remedies in court. Yet, CETU reported that they had not received any complaints regarding the denial of the provision of maternity and paternity leave. However, these data may be subject to a lag. In court cases observed by the Ethiopian Women Lawyers Association and Ethiopian Labor Rights Watch, there is almost always a delay in adjudication of judgment, which can take two to three years in total. For pregnant women and new mothers, this could result in the loss of income for an extended period of time and could create an additional burden to appear in front of the court at any time during a pending case. Another important fact is that, according to the Ethiopian Labor Rights Watch, most employees do not have a trade union and less than 10 percent of employees are organized. They emphasize that *“in organizations that have a trade union, the employees' bargaining power is strong, and they can help the employees in so many ways.”* In addition, the lack of complaints may also indicate that workers do not know about their rights or do not assert their rights for fear of retaliation or losing a job. On top of that, while labor inspections are mandated to monitor, follow up, and provide instructions for employers that might violate, among others, minimum labor conditions (including maternity leave), labor inspections lack gender analysis and reporting (Ethiopia Government, 2019). Gender responsiveness can be improved by implementing systemic education programs or trainings that would allow inspectors to identify and address workplace discrimination. Also, it is important to facilitate the gender responsiveness of the labor inspection system by recruiting more female labor inspectors and detecting workplace gender-based inequalities through data and analysis. Indeed, the implementation of the law as well as the impacts of the law's reform on employability, potential for promotion, job security, and other matters for women and men employees who enjoy maternity and paternity leave might need further investigation. Additionally, there is a lack of data on the actual uptake and usage of maternity and paternity leave. This information is critical to assess the effectiveness of leave policies for parents and to analyze the existing barriers. For example, a number of reasons may affect the actual uptake of leave by fathers, such as the level of compensation, gender norms, and flexibility of leave allocations. While the change in social norms is crucial for fathers' uptake of leave, it can be facilitated by government policy. There is growing evidence that fathers are more likely to take leave when it is well-compensated, generous in duration, nontransferable, and flexible to schedule (Gilchrist et al. 2014). Further revision of the allocation of paternity leave considering these factors could serve as an instrument of social change in this regard. Adequate leave allocation for fathers as well as the increase in father's uptake of leave are important because they can promote gender equality at home and have a positive effect on women's employment.

Third, while the introduction of paternity leave for fathers is an important step toward gender equality in Ethiopia, entrenched gender norms designate men as the primary breadwinner and women as the primary caregiver. For example, while the rate of labor participation for women in urban employment has been steadily increasing (from about 37 percent in 2003 to about 42 percent in 2016), it has been consistently below male participation. In 2020, women's participation in urban employment was about 39,9 percent, while it was about 60,6 percent for men. In Ethiopia, as in other parts of Sub-Saharan Africa, gender norms delegate to women and girls the majority of domestic work, including child rearing, cleaning, food preparation, wood and water collection, and food production. These domestic responsibilities impede women's opportunity to study, develop professional experience and skills, run a business, or engage in paid work. The significant difference in the duration of maternity leave and paternity leave may have an unintended consequence of further deepening gender stereotypes. At national level between 2014/2015, the female and male school dropout rate for grades 1–8 is almost the same –10.23 percent and 10.01 percent, respectively (National Planning Commission and Central Statistical Agency of Ethiopia, 2017). However, sixteen percent of girls drop out of school to look after siblings and 12 percent of girls drop out of school due to family issues, while the most frequent reason for boys to leave school is to engage in domestic and agricultural work (Frost and Rolleston 2013). According to the World Bank Group Ethiopia Gender Diagnostics report (2019), a simple average indicates that women are 17 percent less likely than men to participate in the labor force. This disparity widens to 29 percent when considering other factors such as age, education, and household wealth. Among individuals active in the workforce, a gender gap of 4.4 hours exists: while men work 31 hours per week, on average, women work only 27. These numbers reiterate the need to further tackle inequalities between working men and women and to redistribute unpaid work, including caregiving responsibilities. It is crucial to introduce additional measures to address the entrenched stereotypes against taking paternity leave and encourage men who take paternity leave to use the time for activities actually related to childcare. Media campaigns to feature fatherhood champions could be an important incentive for male workers to utilize new policy.

Lastly, in the private sector in Ethiopia, leave benefits are processed and administered solely by employers while the ILO's recommendation is to provide benefits through compulsory social insurance schemes or public funds, which is important to mitigate discrimination in the workplace. Specifically, the law in Ethiopia authorizes employers to grant paid leave to pregnant workers. When employers bear the full cost of maternity leave benefits, unlike when maternity leave is funded by public funds, this can have negative effects on women's employment. While increasing paid family leave benefits could serve as an incentive for working parents to transition to formal employment, when the cost is borne by the firms only, it could be a disincentive to hire women of childbearing age. The share of women in informal sector in Ethiopia is still relatively high – 36 per cent compared to 20 per cent amongst men (IMF 2018). Therefore, the impact of the reform is limited to those women that are formally employed. Other examples include negative effects on women's promotion and retention, hindering women's careers. These can be especially tangible in small and medium-sized enterprises. An interview with the head of Legal Aid of the Ethiopian Women Lawyers Association revealed that *“Usually private organizations lose interest to*

Box 2 Remaining impediments to further reform of leave for parents in Ethiopia

Four main gaps exist:

1. *Inadequate awareness of reform.* Since dissemination campaigns were disrupted by the COVID-19 pandemic, there is a need to further communicate the changes introduced by the law—especially among workers who are not members of trade unions—through government-wide information campaigns to increase the knowledge of labor law reform.
2. *Lack of data on implementation and gaps in compliance by employers and uptake by employees.* While implementation mechanisms are set, labor inspections and courts need training on gender responsiveness. Conducting analysis using data disaggregated by gender to detect workplace gender-based inequalities as well as recruitment of more women inspectors are among other recommendations to improve gender responsiveness in labor inspection. Also, more and better data are critical to assess the effectiveness of leave policies for parents and to analyze the existing barriers.
3. *Entrenched gender norms.* The introduction of paternity leave for fathers is an important step toward gender equality. The work should be continued to further tackle inequalities between working men and women and to redistribute unpaid work, including caregiving responsibilities, through policy interventions and media campaigns, among others.
4. *Costs are borne by employers only.* When employers bear the full costs of maternity leave benefits, it disincentivizes them to hire and retain women. To reduce employer's liability, Ethiopia could consider financing maternity leave benefits through the government or a social insurance scheme.

hire pregnant women because they don't want to pay salary to the women when they are on maternity leave. Even when the employers are closing the positions, they tend to terminate women who are at childbearing age." These concerns were also raised by the Ministry of Labor and Skills. The representative of the Ministry, Ms. Abebe Hana Maru, mentioned: "In countries that provide long maternity leave after certain period(s) it is the government responsibility to pay salary. Since we don't have that system, we will be imposing the responsibility to pay salary on the employer until our social security system is developed." Indeed, increase of maternity leave might result in limited improvements of women's economic outcomes, until social security system is developed or unless there are significant gains in productivity and private sector development.

Although challenges remain, the law can serve as an important catalyst for change and for further development of policies to adequately meet the needs of working parents. Lessons learned from Ethiopia's reform experience can serve as a practical guide for other

countries considering introducing or increasing leave policies for parents.

Leave policies for parents not only have a number of economic and social benefits, but they are also directly linked to women's empowerment. Coupled with effective implementation, these policies are critical in addressing gender inequalities in economic opportunities.

Notes

- 1 Constitution of the Federal Democratic Republic of Ethiopia Proclamation No. 1/1995.
- 2 Confederation of Ethiopian Trade Unions <https://cetu.et/about-us/>.
- 3 Quotations in Italics throughout the Brief were gathered during interviews by WBL staff.
- 4 Growth and Transformation Plan II (GTP II) (2015/16–2019/20).

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