

## **Basic Guide to Maternity Leave**

Pregnant women may take 4 months of maternity leave, starting 1 month before their due date.

### **Application**

The Basic Conditions of Employment Act applies to all **employers** and **workers**, but not -

- members of the -
  - National Defence Force,
  - National Intelligence Agency, or
  - South African Secret Service; or
- unpaid volunteers working for charity.

The section of the Act that regulate **working hours** does not apply to:

- workers in senior management
- sales staff who travel and regulate their own working hours
- workers who work less than 24 hours in a month
- workers who earn in excess of an amount stated in terms of section 6 (3) of the Act
  - workers engaged in emergency work are excluded from certain provisions.
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Applies to all employers and workers and regulates leave, working hours, employment contracts, deductions, pay slips, and termination

### ***Number of Leave Days***

Pregnant workers are entitled to at least 4 consecutive months of maternity leave.

### ***Timing of Leave***

Workers may take maternity leave 1 month before their due date, or earlier or later as agreed or required for health reasons.

Workers may not go back to work within 6 weeks after the birth unless their doctor or midwife say it is safe.

### ***Safety of Pregnant or Nursing Workers***

A worker who is pregnant or nursing may not do work that is unsafe for her or her child.