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Social Economic Council

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To the Minister of Public Health, Social Development and Labor  
Mr. Emil Lee  
New Government Building  
Pond Island  
Philipsburg

Philipsburg, December 14<sup>th</sup>, 2018

Our reference: SER /18/DCB/031



Re: Letter of advice concerning the level of maternity leave and inclusion of paternity leave in the draft Ordinance title 10 book 7 of the Civil Code

Honorable Minister Lee,

On Monday, October 1<sup>st</sup>, 2018, the Social Economic Council (SER) received your request to advise on the level of maternity leave and inclusion of paternity leave in the draft Ordinance title 10 book 7 of the Civil Code, the SER hereby informs you as follows:

During its meetings of November 1<sup>st</sup>, 22<sup>nd</sup>, December 10<sup>th</sup> and December 13<sup>th</sup>, 2018, the SER discussed the subject matter and informs you as follows:

**Introduction:**

The advice request from the Ministry of Public Health, Social Development and Labor (hereinafter: "the Ministry") contained the following information:

*The draft National Ordinance replacing the seventh title A of book 7A of the Civil Code by a new title 10 Book 7 is currently being handled in Parliament. Regarding maternity and paternity leave the following positions are distinguished:*

- 1. The current draft National Ordinance contains an increase from 12 to 14 weeks of maternity leave, in line with the ILO minimum standard. No paternity leave is included.*
- 2. The Tripartite Committee discussed the possibilities of introducing 5 days of paternity leave, with the condition of the father having recognized the child. Maternity leave would remain at 14 weeks, considering amongst others the post- Irma situation, in which additional economic burdens to businesses should be limited. Coincidentally, paternity leave of 5 days is the situation that will be introduced in The Netherlands as of January 1, 2019.*
- 3. A proposal is brought forward from a Member of Parliament to extend maternity leave further to 18 weeks and paternity leave to 10 days (or two weeks).*



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Social Economic Council

*The SER's advice is requested on the desired level of maternity and paternity leave to be included in the Civil Code, taking the socio- economic reality of Sint Maarten into consideration<sup>1</sup>.*

## **Maternity leave**

Maternity protection is considered a right to social security<sup>2</sup>. Maternity protection is a fundamental right in a work environment. It is essential to guarantee that the work women do, does not pose any risk to the health of the woman and her child and that a woman's reproductive role does not compromise her economic and employment security.

Maternity protection is one of the very first policy areas addressed by the International Labor Organization (ILO). The first Convention (C3) on this matter was adopted in 1919.

In 1952, the provision of maternity leave and cash benefits in case of maternity was also officially recognized as constituting one of the nine branches of social security established by the Social Security (Minimum Standards) Convention, 1952 (No. 102). More recently, the ILO Recommendation concerning national floors of social protection, 2012 (No. 202) calls for maternity benefits to be provided as part of the basic social security guarantees that comprise national social protection floors: access to essential health care, including maternity care, and basic income security for persons in active age who are unable to earn sufficient income due, among other reasons, to maternity.

The ILO thus negotiated three Conventions and one Recommendation on maternity protection of which the most recent, Convention No. 183 and its accompanying Recommendation No. 191, adopted in the year 2000. This Convention has been ratified by the Kingdom of the Netherlands and went into effect on January 15th, 2009 for the Netherlands but the Government of Sint Maarten did not declare it applicable to Sint Maarten as yet.

Paid Maternity leave is one of the five components of maternity protection<sup>3</sup>.

The SER recognizes the importance of (paid) maternity leave. Paid maternity leave has benefits that are physical, psychological, social and economic<sup>4</sup>:

- Rest for the mother is an important health measure. New mothers experience improved mental and physical health as a result of taking leave.;
- Returning to work too soon may increase the risk of acute complications;
- Leave allows women to establish breastfeeding;

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<sup>1</sup> From the advice request of the Ministry of Public Health, Social Development and Labor, dated September 28<sup>th</sup>, 2018 DIV reference 11635.

<sup>2</sup> See Recommendation concerning National Floors of Social Protection R202 - Social Protection Floors Recommendation, 2012 (No. 202)

<sup>3</sup> Other components are: health protection at the workplace, medical benefits, protection of employment and non-discrimination and breastfeeding arrangements at work.

<sup>4</sup> International Labour Organization 2012, Maternity Protection Resource Package - Module 1: Maternity Protection Resource Package - From Aspiration to Reality for All available at <http://mprp.ilo.org/allegati/en/m1.pdf>



Sociaal Economische Raad  
Social Economic Council

- Better ante- natal and postnatal care and strengthened parental bonding over a child's life. This time provides long- term benefits that improve a child's brain development, social development and overall well-being;
- Paid maternity leave ensures the continuation of often vital income which is necessary for the well-being of a woman's entire family.

The ILO's Maternity Protection Convention, 2000 (No. 183) provides for a minimum of 14 weeks maternity leave to women, with a cash benefit of at least two-thirds of her previous earnings or a comparable amount<sup>5</sup>.

Worldwide, the justifications for employers not being individually liable for the costs of maternity benefits are:

1. employer liability schemes of maternity benefit often work against the interest of women as employers could discriminate against women who are pregnant or might become pregnant and therefore become a liability to them;
2. employer liability schemes impose excessive costs on small and medium size enterprises which can lead to discrimination against women and;
3. enforcement of the laws on individual employers is often difficult, especially when labor law enforcement mechanisms are weak.

To address these disadvantages ILO Convention 183 requires that maternity benefits be financed either by public funds, such as taxation, or by social insurance.

### **Paternity leave:**

In recent years, there has been increasing interest worldwide in developing policies to support fathers in contributing more to caring for young children<sup>6</sup>. The underlying objectives behind these policies may differ across countries, but in general, they aim to increase gender equality at home and at the workplace as well as to strengthen father-child relationships and thus improve child well-being outcomes<sup>7</sup>. Research shows that positive father involvement is associated with numerous benefits, including better outcomes for children and for fathers themselves<sup>8</sup>. This is the reason for the SER to support the importance of promoting policies that encourage and promote a fathers' (constant) involvement with their children. A greater involvement of men may also enhance a child's development and well-being<sup>9</sup>. Paternity leave can thus lead to better outcomes for children, but also for the whole family.

Paternity leave is one measure that helps encourage a father's involvement in his child(ren)'s life.

Paternity leave is a male-specific right to take some time off work soon after the birth of a child.

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<sup>5</sup> Article 6 paragraph 4 and article 4 paragraph 1 of ILO Convention No. 183

<sup>6</sup> 79 of 167 countries have legislation providing paternity leave. International Labor Organization. 2014. Maternity and Paternity at Work: Law and Practice Across the World. Geneva: International Labour Office

<sup>7</sup> OESO, 2013 Fathers' leave, fathers' involvement and child development. OECD Social, Employment and Migration Working Papers No. 140 available at

[https://www.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=DELSA/ELSA/WD/SEM\(2012\)11&docLanguage=En](https://www.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=DELSA/ELSA/WD/SEM(2012)11&docLanguage=En)

<sup>8</sup> Maternity and paternity at work, Law and practice across the world, ILO, 2014

<sup>9</sup> OESO, 2013 Fathers' leave, fathers' involvement and child development. OECD Social, Employment and Migration Working Papers No. 140.



Sociaal Economische Raad  
Social Economic Council

The description of the Tripartite Committee indicates that the proposed paternity leave is related to a man and a subsequent child he acknowledges. Other used definitions can include that the male employee must be married or has a long-term cohabitation with the mother of his newborn baby.

Including a definition of paternity leave is vital for its regulation and governance. In the information received, however, there was no clear definition of paternity leave. In deciding on (the extent of) paternity leave, the SER suggests including a clear definition of paternity leave.

Up to present there is no ILO standard that deals with paternity leave. However, the ILO recognizes that work family reconciliation measures not only concern women<sup>10</sup>, but also men and new provisions on paternity leave permitted working fathers to be more involved in family related responsibilities.

### **Maternity, paternity and birth leave within the Kingdom of the Netherlands**

#### **The Netherlands**

The Netherlands uses the term “birth leave” instead of “paternity leave” to include same gender couples who choose to have children.

In the Netherlands, women are entitled to 16 weeks maternity leave<sup>11</sup>, while employees who are spouses or registered partners of the mother or who have acknowledged [erkend] the child are – as of December 1<sup>st</sup>, 2001- entitled to 2 days of birth leave under the law “labor and care” [Wet Arbeid en Zorg]<sup>12</sup>.

Prior to that date, birth leave was already regulated in many Collective Labor Agreements. The 2 days of leave are paid by the employer and the employee can utilize these days - within 4 weeks after the child is at home - at his or her own discretion.

The duration of birth leave has been a topic of discussion for a long time in the Netherlands. This discussion took place in 2014 in the parliamentary debate on the draft law of December 17<sup>th</sup>, 2014, which regulates modernization of leave and working hours<sup>13</sup>. Extending birth leave was then discouraged from government’s side. Due to the economic crisis, it was not deemed opportune to provide a financial compensation at the expense of employers or the government during the birth leave period.

On November 29<sup>th</sup>, 2016 another proposal was submitted to extend the birth leave by 3 days, during which the employee would receive a benefit from the Employee Insurance Agency (hereinafter: UWV) in the amount of his daily wage. This proposal was withdrawn in December 2017 pending the present draft law which was approved [aangenomen] by the Dutch First Chamber on November 13<sup>th</sup>, 2018.

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<sup>10</sup> See 2009 International Labor Conference (ILC) resolution concerning gender equality at the heart of decent work.

<sup>11</sup> Article 3:1 Wet Arbeid en Zorg

<sup>12</sup> Article 4:2 Wet Arbeid en Zorg

<sup>13</sup> Staatsblad 2014, 565 available at

[https://www.eerstekamer.nl/behandeling/20141224/publicatie\\_wet\\_3/document3/f=/vjpyfporbgx3.pdf](https://www.eerstekamer.nl/behandeling/20141224/publicatie_wet_3/document3/f=/vjpyfporbgx3.pdf)



Sociaal Economische Raad  
Social Economic Council

This law for the introduction of extra birth leave [Wet invoering extra geboorteverlof] extends the leave, namely from the current 2 days to a maximum of 5 days paid. After the 5 days leave have been utilized, partners (of a woman who gave birth) are allowed to make use of 5 more weeks of leave additionally. This additional 5-week leave must be used within 6 months after the birth of the child. During these additional 5 weeks, partners are entitled to a benefit from the UWV of 70% of the daily wage.

The extension from 2 to 5 days birth leave will go into effect per January 1<sup>st</sup>, 2019 and the possibility for an additional 5 weeks birth leave is anticipated to go into effect in the Netherlands per July 1<sup>st</sup>, 2020<sup>14</sup>.

### Aruba

In Aruba women are entitled to 12 weeks of maternity leave<sup>15</sup>.

On April 1, 2013, some amendments were introduced to the Aruban labor legislation. The most important amendments related to maternity and paternity leave are:

- A male employee in Aruba is entitled to two days paid paternity leave, to be used within four weeks after the baby has arrived home, providing that the male employee is married or has a long-term (at least one year) cohabitation with the mother of his newborn baby.
- The employer cannot give notice to terminate the employment contract in case of maternity leave, or six weeks after the leave, or in case of pregnancy (and childbirth) of the employee<sup>16</sup>.

### Curaçao

In Curaçao the number of weeks of maternity leave was increased from 12 to 14 weeks in 2012<sup>17</sup>.

The new articles in the Curaçao Civil Code from the perspective of protecting the pregnant woman are:

- article 1614 xa Civil Code on the prohibition of night work [nacht arbeid] and prohibition on standing work [staand werk]
- article 1615: a termination clause (termination of the employment contract) for the pregnant woman;
- article 1614 ca paragraphs 4 and 5: with regard to the father. Fathers are entitled to maternity leave if the mother dies before the maternity leave has expired. The father then has the right to make use of the rest of the paid leave. This also applies in case the mother is hospitalized during her maternity leave.

Paternity leave or birth leave have not yet been introduced in Curacao as yet.

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<sup>14</sup> Kamerstukken II 2017/18, 34 967 nr. 3 available at <https://zoek.officielebekendmakingen.nl/kst-34967-3.html>

<sup>15</sup> See article 1614 ca Civil Code Aruba (AB 1989 no. GT 100)

<sup>16</sup> Aruba AB 2013 no.13 LANDSVERORDENING van 12 maart 2013 tot wijziging van het Burgerlijk Wetboek van Aruba (AB 1989 no. GT 100) (herziening arbeidsovereenkomstenrecht)

<sup>17</sup> Curacao PB 2012 no. 24 LANDSVERORDENING van de 3de april 2012 tot wijziging van Boek 7A van het Burgerlijk Wetboek van de Nederlandse Antillen



Table 1: summary of the maternity and paternity leave in The Kingdom of the Netherlands

Country	Maternity leave	Paternity leave	Birth leave
The Netherlands	16 weeks	Not applicable	2 days*
Aruba	12 weeks	2 days	Not applicable
Curacao	14 weeks	None	None
Sint Maarten	12 weeks	To be determined	Not applicable

\*Birth leave will consist of 5 days in the Netherlands as of January 1<sup>st</sup>, 2019

### Current situation in Sint Maarten regarding maternity and paternity leave

Pregnant female employees in Sint Maarten are, according to article 1614ca of the Civil Code, entitled to 12 weeks leave of work with pay; the so-called maternity leave (which consists of pregnancy and maternity leave). With this regulation in the Civil Code, Sint Maarten has introduced a minimum legal maternity leave for all female employees.

The minimal duration of maternity leave prescribed by the law is compulsory law meaning that no deviation at the expense of the female employee is allowed. The employer and the employee can by mutual agreement only agree upon a longer period of maternity leave, than the 12 weeks prescribed by law. This is reflected in various Collective Labor Agreements on Sint Maarten.

The government of Sint Maarten covers the 100% paid leave for pregnant civil servants through the OZR [Overheids Ziektekosten Regeling].

With regard to the private sector, employers are obliged to pay out 100% maternity leave over 12 weeks and can get 80% refunded through the Social and Health Insurance company [SZV], in the event the pregnant employee falls under the scope of the Sickness Insurance Ordinance [Landsverordening ziekteverzekering (ZV)]<sup>18</sup>. The ZV is applicable to employees (and ex-employees) in the private sector who earn under the ZV established income level (wage limit), including their spouse and/or child(ren). Employees and ex-employees (including their spouse and/or child(ren)) in the private sector who earn above the ZV established wage limit, do not fall under the scope of the ZV and are thus not covered via the SZV. For this last group of women who are not covered via SZV, paid maternity leave is arranged through employers' arrangements, while those same employers for this last group get no reimbursement from SZV or any other fund.

For those under the ZV limit, the 80% refund for employers in the private sector is paid out of premiums from the ZV fund. The ZV fund currently has a deficit, as the premiums for ZV were not increased since 1996.

With regard to paternity leave, Sint Maarten has no legal provisions currently. But paternity leave is regulated in some Collective Labor Agreements.

<sup>18</sup> For example, persons insured somewhere else (Government or self-insured), owners of sole proprietorship, employees with wages higher than the maximum wage limit fall outside the scope of the [Landsverordening Ziektekosten verzekering (ZV)].



Sociaal Economische Raad  
Social Economic Council

The SER signals a difference between those who fall under the scope of the ZV, (those are SZV insured) and those who fall outside the scope of the ZV (those are not covered by SZV).

#### **SER's concerns:**

##### **1. Legislative reform:**

In deciding on the desired level of maternity and paternity leave to be included in the Sint Maarten Civil Code, the SER is of the opinion that a legislative reform needs to take place (first).

A legislative reform encompasses more than just "putting the law for maternity and paternity leave in place". It involves reviewing and reforming all the laws that are interconnected to effectively secure maternity and paternity leave, as these rights are dependent on the fulfilment of other rights and obligations. Thus, translating the principle of interdependence of rights requires adopting a comprehensive and balanced approach that focuses on the full range of rights and obligations. This requires a revision of our legal framework to ensure that it is coherent and does not contradict itself.

Above- mentioned reform must entail changes in legislation which impact among others: the flexibility of employment, working hours and part- time employment.

##### **a. Labor reform**

In 2012 the SER drafted an advice regarding the "Draft ordinance on temporary labor contracts". When drafting this advice, the SER realized that the issue of temporary contracts is closely intertwined with other labor market- related issues which was reason for the SER to write another advice entitled "Flexicurity". Both SER advisory reports provide steps that can help working parents be more present in the upbringing of their children. Paternity leave is a step towards more parental involvement, however, paternity leave alone cannot contribute sufficiently to the (constant) involvement of fathers in their children's lives.

##### **b. Informal sector**

Furthermore, in Sint Maarten a significant informal market co-exists next to a very rigid formal labor market. The definition of the informal economy is "all activities whereby the processes of production and distribution are illicit, but the final product is licit"<sup>19</sup>. Illicit processes of production and distribution do not comply with the regulatory framework.

Informal workers are (mostly) uninsured and lack legal protection resulting in possible abuse. Informal workers do not have the same rights as their formal counterparts. Informality creates an unlevel playing field for the private sector because the informal businesses deliver products and services without complying with the regulatory framework. This enables informal businesses and formal businesses with informal workers to produce at lower costs, possibly less benefits for their employees and therefore gain

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<sup>19</sup> Fernandez-Kelly and Shefner (eds), 2006, *Out of the Shadows: Political Action and the Informal Economy in Latin America* p.26.



Sociaal Economische Raad  
Social Economic Council

an unfair competitive advantage. Non-compliance with labor regulations by (partially) informal businesses can endanger the health and safety of workers.

The informal part of the economy is hard to measure but is suggested to be relatively large in Sint Maarten. The evidence provided by the World Bank shows that informality has a significant negative impact on economic growth and correlates with high(er) poverty levels across countries in Latin America and the Caribbean<sup>20</sup>. This would point to giving priority to ‘formalizing’ the economy as soon and as comprehensively as possible. Needless to say, by solely introducing a new regulation the informal part of the economy will not be affected and will hence not necessarily provide all female workers with the paid maternity leave they are entitled to by law. Worse even, businesses in the formal part of the economy will perceive to be hit harder with new laws to extend (paid) maternity leave and introduce (paid) paternity leave, while informal businesses do not adhere to these same rules, creating an even more unlevel playing field.

## **2. Source of funding paid leave**

The introduction of the advice request does not elaborate on the financial benefits that may be applicable to extended maternity leave and introducing paternity leave in Sint Maarten: what will be awarded and who will be financially responsible?

Paid maternity leave and paid paternity leave have a cost. Since 1919, ILO Conventions on Maternity Protection emphasized that employers should not be individually liable for the cost of maternity benefits payable to women employed by them, and that benefits should be provided through compulsory social insurance or public funds, which are the pillars of social security. As previously indicated, the principle of payment through social insurance or public funds is important for mitigating discrimination in the labor market, which is more likely where employers have to bear the full costs of maternity leave directly. The latest Convention on Maternity Protection (Convention No. 183 adopted in 2000) maintains this principle<sup>21</sup>.

Employer’s liability will oblige employers to bear the economic costs of maternity leave directly if no other provision or alternative is provided, which will then result in a double burden: the payment of women’s wages during maternity leave and the costs of their replacement. For small businesses and/or in times of economic instability maternity related costs can lead to financial hardship. Pressure on women to resume work to the detriment of their health or that of their child may also be more prevalent where employers must bear the costs of maternity leave. Alternatively, it may lead to the hiring of less females of child bearing age in the workplace<sup>22</sup>.

Managing maternity leave is a challenge for all employers, but the prospect of a key team member being away for up to 14 weeks can be a particular concern for small businesses on Sint Maarten as the roles within small firms are often more diverse, with one person having many responsibilities, special knowledge and established customer and supplier relationships, which can make finding a suitable

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<sup>20</sup> Norman V. Loayza, Luis Servén, and Naotaka Sugawara, Informality in Latin America and The Caribbean, The World Bank, 2009 at <http://documents.worldbank.org/curated/en/532851468047799334/pdf/WPS4888.pdf>

<sup>21</sup> See articles 4 and 6 C183 – ILO Maternity Protection Convention, 2000 (No. 183)

<sup>22</sup> See ILO report: Maternity and paternity at work (<https://www.ilo.org/global/topics/equality-and-discrimination/maternity-protection/publications/maternity-paternity-at-work-2014/lang--en/index.htm>)





Sociaal Economische Raad  
Social Economic Council

temporary replacement problematic. In addition, Sint Maarten's labor laws limit the ability to fill employment gaps<sup>23</sup>.

As previously stated, the ZV fund is currently in a deficit and adding 2 or more weeks of paid maternity leave will add more strain to the ZV fund. At the same time, the SER is aware that adding 2 or more weeks of unpaid maternity leave to the already existing 12 weeks paid maternity leave can lead to misuse of the ZV Ordinance: following the 12 weeks paid maternity leave, a woman can call in sick for the additional weeks of unpaid maternity leave and thus will still have to be paid out by her employer and or out of the ZV fund anyway during that time. The SER remarks that this relates to the SZV insured population only.

Regarding paid paternity leave, there is currently no fund in place that will pay out working fathers for paternity leave. The existing ZV Ordinance does not apply to working fathers on paternity leave, neither is there any fund available to cover for paid paternity leave. In reality, this translates to either employers bearing these costs, the creation of a new fund to cover the costs related to paid paternity leave or amending the ZV Ordinance to be applicable to paternity leave as well.

Regarding unpaid paternity leave, the SER is also aware that the ZV Ordinance can be misused if a male employee whose partner just gave birth is not entitled to paid paternity leave. A sick leave notice will have the employer bear 100% of the costs for the first 2 days, after which it may be covered through the SZV. The SER notes that this only relates to those who fall under the scope of ZV and are thus insured by SZV.

From the above it is clear that a funding gap exists between the female population earning above the ZV wage limit and who are therefore not insured via SZV and the female population earning below the ZV wage limit and who are therefore insured via SZV.

There are no legal, financial regulations in place for the group that falls outside the scope of the ZV. The same situation would arise in case of paid paternity leave for the group of male employees above the ZV income level. In order to address this issue as broadly as possible, the SER agrees that funding should be created through public means; enabling wide access, regardless of income -level, next to incentives to formalize the economy. Public funding also limits the burden upon employers.

### **SER's position**

Currently, in Sint Maarten the length of paid maternity leave is 12 weeks which still meets the minimum standards set out in Convention No. 102 in terms of level and duration.

In deciding on (paid) extended maternity leave as well as on (paid) paternity leave the SER strives for an appropriate balance between costs as well as benefits associated with paid leave and the maximum positive impact from a social- economic perspective.

While rebuilding Sint Maarten in the aftermath of hurricanes Irma and Maria, the SER recognizes that financing paternity leave and/ or extended maternity leave can lead to increased burdens for employers, who cannot afford these at this time. Given Sint Maarten's economic contraction which is projected to

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<sup>23</sup> 2016 Article IV Consultation Discussions IMF Country Report No. 16/276



Sociaal Economische Raad  
Social Economic Council

reach 9.1% in 2018<sup>24</sup>, the SER observes that the government is currently not able to fund any additional leave from its general resources either, unless priorities within the current budget of the country are shifted.

*Weak growth and underlying structural vulnerabilities persist in both Curaçao and Sint Maarten, magnified further by large negative external shocks, including spillovers from one of Curaçao's largest trading partners and the impact of Hurricanes Irma and Maria on Sint Maarten. The fiscal and external positions of both countries deteriorated, and significant uncertainty is impacting economic activity adversely. The challenging outlook makes the need for structural measures aimed at ensuring fiscal sustainability, enhancing competitiveness, strengthening investor confidence, and developing capacity more time-critical. The authorities recognize the need to act decisively to put both economies on the path of higher and sustainable growth<sup>25</sup>.*

Despite the economic situation of Sint Maarten described above, the SER also sees it important to minimize the misuse of the ZV Ordinance with regard to sick notices. In addition, while considering the benefits of paid maternity and paternity leave, the SER agrees with an additional 2 weeks paid maternity leave, as soon as public funding, in consultation with the social partners, is established.

In supporting the establishment of policies that promote male's involvement in their child(ren)'s life, the SER – in principle- agrees to 5 days paid paternity leave. However, in view of our current economic situation, the SER advises to start with a legal minimum of 2 days paid paternity leave, as soon as public funding, in consultation with the social partners, is established. This will require, for example, an amendment to the existing ZV ordinance to include paternity leave or the creation of fund to guarantee the sustainable payment of paternity leave.

#### **Advice:**

The SER has taken notice of the request concerning the level of maternity leave and inclusion of paternity leave in the draft Ordinance title 10 book 7 of the Civil Code.

Pursuant to the SER meeting on this topic on December 13<sup>th</sup>, 2018, the SER **unanimously** advises:

1. To restructure, in consultation with social partners, the source of funding of these benefits; prior to implementing advice points 2 and 4.
2. To extend maternity leave from 12 paid weeks to 14 weeks paid under the condition that existing maternity leave packages that arrange this leave in a more favorable manner should not be overruled;
3. To clearly define who falls under the scope of paternity leave;
4. To introduce 5 days (phased) paid paternity leave starting with 2 days paid paternity leave in view of the current economic situation and, to review after 3- 5 years to (possibly) increase to 5 days.

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<sup>24</sup> 2017 CBCS, Economic developments in 2017 and outlook for 2018 available at [http://www.centralbank.cw/uploads/files/Economische%20ontwikkelingen%20in%202017%20en%20voorzichten%20voor%202018\\_ENG.pdf](http://www.centralbank.cw/uploads/files/Economische%20ontwikkelingen%20in%202017%20en%20voorzichten%20voor%202018_ENG.pdf)

<sup>25</sup> Preliminary findings of an International Monetary Fund (IMF) team led by Ms. Lusine Lusinyan that visited Curaçao and Sint Maarten from October 25 to November 9, 2018, to conduct discussions for the 2018 Article IV Consultation



Sociaal Economische Raad  
Social Economic Council

5. To address, in consultation with social partners the rigidity in the labor market while taking the social security guarantees of the employees into consideration;
6. To address the informal part of the economy and actively work towards “formalizing” the informal sector;

We trust to have informed you sufficiently herewith.

Should you require any additional information after reading the above, please feel free to contact us at your earliest convenience.

Respectfully,

Ir. Damien D.E. Richardson  
Chairman

Gerard M.C. Richardson  
Secretary-General

Cc: The Minister of General Affairs, Prime Minister Leona Marlin- Romeo