

**FACTORS DETERMINING MATERNITY LEAVE IN TANZANIA: A CASE
OF MEDIUM AND LARGE INDUSTRIES INPWANI**

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**A RESEARCH DISSERTATION SUBMITTED IN PARTIAL FULFILMENT
FOR THE REQUIREMENTS OF THE DEGREE OF MASTER OF HUMAN
RESOURCE MANAGEMENT OF THE OPEN UNIVERSITY OF
TANZANIA**

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CERTIFICATION

The undersigned certifies that she has read and hereby recommends for acceptance by The Open University of Tanzania, a dissertation titled; Factors for Determining Maternity Leave in Tanzania, A Case of Medium and Large Industries in Pwani Regionö in fulfilment of the requirements for the degree of Master of Human Resource Management.

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DECLARATION

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Signature

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Date

DEDICATION

I dedicate this work to my family.

ACKNOWLEDGEMENT

I firstly thank the Almighty God for making me alive until the end of compiling this dissertation; this is because without him, this work would have been impossible to come into success. Though it is not possible to mention everyone, I would like to thank a number of individuals by mentioning their names as follows. I am indebted to thank my supervisor, for sacrificing time to assist me because of the time required for this accomplishment and for providing me with all the instructions, advice, ideas, criticisms, patience, encouragement and language competency enabled me to accomplish this study needed.

I wish to extend my heartfelt appreciation to the members of my family, starting with my beloved mother and father Mr. and Mrs. Simon. In the same vein I thank my blood family members for their contribution in one way or the other which contribute much for my accomplishment.

ABSTRACT

The study explored the factors that determine maternity leave in Tanzania, a case of medium and large industries in Pwani region. The study was cross sectional which aimed objectives were to assess the awareness of maternity leave policy among employees in medium and large industries in Pwani region, essential characteristic for maternity leave provision and factors that affect maternity leave. The data were analyzed by using SPSS. The study found out that, all the employees involved in the study strongly revealed to have the awareness of the maternity leave policy, however, majority of the respondents are not aware that maternity leave incorporate with benefits that are entitled to the pregnant worker. The study concluded that, the maternity is provided to the employees who are work in the industries, however, not more than 9-12 weeks provided to the employees, in which, majority of them 85% reported to be provided with the paid maternity leave. The study recommended that employer should comply with the length of the leave as articulated in the employment and labor Act of 2004. On the one hand, research has indicated that a strong organizational culture existing in the surveyed industries makes them value their employees and tolerate their absence for longer periods of time. On the other hand, a maternity leave lasting 9-12 weeks is said to be beneficial to both mothers and children, especially taking into account that both ILO standards and Employment and labor relation Act of 2004 require at least 12 weeks of maternity leave. Thus, Employers should comply with the length of the leave.

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LIST OF ABBREVIATION

EC	European Commission
ELRA	Employment and Labor relations Act
EU	European Union
ILO	International labor organization
OECD	Organization for Economic Co-Operation and Development

CHAPTER ONE

INTRODUCTION

1.1 Background of the Study

Globally maternity leave is viewed first and foremost as a social issue, and so businesses do not bear the burden of providing maternity leave benefits to their employees. Rather, there is an accepted and widely followed national-level policy within which parents and businesses operate (Hegewisch & Gornick, 2011). In countries with all-inclusive and open ended maternity leave policies, parents are well provided with the incentives to support the family during maternity period (Mansdotter *et al*, 2010).

Moreover, in households where juggling the needs of one's family contends with meeting the demands of a job, maintaining balance can be difficult. When a child is born to a parents who are working, the parents must figure out a way to both care for their child and meet work-related issues and other obligations. Some parents are able to take advantage of maternity leave for a time following the birth of their child to help facilitate the transition between home life and work life.

According to the International labor organization (ILO) Maternity Protection Convention (No. 103) prescribed at least 12 weeks of maternity leave. Since year 2000, the ILO however mandates the leave period to be 14 weeks (Convention No 183). In addition, the accompanying Recommendation (No. 191) suggests that countries should try to increase the period of leave to 18 weeks. Although Convention No. 183 has only been ratified in 17 countries, 51 per cent of all

countries in the world provide maternity leave for at least 14 weeks and 20 percent provide it for at least 18 weeks. In fact, only 14 percent of all countries provide less than 12 weeks of maternity leave.

In many developed countries, for instance, France, Denmark and Germany as in many of other developed nations, employers in all industries be it small, medium or large industries they comply to the maternity leave policy and paid maternity leave is the norm to these countries. For instance, Countries such as Germany, Norway, and Spain, grant maternity leave with 100% pay for a certain period of time following the birth of a child for these countries, the paid leave ranges from 14 to 18 weeks. Other countries, including Sweden, the United Kingdom, and Belgium, offer partially paid maternity leave (OECD 2010).

In Tanzania maternity Leave is covered under Sub-Part D of the Employment and Labor Relations Act, 2004. An employee becomes eligible for Maternity/Paternity Leave after completion of six months work from the commencement of your employment contract. According to employment and labor relation Act of 2004, In a Leave Cycle (period of 36 months) you will be entitled to 84 days paid Maternity Leave if you give birth to a single child or 100 days paid Maternity Leave if you give birth to more than one child. These days include rest days and Public Holidays. Another criterion for eligibility of Maternity Leave is the requirement of the law for an employee to give written notice to the employer of her intention to take Maternity Leave at least three months before the expected date of birth. Such notice must be supported by a medical certificate.

According to the laws governing private sectors an employee can have up to four terms of Maternity Leave in the course of employment with the same employer. An employer is under the law required to give an employee on Maternity Leave only her usual salary that an employee would be entitled if she had attended work. However, if additional benefits have been provided under internal policies of the organization/enterprises then the employer will be obliged to pay (Wageindicator Foundation, 2019).

Granting of maternity leave includes leave with pay and if not provided often create dissatisfactions among workers as well as disputes between labour and management (Prasad 2000). Without proper application, interpretation on or implementation of an agreement or an employment contract subject to Section 15 (1) of the ELRA, 2004 results to an industrial dispute and poor performance within the organization. A Survey by Itika (2011), shows that lack of enough staff create burden to the present employees by increasing the length of working hours, restricting employees to go for their annual leave and yet nobody pays them anything outside their adequate salary. This can cause poor management of maternity leave with the organization due to small number of employees, for instance, few days on maternity period and no payment.

1.2 Statement of the Problem

The National Employment Policy of 2008 stipulates that the government will safeguard the basic rights and interest of workers with regard to international labour standards including equality of treatment. Leave plays an important role in balancing personal and work life as it provides chances to employees to relax, and

satisfies personal needs by enabling them to engage in private activities or tasks at some points of time.

In some countries, receiving maternity leave and its related compensation is dependent on certain eligibility criteria (factors), such as the length of time worked or the contributions paid to social security prior to taking maternity leave (Eurofound, 2015). For example, in Ireland from 2014 on, employed women are eligible to claim maternity leave when they have made at least 39 weeks of social security contributions in the 12 months prior to beginning maternity leave or since they started working. By comparison, in Poland, all pregnant employees are entitled to take any form (mandatory or additional leave) of maternity leave, regardless of length of service (European Commission 2013). There is also variation regarding who is responsible for maternity leave pay, whether it is employers, a public entity or a mix of both. In vast majority of countries maternity leave pay is sourced from social security funds or, speaking more generally, a public authority. In Tanzania, maternity leave is paid by the employer.

Flexibility in the use of maternity leave policies relates to the level of choice mothers have in deciding when to start taking the leave and how much of the leave they want to take (INLPR 2015). There is variation in the degree of flexibility with which maternity leave can be taken; mothers may receive additional leave time for multiple births or births with medical complications. Furthermore, part of the maternity leave period can be taken as part-time or the length of leave can be extended. But also, flexibility depends on working in either the private or public sector, with no flexibility in the former and some (additional leave time in case of multiple or

complicated births) in the latter. There are so many elements in maternity leave granting, there for, this study is keen to find out about the factors that determine maternity leave in Pwani region.

1.3 Objectives

1.3.1 Main Objective

To assess the factors determining maternity leave in Tanzania a case of medium and large industries in Pwani region.

1.3.2 Specific Objectives

1. To analyze the level of awareness among the women employees regarding the existing maternity leave policy
2. To examine the essential characteristics for maternity leave provision among employees
3. To explore factors that affect maternity leave provision at Pwani region

1.4 Research Questions

1.4.1 General Research Question

What are the factors which determine maternity leave in Pwani region?

1.4.2 Specific Research Questions

1. Are women employees aware of the existing maternity leave policy?
2. What are the essential characteristics for maternity leave provision among employees?
3. What are the factors that affect maternity leave provision at Pwani region?

1.5 Significance of the Study

The study findings can help employers to transform their style of management from considering employee in organizations as machines rather than starting to support them, respecting their rights hence gaining their heart which will increase their commitment to the organization. Also, will contribute knowledge that serves as input to policy makers in amending some provisions of the labour law especially in maternity leave. The input is useful in benchmarking and realizing as to what extent the established maternity leave policies and initiatives are vital in dealing with restoring employee rights and it adds knowledge to the existing literature on maternity leave in private and public sectors particularly to industrial sector in Tanzania. The suggestions and recommendations of this study might also be used as the basis for further research on this area.

1.6 Scope of the Study

The study focused on the determinants of maternity leave policy implementation. The independent variable is determinants of maternity leave (maternity leave pay, length of leave and compensation) and dependent variable is maternity leave policy. The study shall be taken in Pwani region, medium and large industries in Tanzania.

1.7 Organization of the Study

This study is organized in three chapters. Chapter one present background of the study, statement of the research problem, research objectives, research questions, significance of the study, scope of the study and organization of the study. Chapter two present conceptual definitions, theoretical and empirical literature review. It also provides the research gap and conceptual frame work. Chapter three covers research

paradigm, research design, area of study, population of the study as well as sample size and sampling techniques. In addition, the chapter presents types of data, methods of data collection, data processing and analysis, measurement of variables, reliability and validity and finally ethical issues.

CHAPTER TWO

LITERATURE REVIEW

2.1 Overview

This chapter discusses theories which show the determinants of maternity leave provisions as articulated in labor laws, which generally provides for a floor of legislated minimum rights, covering wages, hours of workplace, health and safety. Further, it reviews various studies related to the current one which helped to develop a conceptual framework for the study.

2.2 Leave Provision in Tanzania

Tanzania embarked on a number of reforms starting in the early 1990s, which included withdrawal from a centralized economy to trade liberalization. This has enabled it to just remain with almost administrative functions of the government and service provision activities like education and health, which in turn reduced labour size needed compared to previous period before 1990s (Graham and Richard 1999). However, the proportion of labour force needed to execute the functions still face some challenges, the major one being the economic capacity of the government to recruit and retain the required human resource in its institutions.

Taking the reflection from the health sector, according to the report published jointly by the Legal and Human Rights Centre and Zanzibar Legal Services Centre (2012), Tanzania has a deficit of the labour force. This deficit has an impact on the functioning of the leaves, hence employees are subjected to work very long hours having no holidays.

Leave is not a privilege rather it is a right. It is neither the economist nor the human relation theorists argue against having leave provision in labor laws, because the evolution of industrial relations has witnessed developments in managerial practices which evolved with the idea that human resource should not be managed just like other resources in the organization. Human resource plays the central role in utilizing and managing other resource. The human relation theory proposes a method of dealing with workers as Social Psychological beings. Individual goals, motivation and values have to be taken into account. It is a worker's choice which has implications for the economy. On the contrary, the economic theory suggests that, in any activity there must be a maximum return, thus, an individual in the organization should work hard, efficiently and effectively and be utilized for higher return (Mullins, 2005).

Some facts derived from the provisions of the Employment and Labour Relation Act of 2004, Sections 31, 32, 33 and 34; and the Public Service Standing Orders 2009, Order H 14 and 18 depict the probabilities of 220 working days for a male worker and 136 working days out of 360 days for a female worker if privileges provided by these laws should be utilized. Regulation 97 (3) of the Public Service Regulations 2003 categorically mentions leave as a right for an employee, which should not be otherwise taken away. Section 32 (7) of the Employment and Labour Relation Act of 2004 prohibits the substitution of leave with pay.

According to the Employment and Labour Relations Act no 6 of 2004 and the Public Service Act no 8 of 2002 as amended in 2007, the following are the types of leaves; annual leave, sick leave, maternity leave, paternity leave, and leave without pay. On

the other hand the employee is entitled to at least fourteen days paid leave for the sickness or death of the child or the death of the employee's spouse, parent, grandparent, grandchild or sibling. The Public Service Act no 8 of 2002 provides other three more types of leaves not provided for under the Employment and Labour Relations Act of 2004; these types of leaves are sabbatical leave, secondment and leave pending retirement. These types of leave are covered below.

2.2 Maternity Leave Entitlements

Maternity leave has been considered as one of the social policies that is used to a large degree to encourage the employment of women and to strengthen their position in the labor market, and consequently the economy. According to Baker and Milligan, the maternity leave provisions have facilitated the access to work for women that are of a childbearing age, as well as prevented such employees from becoming discouraged workers (Baker & Milligan, 2005). Additionally, in their paper Dustmann and Schonberg have also noted that if employees suffer extended withdrawals from the workplace, this might result in "breaking of ties" of women employees from the labor market (Dustmann & Schonberg, 2011).

Given that prolonged leaves might lead to financial difficulties caused to families as a result of a lack of income, the International Labor Organization (ILO) has foreseen financial compensation. Different countries have regulated this issue in different manners. For example in Austria, the government bears the burden of payment; in Belgium, payments are made from the mother's health insurance; in Denmark, the municipal governments compensate workers who take maternity leave, but in cases where there is a collective agreement, saying that the employer pays the expenses,

then the governments reimburse the employer partially (Ray, 2008). Similarly to Belgium, in France also the costs are born by the Sickness Insurance Fund. In Germany, for mothers whose income is under 13 EUR per day, the ~~Mutterschaftsgeld~~ or the Maternity Allowances, compensate the mother up to 13 EUR per day; while if her wage is above this threshold, the difference is compensated by the employer (Ray, 2008).

In Tanzania, maternity Leave is covered under Sub-Part D of the Employment and Labour Relations Act, 2004. An employee becomes eligible for Maternity/Paternity Leave after completion of six months work from the commencement of your employment contract. Maternity Leave is the requirement of the law for an employee to give written notice to the employer of her intention to take Maternity Leave at least three months before the expected date of birth. Such notice must be supported by a medical certificate.

In Tanzania, employees are entitled to 84 days in addition to the annual leave. Leave may be increased to 100 days if more than one child is born (Mtaki, 2005). Moreover, an employee is entitled to an additional 84 days paid maternity leave within a leave cycle if the newborn dies within a year of birth (Decentworkcheck, 2014). Section 33 of the Employment and Labour Relations Act 2004 requires an employer to grant paid maternity leave to an employee only four times during the entire duration of the service. As per the law, pregnant and nursing workers cannot work in hazardous places, and that it is prohibited (Section 37 of the Employment and Labour Relations Act, 2004) to terminate an employee on grounds of pregnancy (Mtaki, 2005).

2.3 Theoretical Literature Review

2.3.1 Marxist Theory

The theory starts with the premise that labour is the essence of human beings' deilement. But under the capitalist method of production workers are forced into an unequal relationship with the owners of capital (Employer and owners of the organization). However, since the worker cannot survive without work, has to sell his/her labor power to the owners of the means of production through exploitative arrangement therefore conflict between employers and employees is inevitable.

2.3.2 A Unifying Psychological Theory of Employee – Employer Relations

The relationship between the employer and employee is well explained by Itika (2011) while taking into consideration works of Chris Argyris in the 1960s on Psychological contract. According to the theory, employees and employers enter into Psychological contract in which they establish an implicit set of obligations and expectations concerning what an individual and the organization is expected to give and receive from each side. The Psychological contract covers a range of expectations of rights and privileges, duties and obligations which do not form part of formal agreement but still have important influence on people's behaviour. It has a major effect on an individual's subsequent career in an organization and influence job satisfaction, attitude and level of productivity.

Successful organizations are those that have the ability to balance the unwritten needs of their employees with the needs of the company, which is demonstrating genuine concern for individuals who work for the organization, their families, personal wishes, desires and ambitions. Under this specific aspect of leave, the

theory assumes that giving time off the job to employees; an employee will be happy and get satisfied with work life, hence increase the quality of work and that it is beneficial to mental and physical health as many workers suffers from stress and burn out from working hard all year (Mullins, 2005). Individuals expectations of the organization is that the organization should provide safe and hygienic working conditions, adopt equitable human resource management policies and procedures and treat members of staff with respect, while the organization expects individuals to adhere to its rules, policies and procedures (Mullins 2005: 38).

Employees belong to different social entities (Social being), which arises a strong sense of affiliation and get concerned with love, a sense of belonging, acceptance, and friendship. It involves an opportunity to interact with others outside work life. Thus, denying paid leave to an employee means denying someone's fundamental rights of associating with others in the Society. The Good Work Commission (2010), highlighted the important rights and obligation possessed by both the employer and the employee in the employment relationship. That, the employer has the right to control work performance, integrate employees in the organization's structure and management system, and create an environment of mutual trust, confidence, supply of enough and reasonable work and respect of employee rights, including the leave right in particular.

In exchange, the employee is expected to obey lawful and reasonable orders, maintain fidelity and work with due diligence and care. When these expectations are not met and rights are breached, they ultimately lead to conflicts of interest or complaints and grievances (The Good Work Commission, 2010). Considering the

question of the waiver of rights which is critical to labour law, the concern is the inequality of bargaining power between the employer and the worker. As a result of inequality of power, the employment contract, in most of the times, is subject to little negotiation. The employment contract is drafted by the employer and given to the worker on a take it or leave it basis (Glazer, 2010).

2.4 Empirical Literature Review

The International Labor Organization (ILO) has set its standards regarding maternity leave via Convention No. 183 concerning the Revision of the Maternity Protection Convention of 1952. This convention foresees a minimum standard of fourteen months of leave as well as a minimum threshold for payment (two-thirds of the income) (Convention No. 183 Concerning the Revision of the Maternity Protection Convention, 1952). In addition, according to the research conducted by the ILO, it is very important to offer adequate compensation to women employees in maternity leave in order to avoid discrimination. Moreover, ILO states that such compensation maintains ða mother's economic independence and can help to constrain traditional gender division of labor in the householdö (Addati, Cassirer, & Gilchrist, 2014).

Nonetheless, the organization has also found out that very long maternity leave period usually leads to a damage of the attachment of women in the workplace as well as lack of promotion and wage increase for those workers. Similarly, through its legislation and regulations, the European Union has put forth standards to be followed by its member states in regards to minimum requirements for maternity leave. Such regulations include at least fourteen months of maternity leave and specify that women employees under this type of leave must either be paid their

salary or another form of adequate compensation (Ray, 2008). This is, with the purpose of the Union to protect the position of employees under maternity leave and maintain their flow of income. Another important point of reference for the EU has also been to ensure that employees will be returned to their same exact working position or another equivalent one (in no circumstance lower) than before taking their leave. Also, it must be noted that the majority of European Union member states offer three types of child-based leave: maternity, paternity, and parental leave (Ray, 2008).

There have been some indications of challenges to the execution of maternity leave provisions. The reality shows that some employees are benefiting from paid leaves and others are not granted the right of paid leave. The government is always emphasizing on the importance of granting paid leave to workers so as to enable employees engage in private activities and resting as well as enabling the employee to regain the lost capacity which in turn will reduce individual work stress and increase performance. Ms. Hon. Hawa Ghasia, who is currently a Minister of PMO & RALG, made a clear statement to Ministries, Departments and Agencies (MDAs) during the 16th Parliament Session to adhere to best human resource practices including planning for employee leave in each financial year and enhance the realization of paid leave to public employees.

However, the concern of a number of studies has been in management of industrial disputes. A report by the Pakistan Institute of Labour Education and Research (PILER) on '*Status of Labour Rights in Pakistan The Year 2014*' revealed the prominent industrial disputes among others being low salaries and incentives paid to

workers which do not cater for living expenses (PILER, 2014). Other factors pointed out by the report include; lack of freedom of association, rivals between trade unions wriggling over acquisition of members and lack of knowledge on employment and labour laws.

Emphasize by many studies carried out by different scholars have been on the causes and effects of industrial disputes whereas infringement of leave right have just been considered as one among other factors which cause industrial dispute. This study therefore, aims to analyze the functioning of labor laws towards employees' leave provision in Tanzania Public Service whereas at the end it will be possible to answer questions concerning leave provisions in relation to Tanzania labour laws; whether proper functioning of labour laws is dependent upon certain variables like proper planning, financial status of the organization, human relation approach to management, clear rules and regulations without ambiguities and loop holes or having right number of human resource needed by the organization according to the structure and how these leave provisions are set and the implications to the Industrial relations.

2.5 Research Gap

By considering the above reviewed empirical literature its evident that a good number of similar research have been done, but there are a number of gaps left ranging from geographical to time as well as nature of the organization studied. (Aydogan, 2011) conducted a research on the determinants of maternity leaves duration in Australia. Despite the study relevance the research conducted in Australia where geographical attributes, political and socio culture values differs

from Tanzania. (Maria, 2016) studied the determinants of parental leave uptake among fathers. The study left a gap in time. Therefore, their findings cannot be in favor of the Tanzania environment. Despite the fact that a number of research have been done to explore the determinants of maternity leaves, most of them were carried in other countries particularly Asian countries. Few studies have been done in African countries including Tanzania. This study will fill the existing gap left by previous literature specifically the determinants of maternity leave policy in Tanzania, a case of medium and large industries.

2.6 Conceptual Framework

Basing on the theoretical reviews and various studies relevant to this study, it has been noted that the contractual relationship between the employee and employer is enshrined under maternity leave policy which cover a range of expectations of rights, duties and obligations to both parties of the employment contract and its proper functioning of the policy is dependent upon a number of factors ranging from social - economic factors such as viable human resource policies, ability of the organization to pay employees, leadership approaches and understanding of the policy by employees that means being able to differentiate between rights and privileges in work environment. The relationship between the variables is shown in Figure 2.6.

Determinant of Maternity Leave

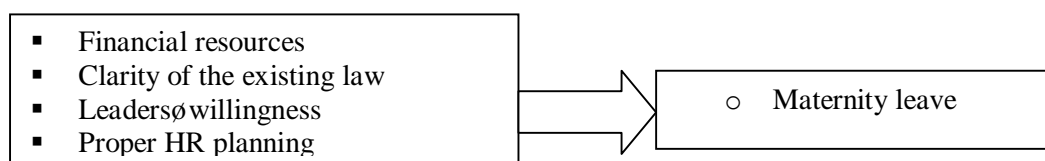


Figure 2.1: Conceptual Framework

CHAPTER THREE

RESEACHER METHODOLOGY

3.1 Overview

This chapter is about the research methods used to achieve the objectives of the study. The chapter describes the research methods and techniques that will be employed in gathering of data. It also describes the research paradigm, research design, and the population of study, the sampling and various sources of the data that will be used in this study. Lastly, it describes the way data will be analyzed.

3.2 Research Design

According to Kombo and Tromp (2006), a research design is regarded as a chosen plan for achieving a particular study objectives and it gives details on the type of data to be collected as well as the techniques that are used in data collection. This study employed a descriptive research design which integrated quantitative and qualitative approach so as to describe a phenomenon and its characteristics. This design enabled the researcher to use more than one technique such as interviews, questionnaires, observation checklist, historical methods and others to gather data (Krishnaswamini, 2003).

It is flexible in data collection and analysis. The study aimed to examine the determinants of maternity leave provision in Pwani, Tanzania, in medium and large industries. The motives for adopting a descriptive research design were due to the following merits, It enabled the researcher to understood fully the behaviour pattern of the concerned unit, it was flexible in respect to data collection methods such as depth interviews questionnaires, and documentary reviews, serves time and cost.

3.3 Area of the Study

This study aim to cover Pwani region. The researcher choose Pwani region purposely due to its geographical location and accessibility in order to conduct an in-depth evaluation on how the maternity leave policy function. Pwani is among the areas with many medium and large industries, which makes it easy to be accessed by the researcher and many researchers have not yet conducted a research in this area concerning its characteristics, hence necessitated this study to develop interests over the area which helped the researcher to revealed what other researchers have not revealed from this area.



Figure 3.3: Map of Pwani Region

Source: Google Map

Pwani Region is one of Tanzania's 31 administrative regions. The regional capital is the town of Kibaha. According to the 2012 national census, the region had a population of 1,098,668, which was slightly lower than the pre-census projection of

1,110,917. From 2002 to 2012, the region's 2.2 percent average annual population growth rate was the seventeenth-highest in the country. 3.4 Description of the Study Population.

Bless and Higson-smith (2004) defines population as a complete set of events, people or things to which research findings are to be applied. There are two types of population i.e. the study population and the target population whereby the study population is the entire number of units under study and the target population is the entire element to which the researcher wishes to generalize. The target population Involved 900 employees of the estimated total employees from medium and large industries in Pwani regions, Dar es Salaam.

3.5 Sample Size and Sampling Techniques

Sampling is one of the research procedures which involves the analysis of a population designed for the study. It is used when it is not possible to include the whole of a population in a research project (Powell and Connaway, 2004). Kothari (2004) defines sampling as the selection of some part of an aggregate or totality on the basis of which judgment or reference about the aggregate or totality is made. From a target population of 50% of the estimated total employees from medium and large industries, the researcher drawn a sample of 400 respondents to represent the whole population by using the formula presented below.

Based on the study, the sample for this study was the respondents from, employers' management team, government and employees at Pwani region. Due to the fact that, the total population for the study was unknown the researcher computed the

minimum sample size required for accuracy in estimating proportions by considering the standard normal deviation set at 95% confidence level (1.96), percentage picking a choice or response (50% = 0.5) and the confidence interval (0.05 = ± 5). The formula is:

$$n = z^2 (p)(1-p) / c^2$$

Where:

z = standard normal deviation set at 95% confidence level (set at 1.96 Or 2)

p = percentage picking a choice or response

c = confidence interval

Therefore, $n = 2^2 (0.5)(1-0.5) / 0.05^2$

$n=400$

3.6 Data Collection Methods

According to Bless and Higson-Smith (2004), data collection methods are tools and ways used to collect and record data. These instruments includes: interview, questionnaire, observation, documents and audio visual materials. The study employed documentary review, interview and questionnaires in data collection on the implementation of maternity leave policy. These methods are explained below.

Questionnaire: According to Powell and Connaway (2004) a questionnaire is the data collection instrument designed to gather information from the respondents, usually by asking written questions. It is often used in research as the primary data collection instrument. According to Neuman (2000), questionnaires offer several advantages over other techniques of data collection. Through questionnaires, it is easier and quicker for respondents to answer, the answers of different respondents

are easier to compare, answers are easier to code and statistically analyze, replication is easier, and respondents can answer in detail and can qualify and clarify responses (open-ended questions). Based on these advantages, a questionnaire employed as the major instrument to be used in this study for data collection.

Both closed and open ended questions were used in a questionnaire for data collection process. Questionnaires were used to collect data from employees and government officials. The questionnaires were distributed to the employees, and demographic information, awareness on maternity leave policy, essential characteristics and factors affecting maternity leave questions were asked. In which, the responses were analyzed for report presentation. Questionnaires allow respondents to select questions and also to have the opportunity to express themselves in all matters related to the functioning of labour laws in relation to maternity leave provisions at Pwani region.

Secondary Data: Secondary data was extracted from different sources, including office reports, circulars, acts and regulations. Documented sources were reviewed for the purposes of getting additional and relevant information concerning employers' adherence to maternity leave provisions as stated by the law, evidence from personnel file to determine whether the employees take paid leave (feasibility of leave provisions) and the reflection of budget in covering all these costs by the employer.

Interviews: According to Gay and Airasian (2003:209), an interview is a purposeful interactions between two or more people focused on one person trying to get information from the other person. When compared to other data collection

instruments, interviews permit researchers to obtain important data by exploring and probing participants' responses to gather more in-depth data about their experiences and feelings (Creswell, 2003).

Direct interviews were conducted by the researcher with employer's management team, and other government officials. Interviews involved presentation of oral & verbal responses, and the use of a set of pre-determined questions to ensure comparability of one interview with another. This method shall give the respondents much freedom to air their views and ask questions, something which enabled more information to be obtained.

3.7 Data Analysis and Presentation

According to Creswell (2003) data analysis seeks to identify and describe patterns and themes of participants, as well as to understand and explain them. Data analysis is primarily concerned with the classification and interpretation of information obtained from the study. Therefore, the researcher used descriptive analysis for the analysis which enabled her to interpret the analyzed data for the discussion.

In this study, the unit of analysis was an individual employee. The unit of analysis refers to the major entity (what or who) that is being studied by the researcher. The unit of analysis in any social science research could be individuals (most common), groups, artifacts, and social organizations. The data collected were both qualitative and quantitative. Both methods of data analysis were used in the data analysis stage. The close-ended questions (quantitative data) and some of the open-ended questions were coded and entered into the computer using the Microsoft Excel data sheets for

processing and analysis. Qualitative data obtained were analyzed thematically by identifying major concepts as a baseline for interpretation of findings.

3.8 Validity and Reliability Considerations

In order for information to be useful, it has to be consistent, dependable and accurate. In research, these criteria are represented by the concepts of reliability and validity. Testing is a research procedure which aims at measuring the validity and reliability of the instruments selected for data collection. Williamson (2002) notes that validity is concerned with accuracy i.e. the extent to which a research instrument measures what it is designed to measure. On the other hand, reliability is concerned with obtaining consistent and stable research result with application.

In this study, the researcher designed reliable data collection instruments to enhance accuracy. In line with this, the researcher ensured that the questionnaires and interviews items were carefully worded. It involved going through the data collection instruments to make sure that the major dimensions of the subject matter under study are covered, and such research instruments were piloted among selected respondents in order to test the validity and reliability of the instruments. The researcher had to interview and supply questionnaires to different respondents in order to ascertain valid and reliable data. The ethical considerations helped also to ensure validity and reliability of data in this study.

3.9 Ethical Considerations

Before the data collection period, the researcher asked for permission from the District Executive Director of Pwani District Council. Again, confidentiality and

anonymity was assured to respondents as well as making clear that even though they might agree to take part in the research, they still maintain their right to privacy. Those participants had the right to withdraw and decline to take part in a particular aspect of this research.

CHAPTER FOUR

INTERPRETATION, ANALYSIS AND DISCUSSION OF FINDINGS

4.1 Introduction

This chapter provides interpretation of findings, data analysis and discussion of the findings based on the objectives of the study. It starts by interpreting the data collected from the field and afterwards provides analysis and then discusses the findings based on the findings of other scholars.

4.2 Social Demographic Information

4.2.1 Gender

After the data collection and analysis the study found out most of the respondents were female accounting for 77% (310) of the total number of the respondents while leave a small portion of 23%(90) male respondents who were involved in the study. This indicated that majority of the people who were involved in this study were female during data collection.

Table 4.1: Gender

Variable	Percentage	Frequency
Male	22.5%	90
Female	77.5%	310
Total	100%	400

Source: researcher, 2019

4.2.2 Age across Marital Status

The study found out that, out of 400 total respondents involved in this study, for those who were aged 15-25 years single were 100%, those aged 26-36 married were

54%, living together were 36% and single were 10%, while those aged between 37-47 married were 53%, divorced were 42% and widower/er were 5% and lastly those aged above 48 years old widow/er were 91%, divorced were only 9%. Hence, connected to the above finding which shows that majority of the respondents were female, this indicated that most of the respondents were involved in family issue and already aware of maternity period.

Table 4.2: Age Across Marital Status

Variable	Age group			
Marital status	15-25	26-36	37-47	48+
Single	100%	10%	-	-
Living together	-	36%	-	-
Married	-	54%	53%	-
Divorced	-	-	42%	9%
Widow/er	-	-	5%	91%
Total	100%	100%	100%	100%

Source: researcher, 2019

4.2.3 Level of Education

Level of education was one of the social demographic information of the respondents since the study involved employees from mid and large industries, hence, the study found out that, majority of the respondents attended university level, this included certificate, diploma and degree and master level as well as vocation training level which accounting for 58% of the total respondents, also 33% reported to have attended secondary level, while 5% attended advanced level and 4% reported to have attended primary level as reported during data collection. This indicate that majority of the respondents were educated as it shown on the figure three below (See Figure 4.3.

Table 4.3: Level of Education

Variable	Percentage	Frequency
Primary	4%	16
Secondary	33%	132
Advanced level	5%	20
University	58%	232
Total	100%	400

Source: researcher, 2019

4.2.4 Occupation of the Respondent

Researcher was interested on the position of the respondents in their work place as one of the social background information of the respondents to this study, in which helped the researcher to determine their level of understanding in the work place regarding the maternity policy provision in the industry. Hence, the respondents were asked to provide information based on the position held in the industry, thereafter, the study revealed that, majority of the respondents were assemblers accounting for 51% of the total respondents, followed by tool crib attendants which accounting for 42% while operation clerk were 4% and distribution officers were 3% of the total respondents. Kindly see the table below for summarized information.

Table 4.4: Respondents Occupation

Position	Frequency	Percent
Assembler	202	50.5%
Distribution officer	13	3.2%
Operation clerk	16	4%
Tool crib attendant	169	42.2%
Total	400	100%

Source: researcher, 2019

4.3 Awareness of Maternity Leave among Employees

4.3.1 Level of Understanding on Maternity Leave Provision

The first objective of this study was to examine the level of awareness of maternity leave provision among employees in mid and large industries, hence, among the factories workers majority of them reported that, maternity leave provision means, time off given to a pregnant woman, this was reported by 78% (312) of the total respondents while 22% (88) reported that, maternity leave provision means time off and some benefits given to a pregnant worker. The study observed that majority of respondents are aware of the maternity leave policy as indicated in the figure 4 below, however, majority of the respondents are not aware that maternity leave incorporate with benefits that are entitled to the pregnant worker.

The findings is supported by the study done by Nida (2016) studied about the provision of maternity leave in the republic of Kosovo, which suggested that, majority of women workers are not aware of their maternity leave rights especially maternity leaves benefits, the study indicated that 14% of the total respondents revealed that maternity leave benefits and provision in general is on the discretion of the employer and employee because may interfere with the business.

Table 4.5: Maternity Leave Awareness

Variable	Percentage		Frequency	
	Female	Male	Female	Male
Aware of Maternity	80.13%	19.87%	250	62
Unaware of Maternity	22.73%	77.27%	20	68
Total	102.86%	97.14%	270	130

Source: researcher, 2019

4.3.2 Right Time for Maternity Leave Betaken

Connected to the above, respondents were asked about awareness on maternity leave taken on when is the right time for maternity period to be taken, hence, the study found out that, 95% reported on maternity leave to be taken before birth, followed by 92% during birth while 47% reported after birth. This indicates that maternity leave can be taken before, during and after birth as articulated in the maternity leave policy. Moreover, it shows how the respondents were aware of different period for maternity period to be taken.

This can be evidenced from the study done by Craig Rothwell, 2015, which revealed that, the right time for a pregnant worker to take her maternity leave period a week before the estimated date of birth, spent her maternity leave entitled to her, however, a provision could be included to clarify that if childbirth occurs early, the requested leave starts at once. Alternatively, if the employee is absent from work wholly or partly because of pregnancy within a certain number of days before the estimated date of childbirth, the maternity leave could be agreed as being automatically started by that event. Therefore, this indicated that both from the findings of this study and Craig Rothwell, maternity leave can be taken before; in some cases during birth in case of the birth occur earlier.

Table 4.6: Maternity Leave Betaken

Variable	Yes	No
After birth	47%	53%
During birth	92%	8%
Before birth	95%	5%

Source: researcher, 2019

4.3.3 Notification Period for Maternity Leave

Notification period before taking maternity leave taken was one among the awareness questions on the maternity leave provision, respondents were asked to report on when is the right time to notify the employer before taking maternity period and the results indicated that, 64% (256) of the total respondents reported on notification period before maternity leave taken to be at least three months before birth, 31% (124) said two months before birth while only 5% (20) said one month before birth.

In supporting this finding, the study done in 2015 by Craig, revealed that, In order to be entitled to basic maternity leave, an employee first has to obtain a doctor's certificate certifying that she is pregnant. The certificate must also include the estimated date of the birth. This must then be handed to her employer. She must then notify her employer when she wishes the maternity leave to start. This must be done at least 4 weeks before the proposed start date. Naturally, it is best not to leave notification to the last possible day from both the employee and employer's perspective. Moreover as articulated under the labor and employment Act that, an employee shall give notice to the employer of her intention to take maternity leave at least 3 months before the expected date of birth and such notice shall be supported by a medical certificate.

Table 4.7: Notification Period

Variable	Percentage	Frequency
One month before birth	5%	20
Two months before birth	31%	124
At least three months before birth	64%	256
Total	100%	400

Source: researcher, 2019

4.3.4 Weeks Allowed by Employer for Maternity Leave

Connected to the above, the researcher was keen to find out about the level of awareness on the weeks allowed to be taken for maternity, respondents were asked to report on the number of weeks allowed to take for maternity leave by their employer, hence, the result shown that, 95% (380) reported to have 9-12 weeks for maternity leave while 5% (20) reported to have 5-8 weeks for maternity leave taken. As interpreted, this indicates that majority of the employers in the industries as reported by the respondents they provide fair weeks for maternity leave as per Employment and labor relation Act of 2004.

The study done by Huffpost support this finding in which, revealed that, different employers in different countries allows paid or unpaid leave depend on the statutory law on leave, for instance, in United states of America, majority of employer provide 12 weeks with probability of cash benefits at state level, while in Iceland provide 3 months. Also, the report revealed that, there are various federal, state and local laws that provide for protected time off and they are not necessarily uniform. Some leave laws run consecutively (with different types of leave taking effect one after the other) and others run concurrently (meaning your employee can claim various types of leave at the same time).

Table 4.8: Maternity Leave Weeks

Variable	Percentage	Frequency
5-8 weeks	95%	380
9-12 weeks	5%	20
Total	100%	400

Source: researcher, 2019

4.3.5 Human Resource Planning and Pregnant Worker

The respondents were asked if the eight months pregnant worker allowed to work, hence, the results shown that, 86% (344) of the total respondents said yes on that question while 14% (56) reported that, eight months pregnant worker not allowed to work. This was one among the awareness questions asked to the respondents to measure their level of awareness on the maternity leave provision in the industries. This finding is supported by the study reported on TriNet in June 6, 2016, which revealed that, human resource is responsible in determine the eligibility of pregnant worker entitlement to maternity leave period along with its benefits, moreover, HR, at the same time must look if there is a replacement worker in that particular position if the pregnant worker is on leave.

Table 4.9: Human Resource Planning and Pregnant Worker

Variable	Percentage	Frequency
8 months pregnancy worker allowed to work	86%	344
8 months pregnant worker do not allowed to work	14%	56
Total	100%	400

Source: researcher, 2019

4.3.6 One Month to Give Birth Allowed to Work

Respondents were asked if eight months pregnant woman who is about to give birth in one month allowed to work in the industry, hence, the study revealed that, 86% of the total respondents revealed that it is true that, a pregnant woman who is about to give birth in one month allowed to work by the employer in the industry unless otherwise, however, 14% of the respondents revealed that a pregnant woman who is about to give birth in one month does not allowed to work in the industry. This

finding indicated that it is true that a woman who is one month due to birth and work in the industry allowed to work by her employer regardless the fact that she might give birth in one month.

Table 4.10: One Month to Give Birth Allowed to Work

Variable	Frequency	Percent
Yes	343	85.8%
No	57	14.2%
Total	400	100%

Source: researcher, 2019

4.3.7 Period of Rest In Relation to Child Birth

The respondents were asked if pregnant woman is given period of rest in relation to child birth in their workplace context, hence, the result revealed that, 100% of all the respondents involved in the study agreed that, pregnant women to be given time to rest in relation to child birth. See table below which summarized the above analysis for more information.

Table 4.13: Period of Rest in Relation to Child Birth

Variable	Frequency	Percent
Yes	400	100

Source: researcher, 2019

4.3.8 Right to Breastfeeding 2 Hours for Six Months after Childbirth

In line with the above analysis interpreted and discussed, respondents were also asked if the pregnant woman is provided with the right to breastfeeding 2 hours for six months after childbirth, hence, the findings revealed that 94% of the total

respondents reported that, pregnant women to be given 2 hours period for breastfeeding for six months after childbirth in the factory by their employer while 6% of the total respondents revealed that, pregnant women do not provided with the right to breastfeeding for 2 hours for six months after childbirth. Kindly see table below which summarized the above finding.

Table 4.12: Right to Breastfeeding 2 Hours for Six Months after Childbirth

Variable	Frequency	Percent
Yes	377	94.2%
No	23	5.8%
Total	400	100%

Source: researcher, 2019

4.4 Essential Characteristics for Maternity Leave Provision

4.4.1 Characteristics for Maternity Leave

The second objectives for this study was to examine the essential characteristics for maternity leave provision, so the respondents were asked to report on this and the results shows that, 100% of the respondents reported that one of the essential characteristics of maternity leave that are applicable in their industry is period of rest in relation to childbirth and receive non-discrimination behavior, 95% reported on employment security being one of the characteristics, 94% reported on right to breast feeding 2 hours after childbirth, 88% reported to have received cash as part of maternity leave benefits, while 52% reported to have received medical benefits.

The study done by OECD family database in October 27, 2017 is in line with the findings as it revealed that, pregnant worker is entitled to a different detailed key characteristics depends on the organization's HR planning and based on federal,

state and local laws on maternity leave provision, amongst other things paid, unpaid leave, period of rest in relation to childbirth was mentioned to be entitled during the provision of maternity leave provision.

Table 4.13: Characteristic for Maternity Leave

Variable	Percentage	Frequency
Medical	52%	208
Cash	88%	352
Right to breasting 2 hours	94%	376
Employment security	95%	380
Non-discrimination	100%	400
Period of rest in relation to childbirth	100%	400

Source: researcher, 2019

4.4.2 Paid Maternity Leave

Connected to the second objective of this study and as discussed in the above, paid maternity leave is one among the attribute of maternity leave, hence, it indicated that, 80% (320) of the respondents said yes their industry provide paid maternity leave while 10% (40) said no and the other 10% (40) said they don't know if their industry provide paid maternity leave. In supporting this finding, the study done by, Gordon in 2013 revealed that, Paid maternity leave has gained greater salience in the past few decades as mothers have increasingly entered the workforce. Indeed, the median number of weeks of paid leave to mothers among developed countries as well to some of developing countries was 14 in 2000s, but had risen to 42 by 201. As indicated on the Figure 4.14 that, 80% of the total respondents indicated to have paid maternity leave, while leave only 10% who revealed that they have not have paid maternity leave.

Table 4.14: Paid Maternity Leave

Variable	Percentage	Frequency
Provide paid maternity leave	80%	320
Do not provide paid maternity leave	10%	40
I do not know	10%	40
Total	100%	400

Source: researcher, 2019

4.4.3 Satisfaction with Maternity Leave Provided

One among the question based on the perception of the employees on the provision of maternity leave in the industry was asked to the employees to provided their opinion on their level of satisfaction with the provision of maternity leave in the work place, hence, after the analysis the findings revealed that 41% of the total respondents revealed that they are not satisfied with the provision of maternity leave in their industry, while 29% of the total respondents were dissatisfied with the provision, followed by 6% of the total respondents revealed to be very satisfied with the provision of maternity leave in their work place and 5% of the total respondents revealed to be very dissatisfied with the provision of maternity leave in their work place. Kindly see the table below which summarized the above findings for more detailed information.

Table 4.15: Satisfaction with Maternity Leave Taken

Variable	Frequency	Percent
Very satisfied	22	5.5%
Satisfied	76	19%
Neutral	165	41.2%
Dissatisfied	117	29.2%
Very Dissatisfied	20	5%
Total	400	100%

Source: researcher, 2019

4.5 Factors Affecting Maternity Leave Provision

4.5.1 Factors Affecting Maternity Leave Provision

The last objective for this was to examine about the factors that affect maternity leave provision, respondents were asked to identify various factors that maternity leave provision, hence, the result shown that, the factors that mentioned by majority of people is financial availability and contribution paid to social security fund consist of 97%, occupation hazard for pregnant workers, medical complication, and length of time worked prior to maternity leave consist of 96%, availability of replacement worker consist of 72% and last factor identified was human resource planning consist of 31%. This finding is supported by the study done by ACOG, April 2018 which reported that, different factors such as occupation hazards, length of time worked prior to maternity leave and medical complication generally are believed to pose a risk of fetal anomaly, miscarriage, or other adverse pregnancy outcomes, thus this seems to be among other factors that affect the maternity leave.

Table 4.16: Factors Affecting Maternity Leave

Variable	Percentage	Frequency
Human resource planning	31%	124
Availability of replacement worker	72%	288
length of time worked prior to maternity leave	96%	384
medical complication	96%	384
occupation hazard for pregnant workers	96%	384
contribution paid to social security fund	97%	388
financial availability	97%	388

Source: researcher, 2019

4.5.2 Setbacks to Fully Utilization of Maternity Leave Rights

Connected to the above factors that affect maternity leave provision, respondents were asked to determine what prevent them from fully utilize their maternity leave

rights, and the findings indicated that, majority of them reported Financial factors to be one among the setbacks reported by 90% (360) of the total respondents, employment insecurity reported by 5% (20) while employment contract reported by 4% (16) of the total respondents. The finding is supported by the study done in Australia as in national review on pregnancy and return to work report in June, (2014) in which among the respondent during the interview, one reported that

“When I told my supervisor I was pregnant, the response was ‘well, you will need to leave - this is very inconvenient for the organisation - you should have told us that you were planning this”

This was quoted during the interview with one of the factory worker in Australia. This indicated that job securities for pregnant workers in factories were not secured in term of employment as well the employment contract not in good term for pregnant workers in the factories.

Table 4.17: Setbacks to Fully Utilization of Maternity Leave Rights

Variable	Percentage	Frequency
Financial Factor	90%	360
Employment insecurity	5%	20
Employment contract	4%	16
Total	99%	396

Source: researcher, 2019

4.5.3 Health and Employment of Pregnant Worker

In line with the objective number two of this study which aimed to examine the perception of the respondents regarding the provision of maternity leave in the industry, hence, the respondents were asked if the health and employment of pregnant woman in the factory is protected. The study revealed that, 69% of the total

respondents revealed the health and employment of pregnant woman in the factory are protected, followed by 25% revealed that they don't know where the health and pregnant woman are protected or not, while 5% revealed that pregnant woman their discriminated in the factory and 1% revealed that pregnant workers in the factory they are dismissed from work.

Table 4.18: Health and Employment of Pregnant Worker

Rights	Frequency	Percent
Protected	277	69.2%
Discriminated	18	4.5%
Dismissed from work	5	1.2%
I don't know	100	25%
Total	400	100%

Source: researcher, 2019

4.4.4 Pregnant Woman Allowed to Return to Work After Maternity Leave Period

Connected to the above analysis the researcher asked employees if pregnant woman allowed to return to work after maternity leave period end, in order to get clear picture of the rights of the pregnant woman as articulated in the maternity leave policy, hence, the study revealed that, 95% of the total respondents reported that pregnant women allowed to return to work after maternity leave period end, while interested in the fact that only 5% of the total respondents revealed that, pregnant women are not allowed to return to work after maternity leave period. The table below shows the summarized information regarding the above finding.

Table 4.19: Pregnant Woman Allowed to Return to Work After Maternity Leave Period

Variable	Frequency	Percent
Yes	380	95%
No	20	5%
Total	400	100%

Source: researcher, 2019

4.4.5 Perception of Maternity Leave and Legal Entitlement

In line with the above explanation, the researcher was keen to ask the respondents about their perception of maternity leave and legal entitlement provided by the employer in the factory, based on the fairness provision of those legal entitlement to the pregnant women, hence, the study revealed that, 76% of the total respondents revealed that, maternity leave and legal entitlement provided by the employer is fair, while 10% of the total respondents revealed very interesting findings that, maternity leave and legal entitlement provided by the employer in the factory is very unfair, however, 8% of the total respondents revealed it to be unfair while 5% revealed it to be very fair provided in the factory. Kindly see table below which summarized all the finding regarding the perception of the employees on the maternity leave and legal entitlement provided in the industry.

Table 4.20: Perception of Maternity Leave and Legal Entitlement

Variable	Frequency	Percent
Very fair	20	5%
Fair	310	77.5%
Unfair	30	7.5%
Very unfair	40	10%
Total	400	100%

Source: researcher, 2019

4.5 Discussion of the Findings

The present study examined the factors determining maternity leave in Tanzania, a case of medium and large industries in Pwani Regions. The findings show that most of the respondents revealed that maternity leave being provided in not more than 9-12 weeks with some benefits alongside with the period of rest. In line with research question 1 about the level of awareness of maternity leave policy among female employees in medium and large industries, the findings revealed that majority of female employees are aware of the maternity leave policy and most of them responded that maternity leave as the time off and some benefits given to a pregnant worker alongside with other benefits.

The findings are in line with previous empirical study as articulated by International labor organization that granting leave to an employee should go hand in hand with other statutory entitlements like transport allowances to and from the employee's place of domicile which is taken as a direct cost to employers (ILO 2010). In line with research question 2 on the characteristics of maternity provision among female employees, the findings revealed that, one of the essential characteristics of maternity leave is period of rest in relation to childbirth and receive non-discrimination behavior.

The study did by Thévenon, *et al* (2013), support these findings, which state that, maternity (or pregnancy) leave entitlements were first introduced to protect the health of working mothers and their newborn children. They ensure women a period of rest from work before and after childbirth and a return to their previous job within a limited number of weeks after childbirth.

in line with research question 3 on the factor that affect maternity leave provision, the findings revealed that, the factors that mentioned by majority of people are financial availability and contribution paid to social security fund, occupation hazard for pregnant workers, medical complication, and length of time worked prior to maternity leave, availability of replacement worker and last factor identified was human resource planning. This finding is in line with previous empirical works of ACOG, April 2018 which reported that, different factors such as occupation hazards, length of time worked prior to maternity leave and medical complication generally are believed to pose a risk of fetal anomaly, miscarriage, or other adverse pregnancy outcomes, thus this seems to be among other factors that affect the maternity leave.

CHAPTER FIVE

SUMMARY OF THE FINDINGS, CONCLUSION AND RECOMMENDATION

5.1 Summaries of the Findings

All the employees involved in the study strongly revealed to have the awareness of the maternity leave policy, however, majority of the respondents are not aware that maternity leave incorporate with benefits that are entitled to the pregnant worker. In which 78% defined maternity leave as the time off given to a pregnant worker while 22% said is the time off and benefits given to a pregnant worker. Moreover, 95% of the respondents revealed that, maternity leave Is being taking before childbirth, however, respondents also revealed that maternity leave can be taken during the period of childbirth due to the fact that thereø's scenario that a pregnant worker can have a baby earlier than expected time.

In terms of number of weeks allowed to take for maternity leave by their employer, the study observed that, 95% of the total respondents reported that in their industry employer provide 9-12 weeks for maternity leave while 5% reported to have 5-8 weeks for maternity leave taken. This indicates that majority of the employers in the industries as reported by the respondents theyø're provided with fairly weeks for maternity leave as per Employment and labor relation Act of 2004.

It was revealed that one of the essential characteristics of maternity leave is period of rest in relation to childbirth and receive non-discrimination behaviour revealed by all of the respondent involved accounting for 100%, other that were mentioned to be

among the essential characteristics are, employment security, right to breast feeding 2 hours after childbirth, cash to be provided for maternity leave taking, and lastly the respondents revealed medical benefits to be provided as part of maternity leave but this was revealed by 58%.

The study observed the factors that affect the provision of maternity leave such as financial availability and contribution paid to social security fund revealed by 97% irrespectively, occupation hazard for pregnant workers, medical complication, and length of time worked prior to maternity leave revealed by 96% respondents irrespectively, availability of replacement worker consist of 72% and last factor identified was human resource planning consist of 31%.

5.2 Conclusion

The Study aimed to assess the factors determine maternity leave provision in medium and large industries in Tanzania, particularly in Pwani region, in which, the researcher employed cross section research design to this study in line with the different data collection method which were used by the researcher to collected data from 400 respondents who were both female and male employees from mid and large industries in Pwani region in Dar es salaam, Tanzania.

The study employed used questionnaire, interview and secondary data collection tools to collect data which helped to prepared this study, the information collected were based from the researcher questions addressed by the researcher, the first researcher question was based on the awareness of maternity leave policy among

employees from mid and large industries, while the second question were based on the essential characteristics of the maternity leave provision and lastly the last research question based on the factor that affect maternity leave provision. The addressed objectives in line with the research questions were answered by the data collected from the field in which, the findings from the data collected after the analysis and interpretation revealed that, based on the first objective:

5.2.1 To Analyze the Level of Awareness among the Women Employees Regarding the Existing Maternity Leave Policy

Based on this objective, the data collected from the field after the analysis revealed that, all of the respondents involved in the study were aware of the maternity leave policy, however, they do understand different on the legal entitlement align with the provision of maternity leave, as revealed by 78% that maternity leave is the time off give to a pregnant woman while only 22% revealed that maternity leave to be the time off given to a pregnant woman with some of the benefits such as medical care, cash, employment security as well as other company benefits aligned to maternity leave benefit as articulated in the maternity leave policy of Tanzania.

Moreover, maternity leave being provided in not more than 9-12 weeks this was revealed by 95% while 5% revealed maternity leave being provided in not more than 5-8 weeks. However 80% of the total respondents involved in this study revealed paid maternity leave to be provided in their industries, while 10% revealed no paid maternity leave being provided in their industries and 10% revealed that they don't know if the maternity leave is provided in their industries.

5.2.2 To Examine the Essential Characteristics for Maternity Leave Provision among Employees

Essential characteristics for the maternity leave provision among employees in mid and large industries was the second objective to this study, in which, the researcher, revealed that, some of the characteristics for maternity leave as reported by the respondents were such as rest in relation to childbirth and receive non-discrimination behavior mentioned by all the respondents, employment security being one of the characteristics, right to breast feeding 2 hours after childbirth, cash to be provided for maternity leave taking and received medical to be among the essential characteristics for maternity leave provision.

5.2.3 To Explore Factors That Affect Maternity Leave Provision at Pwani Region

The last objective to this study was to explore the factor that most likely affect maternity leave provision, the study findings revealed that, HR planning to be one of the factors that affect the maternity provision amongst other thing human resource is responsible in determine the eligibility of pregnant worker entitlement to maternity leave period along with its benefits, moreover, HR, at the same time look if there's a replacement worker in that particular position if the pregnant worker is on leave.

Other factors such as financial availability and contribution paid to social security fund, occupation hazard for pregnant workers, medical complication, and length of time worked prior to maternity leave, availability of replacement worker and last factor identified was human resource planning.

5.3 Recommendations

It is recommended that employer should comply with the length of the leave as articulated in the employment and labor Act of 2004. On the one hand, research has indicated that a strong organizational culture existing in the surveyed industries makes them value their employees and tolerate their absence for longer periods of time. On the other hand, a maternity leave lasting 9-12 weeks is said to be beneficial to both mothers and children, especially taking into account that both ILO standards and Employment and labor relation Act of 2004 require at least 12 weeks of maternity leave. Thus, Employers should comply with the length of the leave.

There should be a proper HR planning which support pregnant women at factories such as replacement workers and proper employment contract which guarantee a return of employee after maternity leave period. The study recommends that working during pregnancy is generally safe. However, there should be work accommodation which can allow for continued safe employment and for those who are in high-risk occupations or with medically complicated pregnancies should not be allowed to work. As the research revealed that there some of the pregnant workers in the industries who allowed to work. Thus this should be taken into action.

5.4 Limitations of the Study

Every study is subjected to limitations due to errors and bias. Firstly the area of study was just a single region (Pwani) in the country which exclude other region in the country where the possibility of variation in study population is likely inevitable. The sample size is small which does not represent population of industries employees in the whole country. In future, larger sample may be opted. Secondly,

some employees were reluctant to fill questionnaires they deemed unsafe when reporting exact answers. This posed a great challenge to the research as the researcher had to take a longer time to find employees who were willing to provide adequate information.

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APPENDICES

APPENDIX 1: RESEARCH QUESTIONNAIRE FOR EMPLOYEES

About this research

This study is done by Phinomena Banda from the Open University of Tanzania which aims to investigate on the factors that determine maternity leave in Tanzania. All information gathered by this research will be held in the strictest confidence. Under no circumstances will researchers publish, release or disclose any information on, or identifiable with, individuals or organizations.

Section A; Social demographic background

1. Sex
 - a. Male
 - b. Female
2. Age between
 - a. 15-25
 - b. 26-36
 - c. 46-47
 - d. 47 and above
3. Marital status
 - a. Single
 - b. Living together
 - c. Married
 - d. Divorced
 - e. Widow/er

4. What is your highest level of education

- a. None
- b. Primary
- c. Secondary
- d. Advanced level
- e. University
- f. Postgraduate qualification

5. What is your position?

Section B: Awareness, Essential Characteristics and Factors for Maternity Leave

6. Does a pregnancy worker in your industry who is one month to give birth allowed to work?

- a. Yes
- b. No

7. What do you understand about maternity leave?

If no in question 6 above, is she is allowed to take maternity leave?

- a. Yes
- b. No

8. For how long is a pregnant woman supposed to notify your employer before expected date of birth?
 - a. At least three months before birth
 - b. two months before birth
 - c. one month before birth
 - d. one week before birth
 - e. childbirth day
9. How many weeks is pregnant woman allowed to take by your employer for maternity leave, (this includes before and after births)?
 - a. 0-4 weeks
 - b. 5-8 weeks
 - c. 9-12 weeks
 - d. 13-16 weeks
 - e. More than 17 weeks
10. Does your industry provide paid maternity leave to a pregnant woman?
 - a. Yes
 - b. No
 - c. I don't know
11. When can maternity leave be taken? (Tick to all that applies)
 - a. Before childbirth
 - b. During childbirth
 - c. After childbirth
 - d. I don't know

12. In your place of work pregnancy workers's health and employment are

- Protected
- Discriminated
- Dismissed from work
- I don't Know
- Other (specify) _____

13. Does an employee in your industry allowed to return to work after maternity leave period?

- Yes
- No

14. What do you think about the maternity allowed by employer and legal entitlement

- Very fair
- Fair
- Unfair
- Very unfair

15. Is there any reasons or factors that have an impact or might prevent pregnant woman to fully use her maternity leave right?

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What kind of benefits does pregnant woman obtain when taking maternity leave? Tick all applies to you

- a. Employment security
- b. Cash

- c. Medical benefits
- d. Period of rest in relation to childbirth
- e. Health protection
- f. 2 hours breastfeeding six months after birth.
- g. Non-discrimination

16. How satisfied or dissatisfied are you with maternity leave practice in your industry?

- a. Very satisfied
- b. Satisfied
- c. Neutral
- d. Dissatisfied
- e. Very dissatisfied

17. Which of the following factors affect maternity leave provision in your industry (tick all that applies to you)

- a. Length of time worked prior to maternity leave
- b. Contribution paid to social security fund
- c. Availability of replacement workers
- d. Human resource planning
- e. Medical complication
- f. Occupation hazards for a pregnancy worker
- g. Financial availability

THANK YOU FOR YOUR COOPERATION

Appendix 2: Interview guide

1. What do you understand about maternity leave policy?
2. What are the essential characteristics for maternity leave provision?
3. Are there any factors (reasons) that might affect maternity leave provision among factory workers?
4. Do you provide paid maternity leave?
5. What kind of benefits does your industry offer to a pregnant woman during maternity leave period?
6. For how long do pregnant employees notify you before taking maternity leave?