New Provisions on Maternity Leave under Social Insurance Law No. 25/08

الاحكام المتعلقة بعطلة الامومة في ظل التعديل الجديد رقم 08/25

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Abstract: *Providing legal protection for working women necessarily requires the existence of legal rules that enable women to reconcile their work and family responsibilities, given that a woman's role toward her family is more important and deserves priority in care. This is what prompted the legislator to amend the provisions relating to maternity leave in the Social Insurance Law pursuant to Law No. 25/08, issued in 2025, as a bold step toward strengthening social protection for the working mother and her newborn. This reflects the legislator's concern for both the family and women. Such concern is manifested in the new legislation's establishment of a full financial compensation system for the working mother during the period of work suspension, with the possibility of extending maternity leave to accompany serious health conditions that some newborns may face.*

Keywords: *Working Mother, Maternity Leave, Leave Extension, Compensations, Social Insurance.*

الملخص:

إن توفير الحماية القانونية للمرأة العاملة يتطلب بالضرورة وجود قواعد قانونية تمكن المرأة من التوفيق بين عملها ومسؤولياتها الأسرية، باعتبار أن دور المرأة تجاه أسرتها أهم ويستحق الأولوية في الرعاية. وهذا ما دفع المشرع إلى تعديل الأحكام المتعلقة بعطلة الأمومة في قانون التأمين الاجتماعي بموجب القانون رقم 25/08 الصادر عام 2025،

كخطوة جريئة نحو تعزيز الحماية الاجتماعية للأم العاملة ومولودها. وهذا يعكس اهتمام المشرع بالأسرة والمرأة على السواء. ويتجلى هذا الاهتمام في قيام التشريع الجديد بإنشاء نظام تعويض مالي كامل للأم العاملة خلال فترة التوقف عن العمل، مع إمكانية تمديد إجازة الأمومة لمرافقة الظروف الصحية الخطيرة التي قد يواجهها بعض الأطفال حديثي الولادة.

الكلمات المفتاحية : الأم العاملة، عطلة الأمومة، تمديد العطلة ، التعويضات، التأمينات الاجتماعية.

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INTRODUCTION:

Maternity leave is considered one of the most important rights granted by legislation to working women, in order to provide protection for their motherhood during the performance of the employment contract, regardless of its nature, whether it is fixed-term or indefinite-term, and also in an effort to establish a balance between their responsibility toward their family and their responsibility toward society.

The Algerian legislator has paid attention to maternity leave and considered it a constitutional right, as it is an element of family protection under Article 58 of the 1996 Constitution, which affirmed the family's right to protection by the State and society. This is in line with what has been provided for in international and comparative legislation, as the International Labour Organization has issued a number of labour conventions aimed at protecting working women in general and protecting maternity in particular.

Law No. 90/11 relating to labour relations in Algeria also recognized the female worker's entitlement, during the periods before and after childbirth, to maternity leave, and referred the regulation of this leave to Law No. 83/11 relating to social insurance, which in turn introduced amendments to maternity leave pursuant to Law No. 25/08 issued in 2025. Under this law, maternity leave is viewed as the period granted by legislation to a working woman, while ensuring the continuity of her financial income in accordance with conditions and rules predetermined by

law. Therefore, the following question arises: What are the provisions governing maternity leave under the new amendment to the Social Insurance Law? And did the Algerian legislator provide sufficient protection for the female worker and her newborn during this leave?
Accordingly, we will attempt to answer this issue by relying on the analytical method to examine the various legislative and regulatory legal texts governing the subject, while also employing the comparative method to shed light on comparative labour and international legislation. This will be done by addressing the general provisions of maternity leave in the first section of the study, while the second section will deal with the special provisions of maternity leave.

1. General Provisions on Maternity Leave

A female worker's entitlement to maternity leave is a general rule established by legislation for the protection of maternity in itself. This rule therefore applies even if the pregnant worker is unmarried and the child is illegitimate, whether the child is born alive or stillborn, whether she works in the public or private sector, and whether she is employed under a fixed-term or an indefinite-term employment contract.

1.1 The Concept of Maternity Leave

Maternity leave is the legal period granted by legislation to a working woman in order to stop working because of pregnancy or the approaching date of childbirth, while ensuring the continuity of her financial income and the preservation of her job position, in accordance with the conditions and rules predetermined by law.

1.1.1 The Legal Nature of Maternity Leave

Algerian legislation has not defined maternity leave, leaving the matter open to legal doctrine. Legal scholars define it as a right granted by labour law to a working woman on the occasion of the approaching date of childbirth, which she must use in accordance with the rules provided for in this law, while the employer or his representative is obliged to enable her to

use it for her rest[1]. Others have defined it as paid days of rest determined by law for the purposes of pregnancy and childbirth[2].

Maternity leave is also defined as a legal bond linking the mother to her child[3], while its legal nature is defined as paid leave granted at the request of the working woman as a result of pregnancy, childbirth, and their consequences[4]. Most comparative legislation considers maternity leave to be a special case of suspension of the employment contract, whether the contract is fixed-term or indefinite-term. Labour legislation, including Algerian legislation, has entrusted the social security fund with the responsibility of compensating this leave in accordance with legally defined conditions. Maternity leave differs from other cases of suspension of the employment relationship, in which the person concerned loses the right to wages, because it is paid leave.

1.1.2 Scope of Application of Maternity Leave

Working women who benefit from maternity leave within the framework of the provisions of international legislation refers to any woman, regardless of her age, nationality, race, or belief, whether married or unmarried. This is in accordance with the definition of women in International Conventions No. 03 of 1919 and No. 103 of 1952 concerning maternity protection, mentioned above. This indicates that international legislation has adopted a policy of non-discrimination among female workers, thereby granting every woman the right to benefit from maternity leave, provided that she belongs to one of the professions or sectors specified in these conventions, namely the industrial, commercial[5], and

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[1]- Salama Abdel Tawab Abdel Halim, *Provisions on Maternity Leave: A Comparative Study*, Dar Al-Nahda Al-Arabiya, Cairo, Egypt, 2009, p. 10.

[2]- Mahdi Bakhda, *The Legal Regulation of Working Time in Algerian Legislation: A Comparative Study*, 2013, p. 155.

[3]- Ibtisam Al-Farram, *Legal Terms in Algerian Legislation: A Bilingual Arabic-French Dictionary*, Qasr Al-Kitab, Blida, Algeria, 1998, p. 186.

[4]- Bashir Hedfi, *A Concise Commentary on Labour Law: Individual and Collective Labour Relations*, Dar Al-Rihana Lil-Kitab, Algeria, 2001, p. 164.

[5]- International Convention No. 03, dated October 19, 1919, limited these sectors to only two sectors, namely the industrial and commercial sectors.

agricultural sectors, in addition to extending protection to domestic workers[6].

Throughout successive pieces of legislation, the Algerian legislator has issued general provisions concerning maternity protection, without paying attention to defining the concept of the woman entitled to benefit from this leave. At times, the legislator used the expression "woman[7]," and at other times referred to "pregnant women[8]," "female workers[9]," or "working women[10]."

As for the Social Insurance Law, which constitutes the main pillar for regulating the female worker's right to maternity leave, it also ignored the definition of the concept of the working woman. It contains no explicit provision determining the status of the woman who has the right to benefit from this leave, whether married or unmarried. However, the situation on the ground indicates that maternity leave is a right granted only to a legally married woman, thereby depriving single mothers of this right. This deprivation is reflected in the requirement by social security authorities to include certain documents in the medical file proving the existence of a lawful marriage, such as a family status certificate.

Article 3 of Law No. 83/11 undertook to determine the workers benefiting from social security coverage, which includes maternity leave. These are all workers, whether salaried or assimilated to salaried workers, regardless of the sector of activity to which they belong. The implementing texts of this law established this right in detail for certain categories covered by the benefit of this right, perhaps most notably Decree No. 58/43, which specified these categories, such as domestic workers, artists, and others.

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[6]- International Convention No. 103 of 1952 covered the agricultural sector as well as domestic workers.

[7]- Article 25 of Ordinance No. 75/31, dated April 29, 1975.

[8]- Article 25 of Ordinance No. 78/31, dated April 29, 1975.

[9]- Article 78, paragraph 1, of the General Statute of the Worker.

[10]- Article 55 of Law No. 90/11, dated April 21, 1990.

1.2 The Legislative Development of the Female Worker's Right to Maternity Leave

The Algerian legislator referred the regulation of maternity leave to the Social Security Law, restricted it to a specific duration, and subjected it to special conditions. At the national level, we did not find any provision in the Labour Law that regulates special protection for pregnant women before childbirth. Rather, the legislator left the regulation of this protection to collective labour agreements and the internal regulations of the institution.

1.2.1 The Development of the Female Worker's Right to Maternity Leave in Algerian Legislation

Within the framework of Algerian labour legislation, every pregnant salaried female worker subject to the provisions of Law No. 90/11 relating to labour relations[11], Law No. 83/11 relating to social insurance, and Decree No. 84/27 dated February 11, 1984, which determines the methods of application of the aforementioned Law No. 83/11, always benefits from maternity leave, whether she is bound by an indefinite-term or fixed-term employment contract, and whether she works in the public or private sector. Article 55 of Law No. 90/11 relating to labour relations enshrines the female worker's right to benefit from maternity leave by stating: "Female workers shall benefit, during the periods before and after childbirth, from maternity leave in accordance with the legislation in force. They may also benefit from facilities according to the conditions determined in the internal regulations of the employing body." The condition for entitlement to maternity benefits, starting from Law No. 38/11, became similar to the conditions for entitlement to cash benefits in the event of illness. Maternity benefits are paid at a rate of 100% of the wage for a period of 14 weeks[12]. This represents a development compared with what was provided for in the previous repealed legislation, namely Ordinance No. 75/31 dated April 23, 1975, which had set it at 12 weeks.

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[11]- Law No. 90/11, dated April 21, 1990, relating to labour relations, Official Gazette No. 17 of 1990, as amended and supplemented by Law No. 91/29 and Ordinance No. 96/21.

[12]- Ibrahim Gouider, *Studies in Social Security Systems*, National Book House, Benghazi, Libya, 1992, p. 74.

Among the developments also witnessed by Algerian legislation in the field of maternity protection in the world of work, Ordinance No. 96/17 dated July 6, 1996, amending and supplementing Law No. 83/11 dated July 2, 1983, relating to social insurance, introduced a change in the rate of compensation for illness resulting from pregnancy to 100%. This was provided for in Article 10 thereof, which states: "In the event of difficult childbirth or the pathological consequences of childbirth, the duration and rate of in-kind and cash benefits from which the working woman benefits under health insurance may not be less than those provided under maternity insurance." This came after the working woman, in such a case under the previous law, benefited from only 50%[13]. This development is in favour of the working woman, although the legislation did not expressly determine the duration of this additional leave, leaving the matter to the assessments of the treating physician and the medical supervision of the social security body.

Among the new developments relating to maternity leave in Algerian legislation is the issuance of Law No. 25/08 dated July 19, 2025[14], amending and supplementing Law No. 83/11 dated July 2, 1983, relating to social insurance. This law included new measures concerning maternity leave under the provisions of Articles 28, 29, and 71 of Law No. 83/11. Pursuant to the new amendments to the provisions of Articles 28, 29, and 71 of Law No. 83/11, the working mother now enjoys paid leave for a period of 150 consecutive days and benefits from a daily compensation rate of 100%. She may also extend it, upon request, for an additional period of 50 days if her newborn suffers from certain illnesses specified by this amendment. She may further request a second extension for an additional period of 165 days if the newborn's health condition remains unchanged.

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[13]- Article 25 of Law No. 83/11, dated July 2, 1983, relating to social insurance, as amended and supplemented by Article 10 of Ordinance No. 96/17, dated July 6, 1996.

[14]- Law No. 25/08, dated July 19, 2025, amending and supplementing Law No. 83/11, dated July 2, 1983, relating to social insurance, Official Gazette No. 47, dated July 22, 2025.

1.2.2 The Development of the Female Worker's Right to Maternity Leave in International Legislation

A married working woman is compelled, during her professional life, to stop working because of pregnancy and childbirth for a specific period determined by Algerian law and various other international legislations. This is due, on the one hand, to her health-related incapacity, and, on the other hand, to the need to care for the newborn during the first months of his life, when he is in urgent need of his mother's presence and care.

The legislator, at the level of international, comparative, and national legislation, has paid attention to the protection of women during the maternity period in order to safeguard both the woman and the child to be born. This is clearly reflected in many international conventions that affirm this protection. Perhaps the most prominent of these conventions is International Convention No. 103 of 1952 concerning maternity protection, which amended Convention No. 03 of 1919. The latter established rules governing maternity leave, set its duration at 12 weeks, and considered the weeks following childbirth to be compulsory, setting them at no less than six weeks, with the expected date of childbirth serving as the criterion for the start of its calculation[15].

International Convention No. 183 of 2000 concerning the revision of the Maternity Protection Convention of 1952 was then issued in order to remedy the latter's failure to address leave before childbirth. The aforementioned 2000 Convention therefore recognized the granting of leave to the female worker before or after maternity leave, based on a medical certificate, in the event of illness or complications resulting from pregnancy or childbirth.

This is in addition to International Recommendation No. 12 of 1921 concerning the protection of women before and after childbirth, and the International Convention of 1977 on the Elimination of All Forms of Discrimination against Women, to which Algeria acceded pursuant to Presidential Decree No. 96/51 dated January 22, 1996.

The positions of comparative legislations differ from that of Algerian legislation with regard to the protection of pregnant female workers. By

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[15]- Youssef Elias, *A Concise Commentary on Labour Law*, Al-Rusafa Institute of Administration, no publication year mentioned, p. 218.

way of comparison, French legislation has given great attention to the female worker at the stage of hiring or recruitment, during pregnancy, and after childbirth. Article L122-25[16] of the French Labour Code provides that the employer may not take the condition of a pregnant woman into account when hiring her, as this could be a reason for excluding her.

Egyptian legislation, in turn, addressed the worker's right to maternity leave in Article 70 of the Egyptian Labour Law, which provides for the female worker's right to obtain fully paid leave before and after childbirth, with a total duration of ten weeks, provided that the period of this leave falling after childbirth is not less than six weeks, and that she may not be employed before the expiry of that period[17]. This came after the repealed Egyptian labour legislation had set the duration at only six weeks, which means that the law introduced a new right for women by increasing the duration of maternity leave by four weeks. It even granted the working woman the right to benefit from her full wage during this leave, whereas the old law had provided for half her wage during her working period.

On the basis of Egyptian labour legislation, maternity leave before childbirth is optional, whereas after childbirth it is compulsory and may not be less than six weeks. This enables the female worker to request this leave within the limit of four weeks before childbirth, and she may also take all of it after childbirth. It is noticeable that this legislation gave priority to taking into account the health of the female worker and the health of her newborn after childbirth more than during the stages before childbirth[18]. It also strictly prohibited the employer from employing the working mother after

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[16]- Article L122-25: "The employer must not take a woman's pregnancy into consideration in order to refuse to hire her, terminate her employment contract during a probationary period, or, subject to the provisions of Article L.122-25-1, order a job transfer. Consequently, the employer is prohibited from seeking, or having sought, any information concerning the pregnancy of the person concerned."

[17]- Article 70 of Egyptian Labour Law No. 12 of 2003.

[18]- Sayed Mahmoud Ramadan, *The Intermediate Commentary on Labour Law and Social Security Law: A Comparative Study with Judicial Applications of the Courts of Cassation and Appeal*, Dar Al-Thaqafa for Publishing and Distribution, Amman, Jordan, 2010, p. 372.

childbirth before the expiry of the prescribed leave period, even if this is done at her request. In such a case, the employer has the right to refuse and is not considered to have violated his obligation. Moreover, current Egyptian legislation grants the pregnant female worker the right to request maternity leave regardless of the duration of her employment with the employer, whereas the old law required, in order for her to obtain this leave, that she had completed a period of no less than 180 days in the service of the employer during the year preceding the expected date of childbirth[19].
However, the regulation of maternity leave in Egyptian labour legislation differs from that provided for in Egyptian Child Law No. 12 of 1996, which limits the female worker's entitlement to maternity leave to three times throughout her life, regardless of the actual duration of her employment, whether with one employer or more.

2. Special Provisions on Maternity Leave

Maternity leave in labour legislation is subject to special provisions that entitle working women, during the period preceding childbirth and the period following it, to benefit from maternity leave established by legal texts. This results in the suspension of the employment relationship during this period and ends with the reintegration of the working woman into her job by operation of law. Any dismissal that occurs during this period is considered arbitrary dismissal [20] and exposes the employer to criminal liability.

2.1 Conditions for Benefiting from Maternity Leave

It is clear from the latest amendment to the legal texts governing the provisions of maternity leave, pursuant to Law No. 25/08 amending and supplementing Law No. 83/11 relating to social insurance, that a female worker does not benefit from maternity leave unless certain conditions are met, as follows:

2.1.1 Conditions Relating to Pregnancy and Childbirth

Like other legislations, the Algerian legislator granted working women the right to benefit from paid maternity leave during the periods

[19]- Ibid, p. 374.
[20]- Al-Tayeb Belloula, *Interruption of the Employment Relationship*, Berti Publications, Algeria, 2007, p. 120.

before and after childbirth. However, entitlement to this leave is linked to the fulfilment of a set of conditions, including conditions related to pregnancy, childbirth, and their consequences.

A. The Woman Must Be Pregnant and Childbirth Must Occur

The working woman's entitlement to maternity leave is linked to a basic condition, namely that she must be pregnant. In other words, the basis of this leave is the confirmation of pregnancy. Pregnancy refers to the stage filled with many physiological changes resulting from the presence of the fetus in the mother's womb, whether in its early or final stages. These changes affect the woman's health, both psychologically and physically[21]. This pregnancy must be in its final months, because entitlement to the period of maternity leave arises toward the end of pregnancy. Pregnancy may be established but may not be completed if the female worker miscarries. In such a case, she does not benefit from maternity leave despite the existence and confirmation of pregnancy. Therefore, the pregnancy must continue until the expected date of childbirth approaches. On the other hand, the employer may not take the state of pregnancy into consideration in order to refuse to grant the female worker maternity leave.

In addition to the condition of pregnancy[22], childbirth must occur, which is an obvious and logical condition, because entitlement to maternity leave depends on the occurrence of childbirth, which necessarily requires that the female worker be pregnant. Childbirth means the separation of the fetus from its mother at the usual time through the cutting of the umbilical cord, regardless of the nature of the delivery. Thus, childbirth is the end of pregnancy through the delivery of the fetus at the usual time of birth, whether alive or dead, or whether the child dies shortly after being born alive. This is unlike miscarriage, which is the termination of pregnancy before the usual time in a manner that prevents its continuation and the

[21]- Rahoui Fouad, *Rest and Legal Leave in Algerian Social Law*, Master's Thesis in Social Law, Faculty of Law, University of Oran, 2006-2007, p. 123.

[22]- Solange Liozon and Jean-Marie Fonteneau, *Legislation and Management, Pharmacy Technician Notebooks*, Wolters Kluwer, France, 2008, p. 139.

completion of fetal development[23]. This raises the question of the extent to which the female worker is entitled to benefit from maternity leave in the event of miscarriage.

A.1 The Ruling on the Female Worker's Miscarriage

A disagreement arises as to whether the provisions of maternity leave are limited to childbirth or also extend to miscarriage[24]. Childbirth differs from miscarriage, as childbirth is the separation of the fetus from its mother at the usual time, whereas miscarriage is the expulsion of the fetus before its usual time. Legal doctrine considers it to be the expulsion of the fetus before the first six months of pregnancy[25]. Accordingly, miscarriage prevents the working woman from being entitled to maternity leave[26]. Therefore, the female worker in such a case has no option except to request sick leave or her annual leave.

A.2 The Ruling on the Birth of a Child Alive or Dead

The female worker's entitlement to maternity leave is a general rule established by legislation for the protection of maternity in itself. This rule therefore applies even if the pregnant worker is unmarried and the child is illegitimate, whether the child is born alive or dead[27]. Article 35 of Decree No. 84/27 dated February 11, 1984, which determines the methods of application of Title Two of Law No. 83/11 dated July 2, 1983, relating to social insurance, provides the following: "The right to maternity insurance benefits is granted for any interruption of pregnancy occurring after the end of the sixth month of fetal development, even if the child is not born alive."

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[23]- Hammam Mohamed Mahmoud Zahran, *Labour Law: The Individual Employment Contract*, Dar Al-Matbouat Al-Jamia, Alexandria, Egypt, 1997, p. 762.

[24]- Mahmoud Gamal Al-Din Zaki, *The Employment Contract in Egyptian Law: The System of Public Sector Workers*, no publishing house mentioned, 1982, p. 329; Ragheb Boutros and Abdel Aziz Ragab, *Commentary on the Laws Regulating the Employment Contract*, Publishing House for Egyptian Universities, 1957, p. 241.

[25]- Mohamed Sherif Abdel Rahman Ahmed Abdel Rahman, *Effects of the Employment Contract*, Dar Al-Nahda Al-Arabiya, Cairo, Egypt, 2007, p. 9.

[26]- Hammam Mohamed Mahmoud Zahran, Op. Cite, 1997, p. 762.

[27]- Hassan Kira, *Principles of Labour Law: The Employment Contract*, Monshaat Al-Maaref, Alexandria, Egypt, no publication year mentioned, p. 673.

As for the entitlement of the working woman to leave in the event that the fetus is stillborn, she is entitled to the full leave in accordance with the aforementioned Article 35.

A.3 The Ruling on the Legitimacy or Illegitimacy of Pregnancy

Some legal scholars believe that the female worker's entitlement to maternity leave is a general rule established by legislation for the protection of maternity in itself. Therefore, this rule applies even if the pregnant worker is unmarried and the child is illegitimate, whether the child is born alive or dead[28]. This is because the purpose sought by the legislator in recognizing maternity leave is to protect both childhood and motherhood at the same time. Accordingly, this doctrinal view confirms that the female worker benefits from maternity leave even if she is unmarried, meaning that the child is illegitimate[29].

Others believe that a distinction must be made between the legality of stopping work and compensation for that stoppage. In such a case, the employer may not prevent the female worker from stopping work when childbirth occurs in order to benefit from maternity leave on the grounds that she is unmarried. As for compensation for this leave, some studies indicate that, by tracing the legal texts in Algeria, it appears that the legislator did not expressly provide for depriving an unmarried female worker of compensation for the maternity period. Thus, according to the apparent meaning of the legal texts, the unmarried female worker is not deprived of the compensation due to her for the maternity period. However, at the level of the social security body, there are formal requirements represented by the submission of documents in order for the female worker to benefit from maternity compensation. Among these documents is the family certificate[30]. Accordingly, we believe that the legal text does not

[28]- Hassan Kira, *Principles of Labour Law: The Employment Contract*, Monshaat Al-Maaref, Alexandria, Egypt, no publication year mentioned, p. 673.

[29]- Ahmed Shawki Mohamed Abdel Rahman, *The Intermediate Commentary on Social Legislation*, 1980, p. 187.

[30]- Taj Ata Allah, *Working Women in Algerian Labour Legislation between Equality and Legal Protection: A Comparative Study*, Office of University Publications, Algeria, 2006, p. 194.

deprive the unmarried female worker of the benefit of compensation for maternity leave, whereas in practice she is deprived of this compensation. Regardless of single working mothers, we may encounter in such cases the situation of a foreign female worker who is pregnant through an illegitimate pregnancy: should she be deprived of maternity leave because of the illegitimacy of her pregnancy?

B. The Condition of Declaring Pregnancy

The female worker is required to declare her pregnancy to the employer. This is in the interest of the female worker so that she can benefit from the leave granted to her, and so that the employer can make arrangements for her absence from the workplace and not be surprised by that absence [31]. The female worker must also declare her medically confirmed pregnancy to the territorially competent social security body at least six months from the expected date of childbirth.

The condition of declaring pregnancy is of great importance in comparative legislation because of the benefit it provides to the pregnant female worker. This is the case in French legislation, which provides the female worker with facilities [32] during her pregnancy, including the possibility of working part-time, but subject to the following conditions:

- That this be done at the request of the female worker.
- That the requested reduction in working time must not exceed one-fifth of the statutory working time.
- That the pregnant female worker may be transferred to another job position if medical necessity justifies it.

2.1.2 Conditions Relating to the Duration of Maternity Leave

International legislation, comparative legislation, and Algerian legislation have given great attention to the duration of maternity leave, because of its impact on the health, psychological, and social aspects of the working woman. Social Insurance Law No. 83/11, as amended and supplemented by Law No. 25/08, limited the duration of maternity leave to a specific period and subjected it to special conditions. However, it is

[31]- Michel Mine and Sylvain Allmand, *Whistling While Working? Human Rights at Work: An Overview*, Libertés Plurielles, Le Cavalier Bleu, 2006, p. 184.
[32]- Article L 212.4 of the French Labour Code.

necessary here to distinguish between two types of maternity leave duration: the main period and the additional period.

A. Conditions Relating to the Main Period of Maternity Leave

The Algerian legislator set the duration of paid maternity leave at 150 days, equivalent to approximately five months. Article 29 of Law No. 25/08, amending Law No. 83/11 relating to social insurance, provides as follows: "A socially insured woman shall receive, provided that she ceases all paid work during the compensation period, a daily allowance for a period of one hundred and fifty days, beginning at least forty-two days before the expected date of childbirth. If childbirth occurs before the expected date, the compensation period of one hundred and fifty days shall not be reduced."

Under the previous repealed legislation, namely Ordinance No. 75/31 dated April 23, 1975, Algerian legislation set the duration of maternity leave at twelve weeks, respecting the internationally agreed duration under Convention No. 103 of 1952, which set it at twelve weeks, at least six weeks of which must be compulsory after childbirth. It then became fourteen weeks under Law No. 83/11, before being amended in 2025 pursuant to Law No. 25/08, which amended Law No. 83/11, making the duration 150 days, equivalent to approximately five months.

By contrast, the duration specified in other comparative legislations varies, either increasing or decreasing. French legislation sets the duration of leave at 16 weeks, including six weeks before the expected date of childbirth and ten weeks after childbirth[33], while Egyptian legislation sets it at ninety days[34]. Tunisian legislation appears to provide the shortest period, setting it at thirty days[35].

2.1.3 Conditions Relating to the Extension of Maternity Leave

The basic duration of maternity leave in Algerian legislation, estimated at 150 days, applies to all female workers. However, this general rule is subject to an exception represented by cases in which this leave may be extended due to exceptional circumstances. These cases are as follows:

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[33]- Article L 122-26 of the French Labour Code.

[34]- Article 91 of the Egyptian Labour Law.

[35]- Article 64 of the Tunisian Labour Code.

A. Cases of Extension of Maternity Leave

Among the cases of extension are those mentioned in the new Law No. 25/08, such as those relating to the health condition of the newborn and the extension relating to an error in the date of childbirth. As for the final case, relating to the extension resulting from complications of childbirth, it was provided for in Ordinance No. 96/17, which amended Article 25 of Law No. 38/11 relating to social insurance.

A.1 Extension Resulting from the Health Condition of the Newborn

In the new amendment to the Social Insurance Law of 2025, Algerian legislation took into account the special health conditions that may affect some newborns, such as disabilities or serious illnesses that require permanent accompaniment by the working mother. The new Law No. 25/08, amending the Social Insurance Law, allowed the extension of maternity leave in certain exceptional cases, when the working mother is unable to return to work after the end of the basic maternity leave period because of the health condition of her newborn, while benefiting from an extension of the period of daily allowances at a rate of 100%. This extension takes place when the newborn suffers from one of the following conditions[36]:

- A physical or mental disability of the newborn.
- A mental malformation of the newborn.
- A serious illness of the newborn requiring continuous medical follow-up or permanent accompaniment by the mother.

A.2 Extension Resulting from an Error in the Date of Childbirth

If the working woman gives birth before the expected date of childbirth determined by the medical certificate, the period estimated at one hundred and fifty days is not reduced. Rather, the leave is extended to the actual date without reducing its duration. This is what Algerian legislation established in Article 29 of Law No. 25/08, amending and supplementing Law No. 83/11.

Childbirth may occur before or after the date previously determined by the specialist physician through a medical certificate. In the latter case, if

[36]- Article 28 of Law No. 25/08, amending and supplementing Law No. 83/11.

the female worker has exhausted her right to the pre-childbirth leave period, and it later appears that the date of childbirth was delayed beyond the specified date[37] due to an error in estimation, this leave is extended without reducing the period following childbirth, according to French law. Algerian law, however, referred only to the opposite case.

According to the new amendment introduced by Law No. 25/08, amending the Social Insurance Law, working mothers can now benefit from paid leave for a period of 150 consecutive days, with a daily compensation rate of 100%. This period is not reduced even if the child is born before the expected date of childbirth. Maternity leave may also begin at least 42 days before the expected date of childbirth.

A.3 Extension for Health Reasons Related to Childbirth

This refers to illness resulting from difficult childbirth or complications arising from it, which places the female worker in a difficult health condition that prevents her from returning to work[38]. Algerian legislation addressed this case in Article 10 of Ordinance No. 96/17, which states: "In the event of difficult childbirth or the pathological consequences of childbirth, the duration and rate of in-kind and cash benefits from which the woman benefits under health insurance may not be less than those provided under maternity insurance."

The Algerian legislator dealt with this case in Article 10 of Ordinance No. 96/17, which amended Article 25 of Law No. 38/11 relating to social insurance. The latter had granted the working woman, when she stopped working because of an illness related to maternity and its complications, health insurance at a rate of only 50%[39]. However, Article 10 of Ordinance No. 96/17 raised the health insurance rate for the working woman in such a case to 100%.

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[37]- Hafer Fatima, *Cases of Suspension of the Employment Relationship in Indefinite-Term Employment Contracts in Algerian Legislation*, Master's Thesis in Social Law, 2008-2009, p. 44.

[38]- Taj Ata Allah, Op. Cite, p. 191.

[39]- Article 25 of Law No. 83/11, dated July 2, 1983, as amended and supplemented by Article 10 of Ordinance No. 96/17, dated July 6, 1996.

It is also clear from this article that the female worker benefits from an additional period beyond the main maternity period in the event of illness resulting from childbirth. This period is classified as sick leave, but with compensation equivalent to that of maternity leave. However, Algerian legislation did not determine the duration of this additional period, leaving the matter to the assessment of the treating physician, provided that the physician of the social security body approves it. This differs from some legislations that determine it as one month, such as in Russia, or leave it for an indefinite period, such as in Italy[40]. The Arab Labour Organization grants the competent supervisory authorities, based on a medical certificate, the power to extend the leave prescribed before and after childbirth, pursuant to Article 3 of the Maternity Convention of 1952, in order to preserve the health of the mother and the child, especially in cases indicating abnormal circumstances of pregnancy or complications arising before or after childbirth[41].

B. The Duration of the Extension of Maternity Leave

The extension of maternity leave is subject to two extensions: the first extension and the second extension.

B.1 The First Extension of Maternity Leave:

This extension represents the first stage of the possible extensions after the end of the basic maternity leave. The duration of the extension is estimated at 50 consecutive days[42]. In order to benefit from this extension, the working mother must comply with a set of conditions, the most important of which are:

- The justified medical file must be submitted to the competent authority at least 15 days before the end of maternity leave.
- The file must contain a medical certificate issued by a physician specialized in pediatrics.

[40]- Taj Ata Allah, Op. Cite, p. 193.

[41]- Arab Labour Organization, National Seminar entitled *Arab Women between Reality and Law*, held in Damascus from November 17 to 19, 2007.

[42]- Paragraph 2 of Article 29 of Law No. 25/08, amending and supplementing Law No. 83/11.

- The medical certificate must confirm that the newborn suffers from a disability, congenital malformation, or serious illness requiring accompaniment and medical intervention during this period.

B.2 The Second Extension of Maternity Leave:

If the newborn's health condition does not improve and remains unchanged after the end of the first extension, the new law allows the working mother to benefit from a second extension, the duration of which may reach a maximum of 165 days. This period is calculated from the date of the end of the first extension and must be continuous without interruption. In order to benefit from this extension and obtain the approval of the competent authorities, the law requires the following conditions to be met:

- A new medical file must be submitted at least 15 days before the end of the first extension.
- The file must include a medical certificate from a physician specialized in pediatrics confirming that the newborn's health condition still requires the mother's accompaniment or continuous medical follow-up.

2.2 Rights Arising from Benefiting from Maternity Leave

The working woman benefits from maternity leave, which leads to a temporary interruption of the employment relationship[43]. During this period, she is entitled to daily allowances throughout the period of interruption. After the end of the leave, the working woman must be reinstated in her previous job position or in an equivalent position, while benefiting from a wage that is at least equal to the wage she previously received.

2.2.1 Rights Relating to the Working Woman

Comparative legislation, like Algerian legislation, attaches to the working woman's right to maternity leave certain legal guarantees and rights of a social nature, with the aim of preserving the health of the mother and the newborn before and after childbirth.

A. Allowances

During the maternity period, under Algerian legislation, the female worker benefits from daily cash allowances equal to 100% of the daily wage, in addition to in-kind benefits, which include reimbursement of

[43]- Bashir Hedfi, Op. Cite, p. 74.

medical and pharmaceutical expenses on the basis of 100% of the rates determined by regulation. They also include the costs of hospitalization of the mother and the newborn for a maximum period of eight days.

What distinguishes Algerian legislation from some Arab legislations is that it referred the provision of compensation to the female worker during the maternity period to the Social Security Law. In order for the female worker to benefit from maternity insurance benefits, she must comply with a set of legal obligations, the most important of which are the following:

- The female worker's affiliation with the social security body: The female worker must prove her status as a socially insured person by submitting the documents determined by the minister in charge of social security by decision. This condition is required of the female worker in her own right, unlike the wife of the insured person, who benefits from in-kind benefits. As for cash maternity compensation, it is a guaranteed right only for the female worker.
- Period of service or work: The female worker must have worked at least fifteen days or one hundred hours during the quarter preceding the date of the first medical examination of the pregnancy or the date on which the treatment for which reimbursement is requested was provided; or at least sixty days or four hundred hours during the twelve months preceding the date of the first medical examination of the pregnancy or the date on which the treatment for which reimbursement is requested was provided.
- Conducting the medical examination: The female worker must undergo a medical examination during the first three months of pregnancy and submit the examination certificate to the social security body for approval. This also applies to the second and third examinations. It should be noted that, if these examinations are absent from the medical file, the Social Security Fund issues a decision refusing compensation for maternity leave, except in an exceptional case involving the female worker giving birth in the seventh month of pregnancy, which exempts her from submitting the third examination certificate. If her file is rejected by the Fund, she has the right to appeal before it.
- Childbirth must be performed by a specialist physician, except in cases of force majeure.

- The female worker must refrain from performing any paid work during the period of interruption from work[44].
- Continuation of work, unless she suffers from an illness during the period between the date of the first medical examination and the date of childbirth. If she stops working for another reason, such as placement on unpaid leave of absence, unpaid leave, or resignation, then in these cases she is deprived of receiving cash compensation[45]. This deprives some women of entitlement to compensation for maternity leave because of difficult pregnancy conditions that force them to submit requests for sick leave.
- Submission of an administrative medical file to the National Social Security Fund containing several documents, including: a pregnancy examination certificate prepared by a specialist physician or a qualified midwife before the end of the third month of pregnancy, which must indicate the expected date of childbirth; a second examination certificate during the sixth month; two certificates during the ninth month submitted by a specialist physician, one of them four weeks before childbirth and the second no later than eight weeks after childbirth; the social security registration card of the insured woman or the insured spouse; a family civil-status certificate; a work or wage certificate for the insured person or her spouse, issued by the employer and indicating the interruption of work; a certificate of coverage; a birth certificate; a family status certificate including the newborn; a clinical examination certificate; and a certificate establishing the right to rest, namely maternity leave.
- For the file relating to the extension of maternity leave for the care of a sick or affected newborn, the medical file must be submitted in a confidential envelope in order to preserve the confidentiality of the information. The file is then presented to the medical control services affiliated with the social insurance bodies, where the

[44]- Article 29 of Law No. 25/08, amending Law No. 83/11 relating to social insurance.

[45]- Article 32 of Decree No. 84/27, dated February 11, 1984, the executive decree determining the procedures for implementing Social Insurance Law No. 83/11.

newborn's health condition is examined and the conditions for benefiting from the extension are verified. The allowances relating to the two extension periods are not granted until after the approval of the medical adviser who examined the medical file and issued his opinion regarding the newborn's health condition.

B. Breastfeeding

Some comparative labour legislations have granted pregnant women, after childbirth, certain facilities and privileges, including the right to paid periods for breastfeeding their child. The duration of this rest period has been set at one hour per day, divided into two periods: the first thirty minutes in the morning and the second thirty minutes in the evening[46]. As for the situation in Algerian legislation, we note that Law No. 90/11 on labour relations, currently in force, remained silent on the issue of breastfeeding and left its regulation to the internal regulations of each employing body [47] . By examining the internal regulations of some employing bodies, we find that they reproduced the provisions contained in the repealed laws, granting the breastfeeding female worker the right to a paid absence period of two hours per day during the six months following the resumption of work, and one hour during the remaining six months[48].

C. Child-Rearing Leave

The Algerian legislator did not address the issue of child-rearing in the Labour Law, leaving the regulation of this matter to the agreement of the parties to the employment relationship through collective agreements. Paragraph 10 of Article 120 of Law No. 90/11 provides for special absences that may be the subject of collective labour agreements. This has been recognized by some collective labour agreements within the framework of cases of placement on unpaid leave of absence, by granting every working

[46]- Article 93 of the Egyptian Labour Law, Article 161 of the Moroccan Labour Code, Article 64 of the Tunisian Labour Code, and Article 71 of the Jordanian Labour Law.

[47]- Paragraph 2 of Article 55 of the aforementioned Law No. 90/11.

[48]- Article 13 of the internal regulations of Sonatrach, and Article 18 of the internal regulations of Algeria Telecom, approved by the Labour Inspectorate of Dar El Beida, Algiers, on May 6, 2004.

woman raising a child under five years of age the right to benefit from unpaid leave for a period of one year, renewable[49].

Child-rearing leave, as a case of placement on unpaid leave of absence, results in the loss of the right to wages, seniority, and promotion, and most collective labour agreements establish these provisions[50]. In contrast, Egyptian legislation expressly recognized the right of a working woman to unpaid leave in order to devote herself to raising her child, setting its duration at two years in every establishment employing more than fifty workers[51].

2.2.2 Rights Relating to the Job Position

Algerian legislation has established protection for working women during maternity leave in relation to the preservation of their job positions. During the maternity period, the employment relationship is suspended, which requires that no disciplinary sanctions be taken against the female worker during this period, and that her return to her job position be guaranteed after its end.

A. Preservation of the Job Position

One of the most important rights enjoyed by the female worker during maternity leave is the guarantee of her right to retain her job position. However, this does not prevent the employer from replacing her until she resumes work. In the event of the female worker's absence from her job position due to maternity leave, the law allows another worker to occupy her position under a fixed-term employment contract, pursuant to Article 12 of Law No. 90/11, provided that the duration of this contract corresponds to the period of absence of the female worker benefiting from maternity leave.

The employer has a legal obligation toward the female worker who is absent because of maternity leave as a result of the replacement of her job position, namely the obligation to preserve her job position. This is

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[49]- Articles 256 and 260 of the collective labour agreement of Sonatrach.

[50]- Article 110 of the collective labour agreement concerning the workers of the National Social Insurance Fund and the National Retirement Fund, which provides for placement on unpaid leave for a female worker in order to raise a young child or a child with a disability requiring treatment.

[51]- Article 94 of the Egyptian Labour Law.

expressly stated in the third paragraph of Article 12 of Law No. 90/11, which provides: "... when the matter concerns the replacement of a confirmed worker who is temporarily absent from his position, the employer must preserve the job position for its holder."

The employer is therefore responsible for reintegrating the absent female worker, after the end of maternity leave, into her job position or an equivalent job position. This is also confirmed by Article 65 of Law No. 90/11, which states: "The workers referred to in Article 64 shall be legally reinstated in their job positions or in positions with equivalent pay after the expiry of the periods that caused the suspension of the employment relationship."

B. Prohibition of Dismissing the Female Worker Because of Maternity Leave or Pregnancy

International Convention No. 183 of 2000 concerning maternity protection prohibited, in Article 8, the dismissal of a female worker because of pregnancy or maternity leave, by including maternity leave among paid leaves and granting the female worker the right to enjoy several social benefits without losing her job, seniority, or social allowances.

As for Algerian legislation, the Algerian Labour Law did not expressly provide for this protection, whereas previous laws had expressly provided for it by considering any dismissal during this stage to be null and void.

By carefully examining the text of Article 64 of Law No. 90/11, it becomes clear that benefiting from maternity leave occurs by operation of law, and therefore the dismissal of the female worker during this period is not permitted. Article 65 of the same law is also very clear, as it recognizes the legal reintegration of workers after the end of the legally prescribed period of interruption from work, which constitutes a guarantee of protection against dismissal during this period.

French legislation, by contrast, expressly provides in Article L.122-25-2[52] for the prohibition of terminating the employment contract of a pregnant female worker if her pregnancy is medically established, whether

[52]- Article L 122-22-5 of the French Labour Code: "No employer may terminate the employment contract of a female employee when she is in a medically confirmed state of pregnancy and throughout the entire periods of suspension of the employment contract."

during the period of pregnancy or throughout the entire period of work stoppage, that is, during maternity leave. The same article lists the cases in which the employer is prohibited from terminating the employment contract of the female worker in two situations:

- When the female worker commits a serious fault that is unrelated to pregnancy.
- When it becomes impossible to continue the contract for a reason external to pregnancy or childbirth, as in cases of force majeure, collective dismissal of workers, closure of the establishment, or reorganization of the department due to urgent economic or technical circumstances.

Egyptian[53] and Moroccan legislation[54] followed the approach of French legislation by expressly prohibiting the dismissal of the female worker or the termination of her service during maternity leave, in line with the requirements of the International Convention on Maternity Protection. This step has been supported by legal doctrine, which considers every dismissal notified to the female worker during maternity leave because of pregnancy and childbirth to be null and void[55]. Some also consider that dismissing the female worker for any reason, or terminating the employment contract during maternity leave, constitutes unlawful dismissal[56].

C. Adaptation of Working Hours

International legislation has recognized the adaptation of working hours for pregnant female workers or breastfeeding mothers, taking into account their health condition by guaranteeing them appropriate rest times. In this regard, Recommendation No. R.95 provides in Article 5, paragraph 1,

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53- Article 92 of the Egyptian Labour Law.

54- Article 159 of the Moroccan Labour Code provides: "The employer may not terminate the employment contract of a female employee whose pregnancy has been established by a medical certificate, whether during pregnancy or for fourteen weeks after childbirth."

55- Jalal Al-Din Al-Qurayshi, *Commentary on Algerian Labour Law*, Office of University Publications, Algeria, 1984, p. 249.

56- Ali Awad Hassan, *A Concise Commentary on the New Labour Law*, Dar Al-Matbouat Al-Jamia, Alexandria, Egypt, 2002, p. 285.

that "... their working hours should be distributed in such a way as to ensure them appropriate rest times or periods." Law No. 88/07 dated October 26, 1988, relating to health, safety, and occupational medicine, provided for measures similar to those contained in the Recommendation. Article 12, paragraph 4, provides as follows: "Among the objectives of occupational medicine are: ... placing or maintaining workers in positions suited to their physiological and psychological capacities and, as a general rule, adapting work to the human being, and each person to his work."

The application of this type of facility is left to the provisions of collective labour agreements. In this context, the collective labour agreement of Sonelgaz establishes, in Article 186, the principle of adapting working hours for a worker whom the occupational physician, after a medical examination, has found unfit for the work he occupies. Such a measure may be applied to a pregnant woman whose health condition requires such facilities[57].

D. Part-Time Work

Part-time work is a means that enables a worker who wishes to reduce the burden of full-time work to do so. This measure is taken at the request of the male or female worker and with the employer's approval[58]. It is recognized for personal reasons, provided that an appropriate position is available and that the worker's professional qualifications correspond to those required for the available position[59].

Algerian legislation addressed part-time work in Article 13 of Law No. 90/11. This article was detailed in Executive Decree No. 97/473 dated December 8, 1997, which regulated the rules governing part-time work. However, it did not concern women alone, but was drafted in general terms to include both sexes. This differs from French legislation, which recognized it as one of the privileges granted to pregnant female workers, as they have the right to benefit from this measure once pregnancy is established. However, resorting to this measure is subject to a set of conditions, namely:

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[57]- Taj Ata Allah, Op. Cite, p. 243.

[58]- Ibid, p. 244.

[59]- Article 04 of Executive Decree No. 97/473, dated December 8, 1997, relating to part-time work.

- This measure must be taken at the request of the female worker.
- The period requested to be reduced must not exceed one-fifth of the statutory working time[60].

CONCLUSION

Legislation was not satisfied with merely providing family leaves in consideration of the working woman; rather, it was even more concerned with ensuring care for the working mother and her infant. The new amendment to the Social Insurance Law of 2025 represents a major development in the rights of working women compared with previous legislation. Within the framework of its protection of the working mother, it sought to reconcile two conflicting interests: the interest of the mother and the newborn on the one hand, and the interest of the employer on the other.

Through this study of the new provisions on maternity leave in Algerian legislation, we conclude that Algerian social legislation has regulated the female worker's right to paid maternity leave by establishing a sufficient period during which the female worker stops working for reasons of maternity, estimated at 150 days, equivalent to 21 weeks or five months, while benefiting from financial compensation at a rate of 100% within the framework of the social insurance system, with the possibility of extending maternity leave in consideration of the difficult health condition of her newborn. Algerian legislation has also contributed to the establishment of new legal texts that protect the female worker's job position during her absence on the one hand, and grant her compensation equal to her full wage during this period on the other hand.

This is because modern labour legislation, including Algerian legislation, must, in order to maintain a balance between the interests of the working woman on the one hand and the interests of the employer on the other, ensure a minimum level of rights, privileges, and guarantees for the working mother in caring for the newborn, including breastfeeding and proper upbringing. The following are the most important results reached through this study, in addition to some recommendations proposed in this field:

Results

[60]- Article L 212-4 of the French Labour Code.

- Benefiting from maternity leave is a legal right of the female worker pursuant to Article 64 of Law No. 90/11, and is not subject to the discretionary authority of the employer.
- Algerian legislation now sets the duration of maternity leave at 150 days, equivalent to approximately five consecutive months, with a daily compensation rate of 100%. This period is not reduced even if the child is born before the expected date of childbirth. Maternity leave may also begin at least 42 days before the expected date of childbirth.
- You can now benefit from maternity leave for one hundred and fifty consecutive days and a daily allowance at a rate of 100%.
- The compensation period estimated at one hundred and fifty days is not reduced if you give birth before the expected date of childbirth.
- You can benefit from maternity leave at least forty-two days before the expected date of childbirth.

If you are unable to resume work after the expiry of the 150-day maternity leave period because your newborn suffers from a disability, a congenital malformation, or a serious illness that necessarily requires accompaniment or medical intervention:

- You may submit a request to benefit from an extension of the maternity leave period for up to fifty consecutive days, with a daily compensation rate of 100%.
- The legally prescribed period of maternity leave after childbirth is a mandatory period during which the female worker is required to stop working, even if she insists on returning.
- The female worker is required to declare her pregnancy to the employer and to the social security body.
- One of the most important rights due to the female worker during maternity leave is the preservation of her job position. This right takes two forms: no disciplinary sanctions may be taken against the female worker, and her return to her job position after the end of the leave must be guaranteed.
- It is prohibited to dismiss the female worker or terminate her employment contract because of her pregnancy, when proven by a medical certificate, or during maternity leave.

- The new law prohibits combining several types of social compensation at the same time. This measure aims to regulate access to social benefits and prevent duplication of compensation.

Recommendations

- If it appears that the provisions on maternity leave are limited to childbirth alone, then it seems necessary to establish a special legislative provision for cases of miscarriage, taking into account multiple considerations.
- Article 32 of Executive Decree No. 84/27, which determines the procedures for implementing the Social Insurance Law and requires female workers not to stop working after pregnancy has been confirmed, must be reconsidered. This constitutes unfairness toward working women whose difficult pregnancy conditions may force them to submit requests for sick leave.
- A special branch should be established at the level of social security bodies to take care of female workers who do not meet the service requirement for benefiting from maternity compensation.
- The employer should add an explicit provision to the Labour Law prohibiting the employer from imposing disciplinary sanctions or dismissing the female worker during maternity leave.
- Some articles should be added to the Labour Law to facilitate women's work during pregnancy, following the example of certain comparative legislations.

References List

Books

1- Ibtisam Al-Farram, *Legal Terminology in Algerian Legislation*, Qasr Al-Kitab, Blida, Algeria, 1998.
2- Ibrahim Gouider, *Studies in Social Security Systems*, National Book House, Benghazi, Libya, 1992.
3- Ahmed Shawqi Mohamed Abdel Rahman, *The Intermediate Commentary on Social Legislation*, 1980.
4- Al-Tayeb Belloula, *Interruption of the Employment Relationship*, Berti Publications, Algeria, 2007.
5- Bashir Hedfi, *A Concise Commentary on Labour Law: Individual and Collective Labour Relations*, Dar Al-Rihana, Algeria, 2001.

6- Taj Ata Allah, *Working Women in Algerian Labour Legislation between Equality and Legal Protection: A Comparative Study*, Office of University Publications, Algeria, 2006.
7- Hassan Kira, *Principles of Labour Law: The Employment Contract*, Monshaat Al-Maaref, Alexandria, Egypt, no publication year mentioned.
8- Jalal Al-Din Al-Qurayshi, *Commentary on Algerian Labour Law*, Office of University Publications, Algeria, 1984.
9- Ragheb Boutros and Abdel Aziz Ragab, *Commentary on the Laws Regulating the Employment Contract*, Publishing House for Egyptian Universities, 1957.
10- Salama Abdel Tawab Abdel Halim, *Provisions on Maternity Leave: A Comparative Study*, Dar Al-Nahda Al-Arabiya, Cairo, 2009.
11- Sayed Mahmoud Ramadan, *The Intermediate Commentary on Labour Law and Social Security Law: A Comparative Study with Judicial Applications of the Courts of Cassation and Appeal*, Dar Al-Thaqafa for Publishing and Distribution, Amman, Jordan, 2010.
12- Ali Awad Hassan, *A Concise Commentary on the New Labour Law*, Dar Al-Matbouat Al-Jamia, Alexandria, 2002.
13- Mohamed Sherif Abdel Rahman Ahmed Abdel Rahman, *Effects of the Employment Contract*, Dar Al-Nahda Al-Arabiya, Cairo, Egypt, 2007.
14- Mahmoud Gamal Al-Din Zaki, *The Employment Contract in Egyptian Law*, no publishing house mentioned, 1982.
15- Mahdi Bakhda, *The Legal Regulation of Working Time in Algerian Legislation: A Comparative Study*, Algeria, 2013.
16- Hammam Mohamed Mahmoud Zahran, *Labour Law: The Individual Employment Contract*, Dar Al-Matbouat Al-Jamia, Alexandria, 1997.
17- Youssef Elias, *A Concise Commentary on Labour Law*, Al-Rusafa Institute of Administration, no publication year mentioned.
18- Solange Liozon and Jean-Marie Fonteneau, *Legislation and Management*, *Pharmacy Technician Notebooks*, Wolters Kluwer, France, 2008.
19- Michel Mine and Sylvain Allmand, *Whistling While Working? Human Rights at Work: An Overview*, Libertés Plurielles, Le Cavalier Bleu, 2006.

Legal Texts

1- International Convention No. 03, dated October 19, 1919; International Convention No. 103 of 1952; and International Convention No. 183 of 2000 relating to maternity protection.
2- Law No. 90/11, dated April 21, 1990, relating to labour relations, Official Gazette No. 17 of 1990, as amended and supplemented by Law No. 91/29 and Ordinance No. 96/21 containing the Labour Relations Law.
3- Law No. 25/08, dated July 19, 2025, amending and supplementing Law No. 83/11, dated July 2, 1983, relating to social insurance, Official Gazette No. 47, dated July 22, 2025.
4- Ordinance No. 96/17, amending and supplementing Law No. 83/11, issued on July 6, 1996, Official Gazette No. 42, issued on July 7, 1996.
5- Law No. 83/11, dated July 2, 1983, relating to social insurance, Official Gazette No. 07 of 1983.
6- Ordinance No. 96/17, dated July 6, 1996, amending Law No. 38/11, Official Gazette No. 42 of July 7, 1997.
7- Executive Decree No. 97/473, dated December 8, 1997, relating to part-time work.
8- Decree No. 84/27, dated February 11, 1984, the executive decree determining the procedures for implementing Social Insurance Law No. 83/11.
9- Egyptian Labour Law No. 12 of 2003.
10- Jordanian Labour Law No. 08 of 1996, as amended by Law No. 51 of 2002.
11- Royal Decree No. 103194, dated September 11, 2003, issued for the implementation of Law No. 99/65 concerning the Moroccan Labour Code.
12- Tunisian Labour Code No. 66/27 of April 30, 1966, as amended by Law No. 73/77 and Law No. 96/62.
13- Law No. 79 of 1975, dated September 1, 1975, containing the Egyptian Social Insurance Law, as amended and supplemented, Official Gazette No. 17 of 1975.
14- French Labour Code.
15- The collective labour agreement concerning the workers of the National Social Insurance Fund and the National Retirement Fund.

16- The Sonatrach collective labour agreement, registered with the Labour Inspectorate of Algiers on November 22, 1994.
17- The internal regulations of Algeria Telecom, approved by the Labour Inspectorate of Dar El Beida, Algiers, on May 6, 2004.

University Theses

1- Rahoui Fouad, *Rest and Legal Leave in Algerian Social Law*, Master's Thesis in Social Law, Faculty of Law, University of Oran, 2006-2007.
2- Hafer Fatima, *Cases of Suspension of the Employment Relationship in Indefinite-Term Employment Contracts in Algerian Legislation*, Master's Thesis in Social Law, 2008-2009.