



# Basic Guide PREGNANT WOMEN AND HEALTH LAWS

When we are talking about pregnancy, it is important that the pregnant woman knows all her rights, since antenatal until the first months of the baby. In this guide, some of them will be clarified.

## PREGNANT WOMEN'S RIGHTS:

### **1. Guarantee of stability:**

The employed pregnant woman has the guarantee of stability during pregnancy and until five months after the birth. This stability is a guarantee the baby is fine during pregnancy over its first months. The employee is prohibited from being laid off. Still, if the woman finds out the pregnancy after being laid off, if there is the interest, the employee can be hired again. It is still valid in cases where the woman finds out the pregnancy during the 30-day notice.

*It is important to highlight that this right is only guaranteed to employed pregnant women.*

### **2. Right to privacy:**

According to the article Art. 373-A, IV, CLT, the employee cannot be submitted by her employer to take an exam that confirms her pregnancy.

### **3. Right to security in the company:**

If the pregnant woman makes functions in the company that put her own life and the health of the baby in risk, it is possible to request a medical report from the doctor to change the working position or the area.

### **4. Maternity leave:**

This right is one of the most famous ones. But it is still important to highlight that every woman who works and contributes to INSS (National Institute of Social Security) has the right to maternity leave. This includes women who adopt and who give birth to stillborn children.

## **5. Right to medical check-up and exams:**

According to CLT (Consolidation of Brazilian Labor Laws), the pregnant woman can be absent from the job six times without justification to attend her antenatal, and if it is a risk pregnancy she can go to medical appointments as many times as necessary.

## **6. The right to remuneration during the leave:**

If it is proved a high-risk pregnancy, the pregnant woman has to stay in complete rest and receives illness aid.

## **7. Right to a break-time to breastfeed:**

Until the baby's first six months of life, the employer has the right of two 15-minute breaks to breastfeed the child.

## **8. Right to a companion during childbirth:**

According to the federal law 11.108/2005, Companion Law, it is guaranteed the attendance of a companion during the labor, the birth and the postpartum, being the hospital public or private.

## **9. Right to choose the type of delivery:**

The woman has the right and autonomy to choose the way the baby will be delivered. For that, talk to your doctor and see what is the best option for you.

## **10. Father's right:**

- During the birth, the baby's father has the right to miss 2 days at work without any discount of his payment to attend medical appointments.
- After the child is born, the father has the right to 5 days of paid paternity leave counting from the day the child was born.
- Fathers of children up to 6 years old have the right to miss one day a year to attend medical appointments.

## **11. Father's obligations:**

- Provide food appropriate for pregnant mothers during the pregnancy.
- Pay child support in case of divorced parents.
- Help the mother during the education of his kids.
- Discharge the duties as a father.

## **12. Right to a humanized birth:**

Every pregnant woman has the right to assistance to the birth and puerperium. Also, every newborn has the right to humanized neonatal assistance. Let's understand a bit more about what a humanized birth is. In this kind of birth, the main character is the woman. This way, she will decide how her child will be delivered and the positions she wants to be at that moment. Still, after the childbirth, the patient has the autonomy to have the baby in the arms, making the connection between mom and baby.

## **13. Female medical team during labor:**

It is the right of the woman to be attended by a 100% female medical team during labor, request this measure to the hospital during the antenatal or, in case you didn't have medical support during the pregnancy, request the moment when you are in labor.



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