

# The Netherlands<sup>1</sup>

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For comparisons with other countries in this review – on demographic, economic, employment and gender equality indicators and on leave provision and early childhood education and care services - go to [cross-country comparisons](#) page on website. To contact authors of country notes, go to [membership-list of members](#) page on website.

## 1. Current leave and other employment-related policies to support parents

### a. Maternity leave (*zwangerschaps- en bevallingsverlof*) (responsibility of Department of Social Affairs and Employment)

*Length of leave (before and after birth)*

- Sixteen weeks. Leave must start four weeks before birth and up to six weeks can be taken the birth, with ten weeks after the birth. If the birth is later than the expected date of delivery, the longer benefit period preceding childbirth is not deducted from the benefit period after childbirth. It is obligatory to take leave.

*Payment and funding*

- Hundred per cent of earnings up to a ceiling equivalent to the maximum daily payment for sickness benefit (€194.85).
- Funded from the unemployment fund, which is financed by employers contributing 4.15 per cent of employees' earnings.

*Flexibility in use*

- Leave can be started between six and four weeks before the expected date of delivery, but pregnant workers are not allowed to work between four weeks before the expected and six weeks after the actual date of delivery.

*Eligibility (e.g. related to employment or family circumstances)*

- All women employees.
- Self-employed women are entitled to a 16 weeks payment up to a maximum of 100 per cent of the statutory minimum wage (€1469.40 a month before taxes).

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*Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother*

- None.

## **b. Paternity leave (*kraamverlof*) (responsibility of Department of Social Affairs and Employment)**

*Length of leave*

- Two working days at the birth of a child.

*Payment and funding*

- Hundred per cent of earnings, with no ceiling on payments.
- Paid by the employer.

*Flexibility*

- Leave can be taken within four weeks after the birth of the child.

*Eligibility (e.g. related to employment or family circumstances)*

- Male and female employees who are the partner of a woman giving birth or who acknowledge the child.

*Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the father*

- None.

*Additional note (e.g. if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)*

- See 1c.

## **c. Parental leave (*ouderschapsverlof*) (responsibility of Department of Social Affairs and Employment)**

*Length of leave*

- Twenty-six times the number of working hours per week per parent per child. For example, a full-time job of 38 hours a week gives a leave entitlement of 988 hours (i.e. 26 weeks). Leave is an individual, non-transferable entitlement.
- Leave has to be taken part time; full-time is only possible when the employer agrees. So in the example given above, the worker would work 50 per cent of normal working hours (i.e. 19 hours) for 12 months. Other part-time options are possible, e.g. fathers often take only one day of Parental leave per week, which enables them to extend the period of leave over an even longer period.

### *Payment and funding*

- None. But all parents taking Parental leave are entitled to a tax reduction of €4.24 an hour for each hour of leave.

### *Flexibility in use*

- Leave can be taken until a child is 8 years old.
- With the agreement of the employer, leave can be taken for more hours a week during a shorter period or for less hours a week over a longer period (e.g. on a half-time basis over 52 weeks).
- With the agreement of the employer, leave can be taken in two or three blocks of time.

### *Eligibility (e.g. related to employment or family circumstances)*

- All employees who have completed one year's continuous employment with their present employer.

*Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the parents*

- As the leave is per child, each parent is entitled to additional leave in the case of a multiple birth.

*Additional note (e.g. if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)*

- Employers are permitted to deviate from the statutory entitlements by Collective Labour Agreement or (under certain conditions) by written agreement with the works council or staff representatives. In these cases, employees can be offered less than the statutory entitlement (for example, less payment, a shorter leave or no right at all) or more. For instance, in 10 per cent of the Collective Agreements made in 2009, Parental leave was partly paid, at between 40 per cent and 75 per cent of previous earnings (75 per cent of previous including the tax reduction referred to in 'payment and funding' above). However, since Parental leave has been doubled from 13 to 26 weeks (since 1 January 2009) payment sometimes is restricted to the first 13 weeks. This is for instance the case for local civil servants)<sup>2</sup>.

## **d. Childcare leave or career breaks**

No statutory entitlement.

## **e. Other employment-related measures**

### *Adoption leave and pay*

- Each parent is entitled to four weeks leave when a child is placed for adoption (or long-term fostering), with payment equivalent to Maternity leave.

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<sup>2</sup> Beeksma, M en L. Junger-van Hoorn (2010) *Faciliteiten arbeid en zorg 2009 Een onderzoek naar cao-afspraken met betrekking tot arbeid-en-zorg-faciliteiten*. Den Haag, Ministerie van Sociale Zaken en Werkgelegenheid.

- Leave can be taken during a period starting at two weeks prior to the placement of a child and up to 16 weeks after placement.
- For adoptive parents the same regulations for Parental leave apply as for other parents.

#### *Time off for the care of dependents*

- 'Short-term leave' up to a maximum of ten days a year can be taken to care for a sick child living at home, or a sick partner or parent. The employer is required to pay 70 per cent of the employee's earnings. All employees are eligible, subject to three conditions: first, an employer can refuse to grant the leave if the interests of the organisation might be seriously harmed; second, care must be necessary because of illness; third, care has to be provided by the employee involved.
- Employees with a child, partner or parent with a life-threatening illness are entitled to unpaid 'long-term leave' of up to six times their working hours per week to be taken part-time (i.e. 12 weeks at half of the working hours). With the agreement of the employer long-term care leave can also be taken full time or less hours per week over a longer period to a maximum of 18 weeks. The right is conditional: an employer can refuse the leave if the organisation's interests are seriously harmed.
- In addition, a 'reasonable amount of time' can be taken by an employee with very exceptional personal circumstances (e.g. a broken water pipe, a death in the family, a child suddenly taken ill). This so-called 'emergency leave' can last from a few hours to a few days, but terminates after one day if short-term leave (see above) is subsequently taken. The employer is required to pay 100 per cent of the employee's earnings.

#### *Flexible working*

- Under the Working Hours Adjustment Act, all employees who have completed one year's continuous employment with their present employer have the right to increase or decrease their working hours. The right to adjustment of working hours is, however, conditional: the employer can refuse to grant the request if the interests of the business or service might be seriously harmed; and the law does not apply to employers with less than ten employees.

## **2. Relationship between leave policy and early childhood education and care policy**

The maximum period of paid post-natal leave available in the Netherlands per family is 14 months, but most of this is low paid; leave paid at a high rate runs for only 10 weeks. There is an entitlement to ECEC from 4 years of age, though only for part-time schooling (22 hours a week during school time). So there is a gap of nearly 3 years between the end of leave and an ECEC entitlement, and a gap of 3¾ years between the end of well-paid leave and an ECEC entitlement. Levels of attendance at formal services for children under 3 are well above the average for the countries included in this review and OECD countries (though this includes many 2 year olds attending part-time playgroups); but are below both averages for children over 3 years. For actual attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

### **3. Changes in policy since April 2012 (including proposals currently under discussion)**

The Minister of Social Affairs, responsible for leave arrangements, sent a bill to Parliament in August 2011: *Wet houdende modernisering regelingen voor verlof en arbeidstijden* [Law on modernizing leave arrangements and working times]. The bill includes: more flexibility in the uptake of Parental leave; an extension of the entitlement to employees starting in a job; and an entitlement to (short-term and long-term) care leave arrangements for household members other than a child or partner. In case of hospitalisation of a newborn child, the Maternity leave will be extended to give an entitlement for at least ten weeks of leave from the moment that the child is discharged from the hospital. The government has postponed the discussion of the bill by the Parliament until Autumn 2013.

In Spring 2012 a new article was added to the Act on Working Times (*Arbeidstijdenwet*), to implement the European Directive 2010/18/EU and intended to give better protection to employees taking Parental leave. Furthermore, according to this article, an employee can ask the employer for a temporary change of working hours, immediately after the uptake of all of the Parental leave (maximum period of a year).

In February 2012, the Green Party and the Christian Democrats proposed a bill to change the Working Hours Adjustment Act in order to stimulate flexible work. Employees would be entitled to ask their employer for a change in working hours, working times and working place. The bill is currently waiting to be discussed in Parliament.

## **4. Take-up of leave**

### **a. Maternity leave**

No specific study has been done on the take up of Maternity leave. Because of the fact that all pregnant employees are entitled to (at least) 16 weeks of fully paid Maternity leave and are not allowed to work from four weeks before the expected date of confinement, take up of 100 per cent might be expected.

### **b. Paternity leave**

An employee survey in 2004 found that 90 per cent of men entitled to Paternity leave took up some sort of leave: 51 per cent had taken the statutory Paternity leave, but most had taken holidays or leave accrued in lieu of pay<sup>3</sup>.

### **c. Parental leave**

Figures from Statistics Netherlands show that in 2011, 128,000 female employees and 137,000 male employees (working 12 hours or more per week) were entitled to Parental leave. Of women eligible for Parental leave, 49 per cent took leave for an average of 12 months and 10 hours a week; among men eligible for Parental leave, 27 per cent took leave for an average of 18 months and 8 hours a week. The long periods of leave reflect the possibility in the Netherlands to take part-time Parental leave and to spread the leave over several months. During their period of leave, mothers worked on average 27 hours per week, fathers 37. For men the use of Parental leave has grown since 2003 from 15 per cent

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<sup>3</sup> Van Luijn, H. and Keuzenkamp, S. (2004) *Werkt verlof? Het gebruik van regeling voor verlof en aanpassing van de arbeidsduur*. Den Haag: Sociaal en Cultureel Planbureau.

to 18 per cent in 2007 and 27 per cent in 2011; while for women, uptake increased from 42 per cent in 2003 and 2007 to 49 per cent in 2011<sup>4</sup>.

The take-up of Parental leave is not only higher among women, but also among workers with intermediate and higher levels of education; the take-up among women with a higher level of education is 56 per cent whereas for women with a low level it is 17 per cent; the figures for men are 26 per cent and 8 per cent respectively. Women working full time (35 hours a week and more) more often take up leave than those working part time (12 to 24 hours a week): 55 per cent and 30 per cent respectively. Furthermore, twice as many women with a high personal income (€40-50,000 a year before tax) take up leave than women with a low personal income (€10-20,000): 60 and 31 per cent respectively<sup>5</sup>.

As payment above the statutory minimum depends on collective agreements, take-up rates vary between sectors. Employees in the public sector and in the health care sector more often have paid Parental leave (with payment by the employer of up to 75 per cent of previous earnings) than employees in the private sector: 79 per cent and 25 per cent respectively<sup>6</sup>.

In a comprehensive study on the position and participation of women from ethnic minorities in Dutch society (Keuzenkamp and Merens, 2006), attention is paid to the use of Parental leave by Turkish, Moroccan, Surinamese and Antillean working parents. Take-up is found to be much lower among Turkish, Moroccan and Antillean workers than among Surinamese and native Dutch workers. The two main reasons why respondents did not take up Parental leave are unfamiliarity with the entitlement and the fact that there was no need to use it (others took care of the children).

#### **d. Other employment-related measures**

*Use of leave for short periods of care.* In a special module added to the Dutch Labour Force Survey, employees who work at least 12 hours per week are asked about their take up of care leave and emergency leave. In 2011 218,000 women and 186,000 men took care of a sick child, parent or partner for a short period, and 33 per cent of the women and 37 per cent of the men took some sort of leave. Different kinds of leave were taken; 9 per cent of both men and women took 'short-term care leave' and 3 per cent of both men and women said they had taken 'emergency leave'. Moreover, 11 per cent of women and 15 per cent of men used part of their holidays<sup>7</sup>.

*Use of leave in longer periods of care.* According to figures of National Statistics in 2011 202,000 women and 167,000 men took care of a sick member of their family on a regular basis and/or for a longer period; 15 per cent of the women and 16 per cent of the men who undertook such care took some sort of leave. Mostly this was 'short-term care' leave (5 per cent of both women and men), but also 2 per cent of the women and 3 per cent of men took holidays, 1 per cent of the women and 2 per cent of the men took up 'long-term care leave'

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<sup>4</sup>Centraal Bureau voor de Statistiek (2012) *Ouderschapsverlof; gebruik en duur*. Available at: <http://statline.cbs.nl/StatWeb/publication/?DM=SLNL&PA=72022ned&D1=0-4&D2=a&D3=0&D4=0,2-11&VW=T>; Merens, A., Hartgers, M. and Brakel, M. van den (2012). *Emancipatiemonitor [Emancipation Monitor]*. Den Haag: SCP & CBS.

<sup>5</sup>Mooren, F. Van der and J. de Vries (2011) 'Vooral hoogopgeleide, voltijds werkende vrouw neemt ouderschapsverlof op', in: *Webmagazine, maandag 4 april 2011*, Den Haag, Centraal Bureau voor de Statistiek.

<sup>6</sup>Ewalds, D. (2010) 'Ouderschapsverlof in de marksector meestal niet betaald', in: *Webmagazine, woensdag 15 december 2010*, Den Haag: Centraal Bureau voor de Statistiek.

<sup>7</sup>Centraal Bureau voor de Statistiek (2012) *Werknemers; zorg voor ziek familielid en gebruik van verlofregelingen*. Available at: <http://statline.cbs.nl/StatWeb/publication/?VW=T&DM=SLNL&PA=71516ned&LA=NL>

and 1 per cent of both the women and the men took 'emergency leave' (statline.cbs.nl, see note<sup>6</sup>).

Employees with a longer working week more often took leave when family members were sick for a long period: 18 per cent for those working 35 hours or more, 13 per cent for those working 12 to 35 hours a week. If employees took care of a family member, it was mostly (71 per cent) an elderly parent. But leave to care for an elderly parent accounted for only 21 per cent of cases of leave-taking. Leave more often was taken for partners (28 per cent) and children (23 per cent). One in five employees had a need for leave, but did not take it<sup>8</sup>.

An earlier survey (2006) reported that employees who took care of seriously ill relatives or friends and felt a need for leave but did not take it thought taking leave was not possible because of their work and (to a lesser extent) because of financial consequences. Also there was a lack of information on the statutory leave arrangements<sup>9</sup>.

### *The Working Hours Adjustment Act*

As is well known, many workers in the Netherlands work part time. The Netherlands Institute of Social Research has published three reports on part-time work in the Netherlands<sup>10 11 12</sup>. It is clear that part-time work is very popular (and for women even almost natural). Although the Working Hours Adjustment Act (WAA) is not irrelevant, it serves more to establish norms that are already in practice than to promote part-time work.

## **5. Research and publications on leave and other employment-related policies since April 2012**

### **a. General overview**

Nothing reported.

### **b. Selected publications since April 2012**

Annink, A. & Dulk, L. den (2012). Autonomy: the panacea for self-employed women's work-life balance? *Community, Work & Family*, Vol.15, No.4: 383-402.

This article reports on an interview study ( $N=24$ ) of how self-employed women with children feel they manage paid work and other life domains in the Netherlands. Autonomy appeared to be an important resource, allowing them to combine their work more easily with childcare, household duties, and social and personal life. However, the degree and nature of that autonomy and the ability to use it varied among the self-employed in this study owing to work-related factors such as sector, work location, employees, and years of experience. Another important resource leading to greater satisfaction was the ability to define and reflect on personal goals in work and other life domains.

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<sup>8</sup> Vries, de J. (2010) 'Meeste werknemers nemen geen verlof op om voor ziek familielid te zorgen', in *Webmagazine, maandag 12 juli 2010*, Den Haag: Centraal Bureau voor de Statistiek.

<sup>9</sup> SZW (Sociale Zaken en Werkgelegenheid) (2006) *Beleidsdoorlichting Arbeid en Zorg*. Den Haag: Ministerie van Sociale Zaken en Werkgelegenheid.

<sup>10</sup> Portegijs, W. and Keuzenkamp, S. (eds) (2008) *Nederland deeltijdland. Vrouwen en deeltijdwerk [Part-time working in the Netherlands]*. Den Haag: Sociaal en Cultureel Planbureau.

<sup>11</sup> Portegijs, W. (ed.) (2008) *Verdeelde tijd. Waarom vrouwen in deeltijd werken [A picture of part-time working]*. Den Haag: Sociaal en Cultureel Planbureau.

<sup>12</sup> Keuzenkamp, S. (ed.) *Deeltijd (g)een probleem. Mogelijkheden om de arbeidsduur van vrouwen met een kleine deeltijdbaan te vergroten. (Working part-time: (nog) a problem?)* Den Haag: Sociaal en Cultureel Planbureau.

Merens, A., Hartgers, M. & Brakel, M. van den (2012) *Emancipatiemonitor [Emancipation Monitor]*. Den Haag: SCP & CBS. Available at:

[http://www.scp.nl/Publicaties/Alle\\_publicaties/Publicaties\\_2012/Emancipatiemonitor\\_2012](http://www.scp.nl/Publicaties/Alle_publicaties/Publicaties_2012/Emancipatiemonitor_2012)

The purpose of this report is to map the emancipation process in the Netherlands. The report contains, among other topics, recent figures on the take up of Parental leave, use of childcare, flexible working and part-time employment among women and men in the Netherlands. An extensive English summary is available at the end of the report.

Robeyns, I (2012) 'Should maternity leave be expanded?' *Ethics and Social Welfare*, Vol.6, NO.2: 206-212.

This paper discusses an EU proposal to extend Maternity leave to 20 weeks fully paid leave and Paternity leave to 2 weeks fully paid leave. The author focuses in her analysis on two principles: 'the principle of non-discrimination' and 'the principle of balancing the interests of all affected parties'. She uses the Dutch case as an example.

Werk en Mantelzorg (2012) *CAO Monitor 2012*. Available at:

[http://www.werkenmantelzorg.nl/UserFiles/files/algemeen/Cao\\_monitor\\_2012.pdf](http://www.werkenmantelzorg.nl/UserFiles/files/algemeen/Cao_monitor_2012.pdf)

This Dutch report gives an overview of collective agreements in the Netherlands on long-term care leave.

Dulk, L. den, Peters, P. and Poutsma, E. (2012) 'Variations in adoption of workplace work-family arrangements in Europe: the influence of welfare state regime and organizational characteristics', *The International Journal of Human Resource Management*, Vol.23, No.13: 2785-2808.

This paper looks at how the adoption of workplace work-family arrangements are impacted by the wider policy context in a country and organizational characteristics, using the CRANET data.

### **c. Ongoing research**

*Self-employment and work-life balance*. Anne Annink, doctoral study at Erasmus University Rotterdam.

The aim of the study is to examine the work-life balance of self-employed persons in Europe, a changing but neglected group of workers in work-life research. The study will make use of the European Social Survey to investigate the work-life balance of the self-employed in differing policy contexts before and during the economic crisis. The study includes mapping of leave policies for self-employed. Contact: Anne Annink at [annink@fsw.eur.nl](mailto:annink@fsw.eur.nl).