Belgium

Laura Merla (Université catholique de Louvain) and Fred Deven (independent expert on family policies and social cohesion)

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NB. Belgium is a federal state.

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 (Moederschapsverlof / Congé de maternité) (responsibility of the Federal Department of Employment)

Length of leave (before and after birth)

- Fifteen weeks for employees. A woman can start to take her leave six weeks before her baby is due; one week before and nine weeks after delivery are obligatory.
- Eight weeks for self-employed mothers.
- Unemployed mothers have the same rights as employees.

Payment and funding

- Employees in the private sector: first month at 82 per cent of earnings plus 75 per cent for the remaining weeks with a ceiling of €133 per day. Statutory civil servants receive full salary; contractual civil servants, as for private sector.
- Self-employed mothers receive €440.50 per week.
- Unemployed mothers: first month receive unemployment benefits + 19 per cent of previous earnings with a ceiling of €133 per day, then unemployment benefits + 15 per cent of previous earnings with a ceiling of €133 per day
- Funded from Federal Health Insurance, financed by employer and employee contributions and general taxation.

Flexibility in use

- The start of Maternity leave can be delayed until one week before birth.
- Up to two weeks of post-natal leave can be taken as ‘free days’ thereby spreading Maternity leave over a longer period and facilitating a more gradual re-entry into paid employment.

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

- All women employees or women benefiting from unemployment benefits are entitled to leave with earnings-related benefit. Self-employed workers can take Maternity leave but have a separate system, which is less advantageous compared with employees (e.g. eight weeks of paid leave). Attempts have been made to compensate for this to some extent; for example, self-employed mothers can request 105 service vouchers to pay for household help (equivalent to about €900). But monitoring data have revealed that some self-employed mothers do not want to use this possibility, and that about one-fifth simply omit to request these service vouchers (within the deadline of fifteen weeks after giving birth).

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

- Mothers needing the full six weeks of pre-natal leave can take an extra week of post-natal leave, i.e. their Maternity leave is extended to 16 weeks.
- In the case of multiple births, the length of leave increases by two weeks. Maternity leave can also be extended if the baby is hospitalised following birth.
- ‘Social’ parental leave. In the case of the death of the mother, or if the mother remains in hospital (after the first week after delivery) for more than a week and if the baby is at home, the father is granted the remaining weeks of the Maternity leave period. He is paid 60 per cent of his earnings in addition to the payment of the mother’s maternity leave income.

b. Paternity leave (Vaderschapsverlof / Congé de paternité) (responsibility of the Federal Department of Employment)

Length of leave

- Ten working days; three days are obligatory.

Payment and funding

- One hundred per cent of earnings for three days paid by the employer; 82 per cent of earnings for the remaining period paid by Health Insurance up to a ceiling of €109.26 per day.
- Funded as Maternity leave.

Flexibility in use

- Fathers and co-parents (that is, same-sex partners) can take these two weeks during the first four months following the birth of their child.

Regional or local variations in leave policy

- Civil servants in the Walloon region receive 15 days, on the basis of their Collective Agreement.

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

- All male employees. Unemployed and self-employed fathers are not eligible.
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.

c. Parental leave (Ouderschapsverlof / Congé parental) (responsibility of the Federal Department of Employment and Social Affairs)

Length of leave (before and after birth)

- Four months per parent. Leave is an individual entitlement.

Payment and funding

- €707.08 per month net of taxes (€786.78 before taxes).
- Funded as Maternity leave.

Flexibility in use

- Leave may be taken full time, half-time over eight months, or one day a week over 20 months.
- For half-time leave, the total duration of eight months can be split into blocks of time, with a minimum of two months. For one-fifth leave, the total duration of 20 months can also be split into blocks, with a minimum of five months.
- Leave can also be combined as follows: one month at full time + two months at half-time + five months at one-fifth.
- Leave may be taken up to the child’s 12th birthday.
- Both parents can take leave at the same time.

Regional or local variations in leave policy

- The Flemish Community (i.e. the government in the Flanders area) pays an additional benefit bonus for a maximum of one year for Parental leave or Time Credit (see section 1d). The amount of this additional payment depends on the sector of employment (e.g. private, social profit or public) and the reduction of employment while taking leave. This additional benefit is largest for employees in the social profit sector, namely an additional €475.20 net per month for employees taking a full-time break (for Parental leave or, in the case of Time Credit, for care reasons); while for employees in the private sector it is €169.30 net per month (for Parental leave or, in the case of Time Credit, for any the reason for taking leave).

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

- All employees who have completed one year’s employment with their present employer (during the last 15 months) and who have, or expect to have, parental responsibility for a child. Otherwise, the employer can grant this benefit by agreement with the employee. All employees in the public sector are eligible, regardless of the length of service.
- Self-employed workers are not eligible.
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, length of leave is increased for multiple births, e.g. each parent of twins gets eight months of leave.
- Parents of disabled children can take leave until their child’s 21st birthday.
- The benefit is higher for lone parents who reduce their employment by a fifth (approximately €169 instead of €125 per month in all other cases).

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

- Employers may postpone granting leave for up to six months ‘where business cannot cope’. In addition, the request for leave must be addressed to the employer a minimum of two months and a maximum of three months in advance.

d. Childcare leave or career breaks

- There is a Time Credit system (Tijdskrediet / Crédit temps), which applies to employees in the private sector; a rather similar scheme – ‘career breaks’ – applies in the public sector. All eligible workers have a basic right over their working lives to one year of this type of leave, taken full time, or 24 months taken half time or 60 months taken at one-fifth time.
- Leave taken under the Time Credit/career break system is only paid if taken to care for a child younger than eight years (or for a disabled child up to 21 years), to provide palliative care, to care for a severely ill relative and/or to do a training course. Payment varies according to age, civil status and years of employment (e.g. it is higher for those employed for five years or more). The maximum for a full-time break is approximately €641 per month. The bonus for residents of the Flemish Community taking Parental leave also applies to this type of leave.
- Employees need two years of previous employment with the same employer to be granted payment. There is a guarantee in principle to return to the workplace following a career break or time credit period.
- For each company, there is a five per cent threshold of employees who can use the Time Credit system at any one time; priorities are settled within the company according to certain rules (e.g. priority in the case of care for a severely ill family member).
- Payments to Time Credit users are funded by the Federal social security system, which is financed by contributions from employers and employees, and by the federal government.
- Collective agreements negotiated at sectoral or company level are permitted to extend the Time Credit period up to 36 months for care and/or training purposes, e.g. a worker can take 24 months to care and 12 months for training or 36 months for care or 36 months for training, and even up to 48 months for care provided to a disabled or seriously ill child. This maximum length of leave is applicable regardless of the leave being taken full or part-time.

e. Other employment-related measures

Adoption leave and pay

- The same regulations as for parents having their own children, except Parental leave may be taken until a child’s twelfth birthday.
Time off for the care of dependants

- Employees may take up to ten days of leave a year ‘for urgent reasons’ (force majeure) to deal with unexpected or sudden circumstances. The legislation defines ‘urgent’ as making it ‘obligatory and necessary’ to be present at home instead of being at work (e.g. such as illness, accident or hospitalisation of a member of the household). There is no entitlement to payment.
- For a severely ill family member, an employee can take full-time leave ranging from one to twelve months (and up to 24 months in the case of part-time leave). It must, however, be taken in blocks of one to three months. Benefits paid are under the same conditions as for Parental leave.
- Employees may also take up to two months of leave, full time or part time, for palliative care (to be taken in blocks of one month). Benefits paid are the same as for Parental leave.
- Foster parents may take six days of leave to allow them to fulfil administrative and legal requirements, paid as for Parental leave.

Flexible working

- None.

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

The maximum period of paid post-natal leave available in Belgium is 36 months (including full use of the basic entitlement to Time Credit), but most of this is low paid; leave paid at a high rate ends after Maternity and Paternity leave at around four months after birth. There is an entitlement to ECEC from 2.5 years of age: from this age children can attend nursery school for 31.5 hours per week during term time. So there is no gap between the end of Parental leave/time credit and an ECEC entitlement, but a substantial gap of more than two years between the end of well-paid leave and an ECEC entitlement. Levels of attendance at formal services are above EU and OECD averages, with universal coverage for children over three years of age.

3. Changes in policy since April 2014 (including proposals currently under discussion)

From 1 January 2015 a series of reforms decided by the Di Rupo government (2011-2014) entered into force. These reforms include significant changes to the Time Credit system. In the new system it is no longer possible to take a one-year paid time credit for reasons other than care (for children, disabled children, severely ill relatives or palliative care) and training. In addition, the total duration of paid time credit (as negotiated in sectoral or workplace agreements) is now limited to 36 months (48 months if leave is taken to care for disabled or seriously ill children). In addition, the minimum age to become eligible for the ‘end of career’ time-credit scheme is progressively raised to 60 years (instead of 55).

For the first time in history, the current federal government is based on a coalition of two liberal parties (Open VLD and MR), one Christian-democrat party (CD&V) and one dominant Flemish nationalist party (N-VA), with only one French-speaking party, the MR, included - though the Prime minister comes from the latter party.

The Agreement of the Federal Government includes the following reforms in the coming years:
• The progressive harmonisation of the time credit and career break systems in the private, public and non-profit sectors
• Increased control on the reasons for, and conditions of, the use of thematic leave, including Parental leave
• An action plan for gender equality in work-life balance, consisting of a policy to combat stereotypes, and the ‘possibility’ to encourage a more equitable use of leave schemes by mothers and fathers

Finally, this federal government will examine the possibility of creating a ‘career account’ that will allow workers to cumulate ‘time’ and or ‘remuneration’, and use them for a temporary interruption of his/her career, to facilitate the transition between two jobs, or to top-up ones pension benefits. Existing schemes such as time-credit and ‘similar systems’ would be integrated into this account.

Following the 6th Constitutional reform of Belgium, numerous additional competencies were transferred from the Federal-level government to other political entities, especially Regional and Community-level Governments. This major transfer includes family benefits (not including leave policies), which from 2015 are under the authority of the three Regions. Each region is currently designing its own policy in this regard.

4. Take-up of leave

a. Maternity leave

A period of Maternity leave is obligatory for employees. There is no systematic information on what proportion of women do not take the full amount of Maternity leave, an issue especially relevant among the self-employed.

b. Paternity leave

Following the extension to ten days, in 2002, a large majority of men used Paternity leave, up from 17,045 fathers in 2002 to 61,246 in 2008 (RIZIV/INAMI data); a comparative study estimated the take-up rate of Paternity leave in 2008 was approximately 68 per cent. Only about five per cent of fathers continue to use only the three days of leave that was the previous entitlement.

The Belgian Institute for Equality of Women and Men (IGVM – IEFH) organized in November 2012 a symposium to celebrate the 10th anniversary of the introduction of the two weeks of Paternity leave (cf. Law – 1th July 2002). For that occasion, they also commissioned a quantitative study to analyse the experiences of approximately 800 fathers who took Paternity leave in 2008.

c. Parental leave

There is no information on what proportion of employees are not eligible for Parental leave.

In 2014, almost 57,300 employees used Parental leave, an increase of 26.4 per cent compared to 2007; 69 per cent were in the Flemish region, 23 per cent in the Walloon region and 8 per cent in the Brussels region. These figures suggest use of this leave is higher in the Flemish region. Part-time leave options are the most popular, especially among men. Almost three-quarters of leave takers use the one-fifth time option, suggesting that it is predominantly used as a flexibility measure.
But the possibility of combining two or more types of leave (e.g. mixing some full-time and some part-time leave) is rarely used, on average by about 1 per cent of men and 4 per cent of women.

Most of the users of Parental leave are women, although the proportion of fathers among all leave-takers is slowly growing. In early 2014, the Study Unit of RVA / ONEM (the agency in charge of payments for employees taking some type of leave or Time Credit break) issued a more detailed account of developments over the decade from 2002 to 2012. The proportion of men taking Parental leave increased from 8.3 to 25.7 per cent, with some levelling-off by the end of the period (RVA/ONEM, 2014).

Relating the number of men using Parental leave to the total number of employees again suggests there are regional differences. In 2012, 1.8 per cent male workers in the Flemish region took Parental leave, compared to 0.9 per cent in the Walloon region and 0.8 per cent in the Brussels region.

d. Other employment-related measures

In 2014, almost 69,000 public civil servants used the Career Break system, more than half on a part-time basis and about 30,000 on the basis of one day a week. The latter is increasingly used, up 29 per cent compared to 2007; while use of the full-time career break continues to fall.

In 2014, about 135,000 employees in the private sector made use of the Time Credit system, mostly via the one fifth formula (71 per cent). Overall, use increased by 20 per cent compared to 2007.

Men take about a quarter of the total use of leaves, but mainly use the limited time reduction formula (reducing hours by a fifth a week) implying that they spread their use of leave over several years.

Employees aged 50 and over represent the majority of users of the Time Credit/Career break system, accounting for 67 per cent of expenditure, mostly using the scheme to adapt their working time by taking part-time leave. Time Credit users in this age group are predominantly male, suggesting that men tend to use the system as a form of flexible early retirement (under the new rules, this will in future only be possible for workers over 55 years of age). By contrast, women tend to use it more to balance paid work and (child)care. In 2010, 61 per cent of all users were women.

5. Research and publications on leave and other employment-related policies since April 2014

a. General overview

There is no research on statutory leave entitlements, and only limited official information on take-up. At best, large-scale comparative information is provided on the basis of administrative statistics (see above) by the federal agency – RVA / ONEM - in charge of the regulation and monitoring of the various types of leave in Belgium. There have been a number of publications documenting the use of these entitlements based on these administrative records, showing an overall increase in use, mostly by women to maintain continuous employment when having children. Research has been focused on how parents have managed to take time off work or work more flexibly without recourse to legal entitlements, including the contribution of workplace policies and practices.
Some work has been initiated or commissioned by NGOs and stakeholders, such as the Flemish Family League (‘Gezinsbond’) or the socialist women’s movement (‘Femmes Prévoyantes’) often aiming to promote a larger share of care by fathers. In 2013, for example, 364 fathers and 440 mothers having at least one child were questioned online. This sample was representative for sex, age, and educational level of the respondents (Vrints, 2014). With some focus on fathers, both were asked how they perceive their work-life balance, what kind of practical arrangements they developed and which changes they would still like to make.

b. Selected publications since April 2014


The study examined how individual and contextual characteristics affect the gendered division of domestic work through different stages over the life course, including the influence of contextual variables on private gender equality from a life course perspective. The results showed that on average women are responsible for the bulk of the housework in all countries and in all life stages. However, the gender disparity is lowest among young couples without children and greatest among couples with children, confirming results of longitudinal studies. At all phases of the life course, gender equality is higher as working hours of women rise, as the proportion of household income for which a woman is responsible is larger and as the progressivity of the gender values is stronger. The effect of relative resources on gender inequality is largest among couples with young children. The effect of gender ideology is again strongest among young couples without children and smaller among couples with children living at home. Ideas about gender roles have a relatively large impact on the division of housework in the childless life stages. Gender egalitarian ideas are thus more easily translated into reality when couples are in life stages without children. It seems to be that when couples get children the effect of gender values is partly outweighed by the culturally dominant ideas related to parenting. This interpretation supports the argument that cultural ideas about parenting are stronger than cultural ideas about gender equality. The decision on the division of housework in the family is thus embedded in a cultural context and gender culture has an influence on the behaviour of individuals, regardless of personal beliefs.


The impact of policy uptake on childbearing has hitherto largely been neglected in most contributions. This paper studies the impact of leave-taking for the first child on second birth hazards in Belgium, France and Germany using a shared frailty approach which allows to control for unobserved heterogeneity. Results show a positive relation between uptake of leave policies and second births. Controlling for selection attenuates the positive association, but the effect remains significant. While leave-taking is much more prevalent among higher educated women, the effect of parental leave on parity progression is similar across educational groups. Although additional efforts are required to distinguish causal effects from self-selection, which presents an ongoing source of concern in research focusing on the effects of family policies, we also identify design features of parental leave schemes and differential uptake of family policies as relevant routes for future research.

The purpose of this chapter is to raise two blind spots of the defamilialisation concept that need to be addressed in future research. Both relate to the twice paradoxical experience of female migrant workers engaged in transnational flows of care that include caregiving both in the North and in the South. First, while defamilialisation in the North partly relies on important flows of migrant care workers, defamilialisation is not fully accessible to migrant care workers themselves. And second, defamilialisation, usually defined as a universal women’s issue and conceived within the borders of Nation States, does not sufficiently take into account the specific situation of migrant workers who continue to assume care responsibilities for relatives in the South, whose care needs are shaped within highly familialistic regimes.


c. Ongoing research

Among the universities in the Flemish-community of Belgium, two research units in particular work on work-life balance issues and occasionally provide relevant information related to leave policies:
