

INTERNATIONAL NETWORK ON LEAVE POLICIES AND RESEARCH

11th International Review of Leave Policies and Related Research 2015

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1. Introduction

The international network on leave policies and research has been producing an annual review of leave policies and related research since 2005 (for earlier reviews, go to the network's website: http://www.leavenetwork.org/archive_2005_2009/annual_reviews/). The review covers Maternity, Paternity and Parental leaves; leave to care for sick children and other employment-related measures to support working parents; and early childhood education and care policy. As well as policies, it provides information on publications and research.

The review is based on **country notes from each participating country**, prepared by members of the network and edited by one of the network's coordinators. Each country note follows a standard format: details of different types of leave; the relationship between leave policy and early childhood education and care policy; recent policy developments; information on take-up of leave; recent publications and current research projects.

The review also includes **definitions of the main types of leave policies**; and **cross-country comparisons**. These comparative overviews cover: each main type of leave; total leave available; the relationship between leave and ECEC entitlements; policy changes and developments since the previous review; publications since the previous review; and ongoing research in participating countries

The 2015 review includes three new countries: Malta, Mexico and Uruguay. Altogether, it covers 38 countries. In addition to the new countries, these are: Austria, Brazil, Australia, Belgium, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Lithuania, Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, Russian Federation, Slovak Republic, Slovenia, South Africa, Spain, Sweden, Switzerland, United Kingdom and United States of America.

N.B. It was not possible to update and revise the country notes for Netherlands and the Slovak Republic for the 2015 review; the country notes for these two countries, therefore, refer to April 2014.

The review is available online either as one complete document; or, for ease of downloading, divided into its constituent parts.

If citing the complete review, please do so as:

Moss, P. (2015) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

If citing an individual country note, please use the citation given as a footnote on the first page of that country note.

1. Defining leave policies

This report is about leave entitlements, mainly for workers with dependent children. As the review shows, working parents today in more affluent countries are often entitled to a range of different types of leave, the most common being:

a. Maternity leave

Leave generally available to mothers only (except in a few cases where part of the leave can be transferred to other carers under certain circumstances). It is usually understood to be a health and welfare measure, intended to protect the health of the mother and newborn child, to be taken just before, during and immediately after childbirth.

b. Paternity leave

Leave generally available to fathers only, usually to be taken soon after the birth of a child, and intended to enable the father to spend time with his partner, new child and older children.

c. Parental leave

Leave available *equally* to mothers and fathers, either as: (i) a non-transferable individual right (i.e. both parents have an entitlement to an equal amount of leave); or (ii) an individual right that can be transferred to the other parent; or (iii) a family right that parents can divide between themselves as they choose. In some countries, Parental leave consists only of non-transferable individual entitlements; in other countries, it is an entirely family right; while in other countries, part of Parental leave is an individual right, the remainder a family right. It is generally understood to be a care measure, intended to give parents the opportunity to spend time caring for a young child; it usually can only be taken after the end of Maternity leave. In some cases, parents can choose to take all or part of their Parental leave on a part-time basis.

In some countries, Parental leave is supplemented by a further period of leave intended also as a care measure, and given various names, such as 'childcare leave' or 'home care leave'. This leave is for parents following the end of Parental leave, and may not in practice be very different to Parental leave (although the conditions attached to the two types of leave may vary, see for example Finland or Norway).

d. Leave to care for children who are ill

This entitlement varies considerably between countries in terms of length, age of children included and payment. In some cases it may be extended to include certain adult relatives.

Although the rest of this introduction and the individual country notes differentiate between Maternity, Paternity and Parental leave, the distinction between these types of leave is beginning to blur in some countries, leading to the emergence of a single, generic Parental leave entitlement. For example, Iceland, Norway and Sweden already have a single period of post-natal leave that does not distinguish between the three different kinds of leave; however, one part of this generic post-natal leave can only be taken by mothers and another part only by fathers.

In other countries (e.g. New Zealand, Portugal), although different types of leave with distinct conditions are discernable, all leave comes under a common umbrella term of 'Parental leave'. A further variant that is blurring distinctions is the possibility that part of Maternity leave can

be transferred to the father, making it, in effect, a variant of Parental leave (for example, currently in Croatia, Czech Republic, Poland, Portugal Spain, and the UK).

2. Overview: cross-country comparisons

Sources used

The main sources used in this review of leave policies and research are country notes prepared by members of the international network on leave policies and research, following a common format; the author or authors of each country note are given at the start of the note. Three countries that have not been included in previous reviews – Malta, Mexico and Uruguay – have had a new country note prepared. For countries that have appeared in previous reviews, country notes are reviewed and revised each year by authors. All country notes are edited by one of the network’s coordinators, Peter Moss.

The expertise and work of the authors is gratefully acknowledged.

In addition, the ‘background data on countries’ page and the ‘relationship between leave and ECEC entitlements’ page draw on three comparative sources of demographic, economic and social data: the United Nations Development Programme’s annual Human Development Report, World Bank Data, and the OECD Family Database. Full details are given at the end of the table on each page.

Background data on countries: 2015

The 38 countries covered in this review include 11 **federal** states, in some of which provinces or states have their own leave policies (e.g. Canada, Switzerland, United States). Twenty-four are **member states of the EU**; and 31 are **member states of the OECD**.

Populations vary from less than half a million (Iceland, Luxembourg, Malta) to 320 million (United States). Most countries have a total period **fertility rate** that is below replacement level (at 2.1); only Israel, Mexico and South Africa reach or surpass this level, though several others are close; 14 countries have a rate of 1.5 or lower.

Per capita GDP varies from under \$20,000 (Brazil, Mexico, South Africa, Uruguay) to more than \$45,000 in three countries (Luxembourg, Norway, Switzerland, United States), though this is no guide to the generosity of leave benefits (Switzerland and the United States have very modest or no leave entitlements). **Income inequality** is particularly high in Brazil, Israel, Mexico, South Africa, Russian Federation, United States and Uruguay, and lowest in the Nordic countries and Slovakia.

Countries rank from 1st (Slovenia) to 94th (South Africa) on the UN's **Gender Inequality index** (1st meaning low inequality), while **women in parliament** range from 9 per cent in Hungary and 10 per cent in Brazil to 40 per cent or over in Finland, Iceland, Norway, Sweden and South Africa.

Highest levels of **employment among women with pre-school children** are found in Denmark, Luxembourg, Lithuania, the Netherlands, Slovenia and Sweden; while the lowest rates are in the Czech Republic, Estonia, Hungary, Japan, Malta and Slovakia.

	Population (2013) millions	Total fertility rate (2013)	Income and equality		Gender inequality(2013)		Maternal employment rate (2011)	
			GDP/capita (2011PPS\$) (2012)	Gini co-efficient (2003-12) ¹	Gender Inequality Index(rank)	% of women in parliament	per cent with child under 3 years	3 to 5 years
Australia F	23.3	1.9	42,278	NI	19 th	29	49 (child 0-5)(2009)	
Austria F	8.5	1.4	43,139	29.2	5 th	29	66	68
Belgium F	11.1	1.8	39,498	33.0	9 th	39	62	73
Brazil F	200.4	1.8	14,301	54.7	85 th	10	NI	NI
Canada F	35.2	1.6	40,588	32.6	23 rd	28	65	70

¹ Data refer to the most recent year available during the period specified

Croatia	4.3	1.5	19,946	33.7	33 rd	24	NI	NI	
Czech Rep	10.7	1.5	26,733	NI	13 th	21	21	80	
Denmark	5.6	1.7	41,524	NI	5 th	39	71 (1999)	78	
Estonia	1.3	1.6	24,195	36.0	29 th	21	22	78	
Finland	5.4	1.8	38,104	26.9	11 th	43	52	76	
France	64.3	2.0	36,074	NI	12 th	25	58	69	
Germany F	82.7	1.4	41,966	28.3	3 rd	32	53	65	
Greece	11.1	1.3	25,391	34.3	27 th	21	49	55	
Hungary	10.0	1.3	22,146	31.2	45 th	9	6	62	
Iceland	0.3	2.0	38,533	NI	14 th	40	84 (child 0-5)(2002)		
Ireland	4.6	2.0	42,919	34.3	20 th	20	59	53	
Israel	7.7	3.0	30,600	39.2	17 th	23	60 (child 0-1)	68(child 2-5)	
Italy	61.0	1.4	33,668	36.0	8 th	31	53	51	
Japan	127.1	1.4	35,006	NI	25 th	11	30 (2005)	48	
Lithuania	3.0	1.6	23,554	37.6	21 st	19	76	65	
Luxembourg	0.5	1.6	86,587	30.8	29 th	22	73	56	
Malta	0.4	1.4	28,398	NI	41 st	14	39	34	
Mexico F	122.3	2.2	16,144	47.2	73 rd	36	44 (2009)	69	
Netherlands	16.8	1.7	42,453	30.9	7 th	38	76	76	
N. Zealand	4.5	2.0	32,360	NI	34 th	32	42 (2009)	61	
Norway	5.0	1.9	62,858	25.8	9 th	40	NI	NI	
Poland	38.2	1.3	22,143	32.7	26 th	22	54	67	
Portugal	10.6	1.3	25,096	NI	21 st	29	68	78	
Russian F F	142.8	1.7	23,184	40.1	52 nd	12	NI	NI	
Slovakia	5.5	1.3	25,537	26.0	32 nd	19	19	63	
Slovenia	2.1	1.6	27,394	31.2	1 st	25	76	86	
S. Africa F	52.8	2.4	11,989	63.1	94 th	41	NI	NI	
Spain	46.9	1.3	31,196	34.7	16 th	35	55	57	
Sweden	9.6	1.9	41,840	25.0	4 th	45	72 (2007)	81	
Switzerld. F	8.1	1.5	51,293	33.7	2 nd	27	58 (2006)	62	
U. Kingdom	63.1	1.9	34,694	36.0	35 th	23	57	61	
USA F	320.1	1.9	50,859	40.8	47 th	18	54	74	
Uruguay	3.4	2.0	17,966	45.3	70 th	12	NI	NI	
						OECD average		52	66

Sources: *Population, income, inequality:* Human Development Statistical Tables, 2014 Human Development Report, UN Development Programme, Tables 3, 10 and 15, available at: <http://hdr.undp.org/en/content/human-development-report-2014>. *Fertility:* World Bank, Data, Fertility rate (total), births per woman, available at: <http://data.worldbank.org/indicator/SP.DYN.TFRT.IN/countries/1W?display=default>. *Employment:* OECD Family Database, Tables LMF1.2.B, available at: www.oecd.org/els/social/family/database

Key:

F: federal state

GNI: Gross national income, which comprises the total value produced within a country (i.e. its gross domestic product), together with its income received from other countries (notably interest and dividends), less similar payments made to other countries

Gini coefficient: a numerical measure of inequality. A value of 0 represents absolute equality; a value of 100 absolute inequality.

Gender Inequality Index: a composite measure developed by the United Nations Development Programme to reflect inequality in achievements between women and men in three dimensions: reproductive health, empowerment and the labour market. The health dimension is measured by two indicators: maternal mortality ratio and the adolescent fertility rate. The empowerment dimension is also measured by two indicators: the share of parliamentary seats held by each sex and by secondary and higher education attainment levels. The labour dimension is measured by women's participation in the work force. The figure given here is a country's ranking on the Index in relation to all other countries in the world.

Employment rate, women with a child < 3 years: In principle, all women on maternity or on statutory paid maternity or parental leave (legal or contractual) are counted as employed. EU guidelines stipulate counting parents on parental leave as employees absent for other reasons: they should be counted as employed if the period of absence is less than 3 months or if they continue to receive a significant portion of previous earnings (at least 50 per cent). However, national treatment of long or unpaid parental leave varies widely. For example, according to the OECD Family Database, 'many parents on parental leave in Austria (up to 2 years) are counted as inactive, while leave is technically unpaid (there is an income support benefit for all parents with a child not yet 30 months old. By contrast, many of the parents in Finland on home-care leave (which is often taken when the child is 1 to 3 years of age) are often included in the employment statistics'.

Statutory Maternity Leave: April 2015

Thirty-one countries **have a statutory and designated Maternity leave entitlement**. Leave is paid in all these cases and mostly at a high earnings-related level (see 'Key' below for definition) for most or all of the duration of leave – though it should be noted that with this and other forms of leave, a ceiling may be set on earnings-related payments, so that higher paid workers receive proportionately less of their earnings. The main exceptions are Canada (excluding Quebec), Ireland and Slovakia, where no period of leave is paid at a high earnings-related level; and Greece (private sector) and the UK, where less than half the leave period is paid at a high earnings-related level.

Of the seven countries that **do not have a statutory, designated and paid Maternity leave entitlement**, one – the United States – makes no provision nationally for paid leave for women at the time of pregnancy and childbirth, though the possibility of unpaid 'family and medical leave' exists for mothers working for employers with 50 or more employees. The other six countries without designated Maternity Leave – Australia, Iceland, New Zealand, Norway, Portugal and Sweden – provide paid leave that women may take at and around childbirth, but this leave has a generic designation, such as 'Parental leave' and can in certain circumstances be taken by fathers.

In Brazil and Greece, the **period of post-natal Maternity leave** differs for the public and private sectors; while in Canada, the province of Québec has a substantially different system to the remainder of the country. In the remaining 28 countries, the average (median) period of post-natal leave is 3.7 months. Six countries (plus the private sector in Greece and the public sector in Brazil) have particularly long periods of leave, six months or more. The longest period of leave, 12 months, is found in the UK; much of this period is either unpaid or paid at a low flat rate. At the other extreme, six countries have less than two months of post-natal leave.

There is not much **flexibility** in Maternity leave, and taking all or part of the leave is obligatory in most countries. Flexibility in use mainly takes the form of some choice about when women can start to take leave and how much of the leave period they can take before and after birth. In 14 countries, women can take more leave if they have a multiple birth or a higher order birth or a medical complication. Belgian mothers may take two weeks of Maternity leave as 'free days', spread over a period of time.

The Czech Republic, Croatia, Israel, Poland, Spain and the UK, however, have introduced another dimension of flexibility: mothers may **transfer part of the Maternity leave period to fathers** as a matter of course, i.e. without exceptional circumstances such as serious illness applying. Maternity leave can be transferred to fathers in some other countries, but only in certain extreme circumstances (such as death or severe illness).

Two approaches to leave policy are emerging:

1. Most widespread is the traditional concept of a 'Maternity leave' intended only for women, linked to pregnancy, childbirth and the first months of motherhood and treated as a health and welfare measure; the obligatory nature of at least part of Maternity leave in many countries reflects this orientation. Other leave available to women, mainly Parental leave, is additional and available equally to women and men. So under this approach, women are entitled to more leave overall than men.

2. Emerging more recently is a move away from the idea of a ‘Maternity leave’, **either** towards a birth-related leave for women, which can be transferred, at least in part, to fathers under normal circumstances; **or** towards dropping ‘Maternity leave’ altogether in favour of a generic ‘Parental leave’, usually with periods designated for ‘mothers only’ and ‘fathers only’. Thus Iceland offers nine months Parental leave, three months each for the mother and father and a further three months for the parents to divide as they choose; the only recognition of childbirth is the obligation for women to take two weeks leave after birth, with the possibility of an extended leave if a woman has suffered complications at or after giving birth.

Country	Summary of leave	Maximum length of post-natal leave (months)			Flexibility
		Total	Paid	Well paid	
Austria	●●● OB	1.9	1.9	1.9	1
Australia ²	□				
Belgium	●●● OB	3.3	3.3	3.3*	1
Brazil ³	●●●	4 or 6	4 or 6	4 or 6	None
Canada	●●	3.5-4.2	3.5	×	None
Québec	●●●	4.2	4.2	4.2*	2
Croatia	●●●TR OB	6	6	6	3; 4
Czech Rep	●●●TR OB	5.1	5.1	5.1*	1; 3
Denmark	●●● OB	3.3	3.3	3.3*	None
Estonia	●●● OB	3.7	3.7	3.7	None
Finland	●●● OB	2.9	2.9	2.9 ⁴	None
France	●●● OB	3.3	3.3	3.3*	1
Germany	●●● OB	1.9	1.9	1.9	None
Greece					
Private sec	●● OB	8.1	8.1	2.1	None
Public sec	●●● OB	3	3	3	1
Hungary ⁵	●●● OB	5.6	5.6	5.6	None

² Australia: The law only refers to ‘Parental leave’

³ Brazil: 6 months for some public and private sector employers; 4 months for others

⁴ Finland: the proportion of earnings paid is reduced beyond a specified level

⁵ Hungary: in addition to 24 weeks of Maternity leave, the period of high paid Parental leave (GYED) until 12 months after the birth can only be taken by the mother.

Iceland ⁶	☐	OB				
Ireland	●●		9.3	6.0	×	None
Israel	●●●●	TR OB	6.0	3.3	3.3*	1; 3
Italy	●●●	OB	3.7	3.7	3.7	1
Japan	●●●	OB	1.9	1.9	1.9	1
Lithuania	●●●		1.9	1.9	1.9*	1
Luxembourg	●●●	OB	1.9	1.9	1.9*	1
Malta	●●●	OB	4.2	4.2	3.3	None
Mexico	●●●	OB	1.4	1.4	1.4	None
Netherlands (2014)	●●●	OB	2.8	2.8	2.8*	None
New Zealand ⁷	☐					
Norway ⁸	☐	OB				
Poland ⁹	●●●●	TR OB	6.0	6.0	6.0	1; 3; 4
Portugal ¹⁰	☐					
Russian Fed	●●●		2.3	2.3	2.3*	1
Slovakia (2014)	●●	OB	6.5	6.5*	×	1
Slovenia	●●●	OB	2.6	2.6	2.6*	None
South Africa	●●		4	4	×	None
Spain	●●●●	TR OB	3.7	3.7	3.7*	1; 3; 4
Sweden ¹¹	☐	OB				

⁶ Iceland: The law does not distinguish separate Maternity, Paternity and Parental leaves, referring only to 'birth leave', part of which is for mothers, part for fathers, and part for parents to divide as they choose. 3 months of 'birth leave' is reserved for women to take after birth, of which 2 weeks is obligatory.

⁷ New Zealand: The law does not refer to Maternity leave, only 'paid Parental leave', which mothers can transfer to their partners. This leave is included under Parental leave, along with 'extended leave', which can be taken after 'paid Parental leave'

⁸ Norway: The law does not distinguish separate Maternity and Parental leaves, referring only to 'birth leave', part of which is for mothers, part for fathers, and part for parents to divide as they choose. 6 weeks of Parental leave is reserved for women to take after birth, and this is obligatory This leave is included under Parental leave.

⁹ Poland: women have the option to take 26 weeks of leave at 100 per cent of earnings or 52 weeks at 80 per cent, with all leave, after the first 14 weeks that are obligatory, transferable to the father. Although the second 26 week period in the lower paid option is referred to as 'Parental leave', it is included under Maternity leave since it is an entitlement for the mother, who may choose to transfer some or all of it to the father.

¹⁰ Portugal: The law does not refer to Maternity leave, only to 'Initial Parental leave', part of which is reserved for mothers (6 weeks for women to take after birth) with the remainder for parents to divide as they choose. This leave is included under Parental leave.

¹¹ Sweden: it is obligatory for women to take 2 weeks leave either before or after birth; to receive benefit, they must draw on their Parental leave entitlement

Switzerland	●●● OB	3.7	3.3	3.3*	None
U.Kingdom	●● TR OB	12	9.1	1.4	3
USA ¹²	×				
Uruguay	●●● OB	3.3	3.3	3.3	None

Key:

Well paid: payment at 66 per cent of earnings or above

TR: part of Maternity leave is transferable to the father in ordinary conditions

OB: part or all of the Maternity leave period is obligatory

×: no statutory entitlement; □: no statutory entitlement to Maternity leave, but provides a mother's quota of Parental leave; ●: statutory entitlement but unpaid; ●●: statutory entitlement, paid but *either* at low flat-rate (less than €1,000/month) or earnings-related at less than 66 per cent of earnings or at more than 66 per cent of earnings but not universally or for less than half the leave period; ●●●: statutory entitlement, paid for all or most of duration to all parents at high flat rate (€1,000/month or more) or 66 per cent of earnings or more, the latter being an indicator used by the European Commission in monitoring member states' progress in meeting Employment Guidelines (European Commission (2010) *Indicators for monitoring the Employment Guidelines including indicators for additional employment analysis, 2010 compendium*, Table 18.M3. Available at: <http://ec.europa.eu/social/BlobServlet?docId=4093&langId=en>)

*: ceiling on earnings-related payment

Flexibility: 1- additional time for multiple births, higher order births or medical complications; 2 – leave can be taken for a shorter period with a higher benefit paid or for a longer period with a lower benefit; 3 – in all cases part of Maternity leave may be transferred to the father (this does not include cases where transfer is only permitted in the case of maternal death or incapacity); 4 – part of the Maternity leave period can be taken part time, and the length of leave extended. Does not include flexibility in using part of Maternity leave before or after birth.

¹² USA: there is no separate Maternity leave, but parents may take up to 12 weeks unpaid leave for childbirth or for the care of a child up to 12 months as part of the federal Family and Medical Leave Act; employers with less than 50 employees are exempt. Five states and Puerto Rico provide some benefit payments to parents missing work at around the time of childbirth.

Statutory Paternity Leave: April 2015

Just as 'Maternity leave' is gender-specific, so too is the usual definition of Paternity leave, being an entitlement for fathers only that enables them to take a short period of leave immediately following the birth of a child, often associated with providing help and support to the mother.

However, as Parental leave in a number of countries includes a period of time that only fathers can take (sometimes referred to as a 'father's quota'), ***the distinction between Paternity leave and father-only Parental leave can be unclear and confusing***. A comparison of Iceland, Norway and Sweden provides an example of this complexity. Iceland offers nine months leave after birth, three months for mothers, three months for fathers and three months as a family entitlement to be divided between parents as they choose; there is, therefore, no Paternity leave *per se*, but three months of leave are available for the use of fathers only, to take as and when they choose (to add to the confusion, although the law covers all nine months with the same name – 'birth leave' – the three months for fathers is commonly referred to as 'Paternity leave'). Norway, by contrast, has two weeks Paternity leave (i.e. to be used at the time of birth) plus a further ten weeks father's quota, a part of the Parental leave that only the father can use; most of the Parental leave is a family entitlement. Sweden also has Paternity leave (ten days) and a fathers' quota (60 days) as part of Parental leave.

In this review, Paternity leave is narrowly defined as a short period immediately after the birth that is only available to fathers and is in addition to Parental leave, e.g. it is the ten days leave for men in Sweden, not the 60 days 'fathers' quota'. On this basis, ***21 countries have a statutory and designated Paternity leave***, plus the province of Québec in Canada; in two other countries, Luxembourg and South Africa, fathers can use another type of leave ('leave due to extraordinary circumstances' or 'family responsibility' leave) at the time of the birth of a child, but a separate Paternity leave does not exist. In two countries (Belgium and Italy), it is obligatory to take a (very) short period of Paternity leave. Paternity leave is generally paid, with the exception of New Zealand and Norway, and mostly at a high earnings-related level (see 'Key' below for definition) for the duration of leave – though it should be noted that with this and other forms of leave, a ceiling may be set on earnings-related payments, so that higher paid workers receive proportionately less of their earnings. However, most of the 13 weeks of leave in Slovenia is unpaid, while leave in the UK, like most of Maternity leave, is paid at a low flat rate.

The most common ***period of leave*** is two weeks, in 11 countries including the public sector in Brazil. In four countries it is just one or two days. Four cases, however, have longer periods: Québec (but not the rest of Canada), which offers three to five weeks of leave, depending on the level of benefit taken; Finland, nine weeks; Lithuania, four weeks; and Slovenia, 90 days. Slovenia has, however, decided to replace the current 90 days of Paternity leave, 75 days of which is unpaid, with 30 days paid at a high earnings-related level, though delaying implementation until the economy improves.

Twelve countries plus Québec offer some form of ***flexibility*** in the taking of leave, usually allowing the leave to be taken at any time during a defined period of time after childbirth.

Italy allows fathers 12 weeks post-natal ‘optional leave’, mainly in circumstances where the father is the sole or main carer (e.g. if the mother is dead or severely incapacitated). It is unclear whether this should be considered Paternity leave or a variant of schemes where Maternity leave can be transferred to fathers in certain conditions.

Country	Summary of leave	Length of post-natal leave (weeks)			Flexibility
		Total	Paid	Well paid	
Austria	×				
Australia ¹³	×				
Belgium	●●● OB	2	2	2*	3
Brazil ¹⁴	●●●	1 or 2	1 or 2	1 or 2	None
Canada Québec	×				
	●●●	5	5	5*	1
Croatia	×				
Czech Rep	×				
Denmark	●●●	2	2	2*	3
Estonia	●●●	2	2	2*	2; 3
Finland	●●●	9	9	9 ¹⁵	2; 3
France	●●●	2	2	2*	3
Germany	×				
Greece					
Private sec	●●●	2 days	2 days	2 days	None
Public sec	●●●	2 days	2 days	2 days	None
Hungary	●●●	1	1	1	3, 4
Iceland	×				
Ireland	×				
Israel	×				
Italy	●●● OB	1 day ¹⁷	1 day	1 day	3

¹³ Australia: 2 week payment for fathers taking Parental leave (‘Dad and Partner Pay’); included under Parental leave

¹⁴ Brazil: longer in public sector; less in private sector.

¹⁵ Finland: paid at 70 per cent of earnings, but proportion is reduced beyond a specified level

¹⁶ Iceland: The law does not distinguish separate Maternity, Paternity and Parental leaves, referring only to ‘birth leave’, part of which is for mothers, part for fathers, and part for parents to divide as they choose.

¹⁷ Italy: a further 2 days Paternity leave can be taken if the mother agrees to transfer these days from her Maternity leave. In addition fathers may take 3 months paid leave in exceptional circumstances, e.g. the death or severe illness of the mother

Japan	×				
Lithuania	●●●	4	4	4*	None
Luxembourg	[●●●●]	[2 days]	[2 days]	[2 days]	None
Malta					
Private sec	●●●	1 day	1 day	1 day	4
Public sec	●●●	2 days	2 days	2 days	3
Mexico	●●●	1	1	1	None
Netherlands (2014)	●●●	2 days	2 days	2 days	3
New Zealand	● ¹⁸	2	×	×	3
Norway	●	2	×	×	None
Poland	●●●	2	2	2	3
Portugal ¹⁹	×				
Russian Fed	×				
Slovakia (2014)	×				
Slovenia	●●	13	13 ²⁰	2.0*	2; 3
South Africa	[●●●●]	[0.7]	[0.7]	[0.7]	None
Spain	●●●	2.1	2.1	2.1*	3; 4
Sweden	●●●	2	2	2*	3; 4
Switzerland✓	×				
U.Kingdom	●●	2	2	×	3
USA	×				
Uruguay	●●●	1	1	1	None

Key:

Well paid: payment at 66 per cent of earnings or above.

OB: part or all of the Paternity leave period is obligatory.

¹⁸ New Zealand: the mother may transfer part of her leave payment to her partner on Paternity leave.

¹⁹ Portugal: The law does not refer to Paternity leave, referring only 'Father's-only Parental leave'. This leave is included under Parental leave.

²⁰ Slovenia: 2 weeks paid at 100 per cent of earnings; for the remaining period, social security contributions based on the minimum wage are paid for the hours not worked.

✘: no statutory entitlement; ●: statutory entitlement but unpaid; ●●: statutory entitlement, paid but *either* at low flat-rate (less than €1,000/month) or earnings-related at less than 66 per cent of earnings or at more than 66 per cent of earnings but not universally or for less than half the leave period; ●●●: statutory entitlement, paid for all or most of duration to all parents at high flat rate (€1,000/month or more) or 66 per cent of earnings or more, the latter being an indicator used by the European Commission in monitoring member states' progress in meeting Employment Guidelines (European Commission (2010) *Indicators for monitoring the Employment Guidelines including indicators for additional employment analysis, 2010 compendium*, Table 18.M3. Available at: <http://ec.europa.eu/social/BlobServlet?docId=4093&langId=en>

*: ceiling on earnings-related payment.

Square brackets [] - fathers may use another type of leave at the time of the birth of a child, but that a separate Paternity leave does not exist.

Flexibility: 1 – leave can be taken for a shorter period with a higher benefit paid or for a longer period with a lower benefit; 2 – leave can be taken in one block of time or several blocks; 3 – can be taken at any time during a defined period after birth; 4 – additional time for multiple births and large families.

Statutory Parental Leave and Childcare Leave: April 2015

These two types of leave are considered together here, though treated separately in the country notes. All EU member states must provide at least four months **Parental leave** per parent, under the terms of Directive 2010/18/EU. The directive defines this leave as enabling men and women “to take care of (a) child until a given age”, so distinguishing this leave from Maternity leave, where the directive setting minimum standards was adopted as a health and welfare measure. No payment or flexibility requirements are specified in Directive 2010/18/EU, but Parental leave is defined as “an individual right and in principle non-transferable”, though the directive goes on to add that “Member States are allowed to make it transferable.”

Eight of the 14 non-EU countries in this review also provide Parental leave. The exceptions are Brazil, Mexico, South Africa, Switzerland (the only European country included in this review not to provide Parental leave), United States (which has a generic and unpaid ‘family and medical leave’ that is not applicable to private employers with less than 50 employees) and Uruguay.

Six countries (Australia, Iceland, New Zealand, Norway, Portugal and Sweden) have Parental leave that subsumes either Maternity leave or Maternity and Paternity leave, though periods of Parental leave may be for mothers or for fathers only.

Parental leave varies on four main dimensions: length; whether it is an individual or family entitlement; payment; flexibility.

Broadly, countries divide into those where the **total length of Parental leave** available is less than 15 months; and those where continuous leave is available for up to three years or more. The former include Belgium, Canada, Croatia, Denmark, Finland, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Malta, Netherlands, New Zealand, Norway, Portugal, Slovenia and the UK; the latter ‘long leave’ countries includes the Czech Republic, Estonia, France, Germany, Hungary, Lithuania, Poland, Russia, Slovakia and Spain. Sweden falls in between: paid leave is expressed in days (to emphasise that it can be taken very flexibly), roughly equivalent to 18 months if taken continuously, while each parent is also entitled to take unpaid leave until a child is 18 months. So, too, does Austria and Australia, with leave lasting until a child’s second birthday, though in the latter case the second year requires an employer’s agreement. Greece is also exceptional, with eight months in the private sector and 24 months in the public sector. Note, too, that some countries supplement Parental leave with Childcare leave, so extending the period available (see below).

Parental leave is a **family entitlement** in 13 countries, to be divided between parents as they choose (Austria, Canada, Denmark, Estonia, Finland, France, Germany, Hungary, New Zealand, Poland, Russia, Slovakia and Slovenia); an **individual entitlement** in 12 countries (Australia, Belgium, Croatia, Czech Republic, Greece, Ireland, Israel, Italy, Luxembourg, Netherlands, Spain and the United Kingdom); a **mixed entitlement** (part family, part individual) in four countries (Iceland, Norway, Portugal and Sweden); while in Malta it is a family entitlement for workers in the public sector and an individual entitlement for private sector workers. It should be noted, however, that countries where leave is an individual entitlements vary in whether unused entitlements can be transferred to a partner (e.g. in Croatia and Slovenia) or whether entitlements, if not used, are forgone.

A majority of countries (26) provide some element of **payment**, only Greece, Ireland, Israel, Malta, Spain and the UK make no payment. Payment policy varies considerably. In 13 cases (Austria, Australia, Belgium, Canada excluding Québec, Czech Republic, France, Italy, Luxembourg, Netherlands, New Zealand, Poland, Russia and Slovakia) payment is either: flat-rate or set at a low earnings-related rate; not universal (e.g. means-tested); or paid at a high earnings-related rate but for less than six months. A similar number of countries + Québec pay an earnings-related benefit of more than two-thirds of normal earnings for six months or more; however, all except Finland impose **a ceiling on benefit payments**. In six cases – Austria, the Czech Republic, Estonia, France, Germany and Slovakia – parents on leave receive a general ‘childrearing’ benefit that is paid to *all* parents with young children, not just those taking leave.

Flexibility takes a number of forms, including:

- a. the possibility to use all or part of leave when parents choose until their child reaches a certain age;
- b. the possibility of taking leave in one continuous block or several shorter blocks;
- c. the possibility to take leave on a full-time or part-time basis (i.e. so parents can combine part-time employment with part-time leave);
- d. the option to take longer periods of leave with lower benefits or shorter periods with higher benefits;
- e. additional leave in the case of multiple births or, in a few cases, other circumstances;
- f. the possibility to transfer leave entitlements to carers who are not parents.
- g. the possibility for both parents to take all or some leave at the same time.

Of these flexibility options, all except (d) and (f) are reported by 14 or more countries; (d) and (f) are relatively uncommon. The countries with the greatest flexibility are Norway and Slovenia, with six options, followed by Croatia, Germany, Iceland and Sweden, with four each.

Various measures have been introduced to **encourage fathers to use** Parental leave. Mostly these are wholly or partly individualised entitlements, so that fathers not using their ‘quota’ lose it, as unused leave cannot be transferred to a partner. Another approach is to offer some form of bonus (e.g. additional leave) if both parents take some Parental leave. Eight countries offer such a bonus. For example, Sweden has a ‘gender equality bonus’ that provides an economic incentive for families to divide Parental leave more equally; Germany extends paid leave by two months if fathers take at least two months of leave; Japan has a rather similar system, in which an extra two months of leave may be taken if both parents use some of their leave entitlement; and Portugal offers a bonus to families where the father shares part of the Initial Parental leave, formerly Maternity leave (it is also unique in making it obligatory for fathers to take two weeks of leave). Other countries with incentives for fathers to take leave are Austria, Croatia, France and Italy.

Childcare leave can usually be taken immediately after Parental leave, creating a continuous longer period of leave, even if the conditions (such as benefit paid) may not be the same. It is, however, much less common than Parental leave, being available in only five countries (Croatia; Finland; Iceland, Norway and Portugal), plus in the public sector in Malta. In five cases childcare leave is unpaid; Finland is exceptional in that its ‘home care’ leave is both available to all parents and paid, albeit with a relatively low flat-rate allowance (so blurring the distinction with Parental leave).

In addition to these six countries, two other countries offer either a very limited period of leave for all families or an extended leave for certain types of family or else. Estonia offers two weeks of unpaid leave per year per parent until a child is 14 years; while parents with three or more children in Hungary can take leave until their youngest child is eight years old, with a flat-rate benefit.

In addition to Parental and Childcare leave, a third type of leave is an entitlement to a break from employment for any reason, including (but not confined to) childcare: a '**career break**'. A statutory entitlement of this kind is found in only one country, Belgium, with one year's leave that can be extended up to five years by collective agreement negotiated at sectoral or company level; this is in addition to Parental leave. For further information on this innovative and unique entitlement, see the articles about Belgium in the 2009 review.

Note on Table: leave may be awarded as **either** (i) a period of time (e.g. 12 months) **or** (ii) until a child reaches a certain age (e.g. until a child's third birthday). In the table below, in the '**total amount**' column, ► indicates (ii), e.g. in Austria leave is until a child reaches 24 months; in these cases, where the entitlement is 'individual', then each parent may take leave until the child reaches this age. Where there is no ► indicated, then leave is (i) and the total amount of leave available to **both** parents is given.

Country	Summary of leave	Total amount of post-natal parental leave available to family <i>excluding</i> childcare leave (months)			Individual/ family entitlement	Incentive for father to take	Flexibility
		Total	Paid	Well paid			
Austria ²¹	●●	►24.0	[►24.0]	×	Family	Bonus payment months if both parents apply	5; 7b
Australia ²²	●●	24.0	4.7	×	Individual	×	7b
Belgium	●●+	8.0	8.0	×	Individual	×	1; 2; 5; 6; 7a
Brazil	×						
Canada ²³	●●	8.1-8.4	8.1	×	Family	×	7a
Québec	●●●●	7.4	7.4	5.8*	Family	×	3; 5; 7a

²¹ Austria: there are various payment options available, which link payment level to length of payment; one option available to some parents is payment at 80 per cent of earnings for 12-14 months.

²² Australia: an individual can take a second 12 months of Parental leave subject to employer agreement, but the maximum period of leave is 24 months per family. The leave period of 12 months is an individual entitlement; but the payment is a family entitlement. Fathers entitled to additional 2 weeks flat-rate payment if take leave.

²³ Canada: a supplement is payable to low income families taking Parental leave that increases payment to 80 per cent of insurable earnings.

Croatia ²⁴	●● +	8.0	8.0	×	Individual & transferable	Higher payment for 2 months if both parents use	1; 2; 5; 6; 7a
Czech Rep ²⁵	●●	▶▶36.0	[36.0]	[24.0*]	Individual	×	3; 7a
Denmark ²⁶	●●●	11.1	11.1	7.4*	Individual (with maximum per family)	×	1; 3; 5; 7a
Estonia	●●●	▶▶36.0	[▶▶36.0]	[14.5*]	Family	×	2; 4
Finland ²⁷	●●● +	6.1	6.1	6.1	Family	×	1; 2; 6
France ²⁸	●●	▶▶36.0	[▶▶36.0]	×	Individual	Increased financial payments if both parents take some leave	1; 6; 7a
Germany	●●●	▶▶36.0	[10.0+bonus 2]	[10.0+bonus 2*]	Individual	2 month bonus if father takes leave	1; 2; 3; 5; 7a
Greece							
Private sec	● +	8.0	×	×	Individual	×	2; 5; 6
Public sec ²⁹	● +	60.0	×	×	Individual	×	5
Hungary ³⁰	●●● +	▶▶36.0	▶▶36.0	24.0*	Family	×	1, 4, 6
Iceland	●●● +	9.0	9.0	9.0*	Family & Individual	×	1; 2; 5; 6; 7a

²⁴ Croatia: in the case of twins or other multiple births or for the third and every subsequent child, parents are entitled to leave until the child(ren) is 36 months old at 100 per cent of earnings; the ceiling for the period from 12 to 36 months is lower than for the first 6 months of Parental leave.

²⁵ Czech Republic: Each parent can take leave until their child is 36 months but only one parent can receive Parental benefit, which is paid to all families whether or not leave is taken and until their child is 48 months. Benefit can be paid for the full period at a lower rate or for a shorter period at 70 per cent of earnings, though with a low ceiling.

²⁶ Denmark: parents can opt for shorter, higher paid Parental leave or longer, lower paid leave; each parent is entitled to 32-46 weeks of Parental leave, but the total period cannot exceed 32-46 weeks per family.

²⁷ Finland: Paid at 70-75 per cent of earnings, but proportion is reduced beyond a specified level.

²⁸ France: if one child in family, payment made until child is 12 months old, if both parents share leave period; if two or more children, payment made until youngest child is 36 months old, if both parents share leave period.

²⁹ Greece: 3 months of leave is paid in the public sector in the case of a third or higher order child.

³⁰ Hungary: Post-natal leave includes two types of Parental leave, one with a flat-rate payment (upto 3 years), the other with a higher earnings-related payment (up to 2 years, followed by flat-rate payment for 3rd year). In the latter case, only the mother may take leave upto a child's 1st birthday. In families with three or more children, a parent can take low paid leave until the youngest child is 8 years; this is not included in 'length of post-natal leave' column.

Ireland	●	8.4	×	×	Individual	×	2; 5; 6, 7a
Israel	●	▶▶12.0	×	×	Individual	×	2: 7a
Italy	●●	10.0+bonus 1	10.0+bonus 1	×	Individual	1 month bonus if father takes some leave	1; 2; 5; 6; 7a
Japan	●●●	▶▶12.0+bonus 2	▶▶12.0+bonus 2	12.0*	Individual	2 month bonus if both parents take full entitlement	7a
Lithuania ³¹	●●●	▶▶36.0	▶▶24.0	▶▶12.0*	Family	×	6
Luxembourg	●●●	12.0	12.0	×	Individual	×	1; 5
Malta							
Private sec	●	8.0	×	×	Individual	×	2; 5
Public sec	●	12.0	×	×	Family	×	2
Mexico	×						
Netherlands ³² (2014)	●●	12.0	12.0	×	Individual	×	(2); (3); 6; 7a
New Zealand ³³	●●	▶▶12.0	3.7	3.7	Family & individual	×	7a
Norway	●●●	13.0	13.0	13.0*	Family & Individual	×	1; 2; 3; 5; 6; 7b
Poland	●●●	6.0	6.0	6.0 ³⁴	Family	×	1; 2; 7a
Portugal ³⁵	●●●	12.0+bonus 1	12.0+bonus 1	6.0+bonus 1	Family & Individual	1 month bonus if parents share 'Initial' leave; 2 weeks of 'father-	1; 3; 5; 6

³¹ Lithuania: 12 months of leave at full earnings up to a ceiling; or 24 months at a lower earnings-related level (70 percent for year 1, 40 per cent for year 2).

³² Netherlands: no direct payment but parents taking leave are eligible to tax relief. Both parents are entitled to the equivalent of 6 months full-time leave, but full-time workers must take their leave part time, unless they get the agreement of their employer to full-time leave; so in the case of full-time workers taking part-time leave, the duration of leave will be longer than 6 months.

³³ New Zealand: 16 weeks of paid leave are an individual entitlement for the mother, who may transfer all or part of the leave payment to an eligible partner.

³⁴ Poland: The level of payment during Parental leave can be 80 per cent or 60 per cent of earnings, depending on choices made by the mother during Maternity leave; if a mother opts for 100 per cent payment during Maternity leave, Parental leave payment is 60 per cent; but if she opts for 80 per cent payment during Maternity leave, then Parental leave payment is also 80 per cent. Access to Parental leave also depends on the full six months of Maternity leave being taken.

³⁵ Portugal: as 'Father-only Parental leave' runs concurrently with 'Initial Parental leave', the 12 months of Parental leave only runs, per family, to 11 months after birth.

						only leave' obligatory	
Russian Fed.	●●	▶▶36.0	▶▶18.0*	×	Family	×	1; 4
Slovakia (2014)	●●	▶▶36.0	[▶▶36.0]	×	Family	×	6
Slovenia	●●●	8.6	8.6	8.6*	Individual & transferable	×	1; 2; 4; 5; 6; 7a
South Africa	×						
Spain ³⁶	●	▶▶36	×	×	Individual	×	2; 7a
Sweden ³⁷	●●●	36	15.9	13.0*	Family & individual	Bonus using tax system	1; 2; 5; 6; 7b
Switzerland	×						
U.Kingdom ³⁸	● ³⁹	8.4	×	×	Individual	×	5; 6; 7a
USA	×						
Uruguay	×						

Key:

Well paid: payment at 66 per cent of earnings or above

Length: indicates the total amount of leave available per family; ▶ indicates the age of the child up to when leave may be taken

×: no statutory entitlement/no payment/ no incentive for fathers to take. ●: statutory entitlement but unpaid; ●●: statutory entitlement, paid but *either* at low flat-rate (less than €1,000/month) *or* earnings-related at less than 66 per cent of earnings *or* at more than 66 per cent of earnings but not universally or for less than half the leave period; ●●●: statutory entitlement, paid for all or most of duration to all parents at high flat rate

³⁶ Spain: each parent is entitled to take leave until a child's third birthday

³⁷ Sweden: Paid Parental leave is for 480 days, the denomination in days intended to indicate and encourage flexible use (e.g. a parent can take 5 paid days of leave for every one calendar week). In addition, each parent is entitled to take unpaid leave until a child is 18 months

³⁸ United Kingdom: this does not include the recently introduced 'Shared Parental leave', which is actually a form of transferable maternity leave, whereby the mother can transfer most of her Maternity leave to a partner, if she so chooses. Only actual Parental leave is included, i.e. leave that is an individual and non-transferable right for each parent.

³⁹ United Kingdom: leave entitlement is 13 weeks per parent, but only 4 weeks of leave can be taken per year, i.e. to take the full 13 weeks means taking 4 weeks leave per year for 3 years. The newly introduced 'Shared parental Leave' is not included here as it is actually Maternity leave that the mother can choose to transfer to the father; it is included as such in the comparative table on Maternity leave.

⁴⁰ USA: there is no separate Parental leave, but parents may take up to 12 weeks unpaid leave for childbirth or for the care of a child up to 12 months as part of the federal Family and Medical Leave Act; employers with less than 50 employees are exempt. Five states and Puerto Rico provide some benefit payments to parents missing work at around the time of childbirth.

(€1,000/month or more) or 66 per cent of earnings or more, the latter being an indicator used by the European Commission in monitoring member states' progress in meeting Employment Guidelines (European Commission (2010) *Indicators for monitoring the Employment Guidelines including indicators for additional employment analysis, 2010 compendium*, Table 18.M3. Available at: <http://ec.europa.eu/social/BlobServlet?docId=4093&langId=en>)

+: period of additional 'childcare' or other leave available after end of Parental leave; this leave is not included in subsequent columns but is included in later table on 'total statutory leave'

*: ceiling on earnings-related payment

Square brackets – [] - indicates all parents with a young child get a payment whether on leave or not

Flexibility: 1 – leave can be taken full time or part time (i.e. option to work part-time or other reduced hours); 2 – leave can be taken in one block of time or several blocks; 3 – leave can be taken for a shorter period with a higher benefit paid or for a longer period with a lower benefit; 4 – leave can be transferred to a non-parent; 5 – all or part of leave can be taken at any time until a child reaches a certain age; 6 – other, including additional leave in case of multiple births or serious illness/disability; 7a – both parents can take all leave at the same time; 7b – both parents can take some leave at same time. Brackets indicate option requires employer agreement. Bracketed numbers indicate an option that can be taken with the employer's agreement.

Statutory other measures: April 2015

In most countries, **adoptive parents** have similar leave entitlements to other parents.

With four exceptions, countries include some provision to take **leave in case of the illness of a child**. The EU Parental leave directive gives all workers an entitlement to 'time off from work on grounds of *force majeure* for urgent family reasons in cases of sickness or accident making their immediate presence indispensable', without specifying minimum requirements for length of time or payment. Among EU member states reviewed here, 15 (Austria, Belgium, Croatia, Czech Republic, Estonia, Germany, Hungary, Italy, Lithuania, the Netherlands, Poland, Portugal, Slovakia, Slovenia and Sweden) specify an entitlement to leave of ten days or more per year to care for sick children, though the age range of children covered varies; for all of these countries, except Belgium, Italy and Lithuania, leave is paid and often at a high level of income replacement. In some cases, the length of leave decreases as children get older: for example, from being unlimited for a child under 12 months to 14 days a year for children from six to 12 years old in Hungary; or being without limit for a child under three years in Italy but five days a year per parent for a child aged three to eight years. Leave is shorter or unspecified and unpaid in the other member states.

Of the non-EU countries, Norway and the Russian Federation have an entitlement to paid leave of ten days or more per year specifically to care for a sick child. In the 12 other countries, there is either no leave available (Iceland, Mexico, Uruguay); or leave is confined to seriously ill children and employees in smaller organisations are excluded (United States); or is confined to public sector employees (Brazil); or is for less than ten days and/or unpaid (Australia, Canada, Israel, New Zealand, South Africa and Switzerland). In Japan, leave for ordinary illness is five days for a child under compulsory school age (or ten if there are two children of this age); but is considerably longer in the case of a child needing constant care for more than two weeks. Along with length, payment varies considerably.

Twenty two of the countries in this review for whom information is available offer **additional leave entitlements for other family members**, plus Brazil but for public sector employees only. Conditions for taking leave vary, from countries where leave is available in the case of ordinary illness through to countries where it is confined to serious or terminal illness or care of a very dependent relative. Length, payment and other dimensions of leave also vary considerably.

Fifteen countries (Brazil, Croatia, Estonia, Hungary, Ireland, Israel, Italy, Japan, Mexico, Norway, Portugal, Russia, Slovenia, Spain and Switzerland) permit women to **reduce working hours specifically during their child's early months**. In most cases this is to permit breastfeeding; but in several cases it has become a general right that can be taken for any reason and/or by the father (e.g. Japan, Portugal, Spain). Women reducing their hours in this way are entitled to earnings compensation, except in Japan and Switzerland. In Spain, reduced daily hours can be consolidated into full-time leave, thus in practice extending Maternity leave between two to four weeks

Fourteen countries (Austria, Croatia, Estonia, Finland, France, Greece, Hungary, Japan, Netherlands, Norway, Portugal, Slovenia, Spain, and Sweden) give parents the **right to work part-time hours** beyond their child's early months either because of their child's age or disability; it is uncommon to provide full earnings replacement, with the exception of Greece, where it is also possible to convert reduced working hours into a

period of full-time leave. In the Netherlands, all Dutch employees have the right to work part time, though employers may turn down an employee's request under specified conditions.

Finally, in Australia, Ireland, Italy, New Zealand and the UK, parents have a legal **right to request flexible working hours** from their employers, who must consider their request and may only refuse it if there is a clear business case for doing so. Portugal is the only country with **an entitlement to flexible working**; parents with children below 12 years (no age limit in the case of a child who is chronically ill or disabled living in the same household) are entitled to 'flexible working', which means that the employee may choose, within certain limits, when to start and finish daily work. In Iceland, employers are required to make the necessary arrangements to enable men and women to balance family life and work, including the arrangement of work in a flexible manner.

Country	Leave to care for sick dependents		Reduced hours		Right to request flexible work
	Children	Others	Breast-feeding	Other	
Austria	●●● 2 weeks per employee per year // ● 9 months for seriously ill child	●●● 1 week per worker per year // ● 6 months for terminally ill relative	×	● to 7 years (larger employers)	×
Australia	●●● 10 days per worker per year	●●● 10 days per year for immediate family	×	×	● until child is 18; also all with caring responsibilities
Belgium	● 10 days per worker per year	● 10 days per year // ●● 1-12 months for severely ill family member // ●● 2 months for palliative care	×	×	×
Brazil	●●● up to 60 days per illness + 30 days unpaid (public sector only)	●●● up to 60 days per illness for spouse or family member + 30 days unpaid (public sector only)	●●●	×	×
Canada	● 3-10 days in 3 provinces ⁴¹	●● 8 weeks if 'significant risk of death' for family member	×	×	×
Québec	● 10 days per worker per year	● 10 days per worker per year	×	×	×

⁴¹ Canada: a federal benefit lasting up to 35 weeks is available for parents with a critically ill child under 18 years of age; so far, only a few provinces have legislated for a matching leave period.

Croatia	●●● 20-60 days per illness per family	●●● 20 days for illness of spouse+7 days per year for serious illness of immediate family member	●●●	●● to 3 or 8 years for child needing extra care/developmental problem	×
Czech Rep	●● 9 days per illness	●● 9 days per serious illness for relative at home	×	×	×
Denmark	●●● 1-2 days per illness	×	×	×	×
Estonia	●●● 14 days per illness per family	×	●●●	● up to 16 days additional unpaid annual leave	×
Finland	●●(●) ⁴² 4 days per illness for a child up to 10 years	×	×	●● to end of second year at school	×
France	● 3 days per year / ●● up to 3 years for serious disability or illness, with up to 310 days paid	●● up to 3 years for care of terminally ill relative with up to 310 days paid	×	●● child with disability	×
Germany	●●● up to a maximum of 25 days per year per worker	● 10 days per illness + 6 months long-term care for 'care-dependent' relative	×	×	×
Greece Private sec Public sec	● 6-14 days per year per parent ●●● 22 days for certain medical conditions	● 6-14 days per year for dependent family members ●●● 22 days for spouse with certain medical conditions	×	●●● to 2½ years ●●● to 4 years	×
Hungary	●● Unlimited to 14 days per family per year (according to age of child)	×	●●●	●● to 8 years if 3+ children	×
Iceland	×	×	×	×	● employers required to support family/work balance

⁴² Finland: length of leave is defined by law; level of payment is determined by collective agreements

Ireland	● ● ● 3 days per year per parent	● ● up to 104 weeks for dependent	● ● ●	×	● on return from Parental leave
Israel	● ● ● 8 days per parent per year	● ● ● 6 days per year for spouse or parents	● ● ●	×	×
Italy	● Unlimited to 3 years; 5 days per year for 3-8 year olds	● ● ● Up to 2 years over working life at 3 days/month for serious need in family	● ● ● can be used by father in some circumstances	×	● until child is 6 or disabled child is 18
Japan	● 5 days per parent per year for child under CSA; 10 days if two or more children	● ● Up to 93 days over the lifetime of a family member with a serious illness or disability needing constant care for 2 weeks or more	● (NB.reduced hours can be used for any purpose)	● to 3 years	×
Lithuania	● 2 weeks per year per worker with a child under 14 years	×	×	×	×
Luxembourg	● ● ● 2 days per child per year // 4 days to 52 weeks if child disabled or seriously ill	×	×	×	×
Malta	×	×	×	×	×
Mexico	×	×	● ● ●	×	×
Netherlands (2014)	● ● ● 10 days per year // ● 6 times working hours/ week for life threatening illness	● ● ● 10 days per year for a partner or parent // ● 6 times working hours/ week for life threatening illness of parent or partner	×	● all employees (employer can refuse)	×
New Zealand	● ● ● 5 days per year	● ● ● 5 days per year	×	×	● any worker
Norway	● ● ● 10-15 days per parent per child per year	×	●	● to 10 years	×
Poland	● ● ● 14 days per year per worker	● ● ● 14 days per year per worker for family member	×	×	×

Portugal	●● 15-30 days per family per year // ●●● 6-48 months for severely disabled or chronically ill child	● 15 days per year for close relative + 15 days for severely disabled or chronically ill spouse	●●● can be taken by either parent	● to 12 years	● entitlement to work flexible hours until child 12 years
Russian Fed	●●● 45-60 days per child per year	No information	●●●	● extra unpaid leave for some parents	×
Slovakia	●● 10 days per episode	●● 10 days per episode for a relative living at home	×	×	×
Slovenia (2014)	●●● 7-15 days per illness, longer in exceptional cases	●●● 7-15 days per illness for a spouse, longer in exceptional cases	●●	●● to 3 years or longer if child with disability ⁴³	×
South Africa	●●● 3-5 days a year	×	×	×	×
Spain	●●● 2-4 days per illness per parent // ●●● unlimited for seriously ill child in hospital or needing treatment at home	●●● 2-4 days per illness per worker // ●●● 2 years to care for a seriously ill relative	●●● to 9-12 months; can be transferred to father ⁴⁴	● to 12 years or longer if child with disability	×
Sweden	●●● 120 days per child up to 12 years per year	×	×	● to 8 years	×
Switzerland	● 3 days per illness per family	×	●	×	×
U.Kingdom	● 'Reasonable time'	● 'Reasonable time'	×	×	● to 16 years and any carer
USA	● 12 weeks for a seriously ill child (medium or large employers only)	● 12 weeks for a seriously ill spouse or parent (medium or large employers only)	×	×	×
Uruguay	×	×	×	●●● to 5 months (private sector) ●●● if breast-	×

⁴³ Slovenia: social security contributions based on the minimum wage are paid for the hours not worked

⁴⁴ Spain: reduced hours until child is 9 to 12 months may be consolidated as two to four weeks of full-time leave

				feeding (public sector)	
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Key:

✘: no statutory entitlement. ●: statutory entitlement but unpaid, including EU member states covered by *force majeure* measure in Parental leave directive; ●●: statutory entitlement, paid but *either* at low flat-rate (less than €1,000/month) *or* earnings-related at less than 66 per cent of earnings *or* not universal; ●●●: statutory entitlement, paid for all or part of duration to all parents at high flat rate (€1,000/month or more) or 66 per cent of earnings or more, the latter being an indicator used by the European Commission in monitoring member states' progress in meeting Employment Guidelines (European Commission (2010) *Indicators for monitoring the Employment Guidelines including indicators for additional employment analysis, 2010 compendium*, Table 18.M3. Available at: <http://ec.europa.eu/social/BlobServlet?docId=4093&langId=en>

(+): indicates some leave available to care for adult relatives.

Right to request flexible work: employer is not required to grant the request.

Total statutory leave (including additional childcare leaves): April 2015

The table summarises (i) the total amount of post-natal statutory leave (Maternity, Paternity, Parental, Childcare) available in each country per family, as well as (ii) the total amount paid in any way, and (iii) the number of months of well paid leave, i.e. paid for all or part of duration to all parents at high flat rate (€1,000/month or more) or 66 per cent of earnings or more, the latter being an indicator used by the European Commission in monitoring member states' progress in meeting Employment Guidelines (European Commission (2010) *Indicators for monitoring the Employment Guidelines including indicators for additional employment analysis, 2010 compendium*, Table 18.M3. Available at: <http://ec.europa.eu/social/BlobServlet?docId=4093&langId=en>)

It is important to note that the total leave available per family does not always equate to the period of time after the birth of a child that parents in a family can take leave. For example, paternity leave is usually taken by fathers at the same time that mothers are on Maternity leave, i.e. concurrently and not consecutively. While in some cases, both parents are entitled to a period of Parental leave but may only take that leave until their child reaches a certain age, e.g. in the Czech Republic and Spain both mother and father can take leave until their child is 36 months old – so that the total leave available to the family is 72 months (36+36 months), but that leave can only be taken until a child's third birthday.

The **total amount of leave** (counting Canada and Québec, and the public and private sectors in Brazil and Greece separately) ranges from none to 72.5 months, with a median length of 24 months, while total paid leave ranges from none to 38 months, with a median length of 14 months. Applying the two-thirds earnings standard the median length reduces to just over five months, with four countries offering nothing and only nine countries, plus the Greek public sector, offering 12 months or more.

On the basis of this indicator, countries can be divided into three groups:

- a. **Countries providing earnings-related post-natal leave (at two-thirds or more replacement rate) of nine months or over:** the five Nordic countries, five countries from Central and Eastern Europe (Croatia, Estonia, Hungary, Lithuania and Slovenia), Germany plus Greece (private sector) and the Canadian province of Québec. In all of these cases, the earnings-related leave includes a period of Parental leave. In most cases, too, the earnings-related payment is subject to a ceiling, above which no payment is made.
- b. **Countries providing four to six months of earnings-related post-natal leave, in all cases confined to Maternity leave:** includes a number of Continental Western European countries.
- c. **Countries providing less than four months of earnings-related post-natal leave:** includes all six of the mainly English-speaking countries (Australia, Canada, Ireland, New Zealand, United Kingdom, United States), plus Austria, Czech Republic, Israel, Luxembourg, Malta, Netherlands, the Russian Federation, Slovakia, South Africa and Switzerland. It should be noted that Québec, which now has responsibility for its own leave policy, is on a par with the top group of countries; the rest of Canada offers up to 50 weeks of earnings-related leave, but at

55 per cent of earnings it falls just below the EC indicator criterion; it also has a rather low ceiling. The United States is the only country to provide no period of paid statutory leave of any kind; while Ireland is the only country with statutory leave that does not include any period of high income-related payment.

Previous analysis has indicated a relationship between fathers' use of leave entitlements and the availability of **well-paid 'father-only' leave** – the more such leave there is, the more leave fathers take. The Table, therefore, includes (i) the total period of 'fathers-only' leave provided by each country, and (ii) the period of 'fathers-only' leave paid at two-thirds or more of earnings (though the qualification about ceilings on payments needs again to be borne in mind). As above, it counts Canada and Québec and the public and private sectors of Brazil and Greece separately. Seven countries (Austria, Canada excluding Québec, Germany, Russia, Slovakia, Switzerland and the USA) have no 'father-only' leave. Of the 31 countries that do provide such leave, nine provide less than one month of father-only leave, while 11 (plus the public sector in Greece) offer six months or more, with a median length of 3.3 months. For the most important indicator - length of leave paid at two-thirds of earnings – the numbers are much lower, only seven countries offering more than two months (the Nordic states, plus Japan and Slovenia); the median length in the 18 cases in this category (including Quebec and the private sector in Greece) is a mere two weeks.

Emphasis is placed here on payment for leave-takers, justified by the clear relationship between take-up and payment. How are these **payments funded**? Generally statutory leave payments come from some form of contributory insurance fund, financed by contributions from employers and, often, employees, and sometimes with contributions from general taxation; the costs are pooled or collectivised, rather than individual employers paying their own workers. In some cases employers may make 'top up' payments, adding to the statutory benefits received by their employees, as a result either of collective agreements or individual company policies. The main exception to this picture is when parents on leave receive a general 'childrearing' benefit that is paid to all parents with young children, not just confined to those taking leave; in such cases, payments usually come from general taxation. An exception is France, where such payments are funded by the family allowance fund, financed by contributions from employers and employees.

Note on Table: the 'total amount' column sums the maximum leave available to mothers and fathers in a two parent family from Maternity, Paternity, Parental and Childcare/Time Credit, **including** any Parental leave bonus, leaves but **excluding** leave to care for sick children. As parents may take some of this leave concurrently (e.g. Paternity leave at the same time as Maternity leave), it does not indicate the child's age when all leave ends.

Country	Total amount of post-natal leave available to two-parent family (months)			Period of 'father-only' leave (months)	
	Total	Paid	Well paid	Total	Well paid
Australia	24.0	4.7	×	12.0	×

Austria	24.0	24.0	1.9 ⁴⁵	×	×
Belgium ⁴⁶	35.7	35.7	3.7*	4.5	0.5*
Brazil ⁴⁷	4.2 to 6.5	4.2 to 6.5	4.2 to 6.5	0.2 to 0.5	0.2 to 0.5
Canada Québec ⁴⁸	12.0 12.8	11.6 12.8	×	×	×
			11.2	1.2	1.2
Croatia ⁴⁹	46.0	14.0	6.0	4.0	×
Czech Rep ⁵⁰	72.0	36.0	24.0*	36.0	×
Denmark ⁵¹	14.4	14.4	11.2*	7.9	7.9*
Estonia	36.5	36.5	18.5*	0.5	0.5*
Finland ⁵²	38.1	38.1	11.1*	2.1	2.1*
France ⁵³	72.5	9.8 to 36.5	3.8*	36.5	0.5*
Germany	70.1	28.0(inc.bonus 4)	14.0(inc.bonus 2*	34.1	×
Greece ⁵⁴					
Private sec	19.9	12.0	6.0	4.1	(2 days)
Public sec	131.0	12.0	12.0	60.1	(2 days)
Hungary ⁵⁵	36.2	36.2	24.2*	(1 week)	(1 week)

⁴⁵ Austria: there are various payment options available, one option available to some parents is payment at 80 per cent of earnings for 12-14 months; in this case, the total length of well-paid leave would increase to 15.8 months. Payment periods are extended if both parents use some of the benefit period.

⁴⁶ Belgium: in addition to Parental leave, men and women are entitled to at least one year of time credit/career break paid at a low flat rate.

⁴⁷ Brazil: longer for some public and private sector employers; less for remainder.

⁴⁸ Québec: parents can opt for shorter, higher paid leave or longer, lower paid leave

⁴⁹ Croatia: in the case of twins or other multiple births or for the third and every subsequent child, parents are entitled to improved leave, 36 months at 100 per cent of earnings, with no ceiling for six months of Maternity leave but with a ceiling for the subsequent period of leave, the ceiling reducing after six months.

⁵⁰ Czech Republic: parents can choose to receive Parental benefit at 70 per cent of earnings until their child is 24 months, though with a low ceiling; or at a lower rate for a longer period.

⁵¹ Denmark: parents can opt for shorter, higher paid Parental leave or longer, lower paid leave; each parent is entitled to 32-46 weeks of Parental leave, but the total period cannot exceed 32-46 weeks per family.

⁵² Finland: total post-natal leave includes period of low paid Childcare ('Home care') leave. Maternity, Paternity and Parental leave paid at 70-75 per cent of earnings, but proportion is lower for higher earnings

⁵³ France: payment is made for six months to parents with one child or 12 months if both parents take a period of leave; or for 24 months to parents with two or more children or 36 months if both parents take a period of leave.

⁵⁴ Greece: total post-natal leave includes possibility of taking reduced hours working entitlement as a period of additional full-time leave. Total includes one period of Maternity leave; two periods (for mother and father) of Parental leave; and one period of flexible working entitlement taken as full-time leave

⁵⁵ Hungary: a parent with three or more children may take leave paid at a low flat rate until the 8th birthday of the youngest child

Iceland ⁵⁶	17.0	9.0	9.0*	7.0	3.0
Ireland	17.7	6.0	×	4.3	×
Israel	24.0	3.3	3.3	12.0	×
Italy	14.7(inc.bonus 1)	14.7 (inc. bonus 1)	3.7	6.0	×
Japan ⁵⁷	26.0(inc.bonus 2)	26.0(inc.bonus 2)	13.9*	12.0	6.0
Lithuania	36.9	24.9	24.9*	0.9	0.9
Luxembourg	13.9	13.9	1.9	6.0	×
Malta					
Private sec	12.2	4.2	3.3	(1 day)	(1 day)
Public sec	76.3	4.3	3.3	4.2	(2 days)
Mexico	1.6	1.6	1.6	0.2	0.2
Netherlands (2014)	14.8	14.8	2.8	6.0	(2 days)
New Zealand	12.5	3.7	3.7	0.5	×
Norway ⁵⁸	37.5	37.0	13.0*	3.7	2.3
Poland	48.5	36.5 ⁵⁹	12.5	0.5	0.5
Portugal ⁶⁰	37.0(inc.bonus 1)	13.0(inc. bonus 1)	7.0(inc. bonus 1)	4.0	0.9
Russian Fed	36.0	18.0	2.3*	×	×
Slovakia (2014)	36.0	36.0	×	×	×
Slovenia	14.2	14.2	11.7*	7.3	4.8*
South Africa	4.2	4.2	0.2	(3-5 days)	(3-5 days)

⁵⁶ Iceland: includes period of unpaid Childcare Leave after Parental leave.

⁵⁷ Japan: each parent can take leave until a child is 12 months old, but this can be extended by two months if the leave is shared. The 26 months given here includes that extra two months if leave has been shared.

⁵⁸ Norway: parents can opt for shorter, higher paid leave or longer, lower paid leave

⁵⁹ Poland: 48.5 months paid if two or more children.

⁶⁰ Portugal: mothers can opt for shorter, higher paid Maternity leave or longer, lower paid leave. Fathers are entitled to four weeks 'Father's-only Parental leave', two weeks of which must be taken immediately after birth; to receive payment, parents must take 'Additional Parental leave' immediately after 'Initial Parental leave'. This means that the 'Father's-only Parental leave' will be taken at the same time as 'Initial Parental leave'.

Spain ⁶¹	72.0	4.7 - 5.1	4.7 - 5.1*	36.0	0.5*
Sweden ⁶²	36.5	16.4	13.4	2.5	2.5
Switzerland	3.7	3.3	3.3*	×	×
U.Kingdom	20.8	9.5	1.4	4.5	×
USA	×				
Uruguay	3.1 (public)- 3.5 (private)	3.1 (public)- 3.5 (private)	3.1 (public)- 3.5 (private)	(7-10 days)	(7-10 days)

Key:

Well paid: payment at 66 per cent of earnings or above.

×: no entitlement

*: ceiling on earnings-related payment

⁶¹ Spain: includes period of reduced working hours after Maternity leave, which can be consolidated to add two to four weeks of full-time leave.

⁶² Sweden: Paid Parental leave is for 480 days, the denomination in days intended to indicate and encourage flexible use (e.g. a parent can take five paid days of leave for every one calendar week). In addition, each parent is entitled to take unpaid leave until a child is 18 months.

Relationship between leave and ECEC entitlements: April 2015

Most discussions of policy frameworks to support employed parents with young children highlight two key policies: parental leave and early childhood education and care (ECEC). The table below looks at the relationship between these two policy areas, and in particular at whether they are coordinated in the sense that an entitlement to leave leads immediately into, or coincides with, an entitlement to ECEC.

Great variations exist between countries in both leave policies and ECEC. The table shows two dimensions of variation for ECEC: attendance rates at formal services and entitlement to ECEC. **Attendance rates for children under three years** vary from less than ten per cent (Czech Republic, Hungary, Poland), to over 50 per cent in Denmark, Iceland, Netherlands and Norway, with a median rate among the 29 countries for which there is information of just under a third (30 per cent). **Attendance rates for children over three years** are uniformly much higher, but vary from under 60 per cent (Australia, Canada, Greece, Ireland, Poland, Switzerland and the United States) to over 90 per cent or over (Belgium, Denmark, France, Germany, Iceland, Italy, Japan, New Zealand, Norway, Spain, Sweden and the UK), with a median rate among the 32 countries for which there is information of just over 85 per cent. What these figures do not reveal is the opening hours of services and how far they are suited to the needs of working parents; in at least some cases they will not be.

Twenty-four countries have an **entitlement to an ECEC service**, but in most cases – 17 countries - this is only from three years of age or later (this includes Estonia and Hungary, which have a legal entitlement at an earlier age, but shortage of places means the entitlement is not operational until around three years); entitlement in this group is often limited to a part-time place. Only seven countries have entitlement before three years: at 2½ years in Belgium, and at 12 months or younger or at the end of Parental leave in six countries: Denmark, Finland, Malta, Norway, Slovenia and Sweden, with full-time places available in all cases. It is only in these countries that policies are designed to ensure no **gap between the end of well-paid leave and the start of an ECEC entitlement**. Elsewhere, the gap is from 18 to 66 months, which if combined with countries that have no ECEC entitlement emphasises the extensive lack of coordination between these two policy areas.

	Attendance rates at formal ECEC services (2010)		Child's age (months) at:			Gap between	
	0-2 years	3-5 years	end of leave (a)	end of well-paid leave(b)	start of ECEC entitlement(c)	(a)-(c)	(b)-(c)
Australia	33%	53%	24	×	×	36 months	
Austria	14%	82%	24	1.8	● 5 years PT; OB	36 months	58 months
Belgium	39%	99%	36	4	●● 2½ years	No gap	26 months
Brazil	NI	NI	6	6	×		
Canada	NI	47%	12	None	×		
Québec	NI	NI	12.8	12.8	×		
Croatia	18%	63%	14	6	● 6 years PT; OB	58 months	66 months
Czech Rep.	4%	NI	36	5.1	×		

Denmark	66%	94%	13.9	13.9	●●6 months	No gap	No gap
Estonia	30%	85%	36	18.4	●18 months[*3 years]	No gap	18 months
Finland	28%	56%	36	11.1	●●end Par.Leave	No gap	No gap
France	48%	101%	36	3.3	●3 years	No gap	33 months
Germany	23%	94%	36	12.0+bonus 2	●1 year [* ⁶³]	No gap	?No gap
Greece	11%	48%	20-60	6-12	●5 years PT	40 months to no gap	48-54 months
Hungary	11%	87%	36	24	●birth[*3 years]; OB	No gap	12 months
Iceland	56%	96%	15	9	×		
Israel	NI	87%	12	3.3	×		
Ireland	29%	49%	17.7	×	●3¼ years PT	21 months	
Italy	24%	96%	13.7+bonus 1	3.7	×		
Japan	26%	90%	12.0 +bonus 2	7.9	×		
Lithuania	14%	66%	36	12	×		
Luxembourg	46%	87%	13.9	1.9	●3 years PT	22 months	34 months
Malta	47%	94%	11.3-75.3	3.3	●●3 months ⁶⁴	No gap	No gap
Mexico	8%	89%	1.4	1.4	●4 years; OB	46 months	46 months
Netherlands	61%	67%	14.8	2.8	●4 years PT	33 months	45 months
New Zealand	37%	94%	12	3.3	●3 years PT	24 months	33 months
Norway	54%	96%	36.7	13.0	●●12 months	No gap	No gap
Poland	7%	60%	48	12	●6 years PT	24 months	60 months
Portugal	46%	84%	35+bonus 1	5+bonus 1	●5 years	24 months	54 months
Russian Fed	17%	73%	36	2.3	●2 months ⁶⁵	?No gap	? No gap
Slovakia	3%	72%	36	×	×		
Slovenia	42%	86%	14.2	11.7	●●end Par. leave	No gap	No gap

⁶³ Germany: since May 2013, there is an entitlement to ECEC from 12 months of age, but the entitlement does not specify hours per day or per week; many services in Western Germany still offer only part-time hours, though full-time opening has remained the norm in Eastern Germany

⁶⁴ Malta: entitlement for children with parents in full-time employment or education

⁶⁵ There is no information available to confirm whether the entitlement to an ECEC place from two months of age can be met.

S.Africa	NI	NI	4	×	×		
Spain	39%	99%	36	4.7- 5.1	● 3 years	No gap	31 months
Sweden	47%	93%	18	13.2	●● 12 months	No gap	No gap
Switzerland	NI	47%	3.7	3.3	×		
U.Kingdom	42%	93%	20	1.4	● 3 years PT	16 months	35 months
USA	43%	67%	×	×	×		
Uruguay	NI	NI	3.2	3.2	×		
Average(median)	30%	85%					
OECD average	30%	77%					

Source: *Attendance rates at formal ECEC services*: OECD Family Database, Table PF3.2.A, available at: www.oecd.org/els/social/family/database. Except for Croatia, Estonia and Russian Federation which are: TransMonee Database 2013, Table 6.1, available at: <http://www.transmonee.org/>

Key:

'Well-paid leave' is paid for half or more of duration of leave to all parents at high flat rate (€1,000/month or more) or at 66 per cent of earnings or more, the latter being an indicator used by the European Commission in monitoring member states' progress in meeting Employment Guidelines (European Commission (2010) *Indicators for monitoring the Employment Guidelines including indicators for additional employment analysis, 2010 compendium*, Table 18.M3. Available at: <http://ec.europa.eu/social/BlobServlet?docId=4093&langId=en>

×: no well paid leave or no entitlement to ECEC; ●: entitlement, but only from 3 years or older; ●●: entitlement from below 3 years of age. PT: entitlement is for 20 hours a week or less. OB: attendance obligatory.

*: There is an obligation to provide a place, but this obligation cannot be met due to shortages of provision. This shortage usually applies to children under 3 years, and the bracketed figure indicates when the entitlement can usually be met in practice. The gap in the next column refers to the later age, i.e. when the entitlement in practice is implemented.

Changes and developments since April 2014

Twenty-one of the 36 countries covered by this review and for which there are updated country notes (i.e. excluding Netherlands and the Slovak Republic) reported policy developments between April 2014 and April 2015. The developments reported varied in nature:

- Changes in policy implemented (ten countries: Belgium; Croatia; Estonia; France; Germany; Greece; New Zealand; Norway; Slovenia; United Kingdom)
- Changes in policy announced either for future implementation, parliamentary approval or consultation (six countries: Canada; Luxembourg; Poland; Portugal; South Africa; Sweden).
- Proposed changes dropped or postponed (three countries: Australia; Finland; Spain).
- Working group or committee established to review policy (two countries: Austria; Czech Republic).

Assessing the significance of actual, proposed or discussed changes is inevitably somewhat subjective, but the following seem of greater moment:

Belgium: significant changes have been made to the Time Credit system, including the one-year paid time credit now being only available for care (for children, disabled children, severely ill relatives or palliative care) and training; and the total duration of paid time credit (as negotiated in sectoral or workplace agreements) being 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).

France: a new incentive for fathers to take some leave has been implemented in July 2014.

Germany: more flexible leave arrangements to encourage part-time employment in the two years after birth; and new entitlements for employees with care dependent relatives.

New Zealand: paid Parental leave has been extended from 14 to 16 weeks, and will be further extended to 18 weeks from 1 April 2016; an extension of employees' right to request and employers' duty to consider flexible working arrangements for any purpose has also been introduced

Norway: Mother and Father-only 'Parental leave' ('quotas') reduced from 14 to ten weeks; increased 'cash for care' payment; and the government has proposed to increase the degree of transferability that is possible in Parental leave, with the father's work situation being a justification for transferring his leave quota to the mother.

Slovenia: Parental leave has moved from being a family to an individual entitlement, each parent being entitled to half of the 260 days of Parental leave, with the mother allowed to transfer 100 days of her entitlement to the father, while the father is allowed to transfer all 130 days of his entitlement to the mother; while retaining the existing 15 days of paid Paternity leave, the existing 75 days of unpaid Paternity leave will be

replaced by 15 days of paid Paternity leave to be used after Parental leave - however, implementation is delayed until the economy improves and will then take place over three years.

Sweden: The government has proposed a third reserved month ('quota') for each parent to be introduced in January 2016, to be taken from the present nine months of shared leave; the proposal is currently being reviewed by interested stakeholders, such as researchers, employers, unions and interest organizations, and will likely be voted on by Parliament during the fall of 2015.

UK: from April 2015, the mother can transfer all of her Maternity leave, except for two weeks, to her partner, replacing a previous provision under which mothers could only transfer leave to partners after 20 weeks.

Take-up of leave

Information provided in country notes on take-up of leave has many gaps, making systematic cross-national comparisons impossible. Mostly, there is no information on take-up of unpaid leave and limited information on paid leave, except for occasional survey data. There is the further question of what proportion of parents are eligible for leave, where again there is no consistent and comparable information. Eligibility conditions vary between countries and types of leave, making cross-national comparisons even more difficult. Ineligibility may be related to self-employment, temporary contracts, other conditions related to prior employment history or the exemption of smaller employers from leave policies. The absence of good comparative data on eligibility and take-up not only makes cross-national comparisons impossible: it also makes it impossible to compare the situation of different socio-economic groups within and across countries, for example access and use of leave by different income, social class and ethnic groups and by workers with different employment statuses; and to make proper evaluations of different leave policies. Mostly, only broad generalisations are possible; much less can be said about the relationship between leave use and individual, family or workplace diversity.

Generally speaking, paid *Maternity leave* appears to be extensively and fully used by mothers who are eligible; in many cases, it is obligatory to take part or all of the leave.

EIRO (2004⁶⁶) conclude that “the available figures show a relatively significant take-up rate [for *Paternity leave*].” This conclusion is borne out in the country notes: two-thirds or more of fathers are reported to take paid Paternity leave in Denmark, Finland, France, Sweden, the Netherlands and the United Kingdom.

Where *Parental leave* is unpaid, as in Ireland, Portugal, Spain and the United Kingdom, there are no regular statistics on use, but take-up is thought to be low by both mothers and fathers (i.e. irrespective of gender, few parents take leave schemes that are completely unpaid). For instance, in Spain in 2013, 28,038 people started some period of Parental leave, which corresponds to 6.6 per cent of the births in that year and only two per cent of children under three years old. While in a 2012 survey in the UK, only 11 per cent of parents with a child under six years reported taking Parental leave.

Where leave is a family entitlement only, fathers' use is low (i.e. where leave can be shared between parents, fathers take only a small proportion). However, where Parental leave has both an individual entitlement element *and* is relatively well paid, fathers' use is higher – though not equal with use by mothers. This can be seen in the three Nordic countries in this study, where Parental leave meets these two conditions:

⁶⁶European Industrial Relations Observatory (EIRO) (2004) *Family-related leave and industrial relations*. Available at: <http://www.eurofound.europa.eu/eiro/2004/03/study/TN0403101S.htm>

Iceland: In 2011, 83.7 per cent of fathers took a period of leave (paternity and/or parents' joint rights) for every 100 mothers taking some leave, and fathers took about a third of all days of leave taken by parents (an average of 91 days leave compared to 176 for mothers). Overall, 15 per cent of fathers took some of the parents' joint rights, and 39.7 per cent took less than their three months of designated Paternity leave; 95 per cent of mothers took some period of parents' joint rights while 1.1 per cent used less than their three months.

Norway: With every expansion of the father's quota, fathers have increased their uptake the following year. During 2012, 21 per cent of the fathers took exactly 12 weeks (60 working days), compared with only 0.6 per cent in 2011; the 'father's quota' increased from ten to 12 weeks between these two dates. In 2013 fathers took 46 days Parental leave on average, and in 2014 49 days. The sharable Parental leave is for the most part taken by mothers and has in practice become a Maternity leave. In 2012, only 15 per cent of fathers took any of this part of Parental leave (i.e. in addition to the father's quota).

Sweden: The great majority of fathers of children born in 2004 (88.3 per cent) took Parental leave at some stage before their child's eighth birthday, mainly starting when their children were 13 to 15 months of age. Fathers of children born in 2003 took on average 91 days of Parental leave during the eight years they could use the leave, and mothers took 342 days⁹. In 2011, 44 per cent of Parental leave benefit recipients were men, compared to 56 per cent who were women, though on average mothers took 95 days and fathers 37 days during that one year⁷. So mothers still take most Parental leave, although the proportion of total days used by men has slowly increased: in 1989, fathers took about seven per cent of all Parental leave days used in that year; by 2013, it had increased to about 25 per cent.

While Denmark presently does not have a father's quota, in the period 1998-2002 a quota of two weeks with benefit or full pay depending on the work contract was in place. Recent analysis of register data of Parental leave take-up among more than one million fathers in the period 1990-2007, show that the introduction of the fathers' quota had a clear effect on fathers' take-up of leave. Although the length of the quota was relatively short, not least in comparison with other Nordic countries, it had a significant effect on fathers' take-up: from 12 per cent of those becoming fathers in 1997 to 36 per cent of fathers in 2001, when at its height. From 2002, following the ending of the quota, there is a drop to 22 per cent of fathers. Interestingly, the number again begins to slowly increase after 2002. This development suggests that fathers increasingly take Parental leave, regardless of whether or not there is a legislated father's quota. The hypothesis is that this is partly due to the introduction of father's quota arrangements in some of the labour market agreements, which started to set in as of 2003. Another reason is believed to be the cultural shift in (male) attitudes to fatherhood and in men's role in childcare for the young child, which the introduction of the father's quota may have encouraged or at least supported.

In all four Nordic, mothers continue to take more leave than fathers. The difference is greatest in Denmark, where statistics from 2010 and 2011 show that Danish fathers on average only took 7.2 per cent of the Parental leave period, followed by Norway, where fathers accounted for 18 per cent of Parental leave days taken in 2011, and Sweden, where fathers take about just under a quarter of all days (24 per cent) in 2011. The greatest share of paid leave taken by men, 33 per cent, is in Iceland, with its 3+3+3 leave scheme; mothers take both their individual entitlement and the greater part of the family entitlement.

These figures can be viewed from different perspectives – as reflecting how care continues to be strongly gendered or as reflecting a gradual shift towards men taking more responsibility for care. The most significant changes in fathers' behaviour seem to be taking place in Iceland and Sweden, where leave-taking has begun to move beyond a month.

It is also striking that fathers' use of leave does respond to policy changes. The example of Norway has already been given, but other countries also illustrate this point,:

Finland: the number of fathers taking the father's month increased from 1,700 men in 2002, the year before the introduction of the bonus scheme for fathers taking at least two weeks Parental leave, to 17,625 in 2011. However, only 2.5 per cent of fathers took a longer period of Parental leave in 2011; and the average length of leave of fathers who do take Parental leave has fallen, from 64 working days in 2002 to only 19 in 2011.

Germany: The 2007 Parental benefit reform had the explicit aim to raise the take-up of leave by fathers and recently published data by the Federal Statistics Office⁶⁷ show that the proportion of fathers taking parental benefit has risen significantly and steadily since its introduction in 2007. Parental benefit was taken up by 31.9 per cent of fathers of children born in the second quarter of 2013, i.e. recipients between April 2013 to September 2014.

Iceland: with the extension of father-only leave from 2001, the average number of days of leave taken by men in Iceland has more than doubled (up from an average of 39 in 2001 to 103 in 2008).

Portugal: the five-day Paternity leave (introduced in 1999 and made obligatory in 2004) was used in 2000 by 11 per cent of fathers, increasing to 27 per cent in 2002 and to 36 per cent in 2003. The proportion of fathers taking this leave subsequently increased by about two per cent per year, to 45 per cent in 2007 and 2008 (take-up is underestimated as these statistics exclude employees with special social protections regimes, e.g. civil servants, bank workers). The same trends may be observed for the 15 additional Paternity leave days, also introduced in 1999; the proportion of fathers taking these days has risen from 4 per cent in 2001 to 37 per cent in 2008.

The same trends may be observed since 2009, when 'Paternity leave' became 'father-only Parental leave' and ten days became obligatory. Take-up of leave increased to 56 per cent for the ten compulsory days and 47 per cent for the additional ten days. In 2010 and 2012 take-up increased again, first to 62 and then to 68 per cent for the ten compulsory days; and to 52 and then to 58 per cent for the ten optional days (percentages based on the number of fathers who take leave in relation to the number of estimated births for 2012). If, again, take-up is calculated in relation

⁶⁷ Statistisches Bundesamt [Federal Statistical Office] (2015) *Statistik zum Elterngeld. Beendete Leistungsbezüge für im 2. Vierteljahr 2013 geborene Kinder* [Statistics on parental allowance. Completed performance bonuses for children born in the second Quarter of 2013]. Wiesbaden: Statistisches Bundesamt. Available at:

https://www.destatis.de/DE/Publikationen/Thematisch/Soziales/Elterngeld/ElterngeldGeburtenVj5229208143234.pdf?__blob=publicationFile

to the total number of Initial Parental leaves granted, then the proportions in 2012 increased to 81 per cent for the ten obligatory days and 69 per cent for the ten optional days.

Data on take up of the new 'initial Parental leave' (replacing Maternity leave), which also came into effect in 2009, points to an increasing take-up rate of the 'sharing bonus' by parents. In 2012, 75,553 initial Parental leaves were granted and take up of the 'sharing bonus' (at least 30 days) increased to 22.3 per cent of these leaves; in other words, 16,848 fathers stayed at home for 30 or more consecutive days, on their own, during the five or six months of total 'initial parental leave'.

Québec: take-up of leave by fathers was already higher in 2004, with 22 per cent of fathers using some leave compared with nine per cent elsewhere in Canada. The Paternity and Parental leave scheme, introduced in 2006, has had a substantial impact on fathers' participation: in 2006, 56 per cent of eligible fathers in **Québec** took a period of Paternity and/or Parental leave, rising in 2011 to 84 per cent; in the rest of Canada, take-up of Parental leave by fathers was 11 per cent.

Sweden: the proportion of leave days taken by men in Sweden doubled between 1997 and 2004, with the introduction and then the extension of a father's quota, though the doubling to two months had a less dramatic effect than the initial introduction of a quota.

It is noticeable from these examples that the pace of change varies between countries. This may reflect a number of mediating factors, for example the design of policy (e.g. level of payment, flexibility of use) and possibly also the socio-cultural climate (e.g. levels of awareness about gender equality, extent of support for change in gender roles).

All these examples are of paid leave. The importance of payment can also be seen in Catalonia, where there was a strong take-up by public employees of a scheme that enabled parents to reduce their working hours when they have a child under one year without loss of earnings. Nearly a quarter of parents who used this option were fathers. This scheme was ended in 2012 as a result of budget cuts.

As noted earlier, there is little information on take-up among different socio-economic or ethnic groups within countries. Where it exists, it points towards women being *less likely* to take Parental leave, or to take it for shorter periods, if they are: self-employed; work in the private sector; higher educated; and/or higher earning. Fathers are *more likely* to take leave or to take it for longer periods if: their partners have higher education and/or earnings; if they work in female-dominated occupations or the public sector; or if they are higher educated.

To summarise on take-up:

- Unpaid or low-paid leave of whatever kind has low take-up;
- Leave specifically for fathers (e.g. Paternity leave, fathers' quotas in Parental leave) is well used if paid at or near income replacement level;
- Fathers take only a small portion of Parental leave that is a family entitlement;

- Leave is used differentially not only by women and men, but by parents with different education, income and employment both individually and in relation to their partners – the impact of leave policies, therefore, is not uniform.

Research and publications since April 2014

Country notes include an overview of publications on leave and related topics since April 2014; and also brief outlines of ongoing research.

The publications listed are supplied by the authors of the country notes, and are not necessarily a comprehensive and systematic literature review for the period. Some publications, therefore, may have been missed and the international review's editor would welcome information about missing publications (details to peter.moss@ioe.ac.uk). They also do not include any recent publications from the two countries – Netherlands and the Slovak Republic – that were not updated for this review.

With these reservations noted, the publications listed in the review do provide a valuable resource for researchers and others interested in the work/life field in general and leave policies in particular. (Previous reviews also contain a large number of references that may be of assistance to researchers).

One hundred and thirty eight publications are listed, including a brief description in most cases. Many of these publications are available in English and downloadable; this includes a few from before April 2013 that were not included in previous reviews and also some post-graduate theses. The number of publications varies considerably between countries (from none to 28), implying different levels of policy interest and/or of researchers with an interest in work/life issues.

Fifty three ongoing research projects from 19 countries are reported on leave policies and related issues, ranging from cross-national studies to studies undertaken for post-graduate theses. As with publications, the international review's editor would welcome information about missing research.

Australia⁶⁸

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NB. Australia 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

Note on federal and state industrial relations systems and awards:

In Australia, the employment conditions of most employees are set by a combination of commonwealth legislation, awards and collectively negotiated enterprise agreements. Commonwealth legislation and awards (which are prescriptive documents determined by industrial tribunals) form a safety net of terms and conditions of work. In addition, unions and individual employees may negotiate conditions above this safety net, and companies may also provide employment conditions above the safety net. Terms and conditions for employees of the public service in each of the states of Australia (with the exception of Victoria) are set by the relevant state legislatures.

The Fair Work Act 2009 (Commonwealth) legislates for a set of ten National Employment Standards that prescribe the minimum set of entitlements for employees. One of these standards relates to unpaid Parental leave (which has been an entitlement under federal industrial relations legislation since 1994) and the right to request flexible working arrangements (see below).

Since 1990, leave entitlements in relation to the birth or adoption of a child under Australian labour regulation have been written in gender-neutral terms and are generally referred to as Parental, rather than Maternity or Paternity, leave. This is also the case for the entitlement to pay while on Parental leave (available since January 2011), although not for the payment (available since January 2013) specifically for fathers or mothers' partners (called Dad and Partner Pay).

a. Maternity leave

In Australia there is no specific statutory entitlement to Maternity leave. Maternity (and Paternity) leave both fall under the definition of Parental leave (see 1c for details of the unpaid Parental leave entitlement under the Fair Work Act). The Fair Work Act provides up to 12

⁶⁸ Please cite as: Whitehouse, G., Baird, M. Alexander, M. and Brennan, D. (2015) 'Australia country note', in: P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

months unpaid leave for each working parent with responsibility for care of a child at the time of a birth or adoption (and a right to request up to an additional 12 months, with a limit of 24 months per employed couple). Women may take up to six weeks of this leave prior to the expected date of birth, or earlier if agreed with the employer. As explained in 1c, eligible mothers (or their partners) may also receive payment (Parental Leave Pay) for up to 18 weeks within the first year following the birth at a rate based on the national minimum wage under the current Paid Parental Leave scheme.

Specific entitlements to Maternity leave payments may, however, be provided by employers. Access to employer-paid Maternity leave has been available to many female employees through industrial instruments, company policies or legislation covering public sector employees in Australia's federal, state or territory jurisdictions. The incidence and duration of these provisions have generally increased in recent years⁶⁹, although there is no evidence of significant change in access to employer-funded arrangements since commencement of the Government-funded Paid Parental Leave scheme in 2011. Data from the 2010 Baseline Mothers survey and the first wave (in 2012) of the Family and Work Cohort survey, both conducted as part of the evaluation of the Paid Parental Leave scheme, indicate that just under half of respondents (mothers eligible for payment under the Paid Parental Leave scheme, or who would have been if it had been in place at the time of the survey) reported access to employer-paid Parental leave in 2010 and 2012⁷⁰.

Data from employers complements this picture. The Employers Impact Analysis survey, a 2012 survey of 441 employers who had been involved in delivering payment under the Paid Parental Leave scheme to at least one employee in July or August of 2012, provides an overview of the prevalence and distribution of employer-paid leave arrangements in Australia. Also conducted as part of the Paid Parental Leave scheme evaluation, this survey showed that 28 per cent of organisations in the sample had employer-paid Maternity leave entitlements in place, with provision varying considerably by sector (public vs private), organisational size and industry⁷¹. For example, while 87 per cent of public sector employers provided paid Maternity leave, this was the case for a little over one-half (54 per cent) of large private sector employers (those with 200 or more employees) and only 7 per cent of small private sector employers (those with fewer than 20 employees). Differences were also marked across industries, with Accommodation/Food Services, Construction and Wholesale Trade among those in which fewer than ten per cent of organisations provided paid Maternity leave.

This survey also highlighted differences in access to employer-paid Maternity leave depending on employment contract, with organisations consistently less likely to make these provisions available to non-permanent (fixed-term or casual), compared with permanent, staff: 27 per cent of organisations in the public sector had paid Maternity leave provisions that were available to casual staff, while this proportion ranged from 22 per cent (for large organisations) to nil (for small organisations) in the private sector⁷². There was less variation in leave duration and pay rates: the average duration of employer-paid Maternity leave for permanent employees ranged from 13 weeks in the public sector to around 11 weeks in large and medium private sector organisations (numbers were too small to estimate duration in small private

⁶⁹ For an overview of increases from 2005 to 2010 see Whitehouse et al. (2013) 'Employer-paid Maternity Leave in Australia: a Comparison of Uptake and Duration in 2005 and 2010' *Australian Journal of Labour Economics*, Vol.16, No.3: 311-327, pp.314-5

⁷⁰ Martin, B. et al. (2015a) Paid Parental Leave Evaluation: Phase 3 Report. Canberra: Department of Social Services, p.68, Table 3.4. Available at: <https://www.dss.gov.au/our-responsibilities/families-and-children/programmes-services/paid-parental-leave-scheme/paid-parental-leave-evaluation-phase-3-report>

⁷¹ *ibid.*, pp.17-19

⁷² *ibid.*, p.23

sector organisations), and in the vast majority of organisations employer-paid Maternity leave was provided at normal rates of pay.⁷³

b. Paternity leave

As outlined in 1c below, the unpaid Parental leave entitlement provided in the Fair Work Act enables men to take up to 12 months unpaid Parental leave following the birth or adoption of a child for an unbroken period during which they take a 'primary carer' role. Fathers may also take up to eight weeks of this leave concurrently with their partner, within 12 months of the birth or adoption, with any concurrent leave taken deducted from their total 12 month entitlement to unpaid leave. Under the Paid Parental Leave scheme, partners taking a primary carer role may also be the recipient of all or part of the Parental Leave Pay entitlement.

In addition, a specific entitlement to 'Dad and Partner Pay' was introduced in 2013. For births or adoptions after 1 January 2013, a father (or the mother's partner) may be entitled to up to two weeks' Dad and Partner Pay paid at a rate based on the national minimum wage (currently AU\$16.87 per hour/\$640.90 per week [€12/449⁷⁴]). This payment must be taken while on unpaid leave (available under the Fair Work Act unpaid Parental leave provisions) and is non-transferrable.

Employer-paid Paternity leave may also be available to some fathers and partners through company policies, industrial instruments or legislation covering public sector employees in Australia's various jurisdictions. Recent estimates of employers' provision of employer-paid Paternity leave were provided by the Employers Impact Analysis survey conducted in 2012. Overall 22 per cent of employers responding to this survey provided employer-paid Paternity leave, although – as with employer-paid Maternity leave – provision varied markedly by sector, organisational size and industry⁷⁵. For example, while 77 per cent of employers in the public sector provided paid Paternity leave, this was the case for only 45 per cent of large private sector employers (those with 200 or more employees), and it was extremely rare (present in only four per cent of cases) among small private sector employers (those with fewer than 20 employees). As with employer-paid Maternity leave, provision was particularly low in some industries, below ten per cent of organisations in Accommodation/Food Services, Construction, Wholesale Trade and Retail Trade. Differences in access to employer-paid Paternity leave similarly varied by employment contract, with organisations consistently less likely to provide these benefits for non-permanent – especially casual – staff⁷⁶. The average duration of employer-paid Paternity leave for permanent employees was around 2.5 weeks in public sector and large private sector organisations, with payment predominantly at normal wage rates⁷⁷.

c. Parental leave

Length of leave

- Under the relevant National Employment Standard in the Fair Work Act, each parent who meets the eligibility requirements is entitled to 12 months unpaid Parental leave. This is an individual entitlement. The period can be extended by a further 12 months if the employer agrees, with the limitation that a couple cannot exceed a total of 24 months between the two working parents per birth, and leave must be taken within 24

⁷³ *ibid.*, pp.23, 26

⁷⁴ Conversion of local currency into Euros undertaken on 1-5 June 2015, using <http://finance.yahoo.com/currency-converter/>

⁷⁵ Martin et al. (2015a), pp.17-19.

⁷⁶ *ibid.*, p.23

⁷⁷ *ibid.*, pp.23, 26.

months of the child's birth. When both members of a couple are entitled to unpaid Parental leave under the National Employment Standard, they can take eight weeks of this leave at the same time; this leave has to be taken within 12 months of the birth or adoption, and can be taken by the partner who is not the primary carer in separate periods, provided that each period is no shorter than two weeks (a stipulation that can be waived if the employer agrees).

- Unpaid Parental leave can be taken sequentially with paid leave entitlements, such as employer-provided Maternity/Parental leave if it is available to the employee through their employment conditions. Other forms of paid leave such as annual leave and long service leave can also be used. However, for each period of paid leave used, the unpaid Parental leave entitlement is reduced by the same amount so that the maximum time available for Parental leave per family is still two years. The government-funded 18 weeks Parental Leave Pay may be paid during the unpaid Parental leave entitlement period: it does not reduce or extend the duration of unpaid Parental leave available as it is an entitlement to pay rather than to leave.

Payment and funding

- Parental Leave Pay (provided under the Paid Parental Leave scheme) is paid to eligible mothers at a rate based on the national minimum wage (currently AU\$16.87 per hour/ \$640.90 per week [€12/449]) for up to 18 weeks following the birth or adoption of a child. In some circumstances it can be transferred to the father or other primary carer; the 18 weeks' pay is, therefore, a family entitlement that initially goes to the mother. It represents 49.6 per cent of average full-time adult ordinary time female earnings as at November 2014.⁷⁸ Parental Leave Pay can be received during unpaid leave or during paid leave, such as employer-paid Maternity leave or annual leave. Payment is funded from general revenue, with the majority of mothers (or designated primary carers) receiving it via their employer⁷⁹ and others receiving it directly from the Government. In the 2013-14 financial year, 72.8 per cent of Parental Leave Pay recipients received this Government-funded payment via their employer.⁸⁰
- Dad and Partner Pay is paid to eligible fathers/partners at the same rate as Parental Leave Pay (i.e. based on the national minimum wage). Unlike Parental Leave Pay, the two weeks' Dad and Partner Pay cannot be taken concurrently with other paid leave, it must be taken while on unpaid leave.
- As noted in 1a and 1b, some employees also have access to employer provided paid leave. In some cases this is specifically designated 'Primary Carer' or 'Parental' leave rather than Maternity or Paternity leave. Paid Primary Carer leave was provided by 17 per cent of employers responding to the 2012 Employers Impact Analysis survey.⁸¹ Its incidence was thus considerably lower than employer-paid Maternity leave and somewhat lower than employer-paid Paternity leave (see 1a and 1b). As with these forms of employer-paid leave, it was more common in large organisations and in the public sector, although duration and payment were similar to employer-paid Paternity leave entitlements: the average duration of employer-paid Primary Carer leave for

⁷⁸ Australian Bureau of Statistics (2015) *Average Weekly Earnings, Australia, November 2014*, Cat. No. 6302.0. Available at: <http://abs.gov.au>

⁷⁹ Employers are required to deliver the payment when it is for Australian-based employees who have worked with them for 12 months before the expected date of birth or adoption, who will be with them for their Parental Leave Pay period and who are expected to receive at least eight weeks of Parental Leave Pay.

⁸⁰ Australian Government Department of Social Services (2014) *2013.14 Annual Report*, p.41. Available at: https://www.dss.gov.au/sites/default/files/documents/10_2014/dss_annualreport2013-14.pdf

⁸¹ Martin et al. (2015a), p.17

permanent employees was around 2.5 weeks in the public sector and in large private sector organisations, and payment in almost all cases was at normal rates of pay.⁸²

Flexibility in use

- Under the National Employment Standard in the Fair Work Act, only one parent is entitled to access unpaid Parental leave at any particular time. The exception allowing some flexibility is that the parent who is not in the primary carer role can take concurrent unpaid leave for up to eight weeks during the 12 months following the birth or adoption, and this leave may be taken in separate periods at any time during the 12 months.
- Parental Leave Pay can also be transferred from one parent to the other where the primary carer for the child (i.e. the parent on leave) also changes and the recipient meets the eligibility criteria.
- Unpaid Parental leave and Parental Leave Pay must be taken in one continuous period; starting from the birth date or later in the case of Parental Leave Pay, although the full Parental Leave Pay period must be completed by 12 months after the birth.
- Flexibility is sometimes available with employer-paid Maternity, Paternity and Primary Carer or Parental leave: while this is usually paid at the employee's normal pay rate, in some cases there are provisions to double the duration by taking the leave at half pay. This is most common for employer-paid Maternity leave. Among employers responding to the 2012 Employers Impact Analysis survey, more than three-quarters of those in the public sector offered 'half pay' arrangements to permanent employees eligible for employer-paid Maternity leave, while this was the case for eligible permanent employees in 61 per cent of large private sector organisations and 57 per cent of small private sector organisations⁸³. The survey indicated that such arrangements were less prevalent for employer-paid Paternity and Primary Carer leave.

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

- Employees in permanent positions (full- or part-time) are eligible for the unpaid statutory provisions under the Fair Work Act 2009, provided they have 12 months continuous service with the same employer immediately before the date or expected date of birth, or the date of placement in the case of adoption.
- Casual employees are also eligible for the above entitlements provided that they have been engaged on a regular and systematic basis for at least 12 months and have a reasonable expectation of continuing regular employment.
- Twelve months unpaid Parental leave is not available to self-employed workers.
- An employer can refuse the request for an extension of unpaid Parental leave for a further period of up to 12 months on 'reasonable business grounds'. Any agreement for an additional period of leave beyond the first 12 months will reduce the other parent or partner's entitlement by an equivalent amount.
- To be eligible for the government-funded 18-week Parental Leave Pay, the primary carer (usually the mother) must be in paid work (this includes self-employment) and have been engaged in work continuously, with no more than an eight-week gap between any two consecutive working days, for at least ten of the 13 months prior to the expected birth or adoption of the child and undertaken at least 330 hours of paid work in the ten-month period. Eligibility for the government-funded two weeks' Dad and Partner Pay is based on the same employment requirements as Parental Leave Pay, and is similarly available to those in self-employment. For children born or adopted after 1 March 2014, claimants can count any Paid Parental Leave or Dad and Partner Pay periods taken in the 13 months prior to the birth or adoption towards this work test.

⁸² Ibid., pp.23, 26

⁸³ Ibid., p.26

- Government-funded Parental Leave Pay is restricted to those individuals earning less than AU\$150,000 (€104,971) per year or around 2.2 times average female full-time adult ordinary time earnings in November 2014⁸⁴.
- The government funded Parental Leave Pay can be taken in conjunction with other forms of paid leave to which the employee may be eligible (annual leave, long service leave, employer-funded Maternity or Parental leave) but must be taken before the employee returns to work and before the child's first birthday.
- Any unused portion of the Parental Leave Pay can be transferred to another primary caregiver (usually the father, but potentially a partner, including a same-sex partner) if they also meet the eligibility criteria; or in exceptional circumstances (such as a sole parent mother being unable to care for a child) the payment could be transferred to another primary carer such as a grandparent.
- Where employees are covered by an existing industrial instrument that includes employer-paid Maternity, Paternity or Parental leave, that entitlement cannot be withdrawn during the life of the agreement; the government-funded Parental leave scheme is in addition to any existing employment conditions.

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

- Special unpaid Maternity leave may be taken in cases of pregnancy-related illness or miscarriage within 28 weeks of the expected date of delivery. Mothers who use special Maternity leave (for example, due to a pregnancy related illness) are still entitled to the full 12 months unpaid Parental leave under the Fair Work Act.

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

- Paid Parental leave, sometimes specified as paid Maternity, Paternity or Primary Carer leave, is available in some industrial instruments and/or company policies. As explained earlier, these provisions are usually at full replacement salary and on this measure exceed statutory entitlements.

d. Statutory childcare leave or career breaks

No statutory entitlement.

e. Other statutory employment-related measures

Adoption leave and pay

- The same statutory rights to unpaid Parental leave and Parental Leave Pay apply when a child under 16 years old is adopted, however Parental Leave Pay may not be available in cases where a child has been living with the adoptive parents prior to the adoption (for example with the formal adoption of a step-child).

⁸⁴ Australian Bureau of Statistics (2015) *Average Weekly Earnings, Australia, November 2014*, Cat. No. 6302.0. Available at: <http://abs.gov.au>

Time off for the care of dependants

- All employees (except casuals) have access to ten days of paid personal/carer's leave per year of service. In addition, all employees (including casuals) can access up to two days unpaid carer's leave for each 'permissible occasion' provided paid personal leave has not been exhausted. Paid personal/carer's leave includes 'sick' leave and may be taken because of a personal illness, or to provide care or support to a member of the employee's immediate family or household who is ill or injured, or in the case of an unexpected family emergency. Similarly, unpaid carer's leave may be taken to provide care for an immediate family or household member due to illness, injury or an unexpected emergency.

Flexible work arrangements

- One of the 10 National Employment Standards contained in the Fair Work Act 2009 provides eligible parents with a statutory right to request flexible working arrangements. The range of employees entitled to request such arrangements currently includes employees with caring responsibilities, parents or guardians of children who are school age or younger, employees with a disability, employees aged 55 years or over and employees experiencing family violence or caring for a family or household member who is experiencing family violence. An employer must respond to a request within 21 days and may refuse the request only on 'reasonable business grounds'. While examples of 'reasonable business grounds' are provided in the legislation these do not limit what might be included. The request is ultimately not enforceable by any third-party body.
- From January 2014 modern awards and enterprise agreements are required to include provisions for employers to consult with employees over any proposed changes to rosters and ordinary working hours, and to consult genuinely with employees about the impact of changes on their family and caring responsibilities.

Transfer to safe job

- All pregnant employees, regardless of period of service, have the entitlement to be transferred to a safe job. If no safe job is available, an entitlement to 'paid no safe job leave' is available for those eligible for unpaid Parental leave, while those not eligible for unpaid Parental leave are entitled to 'unpaid no safe job leave'.

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

The maximum period of post-natal leave available for mothers and fathers/partners combined in Australia is 24 months, 20 weeks paid by the Government at a low flat-rate based on the national minimum wage. There is no entitlement to ECEC, although all Australian governments⁸⁵ agreed to work towards 15 hours a week of nursery education for one year before compulsory schooling (i.e. from age five years) by mid-2013. While substantial progress has been made towards this goal it has not yet been achieved uniformly. Levels of attendance at formal services for children under three are around the average for the countries included in this review and for OECD countries; but well below average for children over three years.

⁸⁵ National Partnership Agreement on Early Childhood Education, Council of Australian Governments, 29 November 2008.

http://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/rp1314/QG/ChildhoodEducatAccess.

For attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

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

In September 2013, the Liberal National Party Coalition was elected as the federal government, bringing a proposal for a more generous paid Parental leave scheme. This proposal was for 26 weeks Parental leave pay at full replacement salary of the mother's wage or the national minimum wage (whichever was greater). The proposal initially included a salary cap at AU\$150,000 [€104,971] per year (i.e. a ceiling of AU\$75,000 [€51,186] for the 26 weeks), and was to be paid for through a levy of 1.5 per cent on large businesses. After considerable disquiet amongst the electorate and within the government's own party about the relative generosity and untargeted nature of the scheme, the salary cap was reduced to AU\$100,000 [€69,981] (a payment ceiling of AU\$50,000 for 26 weeks). Then in late 2014, as a result of budgetary pressures and further political pushback, the Government announced the abolition of the proposal completely. At the time, the Government indicated that it would introduce a new families package in 2015, with more focus on child care. Thus, the previous Labor Government's Parental Leave Pay and Dad and Partner Pay schemes continued as before.

However in its May 2015 budget the Government announced that it would reduce the scope of the existing Parental Leave Pay scheme by reducing eligibility for those parents who receive payment under a scheme funded by their employer. Parents receiving payment from their employer equal to or more than the maximum Parental Leave Pay entitlement (equivalent to 18 weeks' pay at the national minimum wage) would no longer be entitled to any payment under the government-funded scheme, while those receiving a lesser amount from their employer would be entitled to a reduced amount of Parental Leave Pay (with the total amount received limited to the equivalent of 18 weeks' pay at the national minimum wage). This announcement was initially met with criticism from opposition parties and women's groups, and the fate of the policy is yet to be determined as it may meet with resistance in the upper house of the parliament.

The federal Government has also announced its intention to amend access to early childhood education and care. In 2013, the Government requested the Productivity Commission to conduct an inquiry into Childcare and Early Childhood Learning with the aim of making the ECEC system 'more flexible, affordable and accessible'. In its draft report, the Commission recommended reallocating to childcare some of the funds earmarked for Paid Parental Leave. The Commission argued that expenditure on ECEC would have more impact on women's labour force participation than expenditure on Parental leave. This recommendation was not included in the Commission's final report, which was released to the public in February 2015.⁸⁶

Although this recommendation was not included in the Commission's final report, the Government has allocated additional funding to childcare *and* scaled back access to the Paid Parental Leave scheme. A new childcare subsidy system was announced in the 2015 budget and is planned to take effect in July 2017. The new approach will increase support for families with both parents (or a sole parent) in paid work. However, children in families with an income above AU\$65,000 [€€45,487] will lose access to subsidies unless both parents meet an activity test of eight hours' work, training or study per fortnight.

⁸⁶ Productivity Commission (2014b). *Childcare and Early Childhood Learning, Inquiry Report No.73*, Canberra: Productivity Commission. Available at <http://www.pc.gov.au/inquiries/completed/childcare/report>

4. Take-up of leave

Recent sources of data on access to and take-up of various types of leave for parenting purposes in Australia include the Baseline Mothers survey (2010), the Family and Work Cohort survey (first wave conducted in 2012) and two online surveys of fathers (conducted in 2013) – all of which were undertaken as part of the evaluation of the Paid Parental Leave and Dad and Partner Pay schemes. These sources, complemented with information from a recent Government report and a journal article that also utilises data from the 2005 Parental Leave in Australia survey, are drawn on for the following overview of leave take-up.

a. Maternity leave

As explained earlier (1a), the term ‘Maternity leave’ is used in Australia primarily for employer-paid provisions. As a recent comparison of 2005 and 2010 survey data demonstrates, the take-up of these provisions increased markedly during this period⁸⁷. However comparisons between the 2010 Baseline Mothers survey and the first wave of the Family and Work Cohort survey (2012) indicate that take-up and average duration of employer-paid Maternity leave did not change significantly over this two year period: in both years 46 per cent of mothers eligible for payments under the Paid Parental Leave scheme who reported they had access to at least one form of leave took some employer-paid Maternity leave, for an average duration of 3.7 months.⁸⁸

b. Paternity leave

As noted in 1b, Australian fathers may have access to employer-paid Paternity leave as well as the Government-funded Dad and Partner Pay scheme which commenced in January 2013. Information on take-up of the former is available from an online survey of employed fathers whose babies were born in September 2012 (prior to the introduction of the Dad and Partner Pay scheme). This survey, conducted as part of the evaluation of the Paid Parental Leave and Dad and Partner Pay schemes, showed that among the 1,115 respondents around 25 per cent reported taking some employer-paid Parental leave in the first six months after the birth; a figure that represents 81 per cent of those who reported having access to this form of leave.⁸⁹

Turning to the Dad and Partner Pay scheme, the Australian Government has reported that in the 2013-14 financial year 75,669 fathers or partners received payment under this scheme, with the vast majority (96 per cent) taking the full two weeks’ payment⁹⁰. Data from an online survey of employed fathers with a baby born in April 2013 (after commencement of the Dad and Partner Pay scheme), also conducted as part of the evaluation of the Paid Parental Leave and Dad and Partner Pay schemes, shows that 36 per cent of the 1,208 respondents took Dad and Partner Pay in the first six months of their baby’s life, with take-up of this Government-funded payment highest among those least likely to have access to other sources of leave payment (for example, the take-up rate was around 50 per cent among employees on casual

⁸⁷ Whitehouse et al. (2013), p.319, Table 1.

⁸⁸ Martin et al. (2015a), p.70. Note that differences between figures presented here and take-up rates reported in the 2014 country note are primarily due to differences in population bases; for example the 46 per cent figure cited here is of those who reported they had access to at least one form of leave at the time.

⁸⁹ Estimates from Martin et al. (2015b) *PPL Evaluation: Phase 4 Report*. Canberra: Department of Social Services, pp.106-109, Tables 7.1 and 7.2. Available at: <https://www.dss.gov.au/our-responsibilities/families-and-children/programmes-services/paid-parental-leave-scheme/paid-parental-leave-evaluation-phase-4-report>

⁹⁰ Australian Government Department of Social Services (2014) *2013.14 Annual Report*, pp.40, 41. Available at: https://www.dss.gov.au/sites/default/files/documents/10_2014/dss_annualreport2013-14.pdf

contracts and self-employed workers).⁹¹ This survey also showed that around one-quarter of working fathers had not heard of the Dad and Partner Pay scheme and that the overall take-up rate among those aware of the scheme was around 50 per cent.

c. Parental leave

The entitlement to 12 months' unpaid Parental leave in the National Employment Standard under the Fair Work Act is available to, and utilised by, most working mothers: among respondents to the first wave of the Family and Work Cohort survey in 2012, 63 per cent of mothers eligible for payment under the Paid Parental Leave scheme took some unpaid Parental leave for an average period of 5.6 months. This was a slight increase since the Baseline Mothers survey in 2010, in which 60 per cent of respondents reported using this kind of leave for an average period of 5.8 months⁹². Take-up of unpaid Parental leave among fathers appears to be considerably lower. Among respondents to the online survey of employed fathers with a child born in September 2012 prior to the introduction of the Dad and Partner Pay scheme, only 6.4 per cent reported taking unpaid Parental leave in the first six months⁹³. Fathers' use of unpaid Parental leave is likely to have increased following the introduction of the Dad and Partner Pay scheme as this payment is only accessible while on unpaid leave: preliminary evidence for this, based on matched survey data and in-depth interviews, is presented in the Final Report of the Paid Parental Leave scheme evaluation.⁹⁴

Surveys conducted as part of the evaluation of the Paid Parental Leave and Dad and Partner Pay schemes also showed that the majority of mothers utilised more than one form of leave, with non-parental forms of leave accessed including paid annual leave, personal sick leave and long service leave: in both 2010 and 2012 around half of mothers eligible for payment under the Paid Parental Leave scheme took two or three forms of leave⁹⁵. The online survey of fathers with a child born in September 2012 (prior to the introduction of the Dad and Partner Pay scheme) showed that around 50 per cent of these respondents reported using paid annual leave in the first six months after the birth of their child, although there is some evidence that the use of annual leave decreased somewhat after the introduction of Dad and Partner Pay⁹⁶.

Since the introduction of Parental Leave Pay (under the Paid Parental Leave scheme) figures on the take-up of this entitlement indicate that it is accessible to a high proportion of working parents, although it is particularly targeted at mothers, who are the main users of the scheme. The 2012 Family and Work Cohort survey showed that among mothers eligible for payment under the Paid Parental Leave scheme, 84 per cent took some Parental Leave Pay, and that – of these – 97 per cent took the full 18 weeks, with the small group who did not take the full entitlement taking an average of 13 weeks⁹⁷. Government figures add to this picture, indicating that in the 2013-14 financial year 46.7 per cent of all women who gave birth to or adopted a child (144,255 mothers) received some Parental Leave Pay, and 97.4 per cent of families who accessed Parental Leave Pay took the full 18 weeks⁹⁸.

⁹¹ Martin et al. (2015b), p.123

⁹² Martin et al. (2015a), p.70

⁹³ Martin et al. (2015b), p.109, Table 7.2

⁹⁴ *ibid.*, pp.126-7. Note that the figures in Table 7.5 are based on samples used for propensity scoring and thus are not strictly equivalent to population estimates.

⁹⁵ Martin et al. (2015a), p.69, Table 3.5

⁹⁶ Martin et al. (2015b), p.109, Table 7.2; p.127, Table 7.5

⁹⁷ Martin et al. (2015a), pp.73, 75

⁹⁸ Australian Government Department of Social Services (2014), p.41

d. Other employment-related measures

The 2012 Family and Work Cohort survey also provides some information on the take-up of a range of other employment-related measures by mothers. Among respondents to this survey (mothers eligible to receive payment under the Paid Parental Leave scheme) who had returned to work by the time their child was 12 months old, and whose job conditions had changed on their return to work, similar proportions (around 60 per cent) reported having used permanent part-time arrangements and flexible hours, while around one third reported using work from home arrangements.⁹⁹

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

a. General overview

In 2014 the project to evaluate Australia's first national Paid Parental Leave scheme drew to a close, and two additional reports (Phase 3 and Phase 4) were subsequently released by the Australian Government (see below). Data collection continued for the *Australian Work and Life Index* and the *Millennium Mums* projects (see details in 5c below). The *Supporting Working Parents: Pregnancy and Return to Work National Review* conducted by the Australian Human Rights Commission, which involved a national consultation process and national surveys, was finalised in 2014 and the final report is listed below.

b. Selected publications since April 2014

Allen, D. (2014) 'Supporting working parents: findings from the AHRC's national inquiry into the prevalence of pregnancy and return to work discrimination in the workplace', *Australian Journal of Labour Law*, Vol.27: 281-292.

This article provides a summary of the Australian Human Rights Commission's 2014 report (see below). It commends the Commission for a comprehensive report and drawing attention to the ongoing issue of pregnancy-related discrimination in the workplace. The author states that little is known about discrimination and its consequences and calls for an extension of the Commission's remit so that it can continue to collect relevant data, including information on other forms of discrimination in employment (such as disability and race).

Australian Human Rights Commission (2014) *Supporting Working Parents: Pregnancy and Return to Work National Review*, Sydney: Australian Human Rights Commission. Available at: https://www.humanrights.gov.au/sites/default/files/document/publication/SWP_Report_2014.pdf

Fifteen years after the Australian Human Rights Commission's first inquiry into pregnancy-related discrimination in the workplace, this report (based on national telephone surveys of 2000 mothers and 1000 fathers, supplemented by group consultations and submissions) argues that the position has not changed markedly over that time. It reported that 49 per cent of mothers experienced discrimination at some stage during pregnancy, Parental leave or on return to work, and that over one-quarter of fathers had also experienced discrimination relating to Parental leave and return to work. The report recommends a range of strategies to disseminate information about employer obligations and employee rights, dismantling harmful stereotypes such as the 'ideal worker', extending legislative and policy standards (such as the

⁹⁹ Martin et al. (2015b), p.78, Table 4.6. Note that these figures are based on samples used for propensity scoring hence the estimates are not strictly equivalent to population estimates. Also the high proportions reported reflect the population base which is mothers whose job conditions changed on return to work.

right to request flexible arrangements) and ensuring regular monitoring and evaluation of the situation.

Productivity Commission (2014) *Childcare and Early Childhood Learning, Inquiry Report No. 73*, Canberra: Productivity Commission. Available at:

<http://www.pc.gov.au/inquiries/completed/childcare/report/childcare-volume1.pdf>.

This is the final report of the Productivity Commission's recent Inquiry into childcare and early childhood learning. The Commission was asked to address the accessibility, flexibility and affordability of ECEC. The report presents a wide range of recommendations, including: rationalisation of the current child care payments into a single means-tested benefit available for children accessing any approved ECEC services; extending ECEC assistance to the use of 'approved nannies'; limiting benefits to parents undertaking at least 24 hours work, study or training per fortnight (with some exemptions for parents receiving a Parenting Payment); special provisions for 'at risk' children; and amendments to educator-to-child ratios and qualifications requirements, including elimination of variation across jurisdictions.

Baird, M. and O'Brien, M. (2015) 'Dynamics of parental leave in Anglophone countries: The paradox of state expansion in the liberal welfare regime countries', *Community, Work and Family*, Vol.18, No.2: 198-217.

This paper evaluates Parental leave policies across six Anglophone countries (Australia, Canada, Ireland, New Zealand, the United Kingdom and the United States of America) to assess system fit with a liberal welfare regime classification. The focus is on comparison *within* welfare regime classification, (rather than *between* regimes), enabling complexity and variation to be explored. The comparative policy analysis uses national government and international OECD data sources with case studies of policy change between 2004-2014 in Australia and the UK. Evidence suggests that contrary to market-oriented, liberal welfare regime predictions, there has been an expanding role of the state in developing parental leave policies, extending their duration, and increasing the payment level. With the exception of the USA, parental leave provision, predominately maternal in focus, is embedded in the state policies of contemporary liberal welfare countries.

Cooper R and Baird M (2015 forthcoming) 'Bringing the 'right to request' flexible working arrangements to life: From policies to practices', *Employee Relations*

This article examines how the 'right to request' flexible working arrangements (FWAs), developed in national policy and in high-level organisational contexts, are brought to life in the workplace by managers and employees. The article seeks to understand the nature and content of requests, the process followed in attending to requests, the scope of the arrangements which resulted, and the implications for the work of both employees and line managers.

Martin, B. et al. (2015a) *Paid Parental Leave Evaluation: Phase 3 Report*. Canberra: Department of Social Services. Available at: <https://www.dss.gov.au/our-responsibilities/families-and-children/programmes-services/paid-parental-leave-scheme/paid-parental-leave-evaluation-phase-3-report>

This is the third major report of the evaluation of the Paid Parental Leave scheme which commenced operation in January 2011. It analyses data from surveys and interviews conducted in 2012 and makes comparisons with data collected prior to the introduction of the Paid Parental Leave scheme. It found that employers largely maintained their prior paid Parental leave arrangements with the introduction of the Government-funded scheme, that most did not feel the need to change their existing policies and practices, and that the costs to employers of implementing the scheme were minimal. The report also found almost universal awareness of the new scheme among mothers, but very little change in patterns of leave-taking. While a small increase was observed in the proportion of mothers using unpaid leave, the total amount of leave taken by mothers did not change markedly. There was however a reduction in the proportion of mothers returning to work within 18 weeks of their

baby's birth, and a slight increase in the proportion who had returned to work by the time their child was 12 months old.

Martin, B. et al. (2015b) PPL Evaluation: Phase 4 Report. Department of Social Services, Canberra. Available at: <https://www.dss.gov.au/our-responsibilities/families-and-children/programmes-services/paid-parental-leave-scheme/paid-parental-leave-evaluation-phase-4-report>

This is the final report of the evaluation of the Paid Parental Leave scheme which commenced operation in January 2011. It assesses the impact of the scheme in relation to its main goals which included extending the labour force participation of women, enhancing maternal and child health and well-being and promoting gender equality and the balance between work and family life. Regarding women's labour force participation, the evaluation found that the scheme delayed mothers' return to work in the six months after the birth of a child, but also slightly increased their probability of returning to work before the child's first birthday, with these effects most marked among lower income mothers. It also showed small but significant improvements in mothers' health, possibly due to delays in placing children in formal childcare where exposure to infections increases. Breastfeeding duration was also increased for most groups of mothers. Evidence on changes in gender equity and work/family balance was mixed, with changes in areas such as the household division of labour likely to require a longer time period to become evident.

c. Ongoing research

The Australian Work and Life Index (AWALI) (2007-ongoing). Centre for Work + Life, University of South Australia. Funded by the Australian Research Council. (<http://www.unisa.edu.au/hawkeinstitute/cwl/default.asp>)

AWALI is a national survey of work–life outcomes amongst working Australians. It commenced in 2007, was repeated annually until 2010, after which it was conducted on a biennial basis. It is conducted by the Centre for Work + Life at the University of South Australia; most recent partners are SafeWork, South Australia, and the federal Department of Employment. AWALI serves as a benchmarking tool to compare and contrast work–life outcomes across various groups defined by geographic location, employment characteristics (e.g. occupation, work hours, industry, job quality) and social demographics (e.g. gender, age, parenthood, income). AWALI surveys in 2009, 2012 and 2014 have focused particularly on flexible work arrangements, including the impact of Right to Request within the National Employment Standards. AWALI also serves as a powerful analysis tool to examine the protective and risk factors related to work–life conflict, and the social, community and health outcomes affected by the state of the work–life relationship. The most recent survey was conducted in 2014. Contact Natalie Skinner at Natalie.Skinner@unisa.edu.au.

Millennium Mums (2013-2015). Belinda Hewitt, Bill Martin, Gillian Whitehouse, Lyndall Strazdins, Marian Baird, Janeen Baxter, Mara Yerkes, Jane Dickenson and Sarah Hinde. Funded by the Australian Research Council.

The Millennium Mums project is a national cohort study of working mothers who had babies in October and November 2011. The project examines their experiences with leave from their employer and decisions about paid employment, as well as family life, health and wellbeing around the birth of their baby. The study began in 2012, as part of an evaluation of the introduction of the Australian Paid Parental leave scheme. Through additional funding from the Australian Research Council and co-funding from the Department of Social Services the study will continue on an annual basis until 2015. The goal of the extension of the Millennium Mums project is to study changes in mother's work and family lives during their child's preschool years. Contact: Belinda Hewitt b.hewitt@uq.edu.au.

Austria¹⁰⁰

Christiane Rille-Pfeiffer (Österreichisches Institut für Familienforschung/Austrian Institute for Family Studies) and Helene Dearing (Wirtschaftsuniversität Wien/ Vienna University of Economics and Business))

April 2015

NB. Austria 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 (*Mutterschutz*) (responsibility of Federal Ministry of Labour, Social Affairs and Consumer Protection)

Length of leave (before and after birth)

- Sixteen weeks, eight weeks before the birth and eight weeks after the birth. It is obligatory to take leave.

Payment and funding

- One hundred per cent of average income for the last three months of employment before taking leave for employees, with no ceiling. Freelance workers receive income-based maternity benefit; marginally employed self-insured women receive a flat-rate payment of €8.80 a day; while self-employed women who pursue a trade and farmers are eligible for 'operational support' (i.e. financial or other support to maintain their business) as a form of maternity benefits, but if no operational support is granted, they can claim a flat-rate payment of €52.07 a day. Eligible unemployed women or women receiving Childcare benefit are entitled to 180 per cent of previous unemployment benefit.
- Funded partly (70 per cent) from *Familienlastenausgleichsfond* (FLAF – Family Burdens Equalisation Fund), financed by contributions from employers (4.5 per cent of their salary bill) and from general taxes; and partly (30 per cent) from public health insurance. The total expenditure on Maternity leave (i.e. maternity pay and the payment for operational support) in 2013 was €439.2 million.

Flexibility in use

- None.

¹⁰⁰ Please cite as: Rille-Pfeiffer, C. and Dearing, H. (2015) 'Austria country note', in: P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

Regional or local variations in leave policy

- None.

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

- All employed women are entitled to 16 weeks Maternity leave with 16 weeks payment (100 per cent of average income), except for short-time employed women and self-employed workers who are eligible for Maternity leave only if they are voluntarily health-insured.
- Unemployed women are eligible for maternity payment only if they have completed three months continuous employment or have been compulsorily health-insured for 12 months within the last three years.

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.

- In case of danger to the health of the mother or unborn child, women are eligible to take leave earlier than eight weeks before delivery; in case of premature or multiple births or births by Caesarean section, women are eligible for 12 weeks after birth (in exceptional cases even 16 weeks).

b. Paternity leave (responsibility of Federal Ministry of Labour, Social Affairs and Consumer Protection)

There is no statutory entitlement.

Public sector workers are entitled to a month of leave, which is unpaid. Other collective agreements may provide a few days of leave for fathers immediately after the birth of a child, during which time fathers receive full earnings replacement.

c. Parental leave (*Elternkarenz*) (responsibility of Federal Ministry of Labour, Social Affairs and Consumer Protection and Federal Ministry of Families and Youth)

Length of leave (before and after birth)

- Until the child reaches two years. This entitlement is per family.

Payment and funding

- A Childcare benefit is available to all families who meet the eligibility conditions, whether or not parents take Parental leave. Parents can choose between five payment options: four flat-rate and one income-related:
 - €436 a month for 30 months **or** for 36 months if both parents apply for the payment (30+6 bonus months' option);
 - €624 a month for 20 months **or** 24 months (20+4 bonus months' option);
 - €800 a month for 15 months **or** 18 months (15+3 bonus months' option),
 - €1,000 a month for 12 months **or** 14 months for those earning less than €1,000 income a month (12+2 bonus months' option);
 - 80 per cent of the last net income for 12 months **or** 14 months for those earning between €1,000 and €2,000 a month (12+2 bonus months' income-related option).

- On any of the four flat-rate Childcare benefit options, a parent may additionally earn 60 per cent of the income they earned in the calendar year prior to the child's birth or at least €16,200 a year. For the earnings-related option, additional earnings may not exceed €6,400 a year.
- Childcare benefit is funded from the FLAF; see 1a for more details. Total expenditure on this benefit in 2013 was €1.074 million.

Flexibility in use

- Leave may be taken by one parent only (mother or father) or by both parents on an alternating basis (the whole period can be divided into a maximum of three parts alternating between parents, with each part at least two months).
- Each parent has the possibility to postpone three months of Parental leave, to use up to the child's seventh birthday (or school entry at a later date).
- Both parents cannot take leave at the same time except for one month the first time they alternate leave; in that case Parental leave ends one month earlier (i.e. one month before the child's second birthday).

Regional or local variations in leave policy

- None.

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

- All employees are entitled to take Parental leave.
- There is no entitlement to take Parental leave for self-employed workers; however, they can claim Childcare benefit under the same conditions as applied to employees.

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 parent)

- None.

Additional note (e.g. employer exclusions or rights to postpone)

- None.

d. Childcare leave or career breaks

- Employees have the possibility to take between two and 12 months time off for private reasons (e.g. further education, family reasons). It is based on labour legislation and on a mutual agreement between employer and employee and is unpaid; it is not, therefore, a statutory entitlement. The leave period is unpaid, though if leave is taken for educational reasons, it is possible to receive a further training allowance from unemployment insurance funds (though the employee also has to meet the eligibility criteria for unemployment benefit and the employer has to recruit a substitute for the period of leave).

e. Other employment-related measures

Adoption leave and pay

- For adoptive parents the same regulations for Parental leave apply as for other parents.

Time off for the care of dependants

- Two weeks leave a year per employee to care for sick children under the age of 12 years, and one week for other dependants/family members needing care, with full earnings replacement.
- Employees may take at maximum six months family hospice leave for the purpose of nursing terminally ill family members or very seriously ill children. If the leave is taken for ill children, it can be extended to nine months. This leave is unpaid, but low-income families may claim subsidies, if such care leave causes financial distress.

Flexible working

- Parents with children born after 1 July 2004 are entitled to work part time until the child's seventh birthday (or school entry at a later date) if they are working in companies with more than 20 employees and if they have been continuously employed with their present employer for at least three years. There are no given limits concerning the extent of the part-time work. The regulations also include the right to change working hours within the day (e.g. from morning to afternoon) without reducing the number of working hours and the right to return to full-time employment. Parents working in companies with less than 20 employees may enter into an agreement on part-time work with the employer to the child's fourth birthday (see above Parental leave).
- Parents are protected against dismissal until their child's fourth birthday. During the remaining period of part-time work (i.e. until the child's seventh birthday or school entry at a later date) protection against dismissal without grounds is provided.

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

The maximum period of post-natal leave available in Austria is 24 months, but this is mostly paid at a low flat rate (except for one option available to some parents, which is paid at 80 per cent of earnings over a 12-14 month period); high paid earnings-related Maternity leave runs until 8 weeks after birth. There is an entitlement to ECEC from 5 years of age, though only for part-time kindergarten (16 hours per week); attendance is obligatory. So there is a gap of 3 years between the end of leave and an ECEC entitlement, and a gap of at 58 months between the end of well-paid leave and an ECEC entitlement. Levels of attendance at formal services for children under 3 years are well below the average for the countries included in this review and for OECD countries; but are close to the average 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 2014 (including proposals currently under discussion)

After elections to the national assembly in autumn 2013, the newly elected government proposed in December 2013 a programme including a package to support families. The programme discussed the 'evaluation' of an obligatory 'Papa Monat' (month of leave for fathers) and a reform of the Parental leave benefit scheme in order to allow for more flexible usage of the four flat-rate payment options. Whereas the duration of Parental leave would stay the same, the introduction of a 'child benefit account' would allow parents to choose the duration of payments in a flexible manner, without being restricted to one of the five options of

the Childcare benefit options (details about the reforms are not yet public). However, none of these reforms has been implemented yet.

In October 2014, an expert group was launched by the Federal Ministry of Families and Youth to evaluate the introduction of a 'child benefit account'. In addition, the group has considered the possibility of introducing a gender equality bonus that rewards parents if they share the entitlement period of the leave benefit more equally. In February 2015 this expert group had its final meeting, but the results of their work are not yet published.

4. Take-up of leave

a. Maternity leave

It is obligatory for employees to take Maternity leave and almost all mothers are eligible; the take-up of leave, therefore, corresponds to the number of births.

b. Paternity leave

No statutory entitlement.

c. Parental leave

Data provide evidence that almost all eligible (i.e. formerly employed) mothers – between 93 and 96 per cent – took up Parental leave in the last years of the previous scheme. Since the replacement of the Parental leave benefit by the new Childcare benefit in 2002, there is only information on the number of women and men taking Childcare benefit, which is different to the number of persons taking up Parental leave (i.e. parents not on leave receive Childcare benefit as well as those who are taking leave). There is no way of telling from these figures what proportion of parents take Parental leave and it is doubtful whether data on the take-up of Parental leave will be available in the future.

Parental leave for fathers was introduced in 1990, and the proportion taking it was always very low (between 0.6 and 2 per cent). As there are no official statistics on the take up of Parental Leave, it is difficult to know how many fathers currently take Parental Leave. Some studies address this issue but the percentages vary significantly depending on the population under study.

The monthly official statistics (cross sectional data at one point in time) on Childcare benefit indicate a very low percentage of participating fathers. This is due to the fact that fathers mainly take shorter periods than mothers - they choose the shorter option more often than women, as the payment is higher than for the longer options - and therefore appear less often in the statistics. Looking at fathers who have taken any period of Childcare benefit, the percentage is much higher, varying between the different options from 11.78 per cent to 30.43 per cent (April 2013).

The official website of the Ministry of Families and Youth no longer reports on the use of the five Childcare benefit options *separately for mothers and fathers*. Therefore recent data for January 2014 refer to all parents during their first year of using the benefit: around 40 per cent opted for the long model (30+6 months), 26 per cent for the second model (20+4), 6 per cent for the model 15+3, 5 per cent for the flat rate 12+2 and around 21 per cent for the income related model 12+2.

d. Other employment-related measures

Contrary to the government's expectations, the take-up of the family hospice leave has been very low: 1,159 people took this leave from July 2002 until the end of 2004 (no current information available). There is no information available on take-up of care leave for sick children as well as for other dependants.

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

a. General overview

Research on Maternity leave is rare because the entitlement is so well established and widely accepted; research on Parental leave is often linked on the one hand to the broader issue of work–life balance and flexible working schemes for parents with young children; and on the other hand to the issue of gender equality and gender-specific division of paid and unpaid labour. In general there have been a lot of evaluation studies on leave-related policy measures – especially on the Childcare benefit – in the last few years. This is due to the recently introduced legal obligation to evaluate the effects of new regulations within two years. Particular attention in these evaluation studies (but also as an issue for research in general) has been paid to the role of fathers and their participation in childcare. Recently, too, there are several evaluation studies on part-time work for parents.

b. Selected publications since April 2014

Berghammer, C. (2014) 'The Return of the Male Breadwinner Model? Educational Effects on Parents' Work Arrangements in Austria, 1980-2009', *Work, Employment & Society*, Vol.28, no.4: 611–32. Available at:

<http://wes.sagepub.com/content/early/2014/03/10/0950017013500115>

This study examines the effect of the educational level of parents with children below age six on their work arrangements. Based on Austrian microcensus data from 1980 to 2009, multinomial logistic regression models are used to investigate changes in this effect. The findings show converging trends between different educational groups. Couples with children below the age of three whose mothers are highly educated increasingly turn away from the dual breadwinner model and, rather unexpectedly, choose the male breadwinner model. Looking at this development over time, the shape of the curve corresponds tightly (with some expected delay) to changes in the length of Parental leave, that is, a prolongation in 1990, a reduction in 1997 and again a prolongation in 2002.

Blum, B., Formánková, L. and Dobrotić, I. (2014) 'Family Policies in 'Hybrid' Welfare States after the Crisis: Pathways between Policy Expansion and Retrenchment', *Social Policy and Administration*, Vol.8, No.4: 468–491

The economic crisis has significantly challenged national welfare states and has often led to retrenchment. The question arises how countries have reacted to the crisis in the area of family policy – not directly connected to rising unemployment and also not as demanding for state spending as for example the pension system. This article analyzes family policy reforms during the crisis in three small European welfare states – Austria, the Czech Republic and Slovenia. Focusing on the 'rationale' behind the reforms, it aims to explore how family policy was affected by the crisis and whether the crisis gave rise to new policy pathways and ideas in the area. The exploratory case studies of reforms conducted in the three countries between 2009 and 2013 show that everywhere the pre-crisis policy pathways were also continued in the period of crisis. The reforms were framed by diverse paradigms related to national-specific contexts along with newly emerged austerity arguments. The Czech Republic shows a continued focus on a neo-liberal paradigm, utilizing the crisis to introduce further residual

measures, i.e. mostly negative re-familializing reforms, mixed with de-familializing policies based on the workfare paradigm. Strong crisis-related discourse in Slovenia was accompanied by diverse austerity measures, which strengthened the social dimension of family policy and weakened a de-familialistic effect of the pre-crisis reforms. Austria, much less affected by the crisis, continues to combine social investment and 'freedom of choice' paradigms, introducing an ambivalent amalgam of positive familialistic and de-familialistic family policy reforms.

Holzinger, F., Reidl, S. and Schiffbänker, H. (2014) *Vater werden ist nicht schwer, Vater sein hingegen sehr...?: Unterschiedliche Motive, Erfahrungen und Vereinbarkeitspraktiken von Vätern in Karenz [Becoming a father is easy, but being a father...Motives, experiences and reconciliation strategies of fathers in parental leave]*. POLICIES Working Paper 76/2014. Graz/Vienna: Joanneum Research. Forschungsgesellschaft mbH. Institut für Wirtschafts- und Innovationsforschung. Available at:

[http://www.joanneum.at/policies/publikationen/detail/publicationlibrary/6887.html?tx_publicationlibrary_pi1\[form_institute_arr\]=7&tx_publicationlibrary_pi1\[sort_arr\]=0&tx_publicationlibrary_pi1\[pointer\]=0&tx_publicationlibrary_pi1\[mode\]=1&tx_publicationlibrary_pi1\[backPID\]=87&cHash=8c24b2740b867370e4e3b221e411e82c](http://www.joanneum.at/policies/publikationen/detail/publicationlibrary/6887.html?tx_publicationlibrary_pi1[form_institute_arr]=7&tx_publicationlibrary_pi1[sort_arr]=0&tx_publicationlibrary_pi1[pointer]=0&tx_publicationlibrary_pi1[mode]=1&tx_publicationlibrary_pi1[backPID]=87&cHash=8c24b2740b867370e4e3b221e411e82c)

The authors of the study conduct qualitative interviews with 17 high-educated fathers who took Parental leave between 2002 and 2011. They group these fathers according to three types of motives to take leave and their re-entry patterns.

Reidl, S. and Holzinger, F. (2014) *Väterkarenz aus Unternehmenssicht [Parental leave from a business perspective]*. POLICIES Working Paper 77/2014. Graz/Vienna: Joanneum Research. Forschungsgesellschaft mbH. Institut für Wirtschafts- und Innovationsforschung. Available at:

<http://www.joanneum.at/policies/publikationen/detail/publicationlibrary/7016.html>

This paper reports results from qualitative interviews with employers regarding their attitudes towards Parental leave use by their male employees and the actual organisational practices in place regarding leave, flexibility, the possibility to work-part time and general work-life balance measures of the firm. They identify three types of organisations with regard to their organisational practices: (i) "greedy organisations" that expect an unlimited commitment of their employees, frequently demand they work long hours and perceive questions of work-family balance as a private matter for their employees; (ii) organisations with an explicit work-life balance agenda, where flexible working hours, part-time and Parental leave are common and sometimes even actively supported by the firm; (iii) organisation with cultural practices that entail elements of "greediness" and explicit "work-family friendliness". Their results indicate that taking Parental leave seems not to have negative consequences for the career of the male employees, but only as long as the entitlement is used according to the cultural practices of the organisation.

Dearing, H. (2015) *Does parental leave influence the gender division of labour? Recent empirical findings from Europe*. Working Paper No 1/2015. Vienna: Institute for Social Policy, Vienna University of Economics and Business. Available at: http://epub.wu.ac.at/4501/1/WP_HD_gesamt.pdf.

This paper explores the link between parental leave policies and the gender division of labour - referring to both paid employment and unpaid family work. Against this backdrop the paper systematically reviews evidence from quantitative empirical research on the effects of Parental leave policies on mothers' employment and fathers' involvement in family work. The article suggests that there are several aspects of leave that seem to be especially relevant for the gender division of labour, such as the duration of leave, the provision of payments, and an individual entitlement of non-transferable leave rights. In a concluding section the article summarizes the results, discusses doubts and questions raised by the material and identifies promising areas of future research that are crucial for a better understanding of the effects of parental leave on the gender division of labour.

c. Ongoing research

Wirkungsanalyse familienpolitischer Bundesleistungen in Österreich [Impact analysis of Austrian family policies] (2012 – 2015). Austrian Institute for Family Studies.

This project is carried out for the Federal Ministry of Economics, Family and Youth (BMWFJ). Following the recommendation of the Austrian Audit Court, the impact analysis attempts to evaluate the effectiveness and feasibility of policies and programs aiming to support and empower families in Austria. To cover this broad research question the project consists of different modules (such as a “policy survey” carried out among the Austrian population or a module on the development of childcare facilities etc.) focusing on different types of policy measures. The synopsis of the results of the individual modules and the derived conclusion will be presented in a final report at the beginning of 2016. Contact: Christiane Rille-Pfeiffer at christiane-rille-pfeiffer@oif.ac.at.

How to assess European leave policies regarding their compliance with an ideal leave model. (2014 – 2015). Institute for Social Policy, Vienna University of Economics and Business.

This project assesses 27 European parental leave policies regarding their compliance with an ideal leave policy model that best supports gender equality in the division of labour. Given the difficulties in defining such an ideal leave model, the article makes this assessment in two stages. Stage 1 exploits the most salient results of the empirical literature in order to define an ideal leave model that foresees the provision of 14 months of well-paid leave, where half of the leave is reserved for fathers. An “Equal Gender Division of Labour” indicator is developed to assess the performance of different countries regarding their compliance with the ideal leave model. Stage 2 tests the sensitivity of the results with regard to three different scenarios that account for alternative assumptions about (i) the actual duration of leave that is supposed to be “ideal”, (ii) the significance of providing leave only in combination with payments and (iii) the importance of reserving some of the provided leave for fathers.

Contact: Helene Dearing at helene.dearing@wu.ac.at

Exploring the balancing potential of parental leave policies for the gender division of unpaid work using different indicators (2015 – 2016). Institute for Social Policy, Vienna University of Economics and Business.

Whereas the effects of leave policies on paid employment are extensively studied in empirical literature, only few studies focus on the balancing potential of leave in the division of unpaid work. In addition, for those studies that exist so far, findings are inconsistent. The article argues that this partly derive from different measurement approaches and advocates a more careful operationalization of leave in cross-country studies. Against this backdrop, the author estimates a multi-level model in order to explain the variation in men’s housework across 24 countries using the European Social Survey. As an explanatory variable on the country level, different measures for parental leave policies will be applied.

Contact: Helene Dearing at helene.dearing@wu.ac.at

Changing Families and Sustainable Societies: Policy Contexts and Diversity over the Life Course and Across Generations (FamiliesAndSocieties) (2013-2017). Funded by the European Union. Austrian partner: Department of Sociology, University of Vienna.

The main objectives of this project are to investigate the diversity of family forms, relationships, and life courses in Europe; to assess the compatibility of existing policies with these changes; and to contribute to evidence-based policy-making. The project intends to extend the knowledge on how policies promote well-being, inclusion and sustainable societal development among families. See: <http://www.soz.univie.ac.at/forschung/drittmittelprojekte/>

Belgium¹⁰¹

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

May 2015

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.

¹⁰¹ Please cite as: Merla, L. and Deven, F. (2015) 'Belgium country note', in: P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

- 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 – 1st 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

Kil, T. and Neels, K. (2014) 'Gender inequality in the division of housework over the life course: a European comparative perspective', *Proceedings of the European Population Conference 2014 (EPC 2014)*, Budapest, Hungary, 25-28 June 2014. Available at: <http://anet.uantwerpen.be/docman/irua/2e75f6/46461f1b.pdf>

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.

Wood J., and Neels, K. (2014) 'Uptake of parental leave and effects on second birth hazards in Belgium, France and Germany: a shared frailty approach', Paper presented at the *the European Population Conference 2014 (EPC 2014)*, Budapest, Hungary, 25-28 June 2014. Available at: <http://paa2014.princeton.edu/papers/142159>.

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.

Degavre F. and Merla L. (forthcoming 2015) 'Defamilialisation of whom? Re-thinking defamilialisation in the light of global care chains and the transnational circulation of care', in: M. Kilkey and E. Palenga-Möllenberg (eds.) *Family Life in an Age of Migration and Mobility: Global Perspectives through the Life Course*. London: Palgrave Macmillan.

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.

RVA / ONEM (2015) *Jaarverslag 2014 – Volume 2 Indicatoren van de arbeidsmarkt en evolutietrend uitkeringen*. Brussels: RVA/ONEM.

Annual report 2014 of the federal agency in charge of payments for the various leave arrangements and for the Career Break/Time Credit system. Chapter 6 provides the take-up rates and other data for 2014, as well as a comparison with the situation in 2007.

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:

University of Antwerp, unit CELLO (Dutch acronym for Research Center for Longitudinal & Lifecourse Studies (<https://www.uantwerpen.be/en/rg/cello>)). Contact: Professor D. Mortelmans at dimitri.mortelmans@uantwerpen.be.

Free University of Brussels, unit TOR (Tempus Omnia Revelat) (<https://www.vub.ac.be/TOR>). Contact: Professor I. Glorieux.

Brazil¹⁰²

Bila Sorj (Federal University of Rio de Janeiro)

April 2015

NB. Brazil 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

Note on coverage of leave entitlements

Leave entitlements in Brazil are primarily governed by the Labour Law (*Consolidação das Leis do Trabalho - CLT*), which applies to the whole country but applies only to employees with regular work contracts or those that contribute to the Social Security Institute (INSS). Only half of the Brazilian labour force works in formal jobs and are thus entitled to such benefits. The conventions and collective agreements negotiated by trade unions may eventually extend such rights.

a. Maternity leave (*Licença Maternidade*) (responsibility of the National Institute for Social Security/INSS, Ministry of Social Security)

Length of leave (before and after birth)

- One hundred and twenty calendar days in the private sector, which can be extended to six months if the employer voluntarily adheres to the Company-Citizen Programme (*Programa Empresa Cidadã*). It may be taken from the eighth month of pregnancy.
- Six months in the federal public sector. At state and municipal levels, entitlement depends on the approval of the authorities; most state authorities approve this extended leave, but only a minority of municipalities.

Payment and funding

- One hundred per cent of earnings, with no ceiling. In the case of a variable salary (i.e. because of commission, gratuity, overtime, bonus pay), the payment is equivalent to the average of the last six months of work.
- If leave in the private sector is extended to six months, benefit is paid by the employer with the costs covered by fiscal rebates.
- In case of miscarriage or legal abortion (on the grounds of rape, risk to the mother's life or a foetus with anencephaly), the maternity benefit payment is paid for two weeks.

¹⁰² Please cite as: Sorj, B. (2015) 'Brazil country note', in: P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

- Funded for employees from contributions into a social security fund paid by employers and employees: employers pay 20 per cent of their salary bill; and employees pay on a sliding scale according to salary (eight per cent if under BRL1,317.08 [€380¹⁰³]; nine per cent between BRL1,317.08 and BRL2,195.12 [€633]; and 11 per cent between BRL2,195.13 and BRL4,390.24 [€1,267], which is the upper limit for social security payments). Funded entirely by own contributions for self-employed workers and business owners.

Flexibility in use

- Women may continue with paid work until birth if they explicitly declare that it is their personal decision to do so.

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

- All women who work and contribute to Social Security, whether this be through employment with a signed work card, as a temporary employee or self-employed.
- Housewives or students who do not earn a salary, but who pay monthly optional Social Security contributions to retain coverage, can enjoy the same benefit after contributing for at least ten months. In this case, the amount of the maternity benefit is that of the reference salary contribution (e.g. if she contributes on the basis of one minimum salary, she receives a minimum salary per month while on leave).

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

- The mother has the right to another 15 days in some specific situations, such as when her or the baby's life is at risk.

b. Paternity leave (*Licença Paternidade*)

Length of leave (before and after birth)

- Five consecutive days in the private sector for birth or adoption of a child; ten days in the public sector.

Payment and funding

- Full earnings are paid by the employer under the provisions of labour legislation.

c. Parental leave

No statutory entitlement.

d. Childcare leave or career breaks

No statutory entitlement.

¹⁰³ Conversion of local currency into Euros undertaken on 1-5 June 2015, using <http://finance.yahoo.com/currency-converter/>

e. Other employment-related measures

Adoption leave and pay

- In case of adoption of a child of up to one year old, Maternity leave is 120 days. For adoption in the age range one to four years, the leave is 60 days. From four to eight years, the period is 30 days. There is Paternity leave of five days after adoption, but paid by the employer.

Time off for the care of dependants

- Paid leave up to two consecutive days is granted in the case of the death of a spouse, ascendant, descendant, sibling or a person declared in his/her work card and for the purposes of Social Security as financially dependent.
- In the public sector, leave is granted to care for a sick spouse or companion, parent, child, stepfather/stepmother, stepchild or dependent, subject to approval by an official medical board who must decide that the employee's direct assistance to the sick person is essential and must be during working hours.
- Leave may be granted for up to 60 days at 100 per cent of earnings; after which, a further 90 days of leave is possible, but with no payment. For the private sector, leave to care for a sick dependent can be part of a collective agreement, but not a labour law or regulation.

Flexible working

- The Labour Law provides for two 30-minute breaks for breast-feeding during the working day, until a child reaches six months.

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

The maximum period of post-natal leave available in Brazil (for federal public sector workers) is six months, paid at full earnings replacement. There is no entitlement to ECEC. However, Labour Law (CLT) states that every company with a workplace employing at least 30 women aged over 16 years must maintain a suitable place, in which, up to the sixth month of the breastfeeding phase, female employees can leave their babies under supervision and with adequate care. As a substitute for this requirement, the company can adopt the system of crèche assistance, an amount the company passes on directly to female employees so as not to be obliged to maintain a crèche. In this case, the benefits must be granted to every employee with a young child, regardless of the number of female employees in the establishment, and they must be the object of collective negotiation.

There is no entitlement to ECEC and no comparative information is available on levels of attendance at formal ECEC services.

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

None reported.

4. Take-up of leave

a. Maternity leave

No information, but 100 per cent take-up is likely as leave is a legal entitlement and payment is made from the social security fund and not by the employer.

b. Paternity leave

No information. But we can suppose there is 100 per cent take-up

c. Parental leave and Parental benefit

No statutory leave entitlement.

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

a. General overview

There is little research in this area because the issue of reconciling work and family has not been properly recognized as a social problem. The support provided by members of extended families (notably grandmothers), by networks of solidarity and by a large contingent of domestic workers (18 per cent of the female labour force) shape the social understanding that the reconciliation of work and family responsibilities is a private issue. However, some recent changes in the labour market (e.g. a significant increase in labour force participation by mothers with dependent children) and family structure (e.g. an increase in female lone-parent families) indicate that this question should gain importance as a social policy in the coming years.

b. Selected publications since April 2014

None reported.

c. Ongoing research

None reported.

Canada¹⁰⁴

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April 2015

NB. Canada 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

Note on federal and provincial/territorial responsibility: In Canada the federal government provides maternity and parental leave benefits (partial income replacement while on leave) through the Employment Insurance (EI) programme, funded by employers and employees and administered by the Department of Employment and Social Development Canada. Entitlement to job-protected leave from employment is granted in Labour laws that fall under the jurisdiction of the ten provinces and three territories (referred to below as ‘jurisdictions’) and the Canada Labour Code for employees in federally regulated industries, resulting in 14 different legislated leave entitlements. These variations are minimal but hold implications for accessing and using (unpaid) entitled leave and federal benefits. Overall, the federal wage-compensation benefit programme and provincial/territorial/federal entitlements to job-protected leave are two separate sets of rules. In 2011 self-employed parents outside Québec became eligible for federal benefits on an opt-in basis.

In January 2006, the province of Québec launched a separate maternity, paternity and parental leave benefit programme for employed and self-employed workers called the Québec Parental Insurance Plan (QPIP). Details of the programme are given below under ‘regional or local variations in leave policy’.

The information below refers, by default, to the two benefit programmes. Details regarding jurisdictional-based entitlement to job-protected leave is at the end of the parental leave section.

¹⁰⁴ Please cite as: Doucet, A., Lero, D.S., McKay, L. and Tremblay, D.-G. (2015) ‘Canada country note’, in: P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/.

a. Maternity leave (*congé de maternité*)

Length of leave (before and after birth)

- Fifteen to 18 weeks depending on the jurisdiction. Leave normally may not start earlier than 11 to 17 weeks before the expected date of birth, depending on the jurisdiction.

Payment and funding

- Fifteen weeks of benefits at 55 per cent of average insured earnings up to an earnings ceiling of C\$49,500 [€32,651]¹⁰⁵ (i.e., a benefit payment ceiling of C\$524 [€345] per week).¹⁰⁶ Low-income families can qualify for a higher benefit rate, to a maximum of 80% of average insured earnings (capped at \$524 per week). There is no payment for the first two weeks, which is treated as a 'waiting period'; this means that payment is available for 15 weeks out of 17-18 weeks leave.
- Administered under the federal EI fund, Maternity and Parental leave benefits are funded by premiums paid by employers and employees, based on a premium rate that applies to every C\$100 [€67] of insurable earnings, up to the maximum insurable earnings threshold (MIE) which is \$49,500 in 2015. The rates are set by the Employment Insurance Financing Board each year. Employers pay premiums that are 1.4 times those of employees. Employee premiums were set at C\$1.88 per C\$100 (Québec residents at C\$1.54) of insurable earnings in 2015; employer premiums were set at C\$2.63 per C\$100 of insurable earnings (Québec Employers at C\$2.16).¹⁰⁷ Self-employed individuals outside of Québec who opt in to the EI program in order to be eligible for special benefits pay the same as employees: C\$1.88 per C\$100 of insurable earnings up to a maximum of \$49,500 of earnings, or \$930.60 [€614].
- See 'regional or local variations' for additional contributions paid in **Québec**. Maternity and Parental leave benefits are taxable.

Flexibility in use

- None. Women may continue with paid work until birth if they explicitly declare that it is their personal decision to do so.
- Maternity benefit receipt can be delayed/extended by the amount of time a newborn is hospitalized, but maternity benefits must be received within 52 weeks of the birth.

Regional or local variations in leave policy

- Length of leave and entitlement vary across provinces and territories (see below)
- **Québec** offers benefits of 70 per cent of average weekly income up to an earnings ceiling of C\$70,000 [€51,395] per year for 2015 for 18 weeks of Maternity leave; there

¹⁰⁵ Conversion of local currency into Euros undertaken on 1-5 June 2015, using <http://finance.yahoo.com/currency-converter/>

¹⁰⁶ Government of Canada (2015) *Employment Insurance Maternity and Parental Leave Benefits*.

Available at: <http://www.servicecanada.gc.ca/eng/sc/ei/benefits/maternityparental.shtml>

¹⁰⁷ Government of Canada (2015). *2015 Employment Insurance Premium Rate: Summary of the Actuarial Report on the Employment Insurance Premium Rate*. Available at: <http://www.esdc.gc.ca/en/reports/ei/premium/rates2015.page>

is also no two-week waiting period.¹⁰⁸ There is some flexibility in use of Maternity leave. It is possible to have a higher income replacement rate but for a shorter period, or lower income for a longer period. Under the 'special' plan, Maternity leave benefits are paid at 75 per cent of weekly income for 15 weeks, while under the 'basic' plan they are 70 per cent of weekly income for 18 weeks.

- Benefits in **Québec** are financed by contributions from employers and employees, who pay the standard contribution to EI, less a reduction but with a supplementary contribution to cover the higher benefits offered in the province. In 2015 contributions are 0.559 per cent for employees, 0.782 per cent for employers and 0.993¹⁰⁹ per cent for self-employed, up to a maximum insurable income of C\$70,000 [€51,395],¹¹⁰ compared with 4.51 per cent of insurable income (up to a maximum of C\$49,500 [€36,344] as an EI premium in other parts of Canada.

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

- Eligibility for job-protected leave varies between jurisdictions and is separate from the eligibility for payment of benefits under the two (federal and Québec) programs (see below).
- Eligibility requirements for wage-compensation benefits under the federal programme are 600 hours of continuous employment in the last 52 weeks. Many part-time and non-standard (contract) workers do not have enough hours to qualify.
- In 2006, self-employed workers in Québec became eligible for maternity, paternity, parental and adoption benefits. Outside Québec, in 2010 Bill C-56 extended EI special benefits (maternity, parental, sickness and compassionate care leave benefits) to the self-employed on a voluntary 'opt-in' basis. Until implemented in 2011, most self-employed parents (outside Québec), especially women, were not eligible for benefits since they typically work under business or service contracts and therefore are not considered to have insurable employment. In order to receive maternity/parental benefits self-employed mothers/fathers outside of Québec must have registered one year previously, and qualify if they have reduced the amount of time devoted to their business by more than 40 per cent because of childbirth/caring, paid contributions to the regime, and earned at least C\$2,000 [€1,468] from self-employment in the reference period of the previous 52 weeks.¹¹¹

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

- Maternity leave can be extended in some jurisdictions if the child or the mother has health-related complications (in **British Columbia** this applies to the child if they have a physical, psychological or emotional condition that requires additional care). This extension can be for up to six weeks.

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

- Some employers provide a supplemental benefit plan that partially or wholly makes

¹⁰⁸ Government of Québec (Emploi et Solidarité Social) (2013). Available at: http://www.rgap.gouv.qc.ca/Index_en.asp

¹⁰⁹ <http://www.rgap.gouv.qc.ca/quoi-de-neuf.asp?idDoc=140429>

¹¹⁰ http://www.csst.qc.ca/glossaire/Pages/salaire_maximum_annuel_assurable.aspx

¹¹¹ Government of Canada (2013) *Qualifying for EI*. Available at: <http://www.servicecanada.gc.ca/eng/sc/ei/sew/eligibility.shtml>.

up the difference between the federal maternity benefit and the worker's salary.

b. Paternity leave (*congé de paternité*) (in Québec, responsibility of Ministère du Travail, de l'Emploi et Solidarité sociale)

Length of leave (before and after birth)

- No statutory leave, except in **Québec** (see 'regional or local variations').

Regional or local variations in leave policy

- **Québec** offers up to five weeks after the birth. Paternity leave may be taken for three weeks at 75 per cent of average weekly earnings or for five weeks at 70 per cent up to an earnings ceiling of C\$70,000 [€51,395 per year. Funding as for Maternity leave.
- Fathers in **Québec** (including self-employed workers) are eligible if they have earned at least C\$2,000 [€1,468] in the 52 preceding weeks.

c. Parental leave (*congé parental*)

Length of leave (before and after birth)

- Thirty-five to 37 weeks in most jurisdictions for one parent or shared between two parents but not exceeding a combined maximum of 35 weeks in jurisdictions where leave is an entitlement per family, as is the case in **Alberta** (not the case in **Ontario**, see below). In all jurisdictions except the Yukon parents can take leave at the same time. All jurisdictions require that Maternity leave and Parental leave be consecutive if both are taken by the mother and the maximum number of weeks of leave that are allowed – including post-natal Maternity leave and Parental leave – for one person in almost all jurisdictions is 52.

Payment and funding

- Up to 35 weeks per family at the same rate as Maternity leave (55 per cent of average insured earnings up to an earnings ceiling of C\$49,500 [€36,344] (i.e., a benefit payment ceiling of C\$524 [€363] per week. Funding as for Maternity leave.
- Low-income families (for families with a net income of C\$25,921 [€19,031] or less per annum) are eligible for a family supplement up to a maximum of 80 per cent of average insurable earnings. In **Québec**, this supplement averaged C\$35.38 [€26] per family and 5.8 per cent of beneficiaries using Parental leave received this supplement.

Flexibility in use

- Benefit payments can be claimed by either parent or shared if both parents qualify for up to a total of 35 weeks of benefits. Leave benefits are limited to use within 52 weeks after the birth. While on leave, a parent may earn C\$50 [€37] a week or 25 per cent of the weekly benefit, whichever is higher.
- If both parents are eligible for Parental leave, they are entitled to combined Parental leave of up to 37 weeks. In most provinces, parents have the option of taking their Parental leave at the same time, or one after the other, as long as the total combined parental leave does not exceed 37 weeks (Government of Canada, 2013)¹¹². Put

¹¹² http://www.labour.gc.ca/eng/standards_equity/st/pubs_st/maternity.shtml

differently, fathers can take Parental leave while mothers are on Maternity leave or Parental leave. That is, as soon as a baby is born or adopted, a father can take Parental leave even when the mother is on leave (Government of Ontario, 2014).¹¹³

- Parents of a newborn or newly adopted child who is hospitalized for an extended period have a window of up to two years to claim parental benefits.
- Parental leave benefits can be combined with EI-covered sickness or compassionate care benefits.
- Canadian Forces members who are ordered to return to duty while on Parental leave or whose Parental leave is deferred as a result of military requirements may receive benefits for an extended window of up to two years following their child's birth or adoption.

Regional or local variations in leave policy

- In terms of benefits, the **Québec** Parental Insurance Plan offers a basic entitlement of seven weeks at 70 per cent of average insured income plus 25 weeks at 55 per cent, up to an earnings ceiling of C\$70,000 [€46,356] a year. There is also a 'special plan', which applies also to Maternity and Paternity leave, offering a shorter period of leave, 25 weeks, with higher benefits, 75 per cent of earnings. Leave can be taken at any time in the 70 weeks that follow birth. Funding as for Maternity leave.
- Eligibility, length of leave and flexibility of use varies for unpaid leave between jurisdictions and is also different from the eligibility for payment benefits. Differences for *unpaid* leave entitlement under jurisdictional employment standards legislation (federal, 10 provincial, and 3 territorial) are as follows¹¹⁴:

Jurisdiction	Maternity Leave(1) (weeks)	Parental Leave(1) (weeks)	Adoption Leave(1) (weeks)
Federal	17	37(4)	37(4)
Alberta	15	37(4)	37(4)
British Columbia	17	37(3),(5)	37(5)
Manitoba	17(2)	37(2),(5)	37(5)
New Brunswick	17	37(4)	37(4)
Newfoundland and Labrador	17	35(5)	52(5),(8)
Northwest Territories	17	37(5)	37(5)
Nova Scotia	17	52(3),(5)	52(5)

¹¹³ <http://www.worksmartontario.gov.on.ca/scripts/default.asp?contentID=1-5-3>

¹¹⁴ Human Resources and Skills Development Canada (2006) *Labour Law Analysis, International and Intergovernmental Labour Affairs, Labour Program*, accessed Oct 29, 2009. Legislative references: Federal, Canada Labour Code: sections 206, 206.1(1) and 206.2; Alberta, Employment Standards Code: sections 46(1) and 50; British Columbia, Employment Standards Act: sections 50(1) and 51(1); Manitoba, Employment Standards Code: sections 54(1) and 58(1); New Brunswick, Employment Standards Act: sections 43(1) and 44.02(2) and (12.2); Newfoundland and Labrador, Labour Standards Act: sections 42, 43.2 and 43.5; Northwest Territories, Labour Standards Act: sections 31(2), 34(1) and 35.1; Nova Scotia, Labour Standards Code: sections 59(1) and 59B(1), (2) and (4); Nunavut, Labour Standards Act: sections 31(2), 34(1) and 35.1; Ontario, Employment Standards Act, 2000: sections 47(1) and 49(1); Prince Edward Island, Employment Standards Act: sections 20(1) and 22(1), (2) and (2.1); Quebec, An Act respecting labour standards: sections 81.2, 81.4 and 81.10; Saskatchewan, Labour Standards Act: sections 23(3), 29.1(2.1) and 29.2(2); Yukon, Employment Standards Act: sections 36(2) and 38(1) and (6).

Nunavut	17	37(5)	37(5)
Ontario	17	37(3),(5)	37(5)
Prince Edward Island	17	35(4)	52(4)
Quebec	18(2),(6)	52(2),(5),(6)	52(5)
Saskatchewan	18	37(5),(7)	52(8)
Yukon	17(2)	37(2),(4)	37(4)

Notes for table

- 1) A number of jurisdictions allow Maternity and/or Parental leave (for natural or adoptive parents) to be extended under certain circumstances, such as late births or health problems of the mother or child.
- 2) In all Canadian jurisdictions except Manitoba, Quebec and the Yukon, the combined duration of Maternity and Parental leave cannot exceed 52 weeks.
- 3) In the case of an employee who has taken maternity leave, the maximum parental leave is 35 weeks.
- 4) The Alberta legislation stipulates that there is no requirement to grant Parental leave to more than one parent at a time if both parents of a child work for the same employer. In the Yukon, parents who share a parental leave cannot normally take their leave at the same time, whether or not they work for the same employer. In the Federal jurisdiction, Alberta, New Brunswick and Yukon, parental leave may be taken by one parent or shared between two parents but the total combined parental or adoption leave cannot exceed 37 weeks. In Prince Edward Island, parental or adoption leave may be taken by one parent or shared between two parents but in either case the combined leave cannot exceed 35 weeks of parental leave or 52 weeks of adoption leave.
- 5) A majority of jurisdictions, namely British Columbia, Manitoba, Newfoundland and Labrador, Northwest Territories, Nova Scotia, Nunavut, Ontario, Québec and Saskatchewan (with respect to Parental leave) permit both parents to take the full Parental or adoption leave. In the other jurisdictions, Parental leave can normally be shared between parents.
- 6) Effective January 1, 2006, in Québec an employee is entitled to a Paternity leave of not more than five uninterrupted weeks without pay at the time of the birth of his child. This leave must be taken at the earliest in the week in which the child is born and end no later than 52 weeks after the birth.
- 7) In Saskatchewan, an employee who is entitled to maternity or adoption leave may not take more than 34 weeks of parental leave.
- 8) In Newfoundland and Labrador, an eligible employee is entitled to 17 weeks of adoption leave, to which can be added 35 weeks of parental leave. In Saskatchewan, the primary caregiver of an adopted child is entitled to 18 weeks of adoption leave and 34 weeks of parental leave. The other parent may take up to 37 weeks of parental leave. In both provinces, an eligible adoptive parent may therefore take up to 52 weeks of cumulative leave.
- 9) To qualify for (unpaid) maternity or Parental leave, an employee must normally have completed a specific period of continuous employment. However, some provinces - British Columbia, New Brunswick and Quebec - do not require a specific length of service. Ontario requires 13 weeks of service; Newfoundland and Labrador as well as Prince Edward Island require 20 continuous weeks; and Saskatchewan requires 20 weeks in the 52 weeks preceding the requested leave. The federal jurisdiction permits an employee to take the leave after six months of continuous service, and Manitoba after seven months. Alberta, Nova Scotia and the three territories require 12 months of service. In addition, in all jurisdictions, a medical certificate must be provided or may be requested by the employer, and an employee must notify the employer, usually two to four weeks in advance (six weeks in Alberta), of his/her intent to take Maternity or Parental leave.

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

- See above for unpaid, leave entitlement.
- To be eligible for payment benefits, a parent must have worked for 600 hours in the last 52 weeks or since their last Employment Insurance claim. Self-employed individuals are eligible if they registered for the EI Special Benefit program, have paid premiums for at least one year, and earned a minimum of C\$6,515 [€4,783] from self-employment in the previous year. Self-employed workers in Québec are eligible for 25 or 32 weeks if they have earned at least C\$2,000 [€1,468] in the 52 preceding weeks.
- Eligibility is offered per birth, not per child under federal EI and in Québec. Parents of multiple-birth infants follow the same benefit programme as parents of singletons.
- **Québec** has less demanding eligibility conditions that allow more parents, including self-employed workers and students, to receive benefits; it no longer requires individuals to have worked 600 hours over the previous 52 weeks, but simply to have earned an insurable income of C\$2,000 [€1,468]. Although nearly 80 per cent of full-time Canadian students are in the labour force, they are unlikely to work enough hours to qualify for federal EI leave benefits in Canada; by comparison, under QPIP, earning C\$2,000 over the previous year enables more students to access Parental leave benefits.

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

- In **Nova Scotia**, if the child for whom leave is taken is hospitalized for more than one week, an employee can return to work and take the unused portion of the leave when the child is released (this can only be taken once per leave).
- In cases where a birth mother is ill during or after pregnancy, up to 15 weeks of federal sickness benefits can be received, resulting in a maximum of 65 weeks of benefits (15 weeks sickness, 15 weeks maternity and 35 weeks parental benefits).
- No additional benefits are provided in the case of multiple births; a court case challenging this policy was turned down in 2011.

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

- Some employers have a supplemental benefit plan that partially makes up the difference between federal EI parental benefits and the worker's salary; some also offer additional periods of leave. A survey of private companies in **Québec** in 2003 found that 36 per cent of union representatives and 46 per cent of HR managers said their companies offered supplementary leave or payments (Tremblay, 2012).¹¹⁵ A 2010 survey of mothers who gave birth in 2008 and received EI or QPIP benefits reported that one in five mothers received an additional top-up to their benefits from their employer (Marshall, 2010)¹¹⁶.

¹¹⁵ Tremblay, D.-G. (2012) *Conciliation emploi-famille et temps sociaux*. Québec: Presses de l'université du Québec.

¹¹⁶ Marshall, K. (2010) 'Employer top-ups', *Perspectives on Labour and Income*. Vol.11, No.2. February: 5-12. Statistics Canada Catalogue no. 75-001-XPE.

d. Childcare leave or career breaks

- None at national or provincial levels. In some collective agreements in the **Québec** public service, for example education, but also other sectors, it is possible to adopt a programme of deferred income, working four years at 80 per cent of earnings, followed by a one-year career break, again at 80 per cent of earnings. This is, however, part of a collective agreement, and not a labour law or regulation.

e. Other employment-related measures

Adoption leave and pay

- For adoptive parents the same regulations for unpaid, parental leave apply as for other parents except in four jurisdictions (see table above). In three cases, adoptive parents are eligible for adoption leave that can be added to Parental leave: in **Prince Edward Island** parents are eligible for 52 weeks adoption leave instead of the 35 weeks Parental leave for birth parents. In **Newfoundland and Labrador** and **Saskatchewan** adoptive parents can take 17 or 18 weeks (respectively) that can be added to Parental leave, though in Saskatchewan only the primary caregiver is eligible for the adoption leave. The EI programme offers parental leave benefits, but not maternity leave benefits for parents of newly adopted children. In **Québec**, adoption leave benefits can be shared by both parents and provides for 12 weeks at 70 per cent and 25 weeks at 55 per cent.

Time off for the care of dependents

- **British Columbia** and **New Brunswick** allow three to five days of unpaid leave a year to care for immediate family members.
- In **Québec**, employees are allowed ten days of unpaid leave per year, which can be used for a sick child or other family member by the *Loi sur les normes du travail*. (Minimum employment standards law).
- In **Ontario**, employees are eligible for a maximum of 10 days of unpaid Personal Emergency leave per year, which can be used for a sick child or other family member. Employers that regularly employ 50 or fewer employees are exempt from this requirement.
- All jurisdictions have compassionate care leave provisions, which allow employees to take time off to care for or arrange care for a family member who “is at significant risk of death within a 26 week period”. The length of leave is eight weeks within a 26-week period. Compassionate Care benefits of up to six weeks can be claimed through the federal Employment Insurance programme for this leave. The 2015 federal budget announced plans to extend the period of Compassionate Care benefits from six weeks to six months. To qualify for benefits, an employee must have worked 600 hours in the last 52 weeks and weekly earnings must decrease by 40 per cent. This leave, *inter alia*, allows parents to take time off to care for a sick child even after 52 weeks have passed since the birth or if leave periods have been exhausted.
- In 2014, **Ontario** passed legislation allowing for ‘Family Caregiver Leave’ – up to eight weeks of unpaid, job-protected leave to provide care or support to a family member with a serious medical condition (but not life threatening). To date, workers are not eligible for benefits under any government scheme while taking this leave.
- In December 2012 a new type of EI benefit was introduced, called, ‘EI special benefits for Parents of Critically Ill Children’. It was created for parents of critically ill or injured children, and became available in June 2013. Under this provision, up to 35 weeks of EI benefits are available, and can be shared by parents to provide care or support to one or more critically ill children under the age of 18. The benefits are

available to those who meet the existing eligibility requirements for EI special benefits, requiring 600 insurable hours during the qualifying period, and are also available to eligible self-employed individuals who have contributed to EI. Claimants must provide a medical certificate, attesting that the child is critically ill. Only a few provinces have amended their legislation so far to provide for a matching period of unpaid leave.

Flexible working

- In the federal and **Québec** jurisdictions, a pregnant woman or nursing mother may ask her employer to temporarily modify her duties or to assign her to another position, if continuation of her present duties puts her health or that of her unborn child or nursing infant at risk.

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

The maximum period of post-natal leave available in Canada is 12 months; this is paid at 55 per cent of earnings (or in Québec, 11 months can be paid at 75 per cent of earnings), up to a ceiling. There is no entitlement to ECEC at any age, and levels of attendance at formal services for children over three years are below the average for the countries included in this review and for OECD countries. For actual attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

The federal government provides a taxable direct payment to parents, called the Universal Child Care Benefit (increased in 2015 from C\$100 [€73] to C\$160 [€117] per child under six, per month and adding C\$60 [€44] per child aged 6-17 per month), and a tax benefit, the Canada Child Tax Benefit, for children under 18. Across the country, outside Québec, all other jurisdictions have provincially/territorially funded, municipally delivered, childcare subsidy programmes. These programmes subsidize childcare for young children, aged 0-4, as well as older children, before and after school. Under this programme, childcare must be provided by a school board or regulated childcare provider. Eligibility criteria are income-based and social, and, there are minimal fees and surcharges in some provinces. Notably, most parents do not qualify for municipal childcare subsidies and, among those who do, there are long waiting lists, the length of which and prioritization varies by municipality.¹¹⁷

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

The 2015 federal budget announced plans to extend up to six months Compassionate Care benefits to care for an ill family member at risk of dying (see section 1e).

In November, 2014 **Ontario** passed legislation providing for unpaid 'Family Caregiver Leave' to provide care and support to a family member with a serious medical condition that is not life threatening (see above).

Also in **Ontario**, full-day kindergarten and junior kindergarten for children 3.8 - 6.0 years of age has been implemented in stages across the province. By September 2014, full-day kindergarten became universally available in the province. Although it is not a compulsory programme, it is publicly funded.

¹¹⁷ Macdonald, D. and Friendly, M. (2014) *The Parent Trap: Child Care Fees in Canada's Big Cities*. Ottawa: Canadian Centre for Policy Alternatives.

In **Québec**, the February 20th 2014 budget proposed to increase the amount parents pay for childcare, up from C\$7 [~~€~~5.1] a day to C\$8 [~~€~~5.9] a day starting September 2014, and then to C\$9 [~~€~~6] a day in 2015. While an April 2014 provincial election resulted in a change in government, it is anticipated that this proposal will be reintroduced in a new budget.

4. Take-up of leave

Information on Maternity and Parental leave is collected for mothers and fathers (with attention given only to the views of mothers on the reasons for take-up of leave in Statistics Canada surveys). Data are also collected by Employment and Social Development Canada (ESDC) on parental benefits taken per child, with some disaggregation of parental benefits used by biological parents and by adopting parents. As reported by ESCD, “The average duration of parental claims can be adjusted to reflect the fact that parents often share the 35 weeks of parental benefits available to them”¹¹⁸. Unfortunately, no information is presented on the number of cases where both parents shared Parental leave benefits.

Using weeks and amounts of benefits claimed (as expressed per child rather than per claim), analysis for 2012-2013 indicates that, as in previous fiscal years, parents used almost all of the EI maternity and parental weeks to which they were entitled. So the vast majority of mothers received their 15 week Maternity leave benefit entitlement, with the average duration of maternity benefits remaining around 14.6 weeks. During 2012/2013, the average duration of combined biological parental benefit claims per child was 33.1 weeks for parents who decided to share the parental benefits, and 32.2 weeks when parents did not share benefits. Mothers who received both Maternity and Parental benefits used 46.9 of the 50 weeks of combined benefits available, approximately 93.7 per cent of the full entitlement, a proportion that was similar to the previous year.¹¹⁹

In 2012-2013 the number of Parental claims made by adopting parents was 1,860, a slight increase over the previous year. The average duration of EI adoptive parental claims was 26.6 weeks. Parents who adopted used 91.7% of the full 35 weeks of benefits available to them in 2012/2013, an increase from 25.1 weeks in 2011/2012.¹²⁰

Because some of the information available combines Maternity and Parental leave and benefits, the section below is organized under two headings: ‘mothers’ and ‘fathers’. Readers should note that statistics are kept separately for those who claim EI benefits under the federal plan and individuals in **Québec** who receive maternity, paternity or parental benefits under the QPIP.

a. Mothers

In 2012-2013, 170,680 Canadian mothers (excluding those from **Québec**) claimed Maternity benefits, an increase of 1.9 per cent from the previous year. In 2013, 77.0 per cent of recent mothers (those with a child aged 12 months or less) had insurable employment. Of these, 91.9 per cent were receiving Maternal or Parental leave benefits, a slight increase from 88.2 per cent in 2012. **Québec** had the second highest share of recent mothers with insurable employment, at 91.2 per cent, and the highest share of insured

¹¹⁸ Employment and Social Development Canada (2013) *2012 EI Monitoring and Assessment Report*. Available at: <http://www.esdc.gc.ca/eng/jobs/ei/reports/mar2012/index.shtml>

¹¹⁹ Employment and Social Development Canada (2014) *2012/13 EI Monitoring and Assessment Report*. Available at: www.esdc.gc.ca/en/reports/ei/monitoring2013/index.page

¹²⁰ Statistics Canada. Employment Insurance Coverage Survey, 2013. Reported in *The Daily*, Jan. 19, 2015.

recent mothers who received maternity or parental leave benefits (97.8 per cent).¹²¹

The vast majority of mothers who receive maternity benefits (95.5 per cent) go on to receive Parental leave benefits. Women comprised 86.4 per cent of those receiving biological Parental leave claims in 2012/2013 and 75.3 per cent of those who received Parental leave benefits following adoption. The average weekly Parental benefit for mothers was C\$396 [€291] compared to C\$443 [€325] per week for fathers following a birth.

b. Fathers

The most recent ESDC Employment Insurance Monitoring and Assessment report indicates that in 2012/2013 fathers accounted for less than 14 per cent of those who claimed biological Parental leave benefits and 24.7 per cent of those who claimed Parental leave benefits following an adoption.¹²²

Previous years had shown a steady increase in the take-up rate among eligible fathers in Canada (excluding **Québec**), from nine per cent in 2004 to 11 per cent in 2011, suggesting that more couples were sharing benefits. But this trend did not continue after 2011; outside Québec the percentage of fathers who claimed or intended to claim¹²³ Parental leave decreased from 11.0 per cent in 2011 to 9.4 per cent in 2012. In 2012, for all provinces combined (i.e. including **Québec**), there was a decrease in the proportion of fathers who claimed or intended to claim Parental leave: from 29.3 per cent in 2011 down to 25.4 per cent in 2012¹²⁴. According to the most recent data, in 2013, 30.9 per cent of recent fathers claimed or intended to claim Parental leave.¹²⁵ These data obscure major differences in the take-up of Parental leave by fathers in and outside of **Québec**. Specifically, outside of **Québec** only 12.2 per cent of recent fathers took or intended to claim parental leave in 2013.

The introduction of the QPIP (Québec Parental Insurance Plan), which includes leave that is exclusively for fathers, has had a huge impact on the number of fathers claiming or intending to claim leave in **Québec**, almost tripling in number since the introduction of the plan: from 27.8 per cent in 2005 to 83.0 per cent in 2013¹²⁶.

On average, fathers who receive benefits following a birth take significantly fewer weeks than women who receive benefits. According to Statistics Canada, in 2010 those Canadian fathers taking leave, *including Québec*, took an average of nine weeks of paid Parental leave compared to 28 weeks for women¹²⁷. The trend has been for fathers to take fewer weeks each year (i.e., the average was 11 weeks in 2009, but only eight weeks in 2011); *excluding Québec*, fathers took an average of 18 weeks Parental leave benefits in 2009, 14 weeks in 2010 and 13 weeks in 2011. A different government data source, from HRSDC, reports that in 2010, Canadian biological fathers, *excluding Québec*, received an average of 16.2 weeks

¹²¹ Employment and Social Development Canada (2014) *2012/13 EI Monitoring & Assessment Report*, p.81. Available at: www.esdc.gc.ca/en/reports/ei/monitoring2013/index.page

¹²² Employment and Social Development Canada (2014) *2012/13 EI Monitoring & Assessment Report*, Available at: www.esdc.gc.ca/en/reports/ei/monitoring2013/index.page

¹²³ The Employment Insurance Coverage Survey asks only mothers to report on “how many weeks of leave their partner intends to claim,” Statistics Canada (2012) *Employment Insurance Coverage Survey*.

¹²⁴ Statistics Canada (2013) *Employment Insurance Coverage Survey 2012*. Reported in *The Daily*, November 15, 2013.

¹²⁵ Statistics Canada (2015) *Employment Insurance Coverage Survey 2013*. The Daily. January 19, 2015.

¹²⁶ Statistics Canada (2015) *Employment Insurance Coverage Survey 2013*. The Daily. January 19, 2015.

¹²⁷ Unpublished data from Statistics Canada Special Surveys Division.

of parental benefits while biological mothers received 31.5 weeks.¹²⁸ The most recent report indicated that biological fathers received an average of 17.1 weeks of parental benefits compared to 31.8 weeks for mothers in 2012/2013. Adopting fathers received an average of 16.1 weeks of benefits compared to 29.8 weeks of benefits for adopting mothers in the same period.¹²⁹ The difference in numbers between data sources can be partly explained by the fact that Statistics Canada data include both biological and adoptive parents and are collected per calendar year rather than fiscal year.

In **Québec**, take-up of leave by fathers was already higher in 2004, with 22 per cent of fathers using some leave compared with nine per cent elsewhere in Canada. The Paternity and Parental leave scheme, introduced in 2006, has had a substantial impact on fathers' participation: in 2006, 56 per cent of eligible fathers in **Québec** took a period of Paternity and/or Parental leave, rising in 2012 to 78 per cent¹³⁰. Some 60,000 fathers use the regime each year and of this number, two-thirds take the whole of the Paternity leave (three or five weeks, depending on the option chosen), while a third also take some Parental leave weeks. On average, in 2013 fathers receiving QPIP benefits took 13 weeks of combined benefits (Paternity and Parental), though this is less than half the weeks taken by the smaller proportion of fathers taking Parental leave elsewhere in Canada. The overall participation rate for fathers in the QPIP is 86.6 per cent according to QPIP data¹³¹.

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

a. General overview

Most Canadian research providing information on leave policies is embedded in more general research on work-family balance, the links between Parental leave and maternal health, and fathers and their work-family balance. There is a growing body of literature that examines these issues in Canada and how workplace practices and cultures might provide more support and flexibility to parents and ensure optimal development in children. Within this research, there is some emphasis being given to fathers, including some recent research in **Québec** that addresses the use of Paternity leave and the impact of Parental leave on careers and organizations. The Board of the Québec Parental leave regime has published in 2014 a new survey on paternity and parental leave use (see below: Conseil de gestion. Also, the *ARUC sur la gestion des ages et des temps sociaux* (www.telug.ca/aruc-gats) has a report (Tremblay and Dodeler, 2014) and a book has been published on fathers on parental leave alone (Tremblay and Dodeler, 2015).

b. Selected publications since April 2014

Conseil de gestion de l'Assurance parentale du Québec / Secrétariat à la condition féminine /Zins Beauchènes et associés (2014) *Sondage auprès des pères salariés ayant eu recours*

¹²⁸ Human Resources and Skills Development Canada (2011) *EI Monitoring & Assessment Report* (Annex 3.9, p. 218). Available at: <http://www.hrsdc.gc.ca/eng/jobs/ei/reports/mar2011/index.shtml>

¹²⁹ Employment and Social Development Canada (2014). 2012/13 EI Monitoring and Assessment Report. Available at www.esdc.gc.ca/en/reports/ei/monitoring2013/index.page

¹³⁰ Note that there is a minor discrepancy among sources; Statistics Canada (2015) *Employment Insurance Coverage Survey* 2013 reports 83%.

¹³¹ Data obtained directly from the statistical services of the QPIP on February 20, 2014. See also Régime québécois d'assurance parentale (2011) *Sondage auprès des pères ayant eu recours au Régime québécois d'assurance parentale* (RQAP). Québec : RQAP

au RQAP à la suite d'une naissance. Québec : Conseil de gestion de l'Assurance parentale du Québec / Secrétariat à la condition féminine

Dodeler, N. and Tremblay, D.-G. (2014) 'Travailler plus longtemps? Les pratiques de conciliation-emploi-famille/vie personnelle dans la perspective d'une diversité de parcours de vie', *Questions de management*, no 6.

Dodeler, N. and Tremblay, D.-G. (2014) 'Conciliation emploi-famille et horaires chez les paramédics (ambulanciers); des différences selon l'âge et le genre', *Management et Avenir*, No. 73 :171-187.

Tremblay, D.-G. (2014) 'Conciliation emploi-famille et porosité des temps sociaux chez les avocats et les avocates : des stratégies de report et d'intensification pour arriver à concilier?' *Revue canadienne Femme et droit*, Vol. 26, No.2.

Tremblay, D.-G. (2014) 'Être parent et avocat : les défis de la conciliation travail-famille pour la progression professionnelle', *Revue Regards sur le travail*, Québec : Ministère du travail.

Tremblay, D.-G., (2014) 'Quebec's Policies for Work-Family Balance: A Model for Canada?', in: B. Fox (ed.) *Family Patterns, Gender Relations* (4th edition) Toronto: Oxford University Press.

Doucet, A. and McKay, L. (forthcoming 2015) 'An Ethics of Care Approach to Parental Leave as a Childcare Policy,' in: R.Langford, S. Prentice, and P. Albanese (eds.) *Caring for Children: Social Movements and Public Policy in Canada*.

Doucet, A. (forthcoming 2015) 'The ethics of care as practice, relational ontology, and social justice: The radical potential of fathers "home alone on leave"', in: M. O'Brien and K.Wall (eds.) *Fathers on Leave Alone: Work-life Balance and Gender Equality in Comparative Perspective*. Dordrecht: Springer.

Doucet, A. (2015) 'Parental Responsibilities: Dilemmas of Measurement and Gender Equality', *Journal of Marriage and Family*. Vol.77, No.2 : 224-242.

Tremblay, D.-G. and Dodeler, N. (2015) *Les pères et la prise du congé de paternité/ parental : une nouvelle réalité* . Québec : PUQ.

c. Ongoing Research

Employers' practices related to maternity, parental, paternity and compassionate care leave (2013-2015). Donna Lero, University of Guelph; Janet Fast, University of Alberta; and Diane-Gabrielle Tremblay, University of Québec-Téluq. Funded by the Centre for Families, Work and Well-Being, University of Guelph.

This research compares data from a cross-section of 300 Canadian employers in the public, private and non-profit sectors and identifies factors associated with the provision of flexible work practices and paid and unpaid leave provisions for employees with a range of caregiving responsibilities. Contact: Donna Lero at dlero@uoguelph.ca

Vulnerable work and work-life challenges in Québec (2013-2018). Diane-Gabrielle Tremblay, University of Québec-Téluq. Funded by Social Sciences and Humanities Research Council of Canada.

This research analyses the work-life challenges for vulnerable workers such as those in the hospitality and restaurant industry . Contact: Diane-Gabrielle Tremblay at dgtrembl@teluq.ca; website: www.teluq.uqam.ca/aruc-gats

An Ethics of Care Approach to Parental Leave as a Childcare Policy: From Gender to Class and Race Inequality in Access and Use of EI Parental Leave Benefits in Canada outside Quebec (2015-2016). Andrea Doucet and Lindsey McKay, Brock University.

This research project gathers quantitative and qualitative data to compare families who use, compared to those who do not use, federal EI benefits during the first year of a child's life. Contact: Lindsey McKay at lindseymck@gmail.com or Andrea Doucet at andreadoucet@mac.com

Fathers alone on parental/paternity leave in Québec (2015-2017) Diane-Gabrielle Tremblay, University of Québec-Téluq. Funded by Social Sciences and Humanities Research Council of Canada.

This research analyses the impact on fathers and on family division of labour of fathers taking Parental/Paternity leave and being alone with the child at home.. Contact: Diane-Gabrielle Tremblay at dgtrembl@teluq.ca; website: www.teluq.uqam.ca/aruc-gats.

Croatia¹³²

Ivana Dobrotić (University of Zagreb)

April 2015

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 (*rodiljni dopust*); maternity exemption from work (*rodiljna pošteda od rada*); maternity care for the child (*rodiljna briga o novorođenom djetetu*) (responsibility of the Ministry of Social Policy and Youth)

Length of leave (before and after birth)

- *Maternity leave*: 28 days before the expected day of birth, then until the child turns six months of age. It is obligatory for mother to take 98 days (28 days before the expected date of delivery and 70 days after the birth), without interruption. In exceptional circumstances, based on a medical assessment, leave can start 45 days before the expected date of delivery.
- *Maternity exemption from work/maternity care for the child*: from the day of birth until the child turns six months of age.

Payment and funding

- *Maternity leave*: 100 per cent of average earnings, calculated on the average earnings on which health care contributions were paid during the 6 months prior to the leave, with no ceiling on payments.
- A parent who does not meet the condition of at least 12 months of continual insurance or 18 months of insurance with interruptions in the last two years receives 50 per cent of the 'budgetary base rate' of HRK3,326 per month [€439¹³³]; gross average earnings in 2014 were HRK 7,953 [€1,051].
- *Maternity exemption from work/maternity care for the child*: 50 per cent of the budgetary base rate per month
- Funded from general taxation.

¹³² Please cite as: Dobrotić, I. (2015) 'Croatia country note', in: P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

¹³³ Conversion of local currency into Euros undertaken on 1-5 June 2015, using <http://finance.yahoo.com/currency-converter/>

Flexibility in use

- *Maternity leave*: after the compulsory Maternity leave period, the father of the child has the right to use the remaining period of Maternity leave, if the mother agrees.
- After the compulsory Maternity leave, a parent can use the remaining period of leave on a part-time basis, in which case the duration is doubled with compensation at half the level of full-time leave. The period of part-time leave taken after a child is six months cannot exceed the period of part-time leave taken before the child reaches this age; the maximum period of part-time leave is until nine months after birth.
- *Maternity exemption from work/maternity care for the child*: from the 71st day and in the case of the mother starting employment, the mother can terminate the use of maternity exemption from work/maternity care for the child, in which case the father of the child has the right to use the remaining share of the unused leave, if the mother agrees.

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

- *Maternity leave*: all employed and self-employed persons.
- *Maternity exemption from work*: parents employed on a different employment basis (e.g. parents who are earning a second income on which contributions have been paid), farmers and unemployed parents.
- *Maternity care for the child*: parents outside the labour system, due for example to retirement, incapacity or studying.

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

- In cases of poor health or health risks for the mother and child, the pregnant mother is entitled to sick leave before birth for the duration of the risk ('sick leave due to illness and complications related to pregnancy'), in addition to Maternity leave. The mother is paid 100 per cent with a ceiling of HRK4,257 [€562] a month.
- Leave is extended in the case of premature births.
- If the parent taking leave dies or is for any other justified reason unable to exercise the right, leave can be transferred to the other parent.

b. Paternity leave

No statutory entitlement.

c. Parental leave (*roditeljski dopust*) / parental exemption from work (*roditeljska poštuda od rada*) / parental care for the child (*roditeljska briga o novorođenom djetetu*) (responsibility of the Ministry of Family, Veterans' Affairs and Intergenerational Solidarity)

Length of leave

- *Parental leave*: four months (120 calendar days) per parent per child for the first and second born child; see 'variation in leave' below for third or higher order births. Leave is an individual entitlement, but two months can be transferred from one parent to the other.
- *Parental exemption from work/parental care for the child*: from six months of age until the child turns one year of age, for the first and second born child; or until the child turns three years of age for twins, the third and every subsequent child

Payment and funding

- *Parental leave*: 100 per cent of average earnings for the first six months, with a ceiling of 80 per cent of the budgetary base rate or eight months if both parents use Parental leave; 50 per cent of the budgetary base rate after the first six (or eight) months or if parents do not fulfil the condition of at least 12 months of continual insurance period or 18 months of insurance with interruptions in the last 2 years.
- *Parental exemption from work/parental care for the child*: 50 per cent of the budgetary base rate.
- Funded from general taxation.

Flexibility in use

- *Parental leave*:
 - Leave is a personal right of both parents but one parent can transfer two months of their entitlement to the other, if they are both employed and if both parents agree and with written consent.
 - Parents can use their entitlement at the same time or consecutively. (Although this possibility was deleted in new legislation, legal opinion is that parents can still use leave in whatever way they choose).
 - Leave can be taken in the following ways: a) fully (in one period); b) partially (no more than two times per year, each time for no less than 30 days); c) part-time (duration is doubled and compensation is 50 per cent of the compensation for full-time leave).
 - Leave can be taken until the child turns eight years of age.
- *Parental exemption from work/parental care for the child*: if a parent terminates their leave due to employment/self-employment, the other parent has the right to use the unused share of the first parent's leave with that parent's consent.

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

- *Parental leave*: all employed and self-employed persons.
- *Parental exemption from work*: parents employed on a different employment basis (e.g. parents who are earning a second income on which contributions have been paid), farmers and unemployed parents.
- *Parental care for the child*: parents outside the labour system, due for example to retirement, incapacity or studying.

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

- Fifteen months (450 days) per parent for twins, other multiple births and the third and every subsequent child. The additional period is transferable from one parent to another and paid at 50 per cent of the budgetary base rate.
- If the parent taking leave dies or is for any other justified reason unable to exercise the right, leave can be transferred to the other parent.

d. Childcare leave or career breaks

If parents have fully used Maternity and Parental leave, one of the employed parents has the right not to work until the child turns three years of age. During that time, the parent's rights

and obligations regarding his/her employment are suspended, and the rights to compulsory health insurance and retirement insurance are maintained. This is unpaid.

e. Other employment-related measures

Adoption leave and pay

- Employed/self-employed adoptive parents can take adoption leave (providing the spouse of the adoptive parent is not the parent of the child) of six months per family for an adopted child under 18 years of age, paid as for Maternity leave. Adoption leave is extended for 60 days in the case of the adoption of twins or a child that is the third child or any subsequent child in the family, or of a child with developmental difficulties. After this period of leave, the adoptive parents of a child under eight years of age have the right to Parental leave of six months until the child turns eight years of age and all other rights of employed/self-employed parents.
- In the case of other adoptive parents (i.e. not employed or self-employed), one adoptive parent has the right to adoption leave (providing the spouse of the adoptive parent is not the parent of the child) of 12 months (regardless of the child's age). Adoption leave is extended for 60 days in the case of the adoption of twins, two or more children or a child that is the third child or any subsequent child in the family, or of a child with developmental difficulties. Unused leave can be transferred to the other adoptive parent on resumption of employment/self-employment under the same condition as parental exemption from work/parental care for the child. Payment is at 50 per cent of the budgetary base rate.

Time off for the care of dependants

- There is an entitlement to leave if a co-resident spouse or child is ill, with length and payment depending on the child's age: for a child under three years, up to 60 days per family for each illness at 100 per cent of average earnings; for a child aged three to seven years, 70 per cent of average earnings (minimum of 25 per cent of budgetary base rate); for a child aged seven to 18 years, up to 40 days for each illness at 70 per cent of average earnings (minimum of 25 per cent of budgetary base rate); older child and co-resident spouse, up to 20 days for each illness at 70 per cent of average earnings, but only for serious medical conditions defined by regulation (minimum of 25 per cent of budgetary base rate). Leave for children under the 18 years of age can be extended on the basis of medical committee decision, and can be used only if the other co-resident parent is in employment or if a parent lives alone with a child (e.g. single parents, divorced parents). All payments subject to a ceiling of HRK4,257 [€562] per month. It can be used on part-time basis.
- A worker has the right to seven days fully paid leave per year for important personal needs, including those related to marriage, childbirth, or the serious illness of a member of the immediate family.

Flexible working

- During the first 12 months after the child's birth, mothers employed full time and who are breastfeeding are entitled to two hours absence from work (once a day for two hours or two times a day for one hour), paid at 100 per cent of the budgetary base rate, recalculated to the hourly rate. If an employed pregnant woman or mother breastfeeding her child works on a job that is harmful to her health and the health of a child she is breastfeeding, and if the employer has not provided for her another position within the company, she has the right to leave, at full earnings to be paid by the employer.

- After Parental leave, one of the employed/self-employed parents has the right to work shorter hours until a child turns three years of age if the child requires increased care due to its health and development, and only if Parental leave was fully used; paid at 50 per cent of the budgetary base rate (recalculated to the hourly rate, only for the hours outside the work).
- Employed or self-employed parents of a child with a serious developmental problem, including physical disability, have the right to take leave to care for the child or to work shorter hours until the child is eight years old. Parents can then work shorter hours, until the child finishes regular education. Payment during this period is: a) during leave, 65 per cent of the budgetary base rate if beneficiary has 12 months of continual insurance period or 18 months of insurance with interruptions in the last 2 years, otherwise 50 per cent of the budgetary base rate; b) during shorter working hours, the difference in salary if the beneficiary has 12 months of continual insurance period or 18 months of insurance with interruptions in the last 2 years, otherwise 50 per cent of the budgetary base rate recalculated to the hourly rate.

Prenatal examinations (slobodan radni dan za prenatalni pregled)

- Pregnant workers have a right to use a number of hours - equivalent to one working day off per month - in order to attend prenatal examinations. Pregnant worker is obliged to announce to the employer the intention to use this right (in a written form, two days in advance)

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

The maximum period of post-natal leave available in Croatia is 12 or 14 months (depending on whether both parents use leave entitlements) for the first and second born child, or three years for twins, other multiple births and the third and every subsequent child); this is paid at 100 per cent of average earnings up to a low ceiling for Parental leave. There is an entitlement to ECEC from six years of age, for at least 250 hours as preparation for school at seven years; attendance is obligatory. Levels of attendance at formal services are well below the average for the countries included in this review. Croatia is not included in the comparative data on ECEC attendance in the OECD Family Database. It does, however, appear in the TransMonEE Database covering countries in Central and Eastern Europe and the Commonwealth of Individual States; according to this Database, levels of attendance at formal services in Croatia for children under and over 3 years are below the average for the countries included in this review and OECD countries (for more details see Table 'Relationship between leave and ECEC entitlements').

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

To harmonize with the EU Council Directive 2010/18/EU on Parental leave, from December 2014 the Parental leave rights of (self)-employed adoptive parents were equalized with those of (self)-employed biological parents. Now they also become entitled to eight months of Parental leave (two of them non-transferable) until their child turns eight years of age. Previously employed and self-employed adoptive parents were entitled to Parental leave of six months until their child turns eight years of age.

4. Take-up of leave

a. Maternity leave

Although there is the possibility for fathers to use part of Maternity leave (if mothers agree), official data show that Maternity leave is predominantly used by mothers. According to the latest information, for 2014, fathers used the transferred right in 0.4 per cent of cases. *Maternity exemption from work* is predominantly used by mothers, i.e. only 0.05 per cent of fathers exercised this right in 2014.

There is no official information on what proportion of women and men take Maternity leave. But, Labour Force Survey data show that, on average over the period 2008-2011, 86.8 per cent of employed mothers used the entitlement to leave during the six months after childbirth (i.e. Maternity leave).

b. Paternity leave

No statutory entitlement.

c. Parental leave

Parental leave is also predominantly used by mothers. According to the latest official data, for 2014, fathers account for 4.88 per cent of all Parental leave taken.

There is no official information on take-up rates. But, Labour Force Survey data for 2008-2011 show that the take-up rate for employed mothers during the Parental leave period was 84 per cent for six to twelve months after childbirth, falling to 18 per cent during 12 to 24 months. The take-up rate for fathers was much lower – around 0.3 per cent in the first year after birth.

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

a. General overview

Studies have addressed childcare and gender equality policies.

b. Selected publications since April 2014

None reported.

c. Ongoing research

None reported.

Czech Republic¹³⁴

Jirina Kocourková (Charles University)

April 2015

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 (*materska dovolena*) (responsibility of the Social Security system)

Length of leave (before and after birth)

- Twenty-eight weeks: six to eight weeks before the birth and 20 to 22 weeks following birth. It is obligatory to take 14 weeks, including at least six weeks after the birth.

Payment (applied for the whole period of Maternity leave) and funding

- Seventy per cent of daily earnings up to a maximum payment of CZK31,740 [€1,157¹³⁵] per month.
- Payment is financed from sickness insurance contributions by employers, paying 2.3 per cent of earnings.

Flexibility in use

- Leave can be started six to eight weeks before birth.
- From the start of the seventh week after childbirth, either parent may use the leave, i.e. the mother may alternate with the father of the child, with no restriction on the frequency of alternation. If the father uses the leave, he must do so for at least seven days.

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

- To be eligible for maternity benefit, an employee must have contributed to sickness insurance for at least 270 days during the last two years.
- A self-employed worker must meet the same condition as an employee, and in addition have contributed to sickness insurance for at least 180 days during the last year.
- Students are entitled to the benefit.

¹³⁴ Please cite as: Kocourková, J. (2015) 'Czech Republic country note', in: P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

¹³⁵ Conversion of local currency into Euros undertaken on 1-5 June 2015, using <http://finance.yahoo.com/currency-converter/>

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

- In the case of multiple births, the length of leave is increased by nine weeks.
- When the child is stillborn, the mother is granted 14 weeks of Maternity leave.

b. Paternity leave

No statutory entitlement.

c. Parental leave (*rodicovska dovolena*) (responsibility of the Ministry of Work and Social Affairs)

Length of leave

- Both parents can take leave until the child's third birthday. Leave is an individual entitlement, but only one parent is entitled to the benefit.

Payment and funding

- A Parental benefit - *rodicovsky prispevek* - is available to all families who meet the eligibility condition whether or not they take Parental leave; as parents can work full time or part time while receiving parental benefit, it can be considered as a benefit to subsidise care costs, as well as a home care benefit for at-home parents.
- The period and amount of Parental benefit can be chosen from a number of options; the longest option is until the child is 48 months old and the shortest option is until the child is 24 months old. For example, the maximum amount if taking the 24 month option is 70 per cent of previous monthly earnings, with a ceiling of CZK11,500 [€419] per month; while taking benefit until a child is three years has a ceiling of CZK7,000 [€255]. The maximum amount payable for the whole period is CZK220,000 [€8,0139].
- While Parental leave can only be taken up to the child's third birthday, the Parental benefit is paid until the child's fourth birthday.
- Parental benefit is funded from general taxation.

Flexibility in use

- The selected Parental benefit option may be changed after three months.
- Parents on leave can work, but not on the same job from which he/she is taking leave.
- Both parents can take Parental leave at the same time, but only one of them is entitled to parental benefit. They can alternate in receiving benefit as often they want.

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

- There are no special requirements for leave; however, each parent has to ask for formal approval of the employer.
- Parents can choose the period and amount of Parental benefit on condition that at least one parent in a family is a person participating in sickness insurance
- Payment of Parental benefit is conditional, where there is a child under two years, on parents not using a publicly-funded ECEC service for more than 45 hours a month. There is no limitation on service use for older children.

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

- In the case of a disabled child, a parent is entitled to Parental benefit at the basic rate of CZK7,600 [€277] per month until the child is seven years of age. If the child is diagnosed as suffering from a long-term disability the parent is entitled to Parental benefit at the lower rate of CZK3,000 [€109] from seven to 15 years of child's age.
- Parental benefit can be taken by grandparents or other persons where they provide day care for the child and the parents agree to transfer their entitlement.

d. Childcare leave or career breaks

No statutory entitlement.

e. Other employment-related measures

Adoption leave and pay

- For adoptive parents the same regulations for Parental leave apply as for other parents.

Time off for the care of dependants

- Employees can take leave to care for a sick relative at home (in all cases of illness for a child under ten years; otherwise, only in case of a serious illness). Leave is paid at 60 per cent of earnings up to a ceiling of CZK855 [€31] per day. A parent can take no more than nine days in one block of time, but there is no limit regarding the frequency of taking leave; parents are allowed to alternate with each other during the course of taking leave to care for a sick child.

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 the Czech Republic is three years, but most of this is low paid; leave paid at a high earnings-related rate runs for only five months. There is an entitlement to ECEC for a child aged five (the only one year before the basic school attendance) for the whole day. Levels of attendance at formal services for children under 3 years are very low, well below the average for the countries included in this review and for OECD countries; levels of attendance for children over 3 years are much higher, around both averages. For actual attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

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

An expert committee on family policy was established by the Ministry of Labour and Social Affairs in 2015 to propose new policies including leave arrangements and forms of childcare. This is part of the political programme of the new government established in 2014. In contrast

to her conservative predecessors, the Social Democrat Minister of Labour and Social Affairs aims to develop the Czech family policy in line with EU recommendations.

4. Take-up of leave

a. Maternity leave

Nearly all mothers take Maternity leave.

b. Paternity leave

There is no statutory leave entitlement.

c. Parental leave

Legislation on Parental leave, so that fathers could take leave, was introduced in 1990, but truly equal conditions for both parents were not introduced until January 2001. However, the number of men receiving Parental benefit in comparison to women has remained negligible. In 2001, men accounted for 0.77 per cent of recipients of this benefit; since then, there has been a slight increase, but only to 0.99 per cent in 2003, 1.4 per cent in 2006, and 1.5 per cent in 2008 when 5,724 men received Parental benefit compared with 375,876 women. Since 2008, there has been no further increase; in 2010 4,986 men received Parental benefit compared with 328,777 women, i.e. 1.5 per cent of recipients were men, the same proportion as 2008. In 2013 5,200 men received Parental benefit, i.e. 1.8 per cent of all recipients.

There is no information about how long women or men take Parental leave. It is assumed that most parents taking leave stay on leave only until their child's third birthday (when entitlement to leave, though not benefit, ends) as they prefer not to lose their jobs.

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

a. General overview

Recently research on work-life balance has been undertaken in particular by the Department of Demography and Geodemography at Charles University, by the Department of Gender Studies at the Sociological Institute of the Academy of Science, and by the working group on family policy in the Research Institute for Labour and Social Affairs.

b. Selected publications since April 2014

Paloncyová, J., Barvíková, J., Šťastná, A., Svobodová, K and Kuchařová, V. (2013) *Systems of day care for children up to the age of 6 in France and the Czech Republic*. Prague: VUPSV. The monograph describes the systems of day care for children up to the age of six years in both the countries in detail. The focus is on parental care in the context of family policy provisions, payment-based non-family individual care, as well as non-family collective care in its various forms.

Paloncyová, J., Barvíková, J., Kuchařová, V and Psychlová K. (2014) *New forms of child day care in the Czech Republic*. Prague: VUPSV.

The monograph is the final outcome of the project 'New forms of child day care in the Czech Republic' carried out between April 2012 and April 2014. The aim was to generate proposals for a broadening of the offer of non-family day care services in the Czech Republic on the

basis of best practice examples from France. Proposals for collective care services include innovations feasible under the current legal conditions dealing in particular with questions of quality standards and the registration and control of services.

Blum, S., Formánková, L. and Dobrotič, I. (2014) 'Family policies in "hybrid" welfare states after the crisis: Pathways between policy expansion and retrenchment', *Journal of Social Policy & Administration*, Vol.48, No.4: 468-491.

This article analyzes family policy reforms during the crisis in three small European welfare states – Austria, the Czech Republic and Slovenia. Focusing on the 'rationale' behind the reforms, it aims to explore how family policy was affected by the crisis and whether the crisis gave rise to new policy pathways and ideas in the area. The exploratory case studies of reforms conducted in the three countries between 2009 and 2013 show that everywhere the pre-crisis policy pathways were also continued in the period of crisis. The reforms were framed by diverse paradigms related to national-specific contexts along with newly emerged austerity arguments.

c. Ongoing research

None reported.

Denmark¹³⁶

Lotte Bloksgaard and Tine Rostgaard (Aalborg University)

April 2015

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

Note on terminology: *Graviditetsorlov* is the leave to be taken by the mother before birth, *Barselsorlov* the leave reserved for the mother after birth, *Fædreorlov* the leave reserved for the father after birth, and *Forældreorlov* the leave available for both parents after birth. However, in the law the four leave schemes bear the same name *Barselsorlov*, or literally Childbirth Leave, because they technically all originate from the same law on leave.

a. Maternity leave (*Graviditets* and *Barselsorlov*: see ‘note on terminology’) (responsibility of the Ministry of Labour)

Length of leave (before and after birth)

- Eighteen weeks: four weeks before the birth and 14 weeks following birth. The first two weeks after birth are compulsory.

Payment and funding

- All employees are entitled to a daily cash benefit based on former earnings up to a ceiling of DKK4,135 (€554¹³⁷) per week before taxes for full-time employees and self-employed.
- The cash benefit scheme is funded by the state from general taxation, except for first eight weeks when municipalities bear half of the cost.

Flexibility in use

- None.

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

- Eligibility to full compensation for an employee is based on a period of work of at least 120 hours in 13 weeks preceding the paid leave, i.e. regardless of partner’s labour

¹³⁶ Please cite as: Bloksgaard, L. and Rostgaard, T. (2015) ‘Denmark country note’, in: P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/.

¹³⁷ Conversion of local currency into Euros undertaken on 1-5 June 2015, using <http://finance.yahoo.com/currency-converter/>

market situation. Workers with temporary contracts are excluded only if they are not eligible for unemployment benefit.

- Eligibility for the cash benefit for self-employed workers (including helping a spouse) is based on professional activity on a certain scale for at least six months within the last 12 month period, of which one month immediately precedes the paid leave.
- People who have just completed a vocational training course for a period of at least 18 months or who are doing a paid work placement as part of a vocational training course are eligible to the cash benefit.
- Unemployed people are entitled to cash benefits from unemployment insurance or similar benefits (activation measures).
- Students are entitled to an extra 12 months educational benefit instead of the Maternity leave benefit.
- People on sickness benefit continue to receive this benefit which is the same amount as the Maternity leave benefit.

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. There is no additional leave for multiple births as the right to Maternity (and Paternity and Parental) leave is related to the event of birth and not the number of children born.

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

- In Denmark leave is not only regulated via national legislation, but also via collective agreements in the labour market and agreements at company level. In 2011 about 75 per cent of the workforce was covered by such collective agreements¹³⁸, and these workers receive compensation during leave from their employer up to their former earnings, i.e. their employer tops up the state benefit. However, the percentage of the Danish workforce that is covered by collective agreements is declining, especially among the younger age groups, which means that still fewer (younger) workers are ensured pay during leave via a collective agreement¹³⁹.
- To help employers finance the costs regarding compensation up to the workers' former earnings (see above), different leave reimbursement funds have been set up. In 1996 a leave fund was set up to reimburse private employers' leave costs, so that the cost for compensation was pooled. Several municipal employers set up identical funds in the following years, and in 2005 it was made obligatory for all municipal employers. Municipal employers pool the costs of employees' take-up of leave, so that a workplace with a predominance of female workers should not face higher costs. From 2006, private employers also have to be members of a leave fund. In the largest private leave fund, DA-Barsel, private employers pay DKK600¹⁴⁰ [€80] per year for each full-time employee and receive reimbursement of up to DKK185¹⁴¹ [€25] per hour for up to 31 weeks¹⁴²; this

¹³⁸ Ibsen, F. (2011) *Kollektiv handling: Faglig organisering og skift af fagforening [Collective action]*, Copenhagen: Nyt fra Samfundsvidenskabernes.

¹³⁹ http://www.ugebreveta4.dk/lo-om-15-aar-er-kun-hver-anden-medlem-af-en-fagforeni_20027.aspx?redir=newsletter&utm_campaign=quest_GammelA4_Ikkevalideret&utm_medium=nl_top&utm_source=newsletter_Morning&nid=NDQy&aid=20027

¹⁴⁰ http://www.atp.dk/X5/wps/wcm/connect/dab/dk/index/beretbetal/bidragssatser#.Uz0e__I_sIj

¹⁴¹ <http://www.dabarsel.dk/refusion/hvor-meget-kan-du-faa>

¹⁴² <http://www.dabarsel.dk/refusion/hvor-laenge-kan-du-faa-refusion>

means that female employees with a salary below DKK 30,000¹⁴³ (€4016) per month will be able to receive full earnings for up to 31 weeks¹⁴⁴, without direct cost to the employer. The additional cost of compensation for employees with higher salaries than DKK 30,000 [€4,022] per month has to be borne by the employer. Depending on the industry in question, the funds also cover full or parts of the Parental leave, e.g. within the industrial sector each parent is entitled to coverage for four weeks, and in addition three weeks can be shared.

- An evaluation of the funds covering the private sector in 2010 showed that around 100,000 companies were members of a fund. The report concluded that the funds seem to be beneficial for women - although employers did not believe that the fund had made them change their view on hiring women - and also that more men seemed to take up leave as a consequence of receiving payment during leave. Employers tended to be more positive towards men taking leave than earlier and generally were positive towards the fund. Around one third of employers were unaware of the possibility to receive reimbursement for 29 weeks – even in female dominated sectors - and therefore failed to claim such reimbursement. This was clearly related to whether or not employers paid wages during leave for their employees (COWI, 2010¹⁴⁵).

b. Paternity leave (*Fædreorlov*: see ‘note on terminology’) (responsibility of the Ministry of Labour)

Length of leave

- Two weeks.

Payment and funding

- Payment and funding as for Maternity leave.

Flexibility in use

- Leave can be taken during the first 14 weeks after birth.

Eligibility

- Employees and self-employed workers in a recognised partnership, including same-sex partnerships.
- Same provisions as for Maternity leave.

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

- All male employees covered by collective agreements receive full earnings during the Paternity leave.

¹⁴³ Kilde: Udregnet med samme timeantal som jeres udregning, men med den nye timerefusion på 185,2 kr.

¹⁴⁴ <http://www.dabarsel.dk/refusion/hvor-laenge-kan-du-faa-refusion>

¹⁴⁵ COWI (2010) *Evaluering af barseludligningsloven*. Copenhagen: Ministry of Employment.

c. Parental leave (*Forældreorlov*: see ‘note on terminology’) (responsibility of the Ministry of Labour)

Length of leave

- Thirty-two weeks, until the child is 48 weeks. Leave is an individual entitlement; however, although each *parent* can take 32 weeks of leave, each *family* can only claim 32 weeks of paid leave.

Payment and funding

- Payment and funding as for Maternity leave.

Flexibility in use

- Between eight and 13 weeks can be taken later.
- Both parents can be on leave at the same time.
- Each parent can prolong their 32 weeks leave to 40 weeks (for all) or 46 weeks (only employed persons and self-employed people). In this case, the benefit level is reduced over the extended leave period, so that the total benefit paid equals 32 weeks at the full rate of benefit (though this extended benefit can only be claimed by one parent, as benefit is per family and not per parent).
- It is possible to return to work on a part-time basis, with a reduced benefit payment spread over this extended period of leave (e.g. a parent may work half-time and thus prolong the leave period from 32 to 64 weeks.) This is subject to agreement with the employer.

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

- As Maternity leave.

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)

- None.

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

- All employees covered by collective agreements receive full earnings during part or all of the Parental leave period; see 1a additional note.
- From 2007, the industrial sector (representing 7,000 employers nationwide including production, service, knowledge and IT) introduced a paid father's quota in Parental leave. The entitlement was up to nine weeks Parental leave with payment. Three weeks of this Parental leave with pay is for the father, three weeks for the mother and three weeks for the parents to share - the weeks for the mother and the father respectively were quotas and therefore lost if not used. Later agreements have prolonged the period to 4+4+3 weeks. In the 2012 agreement for the industrial sector, a clause was removed. This clause determined that pay during Parental leave was contingent on leave being taken immediately after the Maternity leave, i.e. the 15th week after birth. This reduced the flexibility of use considerably, especially in fathers' take-up of parental leave

(Bloksgaard, 2009¹⁴⁶). Now, parents covered by this agreement are allowed to take Parental leave within a year from the birth of the child with pay.

- As part of the labour market negotiations in Spring 2008, a similar Parental leave model was also introduced for employees working in the public sector. If both parents work in the state sector they are entitled to leave with full payment for 6+6+6 weeks after Maternity leave, in all 14 weeks of Maternity leave and 18 weeks of Parental leave, all with full payment, a total of 32 weeks. Six weeks is earmarked for the mother, six weeks for the father and six weeks can be shared. As a part of the labour market negotiations in Spring 2015, fathers employed in the public sector got a further one week earmarked with full payment, making a total of seven weeks.

d. Childcare leave or career breaks

No statutory entitlement.

e. Other employment-related measures

Adoption leave and pay

- For adoptive parents the same regulations for Parental leave apply as for other parents, with the exception that two of the 48 weeks must be taken by both parents together.

Time off for the care of dependants

- Most working contracts and labour market agreements include the right to take one day off to care for a sick child. Public employees are entitled to two days for public employees. Leave is paid.
- All employees may, depending on the assessment of the local municipality, be eligible for a care benefit (*Plejevederlag*) if they care for a terminally ill relative or close friend at home; the municipality decides the length and level of benefit payment. There is no entitlement to leave associated with this benefit.

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 Denmark is 14 months, if parents take the option of a longer Parental leave period with a lower benefit payment; leave at 100 per cent of earnings subject to a ceiling lasts for 11 months. There is an entitlement to ECEC from six months of age, so there is no gap between leave and ECEC entitlements. Levels of attendance at formal services for children under and over three years are well above the average for the countries included in this review and for OECD countries. For actual attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

¹⁴⁶ Bloksgaard, L. (2009) *Arbejdsliv, forældreskab og køn – forhandlinger af løn og barsel i tre moderne virksomheder* [Work-life, parenthood and gender – wage and leave negotiations in three modern Danish companies]. Aalborg: Aalborg University.

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

Despite the government's stated intention to introduce a three months father's quota, it has enacted neither a father's quota nor a father's bonus. In early April 2014, the Socialist People's Party (*Socialistisk Folkeparti*), which had resigned from the government coalition, tabled a motion for a resolution on a father's quota in Denmark. This means that all the parties in the national parliament of Denmark had to vote for or against a father's quota. The intention was to force the government to decide on its position in regards to the issue of the father's quota. However, the motion for a resolution was conclusively rejected on 14 April 2015. Thus, it is still left to the collective agreement system in Denmark to secure earmarked Parental leave rights to fathers.

A general election is due to take place before September 2015. As of early May 2015, the father's quota is not part of any of the campaigns of the various political parties.

4. Take-up of leave

a. Maternity leave

The present statistics on leave take-up do not provide data on the proportion of mothers using Maternity leave. However, in a survey conducted in 2006 among parents of children born in 2005, 99 per cent of mothers had taken Maternity leave¹⁴⁷.

b. Paternity leave

Statistics show that 60 per cent of Danish fathers of children born in 2011 used Paternity leave¹⁴⁸.

c. Parental leave

Regular statistics on the share of fathers and mothers who take-up Parental leave is not available. Among fathers entitled to the cash benefit during leave, 45 per cent only took the two weeks of Paternity leave, i.e. 55 per cent took some Parental leave. This percentage has been constant since 2009. Also statistics from 2010 and 2011 show that Danish fathers on average only take 7.2 per cent of the Parental leave period¹⁴⁹, considerably lower than in Sweden and Norway¹⁵⁰. An often quoted explanation for fathers' higher uptake of Parental leave in the neighboring countries, is the father's quota which is in place there.

While Denmark presently does not have a father's quota, in the period 1998-2002 a quota of two weeks with benefit or full pay depending on the work contract was in place. Recent analysis of register data of Parental leave take-up of more than 1 million fathers in the period 1990-2007, show that the introduction of the fathers' quota had a clear effect on fathers' take-

¹⁴⁷ Olsen, B. M. (2007) *Evaluering af den fleksible barselorlov: orlovsreglerne set fra forældres, kommuners og arbejdspladsers perspektiv*. Copenhagen: SFI - Det Nationale Forskningscenter for Velfærd.

¹⁴⁸ Danmarks Statistik (2012) *Statistiske efterretninger: Dagpenge ved graviditet, fødsel og adoption 2011*. 2012: 8, København: Danmarks Statistik.

¹⁴⁹ Danmarks Statistik (2012) *Statistiske efterretninger: Dagpenge ved graviditet, fødsel og adoption 2011*. 2012: 8, København: Danmarks Statistik.

¹⁵⁰ Rostgaard, T. and Lausten, M. (2014) 'Gender equality incentive policies and their consequences for men and women's take up of parental leave in Denmark', in: G.B.Eydal and T.Rostgaard (eds.): *Fatherhood in the Nordic Welfare States - Comparing Care Policies and Practice*. Bristol: Policy Press.

up of leave. This is a period where various leave schemes were introduced, such as a low paid childcare leave, which mainly mothers took up, as well as the father's quota. Although the length of the quota was relatively short, not least in comparison with other Nordic countries, it had a significant effect on fathers' take-up.

The introduction of the quota initially sparked increased uptake of Parental leave among fathers, from 12 per cent of those becoming fathers in 1997 to 36 per cent of fathers in 2001, when at its height. From 2002, following the ending of the quota, there is a drop to 22 per cent of fathers. Interestingly, the number again begins to slowly increase after 2002. This development suggests that fathers increasingly take Parental leave, regardless of whether or not there is a legislated father's quota. The hypothesis is that this is partly due to the introduction of father's quota arrangements in some of the labour market agreements, which started to set in as of 2003. Another reason is believed to be the cultural shift in (male) attitudes to fatherhood and in men's role in childcare for the young child, which the introduction of the father's quota may have encouraged or at least supported.

The same increase in the fathers' share of total leave days taken can be noted since the introduction of the father's quota. The elimination of the father's quota in 2002 is followed by a slight drop in the fathers' share, which has since increased; once again; this possibly reflects the increasing number of fathers who have gained a right to a father's quota through collective agreements as well as changing norms.

Further analysis shows that it is now more the well-educated fathers, working in public sector occupations and with well-educated partners who take Parental leave, presumably because they stand in a better situation in the labour market, they may have secured better leave rights and may also have a partner who is more eager herself to return to the labour market. This is despite growing interest across social divides among fathers for taking up leave, and we conclude that the present composition of statutory leave entitlements positions fathers differently, working against the Nordic principle of universalism¹⁵¹.

As perhaps a consequence of the lack of a father's quota, qualitative studies show that often the parents do not in reality negotiate the division of Parental leave; instead leave is often perceived as 'for women' and thus automatically divided according to cultural assumptions of gender and parenthood^{152 153}.

Traditional male work cultures at the workplace seem to play a role here. A recent survey conducted among the population in general showed that more than 50 per cent of the fathers who took less than three month leave in total (Paternity and/or Parental leave) mention 'if my employer had clearly indicated that my job situation would not be negatively affected' and 'if my work place had a tradition for male employees taking leave' as factors that may have made them take longer leave¹⁵⁴. This indicates that Danish fathers' limited leave take-up may be explained by a fear of leave having negative consequences or not being seen as 'appropriate'

¹⁵¹ Rostgaard, T. and Lausten, M. (2014) 'Gender equality incentive policies and their consequences for men's and women's take up of parental leave in Denmark', in: G.B.Eydal and T. Rostgaard (eds.) *Caring fathers in the Nordic welfare states: Policies and practices of contemporary fatherhoods*. Bristol: Policy Press

¹⁵² Bloksgaard, L.(2009) *Arbejdsliv, forældreskab og køn – forhandlinger af løn og barsel i tre moderne virksomheder* [Work-life, parenthood and gender – wage and leave negotiations in three modern Danish companies]. Aalborg: Aalborg University.

¹⁵³ Bloksgaard, L. (2011) *Mænd, barselsrettigheder og brug af barsel* [Men, leave rights and take-up of leave]. Available at:

http://vbn.aau.dk/files/58188336/M_nd_barselsrettigheder_og_brug_af_barsel_2011.pdf.

¹⁵⁴ DJØF (2011) *Danskernes holdninger til barselsorlov*, Copenhagen: DJØF Publishing.

for men in work life. That role models and support from colleagues and superiors are important for Danish fathers' leave take-up is supported by another survey¹⁵⁵.

d. Leave take-up in total

In addition to the (relatively) limited statistics referred to above, the available statistics presenting the present leave situation look across the entire leave period (Maternity, Paternity and Parental leave) and the data are presented in this section. This data is based on how many parents receive a cash benefit during leave.

After the data for the period 2007-2010 showed an increase in the number of days that fathers take when both the mother and the father take up leave (not necessarily at the same time) – from 32 days on average in 2010 to 37 days in 2010 – the data for 2011-2013 show a small drop and the stabilization. In families, where both the father and the mother took leave, the father took an average of 36 days of leave in both 2012 and 2013, compared to 37 days in 2011. In the few families where the fathers were the only parent to take leave, their leave take-up decreased from 54 days in 2012 to 49 days in 2013¹⁵⁶.

The increase in fathers' leave use in 2011-2012 may be (partly) explained by the removal of the clause in the collective agreement of the industrial sector, which leads to larger flexibility in leave use for employees covered by this agreement, especially fathers¹⁵⁷ (see section 1c).

Statistics indicate that mothers' leave take-up is stable. Mothers who have taken leave together with the father took between 292 and 297 days between 2007-2013, while mothers who have taken leave alone took 310 to 312 days over the same period¹⁵⁸.

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

a. General overview

Although there are quite extensive register data on the use of leave, Danish research into the take-up of leave and the reconciliation of work and family life is only limited.

b. Selected publications since April 2014

Eydal, G.B and Rostgaard, T.(eds.) (2014) *Fatherhood in the Nordic Welfare States - Comparing care policies and practice*. Bristol : Policy Press.

This edited volume contains the following chapters focusing on Denmark:

- Bloksgaard, L. 'Negotiating leave in the workplace: leave practices and masculinity constructions among Danish fathers'.
- Liversage, A. 'Minority ethnic men and fatherhood in a Danish context'.
- Ottosen, M. H. 'The long-term impact of early paternal involvement in childcare in Denmark: what happens after nuclear family dissolution'.
- Rostgaard, T. and Lausten, M. 'The coming and going of the father's quota in Denmark: consequences for fathers' parental leave take-up'.

Borchorst, A. and Teigen, M. (2015) 'Gleichstellungspolitik in Nordeuropa: Qotenregelungen für Eltern und Führungsetagen' ['Nordic Gender Equality: quotas in parental leave and

¹⁵⁵ DJØF (2011) *Danskernes holdninger til barselsorlov*, Copenhagen: DJØF Publishing

¹⁵⁶ Danmarks Statistik (2015) *Dagpenge ved fødsel 2014*. Nyt fra Danmarks Statistik, nr. 148

¹⁵⁷ DR Nyheder (2014) 'Mænd i industrijob tager mere barsel'. 25.01.2014.

¹⁵⁸ Kilde: Danmarks Statistik (2015) *Dagpenge ved fødsel 2014*. Nyt fra Danmarks Statistik, nr. 148

corporate boards'] *WSI Mitteilungen*, No.1: 1-9. Available at: http://www.boeckler.de/wsi-mitteilungen_52679_52689.htm.

This article focuses on four of the five Nordic countries (excluding Iceland) and two different yet distinctive Nordic gender equality policy innovations: childcare policies, including 'daddy quotas' in Parental leave, and corporate board quotas. It demonstrates that although the Nordic countries to some extent have adopted similar policies, they are also characterized by significant variations, and the authors question the idea of a common Nordic model of gender equality and welfare. The countries may be ranked together, when gender equality is measured in terms of employment, or politics, but they differ in relation to specific policies and discourses, and they have followed different trajectories. The official Nordic self-representation often interprets gender equality as a Nordic specialty. In general, childcare policies and gender quota policies have contributed to the promotion of gender equality, and redistributive welfare policies have generated far-reaching gender equality. The success can be seen especially in the integration of women in education and work, whereby women have gained greater economic autonomy. However, the authors argue that considerable gender inequalities continue to persist, which pose ongoing challenges for gender equality policies in the Nordic countries.

c. Ongoing research

The GRIP (Gender Regimes in Politics) project (2014-2017). Director Anette Borchorst, Department of Political Science, Aalborg University

This project, located primarily at Aalborg University, aims at identifying the exceptionalism of the Danish gender policy regime (in a Nordic context) from the 1880s until today with particular focus on the 1960s onwards. One project maps policies of Parental leave and equal pay across three arenas: the political (legislation and political debates), the labour market (collective agreements) and the judicial (case law); it focuses on the role of feminist organizations and social partners in influencing these policies, with a further focus on Europeanization. The methodological approach is policy tracing and framing analysis. Contact: Anette Borchorst at ab@dps.aau.dk

Perceived discrimination related to pregnancy and Parental leave (2015) The Danish Institute for Human Rights.

The first part of this study focuses on mapping the extent of perceived discrimination among Danish parents. The second part is a qualitative study in which employers and parents who have experienced discrimination are interviewed. Contact: Kenn Warming at kewa@humanrights.dk.

Understanding the Labor Market Effects of Parental leave (to December 2016). Post-doctoral project by Nikolaj Harmon, Copenhagen University. Funded by the Carlsberg Foundation.

The project aims to investigate how firms and employees react and are affected when men and women take up leave, in different branches and for employees in different positions. Conducted in parts with Jonas Hjort, Columbia University. Contact: Nikolaj Harmon at nikolaj.harmon@econ.ku.dk.

Estonia¹⁵⁹

Katre Pall (Ministry of Social Affairs) and Marre Karu (PRAXIS Centre for Policy Studies)

April 2015

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 (*rasedus-ja sünnituspuhkus*) (responsibility of the Ministry of Social Affairs)

Length of leave (before and after birth)

- One hundred and forty calendar days: between 30 and 70 days can be taken before expected date of birth. If less than 30 days leave is taken before the expected birth, leave is shortened accordingly.

Payment and funding

- Hundred per cent of average earnings, calculated on employment in the previous calendar year, with no ceiling on payments. The minimum wage (€390 per month) is paid to mothers who did not work during the previous calendar year but have worked prior to the birth of a child.
- Funded from health insurance contributions. All employers and self-employed pay a payroll tax of 33 per cent for each employee; 13 per cent is for health insurance, 20 per cent for pension insurance.

Flexibility in use

- None except for when leave can be started before birth.

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

- All employed mothers are eligible for Maternity leave, including workers with temporary contracts if the contract lasts more than one month.
- Self-employed people qualify for maternity benefit on the same conditions as workers, even without taking up the leave.

¹⁵⁹ Please cite as: Pall, K. and Karu, M. (2015) 'Estonia country note', in: P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

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 (*isapuhkus* – literally ‘father’s leave’) (responsibility of Ministry of Social Affairs)

Length of leave (before and after birth)

- Ten working days.

Payment and funding

- One hundred per cent of earnings, calculated by the employer, with a ceiling of three times average earnings for the next to last quarter from the quarter when the leave was used.
- Funded from general taxation.

Flexibility in use

- Can be taken during two months before or two months after the birth of a child.
- Can be taken in blocks, with a minimum of a day at a time.

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

- All employed fathers with permanent or temporary employment contracts.

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 (*lapsehoolduspuhkus* – literally ‘childcare leave’) (responsibility of Ministry of Social Affairs)

Length of leave

- Until the child reaches three years. Leave is a family entitlement..

Payment and funding

- Two types of benefit are available to all families who meet the eligibility conditions, whether or not parents take Parental leave.
- Parental benefit (*vanemahüvitis*) is paid at 100 per cent of average earnings (calculated on employment in the previous calendar year) for 435 days (i.e. 62 weeks) from after the end of Maternity leave, with a ceiling of €2,549 per month, equivalent to three times average earnings. The minimum benefit paid to working parents is the minimum wage, €390 per month. For parents who are not on leave and not working, parental benefit is paid from the birth of the child at a flat rate of €355 per month until the child reaches 18 months of age.

- Childcare benefit (*lapsehooldustasu*) is a flat-rate payment of €38 per month, paid from the end of payment of parental benefit until the child reaches three years of age to both working and non-working parents (i.e. payment continues if a parent takes up employment).
- Both parental and childcare benefits are funded from general taxation.

Flexibility in use

- Parental leave may be used in one part or in several parts at any time until a child is three years of age.
- Being on leave while receiving the benefits is not compulsory. When a parent takes up employment after the birth of a child, the parental benefit is reduced if the income from employment exceeds the level of benefit paid; in this case, income exceeding the level of benefit is divided by two and deducted from the level of benefit. However, the maximum reduction of benefit is 50 per cent.
- Parents cannot be on leave together.

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

- All working parents are eligible for Parental leave.
- All families are eligible for parental and childcare benefits.
- Fathers are eligible for parental benefit when their child has reached 70 days of age.

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

- The actual caregiver of a child is eligible for Parental leave if parents do not use leave themselves. In the case of a non-parental caregiver, he or she is eligible for childcare benefit, but not parental benefit.

d. Childcare leave or career breaks

No statutory entitlement; see (e) *Time off for the care of dependents* for supplementary annual holiday entitlement.

e. Other employment-related measures

Adoption leave (lapsedamispuhkus) and pay

- Seventy days of adoption leave per child for parents adopting a child under ten years at 100 per cent of average earnings, with no ceiling. Adoptive parents are eligible for Parental leave for a child under three years, and qualify for parental benefit and childcare benefit.

Time off for the care of dependants

- Fourteen calendar days per episode of illness Leave can be taken by either parent to care for a sick child under 12 years, with 80 per cent of earning replacement for up to.
- Parents with a handicapped child may take one day of leave per month with full earnings replacement.
- A parent with a child under 14 years of age can take ten working days of unpaid leave per year.

- Parents may take a supplementary period of holiday: three days per year for a parent raising one or two children under 14 years and six days per year for a parent raising a child under three years, or three or more children under 14 years. There is a flat-rate payment, calculated from the minimum wage, of €18.50 per day.
- All payments funded from general taxation.

Flexible working

- Breastfeeding mothers with a child under 18 months can take either a half an hour breastfeeding break every three hours or a one hour break per day. The state compensates the breaks 100 per cent with the exception of mothers who receive parental benefit for raising a child. Funded from general taxation.

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

The maximum period of post-natal leave available in Estonia is 36 months, half paid at a high earnings-related rate and the other half at a low flat rate. According to Social Welfare Act municipalities are obliged to provide a place in ECEC to all children, starting from age of 18 months, i.e. after the end of the high paid leave period. However, municipalities are not able to meet this obligation, and for children between 18 months and 3 years of age the lack of places in ECEC is a serious issue. Many municipalities that are not able to provide an ECEC place, pay a special childcare benefit to working parents who use a private licensed carer or centre. Levels of attendance at formal services for children under 3 years are below the average for the countries included in this review and for OECD countries; but above average 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 2014 (including proposals currently under discussion)

In 2014 the formula for calculating parental benefit while employed was changed. The new formula is more beneficial to working parents and may encourage more parents take up work when receiving parental benefit.

4. Take-up of leave

a. Maternity leave

There is no statistics on take-up of Maternity leave.

b. Paternity leave

Fourteen per cent of fathers took up leave in 2006 and 2007, but in 2008, after payment was introduced, take-up of leave increased approximately four times, up to 50 per cent. Since 2009 when the benefit for Paternity leave was abolished, there are no statistics on the take-up. In 2013 when Paternity leave payment was re-introduced, 38 per cent of fathers took leave; while in 2014, about 41 per cent of the fathers applied for some leave.¹⁶⁰

¹⁶⁰ Calculations by the Ministry of Social Affairs, using data from Statistics Estonia and Social Insurance Board.

c. Parental leave

No official statistics about take-up of leave are collected. In 2014, nine per cent of the recipients of parental benefit were men (7.4 per cent in 2013)¹⁶¹.

From its introduction in 2004 until 2007, fathers' access to parental benefit was limited and they could take-up the benefit only after their child was six months old; the share of fathers using the benefit was very low, between one and two per cent between 2004 and 2006. In 2007 this restriction was removed and fathers could take up the parental benefit right after the end of Maternity leave (when child is 70 days old); subsequently the take-up by fathers increased slightly and has been around six to nine per cent since.

According to the Labour Force Survey (2010), 90.1 per cent of mothers and 5.4 per cent of fathers of children below eight years old reported that they had taken a Parental leave after the birth of their youngest child. Of those parents who reported taking leave, 35.2 per cent reported that they had taken two to three years, 27.5 per cent one-and-a-half to two years, 23.2 per cent one to one-and-a-half years, and 6.7 per cent six months to one year; only 7.4 per cent of parents were on leave less than six months.¹⁶²

d. Other employment-related measures

In 2013, 25 per cent of parents who received benefit for caring for a sick child (i.e. care leave certificates) were men¹⁶³.

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

a. General overview

Leave policies and childcare arrangements have gained researchers' attention recently as the issues of demographic changes and work-life balance have emerged in the political arena. Previously, research on reconciliation of work and family life, including use of Parental leave, focused mainly on women. No significant research has been done on employers' family-friendly policies.

b. Selected publications since April 2014

None reported.

c. Ongoing research

None reported.

¹⁶¹ Social Insurance Board. <http://www.sotsiaalkindlustusamet.ee/statistika-ja-aruanded-3/>

¹⁶² Statistics Estonia. Available at:

http://pub.stat.ee/px-web.2001/I_Databas/Social_life/09Labour_market/13Work_and_family_life/13Work_and_family_life.asp

¹⁶³ Estonian Health Insurance Fund (2013) *Annual Report 2013*. Available at: https://www.haigekassa.ee/sites/default/files/annual_report_2013_.pdf.

Finland¹⁶⁴

Minna Salmi and Johanna Lammi-Taskula (National Institute for Health and Welfare)

April 2015

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 (*äitiysvapaa/moderskapsledighet*¹⁶⁵) (responsibility of the Ministry of Social Affairs and Health and the Ministry of Labour)

Length of leave (before and after birth)

- One hundred and five working days (i.e. for all types of leave, one calendar week consists of six working days): between 30 and 50 days must be taken before the birth. It is obligatory to take two weeks before and two weeks after birth.

Payment and funding

- Earnings-related benefit. During the first 56 days of leave, the payment is equal to 90 per cent of annual earnings between €8,010 and €56,302, with a lower percentage for earnings above this level. Mothers not employed and those whose annual earnings are less than €8,010 get a minimum flat-rate allowance of €24.02 per working day (€600 per month). After this initial period of leave, benefit is paid at 70 per cent of annual earnings between €10,297 and €36,420, with a lower percentage for earnings above this level. Those whose annual earnings are less than €10,297 before the birth get the minimum flat-rate allowance.
- Mothers are permitted to work while on Maternity leave (except for the obligatory two weeks before and after the birth) but receive only the minimum flat-rate allowance for the days they work. Working on Sundays does not affect the benefit.
- Earnings-related benefits are funded by the sickness insurance scheme, financed by contributions from employers (approximately 72 per cent of the total cost) and employees (approximately 28 per cent). In 2015, employers paid 2.07 per cent of their total salary bill and employees 0.77 per cent of their taxable earnings; these percentages are subject to change in the state budget. The minimum flat-rate allowances and 0.1 per cent of the benefit expenditure are funded from state taxation.

¹⁶⁴ Please cite as: Salmi, M. and Lammi-Taskula, J. (2015) 'Finland country note', in: P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

¹⁶⁵ Names of the different types of leave are given in Finnish and Swedish. Finland is a bilingual country with a Swedish-speaking minority.

Flexibility in use

- None.

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

- Entitlements based on residence, i.e. paid to all women who have lived in Finland, or been insured in another EU or EEA Member State, Switzerland or Israel, for at least 180 days immediately before the date on which their baby is due. The basic formula is that a person entitled to family benefits is also entitled to leave. A woman is entitled to maternity benefit after her pregnancy has lasted 154 days.

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

- In case of premature birth, if the pregnancy has lasted at least 154 days and ends earlier than 30 days before the due day, the mother is entitled to benefit and leave from the next day on for the following 105 days.
- Leave can be delegated to the father if the mother, due to illness, is unable to care for the child; or to another person responsible for the care of the child, if the mother dies and the father does not care for the child.

Additional note (e.g. frequent supplement of state benefit by collective agreements; employer exclusions or right to postpone)

- A brief made for the Committee on Parental Leave shows that in 2010, 96 per cent of employees in the private sector were covered by collective agreements guaranteeing full pay for part of the Maternity leave; in most cases (66 per cent) the full pay is for three months. In public sector collective agreements, coverage is also high. During periods of full pay, the daily benefit is paid to the employer. However, due to the high prevalence of fixed-term contracts for women of child-bearing age, a high proportion of women giving birth do not have an effective employment contract; so only 42 per cent of mothers on Maternity leave receive pay from the employer.

b. Paternity leave (*isyysvapaa/faderskapsledighet*) (responsibility of the Ministry of Social Affairs and Health and the Ministry of Labour)

Length of leave

- Fifty-four working days (nine weeks), of which the father can take one to 18 days while the mother is on Maternity or Parental leave.

Payment (applied for the whole period of Paternity leave) and funding

- Earnings-related benefit. During the first 30 days of Paternity leave taken after Maternity and Parental leave payment is made at 75 per cent of annual earnings between €9,610 and €56,302, with a lower percentage for higher earnings. Fathers not employed and those whose annual earnings are less than €9,610 get the minimum flat-rate allowance. For the remaining period, and for the one to 18 days taken while the mother is on Maternity or Parental leave, payment is made at 70 per cent of annual earnings between €10,297 and €36,420, with a lower percentage for earnings above this level. Those whose annual earnings are less than €10,297 get the minimum flat-rate benefit.

- Fathers are not permitted to work while on Paternity leave. Working on Sundays is permitted as the benefit is paid only for weekdays and Saturdays.
- Funding as for Maternity leave.

Flexibility in use

- One to 18 days can be taken in up to four blocks of time while the mother is on Maternity or Parental leave. Subsequently, all days or the remaining 36 days can be taken at most in two blocks. All 54 days can be taken until the child turns two years of age, and the child can be in day care between Parental leave/Home care leave and Paternity leave.
- Paternity leave is child-specific, so that the birth of the next child before the leave period has elapsed for the previous child does not cancel the father's unused leave entitlement; he can take 24 leave days based on the previous child during the Maternity or Parental leave period for the next child, but only in one segment.

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

- As for Maternity leave, but the father must also live with the child's mother. A single mother cannot use the Paternity leave.

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.

Additional note (e.g. frequent supplement of state benefit by collective agreements; employer exclusions or right to postpone)

- As a result of collective agreements, 60 per cent of all fathers with an employment contract in the private sector, as well as all fathers employed by the state, receive full pay during the five or six first days of the Paternity leave.

c. Parental leave (*vanhempainvapaa/föräldradighet*) (responsibility of the Ministry of Social Affairs and Health and the Ministry of Labour)

Length of leave

- One hundred and fifty-eight working days, to be taken after the end of Maternity leave. This is a family entitlement.

Payment and funding

- Earnings-related benefit. During the first 30 days of leave, the payment is equal to 75 per cent of annual earnings between €9,610 and €56,032, with a lower percentage for higher earnings. Parents not employed and those whose annual earnings are less than €9,610 get the minimum flat-rate allowance. After this initial period of leave, the payment is 70 per cent of earnings between €10,297 and €36,420, with a lower percentage for earnings above this level. Those whose annual earnings are less than €10,297 get the minimum flat-rate benefit.
- Mothers and fathers are permitted to work while on Parental leave but receive only the minimum flat-rate allowance for the days they work. Working on Sundays does not affect the benefit.
- Funding as for Maternity leave.

Flexibility in use

- Each parent can take leave in two parts, of at least 12 days duration.
- Leave can be taken part time, at 40-60 per cent of full-time hours, but only if both parents take part-time leave and only with the employer's agreement. Benefit payment is half of the benefit for full-time leave.
- The law does not specify whether or not parents can take leave at the same time.

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

- As for Maternity and Paternity leave. The father is entitled to Parental leave even if the mother does not fulfil the residence criteria; in this case the father's Parental leave period starts 75 days after the child's day of birth.
- The parental benefit is paid provided the mother has had a check-up by a doctor or a qualified nurse employed in the public health care within 5–12 weeks after the 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

- In the case of multiple births, the length of leave is extended by 60 days for each additional child. Either the father or the mother can use the extended leave, partly or wholly during the Maternity leave or the Parental leave period.
- If due to premature birth the Maternity leave has started earlier than 30 working days before the expected date of delivery, Parental leave is extended by as many working days.
- If the mother does not take part in the care of the child, the father is entitled to parental benefit even if the parents no longer live together, provided that the father is responsible for childcare.
- If the mother dies and the father does not care for the child, the parental benefit can be paid to another person responsible for the care of the child.
- Entitlement to the parental benefit ends if a new entitlement to parental benefit starts due to a next child.

d. Childcare leave or career breaks

- Childcare leave, referred to as 'Home care leave' (*hoitovapaa/ vårdledighet*) can be taken from the end of Parental leave until a child's third birthday. This leave can be taken in two parts, the minimum length being one month. While taking leave, a parent can receive a Home care allowance (*kotihoidon tuki*) consisting of a basic payment of €342.53 a month, with an additional €102.55 for every other child under three years and €65.89 for every other pre-school child over three years plus a means-tested supplement (up to €183.31 a month). This Home care allowance can be paid to any parent – whether or not they are on 'home care leave' from their job – as long as their child is not in a childcare service provided or funded by the local authority. The average home care allowance per family in 2013 was €409 a month. Home care allowance is financed from municipal taxation with a state subsidy of 33 per cent of the costs.

In 2014, 27 per cent of local authorities paid a municipal supplement to the Home care allowance; these supplements averaged €153 a month per child, with a range from €50 to €264. The local authorities usually impose specific conditions on paying the supplement, most frequently that all children in the family below school age are taken care of at home.

If a child under school age is taken care of in a private day care centre or by a private nanny or other person employed by the family and accepted by the local authority, the family is entitled to a private day care allowance (*yksityisen hoidon tuki*), which is €174.38 a month per child. An addition of up to €146.64 a month per child can be paid based on the size and income of the family. In 2014, 38 per cent of municipalities paid a municipal supplement to the private day care allowance; these supplements averaged €219 a month per child in 2013, with a range from €50 to €1,185. The local authorities usually impose specific conditions on paying the supplement, most frequently that the private day care is for over five hours per day.

e. Other employment-related measures

Adoption leave and pay

- Adoptive parents of a child younger than seven years are eligible for Parental leave of 234 working days after the birth of the child (or 200 working days if the child is older than two months when the adoptive parents assume care for the child). Fathers are eligible for the same Paternity and Parental leave as fathers having their biological children. A parent who adopts a child older than 12 months and is married to or co-habits with the parent of the child is not entitled to parental benefit. Adoptive parents are entitled to Home care allowance for a period which ends two years after the Parental leave period started even if the child is older than three years.

Time off for the care of dependants

- Parents of children under ten years can take up to four days leave when a child falls ill (temporary childcare leave, *tilapäinen hoitovapaa/tillfällig vårdledighet*). There are no limits on how often parents can take leave for this purpose during the course of a year. Payment is dependent on collective agreements, but is often at full earnings for three or four days at a time. A parent with joint custody who does not live with a child is entitled to the leave.

Flexible working

- Parents of children under three years are entitled to a Flexible care allowance (*joustava hoitoraha/flexibel vårdpenning*) if, after taking Parental leave, they work less than 80 per cent of the normal full-time hours in the respective field. The Flexible care allowance is €162.78 a month if the weekly working hours are no more than 30 hours or 80 per cent of the normal full-time hours, and €244.18 a month if the weekly working hours are no more than 22.5 hours or 60 per cent of the normal full-time hours. Flexible care allowance can be paid to both parents at the same time if they take care of the child in different hours of the day or different days of the week.
- Parents can work reduced working hours ('Partial childcare leave', *osittainen hoitovapaa/partiell vårdledighet*) from the end of Parental leave until the end of the child's second year at school. The employee is entitled to Partial childcare leave if s/he has been working for the same employer for at least six months during the past 12 months. The employee should negotiate the reduction in hours with the employer, and the employer can refuse only if the reduced working hours would lead to serious disadvantages for the organisation – in that case, working hours must be a maximum of 30 hours a week. Both parents can take Partial childcare leave during the same period, but cannot take leave during the same time in the day. Employees taking Partial childcare leave during the child's first and second year at school are entitled to a Partial home care allowance (*osittainen hoitoraha*) of €98.09 a month. Partial home care

allowance is paid for only one child even if the family has more than one child entitled to the allowance. The allowance is not paid for a leave period shorter than one month.

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

The maximum period of paid post-natal leave available in Finland is 36 months (including low paid 'Home care' leave). The maximum period of high paid leave is 11 months after birth. As there is an entitlement to ECEC from the end of the Parental leave, there is no gap between leave and ECEC entitlements. Levels of attendance at formal services for children under three years are about the average for the countries included in this review and for OECD countries; but below both averages for children over three years. For actual attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

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

In August 2013, the government decided in its structural policy programme on two major family policy reforms. The Home Care Allowance (HCA) period was proposed to be split into non-transferable 13 month quotas for mothers and fathers; and the universal right to childcare services to be restricted to part-time care for those children who have a parent at home with a younger sibling on Maternity, Paternity, Parental or Home care leave or supported by the Home care allowance. The rationale behind the HCA reform was to have mothers return to the labour market sooner than is the case today and thus raise the employment rate of women, and to improve gender equality with fathers increasing their take-up of Home care allowance.

However, the proposals were withdrawn in February 2015 and not presented to the Parliament. The explanation given was that the financial consequences and the impact of the reforms on the public finances had been recalculated during the preparation of the reforms, showing that the reforms would not have the desired effect. During the 17 months preparation period, the reforms met much critique from NGOs related to families and children as well as from many researchers. Researchers emphasised that the gender equality goals of the HCA reform were not likely to be reached, even if they were good in intent. The ongoing THL study on the take-up of different forms of family leave indicates that in the focus families of the HCA reform – families with a two-year-old child – mothers who still take care of a child supported by the HCA have a low level of education and a precarious or no relation to the labour market. Thus they have difficulty finding employment due to a low supply of jobs for people with a low level of education as a consequence of the globalised economy and the prolonged economic crisis. The suggested reform would rather have led to growing unemployment rate than to growing employment rate of mothers.¹⁶⁶ The findings of the THL study also indicate that, given that only six per cent of fathers use the HCA, those that do so are mainly well-educated spouses of well-educated women, while men with a spouse with a low level of education use the HCA to much lesser degree. Fathers' main reason for not using the HCA is the consequences to the family economy¹⁶⁷. Fathers in the focus families of the proposed HCA reform could not have afforded to take their quota of the HCA, if mothers were unemployed or could only have low-paid jobs.

¹⁶⁶ Närvi, J. (2014) 'Äidit kotona ja työssä – perhevapaavalinnat, työtilanteet ja hoivaihanteet' ['Mothers at home and at work – leave choices, work situations and care ideals'] *Yhteiskuntapolitiikka*, Vol.79, No.5: 543–552. Also Minna Salmi & Johanna Närvi, presentation in the LP&R Network's annual seminar 2014 (www.leavenetwork.org).

¹⁶⁷Ongoing study by Minna Salmi, Johanna Lammi-Taskula and Johanna Närvi, www.thl.fi/perhevapaatutkimus. See section 5 below.

A new parliament was elected in Finland in April 2015. In their election campaigns, only a few parties presented suggestions for Parental leave or HCA reforms but some more concrete proposals are presented in their programmes. The Centre party, which won the election and will lead the future government, opposes introducing quotas in the HCA period or shortening it. In its family policy programme the Centre party suggests a lengthening of Parental leave to 18 months in the long run (or, alternatively, a higher level of the HCA), and a “moderate augmentation” of the father’s quota. The second largest party, the True Finns, did not have suggestions of leave policy in their campaign but oppose the HCA quotas in their social policy programme. They do not have suggestions related to Parental leave or day care services. The third largest party, the National Coalition Party (the conservatives), suggests a shortening of the HCA period and a lengthening of the Parental leave instead, with “an encouragement of fathers to take a more prominent part of the Parental leave”. The Social Democratic party, with fourth place in the election, suggests a reform to the Parental leave, a “flexible model” where the mother’s quota would be the present four months, the transferable part of the leave would be lengthened from the present six to nine months, and the father’s quota would be lengthened from the present two months to three months. The Green Party, the Left Alliance and the Swedish People’s Party stand for the 6+6+6 model of Parental leave where both mothers and fathers would be entitled to a six months’ quota and the third six months’ sequence would be transferable between the parents. In their suggestions to the future government, the highest officials of all ministries speak of the need for a higher labour force supply, while the highest officials of the Ministry of Finance in their own suggestions explicitly mention the HCA as one of the policy schemes which are “problematic from the point of view of the labour force supply”, thus continuing the many years’ work of the Ministry to shorten the HCA period (see Country report from 2014).

In its family policy programme the Centre Party is ready to restrict the universal right to day care services to part-time according to the former proposal “with certain conditions”. The Social Democratic Party is for “a wide entitlement to day care services” but does not explicitly take a stand for a universal right. The Greens and the Left Alliance want to ensure the universal right while the Swedish People’s Party in its family policy programme from 2014 took the proposed day care reform for granted and did not oppose the restriction.

In its programme the new government (a coalition of Centre party, conservatives and True Finns), appointed in May 2015, plans to restrict the universal right to daycare services along the lines of the withdrawn proposal of the previous government and decrease the parental benefit for part of Parental leave. The programme does not include plans to develop Parental leave schemes.

4. Take-up of leave

a. Maternity leave

Almost all mothers use the leave. Two weeks of leave before and two weeks after the birth are obligatory. Approximately 1.5 per cent of mothers entitled to Maternity leave have been employed during the leave period in 2006 to 2008.

b. Paternity leave (one to 18 days that can be taken while the mother is on leave)

Paternity leave was reformed from the beginning of 2013 into a nine weeks leave which includes the former one to 18 days Paternity leave and the former six weeks father’s month (that is the bonus Paternity leave days plus the last two weeks of the preceding Parental leave available for fathers between 2003 and 2012). Statistics for 2013 allow a separate review of the take-up of the first 18 days of the new Paternity leave which can be taken while the mother is on Maternity or Parental leave (comparable with the old Paternity leave) and the remaining

36 days which are taken after the Parental leave. The analysis of the fathers' take-up of leave is based on the ongoing THL study⁴ where the respondents had their child in 2011 and still used the entitlements of the old scheme. These findings are thus comparable with findings of earlier research.

Since the end of the 1990s, the great majority of fathers have taken the one to 18 days' Paternity leave, or, since 2013, the first one to 18 days of the Paternity leave. The proportion of fathers taking this leave increased from 40 per cent in 1990 and 76 per cent in 2000 to 84 per cent in 2012, with a slight drop to 83 per cent in 2013. The average length of the leave taken was 15 working days both in 2012 and 2013.

The earlier one to 18 days of Paternity leave has been taken by fathers irrespective of their socio-economic background, or that of their spouses¹⁶⁸. Fathers who took only Paternity leave tended to take slightly longer periods after the bonus leave was introduced in 2003¹⁶⁹. Two-thirds of fathers took the whole three weeks Paternity leave; men who were more likely to take the whole leave included fathers of first-born children, students and entrepreneurs. Length of Paternity leave does not correlate any more with the father's age, education or income level or socio-economic status⁶.

c. Parental leave and fathers' individual leave (i.e. the days of Paternity leave to be taken after the Parental leave)

The 158 days of Parental leave is mostly taken by mothers. Almost all mothers take Parental leave whereas only two to three per cent of fathers took a longer Parental leave than the two weeks of the father's month over the years it was available. Less than one per cent of mothers entitled to Parental leave did not take the whole leave period even if the father did not take Parental leave in 2004–2007. Less than four per cent of mothers work to some extent during the leave period.

Even if the popularity of the short Paternity leave is high, in 2013 only 18,366 fathers, i.e. about 32 per cent of all fathers, took the father's month (still the entitlement for families where the Maternity leave started before 1 January 2013) or the six weeks of the new Paternity leave to be taken after the Parental leave. The proportion taking leave has remained the same as in 2012. The average length of leave taken by fathers after Parental leave also was the same 21 days in 2012 and 2013¹⁷⁰.

The father's month, from 2003 to 2012, under which there were bonus days of Paternity leave for fathers who took the last two weeks of Parental leave, increased the number of men taking Parental leave from 1,700 in 2002 to 5,700 in 2005, 12,156 in 2009 and 18,716 in 2012 – 32 per cent of fathers. Within the new scheme in 2013, however, while 32 per cent of fathers took a longer Paternity leave, only 698 fathers, that is 1.2 per cent of fathers, took Parental leave. The average length of leave of those fathers who do take Parental leave has fallen; from 64 working days in 2002 to only 18 in 2013.

Although the father's month became gradually more popular, its contribution towards equalising parental responsibilities was called into question as, in a clear majority of families,

¹⁶⁸ Salmi, M., Lammi-Taskula, J. and Närvi, J. (2009) *Perhevapaat ja työelämän tasa-arvo [Family leaves and gender equality in working life]*. Helsinki: Ministry of Employment and the Economy.

¹⁶⁹ Hämäläinen, U. and Takala, P. (2007) 'Isien perhevapaat ja tasa-arvo' [Fathers' use of family leaves and equality], in: R.Lilja, R. Asplund and K. Kauppinen (eds) (2007) *Perhevapaavalinnat ja perhevapaisten kustannukset sukupuolten välisen tasa-arvon jarruina työelämässä? [Do the choices and costs of family leave hamper gender equality in working life?]* Helsinki: Ministry of Social Affairs and Health.

¹⁷⁰ Social Insurance Institution (2014) *Statistical Yearbook 2013*. Available at: www.kela.fi/statistics.

the mother stayed at home during the father's month because she planned to continue to care for the child at home supported by the Home care allowance, and the father had to take his leave within six months of the end of the Parental leave⁵.

Men with high education, employed in the public sector in higher white-collar positions, and whose partners also have high education, have been and still are more likely to take the father's month – but the leave periods they take are shorter than those taken by men with less education^{4,5}. Overall, Parental leave is shared more often in families where both spouses have a high level of education and a medium or high income. Taking father's month is also more common among men over 30 years of age, and among men with only one child⁴.

The part-time option for taking Parental leave has not been popular. In 2003, the first year that it was available, 37 parents received the partial parental allowance, rising to 84 in 2004 and 117 in 2007. This means that about 0.1 per cent of families with a new-born child used the new arrangement in its first five years. The use has not increased subsequently; it has varied between 63 parents in 2012 and 120 in 2010, being 100 in 2013 (www.kela.fi/kelasto).

d. Childcare leave or career breaks

Almost all families (88 per cent in 2013) take advantage of the Home care allowance (HCA) and Home care leave, at least for some time after Parental leave. Since 2006, statistics are available of use by women and men, showing that HCA is used almost entirely by mothers. In 97 per cent of all families receiving HCA, one of the parents takes care of the child and in 97 per cent of these families the carer is the mother.

In the long run, HCA has become less popular; the proportion of children aged nine to 24 months taken care of at home supported by the HCA has dropped from 58 per cent in 2000 to 49 per cent in 2013. Recently the take-up has varied: HCA was paid to 87 per cent of families whose Parental leave ended in 2005, dropping to 84 per cent for 2006 but rising again to 88 per cent from 2007 on. At the same time the proportion of under three-year-olds taken care of and supported by the HCA has varied between 53 and 49 per cent¹⁷¹. The year-to-year variation of HCA take-up is probably due to variations in female labour force demand and in the composition of women giving birth. The decreasing popularity in the long run matches the growing proportion of young children attending childcare services from 2000 to 2013: while the proportion of under-one-year-olds in these services has dropped to less than one per cent, the proportion of one- and two-year-olds has risen from 35 to 41 per cent.¹⁷²

Statistics also enable an assessment of take-up periods of HCA. In families paid this allowance at some point before their child turns three years¹⁷³, periods taken have divided rather evenly during the past years: 26-30 per cent take less than seven months, 22-26 per cent between seven and 12 months, 27-29 per cent between 13 and 24 months, and 16-25 per cent longer than 24 months (the maximum length being 26-27 months). However, the proportion taking the longest period has declined from 2003 to 2013 from 25 to 15 per cent while the proportion taking the shortest periods has risen from 26 to 30 per cent. The (few) male recipients of HCA took less of the longest periods than their female counterparts (11 per cent) (calculations

¹⁷¹ Report of the Working group on flexibility of the home care allowance and the child care system, Ministry of Social Affairs and Health, Reports 2013:14.

¹⁷² Säkkinen, S. and Kuoppala, T. (2014) *Lasten päivähoido 2013 [Children in daycare 2013]* Helsinki: THL Statistical Report 33/2014.

¹⁷³ These statistics exclude all families receiving Home care allowance where the person taking care of the child is not a parent; however, these families only comprise 2-3 per cent of all recipients.

based on Statistical Yearbooks of the Social Insurance Institution 2004-2013). In the long run, from 1999 to 2010, the median length of HCA periods has been ten months.¹⁷⁴

Only six per cent of fathers annually have been recipients of the HCA during the years 2006–2013. The THL study⁴ on fathers who had a child in 2011 shows that fathers' take-up of Home care leave supported by the HCA has the same pattern as that of the take-up of the father's month. It was most often taken by fathers whose spouses had academic education; fathers whose spouses had a low level of education took Home care leave much less frequently. The spouse's education level was the main predictor of fathers' interest in taking Home care leave, but fathers' own education also played a role: well-educated fathers took childcare leave significantly more often than fathers with a low level of education. Fathers took Home care leave more often with their first child than with the subsequent children, and fathers over 30 took childcare leave more often than younger fathers.

The fathers who answered the THL questionnaire in 2013 had taken some form of family leave and were thus more active leave users than the average father. Of these fathers, however, three in four say that they have not used Home care leave with HCA when their child is two years old, and will not use it. The main obstacle for taking the leave is the family economy, which 58 per cent of fathers mention hinders them from taking childcare leave. One in five fathers does not take the leave as their spouse does not have a job. Work-related reasons such as nature of work or work pressure were mentioned by only one in six fathers.¹⁷⁵

The debate on possible cuts to the HCA period (see section 3 above) led to calculations on how many two-year-olds and their siblings are taken care of at home supported by the HCA. At the end of 2010, 36 per cent of two-year-olds belonged to this group either as the primary HCA recipient (69 per cent) or as a sibling of a younger HCA recipient (29 per cent). In 40 per cent of families the HCA covers the care of one child, in another 40 per cent two children, and in 19 per cent three or more children (calculations by Anita Haataja and Siru Keskinen, Social Insurance Institution.) Nine per cent of three to seven-year-olds (27,600 children) were taken care of at home as siblings of younger children receiving HCA.

Only 10 per cent of mothers giving birth in 2004 returned to employment or studies right after Parental leave: on average mothers stayed at home until their child was 24 months old. Just less than half (46 per cent) of mothers were employed when their child was two years old, also just under half were at home on care leave, either on HCA without a job waiting for them or already on Maternity or Parental leave with another baby. Some women at home were officially unemployed or combined home care of children with studying or part-time work. The longest HCA periods were more often taken by mothers with a low level of education, over 40 years of age and with three or more children⁵.

A study based on register data shows that half of women who had their first child in 1999 took Maternity, Parental and Home care leave at most until their child was 18 months old; while almost 30 per cent stayed on leave for 36 months or longer, 10 per cent for almost five years. For these mothers, the leave which started with their first-born child continued without a break with successive children¹⁷⁶. Thus it seems that, contrary to common beliefs, only a small majority of Finnish mothers stay at home on family leave for several years non-stop, and it is a minority that takes the maximum length of leave.

¹⁷⁴ Aalto, A. (2013) *Katsaus osittaisen hoitorahan käyttöön 2000-luvulla* [Review on the take-up of partial home care allowance in the 2000s]. Helsinki: Kela Työpapereita 43/2013.

¹⁷⁵ www.thl.fi/perhevapaatutkimus

¹⁷⁶ Haataja, A. and Hämäläinen, U. (2010) 'Viekö haikara tasa-arvon? Puolisoiden väliset tuloerot lapsiperheissä' ['Does the stork wash away gender equality? Income differences between spouses in families with children'], in: U. Hämäläinen and O. Kangas (eds.) *Perhepiirissä* [In the family circle]. Helsinki: Kela.

The THL survey made in 2013 of parents with a child born in 2011 shows that 46 per cent of all mothers were employed and 40 per cent were at home taking care of the child/children when the child was two years old. One in four mothers of two-year-olds were already on leave with a younger child. Of those mothers whose youngest child was the two-year-old, only 24 per cent were still at home taking care of the child supported by the HCA while 59 per cent were employed and 17 per cent did something else such as studying or else were unemployed. Further analysis indicated that a mother whose youngest child is two-year-old is more likely to be employed if she was employed before the child was born, if she has a high level of education, and if she had a valid employment contract when the child was born. A mother is more likely to be still at home with the two-year-old if she was not employed before the child was born, she has a low level of education and not a valid employment contract, and has been unemployed during the past five years, and also if she has three or more children. This study also showed that when mothers' individual motivations for relying on the HCA are analysed, the issue where at-home mothers and at-work mothers differ most was the mother's view on "mother's place": 59 per cent of at-home mothers think that mothers of young children should stay home, while only 35 per cent of at-work mothers think so. When the significance of the "mother care ideal" for the mother's activity is analysed together with the factors related to education and position in the labour market, both types of explanatory factors prove to be important. Level of education and labour market experiences still predict the mother's activity, but a traditional view on mother's place at home doubles the probability a mother still being at home with the two-year-old.¹⁷⁷

Earlier only a small number of families – 2,100 in 2003 – took advantage of Partial childcare leave. After the reform making parents of younger school children eligible for the Partial care allowance, the number of families increased and was 10,365 in 2008; the number then decreased to 9,995 in 2009 but was again 14,035 in 2013. Forty-three per cent of these families had a child under three years. The recent increase happened among the parents of school children (from 6,545 to 7,932 families), but especially among the parents of younger children. The take-up of Partial childcare leave for under three-year-olds increased after a small decrease between 2007 and 2008; in 2009 it was paid to 3,449 families and in 2013 to 6,103 families, with 4.1 per cent of under three-year-olds and 6.8 per cent of seven to eight-year-old school children receiving the allowance in 2013. Partial childcare leave for under three-year-olds was mostly (94 per cent) used by mothers and was most usually taken (40 per cent) for not longer than six months; a third of the users took it for seven to 12 months and a quarter for more than 12 months⁷. From 1999 to 2010, the median length of Partial care leave periods with children under three years was eight months. Partial care leave was taken more often by women with a high education level and high socio-economic status, less often by young mothers, perhaps because they are less likely to have permanent employment. In families with a child under three years, mothers almost always (80 per cent) took Partial care leave after a period of HCA period taken after Parental leave; on average, the child was 18 months old when the mother started her partial care leave¹¹. Thus partial care leave did not function as an alternative to HCA but as a transition from full-time HCA to part-time employment.

The new Flexible care allowance, available from the beginning of 2014, seems to be much more popular than the previous Partial care allowance for under three-year-olds. According to preliminary statistics, 15,251 children have been taken care of supported by this allowance in 2014 (www.kela.fi/kelasto) while in 2013 only 5,581 under three-year-olds were taken care

¹⁷⁷ Närvi, J. (2014) 'Äidit kotona ja työssä – perhevapaavalinnat, työtilanteet ja hoivaihanteet' ['Mothers at home and at work – leave choices, work situations and care ideals'] *Yhteiskuntapolitiikka*. Vol.79 No.5: 543–552. See also footnote 4.

of supported by the Partial care allowance¹⁷⁸. Only one in ten recipients of the Flexible care allowance were fathers.

The use of the private day care allowance for under three-year-olds has remained quite stable: in 2013 4,646 families received this allowance for a child under three years, while the figure was 4,470 in 2011 and 4,403 in 2010. Even this allowance is primarily used for the care of children over three years; 3.3 per cent of under three-year-olds and 4.6 per cent of under-seven-year-olds received the allowance in 2013¹⁵.

The results of recent research confirm earlier findings that the length of leave periods taken by mothers depends on the mother's level of education and her possibilities and experiences in the labour market as well as how easy it is to find employment especially for women with a low level of education. The leave schemes also seem to create two categories of women: women with higher levels of education and better employment prospects have more options, being able to choose between a shorter or a longer family leave period, maybe also between a period of part-time work and working full time; women with little education and less opportunities in the labour market have fewer alternatives. So, a woman with a fixed-term contract or without work prior to the birth of her child is more likely to stay at home for a longer period supported by the home care allowance. The HCA, therefore, seems to have become an income source for unemployed women; rather than functioning as an alternative to the use of childcare services, as intended, it also serves as an alternative to unemployment, giving also room to identifying with a strong mother care ideal instead of the socially less valued identity of the unemployed^{4, 5, 14, 179}.

e. Other employment-related measures

There are no annual statistics available on the take-up of temporary childcare leave. In the Quality of Work Life Survey from 2008, 72 per cent of employed mothers and 56 per cent of employed fathers with children under 10 year had taken temporary childcare leave during the past 12 months, compared to 65 per cent of mothers and 52 per cent of fathers in 2003. In families where both parents have full-time employment, 80 per cent of mothers and 68 per cent of fathers have taken temporary childcare leave¹⁸⁰. Of fathers with a child under three and an employed spouse, almost two thirds had taken the leave during the past year⁵.

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

a. General overview

Research on statutory leave entitlements and on take-up is done on the initiative of individual researchers; no systematic follow-up takes place except for basic statistics. Research has been focused on the take-up of Parental leave and Home care leave and their connections with women's labour market participation, as well as on fathers' take-up of different forms of family leave, with ongoing research also developing comparisons over time of the preconditions and obstacles of leave take-up. Recent research has compared leave schemes and their take-up and consequences in the Nordic countries and also widened the focus to workplace attitudes and practices in connection with leave take-up. In addition, decision-

¹⁷⁸ Social Insurance Institution (2014) *Statistical Yearbook 2013*. Available at: www.kela.fi/statistics.

¹⁷⁹ Lammi-Taskula, J. (2004) 'Äidit työmarkkinoilla – kahden kerroksen väkeä?' ['Women in the labour market – people on two stories?'], *Yhteiskuntapolitiikka*, Vol.69, No.2: 202-206.

¹⁸⁰ Lehto, A-M. and Sutela, H. (2009) *Three decades of working conditions. Findings of Finnish Quality of Work Life Surveys 1977–2008*. Helsinki: Statistics Finland

making between parents and fathers' and mothers' reasons for leave-taking have been studied, as well as the consequences of leave-taking to the economic position of families.

Recently, register-based data have been used to study longitudinally the consequences of mothers' leave-taking for their career and wage development. Another recent study has focused on the consequences of the HCA for mothers, and recent research also covers leave take-up among immigrants. Presently qualitative research is underway on mothers' choices of care and career in the context of insecure working life, and on various factors affecting the timing of mothers' return to employment from family leave.

b. Selected publications since April 2014

Närvi, J. (2014) 'Äidit kotona ja työssä – perhevapaavalinnat, työtilanteet ja hoivaihanteet' ['Mothers at home and at work – leave choices, work situations and care ideals'], *Yhteiskuntapolitiikka*, Vol.79, No.5: 543–552. Available at: <http://urn.fi/URN:NBN:fi-fe2014110345996>

Findings of the article described above in sections 3 and 4.

Salmi, M. and Lammi-Taskula, J. (2014) 'Policy goals and obstacles for fathers' parental leave in Finland', in: G. B. Eydal and T. Rostgaard Tine (eds.) *Fatherhood in the Nordic Welfare States – Comparing Care Policies and Practice*. Bristol: Policy Press, 303–324

This chapter analyses why Finnish fathers do not take more Parental leave, even if promoting gender equality has been a longstanding goal of family policy in Finland. It shows that the obstacles are to be found not only in factors at the individual level but also in the structuring of leave schemes and in the special Finnish policy making process where the schemes are developed as compromises in tripartite negotiations between the central employer and employee organisations and the government. The development of fathers' leave take-up is analysed as an issue of choice and change based on a combination of policy evaluation and survey data. The theoretical framing is in everyday life theory, which interweaves the levels forming the context of fathers' choices to take or not take Parental leave: the policy process which defines the available options; the different layers of everyday practices in the workplace and in the family together with the individual motivations constructed in these practices; and the understandings of gender constructed and reconstructed in the ongoing and changing practices. Both continuity and change are produced in the interaction of structural conditions and the choices actors make in their everyday practices. The policy analysis is based on an evaluation of governmental policy documents on parental leave 1995–2011 and on participatory observation of the policy process. The goal of promoting gender equality is presented in the documents but it is not the main interest of the tripartite negotiations. The authors conclude that the structuring of leave schemes has not actualised the goal of improved gender equality. They argue that the policy process shapes the leave schemes and, thus guiding the choices, eventually also shapes the take-up of leave and the slow improvement of gender equality.

Salmi, M. and Närvi, J. (2014) 'Perhepoliittiset uudistukset ja pienten lasten vanhempien mielipiteet' ['Family policy reforms and opinions of parents with young children'], *Yhteiskuntapolitiikka*, Vol.79, No.4: 413–423. Available at: <http://urn.fi/URN:NBN:fi-fe2014090444487>

The article analyses the government's two reform proposals to divide the Home care allowance period evenly into non-transferable 13 month quotas for mothers and fathers, and to restrict the universal right to childcare services to part-time care for those children who have a parent at home on leave with a younger sibling. The proposals are assessed in relation to the aims and history of Finnish family policy in the long run, with its tension between promoting the father's quota and the 'free choice of families'. The article also describes the political agenda from which the proposals rose, where the subjective right to day care services has

been questioned since 2004 and suggestions to shorten the HCA period repeated since 2010. The proposals are also analysed in the light of opinions of parents with a two-year-old child who themselves are in the life phase on which the reforms focus. Findings of a survey from 2013 indicate that parents of young children do not support splitting the Home care allowance period between the parents: only ten per cent of mothers and fathers agree on splitting the period into non-transferable quotas to mothers and fathers. Opinions on restricting the universal right to day care services are more divided. A great majority of parents support the universal right, but at the same time a majority are also for restricting the right to part-time services for children who have a parent at home on leave with a younger sibling; however, support to the universal right is stronger than that to the restriction of the right. A comparison over time shows that during the 2000s fathers have been more frequently for the universal right than mothers, and mothers' opinions have changed more sharply since 2006.

Eerola, P. (2015) *Responsible fatherhood: A narrative approach*. Jyväskylä: Jyväskylä Studies in Education, Psychology and Social Research nr 520. Available at: <http://urn.fi/URN:ISBN:978-951-39-6111-4>

This PhD thesis is situated at the intersection of the family and gender research traditions in education and sociology with the aim to study the narratives of responsible fatherhood produced by Finnish men in their early fatherhood years. The study is based on 60 interviews made in 2003 and 2008–2011 with 44 fathers of young (six months to four years old) children; 16 of them were interviewed twice with an interval of two years. Over the last three decades in Finland, men's share in child care has broadened notably. At the same time, the cultural expectations of fathers and understanding of men as parents have also changed and become more care- and nurture-oriented. The author analyses in what terms responsible fatherhood is conceptualized, and what gendering of responsibility men's narratives reveal. The thesis draws on narrative methodology. In the men's narratives, the comprehensive engagement of fathers in caregiving from the very beginning of parenthood emerged as a major feature of responsible fatherhood. That is, nurture and hands-on care by fathers were seen as self-evident and performed on the father's initiative. In many ways, differences between fathering and mothering were not emphasised, as the narratives were close to or parallel with the cultural portrayals of "good" motherhood. Also, traditional paternal responsibilities such as breadwinning were narrated as shared parental duties in principle, though the fathers' accounts highlighted how these ideals were not always realized in everyday life. However, it seems that fathers have moved closer towards the intimate and emotional core of the family, and fatherhood has become a life domain in which men are allowed, even required, to show their emotions and act in many ways that run counter to what has traditionally been understood as masculine. Conceptually, the narratives highlighted issues such as taking a comprehensive share in nurture and care that have not previously been seen as part of responsible and involved fatherhood.

Tervola, J. (2015) 'Maahanmuuttajien kotihoidon tuen käyttö 2000-luvulla' ['Use of Homecare allowance among immigrants in the 2000s'], *Yhteiskuntapolitiikka*, Vol.80, No.2: 121–133. Available at: <http://urn.fi/URN:NBN:fi-fe201504162727>

This study compares Home care allowance (HCA) use among immigrant and native families for children born in 1999–2007. As the HCA is used with almost 90 per cent of all children, the article concentrates on analysing the length of benefit spells. To infer whether the differences are really due to immigrant status or cultural differences, demographic and socio-economic factors are controlled. The study is based on longitudinal register data drawn from several administrative sources. Immigrant children are divided into four groups based on mother's country of birth. HCA spells are longer in all immigrant groups as compared with natives. The differences remain significant after controlling for demographic and socioeconomic factors. The results likely reflect immigrants' weaker position in the labour market. HCA spells are the longest in families coming from refugee countries, i.e. the group that would need the most support with integration. However, it seems that immigrants use the sibling supplement less often, and the gap to natives has narrowed for all groups during the study period.

c. Ongoing research

Family, kinship and social ties in three phases of life (2012–2016). Aino Luotonen, doctoral study at the University of Helsinki.

This qualitative doctoral study explores in what ways family and kinship ties and other significant relationships are constructed and changed in the lives of young Finnish adults forming their own family. It focuses on the social support received and exchanged by mothers on family leave but studies also two other phases in the family formation process: planning to get married and returning to work from family leave. The analysis is based on 12 focus group interviews with mothers of one-year-olds, nine interviews with couples planning their wedding and other qualitative data. Contact: Aino Luotonen at aino.luotonen@helsinki.fi.

Families with children (2012–2015). Social Insurance Institute (Kela).

The research department of the Social Insurance Institute is organising a comprehensive data base on families with children based on several registers. The data covers more than half of all mothers who have given birth between 1999 and 2010 and their families. Using this data base, the project investigates the relations between the policy reforms of the 2000s and changes in the sharing of Parental leave, as well as the relations between parents' choices and their labour market position, their family economy and their life in the long run. Moreover, the project aims at developing calculation models that simulate the alternative costs to families and to public funds of varying child care periods and forms of child care. A third aim is to investigate how employer characteristics, or parent's lack of employment, effect the take-up of Parental leave and child Home care leave. Contact: Anita Haataja at anita.haataja@kela.fi.

Family leaves, economic crisis and gender equality (2013–2016). Minna Salmi, Johanna Lammi-Taskula and Johanna Närvi, National Institute for Health and Welfare (THL).

Based on a survey of mothers and fathers with a child born in 2011, this study investigates the consequences of the economic crisis, which started in 2008, for mothers' and fathers' opportunities and obstacles for taking Parental and Home care leave. A comparison of the findings with those from similar survey data from 2001 and 2006 will bring out the changes in take-up and reasons for taking or not taking leave. The study asks if the economic crisis affected the duration of mothers' Home care leave, and if a long leave period is due to difficulties in finding employment. A special focus is on the possible connections of the economic crisis on fathers' choices to take or not take Parental leave: to what degree do the changing conditions of working life lead to growing work pressures that act as obstacles for fathers' take-up of leave. The study also investigates parents' assessments of the possibilities to combine part-time work and part-time leave as well as their ideas of how to develop the family leave schemes. Contact: Minna Salmi at minna.salmi@thl.fi.

Fathers on leave alone in Finland: negotiations and lived experiences (2013–2014). Johanna Lammi-Taskula, National Institute for Health and Welfare (THL).

This study is part of the international Fathers on Leave Alone -book project. Interviews with seven fathers who have taken a longer leave (from two months to two years) show that negotiations with the spouse about leave are related to the position of both parents at the labour market, but also to ideas about the child's best interest. The interviews show that it is easier to negotiate the sharing of childcare responsibility in case the parents share similar ideals of what is best for their child. Also, agreement by the parents about gender equality as something positive is related to the sharing of leave. Many of the interviewed fathers had decided to take leave with their spouse already during pregnancy. All of them had reconsidered their priorities in life during leave, and the experience of being the primary caretaker of the child influenced their way of thinking about fathering and helped them to find their own, individual way of caring. Negotiations about longer leave at the workplace are testing the gendered limits of family friendliness: especially highly educated middle class

fathers expect their employer to allow them also to be caring parents. As the leave periods were relatively long, the fathers learned many new skills during their time home alone with the child, taking full responsibility for a very young child. They were often able to take advantage of these skills when they returned to work: they were more patient, more organized and more effective. This positive impact of parental leave may often remain invisible at the workplace level. Contact: Johanna Lammi-Taskula at Johanna.lammi-taskula@thi.fi.

Fathers and parental leave reform – who were not reached by the reforms? (2014–2016). Miia Saarikallio-Torp and Anita Haataja, Social Insurance Institution.

The study investigates the profile of fathers who do not use any form of leave available to fathers, and asks has the profile of the non-users changed in the 2000s. Moreover, a comparison is made between couples who share parental leave and those where mothers use the bulk of the leave. Also the outcomes of sharing parental leave (income, couple stability) will be investigated longitudinally. The study is based on the Social Insurance Institute's data on families with children (see above) where the Institute's register data on leave benefit receivers has been completed with data of the employment statistics of Statistics Finland. Contact: Miia Saarikallio-Torp at miia.saarikallio-torp@kela.fi.

Desire for good motherhood: Self-practices of young mothers in vulnerable labour market positions. (2014–2015) MA thesis by Erika Mäntylä, University of Eastern Finland

The study analyses how young women in vulnerable labour market positions understand their place between home and working life in the context created by family policy and social security schemes. The study aims to find out how young mothers structure their situation between their weak labour market position and care solutions of young children. The focus is on mothers' self-practices in the context of different cultural expectations related to motherhood. Media discourse gives the impression of a great concern of young mothers: productivity discourse entails worry over mothers' prolonged use of the HCA and their low employment rate; while psychosocial expert discourse entails worry over the suitability of daycare services to young children and questions mothers' quick re-entering to employment. The theoretical framework of the study is based on Michel Foucault's ideas of self-practices and construction of the moral subject, the research question being what are the mothers' self-practices. The study is based on six thematic interviews with 26 to 29-year-old mothers who have had temporary employment contracts but have stayed at home after having a child. When the interviewed mothers reflect on their lives, they construct themselves as moral subjects by analysing their behaviour in relation to norms, rules and conventions. The mothers' self-practices are founded in family-orientation, with a conscious decision to care for the child at home as long as possible. They construct themselves as actors primarily safeguarding the interests of the child. The idea of homecare being better suited for young children constructs the mothers as moral subjects, and the expert discourse of the ideal mother taking care of the child at home for three years has become a moral norm for the mothers; thus the maximum available length of the HCA period can also be interpreted as a social norm of the ideal length of the homecare period. However, the mothers also contemplate themselves from the point of view of self-realisation and ponder what happens to their labour market position during the childcare period. They interpret the childcare period as a proof of commitment for the future working life. Contact: Erika Mäntylä at erikanis@student.uef.fi.

France¹⁸¹

Jeanne Fagnani (CNRS-IRES), Danielle Boyer (Caisse nationale des allocations familiales) and Olivier Thévenon (Institut national d'études démographiques)

April 2015

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 (*Congé de maternité*) (responsibility of Ministry of Labour, Social Affairs, Family, Solidarity and Urban Affairs)

Length of leave (before and after birth)

- Sixteen weeks: at least two weeks before the birth, the remainder can be taken before or after. It is obligatory to take leave.

Payment and funding

- Hundred per cent of earnings, up to a ceiling of €3,170 a month. In the public sector, the leave is fully paid (i.e. there is no ceiling). In the private sector, some employers (particularly larger companies) pay in full, others do not.
- Funded from health insurance¹⁸², financed by contributions from both employees and employers. The total amount of this contribution is 15.45 per cent of gross pay, including all social contributions, with employees contributing 2.35 per cent and employers 13.10 per cent.

Flexibility in use

- Two weeks can be taken before or after birth

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

- All employees and self-employed workers.

¹⁸¹ Please cite as: Fagnani, J., Boyer, D. and Thévenon, O. (2015) 'France country note', in: P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

¹⁸² The present social security system, including statutory health insurance, officially came into being with the Ordinance of 4 October 1945 which aimed to cover all the so-called 'social risks'. In 1967 social security was separated into four branches: health insurance (which represents the largest share of expenditures devoted to social protection), pensions, family allowances, and insurance for work-related accidents and occupational illnesses.

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

- In the case of multiple or premature births, the length of leave increases to 12 weeks after birth.
- Mothers having a third or higher order child receive 24 weeks of leave.

b. Paternity leave (*Congé d'accueil à l'enfant* – literally 'leave for looking after a child') (responsibility of Ministry of Labour, Social Affairs, Family, Solidarity and Urban Affairs)

Length of leave

- Two weeks (11 working days).

Payment and funding

- Payment and funding as for Maternity leave (see 1a).

Flexibility in use

- Leave must be taken within the four months following the birth.

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

- All employees and self-employed workers.

c. Parental leave (*Congé parental*) (responsibility of Ministry of Labour, Social Affairs, Family, Solidarity and Urban Affairs)

Length of leave

- Until the child reaches three years. Leave is an individual entitlement, i.e. both mother and father can take leave until the child is three years old.

Payment and funding

- Childcare allowances or childrearing benefits - *Complément de libre choix d'activité* (CLCA) and *Complément optionnel de libre choix d'activité* (COLCA) – were previously available to all families who met the eligibility condition, whether or not parents take Parental leave. Since 1 January 2015, the CLCA/COLCA have been revised and replaced by 'PreParE' (*Prestation partagée d'éducation de l'enfant*, Childrearing shared benefit). CLCA and COLCA continue to be paid to families with a child born before 1 January 2015. The benefit amount is income-related (approximately €391 per month for PreParE) and dependent on working time (for CLCA/COLCA and PreParE)
- For parents with *two or more children* (under 20 years of age), CLCA and PreParE can be paid until a child is three years old. However, in the case of PreParE the payment can be made for a maximum period of 24 months to any one parent, which means that the remaining 12 months can only be received by the other parent, who must stop employment or reduce working hours.
- For parents with only *one child*, CLCA is paid until six months after the end of the Maternity leave. However, in the case of PreParE the payment is extended for a maximum period of 12 months, but only for six months to any one parent, which means

that the remaining six months can only be received by the other parent, who must stop employment or reduce working hours.

- COLCA is available to large families (with at least three children): a flat-rate payment of approximately €800 is made on condition that one parent stops working completely. However the duration is only for one year. Large families can choose between COLCA and CLCA.
- CLCA, COLCA and PreParE are paid by the local CAFs (*Caisse des allocations familiales*), the Family Allowance funds that are part of the social security system and provide a wide range of benefits for families with children. CAFs are financed by contributions from employers only, amounting to 5.4 per cent of gross wages, and not by employees unlike the Maternity and Paternity leaves that are funded from the health insurance scheme.

Flexibility in use

- Parents taking leave may work between 16 and 32 hours per week.
- The fixed amount benefit can be received at full rate if the parent stops work completely, or at a partial rate if the recipient decides to work part time; so if parents work part time, the CLCA/PrePaRe payment is reduced. If both parents work part time, they can each receive CLCA/PreParE but the total cannot exceed one full CLCA/PrePaRe payment. For the higher allowance paid for large families (COLCA and increased PreParE), one parent must stop work completely.
- Parents can take part-time Parental leave simultaneously. If they take it on a full-time basis, parents can be provided with CLCA/PreParE successively (i.e. one parent receives the benefit at any one time).

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

- All employees are eligible for Parental leave if they have worked at least one year for their employer before the birth of a child.
- Eligibility for CLCA/PreParE becomes more restrictive the fewer children a parent has: for example with three children the eligibility condition is to have worked for two out of the five years preceding birth (two out of the four years for parents with two children), but with only one child it is necessary to have worked without break for two years preceding 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 parents)

- Where a child is seriously ill or disabled, Parental leave (regulated by the Labour code) can be extended by a year.
- Lone parents are entitled to the full period of PreParE.

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

- Employers can refuse to let parents work part time if they can justify this on business grounds.

d. Childcare leave or career breaks

No statutory entitlement.

e. Other employment-related measures

Adoption leave and pay

- For adoptive parents the same regulations for Parental leave apply as for other parents.

Time off for the care of dependants

- Every employee is eligible for an unpaid leave (*Congé de présence parentale*) to care for a sick child under the age of 16 years. Legally, periods of leave cannot exceed three days per year (or five days in specific cases), but this is a minimum and most collective agreements have special arrangements, as in the public sector where employees can take 14 days a year to care for a sick child.
- *Allocation journalière de présence parentale (AJPP)*: in cases of a serious disability or illness of a child under 20 years, every employee with at least one year of employment with an employer is entitled to paid leave to care for her/his child, or to work part time, for a period of up to three years. The allowance is paid for a maximum of 310 days over the three years period, and the level of the allowance depends on the duration of work in the enterprise and on the family structure; in couples, the amount is €42.97 per day if one parent stops work completely; and €51.05 for a lone parent. A similar period of leave is possible for employees who need to care for a relative at the end of life, either a child or a parent living in the same house.

Flexible working

- No statutory entitlement. Employees in the public sector are entitled to work part time for family reasons. The 'family tax credit' (*Crédit d'impôt famille*, CIF), introduced in 2004, is a financial incentive provided to companies to encourage them to develop family-friendly initiatives for their employees. The CIF stipulates that 25 per cent of related expenses are deductible from taxes paid by the company up to a ceiling of €500,000 per year and per company. As of January 2010 eligible expenses can no longer include training programmes for employees on Parental leave and supplements paid to employees taking various forms of child-related leave.

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

The maximum period of post-natal leave available in France is three years, but most of this is low paid even in the case of the COLCA or 'increased PreParE'; leave paid at a high rate (Maternity leave) lasts for less than four months. Since 1989 there is an entitlement to ECEC from three years of age: the French Education code states that 'every child upon reaching the age of three has the right to attend a nursery school located as close as possible to his or her residence if her or his family claims a place'. So there is no gap between the end of Parental leave and an ECEC entitlement, but a substantial gap of more than two-and-a-half years between the end of well-paid leave and an ECEC entitlement if we do not consider the large variety of other solutions on early childcare (childminders, EAJE). Levels of attendance at formal services for children under and over three years are above the average for the countries included in this review and for OECD countries. For actual attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

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

In April 2014, a new law on the finance of Social Security had an impact on the amounts of the CLCA/COLCA, then on that of PreParE. The benefit is paid at a flat-rate that varies with the level of household income, while previously payment was at a single, fixed level.

In January 2015, CLCA/COLCA were replaced by *Prestation partagée d'éducation de l'enfant* and *Prestation partagée d'éducation de l'enfant majorée*. These new childrearing benefits are intended to encourage parents to share leave, since the maximum period of benefit per family can only be achieved if both parents take some period of leave. So in a family with one child, payment of PreParE can extend to the child's first birthday, but each parent can only take a maximum of six months leave with payment. While for parents with two children or more, the first parent can take leave (and claim for the payment of PreParE) for a maximum duration of 24 months, leaving the other parent to take the remaining period of paid leave until the child's third birthday.

4. Take-up of leave

a. Maternity leave

Almost all mothers take up Maternity leave, which is obligatory, although the length of leave taken varies, with women in higher status employment taking less leave.

b. Paternity leave

Around two-thirds (62 per cent) of eligible fathers took leave since 2012.

c. Parental leave and childrearing benefit

It is impossible to calculate the number of parents on Parental leave because employers are not required to provide information about take-up. Statistics are limited to CLCA, and it is not possible to find out how many recipients of CLCA are also on Parental leave.

Research provides evidence that women make up 98-99 per cent of parents taking leave. It also suggests that mothers who were in employment just before taking Maternity leave are more likely to claim CLCA *if* they are entitled to Parental leave because they have a job guarantee. With high unemployment, most working mothers who are not entitled to Parental leave cannot take the risk of losing their job unless their partner has secure employment.

Mothers are more likely to claim Parental leave and CLCA when they face demanding working conditions, for example atypical/non-standard working hours or 'flexible' hours imposed by employers. It has been hypothesised that one of the factors explaining the high take-up of these entitlements is the deterioration in working conditions in recent years. From this perspective, taking Parental leave with CLCA is one way to escape a job with difficult working conditions that create difficulties for workers trying to combine paid and unpaid work.

A number of factors help to explain why fathers are so reluctant to claim Parental leave, including: the unequal gender distribution of domestic and child-raising tasks within the family still persisting in France; traditional value systems; in most couples, the man earning more than the woman; and a workplace culture in the private sector that makes it difficult for a man, in particular at management level, to take Parental leave. The small number of fathers who take CLCA full time are mostly blue-collar workers or employees with a stable job beforehand. Compared to fathers who do not take Parental leave, they are more likely to work in female-

dominated sectors and to have partners with a higher level of education, a higher status job and higher earnings. Besides, the majority of fathers on Parental leave take it on a part-time basis.

The number of parents receiving CLCA has been decreasing, falling from 670,000 in 2007 to 492,800 by the end of December 2014 and the majority of beneficiaries receive full rate childrearing benefit (55 per cent)¹⁸³. The proportion of the CLCA paid to parents who choose to work part-time during Parental leave has gone up, though it remains less than the amount paid to those who stop working completely. This financial incentive has, therefore, proven its efficiency and has sharply increased the number of recipients working part time while receiving the benefit.

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

a. General overview

Only a few studies recently have addressed this issue. In the context of high unemployment and increased casualisation of the labour market, leave policy and the wider issue of reconciling paid work and family life have been relegated to a secondary position on the policy agenda. Public opinion is more concerned with the unemployment issue, reforms in pension and education systems and with the impact of the economic crisis on their professional situation.

b. Selected publications since April 2014

Boyer D (ed.) (2014) *L'accueil du jeune enfant en 2013. Données statistiques, observatoire national de la petite enfance*. Paris : CNAF. Available at:

http://www.caf.fr/sites/default/files/caf/741/Accueil_jeune_enfant_2013.pdf

This report coordinates and synthesizes all the scientific data on family-work balance in France, with extensive information on maternal employment and the usage of different types of ECEC service.

c. Ongoing research

L'accompagnement associatif vers l'emploi des bénéficiaires du CLCA : l'invisibilité sociale en question (2013-2014). Danielle Boyer, Caisse nationale des allocations familiales (CNAF) Paris .et Melaine Cervera, Université Paris Est et CNRS

Many women did not find work having received the CLCA; however, few of them develop plans to find a job. The government set up training courses to support these women to construct or to reconstruct an employment career. This research explores the reasons why some potential beneficiaries do not take up these courses. The research is based on 25 interviews with women who did not participate in the sessions of accompaniment. Contact: Danielle Boyer at danielle.boyer@cnafr.fr and [Melaine Cervera at melaine.cervera@u-pem.fr](mailto:melaine.cervera@u-pem.fr).

¹⁸³ Observatoire National de la Petite Enfance, CNAF, 2014.

Germany¹⁸⁴

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April 2015

NB. Germany 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](#) page on website.

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

a. Maternity leave (*Mutterschutz*) (responsibility of the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth)

Length of leave (before and after birth)

- Fourteen weeks: six weeks before the birth and eight weeks following the birth. It is obligatory to take the eight weeks leave after birth.

Payment and funding

- One hundred per cent of earnings, with no ceiling on payments.
- Maternity leave benefits (*Mutterschaftsgeld*) are usually paid by the mother's health insurance (€13 per day) and the mother's employer, which – if applicable – covers the difference between the money provided by the health insurance and the mother's previous earnings. Hence employers bear most of Maternity leave benefit costs.
- Benefits for mothers with an income below €390 per month paid by the mother's health insurance alone and match their prior income.
- Mothers receiving unemployment benefits are also paid Maternity leave benefits by their health insurer and match their unemployment benefit.
- Self-employed and non-employed women have no Maternity leave benefit rights.

Flexibility in use

- None. Women may continue with paid work until birth if they explicitly declare that it is their personal decision to do so. During the two months after birth, however, no paid work is allowed for reasons of health protection.

¹⁸⁴ Please cite as: Blum, S. and Erler, D. (2015) 'Germany country note', in: P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

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

- All female employees, including those employed part-time and those working below the statutory social insurance threshold (i.e. earning below €450 per month). 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 mother

- In the case of multiple or premature births, the length of leave increases to 12 weeks after birth.
- In certain circumstances (e.g. death or chronic illness of the parent), other relatives living with the new-born child may receive the benefit.

b. Paternity leave

No statutory entitlement.

c. Parental leave (*Elternzeit*) (responsibility of the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth)¹⁸⁵

Length of leave

- Up to three years after childbirth for each parent. This is an individual entitlement.

Payment and funding

- An income-related 'parental benefit' (*Elterngeld*¹⁸⁶) is paid for a period of 12 months, at a replacement rate of 67 per cent of a parent's average net earnings during the 12 months preceding childbirth. Both parents are equally entitled to the parental benefit but if both parents take at least two months of leave, the overall length of benefit payment is extended to 14 months, i.e. a bonus of two months is paid. The benefits paid during the two months of obligatory Maternity leave following childbirth are included in the 12 (+2) parental benefit period, effectively reducing the actual benefit period available to both parents to 10 (+2) months.
- Parental benefit is paid to all families who meet the eligibility conditions, whether or not parents take Parental leave. There is a ceiling of €1,800 per month on the benefit payment and the minimum payment, which is also available for parents without prior income, is €300. Since 2011, the long-term unemployed are no longer eligible for parental benefit, as it is now credited against social assistance payments.
- Parents with low average earnings of less than €1,000 per month receive an increased benefit: for every €2 their monthly earnings are below €1,000, their parental benefit increases by 0.1 per cent. For parents with monthly incomes above €1,200, on the other hand, the income replacement rate is reduced: for every €2 their monthly earnings exceed this sum, their parental benefit decreases by 0.1 per cent to a minimum rate of 65 per cent.

¹⁸⁵ Significant changes have been introduced from 1 January 2015, but will apply to children born after 1 July 2015. These changes are discussed in Section 3; section 1c gives the situation prior to their implementation, i.e. as at 1 April 2015.

¹⁸⁶ The term was originally *Erziehungsgeld* (childcare benefit), but was changed to *Elterngeld* (parental benefit) with the 2007 reform, following the intention to emphasise the shared parental responsibility of bringing up children, including that of fathers.

- Moreover, there is a supplementary payment for parents with several small children (*Geschwisterbonus*): If there are two children under the age of three, or three or more children under the age of six in the household, the parental benefit is increased by 10 per cent (or a minimum of €75).
- The *Elterngeld* is funded by the federal government, through general taxation.

Flexibility in use

- Instead of 12 (+2) months the parental benefit may be spread over 24 (+4) months. Then the monthly benefit level is halved, while the overall payment remains the same.
- Recipients of parental benefit may work up to 30 hours a week. Then, however, they only receive parental benefit for the *lost* income: That is, if a parent e.g. worked 40 hours weekly before taking parental leave, and continues working 30 hours thereafter, s/he only receives 67 per cent of the margin between the present and the former income. Parents have a legal right to part-time work since 2001, but if their company has less than 15 employees, the employer's consent is required.
- The final year of Parental leave may be taken up to a child's eighth birthday with the employer's agreement.
- Both parents are entitled to take leave at the same time and both can take up to two leave intervals.

Regional or local variations in leave policy

- Parental leave legislation is federal. However, four federal states (Bavaria, Baden-Württemberg, Thuringia, Saxony) pay a means-tested parental benefit extended to the third year of Parental leave, ranging from €200 to €350 per month and child.

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

- Parental leave: all parents gainfully employed at date of birth.
- Parental benefit: all parents not employed more than 30 hours a week.

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

- Grandparents are entitled to unpaid Parental leave if their child, i.e. the parent of their grandchild, is younger than 18 years or if the parent is still in education or vocational training.

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

- Many collective and individual company agreements allow parents to utilise their Parental leave entitlement within 12 years or, in the public sector, within 18 years after childbirth.

d. Childcare leave or career breaks

A Childcare benefit (*Betreuungsgeld*) of €150 per month is paid to parents who care for their one and two-year-old children at home and/or do not make use of public childcare facilities. At the same time, the money may be used for private childcare arrangements, i.e. parents can use childcare services, as long as they are not publicly provided or publicly funded.

e. Other employment-related measures

Adoption leave and pay

- For adoptive parents the same regulations for Parental leave apply as for other parents.

Time off for the care of dependants

- In case of sickness of a child (below 12 years of age) working parents may each take up to ten days of leave per child, receiving 80 per cent of earnings from their health insurer with no ceiling. The maximum annual leave period per working parent is 25 days a year, even in case of three or more children.
- A relative of a care-dependent person is entitled to ten days of short-term leave if that person has an unexpected illness, as well as six months of long-term care leave. Both entitlements are unpaid.
- *Pflegezeit (caring time)* entitles employees of care-dependent relatives to apply for up to ten days of paid leave (over a care-dependent's life-time) at 90 percent of their income. A medical certification of care-dependency is required and the wage replacement is financed by the public long-term care insurance. Moreover employees of care-dependent relatives are entitled to take up to six month of full or partial unpaid caring time. During this period employees have the legal right to receive an interest-free loan from the Federal Office for the Family and Civil Engagement in order to compensate for their lost income. *Pflegezeit* does not require the consent of employers.
- *Familienpflegezeit (family caring time)* permits employees, for a period of up to two years, to reduce their working time to a minimum of 15 hours, if they need to care for a dependent relative. During this period employees are paid a lower income, though the reduction in income is less than the reduction in hours; employees repay the difference by receiving the same amount of reduced earnings for an equivalent period after returning to full-time employment. For example, if employees reduce their working time from 100 to 50 per cent for two years, they will receive 75 per cent of their income during that time and for a further two years after returning to full-time work again. The compulsory long-term care insurance covers additional pension contributions during the caring time if care is given for at least 14 hours and employment is limited to a maximum of 30 hours per week. Since January 2015 *Familienpflegezeit* is a legal entitlement for employees, if they continue to work for at least 15 hours per week.

Flexible working

- None.

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

The maximum period of post-natal leave available in Germany is three years, but most of this is unpaid; leave paid at a high rate runs for 12 months, plus two more months if at least two months leave is taken by each parent. From August 2013, there has been an entitlement to ECEC from the age of one year (before then, the entitlement only began at three years of age). So there is no gap between the end of well-paid leave and an ECEC entitlement. The entitlement, however, does not specify hours per day or per week; many services in Western Germany still offer only part-time hours, while full-time opening has remained the norm in Eastern Germany.

Levels of attendance at formal services for children under three years are below the average for the countries included in this review and OECD countries; but well above the average for children over three years. For actual attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

However, it should be noted that despite substantial increases in ECEC provision in recent years, there still remains a large difference between Western Germany (without Berlin) and Eastern Germany, especially regarding provision for children under three years - 27.4 vs. 52.0 per cent in March 2014: according to the Federal Statistical Office¹⁸⁷ (2014a).). At that date, levels of provision had, with overall 32.3 per cent, almost reached the 35 per cent level foreseen by the *KiföG*-law for the year 2013, but actual demand is considered to be still higher. Moreover, there are some indicators that the rapid quantitative expansion of ECEC services has not been accompanied by sufficient attention on the quality of services provided¹⁸⁸ (Tietze et al., 2012).

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

The agreement of the CDU, CSU and SPD governing coalition, signed in November 2013, foresaw the introduction of a so-called '*Elterngeld Plus*', with the purpose to make part-time employment during the first 24 months after giving birth to a child more attractive, and to facilitate the combination of part-time employment with care, for both parents. The law came into effect on January 1st 2015 and applies to children born after July 1st 2015.

The existing *Elterngeld* allows parents to take leave for 12 (+2) months or to spread their leave to 24 (+4) months at half the wage replacement rate. With the *Elterngeld Plus*, from July 2015, recipients can work part-time for up to 24 months at *half* of the wage replacement rate of the *Elterngeld*. There are different possibilities for parents to combine *Elterngeld* and *Elterngeld Plus*. For instance, a single mother may take up seven months of traditional *Elterngeld* after giving birth, then take up part-time employment and choose between either receiving *Elterngeld* for another 7 months or *Elterngeld Plus* for 14 months. Moreover, a 'partnership bonus' is introduced by the reform: If both parents work between 25 and 30 hours per week, parallel and at least for four months, they receive four additional months of *Elterngeld Plus* as a bonus.

The *Elterngeld Plus* reform does not only facilitate the combination of part-time work and paid leave. It also renders the use of paid leave entitlements more flexible for both parents. It is now possible to postpone the take-up of up to 24 months of Parental leave to a time span between the third and the eighth birthday of the child. Previously it was only 12 months. Each parent can split his or her Parental leave into up to three phases (previously: two). However, if the third phase lies between the child's third and eighth birthday, the employer may refuse his consent for 'urgent operational reasons'.

¹⁸⁷ Statistisches Bundesamt [Federal Statistical Office] (2014) *Kindertagesbetreuung regional 2014*, Wiesbaden: Statistisches Bundesamt.

¹⁸⁸ Tietze, W., Becker-Stoll, F. Bense, J., Eckhardt, A. G., Haug-Schnabel, G., Kalicki, B. Keller, H. and Leyendecker, B. (eds.) (2012) *Nationale Untersuchung zur Bildung, Betreuung und Erziehung in der frühen Kindheit [National Study on Education and Care in Early Childhood]*. Weimar/Berlin: verlag das netz. Executive summary available at: <http://www.nubbek.de/media/pdf/NUBBEK%20Broschuere.pdf>.

A final change is that from January 2015, the parental benefit entitlement is no longer an individual entitlement per child, i.e. in case of multiple births parents now only receive one wage replacement benefit.

The federal government has also introduced new entitlements for employees with care dependent relatives. Since January 2012, the so called *Familienpflegezeit* (family caring time) already permits employees, for a period of up to two years, to reduce their working time to a minimum of 15 hours. But take-up rates of this family caring time remained extremely low because the *Familienpflegezeit* is not a legal entitlement and because the loss of income during the leave period is not sufficiently compensated.

To overcome the – predicted – flaws of the original law, the government, on January 1st 2015, complemented the *Familienpflegezeit* with a more general *Pflegezeit* (caring time) entitlement which allows employees of care dependent relatives to take up to 10 days of paid leave at 90 percent of their income. Moreover, employees now have a legal right to take family caring time for up to 24 months if they continue to work for at least 15 hours per week. And employees with care dependent relatives now also have a legal right to receive an interest free loan from the Federal Office for the Family and Civil Engagement during their up to six month long caring time. The introduction of a short-term right to caring time with wage replacement is an important improvement for workers with care-dependent relatives. The introduction of interest free loans, on the other hand, may not be enough to enable people to make more use of their newly won right to take longer caring time periods.

4. Take-up of leave

a. Maternity leave

There is a 100 per cent take-up as it is prohibited to work for eight weeks after birth.

b. Paternity leave

No statutory leave entitlement.

c. Parental leave and Parental benefit

The 2007 Parental benefit reform had the explicit aim to raise the take-up of leave by fathers and recently published data by the Federal Statistics Office¹⁸⁹ show that the proportion of fathers taking parental benefit has risen significantly and steadily since its introduction in 2007. Parental benefit was taken up by 31.9 per cent of fathers of children born in the second quarter of 2013, i.e. recipients between April 2013 to September 2014. While almost every third father takes parental benefit, there are decisive regional variations amongst the federal states, from only 20.1 per cent in the Saarland to 40.8 per cent in Saxony.

The Parental benefit reform has, therefore, been successful in raising the take-up of leave by fathers, although a large majority, i.e. 79.17 per cent (April 2013 – September 2014), took no more than their individual two month entitlement (partner's months). The reform has also

¹⁸⁹ Statistisches Bundesamt [Federal Statistical Office] (2015) *Statistik zum Elterngeld. Beendete Leistungsbezüge für im 2. Vierteljahr 2013 geborene Kinder* [Statistics on parental allowance. Completed performance bonuses for children born in the second Quarter of 2013]. Wiesbaden: Statistisches Bundesamt. Available at: https://www.destatis.de/DE/Publikationen/Thematisch/Soziales/Elterngeld/ElterngeldGeburtenVj5229208143234.pdf?__blob=publicationFile

reduced the number of people taking more than one year of paid leave, which was a declared goal of the new law. In fact, from the parents of children born in the second quarter of 2013, just 11.65 per cent of Parental benefit takers made use of the option to prolong their take-up to two years at 33.5 per cent of prior income.

Somewhat less clear is whether the 2007 switch from a flat-rate to an earnings replacement benefit has improved the economic situation of average leave-takers. Statistics show that 20.47 per cent of all recipients merely received the minimum sum of €300 and among this group a substantial part would have probably been better off with the former leave entitlement, which guaranteed them about €300 for two years instead of one. An additional 22.04 per cent of recipients benefited from the low income component of the *Elterngeld*.

d. Childcare leave or career breaks

In March 2014, first data on home-care benefit take-up were published by the Federal Statistical Office¹⁹⁰. The new *Betreuungsgeld* was granted for 64,877 cases between 1 August and 31 December 2013, and 95 per cent of the recipients were mothers. Almost 78 per cent of the recipients made an application for the maximum take-up period of 22 months. The take-up corresponds to about 23 per cent of the children born in this period¹⁹¹.

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

a. General overview

For decades, research on German leave policies was rather patchy, largely due to a lack of systematic data on the utilisation and outcomes of leave measures. In recent years, however, research has been increasingly making use of longitudinal data like the German Socio-Economic Panel (GSOEP) and has been combining sociological and economic theories for an analysis of the effects of Parental leave legislation on household and individual behaviour. Indeed, the 2007 Parental leave reform may be partly seen as a reaction of policy makers to problems identified by empirical Parental leave studies.

b. Selected publications since April 2014

Beblo, M. and Boll, C. (2014) Die neuen Elterngeld-Komponenten: Will money trump gender?', *Wirtschaftsdienst*, Vol.94, No.8: 564-569. Available at: <http://link.springer.com/article/10.1007/s10273-014-1715-5>

The authors discuss the latest reform of Parental leave and parental benefit in face of their possible effect on gender-equal divisions of employment and care work.

Blum, S. (2014) 'No need to reinvent the wheel: family policy transfers in Germany and Austria', *Policy Studies*, Vol.35, No. 4, 357-376. Available at: <http://www.tandfonline.com/doi/full/10.1080/01442872.2013.875153#.Uvnk4hApchw>

¹⁹⁰ Statistisches Bundesamt [Federal Statistical Office] (2014) 2013: *Betreuungsgeld für knapp 65.000 Kinder*. *Pressemitteilung Nr. 95* [2013: childcare benefits for nearly 65,000 children. *Press Release No. 95*], 13 March 2014. Wiesbaden: Statistisches Bundesamt.

¹⁹¹ *Schwentker, B.* (2014) 'Das Betreuungsgeld boomt' ['The childcare benefit is booming'], *Spiegel Online*, 13 March 2014. Available at: <http://www.spiegel.de/politik/deutschland/betreuungsgeld-anstieg-bei-der-herdpraemie-a-958416.html>.

This article investigates the role of vertical and horizontal policy transfers within the Parental leave and childcare reforms in Germany and Austria.

Kluve, J. and Schmitz, S. (2014) *Social Norms and Mothers' Labor Market Attachment. The Medium-run Effects of Parental Benefits*, *Ruhr Economic Papers #481*. Available at: <http://www.rwi-essen.de/publikationen/ruhr-economic-papers/616/>

Using a sharp regression discontinuity design, the authors assess the impact of Germany's Parental leave reform in 2007. First, they find that medium-run effects on mothers' employment probability are positive, significant and large, for some sub-groups ranging up to 10 per cent. The effects are driven by gains in part-time but not full-time employment. They also find significant increases in working hours. Second, the probability of job continuity rises significantly, i.e. mothers return to their pre-childbirth employer at higher rates. Third, employers reward this return to work by raising job quality significantly and substantially.

Kottwitz, A., Oppermann, A. and Spieß, C.K. (2014) *Parental Leave Benefits and Breastfeeding in Germany: Effects of the 2007 reform*, *SOEP Paper No. 670*. Berlin: DIW Berlin., Available at: <http://www.diw.de/sixcms/detail.php?id=467221>

On the basis of SOEP data (German Socio-Economic Panel Study), this paper studies whether the 2007 Parental leave reform had an impact on breastfeeding initiation and duration in Germany. It finds that breastfeeding duration increased among mothers who benefited from the reform.

Schober, P.S. (2014) 'Parental leave and domestic work of mothers and fathers: a longitudinal study of two reforms in Germany', *Journal of Social Policy*, Vol.43, No.2: 351-72.

This article explores how childcare and housework time have changed among couples who have just had a child following two Parental leave reforms in West Germany (1992, 2007), based on SOEP data.

Ziefle, A. and Gangl, M. (2014) 'Do women respond to changes in family policy? a quasi-experimental study of the duration of mothers' employment interruptions in Germany', *European Sociological Review*, Vol.30, No.5: 562-581. Available at: <http://esr.oxfordjournals.org/content/30/5/562.abstract>

Using event history modelling techniques and 1984-2010 SOEP data, this article shows how women have responded to changes in Parental leave policies in Germany, including both entitlement extensions and incentives to speed return to work.

c. Ongoing research

None reported.

Greece¹⁹²

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April 2015

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

Note on leave information: the information given below is based on: (i) leave arrangements for employees in the private sector that are covered by legislation and the National General Collective Agreements (NGCA) signed between the most representative national employers' organisations (SEV, GSEVEE, ESEE, SETE) and the General Confederation of Labour, which set the uniform minimum provisions for all workers in the private sector¹⁹³; (ii) leave arrangements for public sector employees that are covered by basic laws and the Code for Civil Servants and relevant legislation.

i. Private sector (responsibility of the Department of Labour, Social Security and Welfare)

a. Maternity leave (Basic leave – Άδεια Μητρότητας; Special leave for the protection of maternity – Ειδική Άδεια για την Προστασία της Μητρότητας)

Length of leave (before and after birth)

- Basic leave: 17 weeks: eight weeks must be taken before birth and nine weeks after birth. It is obligatory to take leave.
- Special leave: six months, granted after Basic Maternity leave and before the beginning of the use of flexible working (reduced hours of daily work).

¹⁹² Please cite as: Kazassi, E.H. and Karamessini, M. (2015) 'Greece country note', in: P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

¹⁹³ Provisions on leave arrangements are also included in other kinds of Collective Labour Agreements (i.e. sectoral, professional, enterprise), which are signed between Employers and Confederations of large sub-sectors of the economy such as the bank sector or enterprises of the wider public sector such as the electricity company. Due to the fact that such Agreements cannot include worse provisions than the minimum standards included in the National General Collective Agreement, they usually have improved provisions for working parents.

Payment and funding

- Basic leave: 100 per cent of earnings, on the condition that these do not exceed those granted to insured persons who belong to the highest insurance class of the IKA (main insurance Body in Greece).
- Special leave: minimum daily wage agreed in the National General Collective Agreement, as well as social insurance coverage.
- Basic leave: funded by the Social Security Fund and the Manpower Employment Organisation, which are financed on a tripartite bases (employers/employees/state) with employers paying 25.56 per cent of earnings and employees 15.50 per cent. According to press information, the income of the Social Security Fund for 2015 is estimated to be €9.96 billion, of which €3.59 billion derive from the state budget (Kathimerini, 4.12.14). Special leave: funded by the Manpower Employment Organisation.

Flexibility in use

- Basic leave: none except for when leave can start. If birth takes place before the time envisaged, the rest of the leave can be granted after birth so long as the total time taken remains 17 weeks.
- Special leave: if the parent, with the employer's agreement, makes use of the right to take a continuous time off work instead of working reduced hours (see 1ie), then the 'special leave for the protection of maternity' is taken after this leave.

Eligibility

- Basic leave: to ensure full compensation, 200 working days during the previous two years are needed.
- Special leave: those insured in IKA-ETAM (the largest Social Insurance Fund).
- Self-employed women, who are directly insured in the Social Security Fund for the Self-Employed (OAEE) and the United Fund for the Self-Employed (ETAA) and who are fully covered for medical and pharmaceutical care at the time of the child's birth, are entitled to get a monthly payment for four months due to pregnancy and maternity. In the first case the benefit is €150 per month while in the second case it is €200 per month. The benefit is granted in a lump sum following an application by the insured mother after the date of birth. The payment is made by the above Funds from their own budgets. No other leave rights are available for self-employed parents.

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 (Άδεια Γέννησης Τέκνου)

- Two days paid leave at the time of the child's birth, funded by the employer.

c. Parental leave (Γονική Άδεια Ανατροφής)

Length of leave

- Four months per child for each parent. Leave is an individual entitlement that cannot be transferred.

Payment

- None.

Flexibility in use

- Leave may be taken up to the time the child turns six years.
- Leave may be taken in one or several blocks of time subject to agreement with the employer.
- If both parents work for the same employer, they cannot take leave at the same time and must decide together who is to use the leave first and for how long. The law does not specify whether parents working for different employers can take leave at the same time, but as leave is unpaid it is unlikely that both parents would take it together.

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

- All employees who have completed one year's continuous or non-continuous employment with their present employer.
- Though the leave is for each child, it is necessary that one year of work with the same employer is completed after the end of any Parental leave taken for a previous child.
- Leave is granted by the employer according to a set of priorities; requests for Parental leave from parents of children with a disability or long-term illness or sudden illness and from single parents (due to the death of parent, total removal of parental responsibility or non-recognition of the child) are dealt with as an absolute priority.

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 leave is per child, the leave period is doubled for parents of twins and tripled for triplets.
- In the case of the death of one parent or the total removal of parental responsibility or non-recognition of a child, the amount of Parental leave granted to the other parent is double.
- Parents with a disabled child do not get additional Parental leave, but are eligible for carer's leave (see 1ie below).

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

- None.

d. Childcare leave or career breaks

- A parent can take time off work with full payment, up to an estimated three and three-quarter months, as part of a scheme which also allows parents to work reduced hours. For more details, see 1ie, 'flexible working'.

e. Other employment-related measures

Adoption leave and pay

- For parents who adopt or foster a child younger than six years of age (with an extension to eight years of age if adoption or fostering procedures are not finished), the same regulations for Parental leave apply as for other parents.

Time off for the care of dependants

- Leave for children's sickness: up to six days per year per parent of unpaid leave if the parent has one child, up to eight days if he/she has two children and up to 14 days if he/she has more than three children. The leave is also granted for other dependent members of the family (e.g. a disabled spouse or adult children as well as disabled parents or unmarried sisters if their annual income is less than the basic income of an unskilled worker).
- Leave for visiting children's school: four days paid leave per year per parent for each child that attends school up to the age of 16, funded by the employer.
- Leave for parents of children with disability: one hour per day, if the parent asks for it (unpaid and only applied in enterprises with more than 50 employees).
- Leave for parents whose children (up to 18 years of age) need regular transfusion or dialysis or suffer from cancer or need a transplant: up to ten days per year paid leave, funded by the employer. Individual right
- Leave for parents due to the hospitalisation of a child (up to 18 years of age), which requires their immediate presence: up to 30 days per year unpaid leave on the condition that the parent has exhausted his/her normal Parental leave. Individual right.
- Leave for widows/ers or unmarried parents caring for children: in addition to other leave, six days per year paid leave. If the parent has three or more children the leave is eight days per year. The leave payment is funded by the employer.

Flexible working

- Parents are entitled to work one hour less per day for up to 30 months after Maternity leave, with full earnings replacement. This is a family right and both working parents have an independent right in the use of this leave after deciding who and for how long each will take the leave. If both parents are employees, they address a common declaration to their respective employers, specifying which parent is to use the entitlement; if parents plan to share it, they specify the period each one will use it within the total entitlement period. The entitlement is granted to fathers in cases where the mother is self-employed but not if she is not working. This may be taken as: two hours less per day for the first 12 months and one hour less per day for another six months; or, with the employer's agreement, in block(s) of time of equal time value within the 30 months period after Maternity leave. This last option, of converting reduced hours into a block or blocks of leave, means that a parent can take a number of months off work, up to an estimated three and three-quarter months. This leave – titled 'alternative use of reduced hours as leave for the care of children' – is considered part of working time and paid and funded by the employer with no ceiling on payment (funded by the employer).
- Adoptive parents of children up to the age of six are entitled to flexible working or a childcare leave (see section 1id).

ii. Public sector (responsibility of the Department of Interior)

a. Maternity leave (Άδεια Μητρότητας)

Length of leave (before and after birth)

- Five months: two months must be taken before birth and three after birth. It is obligatory to take leave.

Payment and funding

- Hundred per cent of earnings, with no ceiling in payment.
- Funded through general taxation.

Flexibility in use

- If birth takes place before the time envisaged, the rest of the leave can be granted after birth so long as the total time taken remains five months. If birth takes place after the time envisaged, the leave is extended until the actual birth date without any respective reduction in the after birth leave.

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

- Childbearing mothers who need special therapy and have exhausted their sick leave are granted paid childbearing leave.
- In the case of multiple births, Maternity leave after birth is extended by one month for each additional child.
- For every child after the third, the length of post-natal leave is extended by two months.

b. Paternity leave (Άδεια Γέννησης Τέκνου)

- Two days paid leave at the time of the child's birth, funded by the employer.

c. Parental leave (Άδεια χωρίς αποδοχές)¹⁹⁴

¹⁹⁴ Public sector workers are also eligible for the Parental leave entitlement for private sector employees (see above), since this leave is based on legislation that applies to both private and public sectors (Law 4075/12 that incorporates the EU Directive 2010/18 on Parental Leave). Unlike the unpaid Parental leave that is exclusively for public sector employees, this leave is well protected since it safeguards the employees' rights (i.e. it is considered as work time that secures social security coverage and does not affect any other employee rights such as leave rights, professional advancement, pensions etc) (The Citizen's Ombudsman, Annual Report 2014).

The five year leave provision included in this section was introduced in 2011, as a minor provision in a multi-purpose Law; previously the period was two years. It is a provision that gives the opportunity to civil servants to use unpaid leave for 'serious personal reasons'. When the European Directive on Parental Leave was first introduced in Greece, an addition was made that allowed civil servants to use this leave as Parental leave.

Length of leave

- Up to five years per parent. Leave is an individual entitlement.

Payment and funding

- None, except for the case of three or more children where three months of the leave are fully paid by the employer and funded through general taxation.

Flexibility in use

- Leave may be taken at any time up to the time the child turns six years.
- The law does not specify whether parents working for the public sector can take leave at the same time, but as leave is unpaid it is unlikely that both parents would take it together.

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

- An employee can use this leave if his/her spouse does not make use of the childcare leave at the same time (see 1iia below).
- An employee can make use of this leave even if his/her spouse is not working
- In cases of separation, divorce, widowhood or birth without marriage, only the parent that cares for the child is entitled to this leave.

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

- In the case of three or more children, three months of the leave are paid.
- Parents with a disabled child do not get additional Parental leave, but are eligible for leave for the care of dependants (see 1iib below).

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

- None.

d. Childcare leave (άδεια ανατροφής or μειωμένο ωράριο εργασίας)

A parent can take nine months of childcare leave with full payment as an alternative option to a scheme which allows parents to work reduced hours (see section 1iie below – ‘flexible working’). The leave is paid by the employer and funded through general taxation, and is granted after Maternity leave. The leave does not constitute a personal entitlement and can be used by either or both parents within the total nine month period. For a parent who is unmarried, widowed, divorced or has a severely disabled child, the leave is extended by one month. In the case of multiple births, an extra six month is provided for each additional child.

e. Other employment-related measures

Adoption leave and pay

- Adoptive mothers are granted a three- month paid leave during the first six months after the adoption if the child is less than six years of age. One of the three months can be taken before adoption.

Time off for the care of dependants

- Leave for children's sickness: none.
- Leave for visiting children's school: up to four days of paid leave for one child, up to five days for two or more children. If the children attend different levels of schools an extra day is granted. The leave is not a personal entitlement i.e. if both parents work in the public sector, the total number of days is for both parents to share.
- Up to 22 days per year of paid leave for employees whose children or spouses need regular transfusion or periodic therapy or whose children suffer from severe mental handicap or Down's syndrome.
- Leave for employees with children or spouses with disability: one hour per day, paid.

Flexible working

- Parents are entitled to work two hours less per day if he/she has children of less than two years old and one hour less per day if he/she has children between two and four years old, with full earnings replacement. As mentioned above (1iid) there is an alternative option for this leave which is nine consecutive months off work after Maternity leave.
- Flexible working does not constitute a personal entitlement and can be used by either or both parents within the total entitlement period with a common declaration addressed to their respective employers. However, the leave cannot be taken simultaneously by both parents.
- For a parent who is unmarried, widowed, divorced or severely disabled flexible working is extended by six months. In the case of the birth of a fourth child, flexible working is further extended by two years. In case of multiple births, flexible working is extended by six months for each child after the one.
- Adoptive parents of children up to the age of four are entitled to flexible working or alternatively childcare leave (see 1iid).
- An employee supporting a child or a husband/wife with a serious disability can work one hour less per day, with full payment.
- All paid leave is funded through general taxation.

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

The maximum period of post-natal leave available in Greece is 63 months in the public sector and 20 months in the private sector; but leave paid at a high rate runs for only 12 months in the public sector and six months in the private sector. There is an entitlement to ECEC at five years of age, and attendance is compulsory for the year before the beginning of elementary school (i.e. from around five years). So for most parents there is a gap between the end of post-natal leave and an entitlement to ECEC, reaching four years of more from the end of well-paid leave. Levels of attendance at formal services for children under and over three years are well below the average for the countries included in this review and for OECD

countries. For actual attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

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

Unemployment in 2014 showed a slight decline from 27.5 per cent in 2013 to 26.5 per cent (for women the rate for 2014 was 30.2 per cent) compared to 9.5 per cent in 2009. The risk of poverty and social exclusion in 2014 was 35.7 per cent compared to 24.9 per cent in 2009 (Eurostat data). However, in 2013 - since 2014 data were unavailable at the time when this report was written - there was an increase in new labour contracts, but the number of flexible forms of employment contract (part-time and rotation work¹⁹⁵) continued to increase (70.3% increase in part-time work compared to 57.9 per cent increase in full-time work compared with 2012) (Labour Inspectors' Authority, 2013 Annual Report).

With regard to employee complaints related to Parental leave, the Citizen's Ombudsman notes a reduction in such complaints during 2014 in the private sector. However, there was an increase of such complaints in the public sector, which is attributed to policies of mobility and suspension of public sector employees as well as some confusion in the applicability of the recent Parental leave provisions (i.e. additional rights of fathers) in the various sectors of the public service. In the same report, the Citizen's Ombudsman notes the need for a codification of the legislation because its fragmented nature creates confusion to those interested to learn about it (The Citizen's Ombudsman, Annual Report 2014).

The most significant positive development during 2014 was related to self-employed mothers who up to then lacked any kind of protection. The long-awaited implementation of the Law 4097/12, which foresaw the provision of maternity benefit for self-employed mothers, came about in October 2014 with the Ministerial Decision F10060/15858/606/7.10.2014 after complaints by self-employed mothers and repeated interventions of the Citizen's Ombudsman to the Ministers responsible for the implementation of the Law. This provision was related to the employees of the United Fund for the Self-Employed (ETAA). In January 2015, with the Ministerial Decision 40035/41931/1653/20.1.15, the maternity benefit was extended to the employees of the Social Security Fund of the Self-Employed (OAEE).

Amongst the positive developments one could also include the preservation of the six month special leave for the protection of maternity whose funding source was threatened in early 2014 by Law 4254/2014, which abolished the special employer/employee contributions that funded family benefits.

4. Take-up of leave

There is no information on take-up of the various types of leave. Statistics provided by the Labour Inspectors' Authority record employees on leave by sex; but there is no information about how many employees are eligible but do not make use of their entitlement. It seems, however, that it is mothers who overwhelmingly use leave to which both parents are eligible. For example in 2013, out of the total number of employed women, 2.2 per cent of women but only 0.08 per cent of men made use of the paid childcare leave, while only 0.6 per cent of women and a negligible percentage of men made use of the non-paid Parental leave (Labour Inspectors' Authority, 2013 Annual Report).

¹⁹⁵ 'Rotation work' involves working reduced days per week or reduced weeks per month or reduced months per year, but working full-time hours when employed.

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

a. General overview

Parental leaves have not been the focus of any research during 2014 or early 2015.

b. Selected publications since April 2014

Hatzivarnava Kazasi, E. (2014) 'Politics, Policies and Gender: The Case of Parental Leaves', in: T.Anthopoulou, C. Bagavos and M. Stratigaki (eds.) *Family, Gender and Immigration in Contemporary Greece*. Athens: Gutenberg (in Greek)

The chapter, after providing an introduction to the development of Parental leaves in Europe and Greece, focuses on the dimension of gender with regard to the institutional framework and the policies and practices that encourage leave take-up. It concludes by mapping the situation with regard to the Greek context and tries, with certain equality indicators, to assess the extent of gender equality in the Greek leave system.

c. Ongoing research

None reported.

Hungary¹⁹⁶

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April 2015

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

Note on terminology: the Hungarian terms for the two elements of the Parental leave arrangements discussed in 1c – GYES and GYED – include the word *gondozás*, that is ‘care’. By contrast, GYET - available after the child gets older than three (see 1d) - includes the word *nevelés*, that is ‘upbringing’. The Hungarian terms for these three leave arrangements (1c and 1d) literally refer only to the payment element, although in practice they cover both leave periods and cash benefits (e.g. GYES is *gyermekgondozási segély*, literally ‘childcare allowance’). The payment related to ‘Maternity leave’ has been re-named as ‘Infant care payment’ in 2015.

a. Maternity leave (*szülési szabadság*) (responsibility of the Ministry of Human Resources)

Length of leave (before and after birth)

- Twenty-four weeks: up to four weeks prior birth. Two weeks are obligatory.
- GYED is only available to mothers up to the end of the child’s first year (see section 1c for further details).

Payment (csecsemőgondozási díj) and funding

- Seventy per cent of average daily earnings, with no ceiling on payments. In cases when there has been previous employment (i.e. the pregnant woman is eligible), but no actual income can be determined on the first day of eligibility (e.g. the pregnant woman is on sick leave for several months, or is self-employed and does not have an actual income), the payment is twice the daily amount of the official minimum wage. In this case, the payment is made by the Treasury, not by the National Health Insurance Fund (NHIF).
- Funded by the NHIF (National Health Insurance Fund), which is financed through contributions from employers, employees and general taxation; employers and employees both pay six per cent of gross earnings.

¹⁹⁶ Please cite as: Korintus, M. and Gábos, A. (2015) ‘Hungary country note’, in: P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

Flexibility in use

- The starting date can be from four weeks prior to birth up to the birth itself.

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

- All mothers are entitled to 24 weeks unpaid Maternity leave.
- Employees and self-employed women with an employment record of at least 365 days within two years prior to the birth of a child are entitled to the benefit payment during the period of Maternity leave.
- Insured mothers having a second or third child while they are already receiving GYES or GYED, i.e. the receipt of GYES or GYED makes them eligible for Maternity leave rather than their employment record..

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

- If the newborn is cared for in an institute for prematurely born infants for a year, the unused portion of the Maternity leave can be taken up after the child is taken home.
- Guardians who care for the child are eligible.
- The father (birth or adoptive) is eligible if the mother dies or is not present in the household due to health-related reasons.

b. Paternity leave¹⁹⁷ (responsibility of the Ministry of Human Resources)

Length of leave

- Five days.

Payment and funding

- Hundred per cent of father's average daily wage, with no ceiling on payments.
- Funding as for Maternity leave.

Flexibility in use

- Leave can be taken during the first two months of the child's life.

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

- All employed fathers.

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.

- Seven days in case of twins.

¹⁹⁷ Paternity leave has no separate name in Hungarian; it is just listed as one of the eligible reasons for leave days in the Code of Labour legislation.

c. Parental leave (responsibility of the Ministry of National Resources)

There are two types of leave and benefit: (1) for non-insured parents, *Gyermekgondozási segély* (GYES); and (2) for insured parents, *Gyermekgondozási díj* (GYED). Both are family entitlements, except for GYED up to the child's first birthday, which is an entitlement only for mothers.

Length of leave

- **GYES:**
 - a. Until the child's third birthday for parents who are not insured.
 - b. From the end of GYED (child's second birthday) until the child's third birthday, for insured parents.
- **GYED:** from the end of the Maternity leave period until the child's second birthday, for insured parents.

Payment and funding

- **GYES:** until the child's third birthday, a flat-rate benefit equal to the amount of the minimum old-age pension, HUF28,500 [€92¹⁹⁸] per month in 2015. For multiple births, two hundred per cent of this amount is paid in the case of two children, 300 per cent for three children, with similar increases for additional children. Funded by the Treasury from general taxation.
- **GYED:** benefit of 70 per cent of average daily earnings, up to a ceiling of 70 per cent of twice the minimum daily wage (HUF147,000 [€476] per month in 2015). Funding as for Maternity leave.

Flexibility in use

- A parent taking **GYES** cannot work until the child's first birthday, but can then work unlimited hours while still receiving the full benefit until the child's third birthday. If the parent takes up GYES and works, she/he can still access public childcare for children under three years (*bölcsőde*).
- A parent taking **GYED** can work unlimited hours after the child's first birthday while still receiving the full benefit until the child's second birthday. If the parent takes up GYED and works, she can still access public childcare for children under three years (*bölcsőde*).

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

- **GYES:** all parents. Guardians are also eligible.
- **GYED:** only the mother may take this leave up to the child's first birthday. Otherwise either of the parents living with the child is eligible as long as she/he has been employed for at least 365 days within two years prior the birth of the child; however, only one parent at a time can actually take GYED. Foster parents are not eligible.
- **GYED:** women who would not be eligible under the above listed criteria but completed two semesters at a higher education institution recognised by the state within two years prior to the birth of the child. Eligibility in this case is for one year of payment, beginning at the birth of the child. They receive a payment equal to the minimum wage valid on the

¹⁹⁸ Conversion of local currency into Euros undertaken on 1-5 June 2015, using <http://finance.yahoo.com/currency-converter/>

first day of their eligibility (HUF105,000 [€340] per month in 2015), except those studying for MA or PhD for whom the payment is 70 per cent of the guaranteed minimum wage (HUF85,400 [€276] per month in 2015).

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

- **GYES:** parents of a child with a long-term illness or disability can take leave until the child's tenth birthday (or even longer in discretionary cases); parents of twins are eligible until the children begin elementary school and receive a double payment.
- **GYES:** can be taken by grandparents from the first to the third birthday of the child if the child is looked after in her/his own home and if the parents agree to transfer their entitlement. Grandparents taking GYES can work less than 30 hours a week, or without limitation if the work is done in the home and the child is older than three years.

d. Childcare leave or career breaks

Either of the parents in a family with three or more children may take leave during the period between the third and eighth birthday of the youngest child (*Gyermeknevelési támogatás, GYET*). Benefit payment as for GYES. The person taking up GYET can work less than 30 hours a week, or unlimited hours if the work is done at home. While GYES and GYED are intended to promote childbirth and support reconciliation between work and childrearing, GYET is considered an acknowledgement of parenthood as paid work and consequently recipients are credited with social insurance contributions.

e. Other employment-related measures

Adoption leave and pay

- The same regulations regarding Maternity and Parental leave apply for adoptive parents as for other parents.

Time off for the care of dependants

- There is an entitlement to leave, the length of which depends on the age of the child: under one year, unlimited; 12-35 months, up to 84 days per child per year; 36-71 months, 42 days; six to 12 years, 14 days. Lone parents are entitled to a double period of leave. Leave is a family entitlement and a sickness benefit is paid at 50 or 60 per cent of actual earnings up to a ceiling.

Flexible working

- Mothers are entitled to two paid one-hour breaks per day for breastfeeding until a child is six months old; and to one one-hour break until a child is nine months old. The number of hours is doubled in the case of twins.

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

The maximum period of post-natal leave available in Hungary is three years (except for families with three or more children, where leave can be taken until a child is eight years); the last year is paid at a low flat rate, but until a child is two years old, insured parents taking leave

are paid at a high earnings-related level. There is an entitlement to ECEC (*óvoda*/kindergarten) from three years of age and attendance is compulsory (for at least four hours a day) from the age of five years (attendance will be compulsory from the age of three years, from the start of the school year 2015/16). Children under three years are also entitled to an ECEC service (*bölcsőde*/nursery) place, but there is a shortage of spaces in Hungary; legislation is in place but implementation varies. So although, by legislation, there is no gap between the end of Parental leave entitlement and the start of an ECEC entitlement, such a gap exists in practice due to a shortage of places in nurseries. Otherwise there is a one year gap between the end of well-paid leave (GYED) and an entitlement for a kindergarten place for three-year-olds. Levels of attendance at formal services for children under three years are well below the average for the countries included in this review and OECD countries; but above average for children over three years. For actual attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

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

None reported.

4. Take-up of leave

a. Maternity leave

Statistics¹⁹⁹ are available only on the number of women receiving benefits. The average monthly number of mothers was 24,230 in 2013, which is 10.4 recipients per thousand women of fertile age. It is supposed that almost all eligible women take the leave.

b. Paternity leave

The total number of fathers taking leave during 2013 was 22,510, using 112,152 days in total, i.e. most fathers taking leave used their full five day entitlement.

c. Parental leave

Statistics are available only on the number of recipients of the benefits. The average monthly numbers in 2013 were: 161,274, or 69.6 recipients per thousand women of fertile age for GYES; 81,234, or 35.0 recipients per thousand women of fertile age for GYED; and 37,411, or 16.1 recipients per thousand of women of fertile age for GYET. There is no information on the proportion of parents taking leave, how long they take or on the number of fathers taking Parental leave. An estimate can be made on the basis that 0.4 per cent of children under one year, 10.5 per cent of those between one and two years, and 54.2 per cent of those between two and three years were in childcare centres in 2013, so the remainder probably had a parent (predominantly the mother) taking up one of the Parental leave options.

It is thought that mothers with higher education and better paid jobs take shorter periods of leave, especially as the last year of GYES is paid at a flat rate and because of the implications of prolonged absence from work on their career prospects. Some indication on the extent of leave-taking is provided by data on the age of children entering *bölcsőde* (nurseries taking children under three years of age); most children enter between 18 months and two years of age.

¹⁹⁹ All statistics in this section are from the Hungarian Central Statistical Office (*Központi Statisztikai Hivatal*) Yearbook of Welfare Statistics (see section 5b) and website (<https://www.ksh.hu/?lang=hu>).

d. Other employment-related measures

In 2013, the total number of paid leave days to care for a sick child was 794,000, which represented 4.0 per cent of all paid sick leave days.

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

a. General overview

Research and publications on leave and employment related policies have been scarce in 2014, as in the previous year.

b. Selected publications since April 2014

Gyarmati, A. (2014) 'Some Aspects of the Intergenerational Changes in Grandparental Childcare in Hungary. A Qualitative Analysis', *Demográfia*, Vol.57, No. 1: 45–72. (In Hungarian).

The author examines one type of intergenerational transfers, grandparental childcare, on the basis of a secondary analysis of an interview study on multigenerational families carried out in Hungary in 2004. In this paper she examines why grandparents help or do not help with childcare, under what conditions grandparental help is more probable, what grandparental help consists of, what parents expect from the grandparents, how the institutional context, the changing or unchanging family policy affects all these. The main findings of the paper are the obviously changing role of grandparents, the increasing effect of individualisation on intergenerational transfers, the changing quantity and quality of childcare directly and indirectly influenced by family policy or the type of care system.

Központi Statisztikai Hivatal [Hungarian Central Statistical Office] (2014) *Szociálisstatisztikai évkönyv 2013 [Yearbook of Welfare Statistics, 2013]* (with CD-ROM). Budapest: Központi Statisztikai Hivatal.

This yearbook contains detailed data on a wide range of welfare measures and services including: social assistance, family benefits, child welfare provision, child protection, social benefits, basic social care and child care, social work activities and accommodation, rehabilitative employment, sick pay, retirement allowances and the social and guardianship authority administration in 2013, with a detailed methodology.

c. Ongoing research

Changing Families and Sustainable Societies: Policy Contexts and Diversity over the Life Course and Across Generations (FamiliesAndSocieties) (2013-2017). FamiliesAndSocieties Funded by the European Union. Hungarian partner: Centre for Social Sciences, Hungarian Academy of Sciences (MTA TK).

The main objectives of this project are to investigate the diversity of family forms, relationships, and life courses in Europe; to assess the compatibility of existing policies with these changes; and to contribute to evidence-based policy-making. The project intends to extend the knowledge on how policies promote well-being, inclusion and sustainable societal development among families.

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April 2015

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

Note on terminology: the term *fæðingarorlof* (literally ‘birth leave’) is used in law to refer to paid Maternity, Paternity and Parental leave. Sometimes the term *feðraorlof* (paternity leave) is used even though the law does not make such distinction between parental leave of fathers and mothers.

Foreldraorlof refers to the unpaid leave included in 1d under the heading of ‘Childcare leave’, though it translates literally into ‘Parental leave’. The type of leave referred to in 1c under the heading of ‘Parental leave’ is translated into English by the Icelandic Ministry of Welfare as ‘parents’ joint rights’.

a. Maternity leave (*fæðingarorlof*)

Length of leave (before and after birth)

- Three months: one month may be taken before birth. It is obligatory to take two weeks of leave following the birth.

Payment and funding

- Eighty per cent of average total earnings for a twelve months long period ending six months before birth up to a ceiling of ISK 370,000 [€2,514²⁰¹] per month. The minimum payment to a mother working shorter part-time hours, i.e. between 25 and 49 per cent of full-time hours, is ISK100,720 [€684] per month; and the minimum payment for a mother working 50-100 per cent of full time-hours is ISK139,591 [€875]. For those working less than 25 per cent of full-time hours and those outside the labour market the amount is ISK 60,911 [€414]. Students (75-100 per cent of full-time studies) receive a flat-rate payment of ISK139,591 [€948]. As a frame of reference, the minimum wage in Iceland is ISK 214.0000 [€ xx per month.

²⁰⁰Please cite as: Eydal, G.B. and Gíslason, I.V. (2015) ‘Iceland country note’, in: P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

²⁰¹Conversion of local currency into Euros undertaken on 1-5 June 2015, using <http://finance.yahoo.com/currency-converter/>

- Funded by the Maternity/Paternity Leave Fund, which is financed from an insurance levy of 6.04 per cent of wages paid by employers; 0.65 per cent of the revenue goes to this Fund.

Flexibility in use

- b. After the two weeks of obligatory leave, the mother can choose to take leave on a full time or part-time basis. It is also possible to take leave in one continuous period or as several blocks of time (i.e. leave can be 'uninterrupted' or 'interrupted'). This has to be negotiated with the employer. Parents can be on leave together, partly or the whole period.

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

- All mothers that give birth to or adopt a child have individual non-transferable rights to three months Paid parental leave, regardless of sexuality or marital status.

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

- See also 1c.
- In cases where there is only one parent (the other parent has died, in cases of artificial insemination or an individual adopts or takes a child in permanent foster), the parent has right to nine months paid Parental leave. In special cases, if one of the parents is in prison or hospital or is incapable to take care of the child due health reasons it is possible to transfer the rights to the other parent.
- Maternity leave can be extended by two months if the mother suffers from a serious illness in connection with the birth.

b. Paternity leave (*fæðingarorlof*)

Length of leave

- Three months.

Payment and funding

- Eighty per cent of average total earnings for a twelve months long period ending six months before birth up to a ceiling of ISK 370.000 [€2,514] per month. For maximum and minimum payments see 1a.

Flexibility in use

- Same as for Maternity leave, except for the obligatory two weeks that mothers must take after birth.

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

- All biological or adoptive fathers have individual non-transferable rights to three months paid Parental leave, regardless of sexuality or marital status.

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

- See 1c.
- In cases where there is only one parent (the other parent has died, in cases of artificial insemination or an individual adopts or takes a child in permanent foster), the parent has right to nine months paid parental leave. In special cases, if one of the parents is in prison or hospital or is incapable to take care of the child due health reasons it is possible to transfer the rights to the other parent.

c. Parental leave (see note on terminology at the start of part 1)

Length of leave (before and after birth)

- Three months after birth. These are in addition to the earmarked months (three for each parent) and can be divided between the parents as they like.

Payment and funding

- Each parent is entitled to economic compensation based on his or her labour market situation and previous earnings (please see 1a for further information).

Flexibility in use

- The total of nine months leave (covering maternity, paternity and joint rights) can be used until 24 months after the birth.
- Leave can be taken in one continuous period or as several blocks of time. The leave can be taken on part-time or full-time basis and parents can be on leave together.

Regional or local variations in leave policy

- None.

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

- Each parent is entitled to leave based on his or her labour market situation.

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

- In the case of a premature birth after 18 weeks, the parents are entitled to up to two sharable months and if the birth takes place after 22 weeks up to three sharable months
- In the case of multiple births, the length of leave increases by three sharable months for each additional birth; it can be extended by the same amount if the child suffers from a serious illness. Leave also increases if the child has to stay in hospital more than seven days after the birth by that amount of time up to four months.
- If the child is seriously ill or disabled in a way that demands more intensive parental care than is usual, the leave may be extended by up to seven months
- In cases where there is only one parent (the other parent has died, in cases of artificial insemination or an individual adopts or takes a child in permanent foster), the parent has right to nine months paid Parental leave. In special cases, if one of the

parents is in prison or hospital or is incapable to take care of the child due health reasons it is possible to transfer the rights to the other parent.

d. Childcare leave or career breaks (*Foreldraorlof*)

- Each parent may take four months of non-transferable unpaid leave until the child is eight years old.

e. Other employment-related measures

Adoption leave and pay

- Regulations on paid parental leave apply if the child is younger than eight years when adopted.

Time off for the care of dependants

- The ILO convention (no. 156) on Workers with Family Responsibilities has been ratified.

Flexible working

- Employers are required by the Act on Equal Status and Equal Rights of Women and Men to make the necessary arrangements to enable men and women to balance family life and work, including the arrangement of work in a flexible manner and parents being able to take leave from work in case of serious or unusual family circumstances.

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

The maximum period of post-natal leave available in Iceland is 17 months, nine months of paid leave and two periods of four months of unpaid leave (1d). There is no entitlement to ECEC. However, most municipalities offer ECEC for children over the age of two years and even younger, and national statistics for 2013 show high attendance on all levels for children over 12 months: one per cent of children under 12 months are in early childhood centres, compared with 34 per cent of one-year-olds and 96 per cent of two to five-year-olds. Levels of attendance at formal services for children under and over three years are well above the average for the countries included in this review and OECD countries. For actual attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

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

The Icelandic parliament adopted changes to the law on Parental leave in December 2012, with a staged increase to a 5+5+2 system. Following parliamentary elections in April 2013, a new coalition government came to power. This government deemed state finances to be in such a bad state that the extension of the leave period adopted in December 2012 could not be carried out. The law was therefore revoked.

However the government has appointed two committees, on leave and ECEC. One is to look into the restoration to the pre-2008 level of economic compensation during Parental leave and

the eventual extension of the leave. The other is looking into the possibilities of increasing the capacity of preschools so that they can admit children once the Parental leave is over.

4. Take-up of leave

a. Maternity leave

In 2011 (last year for which final figures are available), 99 per cent of women applying for leave used at least the three months available only to mothers. For more details see 4c.

b. Paternity leave

See 4c.

c. Parental leave (i.e. parents' joint rights)

In 2011, 83.7 per cent of fathers took a period of leave (paternity and/or parents' joint rights) for every 100 mothers taking some leave, and fathers took about a third of all days of leave taken by parents (an average of 91 days leave compared to 176 for mothers). This is a substantial drop in the usage of fathers, in all probability due to the severe cuts in economic compensation. Overall, 15 per cent of fathers took some of the parents' joint rights, and 39.7 per cent took less than their three months of designated Paternity leave; 95 per cent of mothers took some period of parents' joint rights while 1.1 per cent used less than their three months.

In 2011, 28 per cent of men and 36 per cent of women took leave in one uninterrupted period; the remainder took their leave in two or more parts.

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

a. General overview

Research on leave and other employment-related policies has been a neglected area in Iceland though there has been some slow increase. Some studies include cross-national comparisons, which is reducing Iceland's previous knowledge gap in this area.

b. Selected publications from 2014

Eydal, G.B. and Gíslason, I.V. (2014). Hrunið og fæðingarorlofið [Crisis and paid Parental leave: Impact on parents and legislation]. *Íslenska þjóðfélagið*, Vol.5, No.2: 77-93. Available at: <http://www.thjodfelagid.is/index.php/Th/article/view/72>

One of the effects of the bank crash that hit Iceland in 2008 was a severe cut in welfare spending. Parental leave was one of the areas affected. This article explains the origins and characteristics of the 2000 law on Parental leave and shows how fathers and mothers used it. It discusses the changes that were made in the aftermath of the economic crisis, such as the cuts in economic compensation, and asks what effects this may have had on the uptake of leave and the situation of families with small children. This is based on data from the Parental Leave Fund on the one hand and, on the other hand, results from a survey among parents who had their first child in 2009. Finally, the article discusses changes in the laws on Parental leave adopted by the Icelandic parliament in December 2012 where it was decided to extend in stages the individual rights of both parents to Parental leave.

Eydal, G.B. and Gíslason, I.V. (2014) 'Caring fathers and parental leave in prosperous times and times of crisis: the case of Iceland', in: G.B. Eydal and T. Rostgaard (eds.) *Fatherhood in the Nordic Welfare States. Comparing Care Policies and Practice*. Bristol: Policy Press.

Farstad, G. (2014) 'Difference and equality: Icelandic parents' division of parental leave within the context of a childcare gap', *Community, Work & Family*, DOI: 10.1080/13668803.2014.965661

Iceland's Parental leave system, granting mothers and fathers equal benefits, may be interpreted as part of the development in the Nordic countries towards a dual-earner/dual-caregiver model. Even though uptake studies show fathers' increased participation in childcare, the use of the entitlement varies and a gendered pattern persists. This paper is based on interviews with 14 Icelandic couples who find themselves in a situation where they have to bridge a care gap between Parental leave and state-subsidized childcare. While mothers tend to stretch their part of the leave on the argument that six months is too short a leave, fathers generally find three months to be long enough. The discussion revolves around the question of the relationship between difference and equality, inspired by Andrea Doucet's (2006) concept of strategic essentialism. May we envision a policy system that takes into consideration the way people invest in gender and at the same time develop policy measures that facilitate gender equality?

Hakovirta, M., Haataja, A., Eydal, G.B. and Rostgaard, T. (2014) 'Fathers' rights to family cash benefits in Nordic countries', in: G.B. Eydal and T. Rostgaard (eds.) *Fatherhood in the Nordic Welfare States. Comparing Care Policies and Practice*. Bristol: Policy Press.

c. Ongoing research

Paid parental leave, fathers and mothers: Reconciliation of work and family (2013-). Guðný Björk Eydal, Ingólfur V. Gíslason. University of Iceland. Funded by the University of Iceland Research Fund and the Icelandic Equality Fund.

The aim of the project is to investigate through a survey how parents having a first child in 2009 have organized their work and the care of their child from birth until the age of three years. The parents are also asked about their labour market participation a year before birth. All parents of children born in Iceland in 2009 received a questionnaire and the survey was carried out in spring 2013. Such surveys have been conducted twice before; in 2001 it was conducted among parents of first-born children in 1997, and in 2007 among parents of first-born children born in 2003 (when the children were all three years or older). In the 2013 survey there were also questions regarding the influence of the economic crisis on how parents have organized work and care during the aftermath of the crises, since many parents in the group had made their plans regarding Parental leave before the cuts to the payments were made. Furthermore qualitative interviews have been conducted among parents from Poland living in Iceland and parents who were born in Iceland in order to gain knowledge about their experience of the Icelandic paid Parental leave system. Contact: Guðný Björk Eydal at ge@hi.is or Ingólfur V. Gíslason at jvg@hi.is. Ásdís A. Arnalds is PhD student in the project, aaa1@hi.is.

Nordic Family Policies and Demographic Consequences 1990-2011. Guðný Björk Eydal, University of Iceland, with Trude Lappegard from Statistic Norway and Ólöf Garðarsdóttir, University of Iceland. Funded by the Norwegian Research Council.

A data set is being created from existing register data from Statistics Iceland about fertility, labour market position, education, family position and incomes; and from the Birth Leave fund about the take-up of paid Parental leave by Icelandic parents. Contact: Ólöf Garðarsdóttir at olofgard@hi.is.

Ingólfur V. Gíslason at the University of Iceland has undertaken a qualitative study among couples in which the male spouse has been unemployed for at least three months but the

female spouse is actively employed. A paper is being written on the results. He is also participating in an international research project headed by Francine M. Deutsch studying couples who equally share housework and paid employment. Finally, he is involved in an international project headed by Karin Wall which studies fathers that have been at home with their child for at least a month while the mothers are working. Contact: Ingólfur V. Gíslason at ivg@hi.is

Ireland²⁰²

Eileen Drew (Trinity College Dublin)

April 2015

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 (responsibility of the Department of Justice, Equality and Defence)

Length of leave (before and after birth)

- Forty-two weeks: at least two weeks must be taken before birth.

Payment and funding

- A weekly rate of €230 is paid to qualifying persons for 26 weeks; the remaining 16 weeks is unpaid. Mothers who are already on certain social welfare payments are entitled to half-rate maternity benefit.
- Funded from the Social Insurance Fund, which is financed by contributions from employers and employees. Pay Related Social Insurance (PRSI) rates vary across different types of employment. However, the majority of employees pay 4 per cent of earnings and employers 10.75 per cent

Flexibility in use

- None except for when leave can be started before birth.

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

- To be eligible for maternity benefit, an employee or self-employed woman has to meet certain conditions relating to payment of Pay Related Social Insurance (PRSI), for example to have been employed for 39 weeks during which PRSI was paid in the 12-month period before birth of the child.

²⁰² Please cite as: Drew, E. (2015) 'Ireland country note', in: P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

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.

- Fathers are entitled to Maternity leave if the mother dies within 40 weeks of the birth. In these circumstances, the father is entitled to a period of leave, the extent of which depends on the date of the mother's death. If the mother dies within 24 weeks of the birth he has an optional right to the additional Maternity leave. If the mother's death is over 24 weeks after the birth, the father is entitled to leave until 40 weeks after the birth. The leave starts within seven days of the mother's death.
- In the case of a child who is hospitalised, the mother may postpone her Maternity leave if she has taken 14 weeks (including at least 4 weeks since the baby was born) up to a period of six months with the agreement of the employer.

b. Paternity leave

No statutory entitlement.

c. Parental leave (responsibility of the Department of Justice, Equality and Defence)

Length of leave

- Eighteen weeks per parent per child. Leave is an individual entitlement that cannot be transferred, except where parents who are employed by the same employer in which case they can transfer a maximum of 14 weeks of their Parental leave entitlement to the other parent, subject to the employer's agreement. Both parents can take the leave at the same time.

Payment and funding

- None.

Flexibility in use

- Leave may be taken up to the child's eighth birthday, and up to 16 years in the case of children with disabilities and serious illness.
- An extension of the *force majeure* provisions includes persons in a relationship of domestic dependency, including same-sex partners. Same-sex partners are defined in the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010.
- Leave may be taken in separate blocks of a minimum of six continuous weeks or more favourable terms subject to employer's agreement.
- Parents can be on leave together, partly or the whole period.

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 leave is per child, the leave period is doubled for parents of twins and tripled for triplets.
- Parents with a disabled child do not get additional Parental leave, but would be eligible for Carer's leave (see 1e).

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

- Parental leave can be postponed for six months (to a date agreed on by both the employer and employee) if the granting of the leave would have a substantial adverse effect on the operation of the business.
- An employee who falls ill while on Parental leave and as a result is unable to care for the child may suspend the Parental leave for the duration of the illness following which period the Parental leave recommences.
- Statutory codes of practice specify the manner in which Parental leave and *force majeure* leave might be taken and the manner in which an employer can terminate Parental leave.

d. Childcare leave or career breaks

No statutory entitlement.

e. Other employment-related measures

Adoption leave and pay

- Forty weeks leave for adopting mothers or sole male adopters of children under eight years, with 24 weeks paid; payment and eligibility as Maternity leave. If the child is under three years of age at the time of adoption, unpaid Parental leave can be taken before the child reaches five years of age. However, if the child is aged between three and eight years at the time of adoption, the leave must be taken within two years of the adoption order.
- Sixteen weeks unpaid adoptive leave.
- Section 9 of the Act makes provision for splitting the period of adoptive leave and/or additional adoptive leave in the event of the hospitalisation of the adopted child, subject to the agreement of the employer.
- Section 10 provides for situations where an employee returns to work having postponed leave under Section 9 and is subsequently absent from work due to sickness.

Time off for the care of dependants

- Three days paid leave per worker in any 12 consecutive months, up to a limit of five days in any 36 consecutive months (treated as *force majeure*).
- Employees with 12 months continuous service can take a minimum of at least 13 weeks up to a maximum of 104 weeks unpaid 'Carer's leave' to provide full-time care for a dependant (e.g. a child with a severe disability), either in one continuous period or as several blocks of time. Employees may work up to ten hours per week while on this carer's leave, subject to certain income limits. An employee on Carer's leave may be entitled to a means-tested carer's benefit.

Flexible working

- Breastfeeding mothers are entitled to adjust their working hours or, if breastfeeding facilities are provided at work, to take breastfeeding breaks up until the child is six months old.
- On return from Parental leave, an employee may request a change in their working hours or pattern. Employers must consider such a request but are not required to grant it.

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

The maximum period of post-natal leave available in Ireland is 18 months, but most of this is unpaid; leave paid at a low flat rate lasts for only six months. There is an entitlement to ECEC from 3¼ years of age, though only for part-time nursery education (15 hours a week for 38 weeks per year). So there is a substantial gap between the end of leave and an ECEC entitlement, and a gap of nearly three years between the end of well-paid leave and an ECEC entitlement. Levels of attendance at formal services for children under three years are about the average for the countries included in this review and OECD countries; but well below the average for children over three years. For actual attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

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

The Family Leave Bill is due to be published in 2015 and is intended to consolidate current provisions regarding Maternity, adoptive, Parental and carer's leave into one piece of legislation. .

4. Take-up of leave

a. Maternity leave

A total of 50,451 women applied for maternity pay in 2008, the year in which the highest number of births was recorded in Ireland since 1896, with over 75,000 babies born; the difference between women applying and births is accounted for by some women not being eligible for Maternity leave. In 2012, the Irish Government paid out €303 million to 45,129 mothers on Maternity leave (data from the Department of Social Protection). This substantial increase is due to various reasons: more births, more women in the labour market and in-migration of women of childbearing age.

According to a national study of Pregnancy at Work conducted in 2007-2009²⁰³, two-thirds of the 23,000 the mothers surveyed had been in employment. The sample was selected by the Department of Social Protection (DSP) from its database of recipients of the universal child benefit. Of these, 92 per cent of mothers took paid Maternity leave, while 41 per cent took unpaid Maternity leave, mostly in addition to paid leave. Taking combined paid and unpaid leave was related to the mother's ability to afford a period of unpaid leave. Women who were self-employed or who worked in temporary/casual jobs or part-time employment during pregnancy were less likely to take paid maternity leave.

²⁰³ Russell, H., Watson, D. and Banks, J. (2011) *Pregnancy at Work: A National Survey*. Dublin: HSE Crisis Pregnancy Programme and the Equality Authority.

Nearly half (48 per cent) of employed women received a top-up payment from their employer in addition to state maternity benefit. Receipt of such payments was higher among women who were already more financially secure. Nearly one-third (32 per cent) of the women surveyed who were in employment experienced problems around Maternity leave, the most common involving the timing or duration of leave, i.e. being pressurised into leaving work earlier or returning to work sooner than desired. The report concluded that the preferred option, among mothers who can afford it, would be for a longer period of maternity leave than the six months of statutory paid leave.

b. Paternity leave

No statutory entitlement.

c. Parental leave

Based on the findings of the *Pregnancy at Work* study (footnote²), only 18 per cent of women who had returned to work after childbirth in 2007-2009 had requested to take any Parental leave. However, the authors noted that since leave can be taken at any point until the child reaches eight years of age, more women may avail of this entitlement at a later stage. Almost one-fifth (19 per cent) of women who had applied for Parental leave had their request refused, or leave was granted not in the form originally requested. The study showed that take-up of (unpaid) Parental leave is linked to women's ability to afford it. Women with an unemployed partner were four times less likely to request Parental leave than women with a working partner, indicating the constraint on choice associated with the household's financial position, which is likely to characterise many households during a period of recession. Women with higher earnings were more likely to have requested Parental leave. No information was given in the report on fathers' take up of Parental leave

d. Other employment-related measures

There is no recent information on take-up, the latest data being from a survey in 2001.

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

a. General overview

Despite the introduction of Maternity leave and pay in 1994 there have been no specific studies on the use of this entitlement nor the take-up of Carer's leave. More attention has been given to the Parental leave entitlement introduced in 1998. Most available research has focused on broad issues around reconciling work/family, including flexible working arrangements and childcare rather than leave per se.

b. Selected publications since April 2014

Drew, E. and Watters, A. (2014) "We're not much use, but good for logistics": An exploratory study of fathers and parenting leaves in Ireland', *Journal of International and Comparative Social Policy*, Vol. 30, No. 3: 245-264.

This paper examines family leaves in Ireland, particularly for fathers, in the context of changing parenting roles and the increased involvement of fathers in the care of their child(ren). Drawing upon the results of a survey of 637 parents and focus group discussions with parents it highlights parental experiences of Parental, Paternity and Maternity leave. Policy changes are explored to assess the preferences of fathers and mothers in terms of payment, duration and

transferability of leaves between parents. In tandem with women's increased access to employment, the study examines evidence of men's desire for greater equality in family roles. The question posed is whether a policy response is needed in relation to fathers' rights to family leave and, if so, on what terms?

c. Ongoing research

None reported.

Nadav Perez-Vaisvidovsky (Ashkelon Academic College)

April 2015

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

a. Maternity Leave (חופשת לידה, *Hufshat Leida* – literally 'birth leave') (responsibility of the National Insurance Institute)

Length of leave (before and after birth)

- 26 weeks: up to six weeks before the birth and the remainder following the birth. It is obligatory to take the first fourteen weeks.

Payment and funding

- One hundred per cent of earnings for the first 14 weeks, with a ceiling of five times the average salary (ISL44,755 [€10,590²⁰⁵] per month). The remaining 12 weeks are unpaid.
- The benefit is paid by the National Insurance Institute, funded by contributions from employers, employees and the state. Employers pay 3.45 per cent of earnings and employees 0.4 per cent up to 60 per cent of average earnings; above which payment is 6.75 per cent and seven per cent respectively up to a ceiling.

Flexibility in use

- Women may use the first six weeks of leave before birth. The leave may be shortened to 14 weeks, but not by less than that.
- Working is formally not permitted while on leave, and the National Insurance Institute is entitled to revoke benefits for those found to be working when on leave. However, maintaining a connection to the workplace (via email, phonecalls and even occasional visits) is considered acceptable for women. Enforcement of this regulation for men sharing their spouses' leave is much more stringent.

²⁰⁴ Please cite as: Perez-Vaisvidovsky, N. (2015) 'Israel country note', in: P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

²⁰⁵ Conversion of local currency into Euros undertaken on 1-5 June 2015, using <http://finance.yahoo.com/currency-converter/>

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

- All women are entitled to the first 14 weeks of leave (including job protection, if relevant), regardless of employment status.
- Only women who have worked with the same employer for a full year before birth are entitled to a full 26 weeks leave.
- Entitlement to benefits depends on prior participation in the labour force (and payment of social insurance) for ten out of 14 months or 15 out of 25 months prior to leave. Self-employed women are 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

- A mother who has been hospitalized during her leave for two weeks or more may extend her paid leave for the hospitalization period, up to four weeks, or split her leave so the hospitalization period will not be included.
- A mother whose baby has been hospitalized during the leave for two weeks or more may extend her paid leave for the hospitalization period, up to 20 weeks, or split her leave so the hospitalization period will not be included.
- In multiple child births, the mother is entitled to an additional three weeks of leave and benefits) for each child beyond the first.
- When the mother is unable to care for the newborn because of illness or disability, the full leave can be transferred to the father (and only to him). If both pass the eligibility criteria, benefits are then paid to the father, based on his income.
- The mother can transfer part of her leave to the father, as long as the following conditions are met:
 - The first six weeks after birth cannot be transferred.
 - Both the mother and the father must be eligible for leave and for benefits.
 - The minimum period to be transferred is 21 days.
 - The mother must return to work.
 - The mother has to provide written consent to transfer her leave.

b. Paternity leave

No statutory entitlement.

c. Parental leave (Also named חופשת לידה, *Hufshat Leida*)

Length of leave

- Up to one year after childbirth for each parent. Leave is an individual entitlement.

Payment and funding

- None.

Flexibility in use

- Both parents are entitled to take leave at the same time.
- Both parents can take up to two leave intervals.

Regional or local variations in leave policy

- None

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

- Parents are eligible to a leave period no longer than a quarter of the length of their employment with the current employer, up to a leave of one year for four years of employment.

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

- None

d. Childcare leave or career breaks

No statutory entitlement.

e. Other employment-related measures

Adoption leave and pay

- For adoptive parents the same regulations for Maternity leave apply as for other parents, as long as the adopted child is under 14 years of age.

Time off for the care of dependents

- In case of the sickness of a child (below 16 years of age), parents may use up to eight days each year out of their own allotted sick leave (totaling 18 days per year, paid by the employer from the second day at 50 per cent of earnings, 100 per cent from the fourth day). A single parent may use up to 16 days. In case of a malignant disease, the period of leave increases to 90 days (110 for a single parent).
- Parents of a child with special needs are entitled to 18 days out of their own sick leave (36 for a single parent).
- In case of the sickness of a spouse, workers may use up to six days per year (60 days for a malignant disease), out of their allotted sick leave.
- During the pregnancy of his spouse, a worker is entitled to use seven days of his allotted sick leave to attend medical examinations and treatments related to the pregnancy.
- A worker may use up to six days per year of his allotted sick leave to care for a parent over 65 years of age.

Flexible working

- During the first four months after the end of the Maternity leave, mothers employed full time and who are breastfeeding are entitled to one hour absence from work, in addition to break times defined by law.

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

The maximum period of post-natal leave in Israel is 12 months, but most of this is unpaid; leave paid at a high rate runs for 3.25 months. There is no entitlement to ECEC. Demand for children under three years exceeds supply, and places in government regulated and subsidized care are hard to come by. So when the initial birth leave of 26 weeks ends, parents have difficulties finding places in regulated ECEC centres, especially when the leave ends in the middle of the school year. Many parents, therefore, have to use the unpaid Parental leave, or else rely on family assistance or on expensive, unregulated private care.

There is no comparative information on levels of attendance at formal services for children under three years; but attendance for children over three years is above average for the countries included in this review and OECD countries. For actual attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

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

None reported.

4. Take-up of leave

a. Maternity leave

All eligible women use Maternity leave as it is obligatory; As of 2010, women taking this leave account for 62 per cent of all women giving birth. Only 0.35 per cent of women receiving Maternity leave benefit transfer part of it to their spouse.

b. Paternity leave

No statutory leave entitlement.

c. Parental leave

No data exist on the use of the unpaid Parental leave.

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

a. General overview

Research on Israeli leave policy is quite rare; few studies target this policy specifically, and as Israel is not a member state of the EU, and has only recently joined the OECD, few comparative studies include Israel in their sample. Leaves are generally understood by researchers within the context of wider family policy, which has in turn been understood as subject to the logic of the Israeli-Arab, and specifically the Israeli-Palestinian, conflict. The main role of women, according to this logic, is to 'fight the demographic battle', and they are rewarded for fulfilling this role and can make claims to common resources based on its demands. This explains the then-generous Maternity leave of 12 weeks, introduced in 1952. Its stagnation for 55 years – and the minor expansions afterwards – are understood, again,

within the general framework of family policy, now focusing on 'rewarding childbearing while neglecting childcare' policy, providing generous measures to pregnant women and to women seeking to become pregnant, but giving minimal support to parents after the children are born.

b. Selected publications since April 2014

None reported.

c. Ongoing research

None reported.

Tindara Addabbo (University of Modena and Reggio Emilia), Valentina Cardinali (Isfol, Institute for the Development of Vocational Training of Workers), Dino Giovannini (University of Modena and Reggio Emilia) and Sara Mazzucchelli (Catholic University of Milan)

April 2015

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 (*Congedo di Maternità*) (responsibility of the Ministry of Labour and Social Policies and (for public employees) Ministry of Economy and Finance)

Length of leave (before and after birth)

- Twenty weeks (five months): at least four weeks before the birth. It is obligatory to take this leave.

Payment and funding

- Eighty per cent of earnings with no ceiling for salaried workers. For home helps, self-employed workers and agricultural temporary labourers, earnings are 80 per cent of conventional earnings determined each year by the law; for non-fixed term workers, Maternity leave depends on accredited contributions, though each professional sector has the possibility to determine, with approval by the Ministry of Labour, Health and Social Policies, a higher ceiling, after considering income and contribution potential of the professional sector and compatibility with its financial.
- Funded by INPS (National Department for Social Welfare), financed by contributions from employers and employees at a rate that is related to the sector and to the type of contract (for example, in manufacturing it is 0.46 per cent of earnings for employers and 0.28 per cent for employees). Workers on Maternity leave may be paid direct by INPS or else by their employer, who is recompensed by INPS.

²⁰⁶ Please cite as: Addabbo, T., Cardinali, V., Giovannini, D. and Mazzucchelli, S. (2015) 'Italy country note', in: P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

Flexibility

- For employees and workers enrolled in '*Gestione separata*'²⁰⁷, the 20 week period is compulsory, but there are two options for taking this leave: four weeks before the birth and 16 weeks after (upon presentation of a medical certificate); and eight weeks before the birth and 12 weeks after. The allowance is accorded to autonomous female workers from eight weeks before the birth to 12 weeks after; maternity leave, however, is not compulsory for this category. The Jobs Act provides that, in case of premature birth, which take place before the 7th month, the amount of leave not yet used before birth is in addition to that postpartum same. If the infant suffers a hospitalization, the mother has the right to suspend the Maternity leave.
- The mother can transfer two days to the father.

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

- All employees and self-employed women with social security membership, including workers enrolled in *Gestione separata*.

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

- In the case of multiple or premature births, the length of leave increases by 12 weeks.

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

- Public sector employees receive 100 per cent of earnings.
- In general national collective agreements guarantee 100 per cent of earnings, with employers paying the additional 20 per cent.

b. Paternity leave (*congedo di paternità*) (Ministry of Labour, Health and Social Policies)

Length of leave

- One day of compulsory leave. Fathers can take two additional days if the mother agrees to transfer these days from her Maternity leave allocation.

Payment and funding

- One hundred per cent of earnings.

Flexibility

- Leave can be used until five months after childbirth.

Eligibility

- All employees

²⁰⁷ The INPS enrolls in *Gestione separata* ('separate administration') workers who do not contribute to other forms of welfare and who do not have any type of pension, e.g. workers on a fixed-term research project.

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

- Employed fathers, including those who are self-employed and enrolled in *Gestione separata*, may take three months paid leave following childbirth in the following circumstances: the mother's death or severe illness; the child being left by the mother; or the child being in the sole care of the father. An important verdict by the Tribunal of Florence extends the possibility of obtaining Paternity leave, paid at 80 per cent of earnings, to two months before childbirth. This means that the father can take the whole period of Maternity leave in certain circumstances, i.e. if the mother is a housewife or ill or, alternatively, if she is a self-employed worker who cannot take advantage, for various reasons, of the leave. The Tribunal is a civil court and its decision acts as an important precedent for other Tribunals, but is not automatically binding on them. Conditions are the same as for Maternity leave.

c. Parental leave (*Congedo Parentale*) (responsibility of the Ministry of Labour, Health and Social Policies and (for public employees) Ministry of Economy and Finance)

Length of leave (before and after child's birth)

- Six months per parent. Leave is an individual entitlement.
- The maximum total length of leave per family is ten months unless the father takes at least three months (also discontinuously) of leave; in which case the total length of leave can be extended to 11 months and the father can extend his leave to seven months.

Payment (during the length of Parental leave) and funding

- Thirty per cent of earnings when leave is taken for a child under six years; unpaid if taken when a child is six to twelve years according to the implementing decree of the Jobs Act (March 2015).
- Funded as Maternity leave.

Flexibility in use

- Leave can be taken at any time until a child is twelve years old.
- Leave can be taken as a single leave period up to a maximum of six months; or as shorter periods amounting to a maximum of six months.
- Leave can be taken on an hourly basis, up to half of the daily hours worked during the month immediately preceding the start of Parental leave. Workers cannot take 'hourly based leave' and another kind of permitted absence from work on the same day.
- Parents can take leave at the same time.
- From the end of Maternity leave until 11 months after the birth, mothers - mothers who meet the requirements of the law- can exchange their Parental leave for vouchers of €300 per month for use in reducing childcare costs. It is an experimental measure until 2018 and is realized as part of the annual budget defined by specific regulations.

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

- All employed parents, except domestic workers and home helps. Self-employed workers are generally entitled to three months, which can be taken only during the first year after child's birth.
- The father is entitled to leave even if the mother is not, for example if she is a housewife. Circular letter B/12-5-2009 from the Department of Labour, Health, and Social Policies extends the right to fathers to make use of the leave indicated in the art. 40c, Act of Law n. 151/2001 (right to work reduced hours with full earnings compensation for the first 12 months after childbirth) if the mother is a housewife; previously this right was limited to fathers where the mother was self-employed. This change gives equal value to the domestic work of non-employed mothers as to paid work.
- Parental leave of three months, to be taken within the first year of the child, is available to workers enrolled with *Gestione separata* by the INPS.

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 (e.g. the length is doubled for twins, tripled for triplets).
- A lone parent may take ten months of leave.

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

- Public sector employees receive 100 per cent of earnings during the first 30 days of leave.

d. Childcare leave or career breaks

No statutory entitlement.

e. Other employment-related measures

Adoption leave and pay

- For adoptive and foster parents the same regulations for Maternity and Parental leave apply as for other parents. The period of Maternity leave does not depend on the age of the child adopted and must start within five months of entering the family; in case of international adoption, the leave can be taken also for overseas visits in connection with adoption. The Parental leave for adoptive and foster parents can be taken within eight years of the child entering the family and not after his/her eighteenth birthday; payment, generally, is 100 per cent of earnings for the first 30 days and 30 per cent for the following five months, if taken within three years of the entrance of the child into the family.

Time off for the care of dependants

- Without limit for a child under three years; five days a year per parent for a child aged three to eight years. Unpaid.
- Employees are entitled to two years leave over the course of their entire working life in the case of a serious need in their family, for example the disability of a child or other relative, even if not co-resident. The order of priority for taking leave is: husband/wife,

parents, children, brothers and sisters of the person who needs care. During the period of leave, the applicant is entitled to receive an allowance corresponding to their previous earnings, up to a maximum of €47,351.12 per year.

Flexible working

- Until a child is 12 months old, women who are employees are entitled to work reduced hours (one hour less per day if working six hours a day or less; two hours less per day if working longer) for breast feeding, with full earnings compensation. Fathers are entitled to use this benefit in certain conditions, for example: if the mother is self-employed or freelancer; if the mother opts not to use it; if the mother is not employed; or if the father has sole custody of the child. Home helps, domestic workers and autonomous workers are not entitled to reduced hours, but in this case too the father can work reduced hours.
- Employees (mothers and fathers) who have parental responsibility for a child under six years or a disabled child under 18 years have a legal right to apply to their employers to work flexibly (e.g. to reduce their working hours). Employers have a legal duty to consider these requests and may refuse them only 'where there is a clear business ground for doing so...[and must give] a written explanation explaining why'.

Leave for women victims of gender violence

- The victims of gender violence employed in the public or private sectors who have care responsibilities (as certified by municipal social services or anti-violence centres) may request leave from work for three months, with a right to full pay. For the same period they are also entitled to switch from full-time to part-time employment.

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

The maximum period of post-natal leave available in Italy is 14 to 15 months (depending on bonus months if the father takes Parental leave), and there is only around four months of well-paid leave entitlement. There is no entitlement to ECEC, though nearly all children over three years attend ECEC from three years of age. However, despite being recognized as a social right for children and working mothers by Law 1044/1971, provision of ECEC for children under three years is much lower and very variable between different regions. Levels of attendance at formal services for children under three years are below the average for the countries included in this review and for OECD countries, but above average for children over three years. For actual attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

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

In accordance with Article 1, paragraphs 8 and 9 of Law no. 183 of 2014, approved by the Italian Parliament on 20 February 2015, the Italian government, at the end of March 2015, approved a legislative decree containing provisions on work-life balance. It is currently under examination by the State General Accounting Department (*Ragioneria dello Stato*). This decree introduces a number of changes to leave policies including: extending the period during which Parental leave can be taken from eight to 12 years after birth; extending the period during which payment is made from three to six years after birth; enabling leave to be used by reducing daily working hours; and introducing a right to leave or reduced working hours for women victims of gender violence.

4. Take-up of leave

a. Maternity leave

Maternity leave is obligatory for employees. In 2012, according to administrative data referred to by Istat (2013), about 360,000 employees used Maternity leave; nine per cent were temporary workers and 91 per cent permanent workers.

b. Paternity leave

As this was only introduced in January 2013, there is no information as yet on take-up of leave.

c. Parental leave

In 2012, Parental leave was used by 285,000 employees (6.7 per cent with temporary contracts and 93.3 per cent with permanent contracts); as with Maternity leave, the type of contracts varied regionally. According to the INPS data used for this analysis, 89 per cent of employees using Parental leave in 2012 were women and 11 per cent men²⁰⁸.

Analysis of the measure that allows women to exchange paid Parental leave for vouchers to use in childcare services, introduced by Law 92/2012 and operating on a trial basis in 2013-14, shows that only a third of the €20 million allocated for this policy has been spent²⁰⁹. It is still to be determined if this is due to the criteria for eligibility being too strict or to a low number of applications. The low number of vouchers can also in part be related to the application procedure to be followed by childcare institutions that has been considered too complex and to be accomplished within a very limited time leading to take-up by only a few institutions amongst those that are eligible⁴. Moreover, as stressed by Cardinali (2013a, b²¹⁰), the measure's focus on women could lead to the reproduction of the already very unequal division of care responsibilities within Italian families.

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

a. General overview

The literature analysed deals with the different strategies enacted by parents for childcare and on their effects on parental labour supply. A discussion on the presence of 'new fathers' and new models of family is also provided. The normative changes have stimulated commentaries and a discussion on the possible effects of the new policies. Attention is also devoted to the implementation of occupational welfare schemes and to cross countries analyses. The implications of the crisis are also analysed with a special focus on parenthood in a time of crisis and to gender inequalities. Attention is also provided to youth employment increasing insecurity and to the role played by the family.

²⁰⁸ Istat (2013) 'Rapporto sulla coesione sociale: anno 2013 - nota per la stampa' ['Report on Social Cohesion: year 2013 - Note for the press']. Available at www.istat.it.

²⁰⁹ Prioschi, M. (2013) 'Flop dei bonus per l'asilo nido. Assegnato un terzo dei fondi', *Il Sole 24 Ore*, 28/07/2013, p.17.

²¹⁰ Cardinali, V. (2013a) 'Voucher per asili nido. Perché così non va' ['Voucher for nurseries. Why so wrong?']. *Ingenere* online. Available at: <http://ingenere.it/articoli/voucher-nidi-e-baby-sitter-perch-cos-non-va>; Cardinali V. (2013b) par. 4.2, 4.3, 4.4.1. in: Isfol (2013). *Rapporto di monitoraggio del mercato del lavoro 2012 [Monitoring report of the labor market 2012]*. Roma: Isfol.

b. Selected publications since April 2014

Addabbo, T. (2014) 'The gender impact of the financial, political and social crisis. The case of Italy', Research Report for UNICRI - United Nations Interregional Crime and Justice Research Institute, 2014, in: Unicri (ed.) *The impacts of the crisis on gender equality and women's wellbeing in EU Mediterranean countries*, http://www.unicri.it/in_focus/on/vaw_report.

The structural situation of Italy as regards childcare services, demographic trends and gender inequalities in employment, political participation and health before the crisis are analysed together with a discussion on violence against women. The essay then proceeds with the analysis of the impact of the crisis in a gender perspective and with policy suggestions with special reference to violence against women.

Albertini, M. and Mencarini, L. (2014) 'Childlessness and Support Networks in Later Life: New Pressures on Familistic Welfare States?' *Journal Of Family Issues*, Vol.35, No.3: 331-357.

Childlessness is an increasingly common condition in many European societies. The consequences that this demographic phenomenon might have on welfare systems—and long-term care policies in particular—are widespread. This is particularly the case for the familistic welfare states of Southern Europe. Using data from the 2003 Italian GGS, the article explores the relation between the absence of children and support received in later life. Overall, the results support the idea that in Italy elderly nonparents, compared with those who have children, do not face significantly large support deficits in terms of the likelihood of receiving support. However, it is shown that they are likely to miss those forms of support that are most needed in the case of bad health. Next, the childless are more likely to be helped by nonrelatives and not-for-profit organizations and to a lesser extent by the welfare system.

Arpino, B.; Pronzato C. and Tavares, L. (2014) 'The effect of grandparental support on mothers' labour market participation: an instrumental variable approach', *European Journal of Population*, Vol.30, No.4: 369-390.

The focus of this paper is on the effect of grandparental childcare on mother's labour supply in Italy. The authors use the Italian National Institute of Statistics (ISTAT) Families and Social Subjects Survey 2003 that provides a wide range of control variables both on each parent and on the household. They account for statistical problems connected with the estimation of the effect of grandparental childcare on mothers' labour supply by using the potential outcome framework. Their results are consistent with grandparents being a substitute for formal childcare rather than a substitute for parental childcare, with a higher effect for less educated mothers, and for mothers with young children and living in northern and central Italy. The recent pension reform increasing women's retirement age in Italy would need an increase in public childcare services to avoid reduction of mothers' labour supply.

Bertolini S. and Musumeci R. (2014) 'Diventare genitori in tempi di crisi: verso una ritradizionalizzazione dei ruoli di genere?' ['Becoming parents at times of crisis: towards a re-traditionalisation of gender roles?'], *Sociologia Italiana. AIS Journal of Sociology*, No.. 4/October.

Working from a gender and a life course perspective, this paper examines the strategies for reconciling paid work and childcare planned by dual earner couples in their first transition to parenthood, in a period of economic crisis. It stems from a longitudinal qualitative study (part of an international comparative project) that reconstructs the first transition to parenthood of 28 Italian working couples, living in Northern Italy, based on 56 in-depth interviews carried out with couples in 2010-2013, at a particular period in time, when many countries were experiencing the consequences of the economic crisis caused by the collapse of the financial institutions. The findings show ambivalences. On one hand, the strategies for reconciling paid work and childcare planned by the majority of our couples are characterised by a traditional,

unequal gender division of childcare and paid work between the partners; some respondents explicitly refer to the economic crisis to justify the traditional and unequal gender division of work outside and inside the home planned for the near future (some fathers, for example, talk about their decision or plan not to take parental leave). On the other hand, the economic crisis seems to be 'forcing' some couples to formulate reconciliation strategies between childcare and paid work and patterns for dividing paid work that are 'innovative' and characterized by interchangeable gender roles.

Berloffo, G., Modena, F. and Villa, P. (2014) 'Changing Labour Market Opportunities for Young People in Italy and the Role of the Family of Origin', *Rivista Italiana Degli Economisti*, Vol. 19, No. 2: 227-251.

The article analyses the increased incidence of insecure job conditions for youth in Italy with special attention to the role played by family backgrounds in accessing more secure job conditions. The authors use the Italian Households Longitudinal Study showing an increase in the duration of precarious employment condition in Italy between the late 1970s/early 1980s and the late 1990s/early 2000s with an increased difficulty of accessing more stable positions and a higher relevance of the role of the family of origin (with the risk of producing more inequalities amongst youth in Italy).

Bertoni S., Musumeci R., Naldini M., and Torroni P.M. (2014) *The care of the baby: a family affair in Italy*, Turin: Collegio Carlo Alberto. Available at: www.carloalberto.org/research/working-papers

The paper aims to reconstruct how 'best for' the baby is defined by pregnant couples and addresses their main expectations in gender division of care and paid work. In reconstructing the main expected strategies of couples the authors look specifically at the role of social resources (family and social network), of social policy and work environments in shaping the nature, scope and quality of parental (leave policy) and non-parental child care (out-of-home services) arrangements. The qualitative study is based on interviews conducted with 21 Italian working (with typical/atypical contracts) couples during their first transition to parenthood, aged between 26 and 45 and living in the north of Italy in the city of Turin (a medium size city) and in the surrounding area. The sample has been selected mostly by gynaecologists/midwives, maternity homes, pre-childbirth courses. The results of the first preliminary analysis show that the main 'care ideal' for Italian working couples expecting a baby is that a new-born baby needs its mother. The 'Family care model' (which includes grandparents), if available, is a better solution until the baby is 12 to 18 months old. The assumption behind this ideal is that the mother may (or should) reduce her commitment towards job but the father should not. There is little reflection concerning the consequences of long work interruption on women's career paths. The authors predict that the majority of interviewees will act according to the normative Italian model: mothers will return work after five to nine months, some of them can add a few months of holidays (fully paid) to Maternity leave and then get the help of grandparents and/or use crèches. Fathers are entitled to six months Parental leave, but rarely take it up; if they do so they use it for a very short period. If the mother cannot interrupt paid work in order to take care of the baby, parents think that the second best solution for the baby is for a family member (grandparents) to take care of him/her. Few interviewees choose crèches for the first year. The last solution for the parents is to externalize care of the baby, for example through a childminder.

Bosoni, M. L. (2014a) "Breadwinners" or "involved fathers? Men, fathers and work in Italy", *Journal of Comparative Family Studies*, Vol. 45, No. 2, March-April 2014.

The identity transformation affecting both men and women in the last few decades as well as structural changes in the family and in the labour market have led to a reflection on the role of the so-called 'new fathers' and of fatherhood-related practices. Several empirical studies, in fact, highlight a change in the father role, both in and outside Italy, towards a more family-involved style of male parenthood. Nevertheless, the strong relationship between fathers and work remains a pivotal trait in a man's identity: the breadwinner model is, in fact, still thriving

in many European countries, including Italy. In this scenario, one of the most relevant issues is the complex relationship between family and work. This paper is aimed at understanding the transformation of the male identity and fatherhood, taking into account the strong relationship between men and work. This topic is analysed in depth with the help of data from the European Values Study, whose fourth wave was conducted in 47 European countries including Italy, in 2008-2009. This survey allows to capture some structural aspects and values concerning fundamental aspects of life, such as marriage and the family, work, leisure time, religion and inter-generational relationships.

Bosoni, M. L. (2014b) 'Men, fathers and work: the challenge of reconciliation. Case studies in some Italian companies', in: E. Carrà (ed.), *Families, care and work-life balance services: case studies of best practices*. Milano: Quaderni del Centro Famiglia, pp. 11-30.

This paper presents findings from a study on working fathers, conducted in Italy between April 2010 and February 2011, with the aim of understanding how men manage the 'double role' of fathers and workers, and how companies support their employees' needs. The hypothesis leading this research is that the expression of the father's role and the paternal reconciliation strategy are strongly influenced by the workplace. In particular, three case studies were produced, using a qualitative research technique. In total, 45 interviews were carried out: semi-structured interviews with managers, focused on corporate culture, and narrative interviews with employees (fathers of young children), focused on the transition to parenthood. The fathers interviewed were able to actively reflect on their experiences and regarded the family and work reconciliation as a matter for men too. Company culture emerged as a central, powerful element shaping male reconciliation strategies.

Bramanti, D. (2014) 'Working Women Caring for Frail Elderly: Best Practices to Promote Family Reflexivity', in: E. Carrà (ed.), *Families, care and work-life balance services: case studies of best practices*. Milano: Quaderni del Centro Famiglia, pp. 31-52.

The study analyses the conditions of women who work and care for their elder parents, in Italy, with specific emphasis on identifying best practices for frail elderly people and their families, able to support the care-giving function. The concept of best practice refers to services of excellence for efficiency and efficacy, and indicates, according to a relational perspective, programmes promoting - at family level - the we-relation, which is the family's capability to generate relational goods. Best practices are thus measures where elders and families participate in the process of coping with ageing-related issues, in a perspective supportive of the kinship networks' coping skills. Eight projects have been selected / identified as potential good practices and have become the subject of in-depth case studies. The quantitative analysis has allowed to sketch the profile of female caregivers in Italy, and the qualitative study has highlighted some major findings concerning the case studies. Finally, the research gives indications to professionals working alongside families and policy makers.

Cardinali, V. (2014) *Mercato del lavoro e politiche di genere [The labour market and family policy]*. Rome: Isfol Available at:

<http://bw5.cilea.it/bw5ne2/opac.aspx?web=ISFL&opac=Default&ids=20169>

The report highlights the features of a 'dual labour market' and some policy choices, with the aim of correcting imbalances. The gender issue of the labour market translates into a constant deficit of female participation, with women more and more educated and competitive, but increasingly less attractive for employers; and the inability of the welfare to support participation and care needs in a country demographically changed. The report looks at women labour market with a special attention to the age or citizenship.

Fuochi, G. Mencarini, L. and Solera, C. (2014) *Involved Fathers and Egalitarian Husbands: by Choice or by Constraint? A Study on Italian Couples with Small Children, Carlo Alberto Notebooks, 370*, October 2014. Available at: <http://www.carloalberto.org/assets/working-papers/no.370.pdf>.

This research examines to what extent 'new fathers' who are more involved in child care and housework are spread in Italy and whether this phenomenon is out of choice or because of constraints. The authors use the 2003 Italian survey Family and Social Subjects' by ISTAT and show that 'new fathers' are a minority in Italy; they are characterized by a higher level of education, live in double earners households, in North-Centre Italy, and are more likely to hold a position in the labour market comparable to their partner. When the partners share a more egalitarian attitude they are more likely to be affected in their behaviours by resources and constraints.

Istat (2014a) *Annual report 2014 - The state of the Nation*. Available at:

<http://www.istat.it/en/archive/126011>

This year's Report, the 22nd edition, integrates data produced by Istat and by the National Statistical System, thus offering a well-documented picture of transformations affecting Italian economy and society. Besides illustrating the economic and social effects of the crisis, the 2014 Report highlights the potentials of the country and focuses on the most relevant challenges that it has to face. The analysis of public finance and the redistributive impact of the state budget, finally, offers policy makers a useful scenario to work out appropriate recovery policies.

Istat (2014b) *BES 2014 Report: equitable and sustainable wellbeing in Italy*. Available at:

<http://www.istat.it/en/archive/128353>

The second edition of the 'Report on Equitable and Sustainable Wellbeing' (BES 2014), born of a joint initiative of The Italian National Council for Economics and Labour (CNEL) and the Italian National Institute of Statistics (ISTAT), aims to be a useful guide for policy makers, social partners and the research community to identify priorities to be addressed both in the short and long-term in order to ensure a fair and sustainable wellbeing for present and future generations. It analyses the fundamental dimensions of wellbeing and progress in Italy and its territories, providing an overall view of the main social, economic and environmental phenomena which characterise our country.

Istat (2014c) *Public offer of nurseries and other socio-educational services for children*. Available at: <http://www.istat.it/en/archive/129420>

Children between zero and two years enrolled in nurseries run by municipalities are 152,849 in the 2012/2013 school year; another 45,856 children benefit from contributions from the municipalities for private nurseries. Then the total number of children who benefit from the public offering amounts to 198,705. In 2012, the expenditure committed by municipalities for financing nurseries is about 1 billion and 559 million euro. 19.2 per cent of this expenditure is accounted for by the fees paid by families, thus the expenditure paid by municipalities is about €1 billion and €259 million. Between 2004 and 2012 current expenditure for nurseries had an overall increase of 48 per cent, net of fees paid by users. During the same period increased by 36 per cent (more than 52 thousand units), the number of children enrolled in public nurseries or in private nurseries financed by the municipalities. In 2011, for the first time since 2004, there is a decrease in the number of children beneficiaries of the municipal offer of nurseries (-0.04 per cent in 2011); the decrease is confirmed in 2012 (-1.4 per cent). In 2012/2013 enrollments for the municipal nurseries are declining (about 2,600 users in less than the previous year) and, to a lesser extent, also the contributions paid by municipalities for private nurseries are declining (about 300 users in less). The percentage of municipalities offering the service of kindergarten, both in the form of structures and of contributions for the use of private services, increased from 32.8 per cent to 50.7 per cent during the period 2003/2004 - 2012/2013. Regional differences are very strong: the children attending public nurseries or structures financed by the municipalities ranging from 3.6 per cent of residents aged between 0 and 2 years in the South to 17.5 per cent in the Center. The Calabria region shows the lowest percentage (2.1 per cent, down from 2.5 per cent the previous year) and the Emilia-Romagna region shows the highest value (27.3 per cent, a slight increase from 27.2 per cent the previous year). The percentage of municipalities that guarantee the presence of

the service varies from 22.5 per cent in the South to 76.3 per cent in the North-East. In the school year 2012/2013 children attending supplementary services for early childhood offered by municipalities amount to 1.2 per cent of residents between zero and two years (about 20 thousand). This share is decreasing over the last three years of observation. Considering both nurseries and supplementary services, the percentage of children aged 0-2 (until their third birthday) who benefit from childcare services run or financed by municipalities is 13.5 per cent.

Istat (2014d) *Natalità e fecondità della popolazione residente: caratteristiche e tendenze recenti* [Birth and fertility of the resident population: characteristics and recent trends]. Available at: <http://www.istat.it/it/archivio/140132>

Italy is in demographic decline: the average rate of fertility has fallen from 1.46 children per woman in 2010 to 1.39 in 2013. In the latter year the average number of children is 1.29 for Italian women and 2.10 for foreign women but also birth in families where there is at least one foreigner are declining. The decline in fertility is in common to the different areas of the country.

Mazzucchelli, S. (2014a) 'Moms & work: A complex relationship', in Rossi G., Mazzucchelli S. (Eds.), *Journal of Comparative Family Studies*, Vol. 45, No. 2:261-273.

This paper analyses the complex relationship between motherhood and work, a topic ambiguously dealt with in much of the socio-economic literature and current European policies. A relational perspective, on the other hand, can identify the distinctive elements of this issue, avoiding the reduction of motherhood to the procreative choice and its regulation by purely functional policies focused on workfare and individual rights. This relational framework, supported by relevant statistical findings and international literature, can thus provide an insight into the many-nuanced "new female identity".

Mazzucchelli, S. (2014b) 'Lo smart working come benefit: pratiche innovative di welfare aziendale', in : Gatti M. (ed.) *Welfare aziendale. La risposta organizzativa ai bisogni delle persone*, Quaderno di Sviluppo & Organizzazione, n.20, pp. 90-111.

The evolution of organizational models and logical management of 'human capital' represent strategic levers to improve performance and increase the competitiveness of companies, undoubtedly decisive elements in facing the current economic situation. In this context fits the growing attention to the phenomenon of Smart Working: an innovative approach to work organization that integrates and exceeds concepts such as teleworking and mobile working, questioning all the traditional constraints starting from the physical space, the times and the tools of work, looking for new balances based on greater freedom and empowerment of workers. Within this framework, taking advantage of two recent empirical investigations, the author: 1) highlights the importance of Smart Working and its effectiveness in the daily challenge of balancing family and work; 2) analyses whether, and under what conditions, the introduction of flexibility measures (or Smart Working) could be a win-win solution for companies. [

Meda, S. (2014) 'No Country for Old Men? Italian Families Facing the Challenges of an Ageing Society', *Journal of Comparative Family Studies*, Vol. 45, No. 2, March-April 2014.

The paper illustrates the Italian situation regarding ageing and the living conditions of the elderly according to a relational family perspective. The paper attempts to frame the ageing phenomenon within a family context and points out the advantages of this approach for a sociological interpretation of an extremely complex factor the consequences of which lead to problem scenarios. Relevant data from recent official sources are presented and contextualized within family relationships, with a view to providing an accurate representation of the changes presently undergone by family and society in Italy, and identifying forms of support to inter-generational relationships, crucial for the development of social capital and cohesion.

Prandini, R., Macchioni, E. and Marrone, V.. (2014) 'Dispositivi di conciliazione famiglia-lavoro e generazione di benessere relazionale: un'indagine sui dipendenti e le loro famiglie', in: *Family Audit. La certificazione familiare aziendale*. Milan: Franco Angeli, pp. 83 - 201.

This chapter presents the results of a survey oriented to investigate the effects of work-life balance measures on workers' life. The survey involved employees - along with their cohabitee partners - of 18 businesses (public and private enterprises and social cooperatives) that joined the *FamilyAudit* project of the Italian Province of Trento. All the employees who have used at least one *FamilyAudit* measure within two years from the beginning of the project, and who have family responsibilities towards partners and/or children, were asked to fill out a questionnaire. The results of the survey show the influence of work-life balance measures over the perception of improved family relationships. The quality of the relationships - perceived by the surveyed partners both in the couple and with the children - is connected with the perception of personal well-being and with the better work relationships reported by the employees. The amount of measures put in use becomes an important resource for the family: the foundation of the family well-being moves from the personal level towards the social relations in the work sphere. The more effective corporate welfare packages include a multiplicity of measures characterized by flexibility and the possibility of personalised combinations.

Rossi G., Bramanti D., Boccacin L. and Meda S. (2014) 'Active Ageing: Intergenerational Relationships and Social Generativity', in: G. Riva, P.A. Marsan P.A. and G. Grassi (eds.) *Active Ageing and Healthy Living*. Amsterdam: IOS Press, pp.57-68.

This contribution is a reflection on the concept of active ageing from the perspective of relational sociology. At the same time, it offers practical implications and outlines possible future courses of action, in the face of demographic and relational scenarios rapidly changing, and the challenges that each day people of all generations are called to cope with. Active ageing is quite a recent concept and indicates an attitude towards aging that enhances the quality of life as people become older. The goal of active ageing is to enable people to realise their potential for physical, social and mental well-being and to participate in social life also in the last stage of the life cycle. In this phase, the presence of a network of support, security and care adequate to the possible onset of problems and criticalities is crucial. Relational sociology frames the phenomenon of an aging population in a dense network of social relations, primarily at the level of family and community. For this reason, as supported by the most recent sociological literature and evidence from studies conducted in Italy and abroad (cf. SHARE), it is extremely important to investigate the link between active aging, intergenerational orientation (solidarity and exchanges) and practices of pro-sociality (i.e. engagement in third-sector activities and volunteering in later life).

Bramanti, D. and Boccacin, L. (2015) 'Active Ageing: from Individualistic Withdrawal to Social Generativity', *Familia*, No.50: 111-128.

The concept of active ageing applies especially to the young old, ie. people aged between 65 and 74 years. Living longer means a longer period of cohabitation (actual or 'at a distance') of at least three generations (grandparents, children, grandchildren) and this enables mutual relational exchanges, whose presence or absence and subjective perception as positive or problematic have to do with the quality of life of older people and all the other generations. By analysing data concerning the 65-74 year old European population gathered through the SHARE's wave 4, the authors are able to show different ways of experiencing, embodying and to give meaning to active aging: a) 'individualistic withdrawal'; b) 'competitive ambivalence'; c) 'social generativity'. This demonstrates that: a) primary relations play a crucial role in enabling young old subjects (65-74 yrs) to give a sense to the transition they are experiencing and can therefore be defined as generative; b) these generative relationships (at personal and family life level) give origin to forms of social generativity, thus excluding other forms of active ageing. The authors conclude, in accordance with the most recent international sociological and psycho-social literature, that active ageing cannot be limited to a generic activism or mainly

aimed at the preservation of a vital and meaningful sense of self, nor to a compensatory aspect of the elders' lost social and relational centrality.

Brilli, Y., Del Boca, D., and Pronzato, C. (2015 forthcoming) 'Exploring the impacts of public childcare on mothers and children in Italy: Does rationing play a role?', *Review of Economics of the Household*.

The focus of this paper is on the effects of public childcare availability in Italy on mothers' working status and children's scholastic achievements. The authors use a new data set on the test scores of pupils in the second grade of primary school in Italy together with data on public childcare availability. The results of their estimation show a positive and significant effect of childcare on mother's employment and on children's language test scores with a higher effect in presence of rationing and for lower educated mothers living in lower income areas in Italy.

Canal, T. (2015) *Storie di Padri non previsti dal Jobs Act, in genere*, 17/03/15. Available at: <http://www.ingenere.it/articoli/storie-di-padri-non-previsti-dal-jobs-act>

The author comments on the contents of the Jobs Act content in terms of the lack of innovation on Paternity leaves remain limited in duration.; and refers to the results of a survey that outlined the emergence of new fathers more involved in childcare activities.

Carinci, F. And Tiraboschi, M. (eds.) (2015) *I decreti attuativi del Jobs Act: prima lettura e interpretazioni. Commentario agli schemi di decreto legislativo presentati al Consiglio dei Ministri del 24 dicembre 2014 e alle disposizioni lavoristiche della legge di stabilità ADAPT LABOUR STUDIES e-Book series, n. 37/2015*, Adapt University Press.

This volume contains a commentary on the contents of the Jobs Act.

Casarico, A. and Del Boca, D. (2015) *Conciliazione, lavoro e famiglia: avanti a piccoli passi*, lavoce.info, 06/03/2015. Available at: <http://www.lavoce.info/archives/33476/piccoli-passi-conciliazione-famiglia/>

This essay comments on the work life balance policies in the legislative decree approved by the Italian Parliament on 20 February 2015.

Del Boca, D. (2015) *The impact of child care costs and availability on mothers' labor supply*, *ImPRovE Working Paper No. 15/04*, Antwerp: Herman Deleeck Centre for Social Policy – University of Antwerp.

This paper provides a literature review on the issue of the impact of childcare costs and availability on mothers' labour supply with reference to European countries (including Italy), Canada and the USA. The literature supports a higher impact of child care availability and their costs for the labour supply of mothers in more disadvantaged backgrounds and outline the relevance for these policies in reducing child poverty and in enhancing female labour supply.

lavoce.info (2015) *Luci e ombre del Jobs Act*. Available at: <http://www.lavoce.info/wp-content/uploads/2015/02/Luci-ed-ombre-del-Jobs-act-ULTIMO2.pdf>

This volume contains essays from different authors on the Jobs Act including the possible outcome in terms of income distribution, women's employment, unemployment benefits and wages.

Viale, V. and Zucaro, R. (2015) *I congedi a tutela della genitorialità nell'Unione Europea. Un quadro comparato per rileggere il Jobs Act. Working paper ADAPT 275, April 10 2015*.

The working paper describes and analyses the European context for Parental and Paternity leaves. The comparative analysis is the basis to reread the recent intervention of the Italian legislature aimed at the protection of motherhood, in order to promote, in this way, women's employment

c. Ongoing research

Do Men Care? Men's supply of unpaid labour.(2013-2015). Leif Andreassen, Research Department, Statistics Norway; Maria Laura Di Tommaso, Dept of Economics and Statistics Cognetti de Martiis, University of Torino and Collegio Carlo Alberto; Anna Maccagnan, Dept of Economics and Statistics Cognetti de Martiis, University of Torino. Funded by University of Torino Progetti di Ateneo.

This project aims to measure men's capability to provide unpaid work, considering both childcare and housework, within the Capability Approach framework. In order to operationalize the Capability Approach, the research uses random scale modelling, a technique that allows the study of whether and to what extent men are restricted in their freedom of providing unpaid and paid work and to describe men's preferences in combining different levels of paid and unpaid work, given their capability sets. Data is drawn from the Multinational Time Use Survey (MTUS), a cross-country harmonised set of time use surveys composed of comparably recoded variables. In particular, data is used from Spain and UK, two countries with very different attitudes to gender roles in the household, in the society and in the labour market. Preliminary results suggest that, even though men do relatively little childcare, it is important to them. So men do care to care. Our estimates suggest that both individual and household variables are important drivers in shaping restrictions and preferences: men married to low educated women are more likely to be restricted into the low time unpaid work group, while highly educated men prefer to spend more time in childcare and domestic work. Contact: Maria Laura Di Tommaso at marialaura.ditommaso@unito.it

Family Constellations and the Organization of Care for Children in Italy. Tiziana Nazio Department of Culture, Politics and Society, University of Turin. Part of European Commission-funded programme *FAMILIES AND SOCIETIES: Changing families and sustainable societies: Policy contexts and diversity over the life course and across generations* (2013-2016) (Principal Investigator. Daniela Del Boca, Università di Torino, Collegio Carlo Alberto and CHILD. Contact: Daniela Del Boca at: dani.delboca@unito.it or segreteria@carloalberto.org)

Using time diary data from Italy (time use survey 2008-09), on a sample of 5200 households with children younger than 14 years of age, this research assesses the degree of gender specialization in the time mothers and fathers devote to unpaid child care in differently shaped family structures (marital or cohabiting union, single parent and blended family), and how in turn both parental and family characteristics reflect in children's time use (addressing several activities from children's time diaries). The aim is to investigate the relation between family structure and children's time use (controlling for parental and children's characteristics). Contact: Tiziana Nazio at tiziana.nazio@unito.it.

Hideki Nakazato (Konan University) and Junko Nishimura (Meisei University)

April 2015

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 (*Sanzen-Sango Kyugyo*, literally ‘prenatal and postnatal leave’) (responsibility of the Ministry of Health, Labour and Welfare)

Length of leave (before and after birth)

- Fourteen weeks: six weeks before the birth, the remaining eight weeks after birth, six weeks of which are obligatory.

Payment and funding

- Two-thirds of the mother’s average daily earnings, up to a ceiling that only affects a very small number.
- The benefit payment is tax-free and the recipients are exempted from social insurance contributions.
- Funded from the Employees’ Health Insurance system, financed by even contributions from employees and employers. The system includes a variety of insurers, and although there is a statutory requirement of (at least) equal contributions from employers and employees, contributions by employer can be higher by collective agreements etc. Depending on the type of insurers, the state subsidises a small proportion of payments and/or administrative expenses.

Flexibility in use

- A woman can return six weeks after childbirth, if a doctor has confirmed the activities she will undertake will have no adverse effects on her.

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

- All women employees are eligible for Maternity leave, but only those covered by the Employees’ Health Insurance systems are eligible for Maternity benefit payment (*Shussan-teate-kin*). This means that women enrolled in the National Health Insurance

²¹¹ Please cite as: Nakazato, H. and Nishimura, J. (2015) ‘Japan country note’, in: P. Moss (ed.) *International Review of Leave Policies and Research 2014*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

system (including Special national health insurance societies) - such as self-employed women, or part-time or casual employees - are not eligible for Maternity Benefit.

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

- In the case of multiple births, Maternity leave can be taken from 14 weeks before birth.

b. Paternity leave

No statutory entitlement.

c. Parental leave (*Ikuji kyugyo*, literally 'childcare leave') (responsibility of the Ministry of Health, Labour and Welfare)

Length of leave

- Leave can be taken by each parent until a child is 12 months old; it is an individual entitlement. Leave can, however, be extended until the child is 14 months old if *both* parents take some of the leave even though each parent is only entitled to 12 months after birth including the maternity leave period. A typical situation might be that a mother takes leave until the baby is 12 months old (including 180 days at 67% of earnings, the remainder at 50 per cent) and the father either starts leave on the same day that the mother finishes or starts his leave some time before and then returns to work when the baby becomes 14 months old. As another example, the mother could take six months leave at 67 per cent of earnings, followed by the father taking another six months at 67 per cent of earnings, so using the right to take leave up to 14 months after birth if leave is shared.
- A parent already on leave can extend Parental leave up to 18 months where (1) the child needs care for a period of two weeks or more due to injury, sickness, etc.; or (2) admission to a childcare centre has been requested but denied for the time being.

Payment and funding

- Sixty-seven per cent of earnings for the first 180 calendar days after the end of Maternity leave, up to a ceiling of JPY426,000 [€3,149²¹²], with a minimum payment of JPY46,230 [€342] a month and a maximum payment of JPY285,420 [€2,110] per month; then 50 per cent of earnings with a minimum payment of JPY34,500 [€XXX] a month and a maximum payment of JPY213,000 [€1,574] per month. The average monthly earnings of permanent full-time female employees in 2014 was JPY256,600 [€1,892] whereas those of male counterparts was JPY343,200 [€2,537].
- The benefit payment is tax-free and the recipients are exempted from social insurance contributions.
- The benefit payment is reduced if the benefit plus payment from the employer exceed 80 per cent of earnings.
- Funded from the Employment Insurance system, financed by contributions from employees, employers and the state: 0.85 per cent of all wages by employers and 0.5 per cent by employees (with different rates for some specific industries). 4.4 per cent of the benefit payments are subsidized by the state.

²¹²Conversion of local currency into Euros undertaken on 1-5 June 2015, using <http://finance.yahoo.com/currency-converter/>

Flexibility in use

- A parent must generally take Parental leave in one consecutive time period, except in the case of a father who has taken leave during the eight weeks following childbirth (i.e. during the Maternity leave period); in which case, the father can take another period of Parental leave after returning to work.
- Both parents can take leave at the same time, with both receiving benefit payments if they are both covered by Employment Insurance.

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

- Parental leave only applies to an employee employed on a fixed-term contract when he/she meets all of the following conditions: (1) he/she has been employed by the same employer for a continuous period of at least one year; (2) he/she is likely to be kept employed after the day on which his/her child reaches one year of age; and (3) it is not obvious that his/her employment contract will end by two days before the child's second birthday and will not be extended.
- Workers may be excluded if (1) employed by the employer for less than one year; or (2) their employment is to be terminated within one year (or six months if leave continues until the child reaches one year and six months of age); or (3) they work two days or less per week.
- When a person covered by Employment Insurance takes Parental leave, he/she is eligible for a benefit payment if they have contributed to Employment Insurance for at least 12 months during the two years preceding the date on which the leave started, and if they have worked for 11 or more days in those months.
- A parent is eligible for the benefit payments even when she/he works for 80 hours or less during each payment period (a month) even though the payments are reduced according to the extent that the total of the earnings and the benefit payments exceed 80% of the earnings before leave.

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)

- None.

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

- None.

d. Childcare leave or career breaks

No statutory entitlement.

e. Other employment-related measures

Adoption leave and pay

- Although there are no special leave provisions for adoption, adoptive children are treated in the same way as biological children for the purposes of Parental leave.

Time off for the care of dependants

- A short-term family care leave is available for up to five days per parent per year for a child under compulsory school age (six years) if the child is injured, ill or needing a health examination; or up to ten days per year if there are two or more children of this age. The leave is unpaid.
- Family care leave can be taken for a spouse, elderly parents or other dependent 'subject family members', including a child, for each occurrence of a condition where the subject family member requires constant care for a period of two weeks or more due to serious illness or disability, with a limit of 93 days over the whole lifetime of each subject family member. This is paid at 40 per cent of earnings.

Flexible working

- Women with a child under 12 months are entitled to unpaid breaks of at least 30 minutes twice a day; breaks are not specifically for breastfeeding, but can be used for other purposes, e.g. leaving early to pick up children from childcare centres.
- Until a child reaches the age of three years, parents have the right to reduce their normal working hours to six hours per day. There is no payment for working reduced hours. This does not apply to workers excluded by collective labour agreements (e.g. those employed for less than one year).
- Employers may not require an employee with a child below compulsory school age (1) to work more than 24 hours per month or 150 hours per year of overtime; or (2) work night shifts, i.e. between 22.00 and 05.00 – if the employee requests not to work these hours.

Measures to promote leave policy effective in workplaces

- Under the Act on the Advancement of Measures to Support Raising the Next Generation of Children (introduced as a legislation of specified duration in 2003, and revised in 2014 to be effective from 2015 to 2025), employers were obliged to establish (or to make an effort to establish) action plans for 2015-2025 for improving the employment environment to support balancing work and child raising. Under the 2003 Act, employers with more than 100 employees are obliged to establish action plans; while employers with fewer employees are obliged to make an effort to establish plans. The Government grants certificates to employers whose action plans and achievement meets nine conditions; this allows them to use a certification mark called 'Kurumin', and provides them with preferential tax treatment. These conditions includes: at least one male employee took Parental leave during the period of the plan; and the Parental leave take-up rate for female employees during the period of the plan is 75 per cent or over. These conditions are relaxed for smaller companies. Under the revised act, the Government grants a special certificate with a certification mark called 'Platinum Kurumin' to employers whose achievements meet higher conditions, including a leave take-up 13 per cent or over among male employees whose partner has given birth. The employers with this special certificate are exempted from establishing action plans, and instead obliged to announce their achievements more than once a year.

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

The maximum period of paid post-natal leave available in Japan is 14 months (including two months of bonus leave if the leave period is shared by parents); the maximum period of high paid leave is nearly eight months for mothers and six months for fathers. Leave can be extended up to 18 months where admission to a childcare centre has been requested but

denied for the time being. There is no universal entitlement to ECEC although there has been an obligation on local authorities to provide childcare places for children from birth to school age (6 years) who 'lack' care because of their parents' work or health issues. But an integrated ECEC scheme started in April 2015 relaxes the obligation of local authorities to provide childcare places; they are obliged instead to estimate the demand and supply of ECEC for children from birth to school age (six years) and make a plan to close the gap through the approval process for various types of ECEC providers. They will also match childcare needs of each family to providers and subsidise the fees to childcare providers.

Levels of attendance at formal services for children under three years are slightly below the average for the countries included in this review and OECD countries; but above average for children over three years. For actual attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

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

From October 2014, a person covered by Employment Insurance taking Parental leave is entitled to benefit payments even when working for 11 day or more during each payment period (a month), as long as the total working hours are 80 hours or less (see section 1c). Before, she/he was eligible to the payments only if working ten days or less.

A new ECEC scheme was introduced in April 2015 (see section 2).

4. Take-up of leave

a. Maternity leave

The figures in this section are taken from the 2007 Basic Survey of Gender Equality in Employment Management (*Koyo-kinto Kihon Chosa*)²¹³, based on a national sample of 6,160 private sector workplaces that employed five or more regular employees.

The average length of pre-natal Maternity leave taken by women who had single pregnancies from 1 April 2006 to 31 March 2007 was 42.1 days, with 72.2 per cent of them taking 42 or less days off and 26.0 per cent 43 to 98 days. The average length of post-natal leave taken was 54.5 days, with 77.2 per cent taking 56 days (8 weeks), 9.9 per cent 42 to 55 days, and 12.9 per cent 57 or more days.

b. Paternity leave

The figures in this section are taken from the 2011 Basic Survey of Gender Equality in Employment Management (*Koyo-kinto Kihon Chosa*)²¹⁴, based on a national sample of 4,097 private sector workplaces that employ five or more regular employees.

Although there is no statutory Paternity leave, 46.8 per cent of the workplaces that were surveyed provided their workers with 'leave for childbearing of spouse' (*haigusha shussan kyuka*), which can be interpreted as non-statutory Paternity leave. The proportion increased from the same survey in 2008 by 10.8 percentage point. Most workplaces (88.9 per cent) that have this provision entitle their workers to one to five days of leave; 77.6 per cent provide paid

²¹³ Ministry of Health, Labour and Welfare, 2008, *2007 Basic Survey of Gender Equality in Employment Management*. Available at: <http://www.mhlw.go.jp/toukei/list/71-19.html>.

²¹⁴ Ministry of Health, Labour and Welfare, 2012, *2011 Basic Survey of Gender Equality in Employment Management*. Available at: <http://www.mhlw.go.jp/toukei/list/71-23r.html>.

leave, and 4.2 per cent provide partially paid leave. The proportion of workplaces that provide paid leave decreased by 5.2 percentage point from 2008 survey (82.8 per cent).

Just over half (52.9 per cent) of male workers at workplaces that provided this leave and whose partners gave birth from 1 April 2009 to 31 March 2010 took leave.

c. Parental leave

The figures in this section are taken from the 2013 Basic Survey of Gender Equality in Employment Management (*Koyo-kinto Kihon Chosa*)²¹⁵.

A large proportion (83.0 per cent) of female workers who had given birth between 1 October 2011 and 30 September 2012 had started or applied for Parental leave by 1 October 2013. The proportion, however, decreased by 0.6 percentage point from the previous year (83.6 per cent).

The proportion of men was much lower: 2.03 per cent of male workers whose spouse had given birth between 1 October 2011 and 30 September 2012 had started or applied for Parental leave by 1 October 2013. The proportion, however, increased by 0.14 percentage points from the previous year (1.89 per cent).

A third (33.8 per cent) of female workers who returned to work from leave between 1 April 2009 and 31 March 2010 had taken ten to 12 months of leave; 22.4 per cent had taken 12 to 18 months. Among male workers who returned to work after taking leave in the same period, 75.4 per cent took less than one month of leave, and 41.3 per cent took less than five days.

The figures above do not take into account the number of female workers who had quit their job before the birth of children. According to the first Longitudinal Survey of Newborns in the 21st Century (2010 cohort), about 36.6 per cent of mothers who had given birth to their first child in 2010 remained in their job 6 months after the birth.

d. Other employment-related measures

The 2013 Basic Survey of Gender Equality in Employment Management (*Koyo-kinto Kihon Chosa*) shows the following proportion of workplaces provide other employment-related measures: reduced working hours, 57.7 per cent; exemption from overtime work, 55.2 per cent; flexitime for child care, 14.0 per cent; starting/finishing work earlier or later, 31.9 per cent; providing on-site childcare centre, 1.6 per cent; subsidizing child care costs, 4.7 per cent; and enhanced Parental (child care) leave, 15.4 per cent.

The latest figures for take-up rates for these measures among workers who returned from Parental leave to workplaces providing each measure are from The 2010 Basic Survey of Gender Equality in Employment Management (*Koyo-kinto Kihon Chosa*) and vary depending on the type of measure. There are also differences between male and female workers: 35.5 per cent of female workers used the reduced working hours measure, compared with only 1.1 per cent of male workers; 54.4 per cent of female workers used on-site childcare centres, compared with no men; and 56.2 per cent of male workers took advantage of flexitime, compared with 21.2 per cent of female workers.

²¹⁵ Ministry of Health, Labour and Welfare, 2014, *2013 Basic Survey of Gender Equality in Employment Management*. Available at: <http://www.mhlw.go.jp/toukei/list/71-25.html>.

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

a. General overview

Because of increasing concerns about work/life issues, a number of studies on related topics are being published. However, the number of publications that explicitly focused on Parental leave or any other specific measures was limited during this period.

b. Selected publications since April 2014

Nakano, M. (2014) *Ikukyuu sedai no jirenma* [Dilemma among “the generation of parental leave”] Tokyo: Kobunsha.

This book explores why women who are in career track positions in Japanese firms quit working upon childbirth or shortly after getting back from Parental leave, even in the 2000s when various work-life balance programmes are provided, especially in large firms. The author conducted in-depth interviews of fifteen women who are highly educated, got into the career track positions of Japanese private firms after 2001, had their first child and took Parental leave. Based on the interviews, the author points out that they were forced to quit working, because during the process of educational attainment, they were motivated to participate in male-dominated competitions at Japanese firms, and did not choose their job in terms of conditions and resources to balance their work and family life.

Japan Institute for Labour Policy and Training (2014) *Chichioya no hatarakikata to kazokuseikatu* [Fathers’ work and family life] JILPT Data Series No. 136.

Twenty-four fathers whose children were oft primary school age or younger were interviewed during 2013-2014 to investigate relationship between fathers’ childcare and work. Seven out of twenty-four fathers took Parental leave. It points out that taking Parental leave enhanced fathers’ understanding of childcare and housework, and establishing sharing of them with their wives. Fathers who would like to actively participate in childcare tend not to accept long working hours or job transfer away from their home. If their active participation in childcare is constantly inhibited, they are likely to change jobs. This report concludes that supporting fathers’ participation in childcare is inevitable for corporate managers to prevent staff from leaving.

Japan Institute for Labour Policy and Training (2014) *Danjo seishain no hatarakikata to ryouritu shien ni kansuru chousa kekka*. [Research reports on career development and support for work-life balance for male and female regular employees.] JILPT Research Series No.119. Chapter 5 analyses female employees’ aspiration for promotion using data from a survey conducted in 2012 on 12,000 companies and their white collar employees. Results of data analyses show that women who work for a company where their employees can take Parental leave for more than three years tend to show lower aspiration for promotion compared to women who work for a company where the length of Parental leave entitlement is three years or shorter. Women who work for a company where taking Parental leave does not affect their promotion at all tend to show lower aspiration for promotion than those who work for a company where taking Parental leave causes delayed promotion for the same length of leave. In addition, the results also indicate that taking Parental leave or the use of part-time work does not affect the aspiration for promotion, except for women working at a company where there are more than 300 employees. Chapter 6 investigates the determinants of women’s promotion to managerial positions using the same datasets used in Chapter 5. It points out that taking parental leave shorter than twelve months does not affect women’s possibility of promotion to managerial positions.

Sato, K. (2014) 'Ikujikyugyo seido ga kekkon ni oyobosu eikyo' ['Impacts of Parental leave systems on marriage'], *Kikan shakai hoshu kenkyu [The Quarterly of Social Security Research]*, Vol.50: 125-136.

Using 1997-2009 Japanese Panel Survey of Consumers, this paper explores the impacts of parental leave systems on women's marriages, assuming that easier access to Parental leave at workplace would lower their opportunity costs of childbirth, which allows women to decide to get married more easily. Results of data analyses show that easier access to Parental leave at a workplace makes marriage more likely only for women who work as regular employees, controlling for motivation for marriage and unobserved heterogeneity.

c. Ongoing research

Basic Survey of Gender Equality in Employment Management. (Annual survey). Ministry of Health, Labour and Welfare. <http://www.mhlw.go.jp/toukei/list/71-23.html> (Japanese)

This annual survey is based on a national sample of 10,000 private sector workplaces that employ five or more regular employees. It provides nationally representative data on provision and uptake of Parental leave and other employment-related provision to help workers to reconcile their work with care of children and other dependent family members.

Contact: Equal Employment Policy Division, Equal Employment, Children and Families Bureau (+81+3-5253-1111: ext. 7837)

The National Fertility Survey. (Every five years). National Institute of Population and Social Security Research. <http://www.ipss.go.jp/pr-ad/e/eng/06.html>

This survey investigates the situation and issues regarding marriage, childbirth and child-rearing in Japan. Unlike the Basic Survey of Gender Equality in Employment Management, it covers those who quit their job before the birth of a child, therefore enabling the relationship between job retention and Parental leave for mothers to be examined.

Longitudinal Survey of Newborns in the 21st Century (Annual survey). Ministry of Health, Labour and Welfare. <http://www.mhlw.go.jp/english/database/db-hw/vs03.html> (2001 cohort) and <http://www.mhlw.go.jp/toukei/list/27-22.html> (2010 cohort)

This panel surveys of children who were born in January and July 2001 (2001 cohort) and May 2010 (2010 cohort), and their families, has been conducted annually since 2001 and 2011 respectively. The information provided includes parents' job status, child care and take-up of measures including parental leave and shortened working hours for parents, and use of childcare services. Contact: Longitudinal Survey Office, Statistics and Information Department at c-cohort@mhlw.go.jp

Longitudinal Survey of Adults in the 21st Century (Annual survey). Ministry of Health, Labour and Welfare. <http://www.mhlw.go.jp/toukei/list/28-9.html> (2002 cohort). <http://www.mhlw.go.jp/toukei/list/28-24.html> (2012 cohort)

This panel surveys of people who were 20 to 34-years-old in October 2002 and 2012, and their spouses, has been conducted annually since 2002 and 2012 respectively. The information provided includes job experience, marriage, childbearing and take-up of measures including Parental leave and shortened working hours for parents. Contact: Longitudinal Survey Office, Statistics and Information Department at s-cohort@mhlw.go.jp

Japanese Panel Survey of Consumers (JPSC) (annually). Undertaken and funded by the Institute for Research on Household Economics. <http://www.kakeiken.or.jp/en/JPSC/jpsc.html> This is an annual panel survey, since 1993, which now has four different cohorts of women and has been used to examine the effect of Parental leave take-up on job retention and childbearing. Contact: info@kakeiken.or.jp.

Lithuania²¹⁶

Ruta Braziene (Kaunas University of Technology) and Giedre Purvaneckiene (Seimas, Lithuanian Parliament)

April 2015

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 (*nėštumo ir gimdymo, motinystės atostogos*) (responsibility of the Ministry of Social Security and Labour)

Length of leave (before and after birth)

- Eighteen weeks (126 calendar days); 70 calendar days before the birth and 56 calendar days afterwards).

Payment and funding

- One hundred per cent of previous net earnings, up to a ceiling of 3.2 times average insured monthly income, currently €1,380. It has not increased since 2013.
- Funded from the Social Insurance Fund, which is funded by contributions from employers and employees. Self-employed people are obliged to pay social insurance contributions.

Flexibility in use

- None

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

- All employed mothers who have paid at least 12 months of social insurance contributions during the last 24 months are eligible for Maternity leave. Self-employed women qualify for maternity benefit on the same conditions as workers.

²¹⁶ Please cite as: Braziėnė, R. and Purvaneckienė, G. (2015) 'Lithuania country note', in: P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/.

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

- In case of multiple or premature births or complicated baby delivery, 14 extra days are provided.

b. Paternity leave (*tėvystės atostogos*) (responsibility of Ministry of Social Security and Labour)

Length of leave (before and after birth)

- One month (28 calendar days) after childbirth.

Payment and funding

- As for Maternity leave.

Flexibility in use

- None.

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

- Fathers who have at least 12 months of social insurance during the last 24 months.

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 (*vaiko priežiūros atostogos*) (responsibility of Ministry of Social Security and Labour)

Length of leave

- Until the child is three years of age. Leave is a family entitlement.

Payment and funding

- Parents can choose between two options:
 - 100 per cent of net earnings until the child is 12 months;
 - 70 per cent of net earnings until the child is 12 months and 40 per cent of net earnings until the child is 24 months.
- The last period of leave until the child is 3 years of age is unpaid.
- Payment for either option is up to a ceiling of 3.2 times average insured monthly income, currently €1,379.
- Funded as for Maternity leave.

Flexibility in use

- None.

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

- Parents are eligible for parental benefit if they have paid social insurance taxes at least for 12 months during the last 24 months.

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

- In the case of multiple births, the parental benefit increases according to the number of children, but not exceeding a ceiling of 3.2 times average insured monthly income, currently €1,379.
- Grandfather, grandmother or any actual caregiver of a child (if parents do not use leave themselves) is eligible for Parental leave, but not for parental benefit.

d. Childcare leave or career breaks

No statutory entitlement.

e. Other employment-related measures

Adoption leave and pay

- If a person adopts or takes foster care of newborn baby, she/he is entitled to maternity leave from the moment of adoption up to the child is seventy days of age. Maternity benefit is paid on the same grounds as to biological mother. Adoptive parents or foster caregivers have the same rights to parental leave and benefit as biological parents.

Time off for the care of dependants

- An employee with a child under 14 years of age can take two weeks of unpaid leave per year.

Flexible working

- No statutory entitlement.

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

The maximum period of post-natal leave available in Lithuania is three years, but only the first year is paid at a high earnings-related rate; if the option for a second year of paid leave is taken, the second year is paid at a low earnings-related rate. There is no entitlement to ECEC at any age. Levels of attendance at formal services for children under and over three years are below the average for the countries included in this review and for OECD countries. For actual attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

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

Currently, the new Lithuanian social model (Labour relations and State social insurance legal administrative model) is under the discussion²¹⁷. Several draft of new laws have been presented for public discussion, e.g. the draft of the new Law on Leave Policies decreases long employment track (paid social insurance contributions) to be eligible for any type of leave benefits from 12 to 3 months during the last 24 months. No ceiling is foreseen.

4. Take-up of leave

a. Maternity leave

According to the information provided by the Social Insurance Fund Board (SODRA), one hundred per cent of employed women take up Maternity leave.

b. Paternity leave

No information.

c. Parental leave

According to the information provided by the Social Insurance Fund Board (SODRA), 79% of women and 21% of men took parental leave in 2014.

d. Other employment-related measures

No information.

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

a. General overview

The low fertility rate in Lithuania is regarded as a threat to the national security. Therefore demographical research was included among the tasks of the National Research Programme *Social Challenges to the National Security* by the Research Council of Lithuania. In the framework of this programme in 2010-2013 several research projects were completed or are being implemented, for example, *Gender inequality, public policy and the future of fertility in Lithuania* and *Fertility and family changes: factors, consequences, and possibilities to increase fertility*.

b. Selected publications since April 2014

Sarlauskas, R. and Telesiene, A. (2014) 'Valstybinio socialinio draudimo motinystės (tėvystės) išmokų reglamentavimas: pašalpų gavėjų struktūra ir pasirinkimai' ['The Regulation of State Social Insurance: Structure and Choices of Beneficiaries'], *Public Policy and Administration*, Vol. 13, No .1: 95-108. Available (in Lithuanian) at:

²¹⁷ <http://www.socmodelis.lt/modelis/>

<http://dx.doi.org/10.5755/j01.ppa.13.1.6406>

c. Ongoing research

None reported.

Luxembourg²¹⁸

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April 2015

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 (*congé de maternité*) (responsibility of the Ministry of Social Security)

Length of leave

- Sixteen weeks: eight weeks before the birth and eight weeks after. It is obligatory to take this leave.

Payment and funding

- One hundred per cent of earnings up to a ceiling (currently €9,605.13 per month) equal to five times the minimum social wage in Luxembourg.
- The Maternity leave scheme is fully integrated into the National Health Fund and is funded in the same way as all sickness benefits, with funding shared between employers (30 per cent), employees (30 per cent) and the State (40 per cent). More specifically, Maternity leave payments are funded from contributions made specifically to cover benefits for sick leave. In 2014, the state contributed 40 per cent of the cost of these benefits; the non-state contributions (amounting to 60 per cent of the cost) were 0.5 per cent of earnings, equally divided between employers and employees (i.e. 0.25 per cent of earnings each), though the proportion going towards Maternity pay cannot be differentiated.

Flexibility in use

- None.

²¹⁸ Please cite as: Zhelyazkova, N., Loutsch, M. and Valentova, M. (2015) 'Luxembourg country note', in: P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

Eligibility

- All insured persons, including self-employed, who have belonged to a social security scheme for at least six months preceding the commencement of leave.

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

- In the case of premature or multiple births or breastfeeding, the length of post-natal leave can be extended to 12 weeks. If the birth takes place before the expected date, the part of the pre-natal period not taken is added to the post-natal period. If the birth takes place after the extended date, the post-natal period is still eight weeks.

b. Paternity leave

There is no statutory entitlement. Employees are entitled to 'leave due to extraordinary circumstances' (*congé extraordinaire*), which gives them the right to take two days off in the case of birth or adoption of a child. The leave is paid by the employer and covers 100 per cent of earnings.

c. Parental leave (*congé parental*) (responsibility of the Ministry of Family Affairs and Integration)

Length of leave

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

Payment and funding

- A flat-rate payment of €1,778 per month.
- Funded from general taxation.

Flexibility in use

- Parents may take 12 months leave on a half-time basis, subject to their employer's agreement, in which case the benefit paid is halved.
- Both parents cannot take leave at the same time. If both parents apply for the leave, the mother has priority. The first parent who takes the leave must take it following Maternity or adoption leave. The second period of leave may be taken by the other parent until the child is five years old. The same rules apply in case of adoption.
- Single parents are only entitled to one period of Parental leave (i.e. 6 months), but they do not have to take it immediately after Maternity leave.

Eligibility

- All employees are eligible if they have worked for at least one year with the same employer (for at least 20 hours per week), and if they take care of their child at home. Self-employed persons are eligible for Parental leave if they have been self-employed for at least one year for at least 20 hours per week.
- Every parent has the right to Parental leave even if the other parent is not working, unless the non-working parent is receiving the child-raising allowance (*allocation d'éducation*). This allowance is an alternative to Parental leave payment, and is available to every person in Luxembourg who is raising a child at home and does not

work or works with an income below a certain threshold; parents must choose between Parental leave payment and this allowance. The child-raising allowance in 2014 was €485.01 per month, paid for two years; the total payment is equivalent to Parental leave benefit. The child-raising allowance will, however, be discontinued for children born after 1.6.2015.

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

- None.

d. Childcare leave or career breaks

No statutory entitlement.

e. Other employment-related measures

Adoption leave and pay

- Adoption leave (*congé d'accueil*) is eight weeks, extended to 12 weeks for multiple adoptions, paid at 100 per cent of earnings and available to all working persons in Luxembourg who have belonged to a social security scheme at least for the six months preceding the commencement of the leave. This leave applies for adopting a child not yet admitted to the first year of primary school.
- Eligibility for adoption leave is the same as for Maternity leave, except both men and women have the right to use the leave.

Time off for the care of dependants

- In the case of sickness of a child, parents with children younger than 15 years may take two days of leave per year per child (*congé pour raisons familiales*). Leave may be extended under certain circumstances: for example, in the case of a disabled child, to four days; and for a very serious and exceptional illness defined by law (such as cancer in its terminal state), up to 52 weeks in a reference period of 104 weeks. The leave is paid and funded by the National Health Fund (*La Caisse nationale de santé*).

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 Luxembourg is 14 months, but most of this is low paid; leave paid at a high rate runs for only eight weeks. There is an entitlement to ECEC from three years of age, though only for part-time nursery education usually consisting of daily morning sessions + three two-hour afternoon sessions per week. Attendance is obligatory from four years. So there is a substantial gap of nearly two years between the end of leave and an ECEC entitlement, and a gap of nearly three years between the end of well-paid leave and an ECEC entitlement. Levels of attendance at formal services are above the average for the countries included in this review and OECD countries, both for

children under and over three years. For actual attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

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

The child-raising allowance will be discontinued for children born after 1 June.2015; this decision was taken in 2014. The document²¹⁹ explaining the reasons for the decision that this is part of the wider framework of the modernization of family policies. It is the first element of a set of legislative and regulatory changes to come, designed to achieve the following objectives: the promotion of employment including female employment, job retention and contribution, and through this, achieving even greater financial independence of parents and especially single mothers.

The programme of the government 2013-2018²²⁰ announced that Parental leave would be evaluated against its three objectives: the health of the new born child, reconciling work and family activities for men and women, and the labour market. Based on the results of the evaluation the government may reform the leave legislation to make it more flexible and to improve the reconciliation of family and professional life and to an increase in the proportion of fathers who use this benefit.

At the end of 2014, there was an announcement published on the Luxembourg government website²²¹ stating that the government is determined to reform Parental leave in 2015 with the goal of improving reconciliation of family and professional life and increasing the proportion of families using leave. The announcement stated that the government will consult closely with the social partners before proposing a revision of the legislation. Among possible changes in the legislation the announcement lists increasing the compensation and allowing more flexibility in the parental leave scheme.

4. Take-up of leave

a. Maternity leave

As Maternity leave is obligatory, all employed women should take up leave.

b. Paternity leave

No statutory entitlement.

c. Parental leave

Presently there is only limited information on the proportion of eligible parents using Parental leave. The first available source of take-up rates is the evaluation of Parental leave in

²¹⁹ Chambre des Deputes (2014) *Projet de Loi. Session Ordinaire 2014-2015*. Available at: http://www.chamber.lu/wps/PA_RoleEtenduEuro/FTSByteServletImpl/?path=/export/exped/sexpdata/Mag/189/337/138386.pdf.

²²⁰ Luxembourg Government (2013) *Programme Gouvernemental*. Available at: <https://www.gouvernement.lu/3322796/Programme-gouvernemental.pdf>.

²²¹ Luxembourg Government (2014) *Principales Nouveautes pour l'Annee 2015*. *gouvernement.lu*. Available at : <https://www.gouvernement.lu/4304787/27-nouveautes-2015>

Luxembourg completed by KPMG in November 2002²²². The estimated proportion of potential beneficiaries who used their right to Parental leave in 1999-2001 (the two years following the introduction of Parental leave in Luxembourg) was 30 per cent - 5.3 per cent of eligible fathers and 68 per cent of eligible mothers. These figures included both Luxembourgish residents and cross-border workers. However, the report does not make it clear exactly how these figures have been estimated.

In December 2013 a report for the Luxembourg Ministry of Family and Integration was completed by the Luxembourg Institute for Socio-Economic Research²²³. This report presents figures for Parental leave take-up among mothers and fathers of single children who were born between 1999 and 2007. The analysis are based on data from social security administrative records covering years 1999-2012. The Parental leave take-up rate is notably higher among mothers than among fathers as expected. The average for the observed period is 46.3 per cent among mothers compared to 10.6 per cent among fathers. Analysing Parental leave take-up by year shows an increasing tendency both among mothers and fathers. Fathers tend relatively more than mothers to take part-time Parental leave: 34 per cent of fathers who took leave opted for the part-time mode, compared to 19 per cent of mother. Fathers also take the second Parental leave period more often than mothers; only about 1.5 per cent of mothers of a single child who took Parental leave took the second leave period, whereas among fathers this proportion was notably higher - 35 per cent.

The report also provides results regarding couples' strategies with respect to Parental leave take-up. Only eligible couples (i.e. couples where both mother as well as father were eligible for Parental leave) were selected for part of the analysis. The data revealed that 49 per cent of all analyzed couples did not use the possibility to take Parental leave, i.e. neither mother nor father took leave. Out of all couples, 39 per cent opted for the strategy where the mother takes Parental leave and the father does not; while eight per cent chose the strategy where both parents take leave. The least used strategy was the one when father takes Parental leave and mother does not (about four per cent of analysed couples).

Another source of information is a study that investigates the work-family trajectories of parents working in Luxembourg who had a child in 2003 and who were eligible to take Parental leave²²⁴. The analysis shows that 13 per cent of the eligible fathers who had a child in 2003 used Parental leave before their child turned five years, the maximum period within which Parental leave can be taken. In comparison, 66 per cent of mothers who were eligible used their right to Parental leave. The majority of mothers who took Parental leave used it immediately after their Maternity leave ended.

The annual report of the Luxembourg Ministry of Family and Integration provides a complete overview of the usage of the Parental leave covering 1999 to 2014²²⁵. This shows a number of trends.

²²² KPMG Assurance Advisory Luxembourg(2002) *Etude d'évaluation de l'impact du congé parental au Grand-Duché de Luxembourg [Evaluation study of the impact of Parental leave in the Grand Duchy of Luxembourg]*. Available at:

http://www.gouvernement.lu/salle_presse/actualite/2002/12/23biltgen/dossier.pdf

²²³ Valentova, M. and Bia, M. (2013) *Le congé parental chez les parents d'enfant unique. Analyse du recours au congé parental par les mères et les pères d'enfant unique, et de son impact sur l'engagement des mères sur le marché du travail. Rapport rédigé pour le compte du ministère de la Famille et de l'Intégration*. Liser, Luxembourg.

²²⁴ Zhelyazkova, N. (2013) *Parental leave within the broader work-family trajectory: What can we learn from sequence analysis? (UNU-MERIT Working Paper No 2013-049)*. Available at: <http://www.merit.unu.edu/publications/wppdf/2013/wp2013-049.pdf>.

²²⁵ Ministry of Family and Integration (2014) *Rapport d'Activité 2014* Available at: http://www.mfi.public.lu/publications/01_rapports-activite/rapp_act_2014.pdf

The total number of users of Parental leave has increased markedly over the last thirteen years; at the end of 1999, only 1,433 parents were on Parental leave, compared to 4256 at the end of 2014. In particular, the number of men using leave has increased dramatically, from only 90 at the end of 1999 to 1050 at the end of 2014. The increased participation of men in Parental leave is also evident in the increasing share of male users (calculated as the percentage of all leave users who are male), from 6.3 per cent at the end of 1999 to 24.7 per cent in 2014. Nevertheless women remain the majority of leave users, as they used on average 79.4 per cent of all leaves taken over the period 1999 - 2014.

Throughout the period 1999-2014, women were more likely than men to be using the first leave period available for the child, immediately after Maternity leave, while fathers were more likely to be using the second leave (each parent has a six month period of leave). On average for the period 1999-2014, 80.8 per cent of men using leave did so in the second leave period, compared with only 6.5 per cent of women leave-users. Moreover throughout the period, the number of second leave periods taken increased, as in more families both parents took their entitlement. In 1999, 1,383 parents took the first period of leave, compared with only 50 second period leave takers; but by 2014, the total of first period leave takers had risen to 3128, whilst second periods leave takers now stood at 1128; put another way, the number of men taking the second period of leave had shot up from 30 to 928.

There is also a marked gender difference in using the leave full time or part time. Between 1999 and 2014, women taking leave were more likely to use it full time (62.9 per cent on average), compared to men (56.4 per cent on average). The general trend for both genders has been an increase in the percentage of part-time users and a decrease in the percentage of full-time users.

d. Other employment-related measures

There is no information.

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

a. General overview

Nothing reported.

b. Selected publications since April 2014

TNS Ilres (2015) Le congé parental au Luxembourg. Sondage d'évaluation pour le Ministère de la Famille, de l'Intégration et à la Grande Région. *Conférence de Presse du 2 mars 2015*. Available at : https://www.tns-ilres.com/cms/_tnsNewsAttachments/TNS_Ilres_Presentation_Ministere_de_la_Famille_Sondage_sur_le_Conge_parental_conf.presse_2_mars.pdf

This publication is a power-point summary of the results of a survey carried out by TNS Ilres for the Ministry of Family and Integration. The survey was carried out between January 14 and January 31, 2015. Respondents were in total 1235 persons, with children, active on the labour market and aged between 18 and 45. The majority of respondents (1019) resided in Luxembourg, while 216 resided in the neighbouring countries: France, Germany and Belgium. The summary presents descriptive statistics about the use of Parental leave and reasons for the respective choices. Financial reasons and lack of flexibility were among the main reasons parents reported for not using Parental leave or not planning to use it.

Zhelyazkova, N. (2015) *Work-Family Reconciliation and Use of Parental Leave in Luxembourg*. Maastricht: Boekenplan. Available at:
<http://www.merit.unu.edu/publications/uploads/1424769568.pdf>

This dissertation focuses on the main patterns of work-family reconciliation and in particular the role of leave policies in these patterns. The analysis is based on administrative data from Luxembourg, and starts by reconstructing the life course of individuals as sequences of consecutive states of different duration. The analysis of trajectories is complemented by other statistical tools such as logit models and a duration model. The results suggest that the birth of a child is a turning point for a large part of women's trajectories, whereby it is very likely that women reduce their labour force participation afterwards. As expected, opportunity cost in terms of foregone monthly earnings is negatively associated with probability of dropping out of the labour force at the first and the third step in the decision process: namely the decision to remain in the labour force after having a child and the decision to return to work after parental leave. In contrast, men's labour participation appears to remain constant before and after the arrival of the child in the family. As expected, the empirical analysis indicates that there is a negative relationship between salary-related earnings and taking Parental leave. However, surprisingly, increasing salary growth is associated with higher probability to use Parental leave.

c. Ongoing research

Evaluation of parental leave policy in Luxembourg, focusing on: 1) couple's take-up strategies depending on household income and 2) the impact of the introduction of the parental leave policy on female labour market participation (April 2015 – December 2015). Luxembourg Institute of Socio-Economic research (LISER).

Contact: Marie Valentova at Marie.Valentova@liser.lu.

Frances Camilleri-Cassar (University of Malta)

April 2015

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1. Current leave and other employment-related policies to support parents²²⁷

a. Maternity and special Maternity leave (responsibility of **Ministry of Social Dialogue, Consumer Affairs, and Civil Liberties**)

Length of leave

- Eighteen weeks: six weeks must be taken following the birth, while eight weeks can be taken before or after birth. A further period of up to four weeks may be taken, immediately after the take-up of 14 weeks. It is obligatory to take six weeks following the birth.
- Special Maternity leave is granted when suitable alternative work and/or work hours, in terms of health and safety during pregnancy or during the twenty-six weeks starting from the date of confinement, are not possible. In such instances, the mother is granted leave, up to the time limit stipulated by the statutory Maternity leave.

Payment and funding

- For Maternity leave, 100 per cent of earnings for 14 weeks with no ceiling on payments, followed by a flat-rate payment equivalent to the statutory minimum wage (€166.26 per week) for the final four weeks. During the special Maternity leave, an allowance is paid, equivalent to the rate of sickness benefit.
- Women on Maternity leave or special Maternity leave are entitled to all rights and benefits which may accrue to other employees of the same class or category of employment at the same place of work, including the right to apply for promotion. Furthermore, the mother is entitled to return to the same job. If for a valid reason, this is no longer, she is entitled to equivalent or similar work and conditions of employment.
- With the exception of bonuses or allowances related to performance or production, all automatic or fixed allowances specifically incorporated in the pay package should not be deducted during such leave.

²²⁶ Please cite as: Camilleri-Cassar, F. (2015) 'Malta country note', in: P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

²²⁷ There is a distinction between policies in the public sector and those pertaining to the private sector and which do not fall under the Wages Council Wage Regulation Orders (WRO). Policies under the WRO include employees engaged under a contract of service in the private sector, and are outside the scope of this report.

- Funded by employers (public or private), except for the final four weeks paid at minimum wage level, which is funded by the government, via the department of Social Security.

Flexibility in use

- None, except for eight weeks of leave that can be taken before or after birth.

Eligibility

- All employees and self-employed women.

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 (public sector)

Length of leave

- Two days after birth.

Payment and funding

- One hundred per cent of earnings with no ceiling on payments.
- Funded by the government (as employer).

Flexibility in use

- Must be taken up within fifteen days of the birth.

Eligibility

- All employees.

b. Paternity leave (private sector)

Length of leave

- One working day.

Payment and funding.

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

Flexibility in use

- None.

Eligibility

- All employees

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.

- Two days leave in the case of multiple births.

c. Parental leave (public sector) (responsibility of Ministry of Social Dialogue, Consumer Affairs, and Civil Liberties)

Length of leave (before and after birth)

- Twelve months per family. If both parents work in the public sector, they only receive 12 months shared between them.

Payment

- None.

Flexibility in use

- Parental leave may be taken in one continuous period of twelve months or in continuous periods of four, six, or nine months.
- Four months may be broken down in periods of one month at a time and taken until the child is eight years old, and may be granted on a full-time or a part-time basis.
- Leave may be shared between the parents if both are public sector employees.
- Parents cannot be on leave together.

Eligibility

- At least twelve months continuous service.

Variations in leave policy

- Public officers in the positions of head, director or assistant director are eligible to four months unpaid parental leave.

c. Parental leave (private sector unless covered by Wage Regulation Orders²²⁸) (responsibility of Ministry of Social Dialogue, Consumer Affairs, and Civil Liberties)

Length of leave (before and after birth)

²²⁸ 31 sectors in the private sector fall under WROs, including hospitals and clinics, construction, private cleaning services, printing and publishing, seamen, hotels and clubs, etc.. Workers covered by Wage Regulation Orders have their own legal entitlements which are amended regularly e.g. hours of work. Reference to 'private sector' benefits in this report cover only non-WRO workers. For more information see <https://dier.gov.mt/en/Legislation/Pages/Wage-Regualtion-Orders.aspx>; and <http://www.justiceservices.gov.mt/LOM.aspx?pageid=27&mode=chrono&gotID=452>.

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

Payment

- None.

Flexibility in use

- Leave may be taken in blocks of one month.
- Leave may be taken up to the child's eighth birthday.
- Parents cannot be on leave together.

Eligibility

- At least twelve months continuous service.

d. Childcare leave or career breaks (public sector)

- A one-off five-year career break can be taken until a child is eight years old.

Payment

- None.

Flexibility in use

- The five years must be taken in one continuous block, and may be reduced by multiples of three months.
- If the five years are not fully used, the outstanding leave may be taken up for the care of another child/children.
- The career break may be shared by both parents if both are employees in the public sector

Eligibility

- All employees in the public sector, but female employees must undertake six months employment either after Maternity or Parental leave, or else immediately after the career break.

d. Childcare leave or career break (private sector)

No statutory entitlement, any career break being at the discretion of the employer.

e. Other family-employment related measures (public sector)

Adoption leave and pay

- The same as Maternity leave

Time off for the care of dependants

- Public sector workers may apply for up to one year of unpaid leave to care for elderly parents, disabled children or spouses.

Flexible working

- Employees in the public sector with one year of service may apply to work flexi-time for 12 months, renewable every year.
- Employees in the public sector may apply to work reduced hours (i.e. between 20 and 35 hours per week) until their children are 16-years-old, with pro-rata payment.

e. Other family-employment related measures (private sector)

Adoption leave

- Four months unpaid leave, until the child is eight years old, which may be used in one-month blocks.

Reduced hours

- Pro-rata benefits must be based on existing full time working conditions.

Flexible working

- None

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

The maximum period of post-natal leave available in Malta is 76 months for public sector workers who use Parental leave and career breaks; or just under one year for private sector workers. In both cases, most of the leave period is unpaid, with leave paid at a high rate for just over three months. There is an entitlement to free attendance at ECEC services for children from three months of age who have a parent in full-time education or employment; all children are entitled to attend ECEC from three years of age. Consequently, there is no gap between the end of paid leave and an ECEC entitlement (for parents in full-time employment or education). Levels of attendance at formal services are above the average for the countries included in this review and OECD countries, both for children under and over three years. For actual attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

3. Changes in policy since April 2010 (including proposals currently under discussion)

Statutory Maternity leave increased from 16 to 18 weeks from January 2013, with 14 weeks paid at 100 per cent of earnings. As of January 2015, payment for the remaining four weeks was introduced, at the level of the national minimum wage. As of August 2015, Maternity leave that includes August is to be treated as vacation leave and paid accordingly for all educators working in schools and/or under school work conditions.

4. Take-up of leave (public sector)²²⁹

a. Maternity leave

In 2013, 702 women took up their entitlement to 14 weeks of paid maternity leave. However, the number fell substantially – to 429 women - for the remaining low paid four weeks of Maternity leave.

b. Paternity leave

No information available

c. Parental leave

There is a clear gender gap in the take-up of unpaid Parental leave in 2013, with only 14 men taking leave compared with 485 women.

d. Childcare leave and Career breaks

Two hundred and eighty women took up their entitlement to an unpaid career break of up to five years in 2013; only 14 men opted for the benefit.

A study of social policy in Malta finds that unpaid family leave is synonymous with career regression, and interruption in national insurance contribution that in turn perpetuate women's financial dependence on men and increases the feminisation of poverty in old age (see Camilleri-Cassar, 2005). Until leave-to-care policies can offer financial compensation for loss of earnings, and are modified to allow time for the equal sharing of care between women and men, gender inequality will persist, both in the workplace and domestic sphere in Malta.

e. Other family-employment related measures

One thousand five hundred and thirty eight women opted to work reduced hours in 2013, compared with 94 men. However, reduced hours need not necessarily be for reasons of childcare.

4. Take-up of leave (Private sector)²³⁰

No information available.

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

▪ General overview

²²⁹ <https://opm.gov.mt/en/PAHRO/ERM/Pages/Reports/Reports.aspx>

²³⁰ Personal communication with the Department of Industrial and Employment Relations, Malta. <http://dier.gov.mt/en/Pages/home.aspx>.

Malta's leave schemes are based on a clear division between the public and private sectors, with employees in the public sector having more favourable conditions. They also assume and sustain a male breadwinner system. They are patchy, and have done little to change father practices. Leave policies couched by the state as family friendly, fall disproportionately on women, while men's employment is undisturbed by their transition into fatherhood. Most fathers in Malta are unable to shoulder the loss of income, and loss in retirement pension due to interrupted national insurance contributions during their unpaid leave. Admittedly, it makes economic sense that a clear majority of care-leave takers are women in a male breadwinner regime.

One of the most obvious of gender inequalities is the two day Paternity leave (one day in the private sector) compared with eighteen weeks Maternity leave. Such discriminatory practices supported by the State can only broaden the gender gap, and reinforce traditional family patterns of a male breadwinner ideal type in Malta. Typical of a male breadwinner model, unpaid leave schemes are taken up largely by women, which leaves the basic gendered structure of society untouched.

A study of social policy in Malta finds that unpaid family leave is synonymous with career regression, and interruption in national insurance contribution that in turn perpetuate women's financial dependence on men and increase the feminisation of poverty in old age (see Camilleri-Cassar, 2005 in section 5). Until leave policies can offer financial compensation for loss of earnings, and are modified to allow time for the equal sharing of care between women and men, gender inequality will persist, both in the workplace and domestic sphere in Malta.

Research and publications are patchy and consist largely of a few newspaper articles by employers' associations lamenting the (un)fairness to employers for having to pay for maternity leave. Other than that publications are mainly annual reports by government departments such as the Public Administration HR Office of the Prime Minister or short comments uploaded on line by law firms in Malta. Statistics that would provide a clear picture of the take-up of leave policies for drawing up leave policies that are effective in Malta are dated or not available.

b. Selected publications since April 2005

Camilleri-Cassar, F. (2005) *Graduate Women and the Male Breadwinner Model*, Malta: Agenda.

The study examines government claims to gender equality in Malta's social policies. It argues that despite claims to promote gender equality, Malta has a male breadwinner model where women are assumed economically dependent on men. The fifth chapter in the study focuses on leave policies through in-depth interviews with graduate women. It contends that recent developments in Malta's leave policies perpetuate the traditional gender arrangement. One major implication for understanding gender equality in Maltese social policy is that there appears to be a deeply ingrained set of cultural assumptions, structures, and obligations within the family that shape workplace expectations, which in turn spill over into relationships within the bureaucracy such that government policies are blunted in their effect.

Centre for Equality Advancement (2005) *Fathers on Parental Leave*. Vilnius: EUgrimas.

This report between partner countries including Malta seeks an understanding of factors that encourage the take-up of Parental leave by fathers, the obstacles that men encounter, and reactions by their employers. The study combines qualitative and quantitative research methods and concludes that the poor take-up of Parental leave in Malta persists largely due to conservative, traditional reactions.

Camilleri-Cassar, F. (2009) 'Flexible Working Time Arrangements'. External report commissioned by and presented to the EU Directorate-General Employment and Social Affairs, Unit G1 'Equality between women and men', Expert Group on Gender and Employment, DG Employment.

Government policy to increase women's active participation in the labour market brings to the fore the importance attached to balancing employment with family life. The study raises questions about flexible working time arrangements in Malta through an exploration of the national regulatory framework and recent policy debates. It goes on to assess general trends at a macro level of new forms of gender (in)equality, and concludes with an evidence-based discussion of working time flexibility from a life course perspective.

Camilleri-Cassar, F. (2009) 'The provision of childcare services in Malta', Expert Group on Gender and Employment issues (EGGE) report for the European Commission Directorate-General for Employment, Social Affairs and Equal opportunities, Unit G.1 'Equality between women and men'.

Family oriented debates are high on the political agenda in Malta. Government policies towards women's full employment have been underpinned with a reduced hours system, Parental leave, career breaks and plans for subsidies for users of childcare centres. However, women's experience of care policies suggests that Malta remains a strong male breadwinner regime, where men are expected to earn and women to care. It concludes that the state's key source of failure is resistance to address cultural and structural disadvantages for women consistent with inadequate and ineffective family support policies.

Malta Business Bureau (2010) *The Estimation of Costs to the Maltese economy of implementing EU legislative proposals related to maternity and paternity leave*. Available at: <http://www.mbb.org.mt/Articles/PrintArticle.aspx?ArticleId=2323&Section=newsroom>

The study seeks an estimate of costs incurred if Malta were to introduce the EU legislative proposals related to Parental leave, including the extension of Maternity leave and the introduction of Paternity leave. The study suggests that the economic benefits of the legislative changes in the Maltese economy would be relatively marginal as Maternity leave is already an existing statutory benefit. However, an increase in parental leave could possibly increase the costs exponentially. The report argues that whereas estimates of benefits are subject to a high degree of uncertainty, direct costs in terms of loss of output can be quantified statistically.

Camilleri-Cassar, F. (2013) 'Leave policies for childcare 2010 - 2013', External report commissioned by and presented to the EU Directorate-General Employment, Social Affairs, and Equal Opportunities, Unit G1 'Equality between women and men'.

The report presents a discussion of leave policies in Malta between 2010 and 2013.

PAHRO (2013) *Family Friendly Measures Report 2013*, Public Administration HR Office, Malta.

The report provides data on the take-up of family friendly measures in the public administration of Malta. Data is broken down by gender, and salary scale and presents some analysis of employee work-family needs.

c. Ongoing research

The Public Administration HR Office of the Office of the Prime Minister is currently working on the 2014 Annual Report of Family Friendly measures. Other than that, information on ongoing research is not available.

Mexico²³¹

Cándido Pérez (Early Institute²³²)

April 2015

NB. Mexico is a federal state with 31 federate states plus a federal district.

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](#) page on website.

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

a. Maternity leave (*licencia de maternidad, seguro de maternidad*) (responsibility of the Ministry of Labour and Social Welfare – *Secretaría del Trabajo y Previsión Social*, at federal level)

Length of leave (before and after birth)

- Twelve weeks: six weeks before the birth and six weeks following the birth. The whole period is obligatory.

Payment and funding

- Hundred per cent of earnings, with no ceiling on payments for the basic period.
- Fifty per cent of earnings for a period not exceeding sixty days if Maternity leave is extended.
- Maternity leave is funded by social security (*Seguro de maternidad*) on a tripartite basis: employers pay 70 per cent, employees 25 per cent, and the federal government five per cent. However, the payment made by social security depends on the amount of the contributions that have been paid by both the employer and the employee, such as pension or retirement contributions. Therefore the exact payment can be complicated to work out.

Flexibility in use

- By specific request of an employee, up to four of the six weeks of Maternity leave before birth can be transferred after birth. This requires a formal statement from a doctor, and takes into consideration the employer's view and the type of work the employee performs.

²³¹ Please cite as: Pérez, C. (2015) 'Mexico country note', in: P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

²³² Early Institute (previously Think Action Development) is a Mexican Think Tank constituted since 2007 by a group of social scientists and lawyers who develop applied research and consultancy mainly to analyse and inform public policies on childhood. In particular they contributed to the preparatory work for the introduction of Paternity leave in Mexico in 2012.

- Maternity leave is extended for the time necessary in the event that the employed woman is found unable to work due to pregnancy or childbirth

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

- Employees must have contributed to social security for at least 30 weeks in the 12 months before the date on which the Maternity leave starts. When the employed woman does not meet this requirement, it is the responsibility of the employer to pay hundred per cent of the earnings. Employees must not perform any paid work during pre- and post-natal periods.
- Only women employees in the formal economy are eligible for Maternity leave. About 60 percent of all employed women have no access to social security since they work in the informal economy. Furthermore the self-employed have a special and voluntary social security regime (*régimen voluntario*), which does not include Maternity leave insurance, so they do not have any maternity leave benefit.

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

- If the child is born with any kind of disability or requires hospital care, leave can be extended to eight weeks after birth, although the mother must show a medical certificate to claim this extension.

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

- For public employees, Maternity leave is one month before the expected delivery date and two months after birth, paid at 100 per cent of earnings.
- The 2006 [National Survey on the Dynamics of Household Relations](#)²³³ revealed that 2.4 million women had faced some form of employment discrimination, of those, 1.1 million stated they were asked to take a pregnancy test as a requirement for entry to work. Furthermore, more than 99,000 reported that they had been laid off, had not had their contracts renewed, or had their wages lowered when they got pregnant. Since 2012, it is illegal for employers to request a 'certificate of not being pregnant' (*certificado médico de no embarazo*) as a condition of new employment, permanence of employment or promotion. It is strictly prohibited to dismiss an employee or coerce her to resign for being pregnant, changing her marital status or childcare arrangements. However, pregnancy discrimination is widespread and most cases remain unpunished, with the majority not even being reported.

b. Paternity leave (*Permiso de paternidad*) (responsibility of the Ministry of Labour and Social Welfare)

Length of leave

- Five days.

Payment and funding

- One hundred per cent of earnings, paid by the employer.

²³³ INEGI (2006). *Encuesta Nacional sobre la Dinámica de las Relaciones en los Hogares 2006*, ENDIREH. México.

Flexibility in use

- None.

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

- As with Maternity leave, Paternity leave only relates to parents in the formal economy, so does not apply to about 60 per cent of male employees, who have no access to social security.

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

- Paternity leave can be extended in cases of serious illness of the child or death of the mother.

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

- In recent years some government agencies have implemented extra Paternity leave, including the National Women's Institute (INMUJERES), the Ministry of Social Development (SEDESOL) and the Federal Electoral Tribunal, all of which grant ten days of Paternity leave. In the case of employees of the Federal District Government, Paternity leave is extended to 15 days.

c. Parental leave

No statutory entitlement.

d. Childcare leave or career breaks

No statutory entitlement.

e. Other employment-related measures

Adoption leave and pay

- In case of adoption, the mother is entitled to six weeks of paid leave, after the day that the mother receives the child.

Time off for the care of dependants

No statutory entitlement.

Flexible working

- Mothers can take two fully-paid breaks per day, up to half an hour each, to (breast) feed their child (*periodo de lactancia*), until the child is six months old. These breaks should be in a proper and hygienic place designated by the employer, or, if this is not possible, the mother's working day should be reduced by one hour.

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

The maximum period of paid post-natal leave available in Mexico is six weeks, paid at a high income-related level. Attendance at ECEC is compulsory from four years of age, but there is no entitlement for younger children. So there is a substantial gap of nearly four years between the end of leave and an ECEC entitlement. Levels of attendance at formal services for children under three years are well below the average for countries included in this review and all OECD countries, but for children over three years attendance is above the OECD average and similar to the average for countries included in this review. For actual attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

3. Changes in policy since April 2010 (including proposals currently under discussion)

The Federal Labour Law (*Ley Federal del Trabajo*) was approved in 2012, the most significant reform in recent years. Measures introduced by this law included:

- Five days fully-paid Paternity leave.
- Making it illegal for employers to request a 'certificate of not being pregnant', or to dismiss an employee or coerce her to resign for being pregnant, changing her marital status or childcare arrangements.
- Two fully-paid breaks per day, up to half an hour each, for mothers to (breast) feed their child, until the child is six months old.
- Six weeks paid leave for mothers who adopt a child.
- Maternity leave extended to eight weeks if a child is born with any kind of disability or requires hospital care.

Later proposals have been made, mainly to extend paternity leave but none have been approved at the federal level.

4. Take-up of leave

a. Maternity leave

Maternity leave benefit covered 19.7 per cent of the 2,586,287 births in 2011 (author calculations based on data provided by the Mexican Social Security Institute, the Institute for Social Security and Services for State Workers and the National Institute of Statistics and Geography).

b. Paternity leave

No information.

c. Parental leave and Parental benefit

No statutory entitlement.

5. Research and publications on leave and other employment-related policies since April 2005

a. General overview

Leave arrangements are not yet a research topic in Mexico. The impact of leave arrangements on gender and social equality in the labour market and on fertility decisions is an unexplored field. There are some studies in the field of Law that have examined Maternity leave as a starting point to promote Paternity leave, but these are still nascent.

b. References and selected publications since April 2005

Mendizábal, G. (2006) 'Análisis comparativo de las prestaciones de seguridad social por maternidad', *Boletín Mexicano de Derecho Comparado*, Vol.XXXIX, No.116: 453-479.

This article examines the rules on social protection of maternity as a protected risk, and concludes that the evolution of such rules has been stopped in Mexico. Through a comparative law study, the author identifies important reforms that have produced gender equality in other countries like Italy, Spain and Austria. References to the law of these countries are made, as well as to norms that have expanded social protection to the father and to norms on adoption. The article concludes by proposing that further and wider studies are required to reform social security maternity benefits in Mexico

c. Ongoing research

The *social politics of fatherhood in Mexico and Spain*. (2015-16). Cándido Pérez, doctoral study at Universidad Anáhuac México Norte, Estado de México, México.

The research investigates the role of public policies on paternal involvement in early childhood comparing Mexico and Spain. The analysis focuses on policies related to early childhood, particularly Maternity leave, Paternity leave and Parental leave as well as early childhood education and care centres for children under four years old. The study seeks to determine whether public policies implemented in recent years facilitate the development of dual earner models or reinforce the caring mother model. Contact: cperez@earlyinstitute.org.

The Netherlands²³⁴

Laura den Dulk (Erasmus University Rotterdam)

April 2014 (N.B. This country note has not been revised for 2015)

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 before the birth, with ten weeks to twelve 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 (€197).
- 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 (€1485.60 a month before taxes).

²³⁴ Please cite as: den Dulk, L. (2015) 'Netherlands country note', in: P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

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. This tax reduction is offered until 2015.

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.
- Parents can take leave at the same time, if they choose.

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 ten 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 earnings 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)²³⁵.

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.

²³⁵ Beeksmā, 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 post-natal leave available in the Netherlands per family is nearly 15 months, but most of this is unpaid (except for a tax reduction) and involves part-time leave; full-time leave paid at a high rate runs for only 10 weeks. There is an entitlement to ECEC from four years of age, though only for part-time schooling (22 hours a week during school time). So there is a gap of nearly three 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 three years are well above the average for the countries included in this review and OECD countries (though this includes many two year olds attending part-time playgroups); but are below both averages for children over three years. For actual attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

3. Changes in policy since April 2013 (including proposals currently under discussion)

The law on modernizing leave arrangements and working times (*Wet houdende modernisering regelingen voor verlof en arbeidstijden*), sent to Parliament two years ago, is

still debated. The Minister of Social Affairs sent a second proposal (32 855) to the Parliament on April 22, 2014. This proposal includes: the extension of Paternity leave by three days; the possibility to take up short-term and long-term care leave arrangements for household members other than a child or partner; and the possibility to take up long-term care leave not only in case of a life-threatening illness but in all cases where long-term care is needed. This last proposed extension is related to the idea that (older) people should be able to live at home as long as possible and care, in these cases, is provided more and more by family and friends²³⁶.

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 pay²³⁷.

c. Parental leave

Figures from Statistics Netherlands show that in 2013, 124,000 female employees and 124,000 male employees (working 12 hours or more per week) were entitled to Parental leave. Of women eligible for Parental leave, 57 per cent took leave for an average of 12 months and 10 hours a week; among men eligible for Parental leave, 23 per cent took leave for an average of 16 months and eight 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 29 hours per week, fathers 39. For men the use of Parental leave has grown since 2003 from 15 per cent to 18 per cent in 2007 and 23 per cent in 2013; while for women, uptake increased from 42 per cent in 2003 and 2007 to 57 per cent in 2013²³⁸.

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

²³⁶file:///C:/Users/Laptop/Downloads/tweede-nota-van-wijziging-wetsvoorstel-modernisering-regelingen-voor-verlof-en-arbeidstijden.pdf.

²³⁷Van 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.

²³⁸Centraal Bureau voor de Statistiek (2014) *Ouderschapsverlof; gebruik en duur*. Available at: [http://statline.cbs.nl/StatWeb/publication/default.aspx?DM=SLNL&PA=72022NED&D1=a&D2=1-2&D3=0-2&D4=\(I-9\)-I&HDR=G1%2cG3&STB=G2%2cT&VW=T](http://statline.cbs.nl/StatWeb/publication/default.aspx?DM=SLNL&PA=72022NED&D1=a&D2=1-2&D3=0-2&D4=(I-9)-I&HDR=G1%2cG3&STB=G2%2cT&VW=T)

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 respectively²³⁹.

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 respectively²⁴⁰.

In a comprehensive study on the position and participation of women from ethnic minorities in Dutch society, published in 2006, attention is paid to the use of Parental leave by Turkish, Moroccan, Surinamese and Antillean working parents²⁴¹. Take-up was 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 were 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 2013, 232,000 women and 200,000 men took care of a sick child, parent or partner for a short period, and 32 per cent of the women and 38 per cent of the men took some sort of leave. A large proportion used their annual holiday leave (45 per cent of men taking some kind of leave and 41 per cent of women). Of those taking leave, 24 per cent of men and 29 percent of women used short-term care leave²⁴².

Use of leave in longer periods of care. According to figures of National Statistics in 2013 443,000 employees (245,000 women and 198,000 men) took care of a sick member of their family on a regular basis and/or for a longer period; 17 per cent who undertook such care took some sort of leave. Mostly they used short-term care leave (35 per cent), but also many employees use their holidays to care for a seriously ill relative (31 per cent of employees taking some form of leave use their annual leave)²⁴³

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 arrangements²⁴⁴.

²³⁹ 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.

²⁴⁰ Ewalds, D. (2010) 'Ouderschapsverlof in de marktsector meestal niet betaald', in: *Webmagazine, woensdag 15 december 2010*, Den Haag: Centraal Bureau voor de Statistiek.

²⁴¹ Keuzenkamp, S. and Merens, A. (2006) *Sociale atlas van vrouwen uit etnische minderheden*. Den Haag: Sociaal en Cultureel Planbureau. An English summary will be available at <http://www.scp.nl/english/publications/summaries>

²⁴² <http://statline.cbs.nl/StatWeb/publication/?DM=SLNL&PA=71516ned&D1=a&D2=a&D3=l&HDR=G1,G2&STB=T&VW=T>

²⁴³ <http://statline.cbs.nl/StatWeb/publication/?DM=SLNL&PA=71516ned&D1=0-16,78-93&D2=a&D3=a&HDR=G1,G2&STB=T&VW=T>

²⁴⁴ SZW (Sociale Zaken en Werkgelegenheid) (2006) *Beleidsdoorlichting Arbeid en Zorg*. Den Haag: Ministerie van Sociale Zaken en Werkgelegenheid.

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^{245 246 247}. 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 2013

a. General overview

An expert meeting organized by the Ministry of Social Affairs April 2014 noted that in the last few years no research has been conducted on the take up of leave arrangements in the Netherlands.

b. Selected publications since April 2013

Cloin, M. (ed.) (2013) *Met het oog op de tijd. Een blik op de tijdbesteding van Nederlanders* [*With an eye on the time. Time use in the Netherlands*]. The Hague: SCP.

This time use study reports on the period 2006-2011. So far, there appears to be little impact of the economic crisis on the way Dutch people spend their time, that is, the researchers note little change in the time spent on paid work or in the way people spend their leisure time. Feelings of time pressure seem to be more common (reported by 25 per cent of people), but this is not related to more time spent on paid or unpaid labor or to less leisure time.

Dulk, L. den & Groeneveld, S. (2013) 'Work-Life Balance Support in the Public Sector in Europe', *Review of Public Personnel Administration*, Vol.33, No.4: 384 – 405.

This article examines the level of support for the integration of paid work and personal life (work-life balance [WLB] support, including leave arrangements) in public sector organizations in Europe. Data of the Establishment Survey on Working Time and Work-Life Balance 2004-2005 (ESWT) is used to analyze the supportiveness of public sector organizations within and between countries. So far, little attention has been paid to variation within the public sector and whether and to what degree this is related to institutional and economic drivers. The results suggest that institutional pressure is the most important driver for public sector organizations to offer WLB support to their employees: State support in a country has a positive relationship with WLB support in public organizations, in particular for public administration organizations.

Dulk, L. den, Groeneveld, S., Ollier-Malaterre, A. and Valcour, M. (2013) 'National context in work-life research: A multi-level cross-national analysis of the adoption of workplace work-life arrangements in Europe', *European Management Journal*, Vol.31, No.5: 478-494.

This study focuses on nation-level drivers of organizations' adoption of leaves/childcare and flexible work arrangements (FWA) beyond what is mandated by the state. It is one of the first studies to examine interaction effects between nation-level and organization-level variables. Drawing on institutional theory and work-life research, the authors focus on three nation-level

²⁴⁵ Portegijs, W. and Keuzenkamp, S. (eds) (2008) *Nederland deeltijdland. Vrouwen en deeltijdwerk* [*Part-time working in the Netherlands*]. Den Haag: Sociaal en Cultureel Planbureau.

²⁴⁶ Portegijs, W. (ed.) (2008) *Verdeelde tijd. Waarom vrouwen in deeltijd werken* [*A picture of part-time working*]. Den Haag: Sociaal en Cultureel Planbureau.

²⁴⁷ 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.

variables: state support for combining work and family life, cultural centrality of work and male unemployment rate. They test the interactions of these variables with organizational size, sector and proportion of female employees using the ESWT data set 2004-2005. State support for combining work and family life was positively associated with the adoption of leaves/childcare and FWA; cultural centrality of work was negatively associated with leaves/childcare and FWA; and male unemployment rate was not significantly associated with any. Public sector and large organizations were more sensitive to state support, cultural centrality of work and male unemployment than private sector and small organizations. In contrast, organizations employing a greater proportion of female employees were less sensitive to state support. These findings illustrate that organizational policies are influenced by the national contexts in which they are embedded, although some organizations are more sensitive to these contexts than others.

Klis, M. van der (2013) (ed.) *Gezinnen onderweg. Dagelijkse mobiliteit van ouders van jonge kinderen in het combineren van werk en gezin* [*Daily mobility of parents with young children combining work and family*]. The Hague: SCP.

The aim of this research is to gain insight in the everyday mobility of parents with young children, the restrictions they face and the way they solve difficulties or problems. Parents with young children make more movements per day than people without children and mothers make more movements than fathers although fathers cover more distance than mothers do. The freedom to decide how to organize daily mobility is limited. Opening hours of schools and formal daycare and the eating and sleeping times of children restrict parents use of flexible working hours and prevent them from traveling outside rush hours. The possibility of working from home has a positive impact on the daily mobility of parents.

Vlasblom, J.D., Josten, E. And Voogd-Hamelink, M. de (2013) *Aanbod van arbeid 2012* [*Supply of labour 2012*]. The Hague: SCP.

This Dutch employee panel study reports, *inter alia*, that the percentage of employees with flexible start and finishing times slightly increased from 36 per cent in 2000 to 38 per cent in 2010. The proportion of employees working from home increased from nine per cent in 2002 to 14 per cent in 2010. The latter is mainly used to decrease traveling time and to finish working overtime. The economic crisis appears to slow down the growth of part-time working: the proportion of employees that wish to (further) reduce their working hours declined from 17 per cent in 2002 to nine per cent in 2010.

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.

Employers and work-life issues in European workplaces: the perspective of top managers. Wike Been, doctoral study at Utrecht University.

The aim of the study is to investigate the views and support of top managers regarding work-life policies in five different European countries. This multi-method study includes interviews with top managers and a vignette study. Contact: Wike Been at W.M.Been@uu.nl

New Zealand²⁴⁸

Heather McDonald (Heathrose Research)

April 2015

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

Note on terminology: 'Parental leave' is used as a generic term to cover Maternity, Paternity and extended leave for new parents. For example, the first 16 weeks of paid leave after the birth, usually taken by the mother, is not termed 'Maternity leave' but 'paid Parental leave', and can be transferred to a spouse or partner.

a. Maternity leave (*paid Parental leave*: see 'note on terminology') (responsibility of the Department of Labour with Inland Revenue as delivery agent for payment)

Length of leave (before and after birth)

- Sixteen weeks. A woman can start to take leave from six weeks before the expected date of delivery.

Payment and funding

- One hundred per cent of earnings, up to a ceiling of NZ\$504.10 [€329²⁴⁹] per week before tax. Payment is indexed annually by any percentage movement upwards in average ordinary time weekly earnings.
- Self-employed parents who make a loss or earn less than the equivalent of 10 hours pay at the highest rate of the minimum wage, receive a minimum rate of NZ\$142.50 [€93] before tax per week. Payment is indexed annually as at 1st July each year, according to movements in the minimum wage.
- Funded from general taxation.

²⁴⁸ Please cite as: McDonald, H. (2015) 'New Zealand country note', in: P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

²⁴⁹ Conversion of local currency into Euros undertaken on 1-5 June 2015, using <http://finance.yahoo.com/currency-converter/>

Flexibility in use

- Maternity leave can start earlier if it is necessary for the health of the mother or baby or where a mother cannot continue to perform her job safely or adequately. Where a mother is directed by her doctor or employer to start Maternity leave early, she has the right to take eight weeks leave after the expected date of birth, with the overall leave period extended accordingly.
- An employer and mother can agree for Maternity leave to start at any other time before the baby is due.
- The birth mother may transfer any or all of the payment for leave to an eligible spouse/partner (including *de facto* and same-sex partners).
- Working is not permitted in any employment from which leave has been taken during the period where payment is being made (this results in the payment period ending)

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

- Expectant mothers who have worked for the same employer for an average of at least ten hours a week, and at least one hour in every week or 40 hours in every month, in the six or 12 months immediately before the expected date of delivery.
- Self-employed mothers who have been self-employed a minimum of ten hours a week in the six or 12 months immediately before the baby's expected due date are eligible.
- Any eligible mother is entitled to these provisions, irrespective of whether her partner/spouse is eligible for any entitlements.

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

- Where an eligible mother has a child who is subsequently adopted, both the adoptive parent/s and the birth-mother may access the leave and payment.
- In certain circumstances (e.g. death of the mother), the spouse/partner may receive the payment.
- Special (unpaid) leave of up to ten days can be taken by a mother before Maternity leave, for reasons connected with the pregnancy (e.g. for ante-natal checks).
- Different eligibility rules apply for junior doctors and teachers in state schools where multiple employments may be a feature, or a requirement of training.

b. Paternity leave (*paternity/partner leave*: see 'note on terminology') (responsibility of the Department of Labour)

Length of leave

- One or two weeks depending on eligibility.

Payment and funding

- No direct payment, although an eligible spouse/partner can transfer their entitlement of the statutory payment.

Flexibility in use

- Leave can be taken at any time in the period between 21 days before the expected date of delivery and 21 days after the actual date of birth.
- If agreed between an employee and employer, leave can start at any other time.

- Paternity/partner leave is not transferable e.g. to a single parent.

Eligibility

- Employees who have worked for the same employer for an average of at least ten hours a week, and at least one hour in every week or 40 hours in every month, in the six months immediately before the baby's expected due date are eligible for one week of leave. A spouse/partner who meets the hours' requirements and has worked for the same employer for 12 or more months is entitled to two weeks leave.
- Self-employed workers who have been self-employed for a minimum of ten hours a week in the six or 12 months immediately before the expected date of delivery.

c. Parental leave (*extended leave*: see 'note on terminology') (responsibility of the Department of Labour)

Length of leave

- Up to 52 weeks leave may be taken in the 12 months after birth, including any Maternity ('paid parental') leave taken; Paternity ('paternity/partner') leave is additional. Leave is a family entitlement.

Payment and funding

- None.

Flexibility in use

- Leave may be shared by both eligible parents. They can take their leave at the same time or consecutively.
- Extended leave is taken as continuous leave and can be started following Maternity, Paternity/partners leave or after a period of return to work; however the right to the leave ends when the child is one year old or one year after the parent has assumed the care of a child they intend to adopt.

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

- Extended leave is available to employees who have worked for the same employer for an average of ten hours a week, and at least one hour in every week or 40 hours in every month, in the 12 months immediately before the baby's expected due date or the date a parent assumes the care of a child under six years old they intend to adopt.
- Extended leave is not available to those with less than 12 months employment with the same 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

- None.

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

- Some collective agreements allow parents to access additional provisions, usually payments and longer leave periods; they are most commonly found in the public sector. These agreements are in addition to and cannot override statutory provisions overall.

d. Childcare leave or career breaks

No statutory entitlement.

e. Other employment-related measures

Adoption leave and pay

- Spouses/partners intending to adopt have the same leave entitlement as other parents. Eligible spouses/partners who are jointly adopting a child under the age of six years can nominate which parent will receive the payment.

Time off for the care of dependants

- After the first six months of continuous employment, an employee may take up to five days of sick leave per year, at 100 per cent of earnings from their employer with no payment ceiling. This leave can be used in the case of the employee's, a spouse/partner's or a dependant's illness.

Flexible working: the right to request and the duty to consider

- All employees have the statutory right to request a variation to their hours of work, days of work or place of work. A request can be made at any time, for any purpose or reason and there are no limits on how many requests can be made in any period. Further, there is no requirement for an employee to tell an employer what the reason for the request is. Employers have a duty to consider a request and are able to refuse a request on one or more of the recognised business grounds or if it conflicts with a collective employment agreement. An employee can make a formal complaint only where they consider an employer has made a wrong determination about their eligibility to apply for flexibility or where the employer has not complied with the statutorily described process for considering a request.

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

The maximum period of post-natal leave available in New Zealand is 12 months but most of this is unpaid; leave is paid at an earnings-related rate for only 16 weeks. There is an entitlement to ECEC from three years of age, though only for part-time nursery education (for a maximum of six hours attendance a day and 20 hours a week). So there is a two year gap between the end of leave and an ECEC entitlement, and a gap of nearly three years between the end of paid leave and an ECEC entitlement. Levels of attendance at formal services for children under and over three years are above the average for the countries included in this review and for OECD countries. For actual attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

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

Paid Parental leave has been extended from 14 to 16 weeks from 1 April 2015, and will be further extended to 18 weeks from 1 April 2016. These changes are largely the result of pressure, both public and political, to extend the provisions for paid leave, with an opposition MP putting forward a bill to extend paid Parental leave to 52 weeks, which was defeated in Parliament by the Government.

An extension of employees' right to request and employers' duty to consider flexible working arrangements for any purpose (see section 1e) was also introduced since April 2014; previously this right was limited to employees providing care for another person. The new provisions remove the requirement for an employee to have been employed for a minimum of six months before being able to make a request for flexible working. So now, any employee can make a request at any time.

The Government has proposed further changes to be enacted from 1 April 2016. These include:

- Extending parental leave payments (although not necessarily leave and job protection) to non-standard workers (such as casual, seasonal, and employees with more than one employer) and those who have recently changed jobs
- Extending entitlements to 'primary carers' such as Home for Life²⁵⁰ parents, whangai,²⁵¹ grandparents, those with permanent guardianship and others with permanent care arrangements
- Enabling employees to take their leave more flexibly, by mutual agreement with their employer.

A bill to effect these changes is expected to be introduced into Parliament around the middle of 2015.

4. Take-up of leave

Mothers, fathers and employers were surveyed in 2005/06 about their experiences of using leave around the birth/adoption of a child. Overall two-thirds of all women in paid work take-up a period of leave around the birth/adoption of a child.

a. Maternity leave

A 2005/06 evaluation of the experiences of mothers, fathers and employers using Parental leave found eight in ten women in paid work six months before their expected date of delivery were eligible to take Maternity leave; at the time of the survey, self-employed parents were not entitled to paid leave and the Department of Labour estimated their inclusion would still leave approximately 10 per cent of employed mothers ineligible for leave. Eighty-three per cent of eligible women took paid statutory leave, averaging three months of leave. Of the remaining one-third of women who do not take statutory leave, two-thirds took no leave at all (evenly divided between those who were eligible and ineligible) and one-third took other types of leave. Take-up of leave is affected by awareness of the provisions available, decision-making about whether to exit or remain in the workforce, and how many children are already in the family.

²⁵⁰ A state child welfare programme involving a permanent fostering arrangement.

²⁵¹ Maori customary adoption arrangement.

Just over a fifth (22 per cent) of mothers took paid leave only. The remaining 78 per cent took paid leave in combination with one or more other types of leave, e.g. annual leave, sick leave. Where this leave was also paid, mothers typically used this leave before they began Maternity leave

b. Paternity leave

In 2005/06 most fathers – 82 per cent – were found to take some sort of leave around the birth of a child. Typically, however, fathers took paid leave such as annual leave (58 per cent) or other employer paid leave (21 per cent) rather than unpaid Paternity leave (4 per cent). Only 1 per cent of fathers reported taking statutory paid leave (which would have been transferred to them from the mother). Nearly half of fathers took less than a week of leave (46 per cent) and another 38 per cent had up to two weeks leave.

c. Parental leave

Over half of mothers surveyed in 2005/06 who took paid leave, also took some unpaid Parental ('extended') leave (57 per cent). On average they returned to work when their baby was six months old. A total of 3 per cent of fathers reported taking any Parental ('extended') leave.

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

a. General overview

Currently, there is no research being undertaken on leave or related areas in New Zealand.

b. Selected publications since April 2014

None reported.

c. Ongoing research

None reported.

Norway²⁵²

Berit Brandth and Elin Kvande (Norwegian University of Science and Technology)

April 2015

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

Note on terminology: there is no single agreed name for Maternity or Parental leave. The Work Environment Act 2005 (the responsibility of the Ministry of Labour), which grants leave but not money, uses the name *svangerskapspermisjon* (pregnancy leave) for the leave before birth, *fødselspermisjon* (birth leave) for the six weeks after and *foreldrepermisjon* (Parental leave) for the remaining leave period. The Ministry of Children, Equality and Social Inclusion, which grants the money for leave, refers to *foreldrepengeperioden* ('parental money' period).

a. Maternity leave (*svangerskapspermisjon* and *fødselspermisjon* – see note on terminology) (responsibility of the Ministry of Children, Equality and Social Inclusion)

NB. There is no separate Maternity leave²⁵³. The information below is for that part of Parental leave reserved for women before and after birth; it is treated separately here, but is in effect part of the longer *foreldrepengeperioden* (parental money period).

Length of leave

- Thirteen weeks: three weeks before the birth and ten weeks following birth. It is obligatory to take six weeks leave after birth for health reasons.

Payment and funding

- Hundred per cent of earnings up to a ceiling of six times the basic national insurance benefit payment (i.e. NOK530,222 [€61,588²⁵⁴] a year) Funded from general taxation.

²⁵² Please cite as: Brandth, B. and Kvande, E. (2015) 'Norway country note', in: P. Moss (ed.) *International Review of Leave Policies and Research 2014*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

²⁵³ Leave of up to 12 weeks is available for pregnant women who must quit work because of chemical, biological or physical hazards and if the employer is unable to offer alternative work. It is paid at the same rate as sickness benefit.

²⁵⁴ Conversion of local currency into Euros undertaken on 1-5 June 2015, using <http://finance.yahoo.com/currency-converter/>

Flexibility in use

- None. If the baby is born before the estimated delivery date (e.g. so that the mother uses less than her three weeks pre-birth leave), the remaining time cannot be transferred to after the birth and is therefore lost.

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

- All women employed for six of the last ten months prior to delivery are eligible for leave and who have earned at least half the basic national insurance benefit payment over the previous year. Non-employed women receive a one-off payment of NOK44,190 [€5,133].

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

- If the mother or child is ill and hospitalised after delivery, leave payment can be postponed.

b. Paternity leave (commonly known as *pappapermisjon*) (responsibility of the Ministry of Labour and Social Affairs)

Length of leave (before and after birth)

- Two weeks after birth – ‘daddy days’ (+10 weeks = father’s quota, see section 1c).

Payment

- ‘Daddy days’ are unpaid by government; payment depends on individual or collective agreements and most fathers are covered by such agreements.

Flexibility in use

- None.

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

- All employed fathers have the right to leave, but payment is negotiated and paid by the 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 father.

- Leave can be transferred to someone else if the father does not live with the mother, since the purpose of the leave is to assist the mother.

c. Parental leave (*Foreldrepengeperioden*) (responsibility of the Ministry of Children, Equality and Social Inclusion)

Length of leave (before and after birth)

- Forty-six or 56 weeks depending on payment level (see 'payment and funding' below) + a further three weeks before birth. Of the post-natal period, 10 weeks are for mothers, plus three weeks before birth see 1a above, under Maternity leave; and 10 weeks are for fathers (*fedrekvoten* or 'father's quota'). The remaining 26 or 36 weeks is a family entitlement and may be taken by either mother or father. See 'flexibility' below for options available to parents.

Payment and funding

- Parental money may either be taken for 49 weeks at 100 per cent of earnings or for 59 weeks at 80 per cent of earnings, up to a ceiling of six times the basic national insurance benefit payment (i.e. NOK 530,222 [€61,588] a year).
- Non-employed women receive a flat-rate payment of NOK44,190 [€5,133].
- Funded from general taxation.

Flexibility in use

- For the family entitlement part of leave, it is possible to choose a longer period of leave (36 weeks) paid at 80 per cent of earnings, or a shorter (26 weeks) paid at 100 per cent.
- After the first six weeks, it is possible to postpone parts of the parental money period, as long as it is taken during the first three years after birth and the parent receiving the money is employed full time during the postponement period. Hospitalisation and vacation may also qualify for postponement.
- After the first six weeks, it is also possible for one or both parents to combine all or part of the parental money period with part-time work; if parents take less than full benefit payment, this will prolong the period of parental money. If both parents choose to combine parental money with part-time work, for instance each working half-time, this will result in a longer period. A written agreement from the employer is required in both cases. There is also a requirement that the mother has returned to employment or study for the father to take leave.
- Father's quota: this period of leave (ten weeks) is not transferable to the mother, except in certain circumstances, e.g. if the father is ill or otherwise unable to care for the child or if the mother and father do not live together.
- Father's quota: this may not be taken in the first six weeks of the parental money period, except for multiple births or adoption. Otherwise, fathers are free to choose at what time during the three year period to use it and whether to take the quota as part-time leave, also whether to split it or use it in one block; this flexible use requires agreement with the employer.
- The family entitlement part may also be taken as one block of time or split into shorter blocks of time.
- Both parents may take leave at the same time, except during the period of obligatory leave for the mother, i.e. three weeks before birth and six weeks after. During the period of the father's quota, there is no requirement for what mothers can do, i.e. both parents may be on leave together

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

- The eligibility rules are the same for fathers and mothers. They must be employed for six of the last ten months prior to birth and earn at least half the basic national insurance benefit payment over the previous year.
- The eligibility rules for the family entitlement and father's quota are somewhat different. The father can use the 26/36 weeks of paid leave (the family entitlement) even if the mother is not eligible; but the mother is required to take up work or study (at least 75 per cent of full-time hours). For the father's quota, there is no requirement that mothers go back to work, but the mother must have been employed for six of the last ten months prior to birth. According to a report published in 2009²⁵⁵, 87 per cent of fathers were eligible, most of the remainder not being eligible because the mother was not entitled to leave (being, for example, a student, unemployed or otherwise not employed).
- Self-employed workers are eligible for the same leave benefits as employees.

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

- Family entitlement: when more than one child is born, parental money is increased by seven weeks for each child (with 80 per cent pay) or five weeks with 100 per cent pay. If the child dies during the Parental leave period, parents will receive payment for six weeks of the period that is left.
- Single mothers who are eligible for Parental leave will automatically receive the ten weeks father's quota. However, if the parents agree they may apply for the non-residential father to use the father's quota.

d. Childcare leave or career breaks

- Each parent has the right to one year of unpaid leave after the parental money period.
- Parents with a child between one and two years old are entitled to receive a cash benefit ('cash-for-care' scheme) on condition they do not use publicly funded ECEC service. The full benefit is NOK6,000 [€697] per month). Children who use ECEC on a part-time basis receive a reduced benefit (e.g. if parents use no place, they receive 100 per cent of the benefit; if they use a place for up to 20 hours a week they receive 50 per cent of the full benefit). The main criterion for eligibility, therefore, is not parental employment status, but parents not using a particular service.

e. Other employment-related measures

Adoption leave and pay

- The same regulations as for parents having their own children, except for the nine weeks of Maternity leave. The whole period, with the exception of the father's quota, may be taken by either parent. In addition, parents adopting children from abroad receive a cash benefit of NOK 44,190 [€5,133].

²⁵⁵ Grambo, A.C. and Myklebø, S. (2009) *Moderne familier – tradisjonelle valg. En studie av mors og fars uttak av foreldrepermisjoner*. Oslo: Nav.

Time off for the care of dependants

- Each parent of a child under 12 years has a right to ten days leave per child per year when children are sick, or 15 if they have more than two children. Single parents have the right to 20/30 days a year. For severely or chronically sick children, there are extended rights to leave until the child is 18 years old. Leave is paid by the employer at the same rate as sickness benefit, i.e. at 100 per cent of earnings.

Flexible working

- The Work Environment Act grants breastfeeding mothers the right of breastfeeding breaks of up to one hour per day, without payment. But collective agreements ensure pay in many sectors.
- Parents have a right to part-time work to care for children until children are ten years old. This is unpaid.

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

The maximum period of post-natal leave available in Norway is just over three years, but about two years of this is unpaid (except for recipients of 'cash-for care', see section 1d, but they may not use publicly-funded ECEC services or only part time); leave paid at a high earnings-related rate runs for 13 months. There is an entitlement to ECEC from one year of age, supposed to be available on a full-time basis at kindergartens. So there is no gap between the end of leave and an ECEC entitlement in theory. However, a child must be born before September 1 to be guaranteed a place in the autumn (start of the school year). Levels of attendance at formal services for children under and over three years are above the average for the countries included in this review and for OECD countries. For actual attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

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

Following the election of a new conservative government, from 1st July 2014 the mother's quota and the father's quota were reduced from 14 to 10 weeks, while the shared period was extended to 26/36 weeks. The rationale for this change in Parental leave design was to achieve more freedom of choice between mothers and fathers.

The government has proposed to increase the degree of transferability that is possible in Parental leave, with the father's work situation being a justification for transferring his leave quota to the mother; the four weeks of non-obligatory post-natal leave reserved for the mother could also be transferred to the father. At the moment, this proposal is out for consultation and not yet put up for Parliament. Comments from the major social partners are negative.

4. Take-up of leave

a. Maternity leave

Nine out of ten mothers have the right to parental money; the remainder do not meet eligibility conditions. These figures are based on data from a survey⁴.

b. Paternity leave

The share of fathers who take time off work around the birth of the child is approximately the same as for the father's quota (89 per cent). This figure includes fathers taking time off work in various ways, including Paternity leave but also annual leave and other options.

c. Parental leave

In the years prior to the introduction of the father's quota less than four per cent of fathers took some Parental leave. Only a few years later, the take-up rate was over 70 per cent (representative sample; own research from 1997), and data from public records later showed that about 90 per cent of eligible fathers take leave of some length⁴. More recent comparable figures are hard to obtain as fathers now take their leave over several statistical periods and NAV (Norwegian Labour and Welfare Administration) no longer calculates the take-up rate; comparable figures are also hard to obtain because of changes in the way statistics are presented and because the leave length changes all the time.

Figures based on public records in 2011 show that 18 per cent of the Parental leave days were taken by fathers.

With every expansion of the father's quota, fathers have increased their uptake the following year. During 2012, 21 per cent of the fathers took exactly 12 weeks (60 working days), compared with only 0.6 per cent in 2011; the 'father's quota' increased from ten to 12 weeks between these two dates. In 2013 fathers took 46 days parental leave on average, and in 2014 49 days. With the reduction of the quota's length (effective from 1 July 2014), fathers are expected to take less.

As the father's quota has lengthened, flexible use is increasing. In 2014, 25 per cent of eligible fathers took their father's quota part time, combining leave and work. Also as the quota has lengthened, parents rarely stay home together for the whole period, but it is quite common to stay home together part of the time.

The sharable Parental leave is for the most part taken by mothers and has in practice become a Maternity leave. In 2012, only 15 per cent of fathers took any of this part of Parental leave (i.e. in addition to the father's quota). As the quota has become longer fewer fathers take the sharable leave. Father's use of this leave is dependent on the mother and her willingness to share: mothers who have invested in education and have strong ties to working life (e.g. work full time and have higher status work) are thus most likely to share. This means that fathers are more likely to take some Parental leave when mothers have a high educational level, high income and work status, and full-time employment.

However, some characteristics of the father are also associated with use of leave. Although class differences are small, the father's level of education has some influence, particularly on the length of the leave. The eligible fathers least likely to use the quota are fathers with long working hours, in managerial positions or with a wife who works part time.

Moreover, father's sharing of the Parental leave also depends on his own relationship to work. Fathers must sometimes negotiate with their employers when they want to take more leave than the father's quota, and the view that Parental leave is really for mothers is to be found among some employers. Fathers therefore may experience their jobs as a hindrance to taking more leave.

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

a. General overview

There is constant research being undertaken. It is dispersed across many institutions in Norway, including a substantial part in the form of masters-, doctoral or other small-scale studies.

b. Selected publications since April 2014

None reported.

c. Ongoing research

New theoretical perspectives on the Nordic model of work-family reconciliations (2012-2015). Berit Brandth, Elin Kvande and Sigtona Halrynjo, Norwegian University of Science and Technology (NTNU).

The objectives of this ongoing study are to develop new theoretically informed understandings and perspectives on the Nordic model of work/family adaptations, to contribute to new empirical knowledge on work/family adaptations through examination of possibilities and dilemmas within three empirical research contexts and to situate the Norwegian model in an international context through international collaboration and a comparative book project. Contact: Elin Kvande at elin.kvande@svt.ntnu.no and Berit Brandth at berit.brandth@svt.ntnu.no

'De andre fedrene'. Om farskap og maskulinitet blant minoritetsetniske menn i likestillingslandet. [The other fathers'. Fathering and masculinity among minority ethnic men] (2012-2015). Anette Hoel, doctoral study at Norwegian University of Science and Technology (NTNU). Contact Anette Hoel at anette.hoel@svt.ntnu.no

Balansen mellom jobb og hjem - og fedrekvotens innvirkning på denne, sett i et likestillingsperspektiv [The balance between work and family: the impact of the father's quota] (2012-2015). Kristine Smeby, doctoral study at Norwegian University of Science and Technology (NTNU). Contact: Kristine Smeby at Kristine.Smeby@svt.ntnu.no.

Poland²⁵⁶

Piotr Michoń (Poznań University of Economics), Anna Kurowska (University of Warsaw) and Irena Kotowska (Warsaw School of Economics)

April 2015

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 (*urlop macierzyński*) (responsibility of the Ministry of Labour and Social Policy)

Length of leave (before and after birth)

- Twenty six weeks. Up to two weeks can be used before the expected date of birth. The first 20 weeks are referred to as ‘maternity leave’ (*urlop macierzyński*), the next six weeks as ‘additional Maternity leave’ (*dodatkowy macierzyński*). It is obligatory for the mother to take 14 weeks.
- Eight weeks leave is given in the case of the death of a baby.

Payment and funding

- Twenty six weeks at 80 per cent or 100 per cent of average earnings for 12 months before the birth, with no ceiling on payments. If the mother chooses to take the 100 per cent option, any Parental leave taken will be paid at 60 per cent; if she chooses the 80 per cent option, it too will be paid at 80 per cent.
- Funded from the Social Insurance Fund, financed by contributions by employees (2.45 per cent of earnings) and self-employed workers (PLN55 [€13²⁵⁷] per month), with some additional finance from the State to cover pension contributions. There is no contribution from employers.

Flexibility in use

- The non-obligatory part of Maternity leave can be combined with part-time working (maximum half of full-time hours), with payment proportional to the working time.
- The mother has to decide what leave to take (the 100 per cent or 80 per cent payment options) two weeks before the start of the leave.

²⁵⁶ Please cite as: Michoń, P., Kotowska, I.E. and Kurowska A. (2015) ‘Poland country note’, in: P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

²⁵⁷ Conversion of local currency into Euros undertaken on 1-5 June 2015, using <http://finance.yahoo.com/currency-converter/>

- After the obligatory period of 14 weeks leave, the remaining entitlement can be transferred to the father.

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

- Insured workers, including all employees and self-employed women covered by social security insurance at the start of leave.

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

- In the case of multiple births, the 'Maternity leave' part, which is 26 weeks for one birth, is extended to 37 weeks for twins, 39 weeks for triplets, 41 weeks for quadruplets and 43 weeks for quintuplets. Six weeks of this supplementary leave for multiple births is referred to as 'additional Maternity leave'.

b. Paternity leave (*urlop ojcowski*) (responsibility of the Ministry of Labour and Social Policy)

Length of leave

- Two weeks.

Payment and funding

- One hundred per cent of average earnings for 12 months before birth, with no ceiling on payments.

Eligibility

- Insured workers, including all employees and self-employed men covered by social security insurance at the start of leave.

Flexibility in use

- It can be taken any time during 12 months after the birth of a child.

c. Parental leave (*urlop rodzicielski*) (responsibility of the Ministry of Labour and Social Policy)

Length of leave

- 26 weeks per family. This is a family entitlement.

Payment and funding

- Payment depends on the payment option chosen by the mother taking Maternity leave. If during Maternity leave she opts to be paid at 100 per cent of earnings, the Parental leave benefit is paid at 60 per cent of average earnings for 12 months before the birth, with no ceiling on payments; but if she opts for 80 per cent of earnings, the Parental leave benefit is paid at the same level.
- Funding as for Maternity leave

Eligibility

- Insured workers, including all employees and self-employed men and women covered by social security insurance at the start of leave.
- The Parental leave can be taken only if the 26 weeks of Maternity leave and additional Maternity leave has been taken. This means the father's right to Parental leave depends on the mother's eligibility for and use of Maternity leave.

Flexibility in use

- The 26 weeks period can be taken as one continuous period of leave or as several periods (not more than three), each not shorter than eight weeks, each period immediately after another.
- Parental leave can be combined with part-time working (maximum half of full-time hours), with payment proportional to the working time.
- Both parents can take leave at the same time

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.

d. Childcare leave (*urlop wychowawczy*) (responsibility of the Ministry of Labour and Social Policy)

Length of leave

- Thirty six months after Maternity leave until the child is five years old; 34 months is a family entitlement, with one month as an individual entitlement for the mother and another month for the father.

Payment and funding

- A parental allowance (*Dodatek z tytułu opieki nad dzieckiem w okresie korzystania z urlopu wychowawczego*) of PLN574 [€139] per month is paid for 24 months to parents taking leave as a supplement to family benefit, if monthly household income per capita does not exceed PLN539 [€131].
- Funded from general taxation.

Flexibility in use

- Leave can be taken until a child's fifth birthday.
- Parents can take leave in one continuous period or in up to five separate blocks.
- Parents can take leave together for up to four months.
- Both parents have individual, non-transferable right to one month of the leave.
- During the leave period, parents may be employed and claim parental allowance, if working does not prevent them from caring for their children. A parent working while on leave can be employed by a different employer.

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

- Employees with a work record of at least six months.

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

- The basic payment can be extended to 36 months where there is more than one child or to 72 months if a child is disabled.
- Leave may be extended for another 36 months if a child is disabled or chronically ill and requires care, but can be taken no later than the child's eighteenth birthday. A means-tested payment of PLN400 [€97] per month is made in these cases and the payment period can be extended up to 72 months.

e. Other employment-related measures

Adoption leave and pay

- The same regulations as for parents having their own children.
- Parental allowance is paid if the adopted child is seven years old or younger.

Time off for the care of dependants

- An employee can take leave of up to 14 days per year to provide personal care for a family member, paid at 80 per cent of earnings.
- An employee can take leave to care for a child up to eight years of age (14 years if the child is disabled or chronically ill) in the case of an unforeseen closure of a nursery school, kindergarten, or school; or the illness or childbirth of the spouse caring permanently for the child. This leave is also paid at 80 per cent of earnings for up to 60 days.

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 Poland is four years, but most of this is means-tested and low paid; leave paid at a high rate runs for twelve months. There is no entitlement to ECEC, but it is compulsory to attend ECEC (for one year) or to enter school from six years. So there is a gap of two years between the end of leave and ECEC entitlement and of five years between the end of well-paid leave and an ECEC entitlement. Levels of attendance at formal services for children under and over three years are below the average for the countries included in this review and for OECD countries. For actual attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

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

The introduction in 2016 of paid Parental leave for students, unemployed, farmers and people working on contract for commission was announced by the government. Currently, only employed or self-employed workers are entitled to Parental leave and parental benefit. The new allowance is to be flat-rate and will amount to PLN1000 (€ 240) per month, net. The allowance will not be means-tested and will be paid for 12 months (i.e. the Maternity and

Parental leave period) after the birth. The people entitled to the leave and allowance will have the right to be employed part-time and in this case the allowance will be reduced by half.

4. Take-up of leave

a. Maternity leave

The Social Insurance Institution (*Zakład Ubezpieczeń Społecznych - ZUS*) collects data on Maternity, Parental and Paternity leave benefits. It must be stressed that the data on maternity benefit and parental benefit collected for 2012, 2013 and 2014 are not comparable, because until 2014 the data were only collected for employers with more than 20 employees.

According to ZUS In 2012 the Maternity benefit was paid (for at least one day) to 526,000 individuals, of which 360,600 were women and 165,500 were men. In 2014 427,000 mothers took at least one day of Maternity leave and 245,500 took 'additional Maternity leave'; for men it was 31,300 and 1,200 respectively. The drop in the number of men may be partly due to longer Paternity leave and other new provisions introduced during the year 2014

ZUS data on maternity benefit payments include the number of days paid to all recipients. This has been rising, probably due to the increase in the number of births since 2004 and changes in the regulations: from 2,226,200 days in 2004 to 4,262,400 in 2010 and 5,544,500 in 2013. The increase in the number of days observed in 2013 might be due to the increase of leave days available to parents.

The average payment has risen from PLN42.49 [€10] a day in 2005 to PLN72.58 [€18] in 2012. The main reason for this rise in the average payment is increased earnings in Poland.

b. Paternity leave

Statutory leave entitlement was only introduced in 2010. The first data on take-up indicate that 16,600 out of 100,000 entitled fathers took advantage of the leave in the 12 months up to August 2011; in the next eight months, the number of fathers taking leave was 14,200, implying an increasing take-up rate. In 2014, 129,400 fathers took at least one day of Paternity leave. Between January 2014 and December 2014 the number of fathers receiving the Paternity leave benefit increased from 9,500 to 14,100 per month. However the highest take-up rate was reported in August (20,900), September (23,600) and October (20,900).

Additionally the average payment during these months was also the highest: PLN132, PLN132 and PLN125 per day respectively [€32, €32 and €30]; while in December 2014, it was PLN110 [€27]. The data suggest that well-paid professionals take leave in the popular holiday season.

c. Parental leave

In 2013, a new leave option was introduced, enabling mothers to choose between 26 weeks at 100 per cent of earnings (then 26 weeks at 60 per cent) or 52 weeks at 80 per cent of earnings; leave can be transferred to fathers after 14 weeks. The first beneficiaries of these new regulations received their allowances in July (women) and late August 2013 (men). It is important to note that between July 2013 and January 2014, data were collected only for employers with more than 20 employees. Among these employees, the number of parents who received the Parental leave benefit (i.e. who took advantage of the new leave option) rose from around 6,200 in July to around 77,500 in January 2014. The vast majority were mothers who accounted for 99 per cent of all beneficiaries in September 2013 and 98.5 per cent in January 2014. However in absolute terms the number of fathers taking at least part of the 'Parental leave' rose from 200 in September 2013 to 1,100 in January 2014.

In 2014 315,800 parents took the Parental leave benefit of which 310.600 were women and 5,200 (i.e. 1.65 per cent) were men.

d. Childcare leave

There are no regular and coherent government statistics on the use of Childcare leave (*urlop wychowawczy* – literally ‘childcare leave’) and Childcare allowances. Statistics show the number of parents taking leave declined from 336,000 in 1993 to 139,000 in 2000; a major reason for this fall was the rapid decline in fertility, the number of births dropping from 547,700 in 1990 to 378,300 in 2000. Another source shows that the number of persons returning to work from Childcare leave and unpaid leave declined steadily from 49,000 in 2000 to 41,000 in 2002 and 35,000 in 2005.

Other statistics refer to the monthly average numbers receiving ‘Childcare allowance’, the supplement to family benefit paid to parents taking Childcare leave: these have declined from 164,000 persons in 2000 to 63,000 in 2003. Reforms of family benefits implemented in 2004 increased the numbers to 140,000 in 2005 but they fell back to 130,668 in 2006, 126,178 in 2007, 125,100 in 2008, 121,200 in 2009 and 111,900 in 2010. The average amount of the ‘Childcare allowance’ has also been decreasing in recent years, from PLN404 [€98] per month in 2005 to PLN382 [€93] in 2008; but in 2009, there was a small increase to PLN385.88 [€93]. In 2012 the allowance increased on average to PLN389 [€94] and the average number of allowances paid every month was 81,550. In 2013 the average number of allowances paid every month dropped to 68,470 and the allowance decreased on average to PLN386 [€94]. The reported decrease in take-up rate of Childcare leave seems to be due to the prolongation of the maternity leave to 52 weeks.

Summing up, the available official statistics do not show the incidence of Childcare leave among parents entitled to take leave, the proportion of parents who receive Childcare allowance, or the average duration of leave; and despite the fact that fathers are entitled to Childcare leave since 1996, no data about their take-up are collected.

A more precise picture of take-up of Childcare leave comes from analyses of data collected in the second quarter of 2005 using a module added to the Labour Force Survey²⁵⁸. Amongst those entitled to take Childcare leave, nearly 50 per cent of mothers but only 2.5 per cent of fathers did so. Due to the low benefit level and means testing, Childcare leave was most used by low paid mothers and mothers with low levels of education; leave was taken by 37 per cent of mothers with university education, 54 per cent with secondary education, and 61 per cent with the lowest educational level. Women with higher qualifications (specialists and managers) were also more reluctant to take leave than women employed in the personal service sector or offices.

About 70 per cent of women who took Childcare leave were entitled to Childcare allowance (i.e. their household income was low enough to be eligible). One in two women with tertiary education received Childcare allowance compared to 72 per cent of women with only secondary education and 81 per cent of women with the lowest level of education. Women

²⁵⁸ Kotowska I.E. and Baranowska, A. (2006) *Praca a obowiązki rodzinne w 2005 r.* [*Work and family in 2005, Information and Statistical Analyses*]. Warsaw: Central Statistical Office; Matysiak, A. (2007) ‘Organizacja czasu pracy i opieki’ [‘Work and care’], in: I.E. Kotowska, U. Sztanderska and I. Wóycicka (eds.) *Aktywność zawodowa i edukacyjna a obowiązki rodzinne* [*Economic and educational activities and family*]. Scholar Publishing Company.

living in villages were more likely to receive the allowance than their counterparts in towns (82 per cent and 64 per cent respectively).

Among reasons for not taking Childcare leave, mothers indicated financial reasons more often than fathers (30 per cent of mothers vs. 14 per cent of fathers). However, reasons related to employment seem to be more relevant than financial ones. Concerns about possible negative career impacts of taking Childcare leave and preferences to stay in employment were raised by 37 per cent of mothers and 30 per cent of fathers. Urban residents were more concerned about these negative effects.

In discussion on take-up of Childcare leave, the underdevelopment of institutional childcare services cannot be ignored. In 2005 only two per cent of children under three years of age attended crèches, and 41 per cent of children aged three to five years attended kindergartens; according to the National Statistics Office, in 2010-11 20,174 two-year-olds were in nursery, compared to 192,588 children three-year-olds who were in kindergarten. These figures for attendance at ECEC are low compared to other EU Member States. In addition, no childcare subsidies are offered to families. The estimated cost of childcare to a minimum income earner ranges from 23 per cent of earnings to 82 per cent and for a person with an average monthly income from 8.5 per cent to 30 per cent. Childcare is therefore less affordable to single and/or minimum income families and/or for families with more than one child requiring childcare.

If one also takes into account the rather inflexible work arrangements and the limited provision of part-time work, it is clear there are strong incompatibilities between work and parenthood in Poland. The family policy can be labelled as an 'imposed home care' model: employed parents have mostly to rely on themselves and support of relatives to ensure childcare. In the 2005 survey, nearly 45 per cent of mothers of children below three years of age, who were not in work, state that difficulties in reconciling work and care for small children were the main reason for their decisions to stay out of the labour market. At the same time, nearly one-third of mothers could not find a job.

In the largest Polish survey *Diagnoza Społeczna*, published in 2011 and in 2013, the respondents were asked to select a solution that would facilitate the reconciliation of work and family responsibilities²⁵⁹. In 2011 a longer Maternity leave was most often given as the best solution for reconciling work and family life, both by women (26 per cent) and men (20 per cent). In 2013 it was 24 per cent and 19 per cent respectively. However in comparison to 2011 in 2013 other answers were on the top of the ranking: flexible working time (indicated by more than half of women and men), childcare facilities for children under obligatory school age and higher Childcare leave (*urlop wychowawczy*) benefit. It seems that after the changes in the leave policy the respondents now stress the need for developing childcare facilities (the participation rate is rather low in Poland) and increasing the allowances for those who care for children at home. However the most important change is in the social attitude towards flexible working time. The comparison of men's and women's responses leads to the conclusion that women are more interested in the development of childcare facilities, while men indicate the childcare allowance as a tool for reconciling work and family life.

Similarly, long Maternity and Childcare leave is often discussed as a tool for encouraging people to have more children. In 2012 27 per cent of Poles indicated 'longer maternity leaves' as a tool to achieve this aim²⁶⁰; while in 2013 almost half of Polish society considered 12 months of leave (Maternity and Parental) after birth to be an effective tool for encouraging

²⁵⁹ Czapiński J. and Panek T. (eds.) (2011) *Diagnoza społeczna [rok]*. Available at: <http://www.diagnoza.com/index.html>

²⁶⁰ CBOS (2012) *Polityka państwa wobec rodziny [State policy towards the family]* (No. BS/67/2012). Warszawa: CBOS.

young people for having children²⁶¹. By the same token, Polish society does not consider 'Paternity leave' to be an important policy tool.

Given these results, it is not surprising that the extension in 2013 of Maternity leave, and introducing six months of 'Parental' leave, gained much support in Polish society; 91 per cent of adult Poles rated it beneficial²⁶². But most people (58 per cent) did not think men were interested in taking the 'Parental' leave part. After the extension of Maternity leave, two other measures to support reconciling work and family have considerable support: flexible working hours (55 per cent of men and 57 per cent of women); and childcare facilities for children under 7 years (33 per cent of men and 37 per cent of women)²⁶³.

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

a. General overview

Recent years have brought a rising interest in leave policies and work–family arrangements both in research and public discourse. Studies of developments in family life and changes in family policy in Poland have been carried out, often taking a comparative perspective and referring to EU policy. Labour market developments and their possible impacts on family behaviours, as well as the effects of leave policies on employment careers, have also received attention. Moreover, in studies on reconciling work and family life, gender issues and the role of employers are increasingly under consideration.

Another important development in research on family policy is an increasing use of sample surveys designed to study opinions on existing policy measures, the use of these measures and support for different policy options.

b. Selected publications since April 2014

Bierca, M. (2014) 'Urlopy „tacierzyńskie” w Polsce – silny trend czy chwilowa moda? Rozważania w kontekście przemian ról w rodzinie' [Paternity Leave in Poland – Strong Trend or a Fad? Considerations in the Context of Changes of Family Roles'], *Studia Socjologiczne*, Vol.215, No.4: 41-58

The article discusses the issue of changing roles in the family with an emphasis on the transformation of fatherhood, inspired by recent changes in the law regulating Paternity leave in Poland (17 June 2013) and also a growing trend to discuss the subject of fatherhood and masculinity in the media. The key hypothesis is: Polish society is in the process of redefining family roles, but rhetoric is ahead of practice. Moreover, women seem to be the promoters of change, while men are just beginning to confront the challenges they face. The article discusses the recent results of the author's quantitative research on a representative nationwide sample. The discussion concerns the positive social perception of Paternity leave juxtaposed with the more slowly progressing redefinition of the role of a woman and a man at

²⁶¹ CBOS (2013) *O roli kobiet w rodzinie (No. BS/30/2013) [The role of women in the family]*. Warszawa: CBOS.

²⁶² CBOS (2013a) *Postawy prokreacyjne kobiet (No. BS/29/2013) [Attitudes to women's fertility]* Warszawa: CBOS.

²⁶³ Czapiński, J., and Panek, T. (2013) 'Diagnoza społeczna 2013: warunki i jakość życia Polaków' ['Social Diagnosis 2013: conditions and quality of life of Poles'], *Quarterly of the University of Finance and Management in Warsaw*, Vol.7 (special issue).

the level of everyday care and education practices. Finally, the most likely reasons for the fact that the changes progress at a low pace are discussed

Wujczyk, M. (2014) 'Urlop rodzicielski - nowa instytucja ochrony rodzicielstwa' ['Parental Leave - New Institution of Parenthood Protection'], *Polityka Społeczna*, No.2: 21-24.

The article presents the regulation introduced by the Act of 28 May 2013, which changes Parental leave. It presents both the target of the leave as well as the basic problems arising in terms of the use of this right by the workers. Particular attention is paid to the issues of application for leave by employees and cancellation of leave. It also describes privileges for people using Parental leave.

Ziółkowska, K. (2014) 'Nowe rozwiązania prorodzinne na podstawie prawa polskiego oraz europejskiego' ['New pro-family Solutions under Polish and European Law'], *Studia Warmińskie*, No.51: 273-282

Galik, A. (2015) 'Wybrane instrumenty aktywizacji zawodowej kobiet w ciąży i po porodzie w Polsce' ['Selected professional activation tools of women during pregnancy and childbirth in Poland'], *Współczesna Gospodarka*, Vol. 6, No.1: 33-42

The article presents the situation of women, employed on the basis of the Labour Code, before and after childbirth in the context of current rights and privileges. The last part of the paper shows different forms of childcare services, their availability and limitations. The purpose of this article is to present the individual behaviour of economically active women as pregnant women, and who after birth make choices based on the available professional activation tools, selecting the most beneficial for their households. In conclusion the author identify new solutions that are beneficial for the individual, household, and the whole economy.

c. Ongoing research

None reported.

Portugal²⁶⁴

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April 2015

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

Note on terminology: a new Labour Law came into effect in May 2009 and major changes were introduced in leave policy (see details in 2009 review). ‘Maternity leave’ has been replaced by the ‘Initial Parental Leave’; ‘Paternity leave’ and 15 days optional Parental leave for fathers has been replaced by ‘fathers-only Parental leave’ (20 days) and a ‘sharing bonus’ was introduced (see below).

a. Initial Parental leave (*licença parental inicial* – formerly ‘Maternity leave’, see note on terminology) (responsibility of the Ministry of Solidarity and Social Security)

Length of leave (before and after birth)

- One hundred and twenty or 150 calendar days, depending on payment level (see ‘payment and funding’ below). It is obligatory for the mother to take 42 calendar days (six weeks) following the birth; the remaining period may be divided between parents by mutual agreement. An extra 30 days (‘sharing bonus’) is available if both parents share the leave. See ‘flexibility’ below for options available to parents.

Payment and funding

- One hundred and twenty days at 100 per cent of earnings or 150 days at 80 per cent of earnings, with no ceiling on payments, if parents do not meet the gender sharing criteria; or 150 days at 100 per cent of earnings or 180 days at 83 per cent of earnings, with no ceiling on payments, if parents meet the gender sharing criteria.
- Monthly payment corresponds to an average of all gross earnings during the first six months within the last eight months immediately prior to leave. Previously this monthly payment could include holidays, Christmas or other extra benefits but as from 2012 the government decided to exclude these benefits from that average. Therefore now parental benefit corresponds more closely to previous monthly earnings, whereas before it could be significantly above.
- When the level of earnings is very low there is a minimum payment of €11.18 per day.

²⁶⁴ Please cite as: Wall, K. and Leitão, M. (2015) ‘Portugal country note’, in: P. Moss (ed.) *International Review of Leave Policies and Research 2014*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

- Funded by the Social Security system, financed by contributions to social security from employers and employees. The total amount of this contribution is 34.75 per cent of the employee's gross monthly salary. Employers contribute 23.75 per cent and employees 11 per cent. Additionally funded from general taxation for cash benefits where there is no record of contributions or insufficient contributions, e.g. 'social parental benefit' (see 'eligibility').

Flexibility in use

- Mothers have the option to take up to 30 days of Initial Parental leave before birth; six weeks (42 calendar days) immediately after birth are obligatory for mothers ('mother's-only Initial Parental leave', *licença parental inicial exclusiva da mãe*).
- Initial Parental leave may be taken in the following ways: 1) the mother (or the father, after the mother's obligatory period) may take all 120 days at 100 per cent of earnings or all 150 days at 80 per cent of earnings, i.e. there is no sharing of leave; 2) parents may divide between themselves 150 days at 100 per cent of earnings on condition the father takes at least 30 consecutive days or two periods of 15 consecutive days of leave alone, without the mother, or *vice versa*); 3) parents may divide between themselves 180 days at 83 per cent of earnings on condition the father takes at least 30 consecutive days or two periods of 15 consecutive days of leave alone, without the mother, or *vice versa*).
- Initial Parental leave of 120 or 150 days can be divided between parents but cannot be taken at the same time by both parents.
- Working is not permitted while on paid leave.
- Single parents cannot use the other parent's entitlement.

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

- All female employees with a record of six months (continuous or intermittent; the latter is only possible if the period without contributions is below six months) of insurance contributions. Mothers who have no record of contributions or insufficient contributions are entitled to a monthly benefit (social parental benefit), but only if their family income is below 80 per cent of the Index of Social Support (€419.22 in 2014). The amount and duration of this benefit is €335 for 120 consecutive days and €268 for 150 consecutive days if parents do not share leave; if parents decide to share leave, benefit is paid at €335 for 150 consecutive days and €276 for 180 consecutive days.
- Father's eligibility to use or to share Initial Parental leave is the same as mothers however it depends on the mother working or being eligible for other reasons (e.g. low family income, unemployment benefit). For example, if the mother is not eligible at all, the working father can only take his 'father's-only' Parental leave of 10 obligatory and 10 optional working days (see 1b); if the mother works but the father does not and is not eligible for other reasons (e.g. low family income, unemployment benefit) the mother keeps her eligibility to initial parental leave.
- The sharing bonus only applies if both parents work or are eligible for other reasons (e.g. low family income, unemployment benefit).
- Self-employed workers who contribute to social security and unemployed women/men receiving unemployment benefit.
- Eligibility does not differ for leave and for benefits.

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

- In the case of multiple births, the leave period is extended by one month for every additional child.
- In case of death/mental illness/physical incapacity of the parent who is taking leave at the moment, the other parent is entitled to the (remaining) leave to which the other parent would otherwise be entitled (this is called 'initial parental leave to be taken by one of the parents in case of the other parent's impossibility'). A minimum of 30 days leave is granted to the father in case of mother's death/mental/physical incapacity.
- A working grandparent is entitled to 30 days leave following the birth of a grandchild to an adolescent still living at home.
- In cases of poor health or health risks for the mother and child, the pregnant mother is entitled to receive maternity benefits before birth for as long as the period of risk lasts (this leave is called 'health risk leave during pregnancy'). This leave does not reduce the 120, 150 or 180 days of Initial Parental leave.

b. 'Father's-only Parental leave' (*licença parental exclusiva do pai* – formerly 'Paternity leave', see note on terminology) (responsibility of the Ministry of Solidarity and Social Security)

Length of leave

- Twenty working days, ten of which are obligatory and must be taken during the first month after birth.

Payment and funding

- One hundred per cent of gross earnings with no ceiling.

Flexibility in use

- Five of the ten obligatory days must be taken consecutively immediately after birth, the other five days must be taken during the first month after birth; the other ten optional days must be taken while the mother is on Initial Parental leave.

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

- As Initial Parental leave. Fathers who have no record of, or insufficient, contributions are entitled to the obligatory paid leave of ten working days as well as to the ten optional working days (daily payment corresponds to 80 per cent of 1/30 of IAS (IAS = €419.22 per month) .

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

- The ten obligatory days will be increased by two days for every additional child in case of multiple births; the same for the ten optional days which the father can take while the mother is on initial Parental leave.

c. 'Additional Parental leave' (*licença parental complementar* – formerly 'Parental leave', see note on terminology) (responsibility of the Ministry of Solidarity and Social Security)

Length of leave

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

Payment and funding

- Twenty-five per cent of average earnings for three months for each parent, but only if taken immediately after the Initial Parental leave

Flexibility in use

- Leave may be taken up to the child's sixth birthday.
- Leave can be taken in the following ways: a) on a full-time basis for three months; b) on a half-time basis for a period of 12 months per parent; or c) on an alternating basis, i.e. working half-time and full-time up to a maximum of three months full-time per parent.
- If the three months are taken as unpaid Parental leave, they can be taken by both parents at same time; but paid leave can only be taken by one parent at a time
- However, when both parents work for the same employer, the employer has a right to postpone the leave of one of the parents.

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

- As Initial Parental leave.

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

- None.

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

- If the three months are taken as unpaid Parental leave, they can be taken by both parents at same time. However, when both parents work for the same employer, the employer has a right to postpone the leave of one of the parents.

d. Childcare leave or career breaks

- After Additional Parental leave, and only if this leave has been taken, one of the parents may take up to two years of 'childcare leave' (*licença para assistência a filho* – formerly 'Special Parental leave') on a full-time basis, extended to three years when there is a third or subsequent child. The leave is unpaid. However, unlike 'Additional Parental leave', which is an individual entitlement, this special leave can only be taken by one parent who must prove that the other partner is employed or incapable of working. Moreover, while parents on 'Additional Parental leave' continue to be considered as employees with full rights and guarantees as if they were working (for example, they continue to be entitled to holidays which they can take at the end of the leave period), in the case of 'childcare leave' (and of leave to care for handicapped or chronically ill

children), there is a suspension of the work contract: all rights and guarantees are suspended but the worker's right to return to his/her job is safeguarded. The period of childcare leave is also taken into account in the calculation of old age and invalidity pensions.

e. Other employment-related measures

Adoption leave and pay

- In cases of adoption of a child less than 15 years old, the adopting parent is entitled to leave on the same conditions (length and payment, including the sharing bonus) as for Initial Parental leave. If there are two adopting parents, the leave may be divided between them. In case of multiple adoptions leave will be extended by 30 days for every subsequent child adopted. In case of death of the adopting parent, leave may be transferred to the spouse, who can take as an alternative a minimum of 14 days leave.

Time off for the care of dependants

- Up to 30 days per year can be taken to care for sick children under the age of 12 years, with no age limit in the case of a child who is chronically ill or disabled; plus 15 days per year to care for a sick child above age 12 (if older than age 18 the child must belong to same household). This is a family entitlement to be divided between parents as they choose, and is paid at 65 per cent of earnings. Both entitlements are increased by one day for every second and subsequent child. If the child under the age of 12 years is in hospital care, this entitlement lasts for as long as the child is in hospital.
- Up to 15 days unpaid leave per year to care for a spouse or a close relative (parents, grandparents, siblings, even if not living in the same household). Workers in the public sector are entitled to five-sixths of their earnings.
- An extra 15 days unpaid leave per year to care for a severely handicapped or chronically ill spouse.
- Grandparents are also entitled to take leave from work in order to substitute parents in caring for sick children; they may take the same number of days parents are entitled to or take the remaining days that parents have not taken from their leave entitlement.
- When there is a severely handicapped or chronically ill child, including adopted children and living-in stepchildren, one of the parents is entitled to six months leave (*licença para assistência a filho com deficiência ou doença crónica – leave to care for a handicapped or chronically ill child*), which may be extended to four years. This leave can only be taken by one of the parents and it is paid at 65 per cent of earnings, with a maximum payment per month equivalent to two times the amount of IAS (2 x €419.22). (see 1b).

Flexible working

- Parents are entitled to two hours 'nursing' leave per day during the first year after birth, with no reduction of earnings (*dispensa para amamentação e aleitação – leave to breastfeed or to feed*). These two hours of nursing leave can be a family entitlement if mothers do not breastfeed their child. In this case, leave may be taken by one parent, either the mother or the father, usually in two different periods: one hour in the morning and one hour in the afternoon (unless negotiated otherwise with the employer). Parents may also share the nursing leave by taking one hour each per day. In cases of multiple births, leave is increased by 30 minutes for every child. Where mothers are actually breastfeeding, the two hours reduction can last for as long as the child is breastfed.
- If there is a handicapped or chronically ill child below one year of age, one of the parents (as long as the other is employed) may also apply for a five-hour reduction in the working week.

- Parents are entitled to four hours leave per school term to go to their children's school until children reach 18 years of age, with no reduction of earnings.
- Adopting parents are entitled to miss work (up to three times) in order to be present at meetings related to the adoption.
- Fathers are entitled to leave work (up to three times) to accompany their spouses in pre-natal appointments.
- Parents with children below 12 years (no age limit in the case of a child who is chronically ill or disabled living in the same household) are entitled to 'flexible working' which means that the employee may choose, within certain limits, when to start and finish daily work. Employees may work up to six consecutive hours and up to ten hours daily as long as the normal weekly hours of work are fulfilled. Both parents are entitled to this 'flexible working schedule for an employee with family responsibilities'.
- Also where there are children below 12 years (no age limit in case of a child who is chronically ill or disabled living in the same household), one of the parents (or both for alternative periods of time) is entitled to part-time work after taking Additional Parental leave ('part-time work for an employee with family responsibilities'). Part-time work can be taken on the following basis: working half-time during five days a week or working three full days per week. Employers and employees can agree on another basis. Part-time work may be extended up to two years (three years in the case of third and subsequent child, four years in the case of chronically ill or disabled child).

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

The maximum period of total post-natal leave available in Portugal, including two years of unpaid 'childcare leave' and six months at 25 per cent of previous earnings, is three years. Leave paid at a high rate lasts for up to six months, depending on gender sharing of leave. Since 2009, there is an entitlement to ECEC from five years of age, in nursery education available for eight hours a day. So there is a gap of around two years between the end of leave and an ECEC entitlement, and of 4½ years between the end of well-paid leave and an ECEC entitlement. Levels of attendance at formal services for children under three years are above the average for the countries included in this review and for OECD countries; and around average for children over three years. For actual attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

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

In spite of the economic crisis, there have been no changes or major cuts in the leave scheme (heavy cuts were introduced in family allowances). Moreover, the agenda of the government (a centre-right wing coalition government elected in June 2011) does not propose any changes in leave policies. However, it recognizes the importance of the issue of work/family balance and the need to increase the number of places in ECEC services for children below three years. It has done this by changing the legislation regulating crèches in order to allow the latter to increase the number of children per classroom: up to ten children per room below one year (formerly eight per room), up to 14 children per room between one and two years (formerly ten) and up to 18 children per room between age two and three years (formerly 15). The issue of quality in crèches has been raised due to this change.

More recently, in April 2015, five months before national government elections, the centre-right wing coalition government elected in June 2011 has presented a project law in Parliament with several measures concerning the promotion of fertility. Among these proposed measures there is the possibility for civil servants with children up to 12 years old to work on a part-time

basis with 60 per cent of previous earnings, the increase of father's only obligatory Parental leave from ten to 15 working days and a universal entitlement to ECEC from four years (currently five years). These proposals are currently under discussion; the major policy driver is the promotion of fertility since births continue to decrease (down from 101,381 in 2010 to 96,856 in 2011, 89,841 in 2012, 82,787 births in 2013 and an estimated 83,511 in 2014).

4. Take-up of leave

a. Initial Parental Leave (formerly maternity leave)

The total number of paid Initial Parental leaves has been decreasing, down from 81,300 in 2011 to 75,553 in 2012, 69,519 in 2013 and 67,168 in 2014. These figures include: mothers and fathers with a sufficient record of social security contributions entitled to 80-100 per cent of earnings compensation; as well as mothers and fathers with no record or an insufficient record of social security contributions, who are only entitled to a flat-rate benefit (see 1a for benefit eligibility). The latter represented 20.6 per cent of the total number of paid Initial Parental leaves in 2014. There has been a slight decrease in the number of parents claiming this flat-rate benefit introduced in 2008 (16,919 in 2010, 16,008 in 2011, 15,558 in 2012, 14,319 in 2013 and 13,880 in 2014) mainly due to some restrictions in eligibility introduced in November 2010.

The decrease in paid Initial Parental leaves is related to the decrease in the number of births over the last few years (see section 3), as well as the impact of the economic crisis: unemployment has increased and many unemployed persons are not entitled to unemployment benefit (criteria to be eligible for parental benefit).

b. Initial Parental Leave and Sharing Bonus

Data on the sharing bonus since it came into effect in May 2009 shows a strong initial increase in take-up in 2009 and 2010 (from 596 fathers who shared Maternity leave in 2008 to 16,361 fathers sharing Initial Parental leave in 2010). After this initial period, there was a slight increase in 2011 (16,719) and again in 2012 (16,862), followed by a slight decrease in absolute numbers in 2013 with 16,593. In 2014 take-up of the sharing bonus increased again with 17,537 fathers staying at home on their own for 30 or more days, during the five or six months of leave. Out another way, in 2014 26.1 per cent of Initial Parental leaves were taken with the sharing bonus (meaning that the father took at least 30 days of leave alone, without the mother, or *vice versa*), compared with 23.8 in 2013, 22.3 in 2012 and 20.5 per cent in 2011.

Initial Parental leave taken with the sharing bonus has to be shared between both parents. Although only the first six weeks have to be taken by the mother, in practice nearly all parents divide the leave between themselves by allocating four or five months to the mother and one month (the last month of Initial Parental leave, when the mother goes back to work) to the father. Among these couples, in 2014 62.4 per cent (10,939) chose the longer leave period (six months paid at 83 per cent of earnings), compared to 58 per cent in 2010; while 37.6 per cent (6,598) preferred the five months option paid at 100 per cent of earnings. This would seem to indicate that parents are choosing to stretch the period of leave to six months even if they receive a slightly lower level of earnings compensation. By contrast, parents receiving social parental benefit still tend to share the shorter period of five months.

Initial Parental leave taken without the gender sharing bonus is nearly all taken by mothers, with half of the leave taken for a period of four months (51.8 per cent) and the other half for five months (48.2 per cent). However there is a difference between mothers receiving parental

benefit and mothers receiving social parental benefit (see 1a); the latter tend to opt for the four months period while the others mainly take the five months period.

c. 'Father's-only parental leave' (formerly "Paternity leave")

Since 2002 there has been a steady increase in the take-up of Paternity leave. The five day Paternity leave (introduced in 1999 and made obligatory in 2004) was used in 2000 by 11 per cent of fathers, increasing to 27 per cent in 2002 and to 36 per cent in 2003. The proportion of fathers who took Paternity leave then increased by about two per cent per year: 37 per cent in 2004, 39 per cent in 2005, 41 per cent in 2006, 45 per cent in 2007 and 2008. These percentages are based on the number of fathers who take leave in relation to the number of births; but in relation to the number of women eligible for Maternity leave, the proportion of fathers taking five days Paternity leave had increased to 62 per cent in 2008. It should also be noted that take-up is underestimated as these statistics exclude employees with special social protection regimes, e.g. civil servants, bank workers.

The same trends may be observed for the 15 additional Paternity leave days (the optional 'Daddy days' introduced in 1999). In 2001 only four per cent of fathers chose to take the 15 days and this increased to 14 per cent in 2002 and to 24 per cent in 2003. Since then, and up until the 2009 policy reform, take-up rates increased steadily: to 28 per cent in 2004, 30 per cent in 2005, 33 per cent in 2006, 37 per cent in 2007 and 2008.

In 2009, when 'Paternity leave' became 'father-only Parental leave' and ten days became obligatory, take-up of leave increased to 56 per cent for the ten compulsory days and 47 per cent for the additional ten days. Take-up of the obligatory leave is not at 100 per cent for two main reasons: statistics exclude employees with special social protection regimes, e.g. civil servants, bank workers; and the labour inspection services only recently began to control take-up of leave by fathers, making for lack of implementation by some employers

Until 2012 take up increased steadily. In 2013 and in 2014 there were no increases in take up. In 2013 68 per cent of fathers used the ten obligatory days and 58.5 per cent of fathers took the ten optional days; in 2014, the proportions were 66 per cent and 57.5 per cent respectively. These percentages are based on the number of fathers who take leave in relation to the number of births. If, again, take-up is calculated in relation to the total number of Initial Parental leaves granted, then the proportions in 2014 increased to 82 per cent for the ten obligatory days and to 71.5 per cent for the ten optional days.

d. 'Additional Parental leave' (formerly Parental leave)

Take-up of Additional Parental leave is still low even if it has also increased since payment was introduced in 2009 (at 25 per cent of average earnings, if taken immediately after the Initial Parental Leave). In 2009 only 1,251 parents took paid 'Additional Parental leave', more women (804 mothers, 66 per cent of the total) than men (411 fathers, 34 per cent). In 2010, 1,851 parents took paid 'Additional Parental leave', but women took an increased share at 83 per cent. In 2012 2,166 parents took this leave, with a further increase in 2013 (2,321) and 2014 (2,973), which represents 4.4 per cent of all parents who were granted Initial Parental leave. This increase is mainly due to women's take up.

5. Research and publications on leave and other employment-related policies since April 2013

a. General overview

None reported.

b. Selected publications since April 2014

Wall, K. (ed.) (2014) *Relatório 2013 do OFAP - Observatório das Famílias e das Políticas de Família [Annual Report 2011 of The Observatory of Families and Family Policies]*. Lisbon: ICS and CIES. Available at: www.observatoriofamilias.ics.ul.pt

This report maps changing family forms and analyses developments in family policies in Portugal in 2013.

Wall, K. (2014) "Fathers on leave alone: does it make a difference to their lives?" *Fathering*, Vol. 12, No.2: 196-210.

Over the last two decades there has been a continuing enhancement of fathers' leave entitlements. Depending on eligibility criteria and type of leave, fathers may be on leave at the same time as the mother or alone. Despite these developments, little is known about men on leave in a "home alone" manner. The experiences of fathers were explored through a qualitative study using a purposive sample of fourteen Portuguese fathers who took leave alone for one month. Lived experiences are diverse but emphasize the specific impact of leave alone and six key processes: negotiating, caregiving, learning, bonding, undoing gender and experiencing emotions. From a policy perspective, findings suggest that there are differences between family time and father's time alone.

Escobedo, A and Wall, K. (2015 forthcoming) 'Leave policies in southern Europe: continuities and changes'. *Community, Work and Family*, Vol. 18, No. 2.

This article addresses the challenge of reviewing Southern European welfare states by analysing how developments in leave policies are generating common or divergent trends across Portugal, Spain, Italy and Greece. These societies offer a mixture of family patterns and family policies. Over the last decade they have developed significant work-family arrangements both in terms of parental leave and early education childcare services. The four countries have been moving in the direction of longer paid leave and the promotion of paternal leave, allowing for family diversity and new gender-equality incentives. Besides these common trends, the four countries also reveal differences enabling them to shift towards alternative leave models, such as the one-year gender-equality-oriented model or the choice-oriented leave model. However, for the time being, taking into account take-up rates and the impact of the economic crisis, the four countries conform to what we have characterised as an 'extensible early return to work' leave model. Leave policies are reviewed in Greece, Italy, Portugal and Spain mainly between 2004 and 2014, drawing on data from the Annual Reviews of the Leave Policies and Research Network, Eurostat and the OECD Family Database.

Guerreiro, M. (2014) 'Family Policies in Portugal', in: M. Robila (ed.) *Handbook of Family Policies across the Globe*. New York, NY: Springer, pp. 195-210

This chapter analyses family policies in Portugal. From a longitudinal analysis focused on the key dynamic changes at historical and political level, the chapter seeks to show how these factors contribute to understanding the Portuguese specificities in social welfare, particularly in family policies. The strong participation of Portuguese women in the labour market, as a result of a heavy male emigration drain together with the participation of the younger generation of men in the African colonial wars in the 1960s and 1970s, led to more development of childcare services than in other southern countries. On the other hand, the low levels of salaries paid in Portugal make many families living in poverty reliant on family policies to survive, even if their adult members have a job. The chapter also focuses on the backlash that is occurring towards family policies developed since the second half of the 1990s, as a result of the severe economic crisis the country currently faces, and presents some recommendations on public policy design that could contribute to improve family well-being.

c. Ongoing research

Sharing and negotiating Parental Leave: the father, mother and employers' perspectives (2013-2017). Mafalda Leitão, doctoral study at Instituto de Ciências Sociais [Institute of Social Sciences], University of Lisbon (2013-2017)

The double postponement: men and women coping with childbearing intentions in their late 30s and early 40s (2012-2015). Vanessa Cunha (coordinator), ICS University of Lisbon, Filomena Mendes, University of Evora. Funded by the National Foundation for Science and Technology.

This research project intends to produce a further questioning in relation to childbearing intentions within the framework of contemporary postponement and decision-making processes, and specifically regarding the transitions to the first and the second child in cohorts that are coming close to the end of reproductive life. There are three aims that will be pursued within a life course perspective: to identify the mechanisms that are engendering those postponements and how they entail coping with and reshaping childbearing intentions throughout the life course; to understand the chain of decision-making processes that triggers the childbearing postponement, and the resulting balance of gains and costs for one's life; and to clarify if the gender gap concerning the childbearing agenda turns into a gender trap by jeopardizing childbearing intentions of one or both. The research relies on two methodological approaches: a qualitative one based on in-depth interviews with men and women aged between 35 and 45, in order to understand how they cope with the transitions to the first and second child; and a quantitative one, regarding the analysis of data from the Census 2011 and 2001, to portray the current demographic trends concerning postponement, childlessness and one-child families in Portugal, outlining major changes in a period of a decade. Contact: Vanessa Cunha at Vanessa.cunha@ics.ul.pt.

Changes in Parental leaves and their impact on men's experiences of leave (2012-2016). Karin Wall (Coordinator), Sofia Marinho and Mafalda Leitão. ICS, University of Lisbon. funded by EEA Grants Programme Area 14 (mainstreaming gender equality and promoting work-life balance).

This qualitative research project draws on in-depth interviews with fathers who took up the sharing bonus introduced in the 2009 leave policy reform. The project is part of a wider project on Men's Roles in a Gender Equality Perspective as from February 2014 (to 2016).

Network on fathers on leave alone and gender equality (2013-2015). Karin Wall (coordinator), ICS, University of Lisbon.

Drawing on the above project ('Changes in Parental leaves and their impact on men's experiences of leave') in Portugal, a small network of researchers from the international leave network (Spain, U.K., Sweden, Finland, Norway, Iceland, France, Switzerland, Canada, Portugal, Japan) are carrying out similar in-depth interviews in order to provide a comparative cross-national analysis of the impact of leave taken up by fathers, in a solo manner, on gender equality and family life. A Book (edited by Margaret O'Brien and Karin Wall) will be published in the Springer Life Course Series in 2015 "comparative perspectives on work-life balance and gender equality: fathers on leave alone" Contact: Karin Wall at karin.wall@ics.ulisboa.pt.

Russian Federation²⁶⁵

Oxana Sinyavskaya (National Research University – Higher School of Economics), Zhanna Kravchenko (Södertörn University) and Irina Grigoryeva (St Petersburg State University)

April 2015

NB. The Russian Federation 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 (отпуск по беременности и родам) (responsibility of Ministry of Labour and Social Protection)

Length of leave (before and after birth)

- Seventy calendar days before and 70 calendar days after childbirth.

Payment and funding

- Hundred per cent of average earnings, calculated on basis of employment during 24 months before taking leave²⁶⁶. There is a ceiling for maternity benefits based on the ceiling on earnings for social insurance contributions established by the state on an annual basis, the actual number of worked days and the length of the leave. For women applying for a leave in 2015, the ceiling for social insurance contributions in 2013 was RUB568,000 [€9,707²⁶⁷] and in 2014 RUB624,000 (€10,664); From January 1, 2015 the ceiling is RUB670,000 [€11,450]. Hence, the ceiling for the benefit will be $(568,000+624,000)/730 \times 140 = \text{RUB}228,602$ (€3,907), where 730 is the maximum standard number of working days over two years and 140 is the length of the leave. It corresponds to the RUB49,639 [€848] per month. If the woman worked less than 730 days, the actual number of days she worked is used in the calculation. The minimum amount of maternity benefit cannot be lower than $5,965 \times 24/730 \times 140 = \text{RUB}27,455$ [€469], where RUB5,965 [€102] is a new level of minimum wage per month from 1 January 2015²⁶⁸.

²⁶⁵Please cite as: Sinyavskaya, O., Kravchenko, Z. and Grigoryeva, I. (2015) 'Russian Federation country note', in: P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

²⁶⁶ From January 1, 2014 a woman cannot choose a base for benefits calculation.

²⁶⁷Conversion of local currency into Euros undertaken on 1-5 June 2015, using <http://finance.yahoo.com/currency-converter/>

²⁶⁸ Minimum and maximum values can be increased to regional coefficients established by law for regions with higher level of costs of living (e.g. Far North or Far East regions).

- Unemployed women who have lost their jobs due to the closure of their workplace during the preceding 12 months and who are registered at the unemployment office can receive Maternity leave benefits at the level of RUB544 [€9] per month. They cannot receive unemployment benefits at the same time of receiving maternity benefits. To compare, for 2015, the amount of unemployment benefits, established at the federal level varies from a minimum of RUB850 [€14] to a maximum of RUB4,900 [€84] per month²⁶⁹, is financed and administered by regional authorities.
- Full-time students receive the benefit in the amount of student benefit (funded by the Federal budget). For 2014/2015 academic year a minimum amount of student benefit is RUB487 [€8] per month for students of primary and secondary vocational institutions, and RUB1,340 [€23] for university students. Not all students receive the payment, the conditions and the size of the benefit is regulated by each educational institution.
- Funded by the Social Insurance Fund, which is largely financed from employers' contributions, supplemented by transfers from the federal budget.

Flexibility in use

- None.

Regional or local variations in leave policy

- Regional authorities (the Russian Federation had 85 regions in April 2015) can introduce additional payments during the period of Maternity leave. For instance, Moscow government increases benefits for officially registered unemployed mothers discharged on grounds of closing down of business during 12 months before registered at the unemployment office.
- There are no official statistics about regional variations in practice.
- According to the legislation Maternity leave is paid by employers; however, in 2014 in ten regions of the Russian Federation²⁷⁰ Maternity leave was paid by regional / local Social Insurance Fund offices

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

- All insured women (including registered self-employed) and military personnel.
- Unemployed women discharged on grounds of closing down of business during 12 months before registered at the unemployment office
- Full-time students
- Women adopted a child if they belong to categories listed above

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

- In the case of multiple births, the length of leave increases to 84 days before the birth, and to 110 days after.
- In the case of complicated delivery, the length of leave increases to 86 days after birth.

²⁶⁹ Minimum and maximum amounts of unemployment benefits are the same since 2009.

²⁷⁰ From July 2011 – Karachayev-Circassian Republic, Nizhny Novgorod Region; from July 2012 – Astrakhan, Novgorod, Kurgan, Novosibirsk, Tambov Regions, Khabarovsk Territory; from January 2015 – Republic of Crimea and Sevastopol.

b. Paternity leave

No statutory entitlement.

c. Parental leave (отпуск по уходу за ребенком) (responsibility of Ministry of Labour and Social Protection)

Length of leave

- Until three years after childbirth. Leave is a family entitlement, which can be taken by only one person.

Payment and funding

- Forty per cent of average earnings during the two years preceding birth, paid until a child is 18 months, with a minimum payment of RUB2,718.34 [€46] per month for the first child, and of RUB5,437 [€93] for the second and subsequent children in 2014. There is a ceiling for Parental leave payments based on the ceiling for social insurance contributions established by the state on an annual basis. The amount is calculated by taking 40 per cent of the ceiling for these social insurance contributions for a selected two year period (for leaves calculated in 2015 earnings in 2013-2014 are taken into account; including ceilings of RUB568,000 [€9,707] in 2013 and of RUB624,000 [€10,664] in 2014), divided by 730 (the maximum standard number of working days over two years) and multiplied by 30.4 (the average number of calendar days per month). The maximum payment is RUB19,856 (€339)²⁷¹ per month in 2014.
- For employed parents with children between 18 and 36 months, a payment of RUB50 [€0.85] per month is also provided. Women who became unemployed while on Parental leave because their employer closes down and do not receive unemployment benefits are also eligible.
- For unemployed people, who have lost their jobs *during* Parental leave because their employer has closed down during the 12 months prior to them registering as unemployed, Parental leave benefit is calculated on basis of their earnings during 12 months before their unemployment. These unemployed people have to choose either to receive unemployment benefit or Parental leave benefit.
- Other unemployed or inactive parents are provided with the minimum payment (i.e. RUB2,718 [€46] per month for the first child, and of RUB5,437 [€93] for all subsequent children).
- If a woman has a right for paid Parental leave benefits and Maternity leave benefits (e.g., if she is pregnant with a second child), she has to choose which benefit to get.
- The payments are not taxable.
- Payments for insured workers are funded by the Social Insurance Fund and for those who are not insured (e.g. students, unemployed) - from the federal budget.

Flexibility in use

- Parents taking leave may work part time.

²⁷¹ Minimum and maximum values can be increased to regional coefficients established by law for regions with higher level of costs of living (e.g. Far North or Far East regions).

Regional or local variations in leave policy

- The 85 regional governments can increase the federal level of Parental leave benefits within the minimum and maximum levels set by the central government - RUB2,718 [€46] per month and RUB19,856 [€339] respectively. There is further scope for regional variations, e.g. regional governments may provide additional payments from regional budgets; or link payments to the order of births, increasing payments with each subsequent child; or target special groups of the population; and/or make these payments means-tested. For instance, Moscow government has introduced additional payments for some categories of unemployed women, single parents, families with both parents unemployed, families with many (3 or more) children, poor families. Furthermore, regional governments are encouraged to introduce additional payments for care of a child between 18 and 36 months.
- There are no official statistics about regional variations in practice.

Eligibility

- Any insured caregiver (in proportion to previous earnings).
- Uninsured mothers or fathers (at a minimum level)

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 parent

- Leave can be delegated to grandparents or any other guardian caring for the child.
- Unemployed parents have the right to choose between unemployment or Parental leave benefit; the former is for a shorter period but may be at a higher rate depending on various conditions.

d. Statutory child or carer leave or career breaks

- No statutory entitlement.

e. Other employment-related measures

Adoption leave and pay

- The same regulations as for other parents, without pre-birth paid leave.

Time off for the care of dependants

- The length of paid leave to care for a sick child under the age of 15 years²⁷² varies according to the previous employment record of a parent/carer and the age of the child. Sick leave for taking care of a sick child can be taken by any relative (mother, father, grandparents). For a child under the age of seven years, up to 60 days leave may be taken per year, with 45 days for a child aged seven to 14 years old (up to 15 days per time); for instance, a family with two children, one below seven years and another between seven and 14 years old, can get up to 105 days of sick leave per year. Payment is made at 60 per cent of average earnings with an employment record under five years, 80 per cent with an employment record of five to eight years and 100 per

²⁷² Under the age of 18 in case of children with disability or HIV, or severely sick children

cent with an employment record over eight years, under a ceiling for social insurance contributions for a selected two year period (for leaves calculated in 2015 earnings in 2013-2014 are taken into account; including ceilings of RUB568,000 [€9,707] in 2013 and of RUB624,000 [€10,664] in 2014.

Flexible working

- Before Maternity leave or immediately afterwards, employed women are entitled to an annual paid vacation regardless of length of employment.
- Mothers of children younger than 18 months are entitled to take breaks during work to rest and feed their children, with no reduction of earnings. These should be taken not less than once every three hours, and for no less than 30 minutes.
- Employees with two and more children under the age of 14 years, parents of disabled children under the age of 18 years, and single parents with children younger than 14 years may receive annual unpaid leave of up to 14 days.
- Mothers of children under 18 years old working in rural area can get one additional unpaid day off per month.
- Written agreement of an employee with children below three years (or below five years in the case of single parents) should be obtained for her/him to work overtime, during weekends, or for business trips.
- All regulations are established in the Labour Code and costs are carried by employers.

Vocational training / re-training

- Special programs aimed at vocational guidance, training / re-training of women on leave with children under 3 years old are established at regional level. In 2014, 16.3 thousand women on leave with a child under 3 years old received vocational training and 16.7 thousand women received vocational guidance from local employment offices (in 2013, there were 13.3 thousand women and 13.2 thousand women correspondingly).

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

The maximum period of post-natal leave available in the Russian Federation is three years, but the last 18 months is unpaid, and most of the first 18 months are paid at a relatively low rate; only the first 10 weeks after birth are paid at a relatively high rate. Officially, there is an entitlement to ECEC from two months of age, which means no *de jure* gap between the end of well paid leave and an ECEC entitlement. However, the government officially supports development of the formal childcare for children from three to seven years old; there is no statistics on the formal childcare use or waiting lists for children under one year old; and at the regional level additional restrictions can be introduced on the registration / entry to kindergarten based on child's age (e.g., places in kindergartens can be limited to children older than two or three years).

The Russian Federation is not included in the comparative data on ECEC attendance in the OECD Family Database. It does, however, appear in the TransMonEE Database covering countries in Central and Eastern Europe and the Commonwealth of Individual States; according to this Database, levels of coverage of children under three years old by formal childcare in Russia declined from 2005 to 2010, then slightly increased and was 17.8 per cent in 2012/2013, which was higher than in many Central European countries but below the average for OECD countries (for more details see Table 'Relationship between leave and ECEC entitlements'). There is no information available for 2013/2014.

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

According to new pension laws adopted at the end of 2013, from 1 January 2015 four periods of leave up to 18 months each (six years in total) can be included in the length of insurance seniority (i.e. employment records for the period during which contributions to the state pension fund have been made) used for calculating pension benefits instead of two periods (three years in total) by previous law.

4. Take-up of leave

a. Maternity leave

Although it is not obligatory, it is assumed that almost all eligible women take Maternity leave.

b. Paternity leave

There is no statutory entitlement.

c. Parental leave

According to Rosstat data, in 2013 the number of insured people on paid Parental leave to care for a child under 18 months was 2,374,366, and the number of uninsured people receiving benefit for caring for a child under 18 months was 1,612,562. No more recent information is available. Since benefits for caring for a child from birth to 18 months are available for both insured and uninsured persons and can be combined with part-time employment, it can be assumed that take-up is 100 per cent.

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

a. General overview

Research on reconciliation of work and family life is still sparse in Russia, mostly due to lack of survey data or statistics. However, there is a growing interest in these issues motivated by the population ageing and the current population policy of the Russian government launched in 2007. More studies on the relationship between female employment, fertility and family policy measures, including childcare use, which draw on data from the Russian Longitudinal Monitoring Survey (RLMS), Generations and Gender Survey (GGS) or European Social Survey (ESS) have appeared recently. In 2013-2014, National Research University – Higher School of Economics (HSE) undertook applied research on employment of women with children under the order of Russian government.

The main methodological problem of all studies trying to analyse the effect of recent policies on fertility and female employment in Russia is that several measures were introduced simultaneously, and hence it is impossible to estimate the sole impact of extended coverage and increased reimbursement level of Parental leave allowances on the fertility or employment. Another problem relates to the sample size, since the number of women, particularly, with small children in nationally representative samples is usually quite limited.

b. Selected publications since April 2014

Sinyavskaya, O. and Billingsley S.(2015) 'The importance of job characteristics to women's fertility intentions and behavior in Russia', *Genus Journal of Population Studies*, Vol. 71, No. 1: 23-59.

The authors assess whether a relationship between employment characteristics and fertility exists in the low-fertility context of Russia. Using multiple data sources (Generations and Gender Survey and the Employment and Education Survey), they study both intentions and transitions to the first and second birth. They find evidence that reconciliation of work and family roles is related to childbearing; in particular, job characteristics that are considered family-friendly are positively associated with intentions and behaviour in Russia. More specifically, they find stronger relationships between job characteristics and having a second birth than the timing of entering parenthood. Although self-employment is positively related to both second parity intentions and conceptions, differences exist between other determinants of intentions and conceptions. Attitudes toward work and family roles appear to be related to fertility intentions to only a small extent and do not mediate relationships between job characteristics and intentions.

Wesolowski, K. and Ferrarini, T. (2015) *Family policies in Ukraine and Russia in comparative perspective*. Available at:

<http://www.diva-portal.org/smash/record.jsf?pid=diva2%3A789429&dswid=-2909>

This study compares the institutional setting of family policies in Ukraine and Russia with 31 countries, including post-communist countries and other EU and OECD countries. Large-scale systematic comparisons of family policies in Ukraine and Russia with longstanding welfare states and other post-communist European countries have so far been lacking. The analyses are based on a comparative institutional approach, which captures the content of legislation multidimensionally instead of focusing only on social expenditure. This enables an evaluation of the structure of Ukrainian and Russian family policies in relation to other countries in 2005. Analyses show that Ukraine and Russia differ considerably in terms of family policy, as do other post-communist countries. Ukraine more actively supports traditional family patterns, while Russia leaves greater room for market forces. The policies in Ukraine and Russia are likely to be insufficient when it comes to addressing work-family conflicts and increasing long-term fertility.

c. Ongoing research

None reported.

Slovak Republic²⁷³

Daniel Gerbery (Comenius University/ Institute for Labour and Family Research)

April 2014 (N.B. This country note has not been revised for 2015)

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 (*materská dovolenka*) (responsibility of Ministry of Labour, Social Affairs and Family)

Length of leave (before and after birth)

- Thirty-four weeks: six to eight weeks before the birth. It is obligatory to take this leave.

Payment (applied for the whole period of Maternity leave) and funding

- Sixty-five per cent of daily earnings calculated on the basis of the previous year. There is a ceiling of 1.5 times the national average monthly wage. If Maternity benefit is lower than Parental allowance (see 1c below), then an additional payment is made to make up the difference.
- Payment is financed from sickness insurance contributions by employers and employees, each of whom pay 1.4 per cent of earnings; self-employed workers pay 4.4 per cent of declared earnings.

Flexibility in use

- Leave can be started six to eight weeks before birth.

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

- To be eligible for maternity benefit, an employee must have contributed to sickness insurance for at least 270 days during the two years before the birth.

²⁷³ Please cite as: Gerbery, D. (2015) 'Slovak Republic country note', in: P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

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

- Maternity leave is extended to 37 weeks for single mothers and 43 weeks in the case of multiple births.
- Twenty eight weeks in case of foster carers (31 weeks for single persons, 37 weeks for persons caring for at least two new born children).
- In the case of a stillbirth, the mother is granted a maximum 14 weeks of Maternity leave.

b. Paternity leave

No statutory entitlement.

c. Parental leave (*rodičovská dovolenka*) (responsibility of Ministry of Labour, Social Affairs and Family)

Length of leave

- Until the child reaches three years. Leave is a family entitlement, which only one parent may use.

Payment and funding

- A Parental allowance - *rodičovský príspevok* - of €203.20 per month is available to all families who meet the eligibility condition whether or not they take Parental leave; parents can work full time or part time while receiving parental benefit. Only one parent is entitled to Parental allowance.
- Parental allowance is funded from general taxation.

Flexibility in use

- None.

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

- The provision of regular care for at least one child up to the age of three years or six years in the case of a child with a long-term health problem or disability.
- Residence or temporary stay of an entitled person in the Slovak Republic.
- Parental allowance is not provided to parents if their older child (up to three years or older child up to six years if s/he has a long-term health problem or disability) has been removed from their personal care and the Local Office of the Labour, Social Affairs and Family provides an allowance to a foster parent for that 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 parents

- Parental leave and Parental allowance can continue until a child is 6 years old if the child has a long-term health problem or disability.
- Parental allowance is increased by 25 per cent per child in the case of multiple births; it is halved if older children do not regularly attend compulsory school.

e. Childcare leave or career breaks

No statutory entitlement.

e. Other employment-related measures

Adoption leave and pay

- For adoptive parents the same regulations for Parental leave apply as for other parents.

Time off for the care of dependants

- Employees can take ten days of leave per episode either to care for a sick relative at home (including a sick child) or to take care of a child under the age ten years for other reasons, e.g. if the child's school is closed. They receive a benefit (*Ošetrovné*), earnings-related but with a low ceiling, which is paid for a maximum of ten calendar days.

Flexible working

- None.

Other measures

- A Childcare allowance (*Príspevok na starostlivosť o dieťa*) is available to cover some of the costs of childcare. It is provided to one of the parents (or foster parents) if they work or take part in secondary or tertiary education. The allowance is provided in two forms. The first is where childcare is provided by official providers, when it is paid up to the level of officially declared costs, with a ceiling of €230 per month. The second is where childcare is provided by other persons or relatives when it is paid at the level of €41.10 per month, without the need to declare childcare costs. The allowance is paid up to the age of three years, or six years in the case of a child with a long-term health problem or disability.

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

Slovakia has a network of ECEC services, but these are mainly for older children, with the highest enrolment rates among four and five-year-old children. This reflects the upper age limit for Parental leave, but also a shortage of places in kindergartens; with limited capacity, kindergartens prefer older children who should be in the process of preparation for compulsory education.

The maximum period of paid post-natal leave available in Slovakia is three years, but this is paid at a low earnings-related level or at a flat rate. There is no entitlement to ECEC. Levels of attendance at formal services for children under three years are very low, well below the average for the countries included in this review and for OECD countries; levels of attendance for children over three years are much higher, but still below both averages. For actual attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

3. Changes in policy since April 2013 (including proposals currently under discussion)

None reported.

4. Take-up of leave

a. Maternity leave

Nearly all mothers take Maternity leave.

b. Paternity leave

There is no statutory leave entitlement.

c. Parental leave

There is no information on Parental leave use, only for the payment of Parental allowance, which is paid to all families. The number of men receiving Parental allowance is extremely low. In 2011, men accounted for 1 per cent of recipients.

5. Research and publications on leave and other employment-related policies since April 2013

a. General overview

Recently, policy-oriented research on child raising, work-life balance, supply and use of pre-school institutional care has been undertaken in particular by the Institute for Labour and Family Research, which is affiliated to the Ministry of Labour, Social Affairs and Family. Relevant research has been conducted at the Institute for Sociology of the Slovak Academy of Science within the international research project European Value Survey (EVS), as well as at the Department of Sociology at the Faculty of Philosophy of Comenius University in Bratislava within the international research project International Social Survey Programme (ISSP). Important contributions to the study of population attitudes toward family, care, gender equality and related issues were published by the non-governmental Institute of Public Affairs.

b. Selected publications since April 2013

None reported.

c. Ongoing research

The Institute for Labour and Family Research is preparing a Summary Report on Family which will capture main trends in living conditions of families in Slovakia and challenges for family policy. This Institute also regularly prepares a report on gender equality in the Slovak Republic. Contact: Silvia Porubánova at Silvia.Porubanova@ivpr.gov.sk or Barbora Holubova at Barbora.Holubova@ivpr.gov.sk.

The Institute for Sociology of the Slovak Academy of Science, the Department of Sociology at the Faculty of Philosophy at Comenius University, and the Institute of Social and Cultural Studies at Matej Bell University in Banská Bystrica are participating in the Family and Gender

Roles module of the International Social Survey Programme 2012-2013 is ongoing. Contact:
Miloslav Bahna at miloslav.bahna@savba.sk

Slovenia²⁷⁴

Nada Stropnik (Institute for Economic Research, Slovenia)

April 2015

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 (*materinski dopust*) (responsibility of the Ministry of Labour, Family, Social Affairs and Equal Opportunities)

Length of leave (before and after birth)

- One hundred and five calendar days (15 weeks): four weeks (28 days) before the birth and 11 weeks following birth. It is obligatory to take 15 days of leave.

Payment and funding

- One hundred per cent of average basic income on which Parental leave contributions were paid during the 12 months prior to the leave; the last of these 12 months is defined as the penultimate one before the month of the first application for leave. Not all income on which the contributions were paid is counted into the basic income, e.g., in-work benefits and other income received in addition to basic earnings. If the contributions were paid during a period shorter than 12 months, 55 per cent of the minimum wage (€434.90 a month) is taken into account for the missing period.
- Normally there is no ceiling. But currently, and until the year following the year in which economic growth exceeds 2.5 per cent of the GDP, the ceiling is two times the average wage (approximately €3,080 per month); the minimum is 55 per cent of the minimum wage (€434.90).
- Women not insured at the time the leave starts, but who have been insured for at least 12 months in the last three years before the start of Maternity leave, receive 55 to 105 per cent of the minimum wage (approximately €435 to €830 per month), depending on the period they have been insured for in the last three years.
- Funded partly from Parental leave insurance that forms part of social security insurance; contributions to Parental leave insurance are 0.1 per cent of gross earnings for employees and the same for employers. In 2008, Parental leave insurance covered 11 per cent of leave costs (estimated); the remaining funds came from general taxation.

²⁷⁴ Please cite as: Stropnik, N. (2015) 'Slovenia country note', in: P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

Flexibility in use

- The part unused before the birth may be claimed after childbirth if the birth took place before the envisaged date.

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

- The person has to be covered by Parental leave insurance (which is part of the social security) just prior to the first day of the leave. This insurance covers all workers, both employees and self-employed.

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

- Leave (less at least 28 days) can be delegated to the father or another person (who nurses and cares for a child if the mother dies, abandons the child or is incapable of living and working independently).
- The father or one of the grandparents is also entitled to Maternity leave with the mother's (and father's) consent in cases where the mother who gives birth to the child is younger than 18 years and has the status of an apprentice, a pupil or a student. In that case, Maternity leave lasts 77 days less the age of the child (in days) when the father or the grandparent commences Maternity leave.

b. Paternity leave (*očetovski dopust*) (responsibility of the Ministry of Labour, Family, Social Affairs and Equal Opportunities)

Length of leave

- Ninety calendar days (about 13 weeks).
- As the economy improves (i.e. in the year following the year in which economic growth exceeds 2.5 per cent), the final 75 days of current leave, which are unpaid, will be gradually replaced by 15 days of paid leave.

Payment and funding

- During the first 15 days of the Paternity leave, 90 per cent of average earnings based on earnings on which Parental leave contributions were paid during the 12 months prior to the leave, if those earnings averaged €763.06 or more per month, and up to a ceiling of two times the average wage in Slovenia (approximately €3,080 per month). The payment increases to 100 per cent for a father earning less than €763.06 a month. Not all income on which Parental leave contributions were paid is counted into the basic earnings, e.g., in-work benefits and other income received in addition to basic earnings. If the contributions were paid during a period shorter than 12 months, 55 per cent of the minimum wage (€434.90 a month) is taken into account for the missing period.
- For the remaining 75 days the father is paid social security contributions based on the minimum wage (approximately €174 per month). For fathers not insured at the time the leave starts, but who have been insured for at least 12 months in the last three years before the start of the leave, see section 1a.
- When Paternity leave is changed, after the economy improves, all 30 days of leave will be paid at 100 per cent of the basic income up to a ceiling of 2.5 times the average wage in Slovenia.
- Funding as for Maternity leave.

Flexibility in use

- The leave may be taken as individual working days, but in that case the length of the leave is equal to 70 per cent of the eligible calendar days.
- The first 15 days must be taken as full-time or part-time leave during the child's first six months; the remaining 75 days may be taken as a full-time leave up to the child's third birthday. However, a father may exceptionally take the first 15 days of leave until the child is one year of age if he adopted the child after the age of six months, if he was continuously absent due to professional reasons, if the child was continuously and full-day in an institution, or if paternity was determined later on.
- When Paternity leave is changed, after the economy improves, the second 15 day period of paid leave (to replace the current 75 days of unpaid leave) may be taken as full-time or part-time leave until the child completes the first grade of primary school.

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

- As for Maternity leave.
- The father is not entitled to Paternity leave if: the mother has given birth to a dead child; he was legally deprived of his parental right or prohibited from having contact with the child; according to the Centre for Social Work's opinion, he has evidently shown no intention to care for the child or is otherwise neglecting his parental responsibilities, or according to the physician's certificate, he is not able to nurse and care for the child.
- The father is not entitled to the first 15 days of Paternity leave if he uses Maternity leave.

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

- If the father does not use Paternity leave, the following persons are entitled to it: mother's husband or cohabiting partner, partner of either sex in the registered same-sex partnership, and other persons if nursing and taking care of the child. The same applies to the spouse, cohabiting partner or partner in the registered same-sex partnership of the person using Maternity leave.

c. Parental leave (*starševski dopust*) (responsibility of the Ministry of Labour, Family, Social Affairs and Equal Opportunities)

Length of leave

- One hundred and thirty calendar days per parent. Leave is an individual entitlement.

Payment and funding

- As for the first 15 days of Paternity leave (see 1b).
- For persons not insured at the time the leave starts, but who have been insured for at least 12 months in the last three years before the start of leave (Maternity, Paternity or Parental, whichever taken first), see 1a.
- Funding as for Maternity leave.

Flexibility in use

- The mother is allowed to transfer 100 days of her entitlement to the father (30 days are the mother's exclusive right), while the father is allowed to transfer all 130 days of his parental leave to the mother.
- The parents have to agree upon the use of Parental leave in writing 30 days prior to the expiry of Maternity leave. If the parents cannot reach agreement or their decision is not to the benefit of the child, the Centre for Social Work makes a decision on this matter taking into account what is in the best interests of the child.
- At least 185 days have to be taken as a continuous full-time or part-time leave; in the case of part-time leave being taken, the duration of leave is not extended proportionately. Up to 75 days may be taken at any time until the child completes the first grade of elementary school, full-time or part-time, but not more than twice a year, with each section lasting at least 15 days. In this last case, the length of the leave is equal to 70 per cent of the eligible calendar days.
- Parents can combine Parental leave (20 hours per week mother, 20 hours per week father) and take it at the same time.
- In rare cases, where the father is unknown and his entitlement cannot be transferred to the mother, a lone mother is entitled to all 260 days of Parental leave.

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

- As for Maternity leave.

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

- In the case of a premature birth, the leave is prolonged by as many days as pregnancy was shortened.
- In the case of multiple births or adoption of multiple children, Parental leave is extended by 90 days for each additional child. It is also extended by 90 days in the case of a birth of a child in need of special care.
- Leave is extended by 30 days if parents already have at least two children who have not yet completed the first grade of primary school; by 60 days if they have three such children; and by 90 days if they have four or more such children.
- Additional leave for premature or multiple births or if parents have two or more younger children is a family entitlement, i.e. the parents must decide which of them will take the leave.
- Another person who actually nurses and cares for a child is entitled to Parental leave, reduced by the number of days the mother and the father have already used.
- If the mother is below 18 years of age and has the status of an apprentice, a pupil or a student, one of the grandparents (who himself/herself is insured for Parental leave) may take leave with the mother's and the father's consent.

d. Childcare leave or career breaks

No statutory entitlement.

e. Other employment-related measures

Adoption leave and pay

- All adoptive parents have the same entitlements to Parental leave as other parents (see section 3).

Time off for the care of dependants

- An insured person is entitled to take leave to care for an immediate co-resident family member (spouse and children, own or adopted) who is ill. Generally, seven working days of leave may be taken for each episode of illness per family, but 15 working days may be taken for a child of up to seven years of age or a moderately, severely or very severely mentally and physically disabled child. Exceptionally, if required due to the health condition of the sick family member, the period may be extended to 14 and 30 working days, respectively, or longer in extreme cases (up to six months).
- Leave is paid at 80 per cent of average earnings over the preceding 12 months. It cannot be lower than the guaranteed wage (approximately €238) or higher than the wage which the person would receive if he/she were working.

Flexible working

- A parent who is taking care of a child below the age of three years, or of a child below the age of 18 years with a severe physical disability or a moderate or severe mental disability, has the right to work part time. The hours worked must be equal to or longer than half full-time working hours. There is no payment, but social security contributions based on the proportional part of the minimum wage are paid for the hours not worked.
- A parent who is taking care of two children may extend the right to work part time until the younger child completes the first grade of elementary school (and not only until it reaches the age of six years), with social security contributions paid based on the proportional part of the minimum wage for the hours not worked,. One year of this entitlement is a non-transferrable right of each of the parents.
- Breastfeeding mothers who work full time have the right to a break during working time lasting not less than one hour a day, until their child is 18 months. Payment amounting to a proportion of the minimum wage is made until the child is nine months old; during the remaining period, only social security contributions are paid, based on the proportional part of the minimum wage.

Other

- A parent leaving the labour market in order to take care of four or more children – and who has been insured for Parental leave or an active job searcher for at least 12 months in the last three years - is entitled to have social security contributions (based on the minimum wage) paid from the state budget until the youngest child completes the first grade of primary school.

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

The maximum period of post-natal leave available in Slovenia is 14.2 months and leave paid at a high earnings-related rate runs for nearly a year. There is an entitlement to ECEC from the end of Parental leave available on a full-time basis in centres. So there is no gap between the end of leave and an ECEC entitlement. Levels of attendance at formal services for children under and over three years are above the average for the countries included in this review

and for OECD countries. For actual attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

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

The Parental Protection and Family Benefit Act, adopted in April 2014, was implemented from 1 September 2014 and included several important revisions:

- Each parent has the right to half of Parental leave (that is, 130 days each), so it is no longer a family entitlement. The mother is allowed to transfer 100 days of her entitlement to the father (30 days are the mother's exclusive right), while the father is allowed to transfer all 130 days of his parental leave to the mother.
- While retaining the existing 15 days of paid Paternity leave (taken before the child is six months of age), the existing 75 days of unpaid Paternity leave have been replaced by additional 15 days of paid Paternity leave to be used after Parental leave and before the child has completed the first grade of primary school. However, there is a delay in the implementation of the revised Paternity leave: in the three years that will follow the year in which the increase in GDP exceeds 2.5 per cent, paid Paternity leave will be extended by five days a year while the unpaid Paternity leave will be reduced by 25 days a year. The Paternity leave can now also be used part time.
- Special adoption leave has been replaced by adoptive parents being granted the same rights as other parents.
- A parent who is taking care of two children may extend the right to work part time, with social security contributions paid based on the proportional part of the minimum wage for the hours not worked, until the younger child completes the first grade of elementary school (and not only until it reaches the age of six years). One year of this entitlement is a non-transferrable right of each of the parents.
- A payment amounting to a proportion of the minimum wage is introduced for a one-hour breastfeeding break to which full-time employed mothers of children up to the age of nine months are entitled. After that, until the child is 18 months old, only the social security contributions are paid based on the proportional part of the minimum wage.

4. Take-up of leave

a. Maternity leave

As Maternity leave is obligatory, all employed women should take up leave.

b. Paternity leave

Roughly four in five fathers take up to 15 days of Paternity leave while one in five leave-takers take more than 15 days. Research suggests that most fathers do not take more than 15 days of Paternity leave because their earnings are not (fully) compensated during the rest of it²⁷⁵. There are also obstacles on the employers' side²⁷⁶.

²⁷⁵ Stropnik, N. and Kump, N. (2015) 'Paternity leave practices by fathers in Slovenia and assessment of determinants' (journal article under review).

²⁷⁶ Rener, T., Švab, A., Žakelj, T. and Humer, Ž. (2005) *Perspektive novega očetovstva v Sloveniji: vpliv mehanizma očetovskega dopusta na aktivno očetovanje* [Perspectives of new fatherhood in Slovenia: Influence of the paternity leave mechanism on active fathering], Ljubljana: Univerza v Ljubljani, Fakulteta za družbene vede. Stropnik, N. (2005) *Stališča prebivalstva kot odraz novih trendov v starševstvu in podlaga za preoblikovanje družinske politike v Sloveniji* [People's attitudes as a reflection of new trends in parenthood and the basis for reshaping of family policy in Slovenia], Ljubljana: Institute

c. Parental leave

All mothers take Parental leave. The share of fathers taking some of the leave has been slowly increasing, from around 5 per cent in the mid-2000s to almost seven per cent in 2012²⁷⁷. Considering the full wage compensation (until the end of May 2012) while taking leave, the reasons for low participation of fathers may be found in the traditional division of tasks within the family, attitudes in the society (not the declared ones but rather those that rule people's behaviour), the absence of a positive image of the father who takes over more family responsibilities, and employers' expectations of their male employees.

Paternity leave and fathers having the same entitlement to Parental leave as mothers do not significantly influence mothers to return earlier to work after their leave period. Since fathers usually take only part of the leave (if any at all), absence due to Parental leave continues to affect women's professional careers.

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

a. General overview

Gender roles, work/family life balance and equal opportunities on the labour market are of particular research interest.

b. Selected publications since April 2014

None reported.

c. Ongoing research

None reported.

for Economic Research. Rakar, T., Stropnik, N., Boškić, R., Dremelj, P., Nagode, M. and Kovač, N. (2010) *Raziskava o vplivih veljavnih ukrepov družinske politike na odločanje za otroke [Research on the impact of family policy measures on deciding to have children]*, Ljubljana: Social Protection Institute of the Republic of Slovenia. Available at <http://www.irssv.si/publikacije/leto-2010/index.html>

²⁷⁷ MoLFSAEO (2013) Družinski prejemki [Family benefits], Ljubljana: Ministry of Labour, Family, Social Affairs and Equal Opportunities. Available at http://www.mdds.gov.si/si/uveljavljanje_pravic/statistika/druzinski_prejemki/

South Africa²⁷⁸

Lisa Dancaster and Tamara Cohen (University of Kwa Zulu Natal)

April 2015

NB. South Africa 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

Note on leave information: leave entitlement in South Africa is primarily governed by one main statute that applies to the whole country, namely, the Basic Conditions of Employment Act (BCEA). Individual provinces (of which there are nine in South Africa) do not have authority to amend these provisions. By virtue of the authority given to the Minister of Labour in terms of the BCEA, a number of sectoral determinations have been made to cater for the unique circumstances in the following industries: forestry, farm workers, domestic workers, hospitality, children in performing arts, learners employed on a learnership agreement in terms of the Skills Development Act (75 of 1997), wholesale and retail, private security, contract cleaning, civil engineering, small business (less than ten employees) and the taxi sector. The majority of these agreements contain leave provisions identical to those in the BCEA. Only where these sectors provide for leave that is different from that stipulated in the BCEA is it noted here.

The leave provisions in the BCEA and Sectoral Determinations are minimum standards that can be improved upon through collective bargaining, usually in statutory forums called bargaining councils. Information/data on leave provisions in bargaining council agreements is difficult to obtain as there does not appear to be an accessible database housing the agreements of all the bargaining councils in South Africa. Bargaining Council Agreements are also not necessarily a reliable indicator of employer provision because bargaining councils do not exist for all the industrial sectors in the country and even in those sectors that do have bargaining councils, not all employers in the industry are necessarily members of the bargaining council or are covered by the scope of the collective agreements reached there.

a. Maternity leave (responsibility of the Department of Labour)

Length of leave (before and after birth)

- Four months. An employee may commence Maternity leave at any time from four weeks before the expected date of birth (or earlier if a medical practitioner certifies it necessary for her health or that of her unborn child) and may not work for six weeks after the birth of her child, unless a medical practitioner or midwife certifies that she is fit to do so.

²⁷⁸ Please cite as: Dancaster, L. and Cohen, T. (2015) 'South Africa country note', in: P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

- An employee's right to return to the same or comparable job after a pregnancy-related absence is protected in the unfair dismissal provisions of the Labour Relations Act.
- An employee who has a miscarriage during the third trimester of pregnancy or who bears a stillborn child is entitled to Maternity leave of six weeks after this event, whether or not the employee had already commenced Maternity leave at the time of the miscarriage or stillbirth.

Payment and funding

- Statutory Maternity leave is unpaid in the BCEA, but there is provision for maternity payment for eligible employees from the Unemployment Insurance Fund (UIF). This is for contributors only. Payment for Maternity leave is on a sliding scale ranging from 38 per cent to 60 per cent of earnings depending on level of earnings with a maximum income threshold of ZAR14,872 [€1,027²⁷⁹] per month. It is for a maximum period of 17.32 weeks and application must be made eight weeks before the birth of the child. The amount of maternity benefit received from the UIF depends on the credit that has built up from working. Credits are accumulated at a rate of one day per six days worked. Hence, to gain maximum credit for the full period of maternity pay it is necessary to have worked continuously for four years. Payment of maternity benefits does not reduce the amount of payment for other benefits that an employee is entitled to claim from the Fund (namely illness, unemployment and death benefits). Unemployment insurance benefits for Maternity leave are not subject to taxation. If an employee continues to receive maternity pay from her employer, the maternity benefit in terms of UIF may not be more than the remuneration she would have received if she had not been on Maternity leave.
- Compulsory contributions to the UIF are made by employers and employees on a monthly basis and each contribute one per cent of the employee's earnings, up to a maximum of ZAR14,872 [€1,110] per month i.e. the maximum combined contribution is ZAR297.44 [€22] per month. Most employees entitled to statutory Maternity leave are also entitled to receive maternity benefits from UIF. The main exception is employees in national and provincial government. However, public service employees are entitled to four months Maternity leave under the terms of a July 2007 Determination on leave in the public service; although this does not explicitly state that leave is fully paid, it can be assumed to be so by virtue of the fact that contract workers are entitled to fully paid Maternity leave in this Determination.
- If a contributor also receives cash benefits from another source (for example, from her employer), she will only receive a benefit from the UIF if she receives less than her normal monthly salary from that source.
- Contributors are entitled to claim six weeks of unemployment insurance benefits in the event of a miscarriage during the third trimester of pregnancy.

Flexibility in use

- An employee may commence Maternity leave: i) at any time from four weeks before the expected date of birth, unless otherwise agreed; or ii) on a date from which a medical practitioner or a midwife certifies that it is necessary for the employee's health or that of her unborn child.

²⁷⁹Conversion of local currency into Euros undertaken on 1-5 June 2015, using <http://finance.yahoo.com/currency-converter/>

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

- The Unemployment Insurance Act (UIA) and Unemployment Insurance Contributions Act apply to all employers and employees, except for employees working less than 24 hours a month for an employer, learners, public servants, foreigners working on contract, employees who get a monthly state pension, and workers who only earn a commission.
- The BCEA regulating Maternity leave specifically excludes employees of the South African National Defence Force (SANDF), the National Intelligence Agency (NIA) and the South African Secret Service (SASS).
- The UIA excludes public servants. The regulation of Maternity leave and maternity pay for these employees is regulated by the Determinations reached in the Public Service Bargaining Council (see 'additional note' below).
- Independent contractors and self-employed women are not eligible for Maternity leave or maternity pay.
- Entitlement to maternity pay is determined by an employee's status as a contributor and is not affected by whether or not her partner is working.
- There are differences in terms of eligibility for Maternity leave (BCEA) and maternity payments (UIA). But both Acts require an employee to be working for more than 24 hours a month in order to receive Maternity leave and maternity pay.
- A recent labour court decision²⁸⁰ held that the failure of an employer to grant maternity leave to a male employee in a duly registered civil union following the birth of a child through a surrogacy agreement, constituted unfair discrimination.

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.

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

- Employees in the public service are entitled to four months Maternity leave and can apply for an additional 184 calendar days of unpaid leave²⁸¹.
- An employee falling under the Public Service Bargaining Council may take up to eight working days per pregnancy to attend medical examinations. The Determination does not specifically state that these absences are paid but it could be interpreted to be so given the wording of the Determination in general.
- A 2012 survey of wage agreements collected from trade unions, bargaining councils and sectoral determinations - covering a diverse range of industries and over 900 bargaining units - showed that employers offered Maternity leave ranging from the statutory minimum of four months in sectoral determinations to 5.1 months in bargaining council agreements²⁸². The percentage of employers offering maternity pay (as a percentage of basic wage) ranged from 20 per cent in sectoral determinations to 47.7 per cent in bilateral agreements.

²⁸⁰ MIA v State Information Technology Agency (Pty) Ltd (D312/2012)[2015] ZALCD 20 (26 March 2015).

²⁸¹ Determination and Directive on Leave of Absence in the Public Service, August 2012

²⁸² Labour Research Service. (2013) *Bargaining Monitor*, Vol.27, No.179: 1-19. Available at: http://www.lrs.org.za/docs/LRS_BM_Strategic%20Bargaining%20in%202013.pdf.

- See also ‘flexible working’ (section 1e) for the Code of Good Practice on the Protection of Employees during Pregnancy and After the Birth of a Child.

b. Paternity leave

No statutory entitlement. Fathers who wish to take leave at the time of the birth of their child can use their family responsibility leave (see section 1e). This leave is available to both mothers and fathers and nothing in the legislation restricts this leave from being taken by both parents at the same time. Alternatively a father can use this leave while his wife is on maternity leave.

c. Parental leave

No statutory entitlement.

d. Childcare leave or career breaks

No statutory entitlement.

e. Other employment-related measures

Adoption leave and pay

- There is no statutory leave for the adoption of a child. There is, however, a right to claim unemployment insurance benefits for time off work for adoption purposes. Only one parent can make application for adoption benefits and the child adopted must be under two years of age. The failure to provide statutory adoption leave means that if an employer refuses to grant an employee adoption leave it effectively nullifies the provision of adoption payment from the UIF.
- Employees in the public service are entitled to leave of 45 working days when adopting a child under the age of two years by virtue of the July 2007 Determination regulating leave in the public service. Although this determination does not explicitly state that this leave is fully paid, it can be assumed to be so by virtue of the fact that contract workers are entitled to fully paid adoption leave in this Determination. These employees are permitted to extend this leave by 184 calendar days of unpaid leave.

Time off for the care of dependants

- An employee in the private sector is entitled to family responsibility leave when the employee’s child is born; when the employee’s child is sick; or in the event of the death of the employee’s spouse or life partner, or the employee’s parent, adoptive parent, grandparent, child, adopted child, grandchild or sibling. This leave is fully paid by the employer and is available for a maximum period of three days in a 12 month period (five days for domestic workers). An employee must have been employed for longer than four months and work at least four days per week in order to qualify for this leave. This leave is an individual entitlement that cannot be shared by spouses in the event that one spouse elects not to use his/her leave.
- Evidence from a 2012 survey⁴ found that employers offered improvements on the three day statutory minimum period of family responsibility leave ranging from 3.8 days to 4.3 days.
- Employees in the public service are permitted to utilise five days family responsibility leave for the birth of a child of a spouse or life partner, or in the event of the sickness of a child, spouse or life partner. They are entitled to utilise up to five days leave per annual leave cycle for the death of a spouse, life partner, child or immediate family

member. Total family responsibility leave cannot exceed five days. The Determination does not stipulate that this leave is paid but it can be assumed to be so by virtue of the fact that the Determination specifically permits a further 184 calendar days to be utilised as unpaid leave if an employee has exhausted their family responsibility leave, subject to the approval of the Head of Department.

- By virtue of a Ministerial Determination regulating conditions of employment in small businesses, employers who employ fewer than ten employees are permitted to reduce the amount of annual leave granted to an employee by the amount of family responsibility leave granted to that employee.

Flexible working

- No general statutory entitlement.
- Codes of Good Practice are guidelines for employers and do not have the status of legislation. The Code of Good Practice on the Protection of Employees during Pregnancy and After the Birth of a Child provides that employers must consider granting rest periods to employees who experience tiredness associated with pregnancy and should also consider that tiredness associated with pregnancy may affect an employee's ability to work overtime. It also states that arrangements should be made for pregnant and breastfeeding employees to be able to attend ante-natal and post-natal clinics during pregnancy and after the birth of the child and recommends that arrangements be made for employees who are breastfeeding to have breaks of 30 minutes twice a day to breast feed or express milk for the first six months of a child's life. It further recommends that employers identify and assess workplace hazards to the pregnant mother and/or to the foetus and consider appropriate action. The Code of Good Practice on the Integration of Employment Equity into Human Resource Policies and Practices adds that an employer should provide reasonable accommodation for pregnant women and parents with young children, including health and safety adjustments and ante-natal care leave.
- The Code of Good Practice on the Integration of Employment Equity into Human Resource Policies and Practices requires employers to endeavour to provide "an accessible, supportive and flexible environment for employees with family responsibilities". This is specified to include "considering flexible working hours and granting sufficient family responsibility leave for both parents". In addition, the Code of Good Practice on Arrangement of Working Time states that the design of shift rosters must be sensitive to the impact of these rosters on employees and their families and should take into consideration the childcare needs of the employees. It adds that arrangements should be considered to accommodate the special needs of workers such as pregnant and breast-feeding workers and workers with family responsibilities.

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

The maximum period of paid post-natal leave available is four months, paid at 38-60 per cent of earnings. There is no entitlement to ECEC and compulsory school age is seven years.

The 2013 General Household Survey²⁸³ indicates that approximately 46.3 per cent of children aged between birth and four years attended day-care or educational facilities outside their homes.

²⁸³ Statistics South Africa (2013) General Household Survey, 2013: Statistical Release P0318. <https://http://www.statssa.gov.za/publications/P0318/P03182013.pdf>

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

The Unemployment Insurance Amendment Bill, having been passed by the Cabinet, is currently in the National Assembly and is expected to be approved by Parliament this year. The proposed amendments to the Unemployment Insurance Act include an increase in the level of maternity benefits and an extension of the coverage of benefits: the Bill stipulates that maternity benefits must be paid at a rate of 66 per cent of earnings subject to a maximum threshold set by the Minister; and credits towards maternity (and other unemployment) benefits should accrue at a rate of one day per four days worked rather than the present rate of one day per six days worked. There is no change to the maximum period of payment of maternity benefits (17.32 weeks).

The amendments further propose: a qualifying period of 13 weeks before a contributor may claim maternity benefits (this does not apply to any of the other types of unemployment benefits); the extension of unemployment benefits to cover learners undergoing learnership training, civil servants and foreign workers who are within South Africa; that a contributor who has a miscarriage or bears a still-born child in the third trimester will receive full maternity benefits (up from the current position of six weeks); and removing the amendments the requirement to make an application for maternity benefits eight weeks before the expected date of childbirth (the time limit has been deleted).

4. Take-up of leave

a. Maternity leave

The 2014 Quarterly Labour Force Survey²⁸⁴ indicates that 54.1 per cent of employees had access to some form of Maternity or Paternity leave in 2014.

b. Paternity leave

There is no statutory leave entitlement. There is no information on the take-up of 'family responsibility' leave used for this purpose or for the take-up of Paternity leave provided for in collective agreements.

c. Parental leave

There is no statutory leave entitlement. There is no information on the take-up of Parental leave provided for in collective agreements.

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

a. General overview

There is a shortage of research examining statutory leave entitlements in South Africa, and little information on employee take-up of existing leave entitlements.

²⁸⁴ Statistics South Africa (2014) *Quarterly Labour Force Survey, Quarter 3, 2014: Statistical release P0211*. <https://www.statssa.gov.za/Publications/P0211/P02113rdQuarter2014.pdf>.

b. Selected publications since April 2014

Dancaster, L. (2014) 'State Measures Towards Work-Care Integration in South Africa', in: Z. Mokomane (ed.) *Work-Family Interface in Sub-Saharan Africa*. Dordrecht: Springer, pp.177-194.

Due to various factors such as the high prevalence of HIV and AIDS, fragmented family structures, the notable absence of fathers in families and the increased labour force participation of women, South Africa is facing the crisis of care. Despite this, issues around the combination of work and care have remained largely absent from the government's policy agenda. This chapter examines the adequacy of current legislative measures for work-care integration in the country and provides recommendations for change within the legal framework to address work-care integration.

Dancaster, L and Baird, M. (2015 forthcoming) 'Predictors of the adoption of work-care arrangements: A study of South African firms', *International Journal of Human Resource Management*.

This paper presents the findings of a study on predictors of the adoption of 23 different work-care arrangements in South African organisations. The findings show that the level of adoption of work-care arrangements in South African organisations is low. Organisational size and female presence in senior managerial positions are found to be associated with the greater adoption of work-care arrangements. Other variables tested include trade union density and female leadership in trade unions, female composition in the organisation and foreign ownership.

c. Ongoing research

Fathers' use of leave in South Africa (2014-16). Lisa Dancaster and Tamara Cohen (University of Kwa Zulu Natal). Funded by the National Research Foundation.

This quantitative study examines fathers' use of leave in South Africa for the purposes of the birth or ill-health of their children. It examines employment characteristics, family circumstances and biological indicators as variables predicted to impact on the use of leave by fathers in South Africa. The project is expected to be completed at the end of 2016.

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April 2015

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 (*Permiso y prestación por maternidad*) (responsibility of the Ministry of Labour and Social Security)

Length of leave (before and after birth)

- Sixteen weeks: six weeks are obligatory and must be taken following the birth, while the remaining ten weeks can be taken before or after birth.

Payment and funding

- One hundred per cent of earnings up to a ceiling of €3,597.00 a month in 2014 and €3,606.00 in 2015.
- A flat-rate benefit (€532.51 per month or €17.75 per day) is paid for 42 days to all employed women who do not meet eligibility requirements (unchanged since 2010).
- Financed by social insurance contributions from employers and employees. As a general rule, employers pay 23.6 per cent of gross earnings and employees pay 4.7 per cent to cover common contingencies which include pensions, sickness and leaves (*contingencias comunes*), with an additional contribution paid to cover unemployment. In the case of public servants, all contributions are paid by their employer.

Flexibility in use

- The start date for taking leave before birth can vary.
- Mothers, including those who are self-employed, may take leave part time except for the six weeks following birth.

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

- All employed women are entitled to Maternity leave, but conditions must be met to qualify for the earnings-related Maternity leave benefit (non-eligible employees receive a flat-rate payment for 42 days after delivery): the mother needs to be making social security

²⁸⁵ Please cite as: Escobedo, A.; Meil, G. and Lapuerta, I. (2015) 'Spain country note', in: P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

contributions at the beginning of the leave; or be receiving unemployment contributory benefit; or in the first year of the Parental leave, *and* have contributed to social security at least 180 days in the previous seven years, or 360 days during working life. Women under 21 years do not need any previous period of social security contribution, and women between 21 and 26 only 90 days, in the last previous seven years, or 180 days during working life. This requirement is more flexible for women working part time. Besides, self-employed mothers are exempted from paying social security contributions while on Maternity leave.

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

- In the case of multiple births (or multiple adoption or foster), or birth (or adoption or foster) of a child with some disability, mothers have the right to two extra weeks of leave per newborn child from the second onward, and the family benefits from an additional lump sum benefit.
- In the case of a premature birth or infant hospitalisation, Maternity leave is extended up to 13 weeks.
- If the baby dies, Maternity leave is not reduced.
- If the mother dies, the father can take the Maternity leave entitlements, independently of the mother's previous employment situation and entitlements.
- Employed mothers have the right to transfer up to ten of their 16 paid weeks of Maternity leave to the father on condition that they take six weeks after giving birth, that their partner fulfils contributory requirements, and that the transfer does not endanger their health. Leave can be completely or partly transferred, so both parents may share full or part-time leave simultaneously.
- The non-contributory benefit is extended by 14 days (from 42 to 56 days) for lone mothers, large families, multiple births or disabilities.

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

- Employed and self-employed pregnant women and mothers breastfeeding babies less than nine months old are entitled to be relocated to another workplace if working conditions are not compatible with women in such circumstances or it is a risk for the baby. If this is not possible or cannot be reasonably required, the working contract or activity has to be interrupted, and leave can be taken with payment of 100 per cent of earnings. Such leave correspondingly lasts until the beginning of Maternity leave or until the baby reaches the age of nine months.
- By consolidating breastfeeding leave, mothers can in practice extend Maternity leave by two weeks (if stated in the collective agreement or agreed at company level) or four weeks (for civil servants) (see section 1e).
- A number of regional and local governments have improved entitlements for public sector employees. For example, women working for the municipality of Madrid have a right up to eight additional weeks of maternity leave.

b. Paternity leave (*permiso de paternidad, permiso por nacimiento*) (responsibility of the Ministry of Labour and Immigration)

Length of leave (before and after birth)

- Fifteen calendar days: two days of Birth leave (*permiso por nacimiento*) and thirteen days of Paternity leave (*permiso de paternidad*)

Payment and funding

- One hundred per cent of earnings, paid by the Social Security Fund with the same ceiling as for Maternity leave. In the case of public servants, all contributions are paid by their employer.
- Paternity leave is funded as Maternity leave, however birth leave is still paid by employers.

Flexibility in use

- The two days of Birth Leave (*permiso por nacimiento*) have to be used at the time of birth. Fathers who need to travel in their work have two extra days, paid by the employer (this does not apply in the public sector).
- The 13 days of Paternity leave (*permiso de paternidad*) can be taken during or immediately after the end of Maternity leave and on a full-time or part-time basis. This does not apply in the public sector, where the 15 days are considered as a whole, to be taken full-time at birth time as a general rule (except when the specific regional government - *Comunidades Autónomas* - or institution regulates differently). Fathers who use Paternity leave part time need their employer's agreement.

Regional or local variations in leave policy

- A number of regional and local governments have improved entitlements for public sector employees. For example, in Catalonia they receive five days at birth (as Birth leave), and a month of Paternity leave that has to be taken at the end of Maternity leave. The same applies for male employees of the municipality of Madrid (collective agreement, 2012-2015, though the leave has to be taken at birth or adoption) and other cities.

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

- All employees have the right to Birth leave (self-employed are excluded as it is provided by employers).
- All employed fathers or partners (employees and self-employed) fulfilling contributory requirements (i.e. at least 180 days in the previous seven years, or 360 days during working life) are entitled to Paternity leave.

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

- Leave is extended by two extra days per child from the second onward in the case of multiple births (or adoption or fostering) or if the child has a disability; and from 15 to 20 days for large families or households with a disabled person.
- The entitlement is gender neutral to encompass homosexual and lesbian couples, where this leave can be taken by the member of the couple who did not use the Maternity leave (or most of it) (see 1e below).
- In the above-mentioned case of public employees in Catalonia, lone mothers can use the extra month for fathers at the end of Maternity leave.

Additional note (e.g. if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone) or delegation of leave to person other than the parents

- See 'regional or local variations' for improved conditions offered by some regional governments for their employees.

c. Parental leave (*Excedencia por cuidado de hijos*) (responsibility of the Ministry of Employment and Social Security)

Length of leave (before and after birth)

- Each parent is entitled to take leave until three years after childbirth. Leave is an individual right. During the first year, return to the same job position is protected; after the first year, job protection is restricted to a job of the same category.

Payment and funding

- None. Since 2011 all employees taking leave are credited with social security contributions for the whole period, which affects pension accounts, health cover and new Maternity or Paternity leave entitlements.

Flexibility in use

- There are no limits to the number of periods of leave that can be taken until the child is three years old, with no minimum period required.

Regional or local variations in leave policy

- Since 2000, seven out of seventeen regional governments -*Comunidades Autónomas*- have introduced flat-rate benefits (Navarra in 2000; Castile and León in 2001; Basque Country and Castile-La Mancha in 2002; La Rioja in 2003; and, finally, Balearic Islands and Murcia in 2008). However, these benefits have been reduced or abolished since 2009 as a consequence of the fiscal crisis. For example:
 - Basque Country: €271.25 per month for mothers or fathers in 2015 (compared to €291 in 2011).
 - La Rioja: €250 per month in 2014, but restricted to families with an annual income below €40,000 or €50,000 in case of large families (the amount of the benefit remains stable since it was introduced, but the income ceiling has been increased).
 - Balearic Islands abolished benefits in 2010; Murcia in 2011; Castilla-León and Castilla-La Mancha in 2012; and Navarre in 2013.

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

- All employees, though employees on temporary contracts, can only claim leave that is shorter than their contract period. Unemployed and 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)

- The period of job-secured leave is extended (to 15 or 18 months) in families with three or more children or with two children one of whom has a disability.

Additional note (e.g. if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone) or delegation of leave to person other than the parents

- If both parents work for the same company, the employer can put restrictions on both parents using leave at the same time if this is justified for production reasons.
- In the public sector the job position is protected for two years, and in the third year within the same municipality.

d. Childcare leave or career breaks

Unpaid career breaks are recognised in the labour and public employees' regulations (*excedencia voluntaria*). The only protection offered is to be able to claim the right of return to an equivalent job before the end of the leave, once there is a vacancy. This job protection works much better in the public than in the private sector.

e. Other employment-related measures

Adoption leave and pay

- The same regulations as for other parents for the adoption or fostering of children under six years or older children with additional needs (e.g. disabilities, international adoptions).
- Either parent can benefit from the Maternity leave entitlement in the case of an adoption.
- Public employees involved in an international adoption have the right to two months of paid leave, including basic payment without benefits, when the process requires that the adoptive parents stay in the country of origin of the future adoptive child.

Time off for the care of dependants

- Two days leave per worker per event (*permiso por enfermedad grave de un familiar*) to care for a seriously ill child or for other family reasons (serious illness, hospitalisation or death of a relative to a second degree of consanguinity or affinity), paid by the employer. The entitlement is extended to four days if travelling is required for work. However, there is no agreement on what 'serious illness' means. For public sector employees this entitlement is extended to three days (five days if travelling is required) for the care of first degree relatives (e.g. partner, children or parents, including in-laws).
- Parents are entitled to full-time or part-time leave (with a minimum reduction of 50 per cent of working time) to take care of a seriously ill child under 18 years old during the period the child is in hospital or in need of continuous treatment at home (with certification by the public health service); 109 types of illness are included. The scheme is paid at 100 per cent of the earnings (subject to the same ceiling as Maternity leave) from sickness insurance, with previous contributory requirements as for Maternity and Paternity leave. This entitlement is extended to parents working part time, in which case leave must be at least equivalent to 25 per cent of full-time hours. The leave is an individual right, but only one of the parents is entitled to take leave at any one time; but parents can alternate the use of it on a monthly base. In case of divorce, when there is no agreement, the parent with legal custody has the right to take this leave and if they have joint custody, it is the one who makes first claim.
- Each worker may take up to two years of leave (*excedencia por cuidado de un familiar*) or reduce working hours by between an eighth and a half (*reducción de jornada por cuidado de un familiar*) to take care of a dependent relative (up to the 'second degree of consanguinity or affinity') due to severe illness, disability, accident or old age. In cases

of chronic dependency, the informal carer on leave may receive a payment if co-resident, which varies depending on region of residence, relative's level of dependency recognised by a public agency, and household income (e.g. in the case of Navarre, one of the regions with the highest benefits, the payments are between €180 and €542.85 per month in 2015). The payment is claimed by the dependent relative. Workers taking leave are credited with social security contributions, which affect pension accounts, health cover and new leave entitlements, for the first year of full-time or part-time leave.

- Public employees can extend the unpaid leave to care for a relative for up to three years, with the whole period credited with social security contributions and related social protection benefits. Furthermore, they can work half-time for up to one month without loss of earnings in the case of a very serious illness of a first degree relative (child, partner or parent including in-laws); they can also benefit from extra flexibility in working time as do parents of children under 12 years.

Flexible working

- During the first nine months after the child's birth (12 months in the public sector), employed mothers or fathers are entitled to one hour of absence during the working day without loss of earnings, which is paid by employers; this part-time leave (*permiso de lactancia*) was originally to support breastfeeding. It is a family entitlement that can be used by either employed parent, but if both parents are working, only one can use this entitlement. This absence is paid for by the employer. The period can be divided into two half-hours or be replaced by a half-hour shortening of the normal working day, or by the equivalent time on full-time days; but the public sector and many collective agreements allow for a full hour shortening of the normal working day. By consolidating this entitlement, families can in practice extend Maternity (or Paternity) leave by two to four weeks (depending on the terms established by collective or company agreements). In the case of multiple births (or multiple adoption or fostering) the length of this leave increases proportionally. .
- The law also guarantees that employees can postpone their annual holidays and use them after maternity or paternity leave, so they do not lose them.
- A working parent can reduce his/her working day by between an eighth and half of its normal duration to care for a child until the twelfth year or to look after a disabled child (*reducción de jornada por guarda legal*). Employees may decide, within their usual work schedule, the extent and period of the working time reduction. It is defined as an individual right, and there is no payment, but workers taking this 'part-time leave' are credited with up to two years full-time social security contributions (which affect pension accounts, and new leave entitlements). Besides, public employees have guaranteed some working time flexibility to adapt, for example to school hours.
- Since 2000, a number of regional governments have introduced payments to parents reducing their working hours; for example: Basque Country, Navarre, La Rioja, Galicia, Castilla La Mancha or Castilla-León have provided flat-rate payments to support this measure proportional to the working time reduction, though Navarre has abolished these payments in 2011 and Castilla-Leon and Castilla La Mancha in 2012. Since 2002 public employees in Catalonia, both fathers and mothers, can reduce their working hours by a third with a 20 per cent earnings reduction or by a half with a 40 per cent earnings reduction if they have a child under six years or care for a disabled relative, since 2012 they can consolidate this reduction in working time during the first year as full-time leave to extend in practice their maternity or paternity leave.

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

The maximum period of post-natal leave available in Spain is three years, but most of this period is unpaid; leave paid at a high rate ends after Maternity and Paternity leave (around five months after birth, including the consolidation of reduced working hours related to the 'permiso de lactancia' (see 1e section on flexible working). The 2006 Spanish Education Law (*Ley Orgánica de Educación*), modified in 2013 by the Law for the Improvement of Educational Quality (*Ley Orgánica para la Mejora de la Calidad Educativa*), provides an entitlement to ECEC from three years onwards, and nearly all children over this age attend early education. So there is no gap between the end of Parental leave and an ECEC entitlement, but a substantial gap of approximately 2½ years between the end of well-paid leave and this *de facto* entitlement. Levels of attendance at formal services for children under and over three years are above the average for the countries included in this review and for OECD countries. For actual attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

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

In the present context of economic austerity and public funding cuts in Spain, additional support to parents taking leave provided by regional governments (Autonomous Communities) has been severely reduced (see sections 1c and 1e).

The proposal to increase Paternity leave from two to four weeks, which had been approved in 2009 to be implemented in 2011, has been postponed for a further year until January 2016 (*Disposición Final Décima Ley 36/2014, de 26 de diciembre*, BOE 315, December 30th, 2014, modifying the 9/2009 Paternity leave law).

4. Take-up of leave

a. Maternity leave

Maternity leave benefit covered 66.7 per cent of the 425,715 births in 2013 (authors' calculations based on data provided by the Social Security Institute and the Spanish Statistical Institute). Coverage is slightly lower than the previous years, after a long period of continuous increase (from 31 per cent in 1995 to 68 per cent in 2009) due to growing maternal employment and better coverage of atypical employment situations. It is worth highlighting that in the context of crisis and very high general unemployment, maternal employment is hardly diminishing while female activity rate in central adult age groups has sharply increased. According to the survey 'The social use of leave in Spain, 2012' (see section 5.c in the 2014 Annual Report), 80 per cent of mothers aged 25 to 60 who were in paid employment when pregnant benefited from Maternity leave, with this percentage higher among younger women than among older ones (89 per cent for those aged less than 40 and 72 per cent for older women). Fathers share some Maternity leave in around one-quarter of adoption cases (27.5 per cent in 2005), but less than 2 per cent of all such leaves (1.7 per cent in 2014).

In 2014, an average of 5,971 women per month were on leave because of risk during pregnancy, with an average duration of 93.8 days, equivalent to 0.17 per cent of all live births in 2013. Since 2008 (the first year for which there are available take-up data) there is a steady increase in the number of women who take this kind of leave, from 2,546 per month to 5,971 in 2014), while the average number of days of leave taken has decreased (from 120 to 93.8 in the same period). The mean number of women per month taking leave during breastfeeding

because of risk (introduced in 2007) has decreased once again to 53.5 in 2014, a tendency which can be observed since 2009, when it reached a maximum of 100.8 women per month. The mean number of days in leave has increased slightly to 128 days.

b. Paternity leave

Most fathers are eligible for Paternity leave according to the Labour Force Survey data. While Paternity leave was restricted to two days (*permiso por nacimiento* i.e. Birth leave) paid by employers, there was no information on take-up rates. But from March 2007, fathers have received a 13 days payment from Social Security funds, and coverage was 56.1 per cent in 2013 (authors' own calculations based on the ratio number of fathers who took a leave to total number of births), two percentage points less than the previous year. The total number of fathers who took Paternity leave decreased by 15.8 per cent between 2010 and 2013, due mostly to the decrease in births and male employment. However, according to the survey 'The social use of leave in Spain, 2012' (see section 5c in the 2014 Annual Report), the take-up rate among those eligible for Paternity leave is much higher: 74 per cent of men who became fathers after the introduction of this leave and were working at that time report having used it. Those who were working when they fathered a child and did not take it are mostly men who work without contract or are self-employed. The difference between take-up rates can be attributed to the high proportion of unemployment among young adults (the proportion of unemployed men aged 30 to 34 years increased from 9.2 per cent in 2008 to 25.9 per cent in 2012, and was still 23 per cent in 2014) and to the fact that the Social Security Institution does not register the Paternity leave of public servants.

On the other hand, the coverage rate amongst eligible fathers shows a positive trend in spite of the crisis: from 63.8 per cent in 2008 to 76.7 per cent in 2011 (applying an estimation model to registered social security data), which could be explained both by a genuine interest in taking Paternity leave and by the fact that male employment has been reduced in sectors and groups with lower quality employment conditions²⁸⁶.

c. Parental leave

In 2013, 28,038 people started some period of Parental leave (5.8 per cent less than in the previous year and 24.16 per cent less than in 2010). This corresponds to 6.6 per cent of the births in that year, but still higher than in the recent past (in 1995 it was only 1.7 per cent). However, it represents only two per cent of children under three years old, a relevant age since leave can be taken until children reach three years. Fathers made up 5.5 per cent of users, 0.5 percentage points more than in 2012²⁸⁷.

According to the survey 'The social use of leave in Spain, 2012'²⁸⁸, only 0.5 per cent of men aged 25 to 59 who were working when they became fathers made use of Parental leave, compared to 10.4 per cent of women. In most cases leave was taken for the first child (69 per cent); and women mostly took it just after Maternity leave (64 per cent) for a maximum of one year (85 per cent), and most commonly for six months or less (46 per cent), i.e. until a childcare arrangement was available. After leave, all men returned to a full-time job, but only 55 per cent of women did so, while a third returned to part-time job or part-time leave (35 per cent) and only seven per cent gave up paid work altogether or lost their jobs (three per cent).

²⁸⁶Flaquer, L. and Escobedo, A. (2014). See section 5b.

²⁸⁷Ministerio de Empleo y Seguridad Social (2014) *Anuario de Estadísticas del Ministerio de Empleo y Seguridad Social, 2013*. Available at:

<http://www.empleo.gob.es/es/estadisticas/contenidos/anuario.htm>

²⁸⁸Meil, G. (2014). See sections 5b and 5c in the 2014 Annual Report.

d. Other employment-related measures

The fact that Parental leave and working time reduction are not paid limits their use, even among those who have a secure job. The influence of payment can be seen from the high and gender equal use made of the fully-paid working time reduction of one-third of usual working hours for parents of children under one year old, which was available for public employees in Catalonia between 2002 and 2012 (see section 3 in the 2013 Annual Report).

Otherwise the use of unpaid working time reductions is limited. According to the survey 'The social use of leave in Spain, 2012', 19.9 per cent of women and 1.8 per cent of men aged 25 to 59 years who were working when they became parents made use of the right to reduce their working hours. As in the case of Parental leave, most working time reduction is taken for the first child (61 percent among those with two or more children) and, among women, mostly taken just after Maternity leave (55 per cent) or during the first year of the child (79 per cent). Men reduce their working hours mostly for less than one year (72 per cent), while women tend to do it for a rather longer period of time (61 per cent for more than one year).

According to the [Spanish Social Security Statistics](#)²⁸⁹, the number of parents who have taken the leave to care for seriously ill children, introduced in 2011, has increased slightly from 1,114 in 2012 to 1,239 in 2014. However, the mean number of days of leave taken has risen sharply from 176.9 to 334.8 during the period.

Unpaid leave to care for dependent relatives has been available from 2001 onwards. Between 2001 and 2005 about 9,000 employees used it, of whom 82 per cent were women, with a median duration of 62 days, and 18 per cent men with a median duration of 55 days (Escobedo and Navarro, 2007). Since 2006 the number of users has grown, increasing to 6,692 new users in 2013 (compared with 3,332 in 2005). The proportion of new male users remained stable at around 15 per cent between 2010 and 2013.

The Statistical Yearbook of the Ministry of Labour does not provide details on duration nor to what extent these leaves to care for dependent relatives are connected to the benefit for informal carers introduced since the 2006 Spanish Law to support dependents. In January 2015, 40 per cent of all benefits provided under this law were used for paying informal family carers (370,702 benefits, 8.9 per cent less than one year ago), covering 30.7 per cent of the recognised cases of dependency in Spain. However it seems difficult to link care leave to the benefit which usually requires a long administrative process.

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

a. General overview

Leave arrangements have become a research topic in Spain, particularly their use by mothers and fathers, and their impact on gender and social equality in the labour market and on fertility decisions. Fathers' use of leave arrangements is presently a main research focus, as is leave in the organisational context of the workplace and companies.

Since 2006, a fund on Social Protection has supported research on leave arrangements and the Ministry of Labour created a continuous database with a sample of four per cent of all social security contributors, including selected life course data on work and social security

²⁸⁹ http://www.seg-social.es/Internet_1/Estadistica/Est/Otras_Prestaciones_de_la_Seguridad_Social/index.htm

(*Muestra Continua de Vidas Laborales, MCVL* [the Continuous Sample on Working Lives]), supplemented with tax and household data. The Ministry still provides limited information on leave arrangements, but has allowed researchers to produce detailed information about unpaid leaves such as Parental leave, leave to care for a relative, and working time reductions. Otherwise, the indicators published on a yearly basis since 1995 by the National Institute of Social Security provide updated information on paid leaves (e.g. total social security expenditure by region and the number of administrative records initiated each year, with the percentage of those for fathers), but with no information on other items such as duration of leave, flexible use or characteristics of users. There is a clear data gap on the uses and impacts of the various regional flat-rate benefits and full-time or part-time additional schemes, which research projects have contributed to filling (see Lapuerta in Spain country note, sections 5b and c, of the 2013 Annual Review)

There is increasing research interest in the benefits addressed to long-term dependent and family informal carers implemented since 2007 onwards, in the framework of a new public care system for the support of dependency and autonomy, primarily for the elderly but also covering adults and children with severe dependency. Further research is needed in this area.

b. Selected publications since April 2014

Escot, L., Fernández Cornejo, J.A. and Poza, C. (2014) 'Fathers' use of childbirth leave in Spain: The effects of the 13-day paternity leave', *Population Research and Policy Review*, Vol.33, No.3: 419-53. Available at: <http://link.springer.com/article/10.1007/s11113-013-9304-7>

This article investigates, for the case of Spain, to what extent the introduction in March 2007 of a non-transferable 13 day Paternity leave has encouraged men to make greater use of leave at childbirth. Data were drawn from the Spanish Economically Active Population Survey, covering the period 2005-2009. The authors use a natural experiment approach, comparing the behaviour of wage-earning fathers with children of less than one year of age before and after the reform and using mothers as a control group. After estimating a difference-in-differences logistic regression model the results show a higher percentage of males on leave in the reference week in the post-reform period (after 2007). The article also analyses some of the personal and socio-economic determinants of the fathers' use of leave. Fathers are more likely to be on leave if they have stability in employment, if there are facilities for reconciling work and family life (e.g. working in the public sector) and if the partner is employed. The father's age has an interesting U-shaped influence.

Flaquer, L. and Escobedo, A (2014) 'Licencias parentales y política social de la paternidad en España' [Parental leave and the social politics of fatherhood in Spain], *Cuadernos de Relaciones Laborales*, Vol. 32, No.1: 69-99. Available at:

<http://revistas.ucm.es/index.php/CRLA/article/view/44714/42156>

The article explores first the different employment impact of motherhood and fatherhood. Results from an analysis of longitudinal data from the Spanish Social Security show how the birth of a first child is a turning point from which male and female employment trajectories diverge, so that for fathers this juncture is clearly associated with an intensification of their breadwinning role. After exploring the development of the social politics of fatherhood in Spain, the article focuses on the evolving regulation of parenthood leaves in Spain from a comparative perspective. In the final part of the article, the authors analyse social security and labour data and propose indicators on Paternity leave take-up rates following the upgrading of this benefit in 2007. In spite of cutbacks resulting from the recession, results indicate that Paternity leave take-up rates in relation to potential male users have increased from 2008 to 2011, although significant variations appear by region, educational attainment and quality of employment.

Fraisse, L. and Escobedo, A. (2014) 'Changing family needs and local childcare policies' in: C. Ranci, T. Brandsen and S. Sabatinelli (eds.) *Social vulnerability in European cities: The role of local welfare in times of crisis*. Basingstoke: Palgrave, p. 103-133.

Based on comparative research in twenty European cities (WILCO EU Project), this chapter explores the relations between changing families, the market and the state at the local level, and how childcare is a privileged policy field for European local governments to promote the reconciliation of work and care, complementing national parental leave and family policies. Local childcare policies provide a wide range of concrete albeit limited solutions in terms of developing places and diversifying provision, accessibility of facilities as well as the capacity to initiate innovative strategies. Cities are confronted with the double challenge of preventing work and care exclusion of vulnerable families, but also of attracting and retaining families with young children in order to balance their age composition, in face of crucial demographic changes. Local governments articulate a pack of benefits and public/private facilities that may make a difference for families with children.

Meil, G. and Rogero-García, J. (2014) 'Abuelos y padres en el cuidado de los niños' ['Does paternal childcare replace grandparental support in the work - family balance?'], *Cuadernos de Relaciones Laborales*, Vol. 32, No.1 Available at:

<http://revistas.ucm.es/index.php/CRLA/article/view/44713>

Fathers' participation in childcare has been on a steady rise in recent years. This paper explores whether such growing involvement is replacing grandparents' caring role or whether the two are complementary. The data used were drawn from the *Survey on parental leave*, whose coverage included 1,125 working parents living with their likewise working partners and children under the age of 13 years. The results suggest that paternal and grandparental childcare tend to be more substitutional than complementary. The analysis also shows that a significant portion of dual-earner households do not routinely rely on grandparents for childcare, and that paternal and maternal grandparents do not replace but rather complement one another.

Abril, P., Amigot, P., Botía-Morillas, C., Domínguez-Falgueras, M., González, M. J., Jurado-Guerrero, T., Lapuerta, I., Martín-García, T., Monferrer, J. y and Seiz, M. (2015) 'Ideales igualitarios y planes tradicionales: análisis de parejas primerizas en España' ['Egalitarian ideals and traditional plans: analysis of first-time parents in Spain'] *Revista Española de Investigaciones Sociológicas*, No.150: 39-58.

English and Spanish version available at:

http://www.reis.cis.es/REIS/PDF/REIS_150_01_ENGLISH1428568078325.pdf

This study analyses first-time heterosexual parents' childcare plans, examining how gender attitudes, parenthood ideals and institutional constraints influence childcare plans in the first months of the child's life. It is based on a sample of 68 dual-earner couples who were expecting their first child in 2011. The analysis reveals that most couples aim to maintain a dual-earner model in which both parents are employed after the transition to parenthood. However, when difficulties balancing work and family are anticipated, women show a greater predisposition to adapt their working lives to childcare needs. Men, in contrast, exhibit much greater resistance to making important employment-related adjustments, due to their fear of being penalised in the workplace or to their particularly strong work orientation.

Castro-García, C. (2015) *Modelos de Bienestar, Igualdad de Género y Permisos de Nacimiento en un contexto de crisis del Modelo Social Europeo*. Doctoral Thesis. Universidad Pablo de Olavide, Seville.

This thesis explores some of the causes that sustain unequal power relations between men and women in Europe. The main contribution is through the concept and an indicator of the gender-transformative potential of public policies, based on an assessment of their impact on transforming the 'social norm' and the gender division of labour, from the perspective of a 'universal caregiver' society. This concept is developed based on a comparative analysis of leave policies - including Maternity, Paternity and Parental leaves - in 27 European countries

(EU25 plus Iceland and Norway). The findings show that the most positive gender-transformative potential would be to guarantee a real change in male behaviour through equal, non-transferable and fully paid Parental leave.

Castro-Garcia, C. and Pazos, M. (2015, forthcoming) 'Parental leave and gender equality in Europe', *Feminist Economics* [A preliminary version in Spanish of this paper is available at: http://www.ief.es/documentos/recursos/publicaciones/papeles_trabajo/2012_09.pdf]

This article analyses Parental leave policies in 21 European countries and their influence on the behaviour of men. Entitlement characteristics, such as non-transferability, duration, payment, compulsory period and other policy conditions are examined in order to assess their effects on the proportion of leave men take up out of the total leave time allotted to them in each country. The findings, which suggest that a large majority of men take non-transferable and highly paid leave while only a small minority takes other types of leave, provided the basis for developing an equality indicator. This indicator ranks countries according to the degree in which Parental leave policies would contribute to reinforce or diminish the sexual division of labor according to the authors. Results indicate that although Iceland is the most advanced, no country has equal, non-transferable and well paid leave policy for each parent, which would be a pre-condition to equal childcare participation of men and women.

Escobedo, A. & Wall, K. (2015) Leave policies in Southern Europe: continuities and changes (Portugal, Spain, Italy and Greece), *Community, Work and Family*, Vol. 18, No. 2. <http://dx.doi.org/10.1080/13668803.2015.1024822>

This contribution addresses the challenge of reviewing Southern European welfare states by analysing how developments in leave policies are generating common or divergent trends across Portugal, Spain, Italy and Greece. These societies offer a mixture of family patterns and family policies. Over the last decade they have developed significant work-family arrangements both in terms of parental leave and early education childcare services. The four countries have been moving in the direction of longer paid leave and the promotion of paternal leave, allowing for family diversity and new gender-equality incentives. Besides these common trends, the four countries also reveal differences enabling them to shift towards alternative leave models, such as the one-year gender-equality-oriented model or the choice-oriented leave model. However, for the time being, taking into account take-up rates and the impact of the economic 20 crisis, the four countries conform to what we have characterised as an 'extensible early return to work' leave model. Leave policies are reviewed in Greece, Italy, Portugal and Spain mainly between 2004 and 2014, drawing on data from the Annual Reviews of the Leave Policies and Research Network, Eurostat and the OECD Family Database

c. Ongoing research

Evaluation of Public Policies: Marital Property Regimes and Parental Leave Systems: Effects on Welfare Regime from a Gender Perspective (2011-2015) Cristina Castellanos Serrano, doctoral study at the Research Group on Economic Analysis of Diversity and Equality Policies, Complutense University.

This doctoral research aims to evaluate public policies linked to how the State regulates the conditions in which women and men can relate with their partners and their new-born children. In particular, it analyses the kind of regulations applied to couples and the Parental leave system. It describes the effects of both public policies on the labour market and on the creation, maintenance or change of social norms and gender roles. It analyses Parental leave take-up rates, and the effects of Parental leave policy design and reform on its use and on fathers' and mothers' involvement in childcare. The research combines historic and legal approaches from an international comparative perspective, with statistical analysis. The statistical analysis is based on a survey carried out in Madrid in 2012 of couples who had children aged three to eight years. The data allows comparison of the use of Parental leave for a period of six years, three years before and three years after the 2007 reform. It considers individual, couple and

households' characteristics, and the transition to the educational system Contact: Cristina Castellanos Serrano at ccastellanos@cunef.edu

Paternal involvement in childcare in Spain (2013-2015) [*La implicación paterna en el cuidado de los hijos en España*]. Lluís Flaquer (coordinator), Department of Sociology of the Universitat Autònoma de Barcelona. Funded by the Spanish Ministry of Science and Innovation.

The project aims at deepening the understanding of processes of emerging new fathering models in Spain in connection with a greater participation of fathers in the household, their increased daily interaction with children and their growing share of care responsibilities. Apart from the study of concrete practices of father involvement, the research inquires into the impact of public policy, in particular family policy, on the institutionalization as well as on the social and cultural construction of new models of fatherhood and into the analysis of demands from political actors and other stakeholders keen to promote certain legal and policy reforms aiming at supporting a greater father involvement within families. In this sense, the project will focus on the effects from the implementation of certain recent political or legislative measures such as the take-up of paternity leave or the use of shared custody in post-divorce families. The methodological design is multi-strategic in character and is based on the articulation of qualitative and quantitative methods. To this end a multi-level comparative analysis on the influence of the national and institutional context on father involvement by means of time use surveys will be undertaken, on the one hand, and, on the other, the project will draw on data collected from focus groups made up of fathers, mothers and teenagers and on interviews to experts and civic action groups for gender equality in order to understand better the taking of greater responsibility from fathers in the care of children, its relation to child well-being and the social and political construction of new fathering models. Contact: Lluís Flaquer at lluis.flaquer@uab.cat.

Fathers on Leave Alone in Spain (2014-2016). Gerardo Meil (coordinator), Department of Sociology, Universidad Autónoma de Madrid. Funded by the Spanish Ministry of Science and Innovation.

The research focuses on use by fathers of any kind of leave to care for children while the mother returns to paid work for at least one month. A first objective is to examine fathers' negotiations and experiences of leave taking 'alone' in dual earner families with a child under 3 years. Research will tap the reasons why some men take a large share of leave and the consequences of leave taking on fatherhood and work-family life. Are the new measures tailored to their needs and preferences in terms of work-family balance and well-being? What are the factors that promote or hinder men's take up of leaves? How are father's perspectives influenced by mother's attitudes or workplace cultures? What is the impact of leave, in particular of stay-at-home-alone fathering when the mother returns to work, on family dynamics and the father-child bond? And what is its impact on men's professional career? This study is part of a collaborative research project 'Fathers on Leave Alone' coordinated by Prof. Karin Wall and Prof. Margaret O'Brien, which adopts a comparative perspective among several industrialized countries. Contact: Gerardo Meil at gerardo.meil@uam.es

The role of men in family dynamics from an international perspective (2014-2016). Teresa Martín-García (coordinator), Center for Human and Social Sciences (CCHS), Spanish Council for Scientific Research (CSIC). Funded by the Spanish Ministry of Science and Innovation.

This project aims to analyze the role of men in family dynamics, with special emphasis on fertility. The first objective is to assess the differences in family formation/dissolution (cohabitation, marriage, divorce) and fertility (delay, number of children, infertility) and its related characteristics between men and women, explaining what distinguishes their family and reproductive choices, preferences and behavior at the individual level. The second objective is to study the relevance of gender (in)equality in such decisions, taking into account the institutional and contextual aspects of (in)equality and specifically the parental leave and childcare policies. Contact: Teresa Martín at teresa.martin@cchs.csic.es and project website <http://www.menrolesproject.com/>

Shared-responsibility woman-man in caring from the perspective of companies. Organizational culture and corporate responsiveness towards men who want to reconcile (2015-2017), José Andrés Fernández Cornejo (coordinator), Department of Economy at the Universidad Complutense. Funded by the Spanish Ministry of Science and Innovation.

This research aims at analysing the phenomenon of effective inclusion of male workers in work-life balance policies of companies. That is, its objective is the analysis of the shared-responsibility (between men and women in caring) from organizations' perspective. To do so, first, the researchers will carry out an analysis of change trends in men's and women's time use in Spain, using data from the official national time use survey (TUS, "Encuesta de Empleo del Tiempo-EET"), labour force survey, (LFS, "Encuesta de Población Activa-EPA") and the Spanish Quality of Working Conditions Survey ("Encuesta de calidad de vida en el trabajo-ECVT"). Second, the analysis will be focused on working environment in businesses through a qualitative analysis. This will consist of a series of focus groups with fathers with small children (employed in a range of companies); and semi-structured interviews with the same group and with HR managers. This analysis is essentially aimed at understanding the experiences and perceptions of respondents about barriers they may encounter when men try to balance work and life. Third, a quantitative analysis will be conducted based on two surveys, one of them to working fathers with small children; and the other at a sample of Human Resource managers. The purpose of these surveys is to better understand, among other things, what male workers' needs in the work-life balance domain are; what kind of work-life balance policies are applied by organisations; to what extent these policies effectively include male workers; the organisation culture regarding work-life balance; what might be "good practices" that encourage men to use the reconciliation practices; or what are the costs and benefits for companies of men achieving work-family balance. Contact: José Andres Fernández Cornejo at jafercor@ccee.ucm.es

Working time, paternity and childhood. How can business policies promote father involvement in care and maintain gender equality? (2015-2017) Teresa Jurado (coordinator), Department of Sociology II at Universidad Nacional de Educación a Distancia (UNED), in cooperation with researchers in other Spanish Universities (UDIMA, UPF, UPO and UPNA). Funded by the Spanish Ministry of Economy and Competitiveness.

The objective of this project is to dig deeper into the employment context in order to understand in which types of enterprises, under which circumstances and due to which reasons a family responsible management of human resources without gender bias is found. First, it has to be tested how far the results from a previous qualitative study can be generalized. Second, a scheme of the features of the enterprises which favour work-family balance to their male employees will be elaborated. Finally, human resources managers in this type of enterprise will be interviewed. With this study it is intended to identify the degree of diffusion of equal-sharing couples in the Spanish society, their socioeconomic characteristics, and the existence of good practice among enterprises with respect to work-family balance and the feasibility of it from a perspective of profit and competitiveness. Contact: Teresa Jurado at tjurado@poli.uned.es

Sweden²⁹⁰

Ann-Zofie Duvander (Stockholm University), Linda Haas (Indiana University) and C. Philip Hwang (University of Gothenburg)

April 2015

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 (*gravitetsspänning*) (responsibility of the Ministry of Social Affairs)

It is obligatory for women to take two weeks leave before or after delivery; they can decide whether or not to take part of the paid parental insurance benefit during this period of leave. Pregnant women can take indefinite leave paid at 77.6 per cent of earnings if a job is a risk to the foetus and no other work can be made available. If a job is physically demanding and therefore hard for a pregnant woman to perform, the Swedish Social Insurance Agency is likely to grant eligibility to up to 50 days of leave during the last 60 days of pregnancy paid at 77.6 per cent of income. See footnote for Parental leave.

b. Temporary leave in connection with a child's birth or adoption (*tillfällig föräldrapenning i samband med barns födelse eller adoption*) (responsibility of the Ministry of Social Affairs)²⁹¹

Length of leave

- Ten days. Designed to be used to attend delivery, care for other children while mother is in hospital, stay over in the hospital in a family room after childbirth and/or participate in childcare when the mother comes home.

Payment and funding

- Seventy-seven point six (77.6) per cent of earnings up to an earnings ceiling of SEK333,750 [€35,585²⁹²] per year (see section 1c for reduction of payment to 77.6 per cent). Payments come from the Swedish Social Insurance Agency. Employers and the

²⁹⁰ Please cite as: Duvander, A.-Z. Haas, L.(2015) 'Sweden country note', in: P. Moss (ed.) *International Review of Leave Policies and Research 2014*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

²⁹¹ Referred to as 'Paternity leave' in earlier reviews; revised here to provide literal translation of entitlement, which is gender-neutral

²⁹² Conversion of local currency into Euros undertaken on 1-5 June 2015, using <http://xe.com/currency-converter/>

self-employed make contributions for this purpose; employers pay 31.42 per cent on all employees' earnings, of which approximately 2.2 per cent is earmarked for 'parental insurance'. The government meets any shortfall.

Flexibility in use

- Leave can be used at any time during the first 60 days after childbirth.

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

- All employees are eligible, regardless of time in employment.
- The benefit is gender neutral, being for the second parent or another close person if the second parent is unknown.

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.

- Leave is doubled in the event of twins.

c. Parental leave (*föräldraförsäkring*) (responsibility of the Ministry of Social Affairs)

Length of leave (before and after birth)

- Each parent is entitled to take leave from work until their child is 18 months old. There are 480 days of paid leave per family and they can be used during the 18 months but also afterwards²⁹³. Sixty days are reserved for each parent and cannot be transferred (often called *mammamånader* or a 'mother's quota'; and *pappamånader* or a 'father's quota'). Out of the remaining 360 days, half are reserved for each parent; if days are transferred from one parent to another, the parent giving up his or her days must sign a consent form.

Payment and funding

- For eligible parents (see below), 390 days at 77.6 per cent of earnings up to an earnings ceiling of SEK445,000 [€47,447] per year²⁹⁴; the remaining 90 days at a flat-rate payment of SEK180 a day [€20]. Since January 2008 and applied to all parts of parental insurance, earnings are reduced by three per cent before calculating the 77.6 per cent payment. Non-eligible parents receive SEK225 [€24] a day for 480 days.
- Funding as for Temporary Leave in Connection with Birth and Adoption.
- A 'Gender Equality Bonus' (*jämställdhetsbonus*) offers an economic incentive for families to divide Parental leave more equally between the mother and the father. Both parents receive SEK50 [€5] tax free each per day for every day they use the leave equally. The bonus applies to the 390 days of earnings-related leave after the two reserved months are used by each parent (i.e. 270 days). When parents share the leave equally the bonus is worth a maximum of SEK13,500 [€1,439] tax free.

²⁹³ In theory, each parent could take unpaid leave until their child is 18 months, then an additional 480 days of paid leave. In practice this does not happen as (i) parents choose to take paid leave in the period after the birth and (ii) the level of payment would be low since it is based on income during the preceding 240 days, i.e. when on unpaid leave. It is important to understand that leave is based on two laws, one concerning the right to leave, the other the right to payment.

²⁹⁴ The ceiling for Parental leave is higher than for temporary leave in connection with a child's birth or adoption to encourage use of Parental leave by fathers.

Flexibility in use

- The length of leave is counted in days (rather than weeks or months) to enhance flexibility of use. It is also possible to use leave for part of a day.
- Paid and unpaid leave can be combined to enable parents to stay at home longer.
- Starting with children born from 1 January 2014, paid leave can be used until the child turns 12 years old, though only 96 days can be used after the child turns four years. For children born before this date, parents may use the paid leave at any time until a child's eighth birthday or the end of the first school year.
- Parents can take paid leave full time, half-time, quarter-time or one-eighth time, with the length of leave extended accordingly (e.g. one day of full-time leave becomes two days of half-time leave and four days of quarter-time leave). Parents cannot work while on paid or unpaid leave, unless they are taking the leave part-time.
- Parents can take leave in one continuous period or as several blocks of time. An employee taking Parental leave has the right to stay away from work for a maximum of three periods each year. Many employers allow for more periods.
- Both parents can take up to 30 days of leave at the same time, until the child reaches one year of age. These days have been labelled "double days" (*dubbeldagar*).

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

- All parents are entitled to paid Parental leave, but paid leave at 77.6 per cent of earnings requires parents to have had an income of over SEK225 [€24] a day for 240 days before the expected date of delivery or adoption. A parent remains qualified to the same level of Parental leave if an additional child is born or adopted within 30 months of the birth or adoption of an earlier child; this is economically significant mainly to parents who reduce working hours (and income) after the first child since it keeps them at a higher benefit level. This is commonly referred to as the 'speed premium'.
- Self-employed persons contribute to the social security system with a separate tax and are eligible for the same leave benefits as employed persons.
- Parents are entitled to paid parental leave even if their partners are unemployed.

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

- Families with multiple births are entitled to additional paid leave (in the case of twins, an additional 90 days at 77.6 per cent of earnings and 90 days at a flat rate of SEK180 [€19] a day; for each additional child in a multiple birth, parents are entitled to an additional 180 days at 77.6 per cent of earnings).
- In case of sole custody, the parent with custody receives the whole period. However, in most cases of parents who are living apart, both parents keep custody and thus share rights to leave.

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

- Parental leave pay has been negotiated in collective bargaining agreements in the public sector and is commonplace in the private sector. A common collective agreement

is that the employer pays 10 per cent extra under the ceiling (i.e., workers receive 90 per cent of earnings) and up to 90 per cent above the ceiling²⁹⁵.

d. Childcare leave or career breaks

- In 2008, a municipal child-raising allowance (*vårdnadsbidrag*) was reinstated. Starting in 2009, municipalities could choose whether or not to provide a benefit of up to SEK3,000 [€320] per month for parents with a child aged one to three years who do *not* use publicly-funded childcare services and for whose child 250 days of Parental leave have already been used. The allowance cannot be used simultaneously with Parental leave, unemployment benefit or other major social transfers in the household.

e. Other employment-related measures

Adoption leave and pay

- Cohabiting adoptive parents get five days each at the time of adoption; a single adoptive parent gets ten days, considered to be part of temporary (paid) Parental leave (*tillfällig föräldrapenning*) (see below). Benefits are conditional on the child being under 10 years at adoption.

Time off for the care of dependents

- Temporary Parental leave (*tillfällig föräldrapenning*) is available at 120 days per child per year for children under the age of 12 years, and for children aged 12 to 15 years with a doctor's certificate. This is paid at 77.6 per cent of earnings, up to an earnings ceiling of SEK333,750 [€5,585] per year; it is a family entitlement and it can be used to care for sick children. Sixty of these days can also be used to stay home with young children if the regular caregiver is sick. Since 2001, it can be offered to someone outside the family if they are an eligible person in the social insurance system. The ten days of temporary parental leave associated with birth or adoption (see section 1b) also come under this category of Temporary Parental leave.
- Parents whose children are sick or functionally disabled for more than six months can apply for a care allowance (*vårdbidrag*) from the birth of the child until the child reaches the age of 19 years. Parents may receive a maximum of SEK9,271 [€988] per month for extra care obligations, such as paying for a caregiver or as compensation for reduced work hours. In addition, parents can receive a maximum of SEK 27,750 [€2,959] yearly for extra costs, such as equipment or medicine,

Flexible working

- Until a child reaches the age of eight years or completes the first grade of school parents have the right to reduce their normal working time by up to 25 per cent; there is no payment for working reduced hours.

²⁹⁵ Lindquist, G. S. and Wadensjö, E. (2005) *Inte bara socialförsäkringar – Kompletterande ersättningar vid inkomstbortfall. Rapport till expertgruppen för studier i samhällsekonomi [Not only social insurance – complementary income replacement at loss of income. Report to the expert group for studies in national economy, 2005:2]*. Stockholm: Regeringskansliet, Finansdepartementet. Available at: www.regeringen.se/sb/d/5225/a/52073

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

The maximum period of paid post-natal leave available in Sweden is around 16 months, with 13 months paid at a high rate. There is an entitlement to ECEC from one year of age, available on a full-time basis in centres or at licensed family day carers to employed parents (or part-time if parents are not employed). Consequently, there is no gap between the end of leave and an ECEC entitlement. Levels of attendance at formal services for children under and over three years are above the average for the countries included in this review and for OECD countries. For actual attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

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

The government has proposed a third reserved month for each parent to be introduced on 1 January 2016²⁹⁶. The reserved months would be taken from the present shared leave (nine months) and will not extend the existing leave. This would create a system of three non-transferable months for one parent, three non-transferable months for the other parent and seven months left to share. The proposal is currently being reviewed by interested stakeholders, such as researchers, employers, unions and interest organizations, and will likely be voted on by Parliament during the fall of 2015.

4. Take-up of leave

a. Maternity leave

In 2013, 20 per cent of pregnant women took pre-birth leave for an average of 39 days²⁹⁷.

b. Temporary leave at the birth or adoption of a child

For all children born in 2011, 75 per cent of fathers, same-sex partners or other designated persons took this leave⁶. Only employed parents are eligible, but no figures exist on the proportion of eligible fathers using this leave.

c. Parental leave and childrearing benefit

Almost all families use paid Parental leave in Sweden today. Until recently it has been possible to use this benefit until a child reaches the age of eight years or after the first school year is ended; however, the majority of parents have taken the main part of the leave before their children reach the age of two years (all children are entitled to an ECEC place from 12 months of age).

In 2013, the vast majority of women (88 per cent) and men (97 per cent) who took Parental leave were entitled to benefits at the earnings-related compensation level as opposed to the low flat-rate level. Foreign-born parents, especially mothers, are more likely than native-born parents to have access to only the low flat-rate payment^{7 11}.

²⁹⁶ Socialdepartement (2015) *Ytterligare en månad inom föräldrapenningen reserveras för vardera föräldern* [An additional month within parental insurance is to be reserved for each parent]. Ds 2015:8.

²⁹⁷ Försäkringskassan [Swedish Social Insurance Agency] (2014) *Social insurance in figures 2014*. Available at: www.forsakringskassan.se.

For children born in 2001, parents used 92 per cent of the 360 days that are paid at a high earnings-related rate, and 69 per cent of the days that are paid at a low flat-rate level. Parents of foreign background are less likely to use all their days than native Swedes²⁹⁸.

The great majority of fathers of children born in 2004 (88.3 per cent) took Parental leave at some stage before their child's eighth birthday, mainly starting when their children were 13 to 15 months of age. Fathers of children born in 2003 took on average 91 days of Parental leave during the eight years they could use the leave, and mothers took 342 days⁹. In 2011, 44 per cent of Parental leave benefit recipients were men, compared to 56 per cent who were women, though on average mothers took 95 days and fathers 37 days during that one year⁷. So mothers still take most Parental leave, although the proportion of total days used by men has slowly increased: in 1989, fathers took about seven per cent of all Parental leave days used in that year; by 2013, it had increased to about 25 per cent²⁹⁹. The percentage of couples that are sharing Parental leave fairly equally (40-60 per cent) is very slowly increasing, with 12.7 per cent of couples equally sharing leave for children born in 2010³⁰⁰.

The average father received benefits of SEK641 [€68] per day in 2013, while the average mother received benefits of SEK486 [€52]³⁰¹.

In 2012, the Gender Equality Bonus was received for 151,138 children. In these cases both parents had used more than their 60 reserved days; this represents 56 per cent of parents eligible for the bonus, up slightly from 54 per cent in 2011. On average, women received SEK3,600 [€384] in bonus compared to SEK4,800 [€512] for men (www.forsakringskassan.se). On average, women and men each received the bonus for 14.5 days in 2012¹⁰. A Social Insurance Agency study conducted in 2013 concluded that many new parents poorly understood the policy and how it can be used.³⁰²

Double days (which parents can use to be home together during the first year) were used for about 35 000 children in 2013¹¹. This is almost one-third of all children born in Sweden that year.

Fathers with higher education take more Parental leave, as do fathers whose partners have higher levels of education and higher income. Fathers taking no leave are more likely to have been born outside Sweden. Unemployed fathers generally take less leave than other fathers. Fathers who work in the public sector are more likely to take leave, perhaps because they more often get extra compensation as a result of collective agreements. Fathers are more likely to take Parental leave for a first child⁹.

The introduction of a father's quota in 1995 (one month) and its extension in 2002 (to two months) both led to more fathers taking more leave; though the second month had a less

²⁹⁸ Försäkringskassan [Swedish Social Insurance Agency] (2010) *Outnyttjad föräldrapenning [Unused parental leave]*. Socialförsäkringsrapport 2010:14. Available at: www.forsakringskassan.se.

²⁹⁹ Försäkringskassan [Swedish Social Insurance Agency] (2013) *De jämställda föräldrarna [Equal parents]*. Socialförsäkringsrapport 2013:8.

³⁰⁰ Försäkringskassan [Swedish Social Insurance Agency] (2013) *De jämställda föräldrarna [Equal parents]*. Socialförsäkringsrapport 2013:8.

³⁰¹ Försäkringskassan [Swedish Social Insurance Agency] (2014) *Social insurance in figures 2014*. Available at: www.forsakringskassan.se.

³⁰² Försäkringskassan [Swedish Social Insurance Agency] (2014) *Låg kunskap om jämställdhetsbonus [Low knowledge about equality bonus]*. Available at: www.forsakringskassan.se.

dramatic effect than the first. The introduction of the Gender Equality Bonus had no similar effects during its first 18 months³⁰³.

More than one third of Swedish municipalities have decided to offer the child-raising allowance. However, relatively few parents appear to take advantage of this benefit. During 2011, only 2.9 per cent of children ages one to three years had parents who received this benefit³⁰⁴. The vast majority (92 per cent) of the parents who applied for the allowance were women; 40 per cent of applicants had foreign backgrounds (compared to 27 per cent of parents in Sweden generally).

d. Other employment-related measures

Mothers are more likely than fathers to work part-time hours (34 hours or less per week); 22 per cent of all mothers with children 0-17 worked part time in 2012, compared to only five per cent of employed fathers³⁰⁵. Part-time employment among mothers has declined during the last 10 years. No official statistics are kept concerning how many parents working part time are doing so by exercising their entitlement to work reduced hours.

When temporary Parental leave is used to care for sick children, it is more often used by mothers, who took 64 per cent of all days taken in 2012¹¹.

Parents are increasingly using the care allowance to care for children with longer-term illness or disability (*vårdbidrag*); in 2013 it was paid to the parents of 49,011 children, almost double as many boys as girls¹¹.

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

a. General overview

The research conducted during the three decades of Swedish Parental leave has mainly focused on comparing mothers' and fathers' use of Parental leave, as a major issue has been the unequal sharing of Parental leave days between women and men. Over time, the impact of Parental leave on various outcomes, notably fertility, has received increased attention. Recent research has involved evaluations of the gender equality bonus and home care allowance. In addition, more attention is paid to the flexibility in leave use, for example how long parents stay at home during the child's first year and how much the Parental leave is used during the child's preschool years.

b. Selected publications since April 2014

Almqvist, A-L and Duvander, A-Z. (2014) 'Changes in gender equality? Swedish fathers' parental leave, division of childcare and housework', *Journal of Family Studies*, Vol. 20, No.1: 19–27.

Panel survey results showed that fathers taking longer leaves were more likely to share childcare and housework equally after the leave was over. Parents' expectation for childcare sharing was an important correlate of leave. Qualitative results indicated that fathers were

³⁰³ Duvander, A. and Johansson, M. (2012) *Ett jämställt uttag? Reformen inom föräldraförsäkringen [Equal use? Reforms within parental leave insurance] Rapport 2012:4*. Inspectorate of Social Insurance. Available at <http://www.inspsf.se/>

³⁰⁴ Försäkringskassan. 2013. *Vårdbidrag*. Socialförsäkringsrapport 2013:9.

³⁰⁵ Statistiska Centralbyrån (2013) *Allt fler mammor jobbar heltid*. Article 2013:31. Available at: www.scb.se.

more likely to share childcare than housework; moreover, children were reported to respond similarly to both parents when childcare was shared.

Duvander, A-Z (2014) 'How long should parental leave be? Attitudes to gender equality, family, and work as determinants of women's and men's parental leave in Sweden', *Journal of Family Issues*, Vol. 35, No.7: 909-926.

This article reports the results of a panel study on young people's attitudes toward sharing Parental leave and later the actual division of leave between partners once they had children. Men and women held similar attitudes about the importance of paid work, family life and gender equality, but gendered expectations still appear to affect their decision-making about leave-taking. When women were more family-oriented they took more leave; they did not seem to think this would hinder them later in terms of professional development or economic rewards. When men were more oriented to the economic rewards of work they took less leave, perhaps because they suffer more of a financial penalty from leave-taking because they earn more. It is suggested that policymakers pay closer attention to the economic aspects of Parental leave.

Duvander, A-Z and Johansson, M. (2014) 'Parental leave use for different fathers. A study of the impact of three Swedish parental leave reforms', in: T. Rostgaard and G. Eydal (eds.) *Fatherhood in the Nordic Welfare States - Comparing Care Policies and Practice*. Bristol: Policy Press, pp. 347-369

This chapter investigates the potential effects of three major reforms in the Swedish Parental leave for various subgroups of fathers. The reforms are the first and the second daddy's quota month and the gender equality bonus introduced in 1995, 2002 and 2008. The first daddy's month reduced differences between fathers and mothers and also between subgroups of fathers, especially between fathers with different educational level, income and Swedish and foreign-born fathers. The second daddy's month also reduced differences between fathers and mothers but increased differences between fathers with low income and education and the rest. The gender equality bonus did not have any direct effect for any group of fathers. The underlying trend is that on average fathers use increasing number of parental leave days but the differences between groups of fathers increase.

Duvander, A-Z and Viklund, I (2014) 'Kvinnors och mäns föräldraledighet' [Women's and men's parental leave], in: K. Boye and M. Neremo (eds.) *Lönsamt arbete – familjeansvarets fördelning och konsekvenser* [Profitable work – distribution of family responsibilities and consequences] Stockholm: Statens offentliga utredningar [Swedish Government Official Reports], SOU 2014:28, pp. 23-61.

This chapter analyzes parents' use of Parental leave and parental benefits and analyzes correlates of use. It is important to distinguish use of days with paid benefits from days without. The average length of mothers' leave-taking within the first two years is 13 months, of which 9.5 is wage-compensated; for fathers, the average leave length is 3.5 months, of which two months is wage-compensated (i.e. mothers are using on average 3.5 months, and fathers 1.5 months of unpaid leave during the child's first two years). Regression analysis results revealed that the same factors tended to predict both paid and unpaid leave, but there were some interesting variations. For example, while both parents are more likely to take paid leave when they are middle- vs low- or high- earners, when partners tend to earn the same amount, fathers take fewer paid days and more unpaid days.

Frisén, A., Carlsson, J. and Wängqvist, M. (2014) ["Doesn't everyone want that? It's just a given": Swedish emerging adults' expectations on future parenthood and work/family priorities](#), *Journal of Adolescent Research*, Vol.29, No.1: 67-88.

This study investigated Swedish emerging adults' expectations for future parenthood through interviews with 124 Swedish emerging adults who were not yet parents. Thematic analysis showed that most participants were sure they wanted to become parents, but not right now. First, they wanted a stable financial situation, a romantic relationship, and time for self-focus.

More women than men talked about parenthood as a social norm and wanted to prioritize both work and family. More men than women wanted to prioritize either work or family before the other. The study showed that, despite extensive social policy measures including Parental leave for fathers, most Swedish young adults postpone, but do not reject, parenthood and that gender differences in expectations on parenthood may contribute to a reproduction of gender inequalities in family life.

Johansson, T. (2014) 'Män, familj och föräldraskap' ['Men, family and parenthood'], in: *Män och jämställdhet [Men and gender equality]*. Stockholm: Statens offentliga utredningar [Swedish Government Official Reports].

This chapter in the report for the national commission on men and gender equality documents the lack of equality in leave use, especially with very young children (e.g. 25 per cent of fathers take no Parental leave during the child's first two years). To promote men's leave use, the author recommends that the leave be divided into three equal parts (one for the mother, one for the father and the other to be shared) and that parent education and information about Parental leave be made much more available and directed toward fathers.

Roman, C. (2014) 'Vem ska vara hemma, när och varför? Förhandlingar om föräldraledighetens fördelning', in: K. Boye and M. Neramo (eds.) *Lönsamt Arbete – Familjeansvarets Fördelning och Konsekvenser [Profitable work –distribution of family responsibilities and consequences]* Stockholm: Statens offentliga utredningar [Swedish Government Official Reports], SOU2014:28, pp. 63-90.

Two qualitative studies of young parents investigated the negotiations about the division of Parental leave, and found these to be governed by competing expectations and norms. While couples were very interested in pursuing a model of gender equality, where the parent roles were similar and where fathers had as close a relation to children as mothers, they also still tended to hold traditional viewpoints. For example, mothers were seen as biologically closer to children, so that their taking leave was seen as more self-evident than fathers taking leave. Mothers were also more likely than fathers to report feelings of guilt about combining paid work with childcare. The men's work situation was allowed to determine how much leave he would take while the woman's work situation was not so important; men therefore seemed to be more influenced by the norm of the "ideal worker" than women were.

Evertsson, M., Boye, K. and Erman, J. (2015). 'Fathers on call – A study on the sharing of care work among parents in Sweden. A mixed methods approach.' *Families and Societies Working paper 27*. Available at: <http://www.familiesandsocieties.eu/wp-content/uploads/2015/02/WP27EvertssonEtAl2015.pdf>

Quantitative results from a panel study show that the men who use the most leave are those who said they wanted to be at home a long time and to share the leave with partners; with strong motivation, they were able to overcome obstacles to these goals. Qualitative results suggest that equal parenthood norms are strong among first-time middle-class parents, but traditional attitudes about the mother as the primary caregiver can serve as a barrier to equal sharing of childcare during the child's first year. Fathers also took shorter leaves when economic concerns played a role. Fathers who took longer leaves tended to do more childcare after the leave was over, and the more childcare fathers did, the happier their partners were.

c. Ongoing research

Fathers on Leave in a Changing Policy Environment – The case of Sweden (2013-present). Sara Thalberg, Ann-Zofie Duvander and Linda Haas. Funded by Stockholm University's Linnaeus Center of Social Policy and Family Dynamics in Europe.

This is an interview study of Stockholm fathers who have taken extensive Parental leave, remaining home alone to care for children, to understand the negotiations surrounding leave, experiences while on leave, the benefits and challenges of fathers providing solo care and the

potential impact solo parenting might have on gender equality goals. Contact Ann-Zofie Duvander at ann-zofie.duvander@sociology.su.se.

Nordic Family Policy and Demographic Consequences (2012-2015). Trude Lappegård, Statistics Norway and Ann-Zofie Duvander, Stockholm University. Funded by the Norwegian Research Council.

The overall objective of this project is to advance understanding of the link between Nordic family policy and demographic behaviour (i.e., continued childbearing and family stability) and life-course earnings. There are three sub-goals: (1) develop more comprehensive insight into the consequences of use of the parental leave policy for demographic behaviour and life-course earnings, examining the effect of individual take up of parental leave as well as the allocation between parents, (2) consider the effects of specific changes, or so-called 'critical junctures' in family policy, i.e., the introduction of the fathers' quota within the parental leave policy and the introduction of the childcare cash benefit, (3) expand the analyses of the effects of family policy by examining the importance of regional variations and possible effects of cultural, structural and economic contexts. Contact: Ann-Zofie Duvander at ann-zofie.duvander@sociology.su.se.

Organizational Culture and Gender Equality (2009-present). Linda Haas, Indiana University and C. Philip Hwang, University of Gothenburg. Funded by the Swedish Council for Working Life and Social Research.

This project studies in depth the process of organizational change—and resistance to change—in five Swedish-owned large private companies, with a predominant male workforce, selected to represent a range of support for fathers taking leave. Our main question is: What specific organizational processes facilitate and discourage fathers' taking parental leave in particular company contexts? In each company, multiple stakeholders were interviewed: a top manager, the HR director, a middle manager supervising white collar workers and a middle manager supervising blue-collar fathers, and focus groups with fathers working under each middle manager. The project aims to investigate rationales for encouraging fathers to take leave, identify change agents, and reveal strategies used by advocates to bring about change. We also seek increased understanding of the resistance to accommodating fathers taking leave and insight into what aspects of traditional company culture clash most with accommodating fathers' leave. Contact: Linda Haas at lhaas@iupui.edu.

The Gothenburg Longitudinal Study of Development (GoLD) (1982-present). C. Philip Hwang and Ann Frisén, University of Gothenburg; Michael Lamb, University of Cambridge. Funded by the Swedish Council for Health, Working Life and Welfare,

More than 30 years ago, in 1982, the Gothenburg Longitudinal study of Development (GoLD) started. When the study was initiated, the 144 participants were 1-2 years old; at the latest wave in 2011 they were 29 years old and in the next planned phase in 2015, participants will be 33 years old. Until participants were 15 years old, both their parents were also included in the study. One important aim of GoLD has been to investigate possible long-term effects of father involvement, in particular fathers taking advantage of the Swedish Parental leave policy enabling both fathers and mothers to stay at home and care for their infant. So far the project has generated over thirty papers published in international peer-review journals, numerous book chapters, and several edited volumes. The overall aim was to investigate cross-generational patterns of work and family issues (including parental leave for two generations of fathers), as well as identity and personality development in early adulthood. Researchers doing work based on the data from GoLD have the unique possibility of following the same individuals, from a variety of socio-economic backgrounds, over more than thirty years, from early childhood into adulthood, with data obtained from both the participants themselves and their parents. Contact: C. Philip Hwang at philip.hwang@psy.gu.se.

Switzerland³⁰⁶

Isabel Valarino (University of Lausanne)

April 2015

NB. Switzerland 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

Note on Swiss federal, cantonal and communal government. Switzerland is a federal state with three political levels: communes, cantons and the Confederation. Family policy follows the principles of federalism and subsidiarity: the Confederation cedes responsibility for all areas of family policy to the cantons and communes, insofar as they are able to perform these tasks, and retains a purely ancillary and enabling role. The Swiss Constitution defines the areas of responsibility of the Confederation. Article 116 stipulates that, in fulfilling its tasks, the Confederation shall take due account of the needs of the family and may legislate on family allowances; this article provides the legal basis for maternity insurance.

Family policy may be organised very differently from one canton to the other. Various cantons have also set up special family commissions. In their respective areas of responsibility (e.g., schools, childcare), many cantons and communes also implement family policy measures. Many non-governmental organisations are in part subsidised by the state and carry out specific tasks related to family policy. The division of responsibilities among political levels and the number of actors involved is, therefore, complex. For instance, each political level intervenes in early childhood education and care: for example, though most childcare services stem from the market, they are regulated and partially subsidized by the communes and/or the cantons. Finally, the federal level is also involved through a temporary programme, which subsidizes new childcare initiatives and the creation of additional places for pre-school children.

The Swiss political system is a direct democracy: through referendums and initiatives, citizens may challenge any law passed by parliament and propose amendments to the federal constitution. In the case of an amendment proposed to the federal Constitution, referendum is mandatory.

³⁰⁶ Please cite as: Valarino, I. (2015) 'Switzerland country note', in: P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

a. Maternity leave (*Allocation de maternité*) (responsibility of the Federal Department of Home Affairs, Federal Social Insurance Office)

Length of leave (before and after birth)

- Sixteen weeks, starting on the day of delivery. It is obligatory to take eight weeks leave.
- After this period and until the 16th week after birth, women can only be employed with their consent. Only 14 weeks are paid; the two additional weeks are unpaid.
- Employed women can be exempted from work before birth for medical and health reasons upon presentation of a medical certificate; in this case, full salary payment continues for a limited period of time.

Payment and funding

- Eighty per cent of earnings for 98 days (14 weeks), up to a ceiling of CHF196 [€190³⁰⁷] per day which is equivalent to a monthly income of CHF7,350 [€7,116] for employees or an annual income ceiling for self-employed workers of CHF88,200 [€85,395].
- The leave is funded by the Loss of Earnings Compensation fund, which also provides benefits for people carrying out military service, civil defence or civilian service. It is financed by equal contributions from employees and employers, each paying 0.5 per cent of earnings.

Flexibility in use

- None.

Regional or local variations in leave policy

- In the canton of Geneva, all working mothers are granted 112 days (sixteen weeks) of Maternity leave, paid at eighty per cent of earnings. A cantonal Loss of Earnings Compensation fund pays for the two additional weeks, which are not covered for by federal dispositions.
- The canton of Fribourg has a maternity allowance targeted at all resident mothers, including adoptive and home-making mothers. The daily allowance of CHF32.50 [€31] is paid over 98 days (equivalent to CHF975 [€944] per month during 3.2 months). Working mothers who receive less than this amount through the federal entitlement will be entitled to the difference through this cantonal insurance.
- Additional means-tested maternity benefits may exist on cantonal levels³⁰⁸. For instance, in Fribourg a single mother may receive CHF1,650 [€1,597] per month for up to one year (or CHF2,200 if she is married or cohabiting). In Vaud, mothers may receive a monthly allocation of CHF300 [€290] minimum for six months to reach minimal income.

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

- All employees; self-employed workers; women working in their husbands' or partners' businesses or that of a family member and who are paid a salary; women benefiting from unemployment, sickness, accident or invalidity allowances.

³⁰⁷Conversion of local currency into Euros undertaken on 1-5 June 2015, using <http://finance.yahoo.com/currency-converter/>

³⁰⁸ There is no documentation available for all cantons.

- Women must have a record of nine months of contribution to the Old Age and Survivors Insurance; and must have worked for a minimum of five months during the nine months preceding 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

- None.

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

- Maternity leaves are often supplemented by collective agreements, which grant full wage replacement and/or extended lengths of leave (approximately two additional weeks, i.e. sixteen weeks of paid Maternity leave). Companies, which often take out private supplementary insurance for such cases, cover these expenses.
- The Confederation, cantonal public employers and communes are not subject to the basic legislation, but to specific regulations of their own. However, these regulations generally provide more generous maternity benefits for their employees, i.e. 16 weeks of leave at full earnings. A minority of cantonal employers grant four additional weeks for mothers who are breastfeeding, bringing their leave up to twenty weeks.

b. Paternity leave

No statutory entitlement.

Article 329 of the Code of Obligations (CO) mentions that the employer ‘must allow the employee the customary hours and days off work’ in addition to vacation leave, which is generally understood as time-off granted to employees for personal reasons (e.g. ‘family-related events, such as birth or adoption, decease of close family members, marriage of the employee, etc.’³⁰⁹). However, the existence, length and payment of a Paternity leave depends on the parties involved and social partners through the establishment of individual agreements, standard employment contracts, collective employment contracts, or well-established common practices (even if not written) in a company or a branch. Regarding payment during these days off, it is generally understood that time off for the birth of a child should be paid; this is, however, not mandatory.

There is no representative national data on the number of days off granted to fathers and if they are paid. It is estimated that 27 per cent of collective labour agreements provide for at least one day of paid Paternity leave and/or give access to an unpaid Parental leave ranging between three months and two years³¹⁰. Approximately half of the employed population is covered by a collective labour agreement in Switzerland.

c. Parental leave

No statutory entitlement.

³⁰⁹ Carruzzo, P. (2009) *Le contrat individuel de travail. Commentaire des articles 319 à 341 du Code des obligations*. Zürich: Ed. Schulthess

³¹⁰ Office fédéral des assurances sociales (2013) *Congé de paternité et congé parental. Etat des lieux et présentation de divers modèles [Paternity and parental leave. Status and presentation of various models]*. Available at: <http://www.bsv.admin.ch/aktuell/medien/00120/index.html?lang=fr&msg-id=50638>

There is some indication that a minority of companies in the private sector grant employees unpaid Parental leaves³¹¹. A majority of cantonal public employers also grant unpaid Parental leaves - ranging from one to 24 months – but in a few cases with gendered eligibility criteria (leaves exclusively or predominantly addressed to female civil servants)³¹².

d. Childcare leave or career breaks

No statutory entitlement.

e. Other employment-related measures

Adoption leave and pay

- There is no federal statutory entitlement. Adoption leave is subject to employers' agreement or to collective labour agreements; for example, approximately one third of public cantonal employers grant paid adoption leaves; but often for shorter periods than Maternity leaves. Some cantons have implemented gender neutral adoption allowances for working parents, available to only one of the adoptive parents; the cantons of Vaud and Geneva entitle adoptive parents to 14 and 16 weeks of pay, respectively, at 80 per cent³¹³. Such cantonal allowances are provided only if one of the parents interrupts his/her employment. The canton of Fribourg provides a flat-rate benefit for adoptive mothers of CHF32.50 per day (equivalent to CHF975 [€944] per month) paid during 3.2 months.

Time off for the care of dependants

- Parents are entitled to three days per illness episode in order to care for their sick child, upon presentation of a medical certificate. When two persons share parental responsibilities, only one benefits from this provision (parents should decide who benefits from the leave for sick children, depending on the solution which suit them best). This leave is understood as time granted for lone parents or working parents in order to organise prolonged childcare if that is needed. Salary payment is suggested by the Code of Obligations as parents have a legal obligation to care for their dependent children; although payment seems to be a common practice, it is not mandatory.
- The same article should in principle be applicable to parents of seriously ill children who have to care for them for a prolonged period. However, there is no guarantee of salary payment in these cases.

³¹¹ Canning Wacker, N., and Dalla Palma, S. (2005) *Concilier activité professionnelle et famille. Enquête sur les mesures proposées aux employé-e-s par les organisations privées et publiques de l'arc lémanique*, [Electronic Version], 48. Available at: http://www.rezonance.ch/fs-search/download/Rapport_per_cent20Via2_per_cent2014.12.2004.pdf?version_id=621040.

³¹² Fuchs, G. (2004) *Les administrations publiques, pourvoyeuses d'emploi attractifs pour les parents – Comparaison des régimes de congé parental de la Confédération, des cantons et des municipalités*. Available at: http://www.vs.ch/Press/DS_18/PUBL-2007-03-27-11717/fr/Administrations_publicques_F_CSDE_Gesine_Fuchs_Bale_per_cent202004.pdf; Fuchs, G. (2008) *Prestations en cas de maternité et initiatives parlementaires sur les congés et prestations offerts aux parents (notamment congé paternité, congé parental et congé d'adoption): rapport sur la situation actuelle dans l'administration fédérale, les cantons et quelques municipalités*. Available at: <http://www.equality.ch/f/publications.htm>.

³¹³ Such provisions are possibly also proposed in other cantons, but there is no overall documentation available.

Flexible working

- During the child's first year, the time taken by mothers to breastfeed or express milk during a work day counts as work time. Salary payment is mandatory within the following limits: for a work day of up to four hours, 30 minutes minimum; for a work day over four hours, 60 minutes minimum; for a work day over seven hours, 90 minutes minimum.
- There is no statutory entitlement to reduced or flexible working hours for employed parents. However, the Employment Law states that the employer should take into account the employee's 'family responsibilities' when fixing work and rest hours. Family responsibilities are defined as the education of children up to 15 years old and the charge of other family members or close members in need of care.
- Some collective labour agreements specifically include the right to reduced working hours for parents and there is some indication that a significant proportion of companies allow flexible working hours³¹⁴.

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

The maximum period of paid post-natal leave available in Switzerland is just over 3.2 months, all paid at a high rate of income replacement, with an additional two weeks of unpaid leave. There is no entitlement to ECEC at any age and no information on levels of attendance at formal services for children under three years. For children over three years, levels of attendance are well below the average for the countries included in this review and for OECD countries. For actual attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

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

Since 1 June 2014, compensation for the time spent by employed mothers to breastfeed or express milk during a workday is mandatory (see 'flexible working' in 1e). This policy change (amendment of the Employment Ordinance) was implemented to fulfil the conditions of the Convention No.183 on the protection of maternity of the International Labour Organisation (ILO). It follows the acceptance in December 2012 of a parliamentary initiative demanding the ratification by Switzerland of this Convention, which will enter into force in June 2015.

After several rejections in parliament on Adoption leave, a parliamentary intervention in favour of a paid Adoption leave reached a majority among the Committees for Social Security and Health (CSSH) from the National Council and the Council of States, in January and March 2015 respectively. According to the proposal submitted by a Christian-Democrat MP, adoptive parents of children under four years would be granted 84 days (three months) of leave to share between them, paid at 80% of the salary. The leave would be financed through the Loss of Earnings Compensation Act, as for maternity allowances. The CSSH of the National Council will draft a law and submit it for vote to both chambers of Parliament.

Several parliamentary proposals for Parental and Paternity leaves are still pending. Two Motions submitted in March 2014 propose to replace the existing Maternity leave by a Parental leave. One, submitted by a Liberal MP, proposes that parents share the 98 days of maternity

³¹⁴ See Bühler, S. (2004) *Bébés et employeurs - Comment réconcilier travail et vie de famille. Version abrégée de l'étude comparative de l'OCDE portant sur la Nouvelle-Zélande, le Portugal et la Suisse : aspects suisses* (Vol. 1f). Berne: Secrétariat d'Etat à l'économie.

benefits between them. The other, submitted by the Green Liberal Group, proposes a system where the total length of the Parental leave would increase as fathers took up more leave, up to a maximum of 20 weeks: e.g. the following number of weeks would be granted to the mother/father: 14/0; 13/2.5; 12/5 ; 11/7.5; 10/10. The government recommended to reject both Motions, though they must still be submitted to a vote at the National Council.

A parliamentary Initiative submitted in March 2014 by an MP from the Christian-Democratic Group proposed to implement a two-week paid Paternity leave to be taken flexibly, during the six months following the birth of the child. The benefits (80 per cent of salary, up to a ceiling of CHF196 [€161]) would be financed through the Loss of Earnings Compensation Act, as for maternity benefits. On 15 April 2015 the CSSH of the National Council decided to pursue the initiative; this decision must be confirmed by the CSSH of the Council of States before a law can be drafted and submitted to Parliament.

In December 2014, a new Motion was submitted by a Green MP in favour of a Parental leave of 18 months, of which at least six months could be taken by the father. There is no indication whether the leave would be paid or not. The Federal Council gave a negative recommendation but the Motion will be submitted to the National Council for vote. Finally, in March 2015, a Motion submitted by a Green MP aiming to enable Paternity leave to be implemented at the cantonal level was turned down by the National Council by 93 votes against 78.

At the moment there is no political consensus in government or in parliament as to whether a Parental and/or Paternity leave should be implemented and according to what modalities. A report entitled 'Paternity leave and Parental leave. Report and presentation of different models'³¹⁵ was published in October 2013 by the government, who concluded that the development of ECEC services constituted a more important policy priority as compared to leave policies. The report has been accepted by Parliament in June 2014, with no indications that there will be a follow up on this issue.

4. Take-up of leave

a. Maternity leave

Approximately 70 per cent of women giving birth meet the eligibility criteria for maternity allowances and benefit from them. It is estimated that the majority of recipients take up the maximum length of paid leave (98 days)³¹⁶. The number of recipients has been increasing since Maternity leave was introduced, probably because of an increase both in births and female employment. In 2005, 31,110 mothers (this figure is for six months only, since the law came into force on 1st July) benefited from allowances; rising to 59,740 in 2007; 64,090 in 2008; 72,510 in 2011; 72,890 in 2012; and 74,600 in 2013.³¹⁷

In 2013, the average amount of the daily indemnities granted to mothers was CHF121 [€117] per day, well below the ceiling of CHF196 [€190].

³¹⁵ <http://www.bsv.admin.ch/aktuell/medien/00120/index.html?lang=fr&msg-id=50638>

³¹⁶ Sottas, G. and Millioud, P. (2008) 'Allocations pour pertes de gain en cas de maternité - premier aperçu', *Sécurité sociale*, Vol. 5: 304-307. The administrative data available provide information for calendar years. For this reason, the average length of leave is under-estimated because some recipients receive part of their allowances on one year and the rest on another.

³¹⁷ <http://www.bsv.admin.ch/themen/eo/00051/index.html?lang=fr>. The Swiss Statistical Office has changed its way of counting recipients of Loss of Earnings Compensation allowances. The figures of maternity allowances recipients since 2005 reported here have been adapted accordingly and are therefore different from the ones reported in previous Country Notes.

According to Sottas and Millioud¹⁰, in 2006 80 per cent of leave recipients were married, 15 per cent single and five per cent divorced. The majority of recipients were employees (83 per cent); 14 per cent were self-employed and three per cent inactive (eligible because they previously received unemployment, health or disability benefits).

Employed women tend to take a longer Maternity leave than the legal minimum of 14 paid weeks following childbirth. A recent survey conducted with 335 employed women who had had a child in the last five years revealed that over 60 per cent of them had taken leave that exceeded 14 weeks¹². But for only half of them, this additional leave was paid by the employer, while for 37 per cent of the sample this leave was unpaid³¹⁸.

b. Paternity leave

No statutory leave entitlement.

c. Parental leave and Parental benefit

No statutory leave entitlement.

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

a. General overview

There is little research on Maternity, Parental or Paternity leave, except for some research on special Paternity and Parental leave entitlements available in public administrations and on common practices and/or needs in the private sector. However, no representative statistics are available on the proportion of working men and women who can benefit from such policies and who take advantage of them.

The Federal Department of Home Affairs and the Federal Department of Economic Affairs provide a 'Work-Family life conciliation' online platform gathering information (in French, German and Italian) about cantonal and communal work-family objectives and instruments: <http://www.berufundfamilie.admin.ch/informationsplattform/index.html?lang=fr>. The data cover cantonal and communal pre-school and school-age childcare services and 'family friendly' working conditions offered by public employers and promoted in the private sector. Information about instruments and legal frameworks, covering a wide range of leaves and flexible working arrangements, are available and updated annually.

b. Selected publications since April 2014

FCWI. (2014) *Congé parental [Parental leave]. Questions au féminin*. Bern: Federal Commission for Women's Issues (FCWI). Available at:

<http://www.ekf.admin.ch/dokumentation/00507/00648/index.html?lang=fr>

The latest issue of this review edited by the Federal Commission for Women's Issues (FCWI) focuses on Parental leave. The publication provides articles in French, German and Italian with different perspectives on the topic. Research results are presented on family-friendly companies in Switzerland and men's use of work-family balance measures. Young adults'

³¹⁸ Aeppli, D. C. (2012) *Wirkungsanalyse. Mutterschaftentschädigung [Analysis of effects. Maternity benefits]*. 95. Available at:

http://www.bsv.admin.ch/themen/eo/00049/index.html?lang=de&download=NHZLpZeg7t,Inp6lONTU042l2Z6ln1acy4Zn4Z2qZpnO2Yuq2Z6gpJCEdlB2hGym162epYbg2c_JjKbNoKSn6A--

aspirations in terms of parenthood and family models are also analyzed. The publication provides interviews with experts in the fields of law, sociology, gender equality and (single-) parenthood. Results of a survey conducted by the FCWI among the main Swiss political parties about their stand on Parental leave implementation are also summarized. It reveals that political support in favour of a paid Parental leave includes Left-wing and part of the Centre parties, but divergences exist concerning the preferred length and financing system. Finally, interviews with families and their experience of work-family balance and leave uptake in Switzerland, Germany and Austria are provided.

Grohsmann, I. (2014) 'Vaterschaftsurlaub, what else? Zum Schweizerischen Reformbedarf im Lichte der Markin Rechtsprechung des Europäischen Gerichtshofs für Menschenrechte' ['Paternity leave, what else? Need of reform in Switzerland in the light of the judiciary Markin case at the European Court of Human Rights'], *sui-generis*, 33-45. Available at: <http://sui-generis.ch/3>.

The article adopts a legal perspective on men's access to statutory Parental and Paternity leaves. It reports the cases brought to the European Court of Human Rights by fathers claiming Parental leave entitlements they were denied. Building on the Court's judgements and argumentations, the author argues that Switzerland's current legislation, which does not grant employed fathers a statutory right to paid leave, is discriminatory. The current Swiss legislation is said to be based on traditional gender roles and stereotypes and contrary to the Gender Equality Act.

Grohsmann, I. (2014) 'Congé de paternité: il est admissible de défavoriser les pères. Arrêt 9C_810/2013 du Tribunal fédéral du 15 septembre 2014'. *Centre suisse de compétence pour les droits humains (CSDH)*. Available at:

<http://www.skmr.ch/frz/domaines/genre/nouvelles/conge-de-paternite-defavorisation-admissible.html?zur=91>

This article (available in French and German) summarizes the case treated by the Swiss Federal Court of a father who claimed a paid Paternity leave. After the birth of his child in 2012, a father employed in the canton of Bern took a six weeks leave and claimed a financial compensation at the cantonal compensation agency. He requested allowances based on the same principle as employed mothers who receive loss of earnings compensation allowances during Maternity leave. He argued that while allowances should be reserved for mothers during the first eight weeks after birth for health and biological reasons, the rest of the allowances (from the 9th to 14th week) should be open to fathers too, as the leave is intended to build the parent-child relationship. After the rejection of his request by the compensation agency in 2012 and the dismissal of a legal action at the Administrative Tribunal of the canton of Bern in 2013, the case was also dismissed by the Federal Court September 15th 2014. The Federal Court recognized that fathers are disadvantaged, but argued that this is in line with the legislators' decision, and that it is based on biological reasons. The article discusses the Federal Court's argumentation and the future development of Parental and Paternity leaves in Switzerland.

Lanfranconi, L. M., and Valarino, I. (2014) 'Gender Equality and Parental Leave Policies in Switzerland. A Discursive and Feminist Perspective', *Critical Social Policy*, Vol.34, No.4: 538-560. doi: 10.1177/0261018314536132

Taking a discursive and feminist perspective, this paper aims to understand policy changes as well as gendered outcomes in two policy areas within the Swiss welfare state: *gender equality* and *Parental leave policies*. The authors conducted a discourse analysis from a social science perspective of policy documents and interviews from 1996 to 2011. Results show similar discourses concerning welfare responsibility between the two case studies. Specifically, there are opposing state- and economic-oriented discourses, which reveal different gendered assumptions. The time period under study shows an increasing mobilisation of discourses arguing for non-state, negotiated solutions between social partners or within work organisations. Potential risks of gender and class inequalities as well as

scenarios for further policy change are discussed. The findings call for an integrative approach to discourse and gender for welfare state analysis in general.

Valarino, I., and Gauthier, J.-A. (2015) 'Paternity leave implementation in Switzerland: a challenge to gendered representations and practices of fatherhood?' *Community, Work & Family*, Vol.21. doi: <http://dx.doi.org/10.1080/13668803.2015.1023263>

This mixed methods article analyses institutional change in Switzerland – a country where fathers do not have a statutory access to leave – through a case study of the implementation of a one month Paternity leave in a public administration. The research question is: does such a change at the company level challenges gendered representations and practices of fatherhood? Using register data about leave recipients ($N = 95$), a longitudinal and typological approach of leave uptake patterns is adopted (sequence and cluster analyses conducted). In addition, in-depth interviews with recipient fathers and managers working for the company ($n = 30$) enable an analysis of the implementation process and the meanings associated with paternity leave and fatherhood. Results show that Paternity leave implementation challenged, in a limited way, gendered representations and practices of fatherhood. Fatherhood was made more visible within the company, but workplace characteristics and informal norms influenced fathers' leave uptake.

c. Ongoing research

Familienfreundliche Organisationen und Vaterschaft, Voraussetzungen, Barrieren und Effektivität von Massnahmen [Family friendly organizations and fatherhood, conditions, obstacles and efficiency of measures] (2013-2015). Brigitte Liebig and Martina Peitz. University of Applied Sciences Northwestern Switzerland. Funded by the Swiss National Science Foundation (Abt. I; Projekt-ID. 100017_146106/1)

This mixed methods research analyses nine large and medium-sized companies in Switzerland certified as 'family friendly'. The study explores the opportunities offered to employees to balance work and family lives and fathers' use of such measures. The analysis assesses their efficiency in terms of gender equality outcomes as well as the obstacles which may prevent their use by men. The analysis is based on expert interviews, an online survey and qualitative interviews with employees. Contact Brigitte Liebig at brigitte.liebig@fhnw.ch.

Attitudes toward parental leave policies. Switzerland in comparison with four industrialized countries (2015-2016). Isabel Valarino, Department of Sociology, Stockholm University. Funded by the Swiss National Science Foundation (Project n° 158920)

This mixed methods research project in sociology aims to explore parental leave policy preferences in five industrialized countries (Austria, the US, Sweden and Switzerland) with a particular focus on the Swiss case. Drawing on welfare state and gender theoretical perspectives, this research explores individuals' representations of the ideal leave length for employed parents, the best leave uptake division between the mother and the father, as well as the preferred financing source for covering these social expenses. Using data from the 2012 International Social Survey Programme, policy preferences across the selected countries are analyzed taking into account micro- and macro-social variables. In addition, in order to understand in-depth the meaning attributed to leave policies in the Swiss context, focus group and interview data are analyzed. Contact Isabel Valarino at Isabel.Valarino@unil.ch.

United Kingdom³¹⁹

Margaret O'Brien (University College London), Alison Koslowski (University of Edinburgh) and Mary Daly (University of Oxford)

April 2015

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 (responsibility of the Department for Business, Innovation and Skills)

Length of leave (before and after birth)

- Fifty-two weeks. A woman can start to take her leave from 11 weeks before the beginning of the week the baby is due. It is obligatory to take leave during the two weeks after childbirth.

Payment and funding

- Ninety per cent of woman's average earnings for six weeks with no ceiling + a flat-rate payment of either GBP139.58 [€194³²⁰] or 90 per cent of average gross weekly earnings (whichever is lower) for 33 weeks. The remaining 13 weeks are unpaid.
- This payment is administered by employers. Medium and large employers can claim back 92 per cent from the Exchequer and small employers can claim back 103 per cent. This is done through reductions to the amount of National Insurance Contributions paid by employers to HM Revenue & Customs.

Flexibility in use

- The mother can opt to start her leave at any point from 11 weeks before the beginning of the week the baby is due until the baby is born.
- Mothers can choose to return to employment from two weeks after childbirth (or four, if they work in a factory).
- Up to ten 'Keep In Touch' days can be worked during the period of statutory maternity leave without it affecting Maternity leave or pay

³¹⁹ Please cite as: O'Brien, M., Koslowski, A. and Daly, M. (2015) 'United Kingdom country note', in: P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

³²⁰ Conversion of local currency into Euros undertaken on 1-5 June 2015, using <http://finance.yahoo.com/currency-converter/>

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

- All women employees are eligible for 26 weeks 'Ordinary Maternity Leave' plus a further 26 weeks of 'Additional Maternity Leave' (AML). Women employees who have worked for their employer continuously for 26 weeks, up to the fifteenth week before the week the baby is due, and who meet a minimum earnings test, are eligible for 'Statutory Maternity Pay' (SMP) consisting of six weeks' payment at 90 per cent of average gross weekly earnings, with no ceiling, plus 33 weeks of flat-rate payment at GBP139.58 [€194] a week or 90 per cent of average gross weekly earnings, whichever is the lesser.
- Reasons for ineligibility for SMP include: being exclusively self-employed, not satisfying the continuous employment rule, having a still born baby before the 24th week of pregnancy (DWP, 2015)
- Women who are not eligible for SMP may be eligible for a Maternity Allowance (MA) of 39 weeks at the flat rate of GBP139.58 [€194] or 90 per cent of average gross weekly earnings, whichever is the lowest. Women who have recently left work, changed jobs, or are self-employed may be eligible for this payment. To qualify, they must have worked for 26 weeks out of the 66 preceding the expected week of childbirth and have earned at least GBP30 [€42] per week on 13 of these weeks. Self-employed women must complete a national insurance claim Class 2 NICs through Tax Self Assessment (DWP, 2015)

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

- For births after 5 April 2015, employed mothers have the right to transfer all Maternity leave to the father, except for the two weeks of obligatory leave, i.e. up to 50 weeks. This period of leave is termed Shared Parental Leave (SPL) and replaces a similarly designed instrument, which was called Additional Paternity Leave (APL), under which mothers could only transfer leave to partners after 20 weeks. Unlike APL, there is no requirement for a woman to return to employment before the father can begin taking SPL. Instead, the mother must commit to a return to employment date in the future when she will end her Maternity Leave.
- SPL can only be taken in one week (seven day) blocks of time. It cannot be taken in a day mode or on a flexible part-time basis, although parents can take alternating weeks and there is provision for parents to take leave together.
- Each parent can alter leave arrangements up to three times (in continuous or discontinuous blocks) before the end of week 52 (unpaid from week 40). Employers are only legally obliged to agree to continuous block arrangements.
- Statutory Shared Parental Pay is available for eligible employees meeting prescribed qualifying requirements, although income replacement levels will not be any greater than the current Maternity Leave provision, i.e. partners taking statutory Shared Parental Leave will be paid at the lesser of 90 per cent of earnings or the flat rate of £139.58 [€194]). The remaining 13 weeks of the first year are unpaid.
- In order to qualify for SPL, an individual will need to meet a length of service qualifying criterion (likely to be 26 weeks service with the same employer by the 15th week before the expected week of childbirth), have a partner who meets an economic activity test (have worked for 26 weeks out of the 66 weeks before the expected week of childbirth and have earned at least GBP30 [€42] per week for 13 of these weeks) and be working for the same employer when they want to take leave. These tests replicate existing ones (for paternity leave and maternity allowance) and the government expects them to be well-understood. Permission is not required from employers. If an employee meets the

continuous employment test and the other parent or partner meets an economic activity test, the employee is entitled to SPL.

- Entitlements for adopters and intended parents in surrogacy cases are more closely aligned with the rights available to birth parents, e.g. no qualifying period for leave; enhanced pay to 90 per cent of earnings for the first six weeks; and time off to attend introductory appointments. Intended parents in surrogacy and ‘foster to adopt’ arrangements will also qualify for adoption leave and pay

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

- Many employers make additional provisions that go beyond the statutory minimum. For example, in 2007, 53 per cent of workplaces with five or more employees offered extra-statutory Maternity leave and 16 per cent provided additional payments³²¹.

b. Paternity leave (responsibility of the Department for Business, Innovation and Skills)

Length of leave

- Two weeks.

Payment and funding

- Flat-rate payment of GBP139.58 [€194] a week, or 90 per cent of average weekly earnings if that is less.
- Funded as for Maternity leave, with employers able to claim back some or all of the payments from the HM Revenue and Customs.

Flexibility in use

- It cannot start until the baby is born, and must finish within 56 days of the baby’s birth or within eight weeks of the due date if the baby is born prematurely.

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

- Employees must meet three conditions: they are the biological father of the child or the mother’s husband, partner or civil partner; they expect to have responsibility for the child’s upbringing; they have worked continuously for their employer for 26 weeks ending with the fifteenth week before the baby is due and remain employed at the time of the child’s birth.
- Reasons for ineligibility for SPP are the same as for employees claiming SMP. As there is no Paternity Allowance (equivalent to Maternity Allowance, MA) self-employed fathers do not have a supplementary benefit if they cannot access SPP.

³²¹ Hayward, B., Fong, B. and Thornton, A. (2007) *The Third Work–Life Balance Employer Survey: Executive Summary (Employment Relations Research Series No.86)*. London: Department for Business (DBERR). Available at: <http://www.berr.gov.uk/files/file42645.pdf>.

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

- In the case of premature births, the period in which leave can be taken is extended until eight weeks after the child was due (that is the requirement to finish paternity leave within 56 days of the baby's birth is not applicable).

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

- A minority of employers go beyond the statutory minimum; in 2007, 18 per cent of workplaces with five or more employees offered additional Paternity leave and 19 per cent additional Paternity pay⁴.

c. Parental leave (responsibility of the Department for Business, Innovation and Skills)

Length of leave

- Eighteen weeks per parent per child. Leave is an individual, non-transferable entitlement.
- Only four weeks of leave may be taken in any one calendar year, unless an employer agrees otherwise, i.e. the 18 weeks cannot be taken in one continuous period of time.

Payment

- None.

Flexibility in use

- Leave may be taken in blocks or in multiples of one week, up to and for no more than four weeks per year unless the employer agrees otherwise.
- Leave may be taken up to the child's 18th birthday.

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

- All employees who have completed one year's continuous employment with their present employer and who have, or expect to have, parental responsibility for a 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 parent

- As the leave is per child, each parent of twins is entitled to 36 weeks.

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

- The statutory scheme is referred to as a 'fallback scheme' since the intention is that 'wherever possible employers and employees should make their own agreements about how Parental Leave will work in a particular workplace'³²².

³²² Department of Trade and Industry, *Parental leave, summary guidance*. Available at:

- Employers may postpone granting leave for up to six months where leave-taking would cause significant disruption to the business.

d. Childcare leave or career breaks

No statutory entitlement.

e. Other employment-related measures

Adoption leave and pay

- Providing they meet the eligibility criteria, an adoptive parent (or one of the parents in a joint adoption) is eligible for 52 weeks' adoption leave paid at a flat-rate payment of GBP139.58 [€194] a week, or 90 per cent of average weekly earnings if this is less, for the first 39 weeks; the final 13 weeks' are unpaid. There is also a right to paid Paternity Leave for an adopter not taking adoption leave (if they meet the eligibility criteria).

Time off for the care of dependants

- Employees may take 'a reasonable amount of time off work to deal with unexpected or sudden emergencies affecting a dependant and to make necessary longer term arrangements'³²³. The legislation does not define what is 'reasonable', 'since this will vary with the differing circumstances of an emergency' (ibid.). Emergencies are specified as including 'if a dependant falls ill or has been injured or assaulted' or 'to deal with an unexpected disruption or breakdown of care arrangements' or 'to deal with an unexpected incident involving the employee's child during school hours'. There is no entitlement to payment.

Flexible working: the right to request and the duty to consider

- All employees have a legal right to apply to their employers to work flexibly (e.g. to reduce their working hours or work flexitime). Employees need to have worked for their employer continuously for 26 weeks before applying. Employers have a legal duty to consider these requests and may refuse them only 'where there is a clear business ground for doing so ... [and must give] a written explanation explaining why'³²⁴.

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

The maximum period of paid post-natal leave available in the UK is 20 months but most of this is unpaid or low paid; leave paid at a high rate is only available for six weeks of Maternity Leave. There is a universal entitlement to free ECEC from three years of age though only for part-time nursery education (15 hours a week for 38 weeks per year). Two year olds whose parents pass a means test or qualify through their benefit or legal status also have a similar entitlement. So there is a gap of between four and 16 months between the end of leave and a

<http://webarchive.nationalarchives.gov.uk/+http://www.dti.gov.uk/employment/balancing-work-family-responsible/parental-leave/index.html>

³²³ Department of Trade and Industry, *Frequently asked questions about time off for dependents*. Available at: <http://webarchive.nationalarchives.gov.uk/+http://www.dti.gov.uk/employment/balancing-work-family-responsible/time-off/index.html>

³²⁴ Department of Trade and Industry, *Frequently asked questions about time off for dependents*. Available at: <http://www.dti.gov.uk/employment/workandfamilies/flexible-working/faq/page21615.html>

universal ECEC entitlement, and a gap of nearly three years between the end of well-paid leave and the same entitlement. Levels of attendance at formal services for children under and over three years are above the average for the countries included in this review and for OECD countries. For actual attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

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

Under the terms of the Children and Families Act 2014, Shared Parental leave has replaced Additional Paternity Leave for parents of children born after 5 April 2015 (see section 1a). With respect to Shared Parental Leave, despite its stated objectives "to encourage greater participation by fathers in caring for their children; reduce the gender penalty suffered by women who take long periods away from the workplace"³²⁵, the Act represents a scaling back on some of the earlier proposals contained in the government's 2011 *Modern Workplaces* consultation paper, which were intended to reconfigure and modernise UK's leave system. These earlier proposals³²⁶ were to reduce the length of Maternity Leave (currently 52 weeks) and pay (currently 39 weeks, mostly at a low flat rate) to 18 weeks; and to reclassify the remainder of existing Maternity Leave as Parental Leave. Proposals for the proposed new Parental Leave included: four weeks of paid Parental Leave exclusive to each parent to be taken in the first year (i.e. including a 'daddy month' designed to incentivise greater involvement by fathers); and 30 weeks of additional Parental Leave available to either parent - of which 17 weeks would be paid and could be broken in blocks between parents (to introduce more possibilities of flexible use).

While most parties contesting the May 2015 general election made pledges to extend ECEC services, fewer referred to leave policy. The Labour Party proposed to increase Paternity Leave from two weeks to one month with an increase in pay replacement levels; as well as to introduce 'granny leave' whereby grandparents could share the 18 weeks of Parental leave, or four weeks in any year. The Liberal Democrats proposed to introduce a father's quota of six weeks leave.

Due to devolved government, England, Scotland, Wales and Northern Ireland each have distinct education systems, including early childhood education and care. However, the UK Government retains responsibility for areas such as labour market policies (including leave policies) and the tax system. Consequently it becomes more challenging to integrate education, care and labour market policies, as they are managed by different administrations.

The Scottish Parliament Equal Opportunities Committee has been looking into 'fathers and parenting' and a background note on Parental leave and balancing work/family life has been prepared³²⁷. The Scottish Government has also recently commissioned research including reviews of leave policies³²⁸; while in May 2014, it established a short life Parental leave advisory group to inform future developments on leave policies³²⁹.

³²⁵ <http://www.education.gov.uk/a00221161/children-families-bill>

³²⁶ Department for Business, Innovation and Skills (2011) *Modern Workplaces*.

³²⁷ http://www.scottish.parliament.uk/S4_EqualOpportunitiesCommittee/20_March_papers.pdf

³²⁸ Naumann, I. et al. (2013) *Early Childhood Education and Care Provision: International Review of Policy, Provision and Funding. Final Report*. Edinburgh: Centre for Research on Families and Relationships. Available at: <http://www.scotland.gov.uk/Resource/0041/00416230.pdf>

³²⁹ Alison Koslowski is a member of the Scottish Government Parental Leave Advisory Group and can be contacted for further information.

The Conservative Party won the election with a small majority and at the time of writing a new budget is being planned.

4. Take-up of leave

This section relies on the most recent publicly available national data: the Maternity and Paternity Rights and Women Returners Survey 2009/10³³⁰. This joint survey for the Department for Work and Pensions with the Department for Business, Innovation and Skills provides a detailed, statistically representative, updated picture of Maternity and Paternity leave, Statutory Maternity and Paternity Pay (SMP and SPP), Occupational Maternity and Paternity Pay (OMP and OPP) and Maternity Allowance (MA). It assesses the impact of changes brought about as a result of the Work and Families Act 2006, and examines mothers' return to work decisions alongside the availability of family friendly employment practices. Telephone interviews took place with 2,031 mothers and 1,253 fathers who had worked in the 12 months prior to the birth of their child, 12 to 18 months after the birth. A further source is the UK government's Fourth Work-life Balance (WLB4) Employee Survey (2012)³³¹, which was carried out in early 2011, though this survey was not as focused on early parenthood as the Maternity and Paternity Rights and Women Returners Survey.

a. Maternity leave

According to the 2009/10 survey, the mean length of Maternity leave taken by women increased from 32 weeks in 2006 to 39 weeks in 2008; that is by approximately two months in the space of two years. The Work and Families Act 2006 policy goal of lengthening utilization of paid Statutory Maternity leave (SMP) and Maternity allowance (MA) from 26 weeks to 39 weeks was successful. However, results show that the remaining period of unpaid leave (i.e. weeks 40 to 52) was less attractive to mothers: just under half (45 per cent) made use of this leave. Duration of maternity pay and length of Maternity leave taken are positively associated, particularly for economically disadvantaged women. Those taking the shortest 'paid' leaves (up to 39 weeks of Maternity Leave) were low-earners, part-time workers and the self-employed; while those taking the longest leave were: high earners and those in full-time employment.

The Maternity and Paternity Rights and Women Returners Survey 2009/10 did not collect systematic data on the exact timing of women's return to work but by 12-18 months after childbirth, three out of four (77 per cent) mothers had returned to employment. As in previous surveys mothers' decision to return to work was mainly motivated by economic considerations. The factors with the strongest association with returning to work included: employer size and sector, duration of pre-birth job, type of maternity pay received, family structure and mothers' educational levels.

The overwhelming majority of mothers who had worked before childbirth had received some type of maternity pay: 42 per cent of mothers received Statutory Maternity Pay (SMP) only; 32 per cent received SMP and Occupational Maternity Pay (OMP), the most generous pay package; 4 per cent received OMP only; 11 per cent received Maternity Allowance only; and 11 per cent of mothers received no maternity pay. The last group, who received no maternity

³³⁰ Chanfreau, J., Gowland, S., Lancaster, Z., Poole, E., Tipping, S. and Toomse, M. (2011) *Maternity and Paternity Rights and Women Returners Survey 2009/2010* (Department of Work and Pensions Research Report No 777). Available at: <http://research.dwp.gov.uk/asd/asd5/rrs-index.asp>

³³¹ http://www.esds.ac.uk/doc/7112/mrdoc/pdf/7112_employee_survey.pdf

pay, had the least advantageous employment conditions. These updated findings are in line with the earlier survey by Smeaton and Marsh³³².

b. Paternity leave

The 2009/10 survey showed that 91 per cent of fathers took time off around the time of their baby's birth. Of those taking time off, 49 per cent took statutory Paternity leave only, 25 per cent statutory leave plus other paid leave, 18 per cent other paid leave only and 5 per cent unpaid leave. Those taking statutory paternity leave were most likely to take the statutory two weeks (50 per cent); 34 per cent took less than two weeks and 16 per cent more than two weeks. The odds of taking Paternity leave were significantly higher for men working in the public sector and where there were family friendly arrangements available in the workplace.

Some employers 'topped up' statutory Paternity leave payment: 39 per cent of fathers received full pay for less than two weeks, 33 per cent for two weeks and 9 per cent for more than two weeks. Large private and public sector organisations were most likely to give full payment for longer periods of paternity leave. Small and medium size private sector employers were most likely to pay the minimum statutory rate.

Studies profiling the characteristics or experiences of fathers taking APL are rare in the UK. A survey of UK doctors found that while a majority took Paternity leave, only 3 per cent reported taking APL (Gordon and Szram, 2013³³³).

c. Parental leave

Provision and take-up of statutory Parental leave data are not systematically reported in the 2009/2010 survey. Instead paid and unpaid *informal* Parental leave is reported on as a form of family-friendly arrangement. Findings show that in their first post-birth job five per cent of mothers used 'fully paid' Parental leave, one per cent 'partly paid' Parental leave and five per cent unpaid Parental leave. For employed fathers, 17 per cent used 'fully paid' Parental leave, six per cent 'partly paid' Parental leave and seven per cent unpaid Parental leave. Although the data are not comparable with the 2006 survey¹⁴, they do suggest a rise in uptake of Parental leave by mothers and fathers in the post-natal period.

Findings from the Fourth Work-life Balance (WLB4) Employee Survey (2012) show that only 11 per cent of parents with a child under six years had reported taking Parental leave.

d. Other employment-related measures

Information on take-up of other employment-related entitlements, such as use of flexible working, is taken from survey evidence since there is no requirement for employers to report on this.

Results from WLB4 show that 79 per cent of employees stated that they were aware of the right to request flexible working, a significant increase from the baseline period in 2006 where only 42 per cent of employees stated that they were aware of its introduction (Hooker et al.,

³³² Smeaton, S. and Marsh, A. (2006) *Maternity and Paternity Rights and Benefits: Survey of Parents 2005 (Employment Relations Research Series, No.50)*. London: Department of Trade and Industry. Available at: <http://www.berr.gov.uk/files/file27446.pdf>.

³³³ Gordon H. and Szram J.(2013) 'Paternity leave experiences of NHS doctors',. *Clinical Medicine*, Vol.13, No.5:426-30.

2006³³⁴). At both time periods the awareness of the right to request flexible working was lower in those employed in routine and manual occupations.

In 2011, 22 per cent of employees reported requesting a change to working arrangements in the last two years (most commonly, women, parents and those with caring responsibilities). From employees perspectives, requests were not accepted in 13 per cent of cases. For a further 8 per cent, the outcome was uncertain. Although the methodology was different, this refusal rate is higher than that reported by employers in an earlier survey (40 per cent of employers report receiving requests in the previous 12 months, with only nine per cent of these requests refused (Hayward et al., 2007).

According to the Fourth Work-life Balance (WLB4) Employee Survey (2012), 30 per cent of employees with an ill child had worked flexibly – most commonly reported for those employees in the private sector and in professional/ managerial occupations.

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

a. General overview

Most leave policies have been introduced relatively recently into the UK: Parental leave and time off for dependants in 1999; adoption and Paternity Leave and the right to request flexible working in 2003. There is limited research on these statutory entitlements, and also only limited official information on take-up, with none on unpaid leave entitlements. The longest established entitlement is Maternity leave and pay, introduced in 1976, and there have been a number of studies over time (in 1979, 1988, 1996, 2002 and 2005) looking at the use of this entitlement and showing how this has increased as more women use leave to maintain continuous employment when having children. In the absence of official contemporaneous records, annual surveys and UK cohort studies are providing useful sources of information on patterns of take-up.

b. Selected Publications since April 2014

ILM (2014) *Shared Opportunity: Parental Leave in UK Business*. London: Institute of Leadership and Management. Available at: <https://www.i-l-m.com/About-ILM/Research-programme/Research-reports/shared-parental-leave>

The introduction of shared Parental leave is a key enabler of gender diversity in organisations. But just 10 per cent of new fathers take more than two weeks of Paternity leave currently, and this falls to 2 per cent among managers. This research highlights a combination of cultural and financial barriers which appear set to impede the uptake of the shared 'Parental leave' scheme.

Baird, M. and O'Brien, M. (2015) 'Dynamics of parental leave in Anglophone countries: the paradox of state expansion in the liberal welfare regime', *Community Work and Family*. Vol. 18, No.2: 198-217. Available at:

<http://www.tandfonline.com/doi/full/10.1080/13668803.2015.1021755#.VVub7J1waUk>

This paper evaluates Parental leave policies across six Anglophone countries (Australia, Canada, Ireland, New Zealand, the UK and the USA) to assess system fit with a liberal welfare regime classification. The focus is on comparison within welfare regime classification (rather than between regimes), enabling complexity and variation to be explored. The comparative policy analysis uses national government 15 and international Organization for Economic

³³⁴ Hooker, H., Neathy, F., Casebourne, J. and Munro, M. (2006) *The Third Work-Life Balance Employees Survey: Executive Summary*, *Employment Relations Research Series No.58*. London: DTI.

Cooperation and Development data sources with case studies of policy change between 2004 and 2014 in Australia and the UK. Evidence suggests that contrary to market-oriented, liberal welfare regime predictions, there has been an expanding role of the state in developing parental leave policies, extending their duration and increasing the payment level. With the exception 20 of the USA, parental leave provision, predominately maternal in focus, is embedded in the state policies of contemporary liberal welfare countries.

Koslowski, A., McLean, C. and Naumann, I. (2015) 'Report on incentive structures of parents' use of particular childcare forms', *Families and Societies Working paper 35*. Available at: <http://www.familiesandsocieties.eu/wpcontent/uploads/2015/04/WP35KoslowskiEtAl2015.pdf> Parents across the European Union use a range of childcare arrangements. This working paper contributes to our understanding of the determinants and consequences of different childcare arrangements for different families and different family members. The paper has three aims. The first is to deepen understanding of the motivations of parents for using a particular source of childcare. The second is to set the scene for an exploration of the extent of policy implementation gaps between an administrative understanding of statutory childcare service provision and the actual experience of users of these services. Third, the report highlights where the policy community might benefit from improved data to address certain knowledge gaps around childcare use. This research employs a mixed methods approach, combining primary data collection in six countries (Germany, Hungary, Italy, Slovenia, Sweden, UK); reviews of the statutory childcare policies in these six countries; and a methodological critique of the available data on childcare use for those countries, including harmonized comparative survey data. The central aim is for this working paper to be used as a reference tool for further analyses.

c. Ongoing research

Families and Societies (2013-17) University of Edinburgh, University of Liverpool and London School of Economics. Funded by the EU's Seventh Framework programme.

These UK universities are partners in a European project, *FamiliesAndSocieties – Changing families and sustainable societies: Policy contexts and diversity over the life course and across generations*. The main objectives of the project are: to investigate the diversity of family forms, relationships, and life courses in Europe; to assess the compatibility of existing policies with family changes; and to contribute to evidence-based policy-making. Website at <http://www.familiesandsocieties.eu/>

Equality at home? Exploring the experiences of couples where the fathers has taken additional paternity leave in the UK (2014). Katherine Twamley, UCL Institute of Education. Funded by the British Academy.

This study explores the intersections of intimacy, gender equality and parenting ideology through in-depth qualitative research with couples where the father is taking Additional Paternity Leave (APL), and focus group discussions with parents who have not taken up APL. The study aims to uncover why couples choose to take up APL, what effect it has on their childcare practices and division of house work, and on their familial and partner relationships. The focus group discussions focus on barriers to uptake of APL, as well as broader conceptualisations of parenting, intimate relationships, and gender roles. Contact: Katherine Twamley at k.twamley@ioe.ac.uk

United States³³⁵

Shirley Gatenio Gabel (Fordham University), Jane Waldfogel (Columbia University) and Linda Haas (Indiana University)

April 2015

NB. United States 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

Note on leave policy: There is no statutory right to any of the types of leave or other statutory measures covered in country notes. The federal Family and Medical Leave Act (FMLA) provides leave for a variety of reasons including: childbirth or the care of a newborn child up to 12 months; for the placement and care of an adopted or foster child; for the care of a seriously ill child, spouse or parent; or for a serious health condition of the employee that makes him/her unable to work for more than three consecutive days. The federal Department of Labor is responsible for FMLA. In addition, five states and one territory offer all or some employees the statutory right to partly compensated leaves for family reasons. These areas cover 23 per cent of the US population.

Length of leave (before and after birth)

- Federal FMLA: up to 12 weeks in a 12 month period. Leave is an individual entitlement.

Payment and funding

- b. Federal FMLA: unpaid.

Flexibility in use

- Federal FMLA may be taken in one continuous period or divided into several blocks of time.

Regional or local variations in leave policy

- *California* was the first state to enact a comprehensive paid family leave law in 2004. The state provides all workers covered by the state's Temporary Disability Insurance

³³⁵ Please cite as: Gatenio Gabel, S. , Waldfogel, J. and Haas, L. (2015) 'United States country note', in: P. Moss (ed.) *International Review of Leave Policies and Research 2014*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

(TDI) programme with up to six weeks of a partially paid leave (55-60 per cent of earnings up to a maximum of US\$1,075 [€982³³⁶] a week in 2014) following childbirth, adoption or care of a seriously ill child, parent, spouse or domestic partner. These benefits are funded by employee contributions, and benefit levels are adjusted annually as wages increase.

- *Hawaii* provides up to four weeks of leave per year for childbirth or care of a seriously ill child or family member to workers employed at least six months in companies with 100 or more employees. Compensation is available through the TDI program, funded by employees and employers, equivalent to 58 per cent of average weekly wages, up to a cap of \$510 [€470].
- *New Jersey* enacted paid family leave in 2009. The legislation extends the state's existing TDI system (which previously provided for paid maternity leave since 1970) to provide workers with up to 12 weeks of TDI benefits at two-thirds of prior wages up to US\$595 [€466] a week in 2014 to cover leave to care for a newborn, adopted or foster child, or sick child, parent, spouse or partner. The measure is financed by employee payroll deductions.
- *New York* provides up to six weeks for all women employees for childbirth, paid at 50 per cent of wages to a cap of US\$175 [€160] a week. This is managed through the TDI program, funded by employees and employers
- *Puerto Rico's* Working Mothers Act, enacted in 1942, provides an eight-week Maternity leave at 100 per cent of earnings.
- *Rhode Island's* paid family leave law went into effect in 2014. The legislation extended the state's existing TDI programme to provide four weeks paid leave to care for a newborn child or a family member with a serious illness. The programme is financed by employee payroll deductions and pays a minimum of \$74 [€54] per week and a maximum of US\$752 [€687] per week.

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

- Federal FMLA covers all employees working for a covered employer (see 'additional note' below) and who have worked for that employer for at least one year (even if not for a continuous period) and for at least 1,250 hours over the preceding 12 months.
- Because of the qualifying conditions, only about 58 per cent of workers in private firms are eligible for federal FMLA, with lower coverage for low wage workers, workers with young children, and working welfare recipients³³⁷.

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.

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

- Federal FMLA exempts private employers and non-profit organisations with less than 50 employees (all public sector employees are covered).

³³⁶Conversion of local currency into Euros undertaken on 1-5 June 2015, using <http://finance.yahoo.com/currency-converter/>

³³⁷ Council of Economic Advisors (2014) *The Economics of Paid and Unpaid Leave*. Washington, DC: Office of the President.

- The majority of US workers lack access to paid family leave from any source. The 2011 American Time Use Survey provided detailed information on employees' access to paid family leave, through statutory provision in the states that provide paid leave, collective bargaining agreements or individual workplace policies. Twenty-eight per cent of employees indicated they had access to paid leave for childcare, while 43 per cent had access to leave to care for an ill family member.³³⁸ Only 13 per cent of workers in the United States have access to paid family leave through their employers.³³⁹

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

There is no statutory entitlement to leave or ECEC. Levels of attendance at formal ECEC services for children under three years are above average for the countries participating in this review and for OECD countries, but below average for children over three years. For actual attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

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

In December 2013, Senator Kirsten Gillibrand of New York and Representative Rosa DeLauro of Connecticut introduced a proposal for the Family and Medical Leave Enhancement (FAMILY) Act³⁴⁰, which would create a national paid family and medical leave insurance programme that would provide up to 12 weeks of partially-paid leave for reasons covered by the FMLA. Eligibility for FAMILY Act benefits would be based on the work history or "work credit" requirements of Social Security Disability Insurance. This legislation would compensate workers for 66 per cent of earnings, up to an income ceiling. Unlike the FMLA, all workers would be covered, regardless of company size. It would be funded by employee and employer contributions, which would be collected in an independent trust fund within the Social Security Administration. Benefits would be administered by a new Office of Paid Family and Medical Leave within SSA. This bill made no progress in that legislative session and was reintroduced in March 2015.

In 2015, President Obama signed a presidential memorandum to provide federal workers with six weeks of paid sick time for caregiving, and called on Congress to pass legislation giving federal employees six weeks of paid Parental leave. In response, Representative Carolyn Maloney of New York introduced H.R. 532: Federal Employees Paid Parental Leave Act of 2015. The Act would provide six weeks of paid time off for the birth, adoption or foster placement of a new child to federal workers who qualify for FMLA leave. The Act would not provide employees with additional leave time; it would simply allow new parents – both fathers and mothers – to receive pay during a portion of their 12 weeks of FMLA leave.

Washington enacted paid family leave in 2007, which was scheduled to go into effect in 2009 but was postponed until October 2015 for budgetary reasons. The funding mechanism is

³³⁸ Council of Economic Advisors. *The Economics of Paid and Unpaid Leave*. Washington, DC: Office of the President.

³³⁹ U.S. Department of Labor, Bureau of Labor Statistics. (2014, September). *Employee Benefits in the United States National Compensation Survey: Employee Benefits in the United States, March 2014* (Tables 16 and 32). <http://www.bls.gov/ncs/ebs/benefits/2014/ebbl0055.pdf>

³⁴⁰ <https://www.govtrack.us/congress/bills/113/hr3999/text>

unclear. It provides up to five weeks of paid leave for employees who have worked at least 680 hours during the last year for a business with 50 or more employees

A number of states are considering paid family leave programmes (e.g. Colorado, Connecticut, Massachusetts, New Hampshire, North Carolina, Oregon, Vermont). The President's budget proposes US\$2.2 billion [€2 billion] for the federal Department of Labor's Fiscal Year 2016 budget to help states fund and implement new paid family and medical leave programmes; and US\$35 million [€32 million] for states to create the infrastructure needed to develop new state paid leave programmes. The proposed funding is subject to budget negotiations this year.

4. Take-up of leave

A 2012 survey found that only 16 per cent of US workers eligible for the federal FMLA took leave for any covered reason. Of these, about half took it for their own illness; 21 per cent took it for reasons related to a new child; and the remainder took it to care for an ill family member (which could be a spouse or child)³⁴¹.

Though the law provides *de facto* Parental leave entitlements, studies have found it has had generally small effects on mothers' likelihood of taking time off from work at childbirth^{342 343} and little or no effects on time off by new fathers^{9 10}. This suggests there are limits to the extent to which families are willing and able to use unpaid leave.

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

a. General overview

None reported.

b. Selected publications since April 2014

Bartel, A., Baum, C., Rossin-Slater, M., Ruhm, C. and Waldfogel, J. (2014) *California's Paid Family Leave Law: Lessons from the First Decade*. Washington: US Department of Labor. Available at: <http://www.dol.gov/asp/evaluation/reports/PaidLeaveDeliverable.pdf>

This is a comprehensive summary of research conducted on the US state with the oldest paid family leave programme. Access to leave, utilization of leave and consequences of leave availability are discussed as are consequences for employers.

Baum, C. L. and Ruhm, C.J. (2014) *The Effects of Paid Family Leave in California on Labor Market Outcomes*. Cambridge, MA: National Bureau of Economic Research.

Access to paid family leave in California increased the amount of leave new mothers took by three weeks, with the greatest impact on disadvantaged women. Leave access appeared to increase also for fathers but by smaller amounts. The impact of leave-taking on women's employment and income appeared positive, and leavetaking also increased likelihood of breastfeeding and time spent on childcare. Employers reported positive or no effects of the leave on business outcomes.

³⁴¹ Klerman, J. A., Daley, K., & Pozniak, A. (2013). *Family and Medical Leave in 2012: Technical report*. Washington, D.C.: Abt Associates.

³⁴² Han, W.-J. and Waldfogel, J. (2003) 'Parental leave: The impact of recent legislation on parents' leave-taking', *Demography*, Vol.40, 1: 191-200.

³⁴³ Han, W.J., Ruhm, C. and Waldfogel, J. (2009) 'Parental leave policies and parents' employment and leave-taking', *Journal of Policy Analysis and Management*, Vol.26, 1: 29-54.

Ehling, L. (2014) *California's Paid Family Leave Program Ten Years After the Program's Implementation, Who Has Benefited and What Has Been Learned?* CA: California Senate Office of Research. Available at: <http://www.nationalpartnership.org/issues/work-family/paid-leave-resources.html#existing>.

An evaluation was conducted of this program enacted ten years ago. Over time applications have increased; the vast majority (94 per cent) of applications were approved. Men's applications doubled (with their proportion being 30 per cent in 2013), nearly all for the reason of bonding with a new child (rather than care of a family member). Applications for low-income workers were disproportionately lower than for other groups and have declined over time.

Harrington, B., Van Deusen, F., Fraone, J., Eddy, S. and Haas, L. (2014) *Take Your Leave: Perspectives on Paternity Leave from Fathers, Leading Organizations and Global Policies*. Boston: Boston College Center for Work and Family.

In a study of over 1000 well-educated fathers, 60 per cent reported that paid Paternity leave was a very or extremely important consideration for picking an employer. Five out of six said they would take time off from work at childbirth only if they were compensated at least 70 per cent of their ordinary income. Three quarters thought paid Paternity leave should be two to four weeks in length. Almost 90 per cent had taken leave off around childbirth, for an average of two weeks, combining family leave with personal days and vacation.

Huang, R. and Yang, M. (2014) 'Paid maternity leave and breastfeeding practice before and after California's implementation of the nation's first paid family leave program.' *Economics & Human Biology*. Vol. 16, Issue C: 45-59.

Data from the large-scale Infant Feeding Practices Study were used to examine the changes in breastfeeding practices before and after the implementation of paid family leave in California. Exclusive breastfeeding increased three to five per cent, with an increase of 10–20 per cent for breastfeeding at several important stages of infancy.

Lerner, S., and Applebaum, E. (2014) *Business As Usual: New Jersey Employers' Experiences with Family Leave Insurance*. Washington, DC: Center for Economic and Policy Research. Available at: <http://www.nationalpartnership.org/issues/work-family/paid-leave-resources.html#existing>.

Most family leaves in New Jersey are taken to care for a newborn. A small scale study involving 18 employers revealed little negative (or positive) impact of the New Jersey law on productivity. Human resource managers and employees were reported as having little in-depth knowledge about the program.

Pesonen, A. (2015) 'Encouraging work-family balance to correct gender imbalance: A comparison of the Family and Medical Leave Act and the Iceland Act on Maternity/Paternity and Parental Leave', *Houston Journal of International Law*, Vol. 37: 157-196.

This article considers how deficiencies in the FMLA contribute to the persistence of gender inequality. The author reviews research literature to examine how the exemption of small business, the lack of pay for leave and the gender neutrality of the law keep the law from improving the economic status of women. Comparisons are made with the Icelandic system.

Rabe-Hemp, C.E. & Humiston, G.S. (2015) 'A survey of maternity policies and pregnancy accommodations in American police departments.' *Police Practice & Research*, Vol. 16, No.3: 239-253.

Interviews were conducted with 25 police departments employing the most women in the US to investigate how the FMLA and the Pregnancy Discrimination Act (PDA) impacted departmental practices. They found that the FMLA was well-implemented in these agencies. The PDA did not influence the departments in such a consistent way. Some placed pregnant officers on unpaid disability leave, while others reassigned them to light duties. In 2012, the International Association of Chiefs of Police announced a new policy that encourages

agencies to accommodate the needs of pregnant employees so they can remain employed during pregnancy.

c. Ongoing research

None reported.

Uruguay³⁴⁴

Karina Batthyány y Valentina Perrotta (Universidad de la República)

April 2015

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

a. Maternity leave (public sector) (*Licencias por maternidad y por paternidad*) (Instituto de Seguridad Social).

Length of leave (before and after birth)

- Thirteen weeks: up to six weeks can be taken before the birth, one week of which must be taken at this time.

Payment and funding

- One hundred per cent of earnings with no ceiling on payments.
- Funded from general taxation.

Flexibility in use

- None, except for five weeks of leave that can be taken before or after birth.

Eligibility

- All public sector employees.

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

- In the case of multiple or premature births or disability, the leave is extended to 18 weeks.

a. Maternity leave (private sector) (*Subsidio por maternidad*) (Instituto de Seguridad Social)

Length of leave (before and after birth)

- Fourteen weeks: up to six weeks can be taken before the birth. It is obligatory to take the full period.

³⁴⁴ Please cite as: Batthyány, K. (2015) 'Uruguay country note', in: P. Moss (ed.) *International Review of Leave Policies and Research 2015*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

Payment and funding

- One hundred per cent of earnings with no ceiling on payments. For employees, this is based on average earnings in the six months before taking leave. For self-employed workers, this is based on average earnings over the 12 months before taking leave.
- Funded by the Social Security system, which is financed by contributions; for sickness and maternity benefits, three to six per cent of employee earnings and five per cent of payroll from employer, plus earmarked proceeds of certain taxes.

Flexibility in use

- If labour occurs before the expected date, the mother starts leave immediately and post-natal leave is extended to complete the 14 weeks, or eight weeks after originally scheduled delivery date

Eligibility

- All employees
- Self-employed workers who are covered by the Social Security system, with no more than one employee.
- Other self-employed workers who pay Social Security contributions.

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

- In the case of illness resulting from pregnancy or childbirth, the mother is entitled to an extension of pre- or post-natal leave.

b. Paternity leave (public sector) (*Licencia por paternidad*) (Instituto de Seguridad Social)

Length of leave (before and after birth)

- Ten calendar days.

Payment and funding

- One hundred per cent of earnings with no ceiling on payments.
- As for Maternity leave.

Flexibility in use

- None.

Eligibility

- All public sector employees.

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 (private sector) (*Inactividad Compensada por Paternidad*) (Instituto de Seguridad Social)

Length of leave (before and after birth)

- Seven calendar days.

Payment and funding

- One hundred per cent of earnings with no ceiling on payments. For employees, this is based on average earnings in the six months before taking leave. For self-employed workers, this is based on average earnings over the 12 months before taking leave.
- As for Maternity leave.

Flexibility in use

- None.

Eligibility

- All employees
- Self-employed workers who are covered by the Social Security system, with no more than one employee.
- Other self-employed workers who pay Social Security contributions.

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

No statutory entitlement.

d. Childcare leave or career breaks

No statutory entitlement.

e. Other family employment-related measures

Adoption leave and pay

- For workers in the public sector, six consecutive weeks paid at full earnings from the time the child is placed with the adoptive parents; if both parents are work in the public sector, one parent can take this leave, while the other may take ten working days of

leave. In the private sector, workers can take three days paid leave.

Time off for the care of dependants

- No statutory entitlement.

Flexible working

- Workers in the private sector may work half time from the end of Maternity leave until their child is five months old; this may be used interchangeably and alternately by mothers or fathers, with full earnings compensation ('parental care allowance').
- Mothers in the public sector may work half time, but only if they are breastfeeding. This lasts as long as needed by the baby, but usually goes until the baby is 12 months old.

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

The maximum period of post-natal leave is around three months, paid at a high earnings-related level. There is no entitlement to ECEC and compulsory school age is six years.

Through the first two years of life, ECEC provision is almost totally private as the supply of public care is scarce. Attendance in 2012 was 3.1 per cent for children under 12 months, 12.5 per cent for one to two-year-olds and 45 per cent for two to three-year-olds.

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

Law N°19161, approved in November 2013, extended Maternity leave from 13 to 14 weeks and Paternity leave from three to seven days for workers in the private sector. In addition, this law extended coverage to more groups of workers, in particular self-employed workers paying Social Security contributions; before these changes, only employees were eligible for these leaves. Moreover, this law created the possibility for mothers or fathers to work half time from the end of Maternity leave until their child reaches five months, with payment. From 1 January 2016, this half-time work option will be extended by a month, until a child reaches six months of age.

a. Take-up of leave

a. Maternity leave

Data on maternity payments show a significant increase in the numbers of private sector workers using Maternity leave in recent years, rising from 1,245 in January 2011 to 3,211 in December 2014³⁴⁵.

This increase is associated with the new legislation approved in November 2013, which extended coverage for Maternity leave. . The observed increase is likely explained by the expansion of coverage of the subsidy from the incorporation of other workers among those receiving the subsidy (holders of small businesses who paid fixed amount tribute and self-employed).

³⁴⁵ Santos, S. (2014) *Subsidios por Maternidad servidos por el Banco de Previsión Social, Asesoría General en Seguridad Social*. Montevideo: Banco de Previsión Social.

b. Paternity leave

The number of men taking Paternity leave is much lower than the number of women taking Maternity leave - 949 in May 2014, the latest data available.

c. Parental leave

There is no statutory leave entitlement.

d. Childcare leave and career breaks

There is no statutory leave entitlement

e. Other family-employment related measures

In the first four months following the introduction of the right to work half time after maternity leave until a child is five months, there were 3,106 women users and 65 men, 2.1 per cent of all users.

b. Research and publications on leave and other employment-related policies since April 2005

a. General overview

None reported.

b. Selected publications since April 2005

None reported.

c. Ongoing research

The Gender Sociology Area of the Sociology Department (Social Sciences Faculty - University of the Republic), coordinated by Karina Batthyány, is working on a project whose aim is to evaluate the impact of various state measures on the gender division of labour, including extension of Maternity and paternity leave and others care policies recently implemented. Related to parental care allowance (the right to work half time after Maternity leave), the project will describe the profile of users, and analyse the effect of government intervention in the practices and representations of care. It will inquire into the views of women and men on the law changes, and variations in care practices and care work distribution among other dimensions. Contact: Karina Batthyány at karina.batthyany@cienciassociales.edu.uy.