

# Slovenia<sup>1</sup>

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April 2023

For comparisons with other countries in this review on leave provision and early childhood education and care services, please see the [cross-country tables](#) at the front of the review (also available individually on the Leave Network website). To contact authors of country notes, see the [members](#) page on the Leave Network 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)*

- Fifteen weeks: four weeks before the birth and 11 weeks following the birth.
- It is obligatory to take 15 days of leave.

#### *Payment and funding*

- One hundred per cent of average monthly earnings (or other base 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, €628.61 (gross) a month is factored in for the missing period. There is no upper limit, and the minimum is €628.61.
- Women who are not insured at the time when the leave starts, but who have been insured for at least 12 months in the last three years before the start

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<sup>1</sup> Please cite as: Stropnik, N. (2023) 'Slovenia country note', in Blum, S., Dobrotić, I., Kaufman, G., Koslowski, A., and Moss, P. (eds.) *International Review of Leave Policies and Research 2023*. Available at: <https://www.leavenetwork.org/annual-review-reports/>.

of Maternity leave, receive the (hypothetical gross) amount of basic minimum income (€628.61) that is increased by €20 (gross) per each month of insurance, but by no more than €340 (gross).

- Payments are taxed. The parent (or adoptive parent or foster parent) who was taking care of a child in its first year – i.e., the person who was receiving parental earnings compensation – receives pension credits for child-rearing<sup>2</sup>.
- Funded partly from Parental Protection Insurance that forms part of Social Security Insurance. Contributions to Parental Protection Insurance are 0.1 per cent of gross earnings for employees and the same for employers. However, over 90 per cent of the total financing of the Maternity/Paternity/Parental leave earnings compensations is financed from the central government budget<sup>3</sup>.

#### *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 must be covered by Parental Protection Insurance (which is part of social security) just prior to the first day of the leave. This insurance covers persons on employment contracts (both permanent and fixed-term, either full-time or part-time); the self-employed (including persons performing agricultural activities); and temporary agency workers. For the unemployed, see the 'payment and funding' section.
- The person who is not insured at the time of exercising the right to salary compensation, but who has been insured for at least 12 months during the last three years, is eligible for earnings compensation (and not for the 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*

- Leave (77 days or fewer) 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 not able to nurse and care for the child (medical certificate is needed).
- 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 of age and has the status of an apprentice, a pupil, or a student. In that case, Maternity leave lasts 77 days

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<sup>2</sup> For the impact of these pension credits on the gender pension gap, see: Kump, N. and Stropnik, N. (2020) *Results of the standard simulations for Slovenia, Project MIGAPE* (Mind the gap in pensions), Ljubljana: Institute for Economic Research. Available at: [http://www.migape.eu/pubs/WP2\\_SIE\\_Report\\_20200422.pdf](http://www.migape.eu/pubs/WP2_SIE_Report_20200422.pdf)

<sup>3</sup> 92 per cent, according to MISSOC – Mutual Information System on Social Protection (update as of 1 July 2019). Available at: <https://www.missoc.org/>.

minus 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*

- Fifteen calendar days.

### *Payment and funding*

- One hundred per cent of average earnings (or other base on which Parental Protection Insurance contributions were paid) during the 12 months prior to the leave, to an upper limit of 2.5 times the average gross salary in Slovenia, per month, in the previous calendar year<sup>4</sup> [€5,059.80 per month]. Not all income on which Parental leave contributions were paid is counted towards 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, €628.61 (gross) per month is factored in for the missing period.
- Payments are taxed. The parent (or adoptive parent or foster parent) who was taking care of a child in its first year – i.e., the person who was receiving parental earnings compensation – receives pension credits for child-rearing.
- Funding is the same as for Maternity leave.

### *Flexibility in use*

- Paternity leave may be taken as full-time or part-time continuous leave until the child's age of three months. The duration of leave does not change, if taken part-time.
- The adoptive parent or the person with whom the child is placed for the purpose of adoption, or the child's relative who is granted parental care, may take Paternity leave as full-time or part-time continuous leave in three months following the placement of the child with the (future) adoptive parent or the granting of parental care to the relative, but at the latest until the child is eight years old.

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

- As for Maternity leave.
- The adoptive parent or the person with whom the child is placed for the purpose of adoption, or the child's relative who is granted parental care, also has the right to Paternity leave.

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<sup>4</sup> Or in the year before the previous one if the information for the previous year is not yet available.

- The father is not entitled to Paternity leave if: there was a stillbirth; he was legally deprived of his parental right or prohibited from contacting the child; if, 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 if he is not able to nurse and care for the child (medical certificate is needed).

*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*

- Paternity leave is extended by an additional ten days for each additional child in the case of 1) multiple live births, or 2) adoption or placement with the person for the purpose of adoption or granting parental care to the relative of multiple live born children or multiple children of different age up to age 8. The father may take these additional days until the child's age of three months. The adoptive parent or the person with whom the child is placed for the purpose of adoption, or the child's relative who is granted parental care, may take the additional days in three months following the placement of the child with the (future) adoptive parent or the granting of parental care to the relative, but at the latest until the child is eight years old.
- If the father does not use Paternity leave, the following persons are entitled to it: mother's husband or co-habiting partner; partner of either sex in the registered same-sex partnership; and other persons who are nursing and taking care of the child. The same applies to the spouse, co-habiting 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 sixty calendar days per parent.
- Leave is an individual entitlement, part of which (100 days) is transferable to the other parent.

*Payment and funding*

- As for Paternity leave.
- 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 exercising the right to salary compensation (Maternity, Paternity, or Parental, whichever is taken first), see 1a<sup>5</sup>.

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<sup>5</sup> In 2021, such cases accounted for around five per cent of all persons who received parental earnings compensation.

- Payments are taxed. The parent (or adoptive parent or foster parent) who was taking care of a child in its first year – i.e., the person who was receiving parental earnings compensation – receives pension credits for child-rearing
- Funding as for Maternity leave.

### *Flexibility in use*

- Either parent may transfer 100 days of their entitlement to the other parent.
- The parents must agree upon the use of Parental leave, in writing, 30 days prior to the expiry of Maternity leave. If the parents cannot reach an agreement, or their decision is not to the benefit of the child, the Centre for Social Work decides on this matter by considering the best interests of the child.
- Separated parents have the same rights as those living together.
- The Parental leave and earnings compensation are the rights of biological, adoptive and foster parents. If the same-sex partner has not adopted the child, he/she is not eligible. In that case, the biological parent is entitled to the whole of the parental leave and the respective earnings compensation.
- Parental leave must 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. One of the parents must take it immediately after Maternity leave. Up to 60 non-transferrable days per parent may be taken at any time until the child's age of 8 (full-time or part-time), but not more than twice a year, with each section lasting at least 15 days (unless a lower number of days is at disposal).
- Non-transferrable days of Parental leave may be used during Maternity leave.
- Parents can combine Parental leave (20 hours per week for the mother, 20 hours per week for the father) and take it at the same time.
- Parents may concurrently use full-time Parental leave in the case of multiple births, birth of a child in need of special care, or if they already raise at least two children below the age of 8 or a child in need of special care. This applies only to extended Parental leave due to these reasons and the non-transferrable days of Parental leave.
- In rare cases, where the father is unknown and his entitlement cannot be transferred to the mother, a single 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 the pregnancy was shortened.
- In the case of multiple births, Parental leave is extended by 90 days for each additional child. The same applies to cases of the adoption or placement with the person for the purpose of adoption or granting parental care to the

relative of multiple live born children or multiple children of different age if the oldest child age is below the age of eight years. Parental leave is also extended by 90 days in the case of the birth of a child in need of special care.

- Leave is extended by 30 days if parents already have at least two children below the age of eight years; 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).
- A person other than a parent who nurses and cares for the child is entitled to Parental leave, reduced by the number of days the parents have already used.
- If the mother is below 18 years of age and is an apprentice, pupil, or student, one of the grandparents (who is insured for Parental leave) may take the leave with the parents' consent.
- Adoptive parent (and child's relative who is granted parental care) has the same entitlements to Parental leave as other parents (see Section 3). The leave should start no later than 15 days from the placement of the child into the family for the purpose of adoption or the adoption itself (or granting parental care to the relative). It may be used until the child reaches eight years of age.
- There are 30 days of Parental leave in the case of (foreseen) adoption (or granting parental care to the relative) of a child who has already turned eight years old and is below 15 years of age. The leave should start no later than 15 days from the placement of the child into the family for the purpose of adoption or the adoption itself (or granting parental care to the relative).
- Foster parents are eligible for 30 days of Parental leave for a foster child for which they cannot take regular Parental leave any more, but who is below the age of eight years. The leave should start no later than 15 days after the placement of the child into foster care.

#### *Parental benefit for persons who are not eligible for insurance-based leave and earnings compensation*

- Parents who are not eligible for insurance-based Maternity/Paternity/Parental leave and earnings compensation, are entitled to flat-rate parental benefit. Both the parent and the child must have permanent or temporary residence status and reside in Slovenia. The benefit amounts to €465.34 net per month and is received for 365 days from the birth of a child (longer in the cases of multiple or premature births, or the birth of a child in need of special care). The benefit is exempt from the personal income tax. Contributions for pension and disability insurance are paid from the central government budget. The mother is entitled to parental benefit for the first 77 days after the birth of the child. The father is entitled in this period only if the mother abandons the child, is not able to nurse and care for the child (medical certificate is needed), or dies. After 77 days, parental benefit is the right of one of the parents and is used according to their written agreement. Another person nursing and caring for the child, as well as fulfilling the same conditions as the parent, is entitled to the parental benefit, too – namely for 365 days minus the number of days the

parents have already used. While receiving the parental benefit, the parent is covered by the pension and disability insurance.

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

- No statutory entitlement.

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

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

- An insured person is entitled to take leave to care for an immediate co-resident family member who is ill (spouse and children, biological or adopted). Generally, seven working days of leave may be taken for each episode of illness per family – however, 15 working days may be taken for a child of up to seven years of age or a child who is moderately, severely, or very severely mentally and physically disabled. In exceptional cases, 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 the individual's average earnings in the preceding calendar year, per month. This cannot be lower than 60 per cent of the minimum wage (€722 gross per month)<sup>6</sup> or higher than the wage which the person would receive if they were working.

##### *Specific provision for (breast)feeding*

- Breastfeeding mothers who work full-time have the right to a break during working time lasting no less than one hour per day, until their child is 18 months of age. Payment is made for one hour per day, based on the proportional part of the basis defined in Section 1a (which cannot be more than the proportional part of 2.5 times the national average gross salary per month).

##### *Flexible working*

- A parent who is taking care of a child below three years of age (or 18 years of age if the child has a severe physical disability, or a moderate or severe mental disability), or at least two children, the younger of whom is below the age of eight years, has the right to work part-time. The hours worked must be equal to or longer than half of full-time working hours (i.e., at least 20 hours per week). For hours not worked, social security contributions<sup>7</sup> based on the proportional part of the average monthly earnings during the

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<sup>6</sup> But not higher than the insurance base.

<sup>7</sup> Social security contributions include pension credits.

previous 12 months<sup>8</sup> – but not less than the proportional part of the minimum wage and not more than the proportional part of 2.5 times the national average gross salary per month – are paid. The parents may concurrently exercise the right to work part-time, whereby their total hours worked must be equal to or longer than half of full-time working hours per week. They have the right to return to the hours worked before (usually full time) afterwards.

#### *Other measures*

- 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 has been an active job searcher for at least 12 months in the last three years – is entitled to have social security contributions<sup>9</sup> paid from the state budget, until the youngest child's age of eight.

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

- The maximum period of post-natal leave is 12.2 months, paid at a high rate. There is an entitlement to Early Childhood Education and Care (ECEC) from the end of Parental leave, available on a full-time basis in centres. There is no gap, therefore, between the end of well-paid leave and an ECEC entitlement.
- For ECEC attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

## **3. Changes in policy since April 2022 (including proposals currently under discussion)**

From 1 April 2023:

- The upper limit of 2.5 times the average gross salary, per month, in the previous calendar year (or in the year before the previous one if the information for the previous year is not yet available) applies for the Paternity and Parental leave salary compensation, which is higher than the former upper limit.
- Non-transferrable days of Parental leave may be taken at any time until the child is eight years<sup>10</sup>.

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<sup>8</sup> This basis is defined in Section 1a.

<sup>9</sup> The contributions basis is the amount of 60 per cent of the last known average annual salary of employees in Slovenia, calculated per month.

<sup>10</sup> For children born before 1 April 2023, up to 75 days of Parental leave could be taken until the child completed the first grade of primary school.



- The parents may concurrently exercise the right to work part-time (with paid social security contributions up to full-time), whereby their total hours worked must be equal to or longer than half of full-time working hours per week.

In the case of children born or adopted or placed for the purpose of adoption or for whom the parental care was granted to the relative, from 1 April 2023 onwards:

- Paternity leave is shortened from 30 to 15 days<sup>11</sup>. It can be taken as full-time or part-time continuous leave until the child's age of three months<sup>12</sup>. The same applies to additional days granted in the case of multiple live births<sup>13</sup>.
- Parental leave is extended from 130 calendar days per parent to 160 calendar days per parent, of which 60 days per parent are non-transferrable<sup>14</sup>.
- Non-transferrable days of Parental leave may be used during Maternity leave.
- Parents may concurrently use full-time the non-transferrable days of Parental leave.

## 4. Uptake of leave

### a. Maternity leave

- As Maternity leave is obligatory, all employed women should take up some (normally all) leave.

### b. Paternity leave

- Roughly 93 per cent of fathers took up to (and close to) 15 days of Paternity leave in 2022 (89 per cent in 2021)<sup>15</sup> (13.5 days on average in both 2021 and 2022), while around half of leave-takers (54 per cent in 2022) tend to take more than 15 days (just below 10 days on average in both 2021 and

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<sup>11</sup> Before, fathers had 30 non-transferable days (Paternity leave), and now they have 75 non-transferable days (Paternity and Parental leave).

<sup>12</sup> For children born before 1 April 2023, the first 15 days could be taken up to one month following the end of Parental leave.

<sup>13</sup> For children born before 1 April 2023, these additional days could be taken until the children completed the first grade of primary school.

<sup>14</sup> For children born before 1 April 2023, only 30 days of the mother's 130 days were non-transferrable.

<sup>15</sup> These proportions relate to all fathers and are thus higher for eligible fathers. The number of deliveries in 2022 is used as denominator while, actually, the Paternity leave may have been taken in 2022 for children born in 2021, or will be taken in 2023 for children born in 2022.

2022). The first 15 days are usually taken when the mother and child come home from the hospital<sup>16</sup>.

### c. Parental leave

- Most mothers take the entire Parental leave allocation, some take a good portion of it, while very few do not take it (usually due to health reasons). In 2017-2021 the share of fathers among all leave-takers stayed at around four per cent. In 2022, it increased to around five per cent.<sup>17</sup> Considering the full earnings compensation while taking leave, the reasons for fathers' persistent low participation may be found in the traditional division of tasks within the family; societal attitudes (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<sup>18 19</sup>. Paternity leave provisions and fathers having the same individual entitlement to Parental leave as mothers, do not significantly influence mothers' earlier return to work after their leave period. Since fathers usually take only part of the Parental leave (if any at all), women's professional careers continue to be affected by their absence from work as a direct result of taking up Parental leave.

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<sup>16</sup> Stropnik, N. (2018) 'Fathers' rights and uptake of leaves in Slovenia,' Peer review on 'Instruments to foster long-term paternal involvement in family work,' Berlin, 4-5 October 2018. Available at: [https://ec.europa.eu/info/publications/mlp-gender-equality-seminar-long-term-paternal-involvement-family-work\\_en](https://ec.europa.eu/info/publications/mlp-gender-equality-seminar-long-term-paternal-involvement-family-work_en)

<sup>17</sup> The number of deliveries in 2022 is used as denominator while, actually, the Parental was taken in 2022 also for children born in 2021 or earlier (because a part of the leave could be taken until the child completed the first grade of primary school).

<sup>18</sup> 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.irsv.si/publikacije/leto-2010/index.html>

<sup>19</sup> Hrženjak, M. (ed.) (2016) *Spremembe očetovstva: moški med delom in starševstvom [Changing fatherhood: men between employment and parenthood]*. Ljubljana: Mirovni inštitut.