

# Croatia<sup>1</sup>

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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 (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 Demography, Family, Youth and Social Policy)**

*Length of leave (before and after birth)*

- Maternity leave: 28 days before the expected date of birth, then until the child turns six months of age. It is obligatory for mothers 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 six months prior to the leave, with no upper limit on payments.

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- A parent who does not meet the condition of at least 12 months of continual insurance (or 18 months of insurance with interruptions) over the last two years receives 70 per cent of the 'budgetary base rate' of HRK3,326 [€448.70]<sup>2</sup> per month: the gross average earnings in January 2018 were HRK8,361 [€1,127.95].<sup>3</sup>
- Maternity exemption from work/maternity care for the child: 70 per cent of the budgetary base rate per month.
- Funded from general taxation.
- Pension rights: employed parents on Maternity leave maintain their pension insurance and the contributions are paid by the state on the level of maternity benefit. Unemployed and inactive parents entitled to maternity exemption from work/maternity care for the child have the right for pension insurance to be paid by the state until the child turns one year of age (if there is a second child born within this first year, the pension insurance based on the birth of the first child stops, and one-year pension insurance based on the birth of the second child begins).

#### *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 reaches six months of age 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 day 71 and, in the case of the mother starting employment, she 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 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 people are eligible.
- 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 must be registered with the unemployment office, have

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<sup>2</sup> Conversion of currency undertaken for 24 June 2019, using: <https://www1.oanda.com/currency/converter/>.

<sup>3</sup> See: <http://www.dzs.hr/Hrv/publication/subjects.htm>

health insurance, and three years' residency (i.e. as a citizen or foreign citizen with permanent residency of at least three continuous years in Croatia).

- Maternity care for the child: parents outside the labour system (due to, for example, retirement, incapacity, or studying) must have health insurance and five years' residency (as a citizen or foreign citizen with permanent residency of at least five continuous years in Croatia).

*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 (referred to as 'sick leave due to illness and complications related to pregnancy'), in addition to Maternity leave. The mother is paid at a rate of 100 per cent with an upper limit of HRK4,257 [€574.30] per 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 Demography, Family, Youth and Social Policy)**

*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' section 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 an upper limit of 120 per cent of the budgetary base rate,<sup>4</sup> or eight months if both parents use Parental leave; 70 per cent of the budgetary base rate after the first six (or eight) months, or if parents do not fulfil the condition of either at least 12 months of continual insurance period or 18 months of insurance with interruptions in the last two years.
- Parental exemption from work/parental care for the child: 70 per cent of the budgetary base rate.
- Funded from general taxation.
- Pension rights: employed parents on Parental leave maintain their pension insurance and the contributions are paid by the state on the level of parental benefit (as there is a low ceiling for parental benefit, parents with higher salaries are left without an important part of their contributions). Unemployed and inactive parents entitled to parental exemption from work/parental care for the child have the right to pension insurance paid by the state until the child turns one year of age (if there is the second child born within this first year, the pension insurance based on the birth of the first child stops, and one-year pension insurance based on the birth of the second child begins).

#### *Flexibility in use*

- Parental 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 confirm their agreement in written consent.
- Parents can use their entitlement at the same time or consecutively (although this possibility was removed from the new legislation, legal opinion holds that parents can still use leave that way if not explicitly forbidden by law).
- Parental leave can be taken in the following ways: a) fully (i.e. 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 70 per cent of the budgetary base rate).
- 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)*

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<sup>4</sup> The budgetary base rate amounts to HRK3,326 [€448.70] per month.

- As for Maternity leave (including in terms of citizenship conditions for unemployed/inactive parents).
- Same-sex couples have the same right to Parental leave in cases where they both have the right of parental care over the child in accordance with the Same-sex Life Partnership Act.<sup>5</sup>

*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*

- 15 months (450 days) per parent for twins, other multiple births, and the third and every subsequent child. This leave is transferable from one parent to another and paid at 70 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 to not work until the child turns three years of age. During that time, the parent's rights and obligations regarding their employment are suspended, and the rights to compulsory health insurance and retirement insurance are maintained. This is unpaid, and contributions for pensions and healthcare are not paid during that period.
- Regional/local variations: in 2016, the City of Zagreb introduced a cash-for-care scheme for parents of three or more children (they have the right to so called 'parent-caregiver' status). Eligible parents are unemployed with at least one child of pre-school age, with Croatian citizenship and uninterrupted five-year residency in the City of Zagreb before the birth. Children cannot attend ECEC programmes if parents apply for this allowance. The allowance is c. €520 net per month (c. 65 per cent of average net wage and 140 per cent of minimum wage) and it may be paid until the youngest child in the family turns 15 years of age. In November 2017, there were 3,138 beneficiaries (it is estimated that there are 7,000 potential beneficiaries).<sup>6</sup>

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

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<sup>5</sup> <https://www.zakon.hr/z/732/Zakon-o-%C5%BEivotnom-partnerstvu-osoba-istog-spola>

<sup>6</sup> See: <https://www.jutarnji.hr/vijesti/hrvatska/zagreb-potrosio-sav-novac-za-odgojitelje-a-stizu-novi-zahtjevi-trenutacno-3137-roditelja-s-troje-ili-vise-djece-prima-naknadu/6849762/>

### *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 the same way as Maternity leave). Adoption leave is extended for 60 days in the case of the adoption of twins or a child who 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. They receive all the other rights that employed/self-employed parents do.
- 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.
- Same sex couples cannot adopt children.
- 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 70 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 of age, up to 60 working 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 working 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 working 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 18 years of age can be extended based on a 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 and divorced parents). All payments are subject to an upper limit of HRK4,257 [€574.30] per month. It can be used on a 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*

- 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 their health and development, and only if Parental leave was fully used – this is paid at 70 per cent of the budgetary base rate (recalculated to the hourly rate, and paid only for the hours outside of the new working day).
- 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, 70 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 two years, otherwise 70 per cent of the budgetary base rate recalculated to the hourly rate.

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

- 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 another position for her within the company, she has the right to leave at full earnings paid by the employer.

#### *Pre-natal examinations (slobodan radni dan za prenatalni pregled)*

- Pregnant workers have a right to use several hours – equivalent to one working day off per month – in order to attend pre-natal examinations. Pregnant workers are 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 paid 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 previous average earnings up to a low ceiling for Parental leave (flat-rate for (self-)employed parents who do not fulfil eligibility criteria, and unemployed or inactive parents). There is no entitlement to ECEC at any age, however all children must attend a pre-school programme a year before starting primary school, for at least 250 hours, as preparation for school (minimum 150 hours if the local community service cannot organise a full programme): attendance is obligatory. This is only a short pre-school programme and cannot be treated the same way as a legal entitlement to ECEC. Levels of attendance at formal services are well below the average for the countries included in this review and OECD countries (for more details see the table on the 'Relationship between leave and ECEC entitlements').

## **3. Changes in policy since April 2018 (including proposals currently under discussion)**

No changes.

## **4. Uptake of leave**

### **a. Maternity leave**

There is no official information on uptake rates. 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 (2018), fathers used the transferred right in 0.28 per cent of cases. Maternity exemption from work is predominantly used by mothers: only four fathers (0.06 per cent) used the right in 2018, and in the case of maternity care for the child, fathers accounted for 0.1 per cent of all users in 2018.<sup>7</sup>

### **b. Paternity leave**

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[https://www.prs.hr/attachments/article/2645/Izvje%C5%A1%C4%87e%20o%20radu%20Pravobraniteljice%20za%20ravnopravnost%20spolova%20za%202018.%20godinu\\_~.pdf](https://www.prs.hr/attachments/article/2645/Izvje%C5%A1%C4%87e%20o%20radu%20Pravobraniteljice%20za%20ravnopravnost%20spolova%20za%202018.%20godinu_~.pdf)



No statutory entitlement.

**c. Parental leave**

There is no official information on uptake rates. Parental leave is also predominantly used by mothers. According to the latest official data (2018), fathers account for 7.55 per cent of all Parental leave taken. Parental exemption from work and parental care for the child is also predominantly used by mothers: i.e. fathers account for 0.39 per cent of all users of parental exemption of work and for 0.53 per cent of all users of parental care for the child.<sup>8</sup>

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<sup>8</sup> Ibid.