

The Netherlands¹

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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 (*zwangerschaps- en bevallingsverlof*) (responsibility of the Department of Social Affairs and Employment)

Length of leave (before and after birth)

- 16 weeks. Leave must start four weeks before the birth (although up to six weeks can be taken for pre-natal leave), with ten weeks to 12 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 at least four weeks before and six weeks after the birth.

Payment and funding

- 100 per cent of earnings up to a limit equivalent to the maximum daily payment for sickness benefit (€209.26).
- Funded from the unemployment fund, which is financed by employers contributing 4.15 per cent of employees' earnings.

Flexibility in use

¹ Please cite as: den Dulk, L. and Yerkes, M.A. (2019) 'Netherlands country note,' in Koslowski, A. Blum, S., Dobrotić, I., Macht, A., and Moss, P. (eds.) *International Review of Leave Policies and Research 2019*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

- 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 date, and six weeks after the actual date of delivery. After the six weeks' obligatory leave following delivery, mothers are entitled to use the remaining part of their leave in a flexible way (since 2015). They can spread out the remaining period of leave over a maximum of 30 weeks.

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

- All female employees.
- Self-employed women are entitled to 16 weeks' payment up to a maximum of 100 per cent of the statutory minimum wage, depending on the number of hours worked (€1578 per month before taxes for those aged 22 years and older).
- Women in same-sex relationships who give birth 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; single parent); or delegation of leave to person other than the mother

- Additional leave of up to ten weeks, if the child needs to stay at the hospital for more than one week after the birth.
- Delegation of the leave to the partner if the mother dies.
- Flexible uptake of the last part of the leave (6 weeks after birth, the mother can spread the remaining leave over 30 weeks).
- In the case of multiple births, mothers are entitled to 20 weeks of Maternity leave (eight to ten weeks before the due date and the remaining leave after the birth).

b. Birth leave (for partners and fathers; *geboorteverlof*) (responsibility of Department of Social Affairs and Employment)

Length of leave

- The length of leave is equivalent to the number of working hours per week per partner/father. For example, a full-time job of 38 hours per week gives a leave entitlement of 38 hours (i.e. one week).

Payment and funding

- Paid by the employer at 100 per cent of earnings, with no upper limit on payments.

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.
- Self-employed partners/fathers are not entitled to birth leave.
- Men in same-sex relationships 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; single 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)

- Collective agreements may contain supplementary or restrictive arrangements with respect to the amount of paid birth leave. Collective agreements that went into effect prior to 1 January 2019 remain in effect, but only until 1 July 2019. After 1 July 2019, each employee has the right to birth leave as stipulated in the law.

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

Length of leave

- 26 times the number of working hours per week per parent per child. For example, a full-time job of 38 hours per week gives a leave entitlement of 988 hours (i.e. 26 weeks). Leave is an individual, non-transferable entitlement.

Payment and funding

- None.
- The uptake of unpaid Parental leave has no consequences for unemployment benefits. However, when an employee falls ill during the leave period, they cannot make claims for sickness payment while on leave; this insurance entitlement is restored once the leave period ends. The impact on pensions depends on the specific pension agreement and collective agreement.

Flexibility in use

- Leave can be taken until a child is eight years old. Parents can take leave at the same time, if they choose.
- Parents are granted full flexibility in use unless uptake conflicts with serious business needs.

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

- All employees are entitled to Parental leave, including same-sex couples, parents of foster children, step-children, adopted children (as long as they live in the same household), and employees with temporary contracts.
- Self-employed parents are not entitled to 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; single parent); or delegation of leave to person other than the parents

- As the leave is allocated 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)

- Collective agreements can only supplement legislation. A 2017 study of the 100 largest collective agreements in the Netherlands shows that 16 collective agreements offered partly paid leave (payment varied between 25 and 75 per cent); two collective agreements extended the age of the child up to which leave can be taken to 12 and 13 years respectively; and two collective agreements extended the period of leave. Collective agreements that supplement legislation are mainly found in public administration and the health sector.²

d. Childcare leave or career breaks

No statutory entitlement.

e. Other employment-related measures

² Torenvliet, B., Houtkoop, A. and Junger-van Hoorn, E.C. (2018) *Arbeid en zorg 2017. Een onderzoek naar cao-bepalingen gerelateerd aan de Wet modernisering regelingen van verlof en arbeidstijden en de Wet Flexibel Werken*. [Work and care 2017. Research on collective agreements related to the act modernising leave arrangements and working times and the Flexible Working Act] The Hague: Department of Social Affairs and Employment.

Adoption leave and pay

- Each parent is entitled to six weeks' leave when a child is placed for adoption (or long-term fostering), with payment equivalent to Maternity leave.
- Leave can be used flexibly over a period of 26 weeks (four weeks before the child is placed and 22 weeks after), as long as it does not conflict with serious business needs. This leave does not have to be taken in one block.
- For adoptive parents, the same regulations for Parental leave apply as for other parents.

Time off for the care of dependants

- Short-term leave up to a maximum per year of two times the number of working hours per week can be taken to care for a sick child living at home, a sick partner, or parent, other household members, family members, or friends. The employer is required to pay 70 per cent of the employee's earnings. All employees are eligible, subject to three conditions: firstly, an employer can refuse to grant the leave if the interests of the organisation might be seriously harmed; secondly, care must be necessary because of illness; thirdly, care must be provided by the employee involved.
- Employees are also entitled to unpaid long-term leave per year 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). The leave can be taken in all cases where long-term care is needed. With the agreement of the employer, long-term care leave can also be taken full-time or with reduced hours per week over a longer period, up 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 off work can be taken by an employee with very exceptional personal circumstances (e.g. a broken water pipe, a death in the family, or 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 Flexible Working Act 2016, all employees who have completed six months' continuous employment with their present employer have the right to increase, decrease, or adjust their working hours and the right to work from home. These rights are, 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 fewer than ten employees.

Specific provision for (breast)feeding

- Mothers returning to work after Maternity leave are entitled to breastfeed or pump breast milk during working hours until their child is nine months old, and are entitled to take breaks of up to 25 per cent of their working hours. Employers are required to offer a suitable room and pay for these hours.

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. Leave paid at a high rate runs for a maximum of just 12 weeks. ECEC is offered to children aged two and a half to four years old, who are at risk for language or learning deficiencies. ECEC is the responsibility of municipalities: considerable differentiation exists regarding eligibility and provision. From the age of four there is an entitlement for children to start school, on a voluntary basis, prior to compulsory schooling at age five. There is, therefore, a significant gap between the end of leave and starting school, i.e. nearly three years between the end of leave and an ECEC entitlement, and nearly four years between the end of well-paid leave and an ECEC entitlement. Parents can also make use of formal childcare services, and working parents may be entitled to childcare subsidies.³ Levels of attendance at formal services for children under three years of age are well above the average both for the countries included in this review and OECD countries (though this includes many children aged two who are attending part-time playgroups). Levels of attendance at formal services are also above the average for children over three years of age. For actual attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

3. Changes in policy since May 2018 (including proposals currently under discussion)

³ Yerkes, M.A. and Javornik, J. (2018) 'Creating capabilities: childcare policies in comparative perspective,' *Journal of European Social Policy*, doi:10.1177/0958928718808421.

From 1 January 2019, partners and fathers are entitled to paid birth leave (see 1.b.), which replaces and extends Paternity leave. This leave will be extended by a further five weeks from July 2020 onwards.

In 2018, a new law on innovation and quality in childcare came into effect. The law aims to improve the standard and accessibility of childcare. The law will be implemented in phases. In 2018, several quality measures were introduced, including an improved health and safety policy, and the requirement to have a pedagogical policy plan. In 2019, the child-staff ratio was improved, from one staff member to four children under 12 months of age to 1:3. The child-staff ratio also changed for after-school care: from 1:10 to 1:12 (children seven years of age and older) and 1:11 for children between four and 13 years of age. The law additionally provides guidelines regarding mentors for children (each child should have a mentor in formal care assessing their progress) and for the coaching of pedagogical staff. By January 2023, further educational and training measurements and requirements also need to be implemented.

4. Uptake of leave

a. Maternity leave

No specific study has been done on the uptake 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 delivery, an uptake rate of 100 per cent might be expected. A recent study examined the use of the flexible part of Maternity leave and shows that relatively few women utilise the granted flexibility of the last part of the leave: i.e., after the first six weeks following delivery (at less than two per cent).⁴

b. Paternity leave/Birth leave

Statistics on the uptake of the recently introduced birth leave are not yet available; the information here refers to Paternity leave, as it was available until 1 January 2019 (two days of paid leave). In 2017, 86 per cent of fathers entitled to Paternity leave used the leave. This percentage has remained stable over the years.⁵ It is also customary to take up annual holidays or a reduction of working hours in the period after the child is born. Nearly two thirds (66 per cent) of fathers who

⁴ Zwinkels, W. (2018). *Evaluatie flexibele bevallingsverlof [Evaluation flexible Maternity leave]*. Epsilon Research: Ministry of Social Affairs and Employment.

⁵ Centraal Bureau voor de Statistiek. *De werk-privébalans van vaders met jonge kinderen. [The work-life balance of fathers with young children]*. The Hague: CBS.

took some form of leave after their child's birth made use of annual holidays or a reduction in working hours. Slightly fewer (62 per cent) made use of the two days of Paternity leave.

c. Parental leave

In 2017, the uptake of Parental leave among mothers was twice as high as for fathers (22 per cent versus 11 per cent), but the duration of leave was 19 months among fathers compared with 14 months among mothers. The long periods of leave reflect the possibility in the Netherlands of taking part-time Parental leave and to spread the leave out over several months. For those taking leave, on average, mothers took nine hours' Parental leave per week and fathers took eight hours per week (2017).⁶

The uptake of Parental leave is not only higher among women, but also among workers with a permanent contract, compared to those with a flexible contract (20 per cent versus five per cent). A recent study indicates that fathers not taking up leave are hindered by financial constraints, worrying about colleagues having to take on more work for them, or a belief that it is not possible to take leave from their job.⁷ Uptake of Parental leave is higher among more formally educated and high-income parents, compared to less formally educated and low-income parents. In addition, the use of Parental leave is lower among parents with a non-Western ethnic background, compared to parents with a Western ethnic background and native Dutch parents. Parents with a non-Western ethnic background are less familiar with the entitlement than native Dutch workers. Uptake is also positively related to the number of hours worked and to employment in a large organisation, the education sector, or a governmental organisation; this is related to the fact that collective agreements in those sectors offer partially paid Parental leave.⁸

d. Other employment-related measures

Use of care leave: in 2017, 379,000 female employees cared for a sick child, parent, partner, family member, or friend for a substantial period of time (i.e., longer than two weeks). Workers with informal care responsibilities report that emotional support from their supervisor and

⁶ Portegijs, W. and Brakel, M. van den (2018). *Emancipatiemonitor 2018*. The Hague: SCP/CBS.

⁷ Centraal Bureau voor de Statistiek. *De werk-privébalans van vaders met jonge kinderen*. [The work-life balance of fathers with young children]. The Hague: CBS.

⁸ Zwinkels, W. (2018) Verlofregelingen arbeid en zorg naar type arbeidsrelatie [Work and care leave according to type of employment relation] The Hague: Ministry of Social Affairs and Employment.

colleagues, plus flexible working hours are most beneficial when combining paid work and informal care.⁹ Few employees with informal care responsibilities use long-term care leave. 15 per cent of these women made use of some kind of care leave. Of the 309,000 male employees that cared for a substantial period of time, 20 per cent took some kind of leave. Compared to other kinds of leave, employees made use of short-term care leave a substantial amount. Also, annual holidays and a reduction of working hours were taken up regularly; more by men than by women. Long-term care leave was seldom used. Men and women relatively often used other kinds of leave, such as emergency, special, or unpaid leave. Among full-time workers, men giving long-term care took leave more often than women. This is the other way around among part-timers: male part-timers take leave less often than female part-timers. In addition, in 2017, 250,000 female employees dealt with short-term, unexpected care tasks: 26 per cent of these women took care leave, compared to 15 per cent of women giving long-term care. Of the 215,000 men dealing with short-term care situations, 34 per cent made use of leave. Women often used short-term care leave, whereas men more often used annual holidays or reduction of working hours.

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^{10 11 12}. It is clear that part-time work is very popular (and for women even almost 'natural'). Most Dutch employees are satisfied with their amount of working hours, suggesting that part-time work is, in most cases, voluntary.¹³ However, a recent study finds that women who are young, working in white- and blue-collar occupations, and/or married/co-habiting are more likely to be in precarious, part-time jobs with short hours.¹⁴ Research indicates that, in general, employers are

⁹ Boer, A. de, Plaisier, I. and Klerk, M. de (2019). *Werk en mantelzorg* [Work and informal care]. The Hague: Sociaal Cultureel Planbureau.

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

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

¹² Keuzenkamp, S. (Ed.) (2009) *Deeltijd (g)een probleem. Mogelijkheden om de arbeidsduur van vrouwen met een kleine deeltijdbaan te vergroten* [Working part-time: (not) a problem?]. Den Haag: Sociaal en Cultureel Planbureau.

¹³ Vlasblom, J.D., van Echtelt, P., de Voogd-Hamelink M. (2015) *Aanbod van arbeid 2014, Arbeidsdeelname, flexibilisering en duurzame inzetbaarheid*. [Supply of labour 2014, labour participation, flexibility and sustainable work] Den Haag: Sociaal en Cultureel Planbureau.

¹⁴ Yerkes, Mara A., and Belinda Hewitt. 'Part-Time Work Strategies of Women and Men of Childbearing Age in the Netherlands and Australia.' In *Dualization of Part-Time Work – the New Normal?*, edited by H. Nicolaisen, H.C. Kavli, and R. Steen Jensen. Bristol: Policy Press, 2019.

positive towards part-time working at all occupational levels, and rarely reject a request to reduce working hours. However, requests to increase working hours are less common and not always granted.¹⁵

¹⁵ Echtelt, P. Van, Schellingenhout, R. and Voogd-Hamelink, M. de (2015) *Vraag naar arbeid 2015*. [Demand for labour 2015] Den Haag: Sociaal en Cultureel Planbureau.