Portugal

Karin Wall, Mafalda Leitão and Rita B. Correia
(University of Lisbon)

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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

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’ was replaced by the ‘Initial Parental leave’; ‘Paternity leave’ and optional Parental leave for fathers was replaced by ‘Fathers-only Parental leave’; 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)

- 120 or 150 calendar days, depending on payment level (see ‘payment and funding’ below). It is mandatory for the mother to take 42 calendar days (six weeks) following the birth (Mothers-only Initial Parental leave (‘Licença Parental Inicial Exclusiva da mãe’)); 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.

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Payment and funding

- Initial Parental leave: 120 days at 100 per cent of earnings or 150 days at 80 per cent of earnings, with no upper limit on payments. A sharing bonus is allocated if each parent takes at least 30 consecutive days of leave or two periods of 15 consecutive days once the other parent returns to work: 150 days are paid at 100 per cent of earnings or 180 days at 83 per cent of earnings, with no upper limit on payments.
- If parents decide to divide the 30 days of the fifth month of Initial Parental leave, in order to stay at home simultaneously (each for a maximum of 15 days), payment remains at 80 per cent of earnings for each parent (see ‘flexibility in use’ below).
- Monthly payment corresponds to an average of all gross earnings during the first six of the last eight months immediately prior to leave. Previously, this monthly payment included holiday benefits, Christmas benefits, and other extras, but since 2012, the government has excluded these benefits from that average. Therefore, parental benefit now corresponds more closely to previous monthly earnings, whereas before it could be significantly different. Nevertheless, while on leave, parents continue to receive more than when they are working, since they are exempted from paying taxes (social security contributions and IRS) during the leave period. Parents continue to accrue pension credits and other entitlements during the leave period.
- Parents living in Portuguese autonomous regions (Madeira and Azores) are entitled to an uprating of two per cent in Parental leave benefits as compared to the mainland, in order to compensate for the higher cost of living.
- When the level of earnings is very low, there is a minimum payment of €11.62 per day (120 days or 120+30 days’ shared leave), €9.30 per day (150 days’ non-shared leave), or €9.59 per day (150+30 days’ shared leave).
- Parental leave benefit is funded by the social security system, financed by contributions from employers, employees, self-employed workers, and voluntary forms of social security. For employed workers, the total amount of this contribution is 34.75 per cent of the employee’s gross monthly salary. Employers contribute with 23.75 per cent and employees 11 per cent.
- Non-employed parents receiving either the social parental benefit or unemployment benefit can claim pension credits regarding their leave period; apart from these two situations, non-employed parents are not eligible for paid leave or pension credits for child-rearing.

Flexibility in use

- Monthly payment corresponds to an average of all gross earnings during the first six of the last eight months immediately prior to leave. Previously, this monthly payment included holiday benefits, Christmas benefits, and other extras, but since 2012, the government has excluded these benefits from that average. Therefore, parental benefit now corresponds more closely to previous monthly earnings, whereas before it could be significantly different. Nevertheless, while on leave, parents continue to receive more than when they are working, since they are exempted from paying taxes (social security contributions and IRS) during the leave period. Parents continue to accrue pension credits and other entitlements during the leave period.
• Mothers have the option to take up to 30 days of their Mothers-only Initial Parental leave before birth;
• Initial Parental leave may be taken in the following ways:
  o One of the parents (after the mother’s mandatory 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;
  o Parents may divide 150 days at 100 per cent of earnings between themselves, on the condition that the father takes at least 30 consecutive days or two periods of 15 consecutive days of leave alone, without the mother, or vice versa;
  o Parents may divide 180 days at 83 per cent of earnings between themselves, on the condition that the father takes at least 30 consecutive days or two periods of 15 consecutive days of leave alone, without the mother, or vice versa;
  o During the fifth month, parents can share a maximum of 30 days, in order to stay at home together, but each parent can only stay at home with the other parent for a maximum of 15 days. Therefore, this option of staying at home together will shorten the total amount of leave time, from five to four and a half months, or from six to five and a half months.
• When parents want to take leave at the same time and both work for the same employer in a small company, the employer’s agreement is needed.
• Initial Parental leave of 120 or 150 days can be divided between parents, but cannot be taken at the same time by both parents, except in the case just mentioned above: a maximum of 30 days during the fifth month can be divided between the parents (15 days for each), so that they can stay home together.
• Other forms of paid work are not permitted while on paid leave.
• Single parents cannot use the other parent’s entitlements.

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

• All female employees with a record of six months of social security contributions (continuous or intermittent – the latter is only possible if the period without contributions is less than six months). 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 (€435.76 in 2019). The amount and duration of this benefit is:
  o For non-shared leaves, €343.12 for 120 consecutive days (64 per cent of IAS) and €274.50 for 150 consecutive days;
  o For shared leaves, benefit is paid at €343.12 for 150 consecutive days (66 per cent of IAS) and €283.07 for 180 consecutive days.
• The father’s eligibility to use or to share Initial Parental leave is the same as the mother’s, 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 Fathers-only Parental leave of 15 obligatory and 10 optional working days (see 1.b.). 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 is still eligible for Initial Parental leave.

- The sharing bonus only applies if both parents work or are eligible for other reasons (e.g. have a low family income, receive unemployment benefit).
- Self-employed workers (who contribute to social security) and unemployed people (who are receiving unemployment benefit) are eligible.
- Even though same-sex marriage was introduced in Portuguese law in 2010, followed by same-sex adoption in 2016, leave legislation (2009) does not yet acknowledge same-sex couples’ rights as parents.
- 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 the case of death, mental illness, or the physical incapacity of the parent who is taking leave, the other parent is entitled to the (remaining) leave to which the other parent would have otherwise been entitled (this is referred to as ‘Initial Parental leave in the event of one of the parents being prevented from taking leave’). A minimum of 30 days’ leave is granted to the father in the case of the mother’s death, mental illness, or physical incapacity.
- A working grandparent is entitled to 30 days’ leave, following the birth of a grandchild of an adolescent still living at home.
- In cases of poor health or health risks posed by work to the mother and foetus, the pregnant mother is entitled to receive maternity benefits before the birth, for as long as the risk lasts (this leave is known as ‘health risk leave/benefit during pregnancy’). This leave does not reduce the 120, 150, or 180 days of Initial Parental leave, requires a medical certificate, and is paid at 100 per cent of earnings.
- In the case of premature births, or the hospitalisation of the child or the parent who is taking leave during the period after childbirth, the leave period can be suspended at the request of the parent, for as long as hospitalisation lasts. That allows parents to ask for a sick child care benefit (see ‘Other employment-related measures’ below).
In cases of ‘specific risks’ – (i.e. ‘night work’ from 10pm until 7am and ‘exposure to specific agents, processes or working conditions,’ both as specified by law) – during pregnancy, after birth, and while breastfeeding, women may interrupt their work and are entitled to a ‘leave/benefit for specific risks,’ paid at 65 per cent of their salary. This interruption requires a medical certificate acknowledging the danger to the mother’s health or safety and to the child’s development, as well as an employer’s declaration expressing the impossibility of giving the working mother/pregnant woman another schedule or function. This leave does not reduce the 120, 150, or 180 days of Initial Parental leave.

b. Fathers-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

- 25 working days, 15 of which are mandatory.

Payment and funding

- 100 per cent of gross earnings with no upper limit.
- Parents living in Portuguese autonomous regions (Madeira and Azores) are entitled to an uprating of two per cent in Parental leave benefit compared to the mainland.
- Non-employed parents receiving either social parental benefit or unemployment benefit can claim pension credits regarding their leave period; except for these two situations, non-employed parents are not eligible to leave, payment, or pension credits for child-rearing.

Flexibility in use

- Five of the 15 mandatory days must be taken consecutively immediately after birth; the other ten 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.
- The law states that 15 days are compulsory. The ATC (Authority for Labour Conditions) carries out inspections in the workplace and has had to provide new protocols and training for inspectors, who are now required to be attentive to all aspects of Parental leave uptake and not only Maternity leave (enforced since 1976).
- A new legal proposal is now under scrutiny to change the mandatory/optional ratio from 15 mandatory days/10 optional
days to 20 mandatory days/5 optional days (see ‘changes in policy since April 2018’ below).

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

- As Initial Parental leave. Fathers who have no record or have insufficient contributions are entitled to the obligatory paid leave of 15 working days, as well as to the ten optional working days as long as they meet the low income/flat-rate criteria. Daily payment is €11.62, corresponding to 80 per cent of 1/30 of IAS (€435.76 in 2019).

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 15 mandatory days of leave will be increased by two days for every additional child in the case of multiple births. The same applies 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

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

Payment and funding

- Unpaid, except if taken immediately after Initial Parental leave, when paid at 25 per cent of average earnings for three months for each parent.
- Parents living in Portuguese autonomous regions (Madeira and Azores) are entitled to an uprating of two per cent in Parental leave benefit.
- Pension credits can be claimed by those on Additional 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 part-time basis for 12 months per parent; c) on an alternating basis (i.e. working part-time or full-
time, up to a maximum of three months’ full-time equivalent per parent); or d) interpolated absences from work, if they are negotiated by collective bargaining.

- If the three months are taken as unpaid Parental leave, they can be taken by both parents at the same time; but paid leave can only be taken by one parent at a time.
- When both parents work for the same employer, the employer has the right to postpone the leave of one of the parents.

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

- As Initial Parental leave. However, paid Additional Parental Leave is not available to parents receiving social parental benefit, nor to parents receiving unemployment or social unemployment 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**

- 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**

- 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 known as 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 in the case of leave to care for disabled or chronically ill children, see below), there is a suspension of the work contract. This means that all of the employee’s rights and guarantees are suspended, and only the right to return to their job is safeguarded. The period of childcare leave is also taken into account in the calculation of old age and
invalidity pensions. Non-employed parents are not eligible to leave, payment, or pension credits.

e. Other employment-related measures

Adoption leave and pay

- In cases of the adoption of a child under 15 years old, the adopting parents are entitled to Initial Parental leave, including the sharing bonus. In the case of multiple adoptions, leave will be extended by 30 days for every subsequent child adopted. In the case of the death of the adopting parent, leave may be transferred to the spouse, who can take, as an alternative, a minimum of 14 days’ leave.
- Adoptive fathers are not entitled to the Fathers-only Parental leave (15 compulsory days plus 10 optional days).

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; an additional 15 days per year can be taken to care for sick children above the age of 12 (if older than 18 years of age, 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 (minimum payment of €11.62 per day, 1/30 of the Index of Social Support, IAS). Both entitlements are increased by one day for every second and subsequent child. If a child under the age of 12 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 they are not living in the same household). Employees in the public sector are entitled to a benefit of 65 per cent of their earnings, per day.
- An extra 15 days of unpaid leave per year to care for a disabled 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 disabled or chronically ill child, including an adopted child or step-child in the household, one of the parents is entitled to six months’ leave (referred to as leave to care for a disabled or chronically ill child; Licença para assistência a filho com deficiência ou doença crónica), 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; the maximum payment per month
is equivalent to two times the amount of IAS (€871,52). Parents living in Portuguese autonomous regions (Madeira and Azores) are entitled to an uprating of two per cent.

**Flexible working**

- If there is a disabled or chronically ill child below one year of age, one of the parents may apply for a five-hour reduction in their weekly working hours, if the other parent is still employed.
- Parents are entitled to four hours of absence (per school term) to go to their children’s school, until children reach 18 years of age, with no reduction in their earnings.
- Adopting parents are entitled to be absent at work (up to three times) to attend meetings related to the process of adoption.
- Fathers are entitled to leave work (up to three times) to be present in pre-natal appointments.
- Parents with children below 12 years of age (no age limit in the case of a child who is chronically ill or disabled, living in the same household) are entitled to flexible work arrangements, which means that the employee may choose, within certain limits, when to start and finish their 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.
- Where there are children below 12 years of age (no age limit in the 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 in the following ways: working part-time for five days per week, or working three full days per week. Employers and employees can agree on other arrangements. Part-time work may be extended to up to two years (three years in the case of third and subsequent children, four years in the case of chronically ill or disabled child).
- Parents working part-time or in a flexible working regime, cannot be penalised in their evaluation and career progression.
- Parents with children below three years of age are entitled to teleworking (working from home). If their function fits this working regime and the company has the resources, employers cannot oppose this option.

**Specific provision for (breast)feeding**

- Parents are entitled to two hours’ nursing leave per day during the first year after the birth, with no reduction of earnings. It is referred to as ‘breastfeeding or nursing leave’ (Dispensa para
Amamentação e Aleitação) to make it more gender neutral, since the work time reduction may be used by parents of any gender. The entitlement to be absent from work to nurse is financially supported by the employer, since there is no benefit/compensation by the social security system. Parents must apply for it, and employers are obligated to comply. 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 either parent, 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. When mothers are breastfeeding, the two hours’ reduction can last for as long as the child is breastfed.

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

The maximum period of total post-natal leave available in Portugal is three years (including two years of unpaid childcare leave and six months at 25 per cent of previous earnings). Leave paid at a high rate lasts for up to six months, depending on the sharing options. Since 2015, there is an entitlement to Early Childhood Education and Care (ECEC) from four years of age, in public pre-school education, available for eight hours per day. There is a gap of around one year between the end of maximum leave taken and public ECEC entitlement, and of three and a half years between the end of well-paid leave and public ECEC entitlement. However, both publicly subsidised and private nurseries are available for children from the age of four months and coverage rates for children, from birth to three years of age, in formal childcare have increased steadily over the last two decades (from 19.8 per cent in 2000 to 49.1 per cent in 2017), even though there has been a small inflection in this trend since 2016, mostly due to population growth. An extension of the entitlement to public education from three years of age is proposed from 2020, but not yet legislated.

Levels of attendance for children under three years of age are above the average for both the countries included in this review and for OECD countries; and around average for children over the age of three years. (See ‘relationship between leave and ECEC entitlements’ on cross-country comparisons page.)

3. Changes in policy since April 2018 (including proposals currently under discussion)
Since March 2016, when obligatory fathers-only leave increased from ten to 15 days, there were no changes to Portuguese Parental leave legislation in terms of length or benefits.

There have been changes in legislation in terms of time off to take care for sick children or grandchildren for self-employed parents and grandparents. This change was legislated in 2018, but only came into effect on 1 January 2019.

A government proposal from 2017, concerning a five-day increase in obligatory fathers-only leave from 15 to 20 working days, without extending the total period of fathers-only leave, is currently in consultation with social partners.

Recent public and political debates have been highlighting gender equality in leave policies. Regarding gender equality in work-family balance, proposals aim to reinforce fathers’ entitlements (leave time) and fathers’ uptake rates, rather than increase Parental leave time in general or payment for the three months of Additional Parental leave (currently paid at 25 per cent of earnings).

Meanwhile, a recent proposal (January 2018) from a left-wing political party has been discussed and will soon be voted on in parliament. It seeks to promote gender equality in all types of leave, namely: equal leave entitlements between biological parents, adoptive parents, and in same-sex parent families. The main claims of this proposal are:

- the introduction of a Fathers-only Parental leave in the case of adoption on the same conditions as for biological fathers;
- equal Parental leave entitlements in the case of same-sex couples;
- an increase of five days in compulsory Fathers-only Parental leave (currently at 15 working days), as well as an increase of five days in fathers-only optional leave (currently at ten working days);
- payment at 90 per cent of earnings (instead of the current 83 per cent) for parents who share at least 30 consecutive days (or two periods of 15 consecutive days each) of the total of 180 days of Initial Parental leave;
- payment at 100 per cent of earnings regarding leave for specific risks (currently paid at 65 per cent of earnings);
- payment at 100 per cent of earnings (currently paid at 65 per cent of earnings) regarding 30 days per year to care for a sick child up to 12 years of age or 15 days to care for a sick child above 12 years of age.

4. Uptake of leave

a. Initial Parental leave (formerly Maternity leave)
There are no definitive figures on the number of births for 2018, but a slight increase is estimated compared with 2017 (about 86,827 in comparison to 86,154 births in 2017, 87,126 in 2016, and 85,500 in 2015). Portugal’s fertility rate is still the lowest of all the countries in the European Union and the increase registered since the years of economic crisis (2011-2014: the birth rate dropped significantly from 101,381 births in 2010 to 82,367 births in 2014) is very modest and insufficient to achieve demographic balance.

After decreasing between 2011 and 2014 (down from 81,027 to 66,991) the total number of paid Initial Parental leaves reversed its downward trend and increased slightly in 2015 (72,185) and in 2016 (73,736). In 2017, the number of paid Initial Parental leaves seems to have resumed its downward trend, decreasing to 70,072, but in 2018, the number of leaves increased again to 72,674, in consonance with the increase in the number of births in the past year.

These figures include: parents with a sufficient record of social security contributions entitled to 80 to 100 per cent of earnings compensation (60,949); as well as parents with no record or an insufficient record of social security contributions (11,725) who are only entitled to a flat-rate benefit (see 1.a. for benefit eligibility). The latter represented 16.13 per cent of the total number of paid Initial Parental leaves in 2018 (18.6 per cent in 2016 and 17.9 per cent in 2017). In fact, since it was first introduced in 2008, the number of social Initial Parental leaves (paid to parents with an insufficient record of social contributions) reveals a decrease (down from 16,887 in 2008 to 12,522 in 2017, and 11,725 in 2018).

In 2018, Parental leave benefit taken by parents with a sufficient record of social security contributions (entitled to 80 to 100 per cent of earnings) represents about 70 per cent of the total number of births, while the flat-rate Parental benefit (parents with no record or an insufficient record of social security contributions) represents about 13.5 per cent in relation to total number of births. All in all, it is estimated that 83.7 per cent of parents were eligible for Parental benefit in 2018 (up from 81.7 per cent in 2017).

b. Initial Parental leave and sharing bonus

Since it came into effect in May 2009, data on the sharing bonus shows a strong initial increase in uptake in 2009 and 2010 (from 596 fathers who shared Maternity leave in 2008 to 16,426 fathers sharing Initial Parental leave in 2010). This was followed by a slow but steady increase until 2017: 17,036 fathers took leave on their own for 30 or more days during the five or six months of Initial Parental leave in 2011; 17,744 in 2014; 20,941 in 2015; 22,919 in 2016; and 24,109 in 2017. In 2018
there was a decrease in the absolute number of shared Parental leaves (23,584), so that in 2018 32.4 per cent of Initial Parental leaves were taken with the sharing bonus (i.e. the father took at least 30 days of leave alone, without the mother, or vice versa), compared with 35.3 per cent in 2017, 31.7 per cent in 2016, 29.5 per cent in 2014, and 22 per cent in 2011). These numbers reveal a break in the upward trend in uptake of shared Initial Parental leave.

Initial Parental leave taken with the sharing bonus must 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 2018, 71.2 per cent (16,710) chose the longer leave period (six months paid at 80 per cent of earnings), compared to 60 per cent in 2010; while 28.8 per cent (6,753) preferred the five-month 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.

Initial Parental leave taken without the sharing bonus is nearly always taken up by mothers. The major leave-taking pattern (63 per cent) is five months paid at 80 per cent of earnings (since it is taken without the sharing bonus); 37 per cent of mothers take the four-month period paid at 100 per cent of earnings. However, there is a difference between mothers receiving parental benefit and mothers receiving social parental benefit (see 1.a.): the latter tend to opt for the four-month period (84.1 per cent), while the others take the five-month period.

**c. Fathers-only Parental leave (formerly Paternity leave)**

In 2016, mandatory Fathers-only Parental leave changed from ten to 15 working days. In 2018, uptake numbers and percentages seem to have increased slightly: 74.1 per cent of fathers (64,377) took this compulsory leave, compared to 70.2 per cent in 2017.

Uptake of the mandatory leave is still not at 100 per cent for three main reasons: statistics exclude employees with special social protection regimes (e.g. civil servants, bank workers); some employees still do not fit eligibility criteria (they do not have a sufficient record of social contributions or their family income is not as low as required by the flat-rate benefit); and labour inspection services only recently began to control uptake of leave by fathers leading to lack of implementation by some employers.

The same trends may be observed for the 15 additional leave days (the optional ‘father days’ introduced in 1999). Ever since, it has been
following a rising trend (with the exception of the economic crisis period) reaching 53,268 fathers in 2017 (61.3 per cent) and 56,544 fathers in 2018 (65.1 per cent). Nowadays, most fathers who take the 15 working days’ mandatory fathers-only leave also take the ten working days fathers-only optional leave.

These percentages are based on the number of fathers who take leave in relation to an estimated number of births for 2018. If, again, uptake is calculated in relation to the total number of Initial Parental leaves granted, then estimated proportions in 2018 rate 88.6 per cent for the 15 obligatory days (87 per cent in 2017), and 77.8 per cent for the ten optional days (76 per cent in 2017).

d. Additional Parental leave (formerly Parental leave)

Uptake of Additional Parental leave (at 25 per cent of average earnings, if taken immediately after the Initial Parental leave) is still low; despite increasing between 2009 and 2017, in 2018 there has been a decrease. In 2009, only 1,215 parents took paid Additional Parental leave; in 2017, uptake reached its maximum to date, with 8,073 leaves, followed in 2018 by a drop to 7,123, which represented about 11.7 per cent of all parents.