

Statutory Paternity leave: April 2024

Just as Maternity leave is gender-specific, so too is the usual definition of Paternity leave, being an entitlement only for fathers, enabling them to take a short period of leave immediately following the birth of a child, often associated with providing help and support to the mother. Increasingly, same-sex partners of birth mothers and other co-parents can be included in this entitlement.

However, as Parental leave in several countries includes a period that only fathers can take (sometimes referred to as a 'father's quota'), **the distinction between Paternity leave and father-only Parental leave can be unclear and confusing**. A comparison of Iceland and Norway provides an example of this complexity. Iceland offers 12 months' leave after birth: 6 months for mothers, 6 months for fathers, and each parent may transfer six weeks to the other parent; there is, therefore, no Paternity leave *per se*, but 6 months of leave are available for the use of fathers, to take as and when they choose (to add to the confusion, although the law covers all 12 months with the same name – 'birth leave' – the 6 months for fathers is commonly referred to as 'Paternity leave'). Norway, by contrast, has 2 weeks' Paternity leave (i.e., to be used at the time of birth), with payment dependent on collective agreements; plus a further 15 to 19 weeks' father's quota (about a third of the total Parental leave entitlement that only the father can use), which is well-paid from public sources; most of the Parental leave is a family entitlement.

In this review, Paternity leave is narrowly defined as a short period immediately after birth that is only available to fathers (with some countries including to same-sex partners and other co-parents) and is in addition to Parental leave. For example, in Sweden, there is a ten-day, temporary leave in connection with a child's birth or adoption, and this differs from the 90 day 'fathers' quota.' On this basis, **many countries have a statutory and designated Paternity leave** (plus the province of Québec in Canada; see Table 2). **Paternity leave is generally paid**, and mostly at a high earnings-related level (see 'Key' below for definition) for the duration of leave – though it should be noted that with this and other forms of leave, a ceiling may be set on earnings-related payments so that higher paid workers receive proportionately less of their earnings. Here it is important to point out that also in Norway, whilst Paternity leave is unpaid by the government, most employed fathers are covered by their individual employer or collective agreements. **The duration of paid Paternity leave** can vary from just a couple of days to 16 weeks (Spain). As with other entitlements, there may be regional differences in the provision. For example, in China, there is no statutory entitlement to Paternity leave nationally, but regional provisions exist in all provinces, providing between 7 and 30 days of Paternity leave. In some countries, leave is not referred to as Paternity leave, for example, in Luxembourg, but fathers can use ten days' well-paid leave due to 'extraordinary circumstances.

Across countries, there are different dimensions of **flexibility in the implementation of Paternity leave**. The most common forms of flexibility in Paternity leave policy are in relation to the period during which the leave can be taken and regarding entitlements to additional time for multiple births. In six countries (Bulgaria, Chile, Denmark, Italy, Portugal, and Spain) it is obligatory for fathers to take some or all of their Paternity leave.

Table 2: Post-natal Paternity leave (statutory; post-natal, employment-based, full-time, the first child entitlements): leave length, transferability and flexibility (April 2024)

Country	Post-natal leave (weeks)			(Part of) leave is obligatory	(Part of) leave is transferable ²	Additional leave time ³	Leave flexibility ⁴		
	Total	Paid	Well-paid ¹				Part-time	In blocks	Can be used until the child turns (months):
Argentina (private)	0.4	0.4	0.4	–	–	–	–	–	–
Argentina (public)	1	1	1	–	–	–	–	–	–
Australia	see PL	see PL	see PL	see PL	see PL	see PL	see PL	see PL	see PL
Austria	4.3	4.3	– ^{FR}	–	–	–	–	–	3
Belgium	4	4	4*	–	–	–	–	+	4
Bosnia and Herzegovina	..	..	..	..	..	..	..	..	..
Brazil	1	1	1	–	–	–	–	–	–
Bulgaria	2.1	2.1	2.1*	+	–	–	–	–	–
Canada	..	..	..	..	..	..	..	..	..
Canada: Quebec	5	5	5*	–	–	–	+	+	:
Chile	1	1	1	+	–	–	–	+	1
China	..	..	..	..	..	..	..	..	..
Colombia	2.8	2.8	2.8	–	–	–	+	–	–
Croatia	2	2	2	–	–	+	–	–	6
Cyprus	2	2	2	–	–	+	–	–	4
Czech Republic	2	2	2*	–	–	–	–	–	1.4
Denmark	2	2	2*	+	–	–	+	+	–
Estonia	4.3	4.3	4.3*	–	–	–	–	+	36
Finland	see PL	see PL	see PL	see PL	see PL	see PL	see PL	see PL	see PL
France	4	4	4*	+	–	+	–	+	6
Germany	..	..	..	..	..	..	..	..	..
Greece (private)	2.9	2.9	2.9	–	–	–	–	+	1
Greece (public)	2.9	2.9	2.9	–	–	–	–	+	1
Hungary	2	2	1	–	–	–	–	+	2
Iceland	see PL	see PL	see PL	see PL	see PL	see PL	see PL	see PL	see PL
Ireland	2	2	– ^{FR}	–	–	–	–	–	6
Israel	..	..	..	..	..	..	..	..	..
Italy	2	2	2	+	–	+	–	+	5

Country	Post-natal leave (weeks)			(Part of) leave is obligatory	(Part of) leave is transferable ²	Additional leave time ³	Leave flexibility ⁴		Can be used until the child turns (months):
	Total	Paid	Well-paid ¹				Part-time	In blocks	
Japan	4	4	4*	-	-	-	+	+	2
Korea	2	2	2*	-	-	-	-	+	3
Latvia	2	2	2	-	-	-	-	+	6
Lithuania	4	4	4*	-	-	-	-	-	3
Luxembourg	2	2	2*	-	-	-	-	+	2
Malta (private)	2	2	2	-	-	-	-	-	-
Malta (public)	2	2	2	-	-	-	-	-	0.5
Mexico	1	1	1	-	-	+	-	-	-
Netherlands	6	6	6*	-	-	-	+	+	6
New Zealand	2	..	..	-	-	-	-	-	1
Norway	2	..	..	-	+	-	+	+	not defined
Poland	2	2	2	-	-	-	-	+	12
Portugal	5	5	5	+	-	+	-	+	6
Romania	2	2	2	-	-	+	-	-	2
Russian Federation	..	..	..	..	..	..	..	..	..
Serbia	..	..	..	..	..	..	..	..	..
Slovak Republic	28	2	2*	-	-	+	-	-	2
Slovenia	2.1	2.1	2.1*	-	+	+	+	-	3
South Africa	..	..	..	..	..	..	..	..	..
Spain	16	16	16*	+	-	+	+	+	12
Sweden	2	2	2*	-	-	+	+	+	2
Switzerland	2	2	2*	-	-	-	+	+	6
Türkiye (private)	1	1	1	-	-	-	-	-	-
Türkiye (public)	2	2	2	-	-	-	-	-	-
United Kingdom	2	2	0 ^{FR}	-	-	-	-	+	12
United States	..	..	..	..	..	..	..	..	..
Uruguay (private)	1.9	1.9	1.9	-	-	+	-	-	-
Uruguay (public)	2	2	2	-	-	+	-	-	-
Vietnam	0.8	0.8	0.8	-	-	+	-	-	-

Notes: Only **statutory** leave entitlements regulated at the national level are included, that is, regional or occupational (variations in) provisions topping up state-level defined statutory rights are excluded. For all the variations in leave entitlements see country notes which contain more detailed information. If the period of leave in a country is expressed as days, days are converted to weeks based on the rule: 7 calendar days=1 week, and 5 working days=1 week, except if there are exceptions and the working week may be 6 days (e.g. Vietnam; 5 days of leave are 0.8 weeks).

Key: see PL= countries provide paid leave that fathers/partners may or must take at and around childbirth, but this leave has a generic designation, such as 'Parental leave'; **..**=no statutory leave or payment; *****=ceiling on payments (only for part of the leave in Korea, Luxembourg, and the Netherlands); **:**=no data; **FR**=flat-rate benefit; **1**=earnings-related payment at 66 per cent of previous earnings or above (based on legal replacement rate; but note that in some countries benefits are taxed or may count towards income base for social security contributions, meaning that actual amounts received by the individuals may differ); **2**=part of Paternity leave is transferable to the co-parent in ordinary conditions (this does not include cases where the transfer is only permitted in the case of parent's death or incapacity); **3**=additional time for premature birth, multiple births, higher order births, in the case of disability of the child or medical complications (this include only situations when additional days/weeks of Paternity leave are available, and it does not include situations in which, for example, unused prenatal days can be used after birth or additional benefits are provided), in case of Romania also if the father attends the parenting class; **4**=leave can be used part-time (the time is proportionally extended), in several blocks or until the child reaches a certain age.