

# Croatia<sup>188</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 Central State Office of Demography and Youth)

*Length of leave (before and after birth)*

- **Maternity leave:** 28 calendar days before the expected date of birth, then until the child turns 6 months of age. The start of leave is determined by the mother's doctor.
- It is obligatory for mothers to take 98 calendar 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 6 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 payment.
- A parent who does not meet the condition of at least 6 months of continual insurance (or 9 months of insurance with interruptions over the last two years) before the leave starts receives 125 per cent of the 'budgetary base

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rate' of €441.44 per month. The net average earnings in December 2023 were €1,191<sup>189</sup>, and the minimum net wage in 2024 is €671.93.

- **Maternity exemption from work/maternity care for the child:** 70 per cent of the budgetary base rate per month.
- Payments are not taxed.
- Funded by the Croatian health insurance fund from health care contributions (Maternity leave) and general taxation (Maternity exemption from work/maternity care for the child).
- 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 1 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). For each childbirth or adoption, the mother is entitled to 6 months of 'additional pension insurance period' (the father can be entitled only if he has used most of the Maternity leave).

#### *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 and transfers the right to Maternity leave to the father in a written form.
- 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 6 months of age cannot exceed the period of part-time leave taken before the child reaches this age, and the maximum period of part-time leave is until 9 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. In the latter case, the mother must, along with the request for termination of the right, also submit a request for the transfer of the right to the father.

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

- **Maternity leave:** all employed and self-employed parents 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 who meet the following conditions: they are Croatian nationals or foreigners with a

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<sup>189</sup> See: <https://podaci.dzs.hr/2023/hr/58119>

registered permanent stay in Croatia, who have resided in Croatia continuously for at least 3 years until birth, are registered with the unemployment office and have health insurance.

- **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' continuous residency (as a national or foreign citizen granted long-term residence or permanent stay 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; single 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 of previous earnings with an upper limit of €565.04 per month. She must fulfil eligibility criteria for full benefit (9 months of the previous insurance period without interruptions or 12 months with interruptions within the period of 24 months before the leave start); if eligibility criteria are not met, she has a right on the minimum benefit of €110.36 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.
- In the case of a stillborn child or if the child dies while the mother is on Maternity leave (or Parental leave), the mother can continue using the Maternity leave (or Parental leave) for another three months after the child's death.

## **b. Paternity leave (*očinski dopust*) (responsibility of the Central State Office of Demography and Youth)**

*Length of leave (before and after birth)*

- Ten working days.

*Payment and funding*

- One hundred per cent of average earnings, calculated on the average earnings on which health care contributions were paid during the 6 months prior to the leave, with no upper limit on payment.
- A parent who does not meet the condition of at least 6 months of continual insurance (or 9 months of insurance with interruptions over the last 2 years) before the leave starts receives 125 per cent of the 'budgetary base rate' of €441.44 per month.
- Payments are not taxed.
- Funded from general taxation.

- Fathers wanting to use their right have to notify their employer in writing no less than 15 days before their intended start of leave. Leave right and benefit are administered and paid for by Croatian health insurance fund.

#### *Flexibility in use*

- The leave can be used until the child turns 6 months of age.

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

- Employed and self-employed fathers are eligible.
- Same-sex couples are eligible in cases where they both have the right of parental care over the child in accordance with the Same-sex Life Partnership Act.<sup>190</sup>

#### *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*

- Fifteen days for twins or other multiple births.
- In the case of a stillborn child, the father has the right to Paternity leave. If the child dies while the father is on Paternity leave, the father can continue to use the remaining Paternity leave days.
- Leave cannot be transferred to another person.

### **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 Central State Office of Demography and Youth)**

#### *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 6 months of age until the child turns 1 year of age, for the first- and second-born child; or until the child turns 3 years of age for twins, the 3<sup>rd</sup> and every subsequent child.

#### *Payment and funding*

- **Parental leave:** 100 per cent of average earnings for the first six months, or eight months if both parents use Parental leave, with an upper limit of

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<sup>190</sup> <https://www.zakon.hr/z/732/Zakon-o-per-centC5-per-centBEivotnom-partnerstvu-osoba-istog-spola>

225.5 per cent of the budgetary base rate<sup>191</sup>; 125 per cent of the budgetary base rate after the first six (or eight) months or if parents do not fulfil the condition of either six months of continual insurance period or nine 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.
- Payments are made to parents by the Croatian health insurance fund.
- Payments are not taxed.
- 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 the 2<sup>nd</sup> child is born within this first year, the pension insurance based on the birth of the 1<sup>st</sup> child stops, and 1 year pension insurance based on the birth of the 2<sup>nd</sup> child begins).

#### *Flexibility in use*

- Parental leave is a personal right of both parents, with 2 months of their entitlement being non-transferable. The father's entitlement is conditional on the mother's participation in the labour market. In other words, if the mother is unemployed/inactive, the father cannot use their entitlement to parental leave, and the mother must use the entitlement to parental exemption from work/parental care for the child. The only exception is the situation in which the mother did not use or does not meet the eligibility criteria for parental exemption from work/parental care for the child.
- Parents can use their entitlement at the same time or consecutively.
- Parental leave can be taken in the following ways: (i) fully (i.e. in one period); (ii) partially (no more than 2 times per year, each time for no less than 30 days); (iii) part-time (duration is doubled, and compensation is 110 per cent of the budgetary base rate).
- Leave can be taken until the child turns 8 years of age.
- Unless leave starts right after Maternity leave ends, a parent has to notify their employer in writing no less than 30 days before their intended start of leave.
- Parental exemption from work/parental care for the child: if a mother terminates their leave due to employment/self-employment, the father has the right to use the unused share of leave with the mother's written consent.

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

- Same as for Maternity leave (including in terms of citizenship/residency conditions for unemployed/inactive parents).

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<sup>191</sup> The budgetary base rate amounts to €441.44 per month.

- 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>192</sup>

*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*

- Fifteen months (450 days) per parent for twins, other multiple births, and the third and every subsequent child. Two months are non-transferable from one parent to another (i.e., a maximum leave for a couple is 30 months). This leave is paid at a lower rate of 125 per cent of the budgetary base rate after the child turns one (or 14 months if both parents use their entitlements, see *Payment and funding* above for the benefit level until the child is 12 or 14 months of age).
- 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.

#### **e. Other types of leave and flexible working**

*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 6 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 3<sup>rd</sup> child or any subsequent child in the family, or of a child with developmental difficulties. The (self-)employed parent who is not on adoption leave, has a right to the 'leave of the second adoptive parent' (*dopust drugog posvojitelja*) of the same duration and with the same benefit level as Paternity leave. After this period of leave, the adoptive parents of a child under eight years of age have the right to Parental leave under the same conditions as biological parents (see 1c). They receive all the other rights that employed/self-employed parents do.
- In the case of other adoptive parents (i.e., not employed or inactive), one adoptive parent has the right to adoption exemption from work/adoption care for the child (providing the spouse of the adoptive parent is not the parent of

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<sup>192</sup> <https://www.zakon.hr/z/732/Zakon-o-per-centC5-per-centBEivotnom-partnerstvu-osoba-istog-spola>

the child) of 12 months for an adopted child under 18 years of age. This leave is extended for 60 days in the case of the adoption of twins, 2 or more children or a child that is the 3<sup>rd</sup> child or any subsequent child in the family, or of a child with developmental difficulties. 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 3 years of age, up to 60 working days per family for each illness at 100 per cent of average earnings (minimum of 25 per cent of budgetary base rate); for a child aged 3 to 7 years, up to 60 working days per family for each illness at 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 asingle with a child (e.g., single parents and divorced parents). All payments are subject to an upper limit of €565.04 per month. It can be used on a part-time basis.
- A worker has the right to 7 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.
- A worker has the right to 5 days of unpaid leave per year to provide care to a member of the immediate family or a person living in the same household who is in care need due to serious health issues.

#### *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.

### *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 125 per cent of the budgetary base rate (recalculated to the hourly rate, and paid only for hours outside of the working day). The right can be exercised by one of the parents, provided that both parents work, or by an employed parent who takes care of the child asingle (e.g., single parent, the other parent cannot take care of a child due to their own health, etc.).
- 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 8 years old. Parents can then work shorter hours, until there is a need. Payment during this period is: (i) during leave, 125 per cent of the budgetary base rate; (ii) during shorter working hours, the difference in salary if the beneficiary has 9 months of continual insurance period or 12 months of insurance with interruptions in the last two years, otherwise 70 per cent of the budgetary base rate recalculated to the hourly rate. The right can be exercised by one of the parents, provided that both parents work, or by an employed parent who takes care of the child asingle (e.g., single parent, the other parent cannot take care of a child due to their own health, etc.).
- An employee has the right to be absent from work for one day in a calendar year because of a particularly important and urgent family reason caused by illness or an accident (i.e., force majeure leave).
- An employee has a right to request telework to be able to balance work and family obligations or personal needs better for a certain period of time in the case of (i) a need for health protection due to a diagnosed illness or disability, (ii) pregnancy or care for children under the age of 8 years, or (iii) personal care for a family member or a household member (due to serious health reasons). An employee may request to terminate the agreement on telework before the end of the period for which the agreement was concluded. The employer must consider the employee's request for telework (or its earlier termination), taking into account the needs of the employee and the organisation. The employer must provide a written response within 15 days, and in the case of the rejection or the approval of the request with a delayed start of implementation, these should be explained.
- An employee with a child under eight years of age or an employee providing personal care for a family member or a household member (due to serious health reasons) has a right to request part-time employment (in a written form), or a change or adjustment of the working time schedule (i.e., flexible working arrangement). An employee can request this change only if they have been previously working for an employer for 6 months (before the request). An employee may request to terminate the agreement on a flexible working arrangement before the end of the period for which the agreement was concluded. The employer must consider the employee's request for a flexible working arrangement (or its earlier termination), taking into account the needs of the employee and the organisation. The employer must provide a

written response within 15 days, and in the case of the rejection or the approval of the request with a delayed start of implementation, these should be explained.

#### *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 is 12 or 14 months (depending on whether both parents use leave entitlements) for the first and second born child, or 34 or 36 months (depending on whether both parents use leave entitlements) 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 ceiling for Parental leave (flat-rate for (self-)employed parents who do not fulfil eligibility criteria, occasionally employed, and unemployed or inactive parents). All children must attend a pre-school programme of Early Childhood Education and Care (ECEC) for at least 250 hours, a year before starting primary school at six years of age as preparation for school (minimum 150 hours if the local community cannot organise a full programme): attendance is obligatory. There is, therefore, a gap of around 4.5 years between the end of leave and the start of this period of obligatory attendance of 150-250 hours per year, and around 5.5 years between the end of leave and the start of primary school.<sup>193</sup>

For ECEC attendance levels, see 'relationship between leave and ECEC entitlements' in the <a href="#">cross-country tables</a> at the front of the review.
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## **3. Changes in policy since April 2023 (including proposals currently under discussion)**

No changes reported.

## **4. Uptake of leave**

### **a. Maternity leave**

No information available on overall uptake rates. Although there is the possibility for fathers to use part of Maternity leave (if mothers agree), official data show that

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<sup>193</sup> Dobrotić, I. (2022) 'The (in)equality dynamic of childcare-related policy development in post-Yugoslav countries', *Journal of European Social Policy*, Vol.32, 3:270–286. Available at: <https://doi.org/10.1177/09589287221088167>

Maternity leave is predominantly used by mothers. According to the latest information (2023), fathers used the transferred right in 0.23 per cent of cases (156 fathers). Maternity exemption from work is predominantly used by mothers: only one father used the right in 2023, and in the case of maternity care for the child, fathers accounted for 0.1 per cent of all users in 2023 (6 fathers).<sup>194</sup>

### **b. Paternity leave**

In 2023, 16,289 fathers used Paternity leave (16,078 of them for 10 days, and 202 of them for 15 days).<sup>195</sup>

### **c. Parental leave**

There is no official information on uptake rates, but Parental leave is predominantly used by mothers. According to the latest official data (2023), fathers account for 4.2 per cent (2,022 fathers) of all Parental leave taken. Parental exemption from work and parental care for the child is also predominantly used by mothers: fathers account for 0.1 per cent of all users of parental exemption of work (5 fathers) and for 0.35 per cent of all users of parental care for the child (38 fathers).<sup>196</sup>

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<sup>194</sup>[https://www.prs.hr/application/uploads/Izvje%C5%A1%C4%87e\\_o\\_radu\\_Pravobraniteljic.pdf](https://www.prs.hr/application/uploads/Izvje%C5%A1%C4%87e_o_radu_Pravobraniteljic.pdf)

<sup>195</sup> Ibid.

<sup>196</sup> Ibid.