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April 2024

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 (*Congedo di Maternità*) (responsibility of the Ministry of Labour and Social Policies and, for public employees, Ministry of Economy and Finance)

Length of Leave (before and after birth)

- Five months: at least 4 weeks can be taken before the birth. However, the pregnant woman also has a choice to work up to childbirth, as long as a specialist doctor certifies that this option does not damage the health of the pregnant woman and the child. Those who choose this option are able to benefit from the 5 months of mandatory Maternity leave after the birth of the child. Absence from work can take place 2 months before the childbirth if pregnancy is certified as 'at risk,' or if the Territorial Department of Labour certifies that the job is incompatible with pregnancy.
- It is obligatory to take all the leave.

Payment and funding

- Eighty per cent of previous earnings with no upper limit for salaried workers. For home helps, self-employed workers, and temporary agricultural

³³⁴ Please cite as: Addabbo, T., Cardinali, V., Giovannini, D. and Mazzucchelli, S. (2024) 'Italy country note', in Dobrotić, I., Blum, S., Kaufmann, G., Koslowski, A., Moss, P. and Valentova, M. (eds.) *International Review of Leave Policies and Research 2024*. Available at: <https://www.leavenetwork.org/annual-review-reports/>

labourers, earnings are 80 per cent of conventional earnings determined each year by the law³³⁵. For non-fixed term workers, Maternity leave depends on accredited contributions, though each professional sector has the potential to determine, with approval by the Ministry of Labour, Health and Social Policies, a higher limit, taking into account income and contribution potential of the professional sector and compatibility with financial availability of the professional fund.

- Pension contributions for women taking leave are made by the INPS. Maternity leave periods outside an employment relationship are counted as social security contributions for retirement pensions, provided that the claimant has at least five years of employment and has paid social security contribution at the time of her application.
- Payments are made to the mother either directly by INPS (National Institute for Social Security) or by their employer, who is recompensed by the INPS.
- Payments are taxed.
- Funded by the INPS, which is financed by contributions from employers and employees at a rate that is related to the sector and to the type of employment contract (for example, in manufacturing it is 0.46 per cent of earnings for employers and 0.28 per cent for employees).

Flexibility

- For employees and workers enrolled in the Separate Social Security Fund '*Gestione separata*'³³⁶, the 20 week period is compulsory, but there are two options for taking this Leave: (i) 4 weeks before the birth and 16 weeks after (upon presentation of a medical certificate); or (ii) 8 weeks before the birth and 12 weeks after. The allowance is accorded to autonomous female workers from 8 weeks before the birth to 12 weeks after. Maternity leave, however, is not compulsory for this category. The Jobs Act provides that, in the case of premature birth, which takes place before month 7 of the pregnancy, the amount of leave not used before birth is added to post-natal leave.
- Self-employed may also benefit from the allowance associated with a high-risk pregnancy. They are granted a daily allowance for leave periods within 2 months before childbirth in the event of pregnancy complications, ascertained by the local health authority.

³³⁵ Self-employed women are entitled to an allowance of 80 per cent of their average salary for five months. Unlike employees, self-employed women are free to continue to work and issue invoices.

³³⁶ By Law 335/1995, workers must contribute to a separate Italian National Institute of Social Security (INPS) fund for co-workers in order to obtain the right to a pension. They work on the basis of 'contracts of continuous and co-ordinated collaboration' or under contract for a project 'co.pro.', that lay between employed and self-employed individuals' contracts. The Separate Management Fund (Gestione Separata INPS) is a pension fund to which self-employed workers and freelancers without a fund must register. Some professionals (such as lawyers, notaries, doctors) have, in fact, a pension fund dedicated to their activity.

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

- All employees and self-employed women with social security membership, including workers enrolled in *Gestione separata*.

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 the case of multiple or premature births, the length of leave increases by 12 weeks.
- In the case of a premature birth, the mother may take unused pre-natal Leave after the birth; and if the infant is hospitalised, the mother has the right to suspend her Maternity leave, taking up the Leave again once the child is discharged.
- The mother can transfer 1 day of Maternity leave to the father, or a longer period if certain conditions prevent the mother from using the leave.

Additional note (e.g., if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)

- Public sector employees receive 100 per cent of earnings.
- In general, national collective agreements guarantee 100 per cent of earnings, with employers paying an additional 20 per cent.

b. Paternity leave (*congedo di paternità*) (Ministry of Labour, Health and Social Policies)

Length of Leave

- Ten working days.
- It is obligatory to take all the leave.
- A further one day of optional Leave is available if the mother transfers part of her Maternity leave.

Payment and funding

- One hundred per cent of earnings with no upper limit; covered by imputed pension contributions.
- Paid, taxed and funded as for Maternity leave.

Flexibility

- Leave can be used from 2 months preceding the expected date of childbirth until 5 months after childbirth.
- Leave can be taken as separate days, but cannot be used on an hourly basis.
- In the case of multiple births, leave can be extended up to 20 working days.
- The employee must give a written notice on the intention to use the leave to the employer, at least 5 days in advance.

Eligibility

- All employees.
- Same-sex couples are not eligible.

Additional note (e.g., if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)

- Employed fathers, including those who are self-employed and enrolled in *Gestione separata*, may take 3 months' paid leave after the birth in the following circumstances: (i) the mother's death or severe illness; (ii) the child being left by the mother; or (iii) the child being in the sole care of the father. An important verdict by the Tribunal of Florence extends the possibility of obtaining Paternity leave, paid at 80 per cent of earnings, to two months before childbirth. This means that the father can take the whole period of Maternity leave in certain circumstances, i.e., if the mother is a housewife, ill or, alternatively, if she is a self-employed worker who cannot take the leave. The Tribunal is a civil court and its decision acts as an important precedent for other Tribunals, but is not automatically binding. Conditions are the same as for Maternity leave.

c. Parental leave (*Congedo Parentale*) (responsibility of the Ministry of Labour, Health and Social Policies and, for public employees, the Ministry of Economy and Finance)

Length of Leave (before and after child's birth)

- Six months per parent. However, the maximum total length of leave per family is 10 months, unless the father takes at least 3 months of leave; in which case, the total length of leave can be extended to 11 months, and the father can extend his leave to 7 months.
- Leave is an individual, non-transferable entitlement.

Payment and funding

- Both the father and the mother may claim Parental leave benefit for a child under 6 years of age, non-transferable to the other parent. Two months is paid at 80 per cent of earnings (in 2025, it will change to 1 month at 80 per cent and 1 month at 60 per cent), 7 months at 30 per cent, while 2 months are unpaid (this assumes the father takes at least 3 months leave so giving the family 11 months leave). The higher rates of payment can be shared between both parents or taken by only one as long as the period of higher payment falls within the first 3 months of non-transferable leave.
- Maximum total period covered by the Parental benefit is thus 9 months, of which:
 - the mother and father are each entitled to 3 months of paid leave, non-transferable to the other parent, to be taken within 6 years of the child's birth (or from the child's entry into the family in the case of adoption or fostering);

- both parents are entitled, alternatively, to an additional period of three months of paid leave.
- After 9 months of paid Parental leave, Parental benefit is means-tested, that is, it is paid only if the worker's individual income is less than 2.5 times the amount of the minimum pension (in 2021 equal to €515.28 per month) or in cases when parents use extended Maternity leave for severely disabled children within 12 years of the child's birth.
- Leave is unpaid if taken when a child is 6 to 12 years of age.
- Pension contributions for parents taking leave are made by the INPS.
- Paid, taxed and funded as for Maternity leave.

Flexibility in use

- Leave can be taken at any time until a child is 12 years old.
- Leave can be taken as a single continuous period up to a maximum of 6 months; or as shorter periods amounting to a maximum of 6 months.
- Leave can be taken on an hourly basis, up to half of the daily hours worked during the month immediately preceding the start of Parental Leave; but this 'hourly-based leave' cannot be combined with another kind of permitted absence from work on the same day.
- Parents can take leave at the same time.
- Single parents are entitled to 11 months of Parental leave, out of which 9 months are paid.

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

- All employed parents, except domestic workers and home helps. Self-employed workers are generally entitled to 3 months, which can be taken only during the 1st year after a child's birth.
- The father is entitled to leave even if the mother is not employed, for example, if she is a housewife. Circular letter B/12-5-2009 from the Department of Labour, Health, and Social Policies extends the right to fathers to make use of the Leave indicated in the act if the mother is a housewife³³⁷; previously this right was limited to fathers where the mother was self-employed. This change gives equal financial value to domestic work as labour outside of the home.
- Working parents registered with the separate management scheme are entitled to paid Parental leave as employees, under the following eligibility criteria:
 - parents must be enrolled in the separate management scheme as project workers, professionals and assimilated categories and must not be simultaneously receiving a pension or be enrolled in another form of compulsory social security;
 - there must be a valid professional employment relationship during the period of Parental leave;

³³⁷ Art. 40c, Act of Law n. 151/2001: right to work reduced hours with full earnings compensation for the first 12 months after childbirth.

- a parent must have paid at least 1 month of contributions in the 12 months preceding the start of the qualifying period.
- Parental leave is also provided for self-employed persons, i.e., entrepreneurs, artisans, freelancers, cooperative members, agents and sales representatives. Since there is no payroll, the 30 per cent allowance in this case is calculated on the conventional daily wage that the law establishes each year for each of these categories. Fathers are also entitled to this period of paid leave from work. For self-employed persons, however, Parental leave is shorter than for employees and subject to more constraints:
 - each parent is entitled to 3 months of leave for each child;
 - these 3 months can be requested within the first year of life or entry into the family; and not within the first 12 years;
 - women can take Parental leave after the end of Maternity leave;
 - the parent must have paid contributions in the month preceding the request;
 - only those who do not actually work (and therefore do not invoice) during the leave period can receive Parental benefit.
- Same-sex couples are eligible.
- Unemployed women are eligible for the maternity allowance granted by the National Social Security Institution for five months in place of the unemployment benefit. The maternity benefit payable is 80 per cent of the average daily global remuneration received in the last month of work.

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 per child, each parent is entitled to additional leave in the case of multiple births (e.g., the length is doubled for twins, and tripled for triplets).
- A single parent may take 10 months of leave.

Additional note (e.g., if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)

- Public sector employees receive 100 per cent of earnings during the first 30 days of leave.

d. Childcare leave or career breaks

No statutory entitlement.

e. Other types of leave and flexible working

Adoption leave and pay

- For adoptive and foster parents, the same regulations for Maternity, Paternity and Parental Leave apply as for other parents. The period of Maternity leave does not depend on the age of the child adopted and must start within 5 months of them entering the family; in the case of international adoption, the leave can also be taken for overseas visits in connection with adoption. Paternity leave can be taken within five months of a child's entry into the family or into Italy, in the case of national or international adoption. Parental Leave for adoptive and foster parents can be taken within 8 years of the child entering the family but not after their 18th birthday; payment, generally, is 100 per cent of earnings for the first 30 days and 30 per cent of earnings for the subsequent 5 months, if taken within 3 years of the entry of the child into the family.

Time off for the care of dependents

- Unpaid leave can be taken with no limit for a child under 3 years of age, and 5 working days per year per parent for a child aged 3 to 8 years.
- Employees are entitled to 2 years of leave over the course of their entire working life in the case of a serious need in their family: for example, the disability of a child or other relative, even if not co-resident. The order of priority for taking leave is spouse, parents, children, then siblings of the person who needs care. During the period of leave, the applicant is entitled to receive an allowance of 100 per cent of their previous earnings, up to an upper limit of €47,351 per year.

Specific provision for (breast)feeding

- Until a child is 12 months old, female employees are entitled to work reduced hours for breastfeeding, with full earnings compensation (1 hour less per day if working 6 hours per day or less; 2 hours less per day if working longer than 6 hours). Fathers are entitled to use this benefit in certain conditions, e.g., if the mother is self-employed or a freelancer; if the mother opts not to use it; if the mother is not employed; or if the father has sole custody of the child. Home helps, domestic workers, and autonomous workers are not entitled to reduced hours, but in this case too the father can work reduced hours.

Flexible working

- Employees of any gender who have parental responsibility for a child under 6 years of age or a disabled child under 18 years of age have a legal right to apply to their employers to work flexibly (e.g., to reduce their working hours). Employers have a legal duty to consider these requests and may refuse them only 'where there is a clear business ground for doing so [... and must give] a written explanation explaining why.' The law does not lay down

seniority requirements for the use of these rights. Those who have been previously converted to part-time status may return to full-time status and also have precedence over new full-time recruitments for the performance of the same duties or duties of the same level as part-time employees.

Leave for female victims of gender based violence

- Victims of gender-based violence (as certified by municipal social services or anti-violence centres) employed in the public or private sectors, and who have care responsibilities, may request leave from work for 3 months, with a right to full pay. For the same period, they are also entitled to switch from full-time to part-time employment.

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

The maximum period of post-natal leave is 15 to 16 months (depending on bonus months if the father takes Parental Leave); however, there is only five months of well-paid leave entitlement. There is no entitlement to ECEC, though nearly all children attend ECEC from three years of age.

Despite being recognised as a social right for children and working mothers by Law 1044/1971, provision of ECEC for children under three years of age is much lower and very variable between different regions.

The National Recovery and Resilience Plan (NRRP) includes a specific line (Mission 4) on investing in ECEC infrastructure that is bound to increase ECEC availability in Italy.

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

The 2024 budget law (L. 213/2023) introduces some important measures for families with children, including:

Parental Leave and Disability Protection

The 2024 Budget Law (Law 30 December 2023 number 213) increased the payment for Parental leave for employees, both in the public and private sector, who end the period of Maternity or Paternity leave after 31 December 2023, from 30 per cent to 80 per cent for 2 months in 2024; and from 30 per cent to 80 per cent for 1 month and 60 per cent for a 2nd month, starting in 2025.

Incentive for working mothers

Law number 213 of 30 December 2023 (Budget Law 2024) introduced a 100 per cent reduction from the share of social security contributions for disability, old age

and dependents of working mothers of 3 or more children employed by public employers and private employees with permanent contracts (except for domestic workers). The measure, known as the 'bonus for working mothers', foreseen for the pay periods from 1 January 2024 to 31 December 2026, is valid until the month in which the youngest child turns 18 and, in any case, up to the maximum annual limit of €3,000, calculated on a monthly basis.

On an experimental basis, for the pay periods from 1 January 2024 to 31 December 2024, the bonus is extended to working mothers of 2 children with a permanent contract (excluding domestic work). In this case the benefit is valid until the month of the youngest child's 10th birthday. Since this involves a reduction in the contributions paid by the worker, to be withheld from the pay slip, the beneficiaries see the effects of the bonus directly on their payslip, in terms of an increase in the net amount due.

Increase in the nursery or home support bonus

The text of the law provides for an increase in the nursery school bonus to €3,600 per year for children born from 1 January 2024, for families with at least 2 children. The increase is for families with ISEE up to €40,000 and with another child under 10 years old.

On 12 May 2022, the law 'Delegations to the Government for the support and enhancement of the family' (better known as the Family Act), an organic reform of family policies, came into force. The text outlines the regulatory framework and the time deadlines within which the Government will be called upon to approve the legislative decrees implementing the law, to support parenthood and the social and educational function of families, combating the birth rate, enhancing the harmonious growth of girls, boys, and young people and promoting the conciliation of family life with work, particularly that of women.

Delegating law 32/22 provides for the establishment of a universal monthly allowance for each dependent child up to adulthood, without age limits for children with disabilities; strengthens family support policies for educational and school expenses, and for sporting and cultural activities; reforms parental leave, with its extension to all professional categories, and make paternity leave mandatory and structural; introduce incentives for women's work (from deductions for care services to the promotion of flexible working); ensure the protagonism of young people under 35, promoting their financial autonomy with support for university expenses and the rent of their first home.

It is interesting to highlight how, in exercising the mandates envisaged, the Government will have to comply with the following principles and directive criteria:

- ensure the universal application of economic benefits to families with children, according to progressive criteria based on the application of indicators of the equivalent economic situation (Isee), also taking into account the number of dependent children.
- promote gender equality within families, encouraging female employment, particularly in the Southern regions, also through the preparation of work models aimed at harmonizing family working hours and encouraging the work of the second earner of income;

- affirm the social value of educational and learning activities, including non-formal ones, of children, through the recognition of tax breaks, exemptions, deductions from the taxable amount, or deductions from the income tax of expenses incurred by families or through the provision of a credit or economic contribution tied to the purpose
- provide for the introduction of organizational, communication, and simplification measures that favor families' access to the services offered and their identification.

The Government must adopt the individual implementing measures within the established timeframes. The main time deadlines foreseen for the adoption of the individual implementing measures are

- within 12 months of the entry into force of the enabling law (12 May 2023), a legislative decree establishing the universal allowance containing the reorganization and simplification of economic support measures for dependent children, as well as one or more legislative decrees for the institution and reorganization of support measures for children's education;
- within 24 months of the entry into force of the law (12 May 2024), one or more legislative decrees to strengthen, reorganize, harmonize, and strengthen the regulations relating to parental and paternity leave, incentives for female employment, support measures to families for the education of their children and for the achievement of financial independence.

4. Uptake of leave

a. Maternity leave

Maternity leave is obligatory for employees. The most recent data (INPS, 2023) for the private sector shows there were 179,602 beneficiaries, of whom 20,981 were fixed-term employees and 157,240 permanent workers.³³⁸

b. Paternity leave

In 2022, according to INPS data, 173,223 fathers in the private sector took paternity leaves (i.e., 11 per cent more than in the 2021 and 39 per cent more than in 2013), and 3,203 an optional leave³³⁹. According to INPS analyses,³⁴⁰ the take-up of Paternity leave was 64 per cent in 2022. A multivariate analysis performed in INPS (2023) confirms the higher probability of leave-taking among fathers with a permanent contract, first-time fathers, fathers who reside in the Centre-North of Italy and white-collar male workers.

c. Parental leave

The most recent INPS data³⁴¹ for the private sector, including agriculture, show that there were 348,864 Parental leave beneficiaries. The data reveal that in 2022

³³⁸ <https://servizi2.inps.it/servizi/osservatoristatistici/13/19/o/432>

³³⁹ <https://servizi2.inps.it/servizi/osservatoristatistici/13/19/o/300>

³⁴⁰ INPS (2023) XXII Rapporto Annuale, INPS September 2023, available at <https://www.inps.it/it/it/dati-e-bilanci/rapporti-annuali/xxii-rapporto-annuale.html>

³⁴¹ <https://servizi2.inps.it/servizi/osservatoristatistici/13/41/o/427>

77,875 males took 1,758,009 working days of leave and 270,989 females took 14,605,262 working days of leave. There were 2,222 Parental leave beneficiaries among self-employed workers.

According to INPS (2023), the probability of mothers taking Parental leave increases when a mother has a permanent contract and works in a larger firm.