

Argentina¹³

Patricia Debeljuh and **Constanza Ginestra** (IAE Business School, Family-Work Balance Research Center (CONFyE) – *Universidad Austral*)

April 2025

N.B. Argentina Federation is a federal state comprising 23 provinces and an autonomous city, Buenos Aires.

The leave system is heterogeneous across the country. Different entitlements are offered depending on the sector (public or private) and province. Moreover, participation in the formal labour market determines access to different types of social protection benefits (including leave); consequently, a significant proportion of workers in the informal economy, in small companies or working as self-employed are excluded from these benefits. The information included in this report is based on the provisions regulated in the National Law 20.744 on Contract of Employment (1974),¹⁴ which sets minimum standards. In some cases, these benefits are supplemented by collective bargaining agreements or private sector initiatives.

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 (*Licencia por maternidad*) (responsibility of the National Social Security Administration - ANSES)

i. Private sector

Length of leave (before and after birth)

- 90 calendar days: It can be taken 45 days before and 45 days after the expected delivery date (according to a medical certificate), or 30 days

¹³ Please cite as Debeljuh, P. and Ginestra, C. (2025) 'Argentina Country Note', in Dobrotić, I., Blum, S., Kaufman, G., Koslowski, A., Moss, P. and Valentova, M. (eds.) *International Review of Leave Policies and Research 2025*. Available at: <https://www.leavenetwork.org/annual-review-reports/>

¹⁴ *Ley de Contrato de Trabajo*. Available [here](#).

before and 60 days after. However, if the delivery is premature, the 90-day period must be completed.

- It is obligatory to take leave from 10 days before birth.¹⁵
- After Maternity leave, mothers can access an unpaid leave of absence (*período de excedencia*) that lasts 3 or 6 months.

Payment, funding and taxation

- 100 per cent of earnings, with no upper limit on payment.
- Due to the non-remunerative nature of the leave, the benefit is not subject to contributions, nor is it considered when calculating the Annual Supplementary Salary. It is also not subject to income tax withholdings.
- Funded by ANSES, the National Social Security Administration, which the federal government mainly finances.

Flexibility in use

- Women are allowed to work up to 30 days before the child is due.
- After Maternity leave, mothers can opt to return to employment or start an unpaid leave of absence (*período de excedencia*) of three or six months.
- In the event of a pre-term delivery, the entire period of leave that has not been used will be added to the post-natal leave period to complete the 90 days.

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

- Registered employees and domestic workers with at least three months in employment when starting the leave.

Variation in leave due to child or family reasons (e.g., multiple or premature births; poor health or disability of child or mother; single parent); or delegation of leave to person other than the mother

- For a child with Down's Syndrome, paid Maternity leave is extended by 6 months.
- There is no additional entitlement for multiple births.

Regional or local variations in leave policy

- None.

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

- There are variations in eligibility established by collective bargaining agreements in each sector. For example, the Agrarian Labour Law (2011)¹⁶ mandates that temporary staff are covered under the same conditions as permanent staff.

¹⁵ Ley 27742 (2024) Available [here](#).

¹⁶ Régimen de Trabajo Agrario (2011) Available [here](#).

- Basic provisions can be enhanced by private employers' practices. Thanks to the work that the Family and Business Conciliation Center (CONFyE)¹⁷ has been developing since 2009, many companies from the private sector have identified the need to adopt new work-life practices. Evidence from CONFyE shows promising initiatives for mothers, such as:
 - The gradual reduction of working hours leading up to delivery.¹⁸
 - The extension of Maternity leave, usually 2 or 3 extra months paid by the company.¹⁹
 - The provision of similar Maternity leave to adoptive mothers.²⁰
 - The extension of maternity leave in the case of multiple births or children with disability.²¹
 - Soft landing: mothers are allowed to gradually return to employment, with reduced working hours, while receiving full pay. The scheme varies across companies, but typically part-time work starts after the end of Maternity leave with four or five working hours per day. Companies also provide mothers with soft-landing policies for children with disabilities and adoption.²²
 - Extra days for mothers when the child is in neonatology.^{23,24}
 - Some companies offer a 30-day leave due to pregnancy termination.²⁵

ii. Public sector (under Collective Labour Agreement for Public Employment²⁶)

Length of leave (before and after birth)

¹⁷ CONFyE has published five guides compiling the private sector good practices to support maternity, paternity and care of dependents with actions that go beyond the law provisions. Available [here](#).

¹⁸ Debeljuh, P. and Ordóñez, M.E. (2019) *Hacia la integración familia – trabajo: guía de buenas prácticas* [Towards family-work integration: guide to good practices], Buenos Aires: IAE Publishing, p.163.

¹⁹ Idem, p.164.

²⁰ Debeljuh P. and Destéfano, A. (2013) *Hacia la responsabilidad familiar corporativa: guía de buenas prácticas* [Towards corporate family responsibility: good practice guide], Buenos Aires: IAE Publishing, p.148.

²¹ Debeljuh P. and De la Serna M. (2023) *Hacia el cuidado de la ecología humana: familia, empresa y sociedad: guía de buenas prácticas* [Towards the care of human ecology: family, business and society: guide to good practices], Buenos Aires: IAE Publishing, p.139.

²² Debeljuh P. and Destéfano, A. (2011) *Hacia una empresa familiarmente responsable: guía de buenas prácticas* [Towards a family-friendly company: guide to good practices], Buenos Aires: IAE Publishing, p.112.

²³ Debeljuh, P. and Ordóñez, M.E. (2019) *Hacia la integración familia – trabajo: guía de buenas prácticas* [Towards family-work integration: guide to good practices], Buenos Aires: IAE Publishing, p.163.

²⁴ Debeljuh P. and De la Serna M. (2023) *Hacia el cuidado de la ecología humana: familia, empresa y sociedad: guía de buenas prácticas* [Towards the care of human ecology: family, business and society: guide to good practices], Buenos Aires: IAE Publishing, pp.139.

²⁵ Ibid.

²⁶ *Convenio Colectivo de Trabajo General para la Administración Pública Nacional* [General Collective Labor Agreement for the National Public Administration] (2006). Available [here](#).

- 100 calendar days. 30 days of pre-natal leave and 70 days of post-natal leave.
- It is obligatory to take leave, though the 30 days prior to childbirth can be reduced with medical authorisation.
- After Maternity leave, mothers can access an unpaid leave of absence (*período de excedencia*) that lasts three or six months.

Payment, funding and taxation

- 100 per cent of earnings, with no upper limit on payment.
- Due to the non-remunerative nature of the leave, the benefit is not subject to contributions, nor is it considered when calculating the Annual Supplementary Salary. It is also not subject to income tax.
- Funded by ANSES, the National Social Security Administration, financed mainly by the federal government.

Flexibility in use

- None

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

- All public sector employees are eligible.

Variation in leave due to child or family reasons (e.g., multiple or premature births; poor health or disability of child or mother; single parent); or delegation of leave to person other than the mother

- In the case of multiple births, mothers are entitled to an extra ten days.
- From the 3rd child, women receive 10 more days per pregnancy.

Regional or local variations in leave policy

- The collective agreements that regulate teacher conditions of employment offer benefits that, in most cases, enhance those recognised in the Collective Labour Agreement. Maternity leave for teachers varies according to the province, with a minimum of 84 days in Jujuy and a maximum of 210 days in Tierra del Fuego.
- The same occurs within provincial public employment. Provinces that grant 90 days of maternity leave include Entre Ríos, Jujuy, and San Luis. The City of Buenos Aires provides 105 days, with the option to add an additional 30 days of family leave. 120 days are granted in Catamarca, Mendoza, Neuquén, San Juan, and Santiago del Estero. Misiones, Santa Fe, and the Province of Buenos Aires (according to the 2024 agreement) offer 135 days. Formosa, La Pampa, and Salta provide 150 days. A total of 180 days is granted in Chaco, Córdoba, Corrientes, Río Negro, Tierra del Fuego, and Tucumán. The most generous maternity leaves, lasting 210 days, are found in Chubut, La Rioja, and Santa Cruz ²⁷.

²⁷ CIPPEC. *Licencias por maternidad para empleadas públicas provinciales, 2018* [Maternity leave for provincial public employees, 2018]. Available [here](#).

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

- None.

b. Paternity leave (*Licencia por paternidad*) (responsibility of the employer)

i. Private sector

Length of leave

- 2 calendar days.

Payment, funding and taxation

- 100 per cent of earnings, with no upper limit on payment.
- Funded by employers.
- Due to the non-remunerative nature of the leave, the benefit is not subject to contributions, nor is it considered when calculating the Annual Supplementary Salary. It is also not subject to income tax.

Flexibility in use

- None. Leave must be taken immediately after birth.

Eligibility

- All registered employees are eligible.
- Informal and self-employed workers are not eligible.

Variation in leave due to child or family reasons (e.g., multiple or premature births; poor health or disability of child or mother; single parent); or delegation of leave to person other than the mother

- None.

Regional or local variations in leave policy

- None.

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

- Some sectors have improved the Paternity leave entitlements offered by Law 20.744 on Contract of Employment (1974).²⁸ For instance, the Agrarian Labour Law (2011)²⁹ recognises a paid Paternity leave of 30 consecutive days to be taken between 45 days before childbirth and 12 months after birth.

²⁸ *Ley de Contrato de Trabajo*. Available [here](#).

²⁹ *Régimen de Trabajo Agrario* (2011). Available [here](#).

- Basic provisions can be enhanced by private employers' practices. Evidence from CONFyE³⁰ shows promising initiatives mainly related to extending Paternity leave. In some companies, fathers can take up to 40 days with full pay after childbirth.³¹ Flexible working arrangements may also be offered, such as part-time work during the first month after birth without earnings reduction or one hour off during the first 30 days after returning to work, together with soft-landing policies for fathers of children with disabilities and adoptive fathers.³²

ii. Public sector

Length of leave

- 5 working days, based on the Collective Labour Agreement for Public Employment,³³ which regulates employment in the National Public Administration.

Payment, funding and taxation

- 100 per cent of earnings, with no upper limit on payment.
- Funded by employers.
- Due to the non-remunerative nature of the leave, the benefit is not subject to contributions, nor is it considered when calculating the Annual Supplementary Salary. It is also not subject to income tax.

Flexibility in use

- None. Leave must be taken immediately after birth.

Eligibility

- All registered employees are eligible.

Variation in leave due to child or family reasons (e.g., multiple or premature births; poor health or disability of child or mother; single parent); or delegation of leave to person other than the mother

- None.

³⁰ CONFyE has published five guides compiling the private sector good practices to support maternity, paternity and care of dependents with actions that go beyond the law provisions. Publications available [here](#).

³¹ Debeljuh, P. and Ordóñez, M. E. (2017) *Hacia una responsabilidad compartida: guía de buenas prácticas* [Towards shared responsibility: good practice guide], Buenos Aires: IAE Publishing, p.159.

³² Debeljuh, P. and Destéfano, A. (2015) *Hacia un nuevo pacto entre trabajo y familia: guía de buenas prácticas* [Towards a new pact between work and family: guide to good practices], Buenos Aires: IAE Publishing, p.175.

³³ *Convenio Colectivo de Trabajo General para la Administración Pública Nacional* (2006) [General Collective Labor Agreement for the National Public Administration]. Available [here](#).

Regional or local variations in leave policy

- Paternity leave in the public sector also varies significantly across provinces. Santiago del Estero offers no paternity leave at all. Provinces with just 2 days are Entre Ríos, Formosa, and Jujuy. Corrientes and San Juan grant 5 days, while Córdoba and Santa Fe give 8 days. Catamarca, La Pampa, and Neuquén offer 10 days. The provinces with 15 days include Chaco, Chubut, Mendoza, Misiones, Río Negro, Tierra del Fuego, Tucumán, and the Province of Buenos Aires (modified in 2024). San Luis offers 20 days, and Salta grants 25 days. La Rioja and Santa Cruz stand out with 30 days, and topping the list is the city of Buenos Aires, with 45 days of paternity leave.^{34 35}
- Paternity leave for teachers varies between 2 and 25 days, depending on the province.

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

- None

c. Parental leave

No statutory entitlement.

d. Childcare leave or career breaks

No statutory entitlement.

e. Other types of leave and flexible working

Adoption leave and pay

- No statutory entitlement. In the public sector, adoption leave is provided for mothers (100 calendar days) and fathers (30 calendar days) in national public administration. Some collective bargaining agreements covering teachers and provincial public sector employees provide leave for both parents, with significant variations between provinces, e.g., 30 days in Tucumán and a maximum of 180 days in four provinces.

Time off for the care of dependents

- No statutory entitlement.
- In the public sector, 20 days paid leave per parent per year is available for the **care of a family member who is ill or injured**; 30 days paid leave is available for workers with young children in the event of the death of a child's mother, father or guardian.

³⁴ *Licencias parentales en la Provincia de Buenos Aires* [Parental leaves in the Province of Buenos Aires] (2023). Available [here](#).

³⁵ CIPPEC. *Licencias por maternidad, paternidad y familiares para empleados públicos provinciales* (2019) [Maternity, paternity and family leave for provincial public employees (2019)]. Available [here](#).

- In the private sector, some companies provide leave, for example allowing parents to take ten paid days for sick children.³⁶ For children with disabilities, some companies offer eight paid hours per month to accompany children to medical appointments.³⁷ Some companies provide assistance for family emergencies, such as caring for a child with a severe illness; this can be financial assistance, special paid leave, psychological assistance for the family group, or bereavement support.³⁸
- Some employers offer advice on prevention, disability and mental health issues delivered by professionals from disciplines such as Pedagogy, Psychology, Social Work and Medicine. From this holistic approach, comprehensive alternatives arise to address health problems, providing guidance to employees and their families for appropriate diagnostic and therapeutic evaluations, as well as advice for the accreditation of the Unique Certificate of Disability. This programme also includes support for employees undergoing a risky pregnancy or having a premature child, providing guidance and prevention actions, early stimulation, medical appointments, and support for families searching for institutional treatment and rehabilitation.³⁹
- Time for mothers to spend with children during the first days of school.⁴⁰

Specific provision for (breast) feeding

- In the private sector, every working mother has the right to take two breaks of 30 minutes each day for one year after birth. The time devoted to breastfeeding is considered part of the working day and, therefore, is paid. It is a widespread practice to have lactation rooms in workplaces.
- In the public sector, every working mother has the right to take two breaks of one hour a day, for one year after birth, with the option of reducing the working day by two hours. In provincial public employment, there are some variations, e.g., breaks or reductions in the working day may vary from three months after Maternity leave to five years. In the City of Buenos Aires, Law No. 2958 (2008) mandates the implementation of breastfeeding rooms in the public sector. These spaces should be private, comfortable, and exclusive for lactating mothers.⁴¹

³⁶ Debeljuh P. and Destéfano, A. (2011) *Hacia una empresa familiarmente responsable: guía de buenas prácticas* [Towards a family-friendly company: guide to good practices], Buenos Aires: IAE Publishing, p.122.

³⁷ Debeljuh P. and Destéfano, A. (2013) *Hacia la responsabilidad familiar corporativa: guía de buenas prácticas* [Towards corporate family responsibility: good practice guide], Buenos Aires: IAE Publishing, p.148.

³⁸ Debeljuh, P. and Destéfano, A. (2015) *Hacia un nuevo pacto entre trabajo y familia: guía de buenas prácticas* [Towards a new pact between work and family: guide to good practices], Buenos Aires: IAE Publishing, pp.217-227.

³⁹ Debeljuh, P. and De La Serna M. (2021) *Hacia un nuevo mundo laboral y familiar: guía de buenas prácticas* [Towards a new world of work and family: guide to good practices], Buenos Aires: IAE Publishing, p.151.

⁴⁰ Debeljuh P. and Destéfano, A. (2013) *Hacia la responsabilidad familiar corporativa: guía de buenas prácticas* [Towards corporate family responsibility: good practice guide], Buenos Aires: IAE Publishing, p.153.

⁴¹ [Law 2958](#), City of Buenos Aires.

- Infrastructure facilities: Lactation rooms are also provided by companies offering the possibility of continuing breastfeeding while working.^{42,43} Additionally, some companies provide exclusive parking spaces for pregnant or breastfeeding mothers (this is especially important in big cities such as Buenos Aires).⁴⁴

Flexible working

- Flexible working arrangements: working wholly or partly from home, combined if desired with time in the office.⁴⁵

Antenatal appointments and care

- No statutory entitlement.

Other provisions (e.g. care allowances, reproductive leaves, bereavement leaves, domestic violence leaves, grandparents' leaves)

- **Gender-based violence leave.** There are action protocols against cases of intrahousehold violence or gender-based violence in the public and private sectors. Government employees at the national⁴⁶ and provincial⁴⁷ levels can access these leaves. For example, in the province of Buenos Aires, women may take up to 35 days per year, while in Jujuy the leave consists of 20 days.⁴⁸ Some companies also offer similar benefits. The protocols include a special 15-days paid leave (which can be renewed if necessary), a salary advance and an interest-free loan to be repaid in up to 42 instalments.⁴⁹
- **Remote work.** Teleworkers who provide care for children under the age of 13 years or for disabled or older adults who require specific care have the right to have work schedules that are compatible with their care responsibilities, as well as to have breaks in their working day. Any act, conduct, decision, retaliation or obstruction from the employer that violates these rights will be presumed discriminatory and liable to sanctions.⁵⁰ This

⁴² Debeljuh P. and Destéfano, A. (2011) *Hacia una empresa familiarmente responsable: guía de buenas prácticas* [Towards a family-friendly company: guide to good practices], Buenos Aires: IAE Publishing, pp.146-150.

⁴³ Debeljuh P. and De la Serna M. (2023) *Hacia el cuidado de la ecología humana: familia, empresa y sociedad: guía de buenas prácticas* [Towards the care of human ecology: family, business and society: guide to good practices], Buenos Aires: IAE Publishing, pp.162.

⁴⁴ Debeljuh, P. and Destéfano, A. (2015) *Hacia un nuevo pacto entre trabajo y familia: guía de buenas prácticas* [Towards a new pact between work and family: guide to good practices], Buenos Aires: IAE Publishing, p.184.

⁴⁵ Debeljuh P. and Destéfano, A. (2011) *Hacia una empresa familiarmente responsable: guía de buenas prácticas* [Towards a family-friendly company: guide to good practices], Buenos Aires: IAE Publishing, p.122.

⁴⁶ [Resolution 24/2019](#).

⁴⁷ [Decree 121/2020](#), Buenos Aires.

⁴⁸ [Decree 121/2020](#), Buenos Aires.

⁴⁹ Debeljuh, P. and Ordóñez, M.E. (2019) *Hacia la integración familia – trabajo: guía de buenas prácticas* [Towards family-work integration: guide to good practices]. Buenos Aires: IAE Publishing.

⁵⁰ *Boletín Oficial Argentina* ([August 2020](#)).

law came into force in April 2021, and among its articles includes the right to the digital disconnection that allows the employee who teleworks to be able to rest, recover and recompose between the end of a teleworking day and the following day, protecting free time so that work does not invade their family environment.

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

The maximum period of post-natal leave is eight months or just over eight months (depending on the sector), but most of this is unpaid, with well-paid leave only available for less than three months. In addition, kindergarten attendance is compulsory for four and 5-year-olds, so there is a gap of almost four years between the end of well-paid leave and entitlement to Early Childhood Education and Care (ECEC).

Article 179 of Law 20.744 on Contract of Employment (1974) requires providing care services in the workplace for companies with fifty or more employed women. This law was recently executed (March 2022) through Decree 144/2022 (see section 3 below).

ECEC for children under four years is offered in a variety of (mostly private) institutions, such as nurseries (*salas cunas, prejardines, jardines maternas*), kindergartens and child development centres (*centros de desarrollo infantil o centros de cuidado comunitario*). Expanding national child development centres (Law 26.233) has enabled some progress in providing children with care and education. These centres have been created to promote the healthy development of children from 45 days to 3 years of age; they can be public or privately owned, and the period of a child's attendance is agreed upon with parents. Argentina has also launched the National Early Childhood Plan to guarantee nutrition, early stimulation, and healthcare for the most vulnerable children (aged 0 to 4).

In March 2022, the government launched National Decree 144/2022, which regulates the establishment of childcare services in companies with 100 or more employees. The provision of childcare services for children aged 45 days to 3 years old in workplaces with 100 or more employees is now mandatory regardless of hiring modalities. In collective bargaining agreements, this obligation can be replaced by a documented reimbursement of childcare expenses. For remote workers, the obligation to provide childcare services can be fulfilled by paying a non-remunerative sum. The obligation to offer childcare services has been enforceable since March 2023. Failure to comply with the duty to provide these services will be considered a severe labour infraction under the terms of Law 25,212, which ratifies the Federal Labour Pact. Severe infractions will be sanctioned with a fine of 50 to 2,000 per cent of the monthly value of the Minimum Salary in force when verifying the infraction for each affected worker.

For ECEC attendance levels, see 'relationship between leave and ECEC entitlements' in the cross-country tables at the front of the review.
--

3. Changes in policy since April 2024 (including proposals currently under discussion)

None reported.

4. Uptake of leave

a. Maternity leave

No information available.

b. Paternity leave

No information available.

c. Parental leave

No statutory entitlement.