

Portugal⁴⁵⁴

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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 Labour, 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 obligatory for the mother to take 42 calendar days (6 weeks) following the birth – 'Mothers-only Initial Parental leave' (*Licença Parental Inicial Exclusiva da mãe*). The remaining period may be divided by mutual agreement between the parents.

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- An extra 30 days ('sharing bonus') is available if parents share the leave. The Leave is then extended to 150 days or 180 days. See 'Flexibility' below for the options available to parents.

Payment, funding and taxation

- 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 2 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 the father takes at least 60 consecutive days, or 2 periods of 30 consecutive days, after the mother returns to work, the payment level increases to 90 per cent of earnings.
- If the parents decide to share the fifth month of Initial Parental leave in order to stay home at the same time (each parent a maximum of 15 days), the payment level remains at 80 per cent of earnings for each parent. The total length of leave remains the same but ends earlier if a portion is taken at the same time (see 'Flexibility in use' below).
- The monthly payment of 'parental benefit' is based on the average of all gross earnings in the first 6 of the last 8 months immediately preceding the Leave (excluding Christmas and holiday subsidies and other work bonuses).
- If income is very low (see eligibility), there is an entitlement to 'Social Initial Parental leave', with a minimum payment of €13.93 per day (120 days or 120+30 days of shared leave), €11.15 per day (150 days of non-shared leave), or €11.50 per day (150+30 days of shared leave). These days of Social Initial Parental leave include the 42 days mandatory for mothers ('Mothers-only Social Parental leave')
- Non-employed parents receiving either social parental benefits or unemployment benefits may apply for pension credits for their child-rearing leave.
- Payments are made to the parent by the social security system.
- Payments are not taxed. Most parents taking leave receive a higher net income than during employment since the leave benefit is exempt from payment of social security and income tax.
- Parents continue to accrue pension credits and other entitlements while taking leave. However, holiday and Christmas bonuses from the employer are not automatically paid during the leave period, but beneficiaries can apply for them as a 'compensation benefit' from the social security system (except for self-employed parents).
- Funded by the social security system, which is financed by contributions from employers, employees, self-employed persons and voluntary forms of social security. In general, employers contribute 23.75 per cent (22.3 per cent in the case of non-profit organizations) and employees 11 per cent; self-employed persons contribute 21.4 per cent.

Flexibility in use

- Mothers have the option to take up to 30 days of Initial Parental Leave before giving birth.
- Initial Parental Leave of 120 or 150 days can be divided between the parents but cannot be taken by both parents at the same time, except in the cases

mentioned below, i.e., in the fifth month parents can stay at home together for 15 days making a total of 30 days of leave; and in the option of taking leave simultaneously with part-time work after the 120 days, in which case benefit will be paid accordingly with a maximum of 15 full days per month (30 half-days per parent). If parents want to take their leave at the same time and both work for the same employer in a small business, the employer's consent is required.

- Initial Parental Leave may be taken in the following ways:
 - A parent may take (after the mother's obligatory period) all 120 days at 100 per cent of earnings or all 150 days at 80 per cent of earnings, i.e., when there is no sharing of leave.
 - Parents may take 150 days at 100 per cent of earnings, provided the father takes at least 30 consecutive days or two periods of 15 consecutive days of leave alone, without the mother, or vice versa.
 - Parents may take 180 days at 83 per cent of earnings, provided the father takes at least 30 consecutive days or two periods of 15 consecutive days of leave alone, without the mother, or *vice versa*. If the father takes at least 60 consecutive days, or two periods of 30 consecutive days, after the mother returns to work, payment is increased to 90 per cent of earnings.
 - In the fifth month, parents can share a maximum of 30 days to stay home together, but each parent can only stay home with the other parent for a maximum of 15 days. Therefore, this option to stay home together shortens the total amount of leave from 5 months to 4½ months, or from 6 months to 5½ months.
 - Initial Parental leave can be combined with part-time work after the first 120 days of leave, i.e., either the 5th or the 6th months or both the 5th and the 6th months of Initial Parental leave can be taken on a part-time basis by each parent. With this option the 30 days of full-time leave becomes 60 days of part-time leave and total Initial Parental leave can be extended up to a maximum of 240 days, i.e., 120 days on a full-time basis plus 120 half-days (part-time basis) paid at 50 per cent of earnings; parents can combine part-time leave with part-time work, either simultaneously or sequentially.
- Single parents cannot claim the entitlements of the other parent.

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

- All female workers who have paid social security contributions for 6 months (continuously or intermittently, the latter being only possible if the period without contributions is less than 6 months). This includes: domestic workers; cultural sector employees under a very short-term employment contract, when registered in the register of professionals in the cultural sector; self-employed persons. Also beneficiaries of the voluntary social security system (scientific research scholarship holders and workers on ships owned by foreign companies); unemployed persons with unemployment benefits (suspended while receiving parental benefits); workers receiving a partial disability pension, old-age pension or survivor's pension (also making contributions to Social Security). Contributions made to other national or international compulsory social security systems may be considered under certain conditions.

- Eligibility for paid obligatory leave, i.e., 42 calendar days of 'Mothers-only Initial Parental leave', only requires that the mother has worked and made social security contributions for at least one of the 6 months preceding birth. If necessary, the month of birth will be considered, provided there is at least 1 day of work with deductions in that same month.
- Mothers with no or insufficient contributions are entitled to 'Mothers-only Social Initial Parental leave' for the mandatory 42 days and to 'Social Initial Parental leave' for the remaining days up to the 120 or the 150 days of leave. This 120-150 days leave can be taken either by the mother or the father under the same terms as Initial Parental leave. However, it only applies if they meet the low-income/flat-rate criteria which means that the monthly family income must be below 80 per cent of the Social Support Index (IAS) (€522.50 per month in 2025). The monthly amount and duration of Social Initial Parental leave are:
 - for non-shared leave, €418 for 120 consecutive days (80 per cent of the IAS) and €334.40 for 150 consecutive days (64 per cent of the IAS).
 - for shared leaves, €418 for 150 consecutive days (80 per cent of IAS) and €344,85 for 180 consecutive days (66 per cent of IAS).
- The father's entitlement to take or share Initial Parental leave, or Social Initial Parental leave, is the same as the mother's but it also depends on whether the mother is working or entitled for other reasons (e.g., low family income, receiving unemployment benefits). If the mother is not entitled at all, the working father can only take the Fathers-only Parental leave (see 1b).
- The sharing bonus applies only if both parents work or are eligible for other reasons (e.g., low family income, receiving unemployment benefits).
- Parents in same-sex relationships are eligible, as are migrant families that meet eligibility conditions.

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, the leave period is extended by one month for each additional child, and the entire leave period is paid at 100 per cent, regardless of the number of days and whether or not parents share the leave.
- In case of death, mental illness or physical incapacity of a parent who is entitled to use the leave, the other parent is entitled to the remaining time (this is called 'Initial Parental Leave in the event of impediment of a parent to take Leave'). The father will always be entitled to a minimum of 30 days of leave if the mother dies, becomes mentally ill or has a physical incapacity within the 120 days after birth.
- A working grandparent is entitled to 30 consecutive days of leave after the birth of a grandchild if the parent is a teenager (i.e., under 16 years old) still living at home.
- In the event of poor health or work-related health risks to the mother and foetus, the pregnant mother is entitled to pre-natal maternity benefits for as long as the risk exists (this leave is referred to as 'Health risk Leave/benefit during pregnancy'). This Leave does not count toward 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 event of premature birth or hospitalisation of the child or of the parent taking the leave after birth, the leave period is extended by the duration of the hospitalisation, up to a maximum of 30 days, without prejudice to the duration of the Initial Parental leave. If the hospitalisation lasts longer than 30 days, the Initial Parental leave may be suspended for the duration of the hospitalisation, allowing the parent to request paid leave to care for a sick child (see 1e).
- If the birth occurs before the 33rd week of pregnancy (inclusive), the Initial Parental leave period is extended by as long as the child's hospitalisation lasts, and by 30 days after discharge from the hospital. A statement from the hospital confirming the duration of the hospitalisation is required for the additional time due to the hospitalisation to be added to the leave period.
- In the case of 'special risks' (i.e., 'night work' from 10 p.m. to 7 a.m. and 'exposure to special agents, processes or working conditions', both defined by law) during pregnancy, after childbirth and during breastfeeding, women may interrupt their work and are entitled to 'Leave/benefit for special risks', which is compensated at 100 per cent of earnings. This interruption requires a medical certificate confirming the risk to the health or safety of the mother and/or the development of the child, as well as a statement from the employer that it is not possible to assign the working mother/pregnant woman to another schedule or other duties. This Leave does not reduce the 120, 150 or 180 days of the Initial Parental Leave.
- Civil godparents are entitled to Initial Parental leave, Social Initial Parental leave and Additional Parental leave. However, they are not entitled to Mothers and Fathers' Only leave nor to the 30 optional days of Initial Parental leave to be taken before birth (civil godparents assume parental responsibilities for children under 18 years of age who are institutionalized and for whom adoption has become unfeasible. They do not replace parents, although they are given long-term parental responsibilities for children).

Regional or local variations in leave policy

- Parents living in the Portuguese autonomous regions (Madeira and Azores) are entitled to a 2 per cent increase in Parental leave benefits compared to the mainland to compensate for the higher cost of living.

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

- None reported.

b. Fathers-only Parental leave ('Licença Parental Exclusiva do Pai' – formerly Paternity leave, see note on terminology) (responsibility of the Ministry of Labour, Solidarity and Social Security)

Length of leave

- 35 calendar days, 28 days of which are obligatory.

Payment and funding

- 100 per cent of gross income with no upper limit (mandatory and optional days).
- Non-working parents receiving either social parental benefits or unemployment benefits may claim pension credits for the period of leave.
- Paid, taxed and funded as for Initial Parental leave.

Flexibility in use

- 7 of the 28 mandatory calendar days must be taken immediately after birth; the remaining 21 days must be taken consecutively or in periods of at least seven days each, within the 42 days following the birth (i.e., during Mothers-only Initial Parental leave). The remaining seven optional calendar days must be taken while the mother is on Initial Parental leave (120 or 150 days).
- The law states that 28 calendar days are obligatory. The ACT (Authority for Working Conditions) conducts workplace inspections and has established new protocols and training for inspectors, who must inspect all forms of Parental leave uptake.

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

- As Initial Parental Leave.
- Eligibility for the paid obligatory leave period only requires that the father has worked and made social contributions for at least 1 of the 6 months preceding birth. If necessary, the month of birth will be considered, provided there is at least 1 day of work with contributions in that same month.
- Fathers who have no contribution record or with insufficient contributions are entitled to 'Fathers-only Social Parental leave', which includes the mandatory paid leave of 28 calendar days, as well as the 7 optional calendar days, but only if they meet the low-income/flat-rate criteria which means that the monthly family income must be below €418 (80 per cent of the Social Support Index (IAS): €522.50 in 2025); the daily payment is €13.93, which is 80 per cent of 1/30th of the IAS.

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 father

- The 28 mandatory calendar days of Leave are increased by 2 days for each additional child in the case of multiple births. The same applies to the seven optional calendar days that the father may take while the mother is on Initial Parental leave.
- In case of hospitalisation of the child during the period after childbirth, Fathers-only Parental leave is suspended, at the father's request, for the duration of hospitalisation.

Regional or local variations in leave policy

- Parents living in the Portuguese autonomous regions (Madeira and Azores) are entitled to a 2 per cent increase in Parental leave benefits compared to the mainland to compensate for the higher cost of living.

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

- None reported.

c. Additional Parental leave ('Licença Parental Complementar' – formerly Parental Leave, see note on terminology) (responsibility of the Ministry of Labour, Solidarity and Social Security)

Length of Leave

- 3 months per parent. Additional Parental Leave is an individual, non-transferable entitlement.

Payment and funding

- Payment varies according to different take up options:
 - *Full-time leave*, up to a maximum of 3 months per parent, paid at 30 per cent of earnings or 40 per cent if both parents take up all the available 3 months on a full-time basis (with a minimum daily payment of €6.97, i.e., 40 per cent of 1/30th of the IAS – €522,50 in 2025).
 - *Complementary part-time leave*: it is mandatory that each parent takes three months part-time leave combined with part-time work, i.e., each parent receives part-time earnings, paid by the employer, plus 20 per cent of parental benefit, paid by Social Security.
 - *Complementary interpolated leave*: each parent can take all the available 3 months leave in three blocks interpolating full-time leave with part-time leave and combining the latter with part-time work. Leave is paid at 30 per cent of earnings or at 40 per cent if both parents take up all the available leave time (3 months each parent). For example, 'complementary interpolated leave' can be extended up to 4 or 5 months, e.g., months of total leave time = 30 days + 60 half-time days (30 days) + 30 days (payment for 90 days paid at 30 per cent of earnings); 5 months of total leave time = 60 half-days (30 days) + 30 days + 60 half days (30 days) (payment for 90 days at 30 per cent of earnings).
 - There is a minimum daily payment of €6.97 - 40 per cent of 1/30th of the IAS (€522,50 in 2025).
- Pension credits can be claimed by those on Additional Parental Leave (except for self-employed parents)
- Paid, taxed and funded as for Initial Parental leave.

Flexibility in use

- Paid Additional Parental leave may be taken until the child is 6 years, i.e., it does not have to be taken immediately after the Initial Parental leave.

- Paid Additional Parental leave can be taken by both parents at the same time or consecutively. Unpaid leave can be taken on a part-time basis for 12 months per parent.
- 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 benefits.

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

- Civil godparents are entitled to Initial Parental leave, Social Initial Parental leave and Additional Parental leave. However, they are not entitled to Mothers and Fathers' Only leave nor to the 30 optional days of Initial Parental leave to be taken before birth (civil godparents assume parental responsibilities for children under 18 years of age who are institutionalized and for whom adoption has become unfeasible. They do not replace parents, although they are given long-term parental responsibilities for children).

Regional or local variations in leave policy

- Parents living in the Portuguese autonomous regions (Madeira and Azores) are entitled to a 2 per cent increase in Parental leave benefits compared to the mainland to compensate for the higher cost of living.

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

- None reported.

d. Childcare leave or career breaks (*Licença para assistência a filho – formerly Special Parental leave*)

- 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 on a full-time basis, extended to three years when there is a third or subsequent child. Childcare 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, chronically ill or oncological ill children, see 1e), there is a suspension of the work contract. This means that all 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 considered in the calculation of old age and disability pensions. Non-employed parents are not eligible to leave, payment, or pension credits.

e. Other employment-related measures

Adoption leave and pay

- When a child under 15 years old is adopted or fostered, the adopting or fostering parents are entitled to Initial Parental leave on the same conditions and payment as described for Initial Parental leave (see 1a), including the sharing bonus. In the case of multiple adoptions, leave will be extended by 30 days for every subsequent child adopted and paid at 100 per cent of earnings regardless of the number of days and whether or not there is sharing between adopting parents. 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.
- In the event of hospitalisation of the child, the leave period is extended by the duration of the hospitalisation, without prejudice to the duration of the Initial Parental Leave.
- Adopting or fostering parents can take up to 30 days of the 120/150 days of Initial Parental Leave during the process of the child's transition/delivery to their care. Adoptive and foster fathers are entitled to the Fathers-only Parental Leave (see 1b). In case of multiple adoptions, Fathers-only Leave will be extended by 2 days for every subsequent child adopted.
- Adopting or fostering parents also benefit from time off to care for a dependent child (see below).

Time off for the care of dependants

- Up to 30 days per parent and 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. Leave is increased by 1 day for each additional child. If a child under the age of 12 years is in hospital care, this entitlement lasts for as long as the child is in hospital. An additional 15 days per parent and per year can be used to take care of sick children above the age of 12 years (when older than 18 years of age, the child must belong to the same household). Leave is increased by 1 day for each additional child.

Paid at 100 per cent of net earnings up to a maximum of 65 per cent of gross earnings. Parents living in Portuguese autonomous regions (Madeira and Azores) are entitled to an uprating of 2 per cent. Entitlement to payment implies that the other parent works and does not take the same leave at the same time; therefore if the father is not working or preventing from taking care of the child, and the mother takes leave, she will not be entitled to payment from Social Security. Both leaves are an individual entitlement but cannot be taken at same time by both parents.

Grandparents are also entitled to take leave from work in order to substitute for 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. Paid at 100 per cent of net earnings up to a maximum of 65 per cent of gross earnings

- 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 6 months' leave (referred to as '**Benefit to care for a child with disability, chronic or oncological illness**'), which may be extended up to 4 years or 6 years if the need is supported by a medical statement (no limit in case of a terminal illness) 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 (€522.50 x 2). Parents living in Portuguese autonomous regions (Madeira and Azores) are entitled to an uprating of two per cent.
- Up to 15 working days per year of unpaid **leave 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 is available to care for a disabled or chronically ill spouse.
- '**Non-primary informal care workers**'⁴⁵⁶ are entitled to the 15 working days of unpaid leave per year (consecutive or not) plus 5 working days (consecutive) of unpaid leave per year. They are also entitled to part-time work for a maximum period of four years, flexible hours, teleworking, exemption from overtime and protection in the event of dismissal.

Specific provision for (breast)feeding

- Parents are entitled to 2 hours nursing leave per day during the 1st 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 mothers, fathers or shared by both (in which case, 1 hour can be taken by each parent). This absence 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 2 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: 1 hour in the morning and 1 hour in the afternoon (unless negotiated otherwise with the employer).
- In cases of multiple births, leave is increased by 30 minutes for every additional child. When mothers are breastfeeding, the 2 hours' reduction can last for as long as the child is breastfed.

⁴⁵⁶ The informal non-primary care worker is not permanently present and does not need to live with the person being cared for: may be a husband/wife, married or in a stable union (situation equivalent to married couples) and relatives up to the 4th degree of the direct line or collateral line of the person being cared for (Includes: parents, stepparents, grandparents, great-grandparents, children, grandchildren, great-grandchildren, siblings, nephews, uncles, great-uncles and cousins). An informal caregiver may also be someone who, although they do not have family ties with the person being cared for, lives in the same household. Parents who have shared custody of the person being cared for may also be informal caregivers.

Flexible working

- 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, if 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 5 days per week or working 3 full days per week. Employers and employees can agree on other arrangements. Part-time work may be extended to up to 2 years (3 years in the case of 3rd and subsequent children, four years in the case of chronically ill or disabled children). Parents working part-time or in a flexible working regime, cannot be penalised in their evaluation and career progression.
- If there is a disabled or chronically ill child below one year of age, one of the parents may apply for a 5 hour reduction in their weekly working hours if the other parent is still employed.
- Parents are entitled to 4 hours of absence (per school term) to attend school meetings, until children reach 18 years of age, with no reduction in their earnings.
- Adopting and fostering families are entitled to be absent from work to attend meetings and proceedings related to the process of adoption or fostering.
- Co-parents are entitled to leave work to be present in prenatal appointments or medical assisted procreation (PMA) appointments.
- When resident in autonomous regions, co-parents are both entitled to time off work if they need to attend a medical facility outside their island, for medical appointments or birth. Parents with children below three years of age (no limit of age in case of chronically ill, oncological ill or disabled child) are entitled to teleworking (working from home). If their job fits this working regime and the company has the resources, employers cannot oppose to this option. Possibility to extend until the child's 8th birthday in case of families where both parents share telework (if this is exercised by both in successive periods of equal duration within a maximum reference period of 12 months); or single parent families or families where only one parent meets telework conditions. This measure excludes micro companies, i.e. fewer than 10 employees.
- Parents with children between 3 and 6 years old must give their written consent to do 'time banks' (extra unpaid working hours that can be compensated in time off) as well as to adaptability regimes (up to 12 hours a day, maximum 60 hours per week).

Antenatal appointments and care

- Pregnant workers are entitled to time off work for antenatal appointments, for as long and as often as necessary. Whenever possible, they must attend

prenatal appointments outside of working hours. The father is entitled to 3 days off work to accompany his pregnant wife to antenatal appointments.

Other provisions

- **Gestational mourning** (*Licença por luto gestacional*). In the case of the death of an unborn child, both the mother and father are entitled to 3 consecutive days of mourning, without prejudice to any rights or reduction of earnings. A medical certificate is required for the employer.

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

The maximum period of post-natal leave is three years (including two years of unpaid childcare leave). Well-paid leave (higher than 66 per cent) lasts for up to six months, depending on the sharing options. Since 2015 (Lei nº 65/ 2015), there has been 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. Although the Recommendation of the Assembly of the Republic in 2017 and the Government's commitment (Resolution of the Presidency of the Council of Ministers No.112/2020) to extend this entitlement to three-year-olds, it has not yet been able to guarantee places. A gap, therefore, still exists of around one year between the end of total paid post-natal leave and an ECEC entitlement, and of three and a half years between the end of well-paid leave and an ECEC entitlement.

Free ECEC attendance for 0 to 3 year-olds, irrespective of family income, has been extended to private for-profit crèches since January 2023; before this, it was limited to non-profit private organizations - IPSS). However, free attendance at a private for-profit crèche is only possible if there are no places in the non-profit sector in the same municipality. In April 2024, 97,809 children under 3 years benefited from this free attendance policy – 12,751 children belonging to very low-income families and 85,058 born after 1st of September 2021, the target group of this family policy. The majority attend non-profit services and the demand is still greater than supply. According to Carta Social data, in 2023, there were about 130,787 places in crèches (profit and non-profit organizations), while according to *Statistics Portugal* (INE, I.P.), there were about 252,342 children between 0-2 years old.

From the moment a child enters a free crèche, his/her place is guaranteed up to the child's 3rd birthday. Each place costs the State €473 per month.

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 2024 (including proposals currently under discussion)

Since April 2024 there have been no changes in leave policy. However, in July 2023, a group of citizens – 'Citizens' Legislative Initiative' - presented to Parliament a proposal to extend the Initial Parental Leave from 120/150 days to 180 days paid at 100 percent, without the sharing criteria between parents, and also to increase and equalize the mothers' and fathers' only leave time (56 days per parent). This initiative was discussed under the Labour, Social Security and Inclusion Committee, between September 2024 and March 2025. However, it was not voted on due to the dissolution of Parliament. This group of citizens launched the same petition in early April 2025 and promises not to give up on taking it to a vote to Parliament.

In March 2025, the government announced the creation of an additional 5,000 subsidised pre-school places, in the non-profit and for-profit sectors, in municipalities where there is a lack of public facilities for children between 3-5 years old.

4. Uptake of leave⁴⁵⁷

a. Initial Parental leave (formerly Maternity leave)

The number of births in 2024 (84,642) decreased 1.2 per cent in comparison to 2023 (85,699), as Portugal's fertility rate remains very low (1.44 in 2023). In general, the number of Parental leaves⁴⁵⁸ granted follows the number of total annual live births. Therefore, in 2024 there was a decrease in the number of Initial Parental leaves (a total of 69,109) comparing to 2023 (71,274).

These figures include parents with a sufficient record of social security contributions entitling them to 80 to 100 per cent of earnings compensation (61,868), and parents with no record or insufficient record of social security contributions (7,241) who are only entitled to a flat-rate benefit (see 1a for benefit eligibility), which represent 10.5 per cent of the total number of paid Initial Parental leaves in 2024. Since it was first introduced in 2008, the number of such recipients of Initial Social Parental leave (i.e., paid to parents with an insufficient record of social contributions) has increased and reached 21 per cent of Initial Parental leaves in 2010. However, due to changes in eligibility criteria introduced in 2011, which made access more restricted, there has been a decrease over the years in the number of beneficiaries of this flat-rate benefit targeted at very low-income families. Moreover, this decrease has also been influenced by the improvement of the country's economic situation, visible through the decrease of unemployment rate since 2016.

⁴⁵⁷ The authors of the country note comment that 'the Portuguese parental leave system has become complex and, at times, difficult to understand, particularly regarding Additional Parental leave and the possibility of taking initial part-time parental leave.'

⁴⁵⁸ The figures presented below regarding 'uptake of leave' may change due to database updates in relation to the previous year.

In 2024, Parental leave benefits taken by parents with a sufficient record of social security contributions (entitled to 80 to 100 per cent of earnings) have represented 73.1 per cent of the total number of live births (89.5 per cent in total Initial Parental leaves), while the flat-rate Parental benefit (parents with no record or an insufficient record of social security contributions) have represented 8.6 per cent of the total of live births (10.5 per cent of total Initial Parental leaves). It is estimated that, in relation to births, 81.6 per cent of parents were eligible for Initial Parental benefits in 2024 (compared to 83.2 per cent in 2023).

b. Initial Parental Leave and sharing bonus

In 2024, the number of shared Initial Parental leaves with bonus was 28,959, corresponding to 41.9 per cent of total Initial Parental leaves granted (46.7 per cent if excluding flat-rate benefit). However, if we consider all sharing cases (with and without the sharing bonus), meaning couples where each parent shared at least 30 days after the other returns to work, and couples where after mothers' exclusive leave (42 days following the birth) the father took the entire 120 or 150 days of Initial Parental leave, we see that almost half of fathers (47 per cent) have taken at least 30 days of total Initial Parental leaves granted (52.3 per cent if excluding flat-rate benefit).

Initial Parental Leave taken with the sharing bonus must be divided between both parents (see 1a). Although only the first six weeks (42 days) are mandatorily taken by the mother, we estimate that nearly all parents who share divide the leave period between themselves by allocating four or five months to the mother and one month (the sixth) to the father (the last month of Initial Parental leave, when the mother returns to work). This happens because, before 2009, Initial Parental leave was the former Maternity leave.

Among the couples who took the sharing bonus, in 2024, 72 per cent (20,863) chose the longer leave period (six months paid at 83 per cent of earnings), while 28 per cent (8,096) preferred the five-month option, paid at 100 per cent of earnings. So overall, the longer period of leave (6 months) is still widely chosen, even though parents are paid at 83 per cent of earnings.

Initial Parental leave taken without the sharing bonus (58.1 per cent of total Initial Parental leaves) is nearly always taken up by mothers. In 2024, the most common leave-taking pattern (60.1 per cent) was the five months paid at 80 per cent of earnings (since it is taken without the sharing bonus); 39.2 per cent of mothers have taken the four-month period paid at 100 per cent of earnings. However, there is a difference between mothers receiving the standard parental benefit and mothers receiving social parental benefit (see 1a): the latter tend to opt for the four-month period (81.5 per cent).

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

Considering the time period after the 2011-2014 crisis, in relation to the number of births, the percentage of fathers who take obligatory leave (Fathers-only Parental leave) shows a slow increase from 70.9 per cent (60,634) in 2015, to 76 per cent (64,310) in 2024. In relation to the number of births, take-up of this leave

is still not at 100 per cent. However, if take-up is calculated in relation to the total number of Initial Parental leaves granted, take-up rates show an increase from 83.9 per cent, in 2015, to 93.1 per cent in 2024, which means that most fathers whose spouses take the Initial Parental leave also take their mandatory exclusive leave.

Moreover, if we exclude flat-rate benefits and only consider well-paid leaves (i.e., paid at 80-100 per cent of earnings due to sufficient record of social security contributions), take-up of Fathers-only Mandatory leave, calculated in relation to the total number of well-paid Initial Parental leaves, increases to 99.3 per cent, in 2024 (93.9, in 2015). This means that among mothers who are on well-paid leave (paid at 80-100 per cent of earnings due to sufficient record of social contributions) nearly all fathers take up mandatory and well-paid Fathers-only leave. On the other hand, when focusing on flat-rate benefits (social parental benefits targeted to very low-income families), we see that in the majority of Social Initial Parental leaves (taken by mothers) there might not be a Fathers-only Social Initial Parental leave; in 2024 Fathers-only Social Initial Parental leave is only taken by 39.7 per cent of fathers where the mother takes leave.

The same trend is observed for the optional additional leave days: considering the period after the 2011-2014 crisis, in relation to the number of births, the percentage of fathers who take up their exclusive but optional leave days shows a slight increase from 62.7 per cent (53,599) in 2015, to 63.8 per cent (54,010) in 2024. Again, in relation to the total number of Initial Parental leaves granted, take-up rates increased from 74.3 per cent in 2015, to 78.2 per cent in 2024. In relation to well-paid Initial Parental leave, Fathers-only Optional well-paid leave reaches 83.9 per cent in 2024.

d. Additional Parental Leave (formerly Parental Leave)

Take-up of Additional Parental leave is still low mainly due to its low level of earnings compensation (see 1c). There is no data for the new options, which came into force in July 2023. According to available data, we see that despite increasing between 2010 (1,764) and 2024 (11,404), data fluctuates and may rise or fall from year to year, with its highest value in 2023 (16,992). Additional Parental leave is mainly taken by mothers (of the 11,404 beneficiaries in 2024, 10,318 are women) and represents about 16.7 per cent of all parents taking Initial Parental leave (non-workers receiving Social Initial Parental leave benefit are not entitled to paid Additional Parental leave).