Denmark

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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: *Graviditetsorlov* is the leave to be taken by the mother before birth, *Barselsorlov* the leave reserved for the mother after birth, *Fædreorlov* the leave reserved for the father after birth, and *Forældreorlov* the leave available for both parents after birth. However, in the law the four leave schemes bear the same name *Barselsorlov*, or literally Childbirth Leave, because they technically all originate from the same law on leave.

a. Maternity leave (*Graviditets* and *Barselsorlov*: see ‘note on terminology’) (responsibility of the Ministry of Labour)

Length of leave (before and after birth)

- Eighteen (18) weeks: four weeks before the birth and 14 weeks following birth. The first two weeks after birth are compulsory.

Payment and funding

- All employees and self-employed persons are entitled to a daily cash benefit based on former earnings up to a ceiling of DKK4,300 [€577.37] per week before taxes for full-time employees and self-employed.
- The cash benefit scheme is funded by the state from general taxation, except for first eight weeks when municipalities bear half of the cost.
- According to the work contract full earnings may be paid during leave.

Pension payments

- The Danish pension system is based on three pillars: 1) A universal and tax-based public pension scheme, 2) occupational pensions which may be quasi-mandatory given the collective agreements, and 3) private pension savings.

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The public pension is not affected by taking leave. If full earnings are paid, pension payments to the occupational pension scheme are not affected by taking leave either. If leave is awarded without full pay, occupational pensions are normally affected since payments from employer and employee are discontinued. The collective agreement may however specify that the employer must continue payments. Special conditions apply for employees working in the state and municipalities where the employer must continue payments to the occupational pensions. Payments to the private pension scheme are entirely covered by the employee who may/may not decide to continue payments.

**Flexibility in use**

- None.

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

- Eligibility to full compensation for an employee is based on a period of work of at least 120 hours in 13 weeks preceding the paid leave, i.e. regardless of partner’s labour market situation. Workers with temporary contracts are excluded only if they are not eligible for unemployment benefit.
- Eligibility for the cash benefit for self-employed persons (including helping a spouse) is based on professional activity on a certain scale for at least six months within the last 12 months period, of which one month immediately precedes the paid leave.
- People who have just completed a vocational training course for a period of at least 18 months or who are doing a paid work placement as part of a vocational training course are eligible to the cash benefit.
- Unemployed people are entitled to cash benefits from unemployment insurance or similar benefits (activation measures).
- Students are entitled to in total 12 months extra study grant, thus the 14 weeks of Maternity leave are covered via the study grant.
- People on sickness benefit continue to receive this benefit which is the same amount as the Maternity leave benefit.

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

- None. There is no additional leave for multiple births as the right to Maternity (and Paternity and Parental) leave is related to the event of birth and not the number of children born.

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

- In Denmark leave is not only regulated via national legislation, but also via collective agreements in the labour market and agreements at company level. In 2012, 84 per cent of the total workforce was covered by such collective agreements (only 74 per cent in the private sector)³, and these workers receive compensation during leave from their employer up to their former earnings, i.e. their employer tops up the state benefit. However, the percentage of the Danish workforce that is covered by collective agreements is higher.

agreements is declining, especially among the younger age groups, which means that still fewer (younger) workers are ensured pay during leave via a collective agreement\(^4\).

- To help employers finance the costs regarding compensation up to the workers’ former earnings (see above), different leave reimbursement funds have been set up. In 1996, a leave fund was set up to reimburse private employers’ leave costs, so that the cost for compensation was pooled. Several municipal employers set up identical funds in the following years, and in 2005 it was made obligatory for all municipal employers. Municipal employers pool the costs of employees’ take-up of leave, so that a workplace with a predominance of female workers should not face higher costs.

- Since 2006, it has been obligatory for private employers also to be members of a leave fund. In the largest private leave fund, DA-Barsel, private employers pay DKK876 [€117.62] per year for each full-time employee and receive reimbursement of up to DKK203.74 [€27.36]\(^5\) per hour for up to 31 weeks\(^6\). The additional cost of compensation for employees with higher hourly rates than this has to be borne by the employer. Depending on the industry in question, the funds also cover full or parts of the Parental leave, e.g. within the industrial sector each parent is as of 2017 entitled to full coverage for five weeks, and in addition three weeks can be shared.

- A reimbursement fund was also set up in 2006 to cover self-employed, who were reimbursed for the equivalent 31 weeks for women and 23 weeks for men. As of 1 April 2016, the fund was abolished and this group of employees is no longer covered by more than what equals unemployment benefits, the argument being that it was too costly to cover such a small group sufficiently. This is considered by one of the major unions to represent a blow to gender equality, given that Denmark has a very low proportion of female self-employed already\(^7\).

- An evaluation in 2010 of the funds covering the private sector showed that around 100,000 companies were members of a fund. The report concluded that the funds seem to be beneficial for women – although employers did not believe that the fund had made them change their view on hiring women – and also that more men seemed to take up leave as a consequence of receiving payment during leave. Employers tended to be more positive towards men taking leave than earlier and generally were positive towards the fund. Around one third of employers was unaware of the possibility to receive reimbursement for 29 weeks – even in female dominated sectors – and therefore failed to claim such reimbursement. This was clearly related to whether or not employers paid wages during leave for their employees (COWI, 2010\(^8\)). Statistics from the fund of the industrial sector shows an increase in men’s percentage of the reimbursements for take-up of Parental leave – from 17 per cent in 2012 to 40 per cent in 2015. This increase is explained with reference to larger flexibility in men’s use of Parental leave due to a removal of a clause in the collective agreement for this sector (cf. 1c Additional note)\(^9\).

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\(^6\) See http://www.dabarsel.dk/refusion/saa-laenge-kan-du-faa-refusion

\(^7\) See http://magisterbladet.dk/news/2016/februar/slutmedbarselsfondogudvidetloenstatistik


b. Paternity leave (Fædreorlov: see ‘note on terminology’) (responsibility of the Ministry of Labour)

**Length of leave**
- Two weeks.

**Payment and funding**
- Payment and funding as for Maternity leave.

**Pension payments**
- Payments as for Maternity leave.

**Flexibility in use**
- Employed fathers can take-up Paternity leave during the first 14 weeks after birth. Fathers who are unemployed or students need to use the leave the first two weeks after the birth.

**Eligibility**
- Employees and self-employed persons in a recognised partnership, including same-sex partnerships. Same provisions as for Maternity leave.
- Unemployed fathers receive unemployment benefit and people on sickness benefits receive sick benefit in the two weeks of Paternity leave.
- Fathers who are studying receive a total of six months extra study grant that must also cover the two weeks Paternity leave.

**Additional note (e.g. if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)**
- All male employees covered by collective agreements receive full earnings during the Paternity leave. However, as earlier stated (cf. 1a Additional note) the percentage of the Danish workforce covered by collective agreements is declining, especially among the younger age groups.

c. Parental leave (Forældreorlov: see ‘note on terminology’) (responsibility of the Ministry of Labour)

**Length of leave**
- Each parent has a right to thirty-two weeks of Parental leave. The right to leave is an individual entitlement. However, although each parent can take 32 weeks of leave, each family can only claim in total 32 weeks of leave cash benefit.

**Payment and funding**
- Payment and funding as for Maternity leave.
Pension payments

- Payments as for Maternity leave.

Flexibility in use

- Between eight and 13 weeks can be taken later.
- Both parents can be on leave at the same time.
- Each parent can prolong their 32 weeks leave to 40 weeks (for all) or 46 weeks (only employed persons and self-employed people). In this case, the benefit level is reduced over the extended leave period, so that the total benefit paid equals 32 weeks at the full rate of benefit (though this extended benefit can only be claimed by one parent, as benefit is per family and not per parent).
- It is possible to return to work on a part-time basis, with a reduced benefit payment spread over this extended period of leave (e.g. a parent may work half-time and thus prolong the leave period from 32 to 64 weeks.) This is subject to agreement with the employer.

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

- As Maternity leave.
- Fathers who are studying receive a total of six months extra study grant.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent)

- None.

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

- All employees covered by collective agreements receive full earnings during part or all of the Parental leave period (a maximum coverage may be set in the agreements, though); see 1a additional note.
- From 2007, the industrial sector (representing 7,000 employers nationwide including production, service, knowledge and IT; encompassing more than 500,000 employees) introduced a paid father’s quota in Parental leave. The entitlement was up to nine weeks Parental leave with payment. Three weeks of this Parental leave with pay for the father, three weeks for the mother and three weeks for the parents to share – the weeks for the mother and the father respectively were quotas and therefore lost if not used. Later agreements have prolonged the period to first 4+4+3 weeks (in 2014)\(^{10}\), later to 5+5+3 weeks (in 2017)\(^{11}\). In the 2012 agreement for the industrial sector, a clause was removed. This clause determined that pay during Parental leave was contingent on leave being taken immediately after the Maternity leave, i.e. the 15\(^{th}\) week after birth. The clause reduced the flexibility of use considerably; especially in the fathers’ take-up of Parental leave (Bloksgaard, 2009\(^{12}\)). Now, parents covered by

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this agreement are allowed to take Parental leave with pay within a year from the birth of the child.

- In spring 2008, a similar Parental leave model was also introduced for employees working in the public sector. If both parents work in the state sector they were entitled to leave with full payment for 6+6+6 weeks Parental leave – in all 14 weeks of Maternity leave and 18 weeks of Parental leave, all with full payment, a total of 32 weeks. Six weeks was earmarked for the mother, six weeks for the father and six weeks could be shared. As a part of the labour market negotiations in spring 2015, fathers employed in the public sector got further one week earmarked with full payment, making a total of seven weeks.

d. Childcare leave or career breaks

- No statutory entitlement – it would be dependent on collective agreement or individual contract, but is to our knowledge not used.

e. Other employment-related measures

Adoption leave and pay

- For adoptive parents the same regulations for Parental leave apply as for other parents, with the exception that two of the 48 weeks must be taken by both parents together.

Time off for the care of dependants

- Most working contracts and labour market agreements include the right to take one day off per sick spell to care for a sick child. Public employees are entitled to two days. Leave is paid.
- All employees may, depending on the assessment of the local municipality, be eligible for a care benefit (Plejevederlag) if they care for a terminally ill relative or close friend at home; the municipality decides the length and level of benefit payment. There is no entitlement to leave associated with this benefit.

Flexible working

- None

Specific provision for (breast-)feeding

- None.

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

The maximum period of paid post-natal leave available in Denmark is 14 months, if parents take the option of a part-time Parental leave period with a lower benefit payment; leave at 100 per cent of earnings subject to a ceiling lasts for 11 months. There is an entitlement to ECEC from when the child is six months, so there is no gap between leave and ECEC entitlements. (See also section 3. for current policy debates on ECEC attendance) Levels of attendance at formal services for children under and over three years are well above the average for the countries included in this review and for OECD countries in general. For
actual attendance levels, see ‘relationship between leave and ECEC entitlements’ on cross-country comparisons page.

3. Changes in policy since April 2017 (including proposals currently under discussion)

In mid-2015 a new minority government based on the Liberal party, named Venstre, came into power. As of 2017, they joined in a coalition with two right-wing parties, the Conservatives and Liberal Alliance. Neither Venstre nor the new coalition government have made gender equality one of its main priorities. As an example, two major initiatives have been abolished: the reimbursement fund for self-employed, as described above, and the requirement for small enterprises to produce gender-based statistics.

In March 2017, the Socialist People’s Party (Socialistisk Folkeparti) introduced a bill to reward fathers, who took up leave for more than ten weeks with a tax-free cash benefit of DKK5,000 [€671.36]. This suggestion, however, lacked parliamentary support.13 A few months later, in August 2017, the Social Democrats introduced a bill to split the Parental leave in two: 16 weeks for the father and 16 for the mother with the possibility to transfer it to the other parent.14 This bill was not further processed at that time. However, the last model – splitting the 32 weeks of Parental leave, with 16 weeks for the father and 16 for the mother with the possibility to transfer it to the other parent – is now being supported also by the Liberal party (‘Venstre’) and a new bill on this is under negotiation (Spring 2018).

The EU Directive introduced in April 2017 including a four month father’s quota in the member states has met criticism from the present Liberal government in Denmark, based on the argument that families should have the freedom to choose themselves, but also among Social democratic politicians, who likewise argue for the freedom of choice of families and that legislative quotas interfere with the Danish labour market model based on tripartite negotiations.15 Within the Danish parliament’s Equality Council, only a minority of parties welcomed the proposal (Alternativet, Radikale Venstre, Socialistisk Folkeparti).16

Instead of initiatives at the policy level to increase fathers’ take-up of Parental leave, in 2017 the Minister for Gender Equality and the Minister of Industry, Business and Financial Affairs initiated a campaign “Aktion Fars Orlov” [Operation Dad’s Leave] (2017-2020). The campaign is publicly funded by the government and a broad range of parties (DKK4.5 mil. [€600,000]) and supported by the unions and a number of Danish companies. It seeks to inspire a cultural change, encourage more men to take (more) leave and incite companies to support them17.

In February 2018, a new law made fathers and co-mothers equal to mothers in case of infant death: both parents are now entitled to 14 weeks of leave.18

As of August 2018, a policy change has been negotiated making ECEC attendance mandatory for children aged one year in geographical areas considered vulnerable, i.e.

14 https://www.information.dk/telegram/2017/08/socialdemokratiet-jagter-fleksibel-faedrebarsel
18 http://www.ft.dk/samling/20171/lovforslag/l121/index.htm
areas with high proportion of migrants who are not active in the labour market. The change in law is expected to be enacted July 2019. Attendance is 25 hours a week for the child, with a focus on cultural and linguistic learning and integration. Should the parents decide not to enroll the child in ECEC, they will be not receive the child benefit. The parents are also expected to participate in a learning program of a minimum of six hours weekly over three weeks, focused on how best to support the child.\(^{19}\) In the agreement, there is no mentioning of how the policy change will affect parents who would like to take up part-time leave and thus extend the leave beyond the one year.

4. Take-up of leave

Data on take-up of all Danish fathers and mothers are not available – statistics are instead based on parents entitled to a cash benefit during leave. A growing number of parents in Denmark lacks such entitlements; in 2014, 21 per cent of the fathers and 22 per cent of the mothers\(^{20}\). When nothing else is noted, the statistics in the following sections do not encompass this (growing) number of people.

a. Maternity leave

The present statistics on leave take-up do not provide data on the proportion of mothers using Maternity leave only. Survey data from 2006 showed that among parents of children born in 2005, 99 per cent of mothers had taken Maternity leave\(^{21}\).

b. Paternity leave

Statistics show that among Danish fathers of children born in 2014 entitled to cash benefit, 80 per cent take (some of) the Paternity leave. Thus, 20 per cent of the fathers do not take any Paternity leave\(^{22}\).

c. Parental leave

As noted above, regular data are not available on the share of all fathers and mothers who take up Parental leave. The data instead provides only the number of parents who receive a cash benefit during leave. Most mothers take some Parental leave beyond the Maternity leave. Among mothers entitled to the cash benefit during leave, the percentage who only took Maternity leave was only 0.4 per cent.

Among fathers entitled to the cash benefit during leave, 45 per cent only took the two weeks of Paternity leave in 2014. Danish fathers on average only take 11.7 per cent of the Parental leave period in total in 2016 – a small increase since 2013 (10.7 per cent)\(^{23}\) – but still considerably lower than in Sweden and Norway\(^{24}\). An often-quoted explanation for fathers’

\(^{19}\)http://socialministeriet.dk/media/19171/aftaletekst-om-obligatorisk-laeringstilbud-og-skaerpet-straf.pdf


\(^{22}\) Danmarks Statistik (2017) Fædres brug af orlov, København, Danmarks Statistik


higher uptake of Parental leave in the neighboring countries is the father’s quota in the legislation there.

While Denmark presently does not have a father’s quota, in the period 1998-2002 a quota of two weeks with benefit or full pay depending on the work contract was in place. Recent analysis of register data of Parental leave take-up of more than 1 million fathers in the period 1990-2007, show that the introduction of the fathers’ quota had a clear effect on fathers’ take-up of leave. This is a period where various leave schemes were introduced, such as a low paid childcare leave, which mainly mothers took up, as well as the father’s quota. Although the length of the quota was relatively short, not least in comparison with other Nordic countries, it had a significant effect on fathers’ take-up.

The introduction of the quota initially sparked increased uptake of Parental leave among fathers, from 12 per cent of those becoming fathers in 1997 to 36 per cent of fathers in 2001, when at its height. From 2002, following the ending of the quota, there is a drop to 22 per cent of fathers. Interestingly, the number again begins to slowly increase after 2002. This development suggests that fathers increasingly take Parental leave, regardless of whether or not there is a legislated father’s quota. The hypothesis is that this is partly due to the introduction of father’s quota arrangements in some of the labour market agreements, which started to set in as of 2003. Another reason is believed to be the cultural shift in attitudes to fatherhood and in men’s role in childcare for the young child, which the introduction of the father’s quota may have encouraged or at least supported.

The same increase in the fathers’ share of total leave days taken can be noted since the introduction of the father’s quota. The elimination of the father’s quota in 2002 is followed by a slight drop in the fathers’ share, which has since increased; once again; this possibly reflects the increasing number of fathers who have gained a right to a father’s quota through collective agreements as well as changing norms.

Further analysis shows that it is the well-educated fathers, working in public sector occupations and with well-educated partners who take Parental leave, presumably because they stand in a better situation in the labour market, they may have secured better leave rights and may also have a partner, who is more eager herself to return to the labour market. This is despite growing interest across social divides among fathers for taking up leave, and we conclude that the present composition of statutory leave entitlements in Denmark positions fathers differently, working against the Nordic principle of universalism.

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d. Leave take-up in total

In addition to the (relatively) limited statistics referred to above, the available statistics presenting the present leave situation look across the entire leave period (Maternity, Paternity and Parental leave) and the data are presented in this section. Also this data is based on parents receiving a cash benefit during leave.

Statistics indicate that mothers’ leave take-up is stable. Mothers who have taken leave together with the father took between 299 and 296 days between 2006-2015, while mothers who have taken leave alone took 311 to 317 days over the same period.

Well-educated mothers and mothers in management top positions take the shortest leave (whereas the opposite is the case among fathers; here well-educated fathers and fathers in management top positions take up the longest leave). The educational level of the mother and her position in the labour market is central to the division of leave between the parents. Mothers employed in agriculture take the longest leave while mothers employed in information and communications take the shortest leave\(^{30}\).

After the data for the period 2007-2010 showed an increase in the number of days that fathers take, when both the mother and the father take up leave (not necessarily at the same time) – from 32 days on average in 2007 to 37 days in 2010 – the data for 2011-2013 show stabilisation. In families, where both the father and the mother took leave, the father took an average of 37 days of leave in 2012-2014. In the few families where the fathers were the only parent to take parental leave, their leave take-up in 2015 was 55 days\(^{31}\).

Slightly more fathers took up leave in 2014 (80.1 per cent) than in 2003 (74.5 per cent).\(^{32}\) The increase in later years in fathers’ leave use may be explained by the fathers’ quota in the collective agreements and (partly) by the removal of the clause in the collective agreement of the industrial sector, which leads to larger flexibility in leave use for employees covered by this agreement, especially fathers\(^{33}\) (see section 1c).

Statistics on fathers’ leave take-up based on data from 2014 show that:

- Well-educated fathers and fathers with a high income take the longest leave.
- Fathers living in the largest cities take the longest leave.
- Well-educated fathers living in Copenhagen takes the longest leave of all fathers (51.5 days).
- Fathers employed in the public sector take the longest leave period (50 days).
- Fathers employed in male-dominated branches take 5 days less than the average.
- Self-employed fathers take least leave (16 days).
- Fathers with well-educated partners take in average 60 per cent longer leave than fathers in average.\(^{34}\)

Statistics on how parents, where both take leave, share the total leave period show that frequently the father takes precisely the two weeks Paternity leave and the mother 46 weeks equalling the 14 weeks Maternity leave and the 32 weeks of Parental leave\(^{35}\).


\(^{32}\) Danmarks Statistik (2017) *Fædres brug af orlov*, København, Danmarks Statistik


\(^{34}\) Danmarks Statistik (2017) *Fædres brug af orlov*, København, Danmarks Statistik

A report from The Danish Institute for Human Rights concludes that both mothers and fathers experience discrimination due to pregnancy and leave take-up – mothers to the largest degree. A report from The Danish Institute for Human Rights concludes that both mothers and fathers experience discrimination due to pregnancy and leave take-up – mothers to the largest degree.36

5. Research and publications on leave and other employment-related policies since April 2017

Please be aware that this is not intended to be a comprehensive list of all publications or research in this area for this country. If you are aware of a publication or research that could be listed in this section, please contact the country note author(s) so that they can include it for the following year.

a. General overview

Although there are quite extensive register data on the use of leave, Danish research into the take-up of leave and the reconciliation of work and family life is only limited.

b. Selected recent publications

Andersen, S.H. (2017) Paternity Leave and the Gender Wage Gap: New Causal Evidence, Study Paper No. 118, The Rockwool Foundation Research Unit, Copenhagen, March 2017. This paper tests the father’s uptake of Paternity leave relative to the mother’s and its effect on the intra-household gender wage gap. The results show that families where fathers take more leave have higher total household wage incomes.

Forum for Mænds Sundhed (2017) Fædres Sundhed [Fathers’ Health]. Available at: http://sundmand.dk/PDF-filer/F%C3%A6dres%20sundhed%20endelig.pdf This report explores the effect of fatherhood on men’s health and concludes that becoming a father often improves men’s health regarding e.g. alcohol habits, smoking, and risk behavior.


c. Ongoing research

The Nordic Gender Equality Network, NoGen, led by Professor Anne Grönlund at Umeå University – the network focuses on gender research, including research about parents’ use of Parental leave. http://www.socw.umu.se/english/cooperation/nogen---nordic-gender-equality-network/

The project *Far for livet* [Project Father for life] (2018-2021), conducted by *Forum for Mænd Sundhed* [Forum for Men's Health], focuses on priming midwives and health visitors to involving fathers to a higher degree and supporting them in taking on the role of 'the involved father'. The aim is to create better conditions for father’s and children’s time together, from the beginning of the child’s life. [https://nordeafonden.dk/projekter/far-for-livet](https://nordeafonden.dk/projekter/far-for-livet)