

France¹

Danielle Boyer (Caisse nationale des allocations familiales) and **Jeanne Fagnani** (CNRS-IRES)

April 2018

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 (*Congé de maternité*) (responsibility of Ministry of Labour, Social Affairs, Family, Solidarity and Urban Affairs)

Length of leave (before and after birth)

- Sixteen (16) weeks: at least three weeks before the birth, the remainder can be taken before or after. It is obligatory to take leave.

Payment and funding

- Hundred per cent of earnings, up to a ceiling of €3,311 a month. In the public sector, the leave is fully paid (i.e. there is no ceiling). In the private sector, some employers (particularly larger companies) pay in full, others do not.
- Funded from health insurance², financed by contributions from both employees and employers. The total amount of this contribution is 15.45 per cent of gross pay, including all social contributions, with employees contributing 2.35 per cent and employers 13.10 per cent

Flexibility in use

- Fourteen (14) weeks can be taken before or after birth

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

- All employees and self-employed workers.

¹ Please cite as Boyer, D. and Fagnani, J. (2018) 'France country note', in Blum, S., Koslowski, A., Macht, A. and Moss, P. (eds.) *International Review of Leave Policies and Research 2018*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

² The present social security system, including statutory health insurance, officially came into being with the Ordinance of 4 October 1945 which aimed to cover all the so-called 'social risks'. In 1967 social security was separated into four branches: health insurance (which represents the largest share of expenditures devoted to social protection), pensions, family allowances, and insurance for work-related accidents and occupational illnesses.

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

- In the case of multiple or premature births, the length of leave increases to 22 weeks after birth (and 12 weeks before).
- Mothers having a third or higher order child receive 26 weeks of leave.

b. Paternity leave (*Congé d'accueil à l'enfant* – literally 'leave for looking after a child') (responsibility of Ministry of Labour, Social Affairs, Family, Solidarity and Urban Affairs)

Length of leave

- Two weeks (11 working days).

Payment and funding

- Payment and funding as for Maternity leave (see 1a).

Flexibility in use

- Leave must be taken within the four months following the birth.

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

- All employees and self-employed workers.

c. Parental leave (*Congé parental*) (responsibility of Ministry of Labour, Social Affairs, Family, Solidarity and Urban Affairs)

Length of leave

- Until the child reaches three years. Leave is an individual entitlement, i.e. both mother and father can take leave until the child is three years old, but only to a maximum period of 24 months to any parent.

Payment and funding

- A childcare allowance or childrearing benefit - 'PreParE' (*'Prestation partagée d'éducation de l'enfant'*) - is paid to all parents and is income-related and dependent on whether the recipient works and, if so, for how long. The basic benefit is €391 per month if not working; €253 per month if working less than half of full-time hours; and €146 per month if working 50 to 80 per cent of full time hours; a supplementary means-tested allowance, *Allocation de base*, is paid to lower income parents, increasing the benefit to €576, €438 or €331 respectively.
- For parents with a *single child*, *PreParE* is paid for six months maximum per parent after the end of the Maternity leave, i.e. to a maximum period of 12 months if both parents claim benefit, which can only be received if the parent receiving the benefit stops employment or reduces working hours. For parents with *two or more children* (under 20 years of age), *PreParE* can be paid until a child is three years old, but only for a maximum period of 24 months to any one parent, which means that the remaining 12 months can only be received by the other parent if he/she stops employment or reduces working hours.

- *PreParE* is paid by the local CAFs (*Caisse des allocations familiales*), the Family Allowance funds that are part of the social security system and provide a wide range of benefits for families with children. CAFs are financed by contributions from employers only, amounting to 5.4 per cent of gross wages, and not by employees unlike the Maternity and Paternity leaves that are funded from the health insurance scheme.
- Non-employed parents (including those taking leave) receive pension credits for childrearing: '*Assurance vieillesse du parent au foyer*' (Avpf) (see <http://www.caf.fr/aides-et-services/s-informer-sur-les-aides/petite-enfance/assurance-vieillesse-du-parent-au-foyer-avpf>). Avpf is paid by the local CAFs (*Caisse des allocations familiales*) to guarantee retirement rights to people who stop or reduce their professional activity to take care of one or several children or a handicapped person. This allowance is means-tested.

Flexibility in use

- Parents taking leave may work between 16 and 32 hours per week.
- Parents can take part-time Parental leave simultaneously and receive benefit at the same time from the *PreParE*, but the total amount of payment cannot exceed €392 Euros (unless eligible for the *Allocation de base*).

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

- All employees are eligible for Parental leave if they have worked at least one year for their employer before the birth of a child.
- Eligibility for *PreParE* becomes more restrictive the fewer children a parent has: for example, with three children the eligibility condition is to have worked for two out of the five years preceding birth (two out of the four years for parents with two children), but with only one child it is necessary to have worked without break for two years preceding birth.

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 parents)

- Where a child is seriously ill or disabled, Parental leave (regulated by the Labour code) can be extended by a year.
- Lone parents are entitled to the full period of *PreParE*.

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

- Employers can refuse to let parents work part time if they can justify this on business grounds.

d. Childcare leave or career breaks

No statutory entitlement.

e. Other employment-related measures

Adoption leave and pay

- For adoptive parents the same regulations for Parental leave apply as for other parents.

Time off for the care of dependants

- Every employee is eligible for an unpaid leave (*Congé de présence parentale*) to care for a sick child under the age of 16 years. Legally, periods of leave cannot exceed three days per year (or five days in specific cases), but this is a minimum and most collective agreements have special arrangements, as in the public sector where employees can take 14 days a year to care for a sick child.
- *Allocation journalière de présence parentale (AJPP)*: in cases of a serious disability or illness of a child under 20 years, every employee with at least one year of employment with an employer is entitled to paid leave to care for her/his child, or to work part time, for a period of up to three years. The allowance is paid for a maximum of 310 days over the three years period, and the level of the allowance depends on the duration of work in the enterprise and on the family structure; in couples, the amount is €43.01 per day if one parent stops work completely; and €51,11 for a lone parent. A similar period of leave is possible for employees who need to care for a relative at the end of life, either a child or a parent living in the same house.

Flexible working

- No statutory entitlement. Employees in the public sector are entitled to work part time for family reasons. The ‘family tax credit’ (*Crédit d’impôt famille, CIF*), introduced in 2004, is a financial incentive provided to companies to encourage them to develop family-friendly initiatives for their employees. The CIF stipulates that 25 per cent of related expenses are deductible from taxes paid by the company up to a ceiling of €500,000 per year and per company. As of January 2010, eligible expenses can no longer include training programmes for employees on Parental leave and supplements paid to employees taking various forms of child-related leave.

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

The maximum period of parental leave available in France is three years, but most of this is low paid; leave paid at a high rate (Maternity leave) lasts for less than four months. Since 1989 there is an entitlement to ECEC from three years of age (and obligatory from September 2018): the French Education code states that ‘every child upon reaching the age of three has the right to attend a nursery school located as close as possible to his or her residence if her or his family claims a place’. So there is no gap between the end of Parental leave and an ECEC entitlement, but a substantial gap of more than two-and-a-half years between the end of well-paid leave and an ECEC entitlement if we do not consider the large variety of other solutions on early childcare (childminders, EAJE). Levels of attendance at formal services for children under and over three years are above the average for the countries included in this review and for OECD countries. 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)

None reported.

4. Take-up of leave

a. Maternity leave

Almost all mothers take up Maternity leave, which is obligatory, although the length of leave taken varies, with women in higher status employment taking less leave.

b. Paternity leave

Around two-thirds (62 per cent) of eligible fathers have taken leave in 2016.

c. Parental leave and childrearing benefit

It is impossible to calculate the number of parents on Parental leave because employers are not required to provide information about take-up. Statistics are limited to childcare allowance (*PreParE*), and it is not possible to find out how many recipients are also on Parental leave.

In 2016, 410,600 families (i.e. 455,200 children under three years) received the *PreParE*. Research provides evidence that women make up 98-99 per cent of parents taking leave, and there has been little change since the introduction of *PreParE*; in December 2016, only 4.4 per cent of benefit recipients were men. Research also suggests that mothers who were in employment just before taking Maternity leave are more likely to claim *PreParE* if they are entitled to Parental leave because they have a job guarantee. With high unemployment, most working mothers who are not entitled to Parental leave cannot take the risk of losing their job unless their partner has secure employment.

Mothers are more likely to claim Parental leave and *PreParE* when they face demanding working conditions, for example atypical/non-standard working hours or 'flexible' hours imposed by employers. It has been hypothesised that one of the factors explaining the high take-up of these entitlements is the deterioration in working conditions in recent years. From this perspective, taking Parental leave with *PreParE* is one way to escape a job with difficult working conditions that create difficulties for workers trying to combine paid and unpaid work.

A number of factors help to explain why fathers are so reluctant to claim Parental leave, including: the unequal gender distribution of domestic and child-raising tasks within the family still persisting in France; traditional value systems; in most couples, the man earning more than the woman; and a workplace culture in the private sector that makes it difficult for a man, in particular at management level, to take Parental leave. The small number of fathers who take childcare allowance full time are mostly blue-collar workers or employees with a stable job beforehand. Compared to fathers who do not take Parental leave, they are more likely to work in female-dominated sectors and to have partners with a higher level of education, a higher status job and higher earnings. Besides, the majority of fathers on Parental leave take it on a part-time basis.

The number of parents receiving a childcare allowance has been decreasing, falling from 609, 000 in 2006 to 410,600 by the end of December 2016 and the majority of beneficiaries receive full rate childrearing benefit (51 per cent)³. The proportion of childcare allowance paid to parents who choose to work part-time during Parental leave has gone up, though it remains less than the amount paid to those who stop working completely. This financial incentive has, therefore, proven its efficiency and has sharply increased the number of recipients working part time while receiving the benefit.

³ Observatoire National de la Petite Enfance, CNAF, 2017.

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

Only a few studies recently have addressed this issue.

b. Selected publications since April 2017

Boyer D (ed.) (2017) *L'accueil du jeune enfant en 2016. Données statistiques, observatoire national de la petite enfance*. Paris : CNAF. Available at:

http://www.caf.fr/sites/default/files/caf/741/Accueil_jeune_enfant_2013.pdf

This report coordinates and synthesizes all the scientific data on family-work balance in France, with extensive information on maternal employment and the usage of different types of ECEC service and Parental leave.

Boyer D., Crépin A. (2017) *Baromètre d'accueil du jeune enfant 2017, L'e-ssentiel*, n° 179.

This paper presents results from a third survey of families with young children, including those on Parental leave, and covers actual and desired usage of ECEC provisions.

Available at <http://www.caf.fr/presse-institutionnel/recherche-et-statistiques/publications/l-essentiel>

HCFEA (*Haut Conseil de la famille de l'enfance et de l'âge*) ((High Council for Family, Children and Seniors) (2017) *Disposer de temps et de droits pour s'occuper des enfants, de sa famille et de ses proches en perte d'autonomie*, [Having time and rights for taking care of children, family and dependent relatives]. Available at :

http://www.strategie.gouv.fr/sites/strategie.gouv.fr/files/atoms/files/hcfea_rapport_synthese_transversal_12012018.pdf

Math, A. (2017) *Panorama des congés destinés aux parents en Europe [Overview of Parental leave schemes in Europe]* Working Paper, IRES, n°3. Available at : <http://www.ires-fr.org/etudes-recherches-ouvrages/documents-de-travail-de-l-ires/item/5532-n-03-2017-panorama-des-conges-destines-aux-parents-en-europe>

This working paper provides a review of leave for parents in the countries of the European Economic Area. Leave granted to parents is one of the so-called reconciliation measures between private and professional life, and raises questions concerning equality between women and men in the professional sphere as well as in the domestic and parental sphere. This paper first compares the characteristics of the main leaves for parents, distinguishing between Maternity leave, Paternity leave or other leave of absence for fathers and Parental leave. It shows the great diversity of existing provisions as regards their eligibility conditions, their duration, their remuneration and their degree of flexibility. The working paper then proposes a typology of countries distinguishing national leave systems according to various characteristics.

c. Ongoing research

None reported.