

# The Netherlands<sup>1</sup>

**Laura den Dulk** (Erasmus University Rotterdam) and  
**Mara A. Yerkes** (Utrecht University)

April 2020

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 (*zwangerschaps- en bevallingsverlof*) (responsibility of the Department of Social Affairs and Employment)**

*Length of leave (before and after birth)*

- 16 weeks. Leave must start four weeks before the birth (although up to six weeks can be taken for pre-natal leave), with ten weeks to 12 weeks after the birth. If the birth is later than the expected date of delivery, the longer benefit period preceding childbirth is not deducted from the benefit period after childbirth. It is obligatory to take at least four weeks before and six weeks after the birth.

*Payment and funding*

- 100 per cent of earnings up to a limit equivalent to the maximum daily payment for sickness benefit (€209.26).
- Funded from the unemployment fund, which is financed by employers contributing 4.15 per cent of employees' earnings.

---

<sup>1</sup> Please cite as: den Dulk, L. and Yerkes, M.A. (2020) 'Netherlands country note', in Koslowski, A. Blum, S., Dobrotić, I., Kaufman, G. and Moss, P. (eds.) *International Review of Leave Policies and Research 2020*. Available at: [http://www.leavenetwork.org/lp\\_and\\_r\\_reports/](http://www.leavenetwork.org/lp_and_r_reports/)

### *Flexibility in use*

- Leave can be started between six and four weeks before the expected date of delivery, but pregnant workers are not allowed to work between four weeks before the expected date, and six weeks after the actual date of delivery.
- After the six weeks' obligatory leave following delivery, mothers are entitled to use the remaining part of their leave in a flexible way, spread over a maximum of 30 weeks.

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

- All female employees.
- Self-employed women who have worked at least 1225 hours in the calendar year in which they give birth are entitled to 16 weeks payment up to a maximum of 100 per cent of the statutory minimum wage, depending on the number of hours worked (€1653.60 per month before taxes for those aged 22 years and older in 2020).
- Women in same-sex relationships who give birth 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*

- Additional leave of up to ten weeks, if the child needs to stay at the hospital for more than one week after the birth.
- Delegation of 10 weeks of leave to the partner if the mother dies, even if the mother was self-employed or was not eligible for leave (e.g. because of not being in paid employment).
- In the case of multiple births, mothers are entitled to 20 weeks of Maternity leave (eight to ten weeks before the due date and the remaining leave after the birth).
- In the case of miscarriage or stillbirth after 24 weeks, mothers are entitled to the full 16 weeks of leave.

## **b. Birth leave (for partners and fathers; *geboorteverlof*) (responsibility of Department of Social Affairs and Employment)**

### *Length of leave*

- The length of leave is equivalent to the number of working hours per week per partner/father. For example, a full-time job of 38 hours per week gives a leave entitlement of 38 hours (i.e. one week).

### *Payment and funding*

- The first week is paid by the employer at 100 per cent of earnings, with no upper limit on payments.

### *Flexibility*

- The first week of leave can be taken within four weeks after the birth of the child.

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

- Male and female employees who are the partner of a woman giving birth or who acknowledge the child.
- Self-employed partners/fathers are not entitled to birth leave.
- Men in same-sex relationships 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 father*

- None.

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

- Collective agreements may contain supplementary or restrictive arrangements with respect to the amount of paid birth leave.
- Employers can refuse or change the additional birth leave up to two weeks before leave is taken, but this can only occur if there are serious business reasons for doing so. Employers can change the days or weeks in which leave are taken, only in consultation with the employee.

## **c. Parental leave (*ouderschapsverlof*) (responsibility of Department of Social Affairs and Employment)**

### *Length of leave*

- 26 times the number of working hours per week per parent per child. For example, a full-time job of 38 hours per week gives a leave entitlement of 988 hours (i.e. 26 weeks). Leave is an individual, non-transferable entitlement.

### *Payment and funding*

- None.

- The uptake of unpaid Parental leave has no consequences for unemployment benefits. However, when an employee falls ill during the leave period, they cannot make claims for sickness payment; this insurance entitlement is restored once the leave period ends. The impact on pensions depends on the specific pension agreement and collective agreement.

#### *Flexibility in use*

- Leave can be taken until a child is eight years old. Parents can take leave at the same time, if they choose.
- Parents are granted full flexibility in use unless uptake conflicts with serious business needs.

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

- All employees are entitled to Parental leave, including same-sex couples, parents of foster children, step-children, adopted children (as long as they live in the same household), and employees with temporary contracts.
- Self-employed parents are not entitled to Parental 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 parents*

- As the leave is allocated per child, each parent is entitled to additional leave in the case of a multiple birth.

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

- Collective agreements can supplement legislation. A 2017 study of the 100 largest collective agreements in the Netherlands shows that 16 collective agreements offered partly paid leave (payment varied between 25 and 75 per cent); two collective agreements extended the age of the child up to which leave can be taken to 12 and 13 years respectively; and two collective agreements extended the period of leave. Collective agreements that supplement legislation are mainly found in public administration and the health sector.<sup>2</sup>

---

<sup>2</sup> Torenvliet, B., Houtkoop, A. and Junger-van Hoorn, E.C. (2018) *Arbeid en zorg 2017. Een onderzoek naar cao-bepalingen gerelateerd aan de Wet modernisering regelingen van verlof en arbeidstijden en de Wet Flexibel Werken*. [Work and care 2017. Research on collective agreements related to the act modernising leave arrangements and working times and the Flexible Working Act] The Hague: Department of Social Affairs and Employment.

#### **d. Childcare leave or career breaks**

No statutory entitlement.

#### **e. Other employment-related measures**

##### *Adoption leave and pay*

- Each parent is entitled to six weeks' leave when a child is placed for adoption (or long-term fostering), with payment equivalent to Maternity leave.
- Leave can be used flexibly over a period of 26 weeks (four weeks before the child is placed and 22 weeks after), as long as it does not conflict with serious business needs. This leave does not have to be taken in one block.
- For adoptive parents, the same regulations for Parental leave apply as for other parents.

##### *Time off for the care of dependants*

- Short-term leave up to a maximum per year of two times the number of working hours per week can be taken to care for a sick child living at home, a sick partner, or parent, other household members, family members, or friends. The employer is required to pay 70 per cent of the employee's earnings. All employees are eligible, subject to three conditions: firstly, an employer can refuse to grant the leave if the interests of the organisation might be seriously harmed; secondly, care must be necessary because of illness; thirdly, care must be provided by the employee involved.
- Employees are also entitled to unpaid long-term leave per year of up to six times their working hours per week to be taken part-time (i.e. 12 weeks at half of the working hours). The leave can be taken in all cases where long-term care is needed. With the agreement of the employer, long-term care leave can also be taken full-time or with reduced hours per week over a longer period, up to a maximum of 18 weeks. The right is conditional: an employer can refuse the leave if the organisation's interests are seriously harmed.
- In addition, a reasonable amount of time off work can be taken by an employee with very exceptional personal circumstances (e.g. a broken water pipe, a death in the family, or a child suddenly taken ill). This so-called emergency leave can last from a few hours to a few days, but terminates after one day if short-term leave (see above) is subsequently taken. The employer is required to pay 100 per cent of the employee's earnings.

### *Flexible working*

- Under the Flexible Working Act 2016, all employees who have completed six months' continuous employment with their present employer have the right to increase, decrease, or adjust their working hours and the right to work from home. These rights are, however, conditional: the employer can refuse to grant the request if the interests of the business or service might be seriously harmed; and the law does not apply to employers with fewer than ten employees.

### *Specific provision for (breast)feeding*

- Mothers returning to work after Maternity leave are entitled to breastfeed or pump breast milk during working hours until their child is nine months old, and are entitled to take breaks of up to 25 per cent of their working hours. Employers are required to offer a suitable room and pay for these hours.

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

The maximum period of post-natal leave available in the Netherlands per family is nearly 15 months, much of which is unpaid. Leave paid at a high rate runs for a maximum of just 12 weeks. ECEC is offered to children aged two and a half to four years old, who are at risk for language or learning deficiencies. ECEC is the responsibility of municipalities: considerable differentiation exists regarding eligibility and provision. From the age of four there is an entitlement for children to start school, on a voluntary basis, prior to compulsory schooling at age five. There is, therefore, a significant gap between the end of leave and starting school, i.e. nearly three years between the end of leave and an ECEC entitlement, and nearly four years between the end of well-paid leave and an ECEC entitlement. Parents can also make use of formal childcare services, and working parents may be entitled to childcare subsidies.<sup>3</sup> Levels of attendance at formal services for children under three years of age are well above the average both for the countries included in this review and OECD countries (though this includes many children aged two who are attending part-time playgroups). Levels of attendance at formal services are also above the average for children over three years of age. For actual attendance levels, see 'relationship

---

<sup>3</sup> Yerkes, M.A. and Javornik, J. (2018) 'Creating capabilities: childcare policies in comparative perspective', *Journal of European Social Policy*, Vol.29, 4: 529-544.

between leave and ECEC entitlements' on [cross-country comparisons](#) page.

The National Childcare Quality Monitor (LKK) monitors the quality of childcare facilities in the Netherlands. Trend analysis shows a steady increase in the quality of childcare since 2008. In comparison to other countries, and based on international measures such as ITER-S/ECER-R and CLASS, the Netherlands is nowadays considered to have high quality childcare<sup>4</sup>, a considerable improvement from previous years.

### **3. Changes in policy since April 2019 (including proposals currently under discussion)**

For births on or after 1 July 2020, partners and fathers will be entitled to additional Birth (Paternity) leave of five times the number of working hours per week up to five weeks. The additional weeks of leave can be taken flexibly over a longer period (e.g. one week of leave can be taken one day a week for five weeks), and will be paid by the Employee Insurance Agency at 70 per cent of earnings, with an upper limit of 70 per cent of the daily maximum wage (currently €219.28), which is set annually by the government. To be eligible, fathers or partners must use the first week of paid Birth leave (within four weeks of the birth of the child).

In 2018, a new law on innovation and quality in childcare came into effect. The law aims to improve the standard and accessibility of childcare. The law is being implemented in phases. In 2018, several quality measures were introduced, including an improved health and safety policy, and the requirement to have a pedagogical policy plan. In 2019, the child-staff ratio was improved, from one staff member to four children under 12 months of age to 1:3. The child-staff ratio also changed for after-school care: from 1:10 to 1:12 (children seven years of age and older) and 1:11 for children between four and 13 years of age. The law additionally provides guidelines regarding mentors for children (each child should have a mentor in formal care assessing their progress) and for the coaching of pedagogical staff. By January 2023, further educational and training measurements and requirements also need to be implemented.

---

<sup>4</sup> Slot, P., Jepma, IJ., Mulder, P. et al. (2019) *Kwaliteitsmonitor Kinderopvang. Ontwikkelingen in de kwaliteit van de Nederlandse kinderdagopvang, peuteropvang, buitenschoolse opvang, gastouderopvang op basis van gecombineerde metingen 2017-2019* [Childcare quality monitor. Developments in the quality of the Dutch day care, toddler care, after school care, childminder care based on the combined measurements 2017-2019]. LKK: Universiteit Utrecht, Sardes.

## Policy response to the Covid-19 pandemic up to end June 2020

### *Childcare and schools*

- ECEC services for children aged 0-4 years were closed from 15 March to 11 May 2020. During this period, limited 'emergency care' was available for essential (key) workers based on a dynamic list provided by the government. Families in which one (of two) parents worked in an essential occupation were asked to arrange care at home where possible; families where this was not possible were eligible to make use of emergency care. [In reality, childcare centres and schools varied in their interpretation of these ambiguous government guidelines; some required both parents to be employed in an essential occupation].
- Initial evidence suggests few parents relied on emergency care<sup>5</sup> (Yerkes et al., 2020). Nearly half (46 per cent) of Dutch parents worked in an essential occupation; more than one third (38 per cent) of these essential workers had a partner with an essential occupation, and 11 per cent were single parents. Despite this high percentage of 'essential worker households' with access to emergency care, 88 per cent of parents reported their children were home full-time during April 2020 and a further 6 per cent reported their children were home at least some of the time.
- Schools and school-age childcare services for children aged 4 to 12 years were closed from 15 March to 11 May 2020. From 11 May onwards:
  - primary schools and school-age childcare services partially re-opened until 8 June, then fully re-opened. During partial re-opening, the government advised primary schools to offer 2 days of full-time school, but schools varied in their opening times (e.g. some schools organised half days every day of the week). As children could only attend school-age childcare on days they went to school, access to school-age childcare during the partial reopening of primary schools varied greatly. The exception to this was for parents reliant on childminder organisations for children aged 0-12. These fully reopened on 11 May.
  - secondary schools (12-18 years) partially reopened from 2 June, with social distancing required (1.5m distance between children, and between children and teachers). From 1 July

---

<sup>5</sup> Yerkes, M.A., André, S., Besamusca, J., Remery, C., van der Zwan, R., Kruijven, P., Beckers, D., Geurts, S. and de Beer, P. (2020) *Werkende ouders in tijden van Corona: Meer maar ook minder genderongelijkheid* [Working parents in times of Corona: More but also less gender inequality]. Utrecht University. <https://www.uu.nl/sites/default/files/Policybrief.pdf>

onwards social distancing measures between children are no longer required, which means secondary schools will fully reopen after the summer holiday period.

#### *Parental leave*

- There were no modifications to Parental leave.

#### *Other measures for parents and other carers*

- Parents and carers maintained access to 'emergency leave' (see section 1e) as well as (un)paid Parental leave. Access to short-term leave or long-term leave remained available to care for a sick child or family member. Most Dutch information available on taking regular leave during school/childcare closures was framed as 'employers cannot require you to take (vacation) leave or other forms of leave'. No information is available on the extent to which parents were actively supported in using leave options.
- No additional regulations were put in place during the Covid-19 pandemic. There were no income replacements or supplements targeted at parents and/or other carers. All income replacement schemes were targeted at employers and/or self-employed workers and these were not related to care responsibilities.

## **4. Uptake of leave**

### **a. Maternity leave**

No specific study has been done on the uptake of Maternity leave. Because of the fact that all pregnant employees are entitled to (at least) 16 weeks of fully paid Maternity leave, and are not allowed to work from four weeks before the expected date of delivery, an uptake rate of 100 per cent might be expected. A recent study examined the use of the flexible part of Maternity leave and shows that relatively few women utilise the granted flexibility of the last part of the leave: i.e., after the first six weeks following delivery (at less than two per cent).<sup>6</sup>

### **b. Birth (Paternity) leave**

Statistics on the uptake of the recently introduced Birth leave are not yet available, although estimates suggest 47,500 fathers will make use of the extended period of Birth leave once it becomes available on 1 July

---

<sup>6</sup> Zwinkels, W. (2018) *Evaluatie flexibele bevallingsverlof [Evaluation flexible Maternity leave]*. Epsilon Research: Ministry of Social Affairs and Employment.

2020<sup>7</sup>. The information on uptake here refers to Paternity leave, as it was available until 1 January 2019 (two days of paid leave). In 2017, 87 per cent of fathers took some form of leave around the birth of the child, a percentage that has remained stable over the years<sup>8</sup>. The type of leave taken up varies. It is customary to use annual holidays or to reduce working hours in the period after the child is born; nearly two thirds (66 per cent) of fathers who took some form of leave after their child's birth made use of annual holidays or a reduction in working hours. Slightly fewer (62 per cent) made use of the two days of Paternity leave.

### **c. Parental leave**

In 2017, the uptake of Parental leave among mothers was twice as high as for fathers (22 per cent versus 11 per cent), but the duration of leave was 19 months among fathers compared with 14 months among mothers. These long periods of leave reflect the possibility in the Netherlands of taking part-time Parental leave and to spread the leave out over several months. For those taking leave, on average, mothers took nine hours' Parental leave per week and fathers took eight hours per week (2017)<sup>9</sup>.

The uptake of Parental leave is not only higher among women, but also among workers with a permanent contract, compared to those with a flexible contract (20 per cent versus five per cent). A recent study indicates that fathers not taking up leave are hindered by financial constraints, worrying about colleagues having to take on more work for them, or a belief that it is not possible to take leave from their job.<sup>10</sup> Uptake of Parental leave is higher among more formally educated and high-income parents, compared to less formally educated and low-income parents. In addition, the use of Parental leave is lower among parents with a non-Western ethnic background, compared to parents with a Western ethnic background and native Dutch parents. Parents with a non-Western ethnic background are less familiar with the entitlement than native Dutch workers. Uptake is also positively related to the number of hours worked and to employment in a large organisation, the education sector, or a governmental organisation; this

---

<sup>7</sup> <https://www.trouw.nl/economie/vanaf-deze-zomer-mogen-vaders-met-geboorteverlof-en-tienduizenden-doen-dat-ook~b8eb578d/>

<sup>8</sup> Centraal Bureau voor de Statistiek. *De werk-privébalans van vaders met jonge kinderen. [The work-life balance of fathers with young children]*. The Hague: CBS.

<sup>9</sup> Portegijs, W. and Brakel, M. van den (2018) *Emancipatiemonitor 2018*. The Hague: SCP/CBS.

<sup>10</sup> Centraal Bureau voor de Statistiek. *De werk-privébalans van vaders met jonge kinderen. [The work-life balance of fathers with young children]*. The Hague: CBS.

is related to the fact that collective agreements in those sectors offer partially paid Parental leave.<sup>11</sup>

#### **d. Other employment-related measures**

Care leave: in 2017, 379,000 female employees cared for a sick child, parent, partner, family member, or friend for a substantial period of time (i.e. longer than two weeks). Workers with informal care responsibilities report that emotional support from their supervisor and colleagues, plus flexible working hours are most beneficial when combining paid work and informal care<sup>12</sup>. Relatively few employees with informal care responsibilities use long-term care leave. In 2017, 15 per cent of these female employees reported making use of some kind of care leave; this was true for 20 per cent of male employees<sup>13</sup>. Compared to other kinds of leave, employees substantially made use of short-term care leave. Also, annual holidays and a reduction of working hours were regularly taken up, and these options were used more by men than by women. Long-term care leave was seldom used. Men and women relatively often used other kinds of leave, such as emergency leave, special leave, or unpaid leave. Among full-time workers, men giving long-term care took leave more often than women. This is opposite for part-timer workers: male part-timer workers take leave less often than female part-timer workers. In addition, in 2017, 250,000 female employees dealt with short-term, unexpected care tasks: 26 per cent of these women took care leave, compared to 15 per cent of women giving long-term care. Of the 215,000 men dealing with short-term care situations, 34 per cent made use of leave. Women often used short-term care leave, whereas men more often used annual holidays or reduction of working hours. These uptake rates are relatively stable across time, with trend data from the Foundation for Work and Informal Care reporting that less than 10 per cent of informal carers made use of care leave between 2014-2019. Among informal carers, 9 per cent made use of short-term leave, 6 per cent took emergency leave, and 3 per cent made use of long-term leave during this period.<sup>14</sup>

Flexible working: the Flexible Working Act 2016 entitles employees to adjust their working hours and working times, and entitles employees to work from home. With respect to the right to adjust working hours, it

---

<sup>11</sup> Zwinkels, W. (2018) *Verlofregelingen arbeid en zorg naar type arbeidsrelatie [Work and care leave according to type of employment relation]* The Hague: Ministry of Social Affairs and Employment.

<sup>12</sup> Boer, A. de, Plaisier, I. and Klerk, M. de (2019) *Werk en mantelzorg [Work and informal care]*. The Hague: Sociaal Cultureel Planbureau.

<sup>13</sup> Portegijs, W. and Brakel, M. van den (2018) *Emancipatiemonitor 2018*. The Hague: SCP/CBS.

<sup>14</sup> <https://www.werkenmantelzorg.nl/wp-content/uploads/2020/03/0350-Werk-Mantelzorg-factsheet-feb-2020-web.pdf>.

is well known that many workers in the Netherlands work part-time. The Netherlands Institute of Social Research has published three reports on part-time work in the Netherlands<sup>15 16 17</sup>. It is clear that part-time work is very popular (and for women even almost regarded as 'natural'). Most Dutch employees are satisfied with their amount of working hours, suggesting that part-time work is, in most cases, voluntary<sup>18</sup>. However, a recent study finds that women who are young, working in white- and blue-collar occupations, and/or married/co-habiting are more likely to be in precarious, part-time jobs with short hours<sup>19</sup>.

Research from 2017/2018 indicates that, in general, employers are positive towards part-time working at all occupational levels, and rarely reject a request to reduce working hours (only 6 per cent of employers who receive a request). However, requests to increase working hours are less common and not always granted; 40 per cent of employers received a request from employees to increase working hours, of whom 10 per cent turned down the request and 29 per cent only partly granted the request<sup>20</sup>.

Regarding flexible working hours and working from home, research indicates that the Flexible Working Act has not yet led to a substantial increase of employees who are able to determine their start and finish times or who are able to work from home. Panel data gathered between 2004-2016 shows that access to flexible working hours remains stable, at around 40 per cent of employees. The proportion of employees working from home part of the time has not increased since 2014<sup>21</sup>.

---

<sup>15</sup> Portegijs, W. and Keuzenkamp, S. (eds.) (2008) *Nederland deeltijdland. Vrouwen en deeltijdwerk [Part-time working in the Netherlands]*. Den Haag: Sociaal en Cultureel Planbureau.

<sup>16</sup> Portegijs, W. (ed.) (2008) *Verdeelde tijd. Waarom vrouwen in deeltijd werken [A picture of part-time working]*. Den Haag: Sociaal en Cultureel Planbureau.

<sup>17</sup> Keuzenkamp, S. (ed.) (2009) *Deeltijd (g)een probleem. Mogelijkheden om de arbeidsduur van vrouwen met een kleine deeltijdbaan te vergroten [Working part-time: (not) a problem?]*, Den Haag: Sociaal en Cultureel Planbureau.

<sup>18</sup> Vlasblom, J.D., van Echtelt, P. and de Voogd-Hamelink M. (2015) *Aanbod van arbeid 2014, Arbeidsdeelname, flexibilisering en duurzame inzetbaarheid [Supply of labour 2014, labour participation, flexibility and sustainable work]*. Den Haag: Sociaal en Cultureel Planbureau.

<sup>19</sup> Yerkes, Mara A., and Hewitt, B. (2019) 'Part-Time Work Strategies of Women and Men of Childbearing Age in the Netherlands and Australia', in Nicolaisen, H., Kavli, H.C. and Steen Jensen, R. (eds.) *Dualization of Part-Time Work – the New Normal?* Bristol: Policy Press.

<sup>20</sup> Echtelt, P. van (2019) 'Faciliteren werkgevers de balans tussen arbeid en privé?', in *Arbeidsmarkt in kaart: Werkgevers - editie 2*. Geraadpleegd op 25 maart 2020 via <https://digitaal.scp.nl/arbeidsmarkt-in-kaart-werkgevers-editie-2/faciliteren-werkgevers-de-balans-tussen-arbeid-en-privé>.

<sup>21</sup> Josten, E. (2019) 'Kunnen werknemers vaker zelf hun werktijden en -plek bepalen?', in *Arbeidsmarkt in kaart : Wel- en niet-werkenden - editie 1*.

---

Geraadpleegd op 24 maart 2020 via <https://digitaal.scp.nl/arbeidsmarkt-in-kaart-wel-en-niet-werkenden-1/kunnen-werknemers-vaker-zelf-hun-werktijden-en--plek-bepalen>.