

# Slovenia<sup>1</sup>

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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 (*materinski dopust*) (responsibility of the Ministry of Labour, Family, Social Affairs and Equal Opportunities)**

*Length of leave (before and after birth)*

- 105 calendar days (15 weeks): four weeks (28 days) before the birth and 11 weeks following the birth. It is obligatory to take 15 days of leave.

*Payment and funding*

- 100 per cent of average monthly earnings (or other base on which Parental leave contributions were paid) during the 12 months prior to the leave. The last of these 12 months is defined as the penultimate one before the month of the first application for leave. Not all income on which the contributions were paid is counted into the basic income (e.g. in-work benefits and other income received in addition to basic earnings). If the contributions were paid during a period shorter than 12 months, 55 per cent of the minimum wage<sup>2</sup> [€331.30 a month] is factored in for the missing

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<sup>1</sup> Stropnik, N. (2020) 'Slovenia 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/)

<sup>2</sup> The uprated minimum wage as of 2006 is used as the basis wherever referred to in this overview.

period. There is no upper limit, and the minimum is 55 per cent of the minimum wage [€331.30].

- Women who are not insured at the time when the leave starts, but who have been insured for at least 12 months in the last three years before the start of Maternity leave, receive 55 to 105 per cent of the minimum wage [approximately €331.30 to €632.49] per month, depending on the period they have been insured for in the last three years.
- The parent (or adoptive parent or foster parent) who was taking care of a child in its first year – i.e. the person who was receiving parental earnings compensation – receives pension credits for child-rearing. Funded partly from Parental Protection Insurance that forms part of Social Security Insurance. Contributions to Parental Protection Insurance are 0.1 per cent of gross earnings for employees and the same for employers. As much as 92 per cent of the total financing of the Maternity/Paternity/Parental leave earnings compensations is financed from the central government budget.<sup>3</sup>

#### *Flexibility in use*

- The part unused before the birth may be claimed after childbirth if the birth took place before the envisaged date.

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

- The person must be covered by Parental Protection Insurance (which is part of social security) just prior to the first day of the leave. This insurance covers persons on employment contracts (both permanent and fixed-term, either full-time or part-time); the self-employed (including persons performing agricultural activities); and temporary agency workers. For the unemployed, see the 'payment and funding' section.
- The person who is not insured at the time when the leave starts, but who has been insured for at least 12 months during the last three years, is eligible for earnings compensation (and not for the leave).

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

- Leave (77 days or fewer) can be delegated to the father or another person who nurses and cares for a child if the mother

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<sup>3</sup> MISSOC – Mutual Information System on Social Protection (update as of 1 July 2018). Available at: <https://www.missoc.org/>.

dies, abandons the child, or is not able to nurse and care for the child (medical certificate is needed).

- The father or one of the grandparents is also entitled to Maternity leave with the mother's (and father's) consent, in cases where the mother who gives birth to the child is younger than 18 years of age and has the status of an apprentice, a pupil, or a student. In that case, Maternity leave lasts 77 days minus the age of the child (in days) when the father or the grandparent commences Maternity leave.

#### **b. Paternity leave (*očetovski dopust*) (responsibility of the Ministry of Labour, Family, Social Affairs and Equal Opportunities)**

##### *Length of leave*

- 30 calendar days.

##### *Payment and funding*

- 100 per cent of average monthly earnings (or other base on which Parental Protection Insurance contributions were paid) during the 12 months prior to the leave, up to a ceiling of 2.5 times the average salary in Slovenia [€3,664.30 per month]. Not all income on which Parental leave contributions were paid is counted towards the basic earnings (e.g. in-work benefits and other income received in addition to basic earnings). If the contributions were paid during a period shorter than 12 months, 55 per cent of the minimum wage [€331.30 per month] is factored in for the missing period.
- The parent (or adoptive parent or foster parent) who was taking care of a child in its first year – i.e. the person who was receiving parental earnings compensation – receives pension credits for child-rearing.
- Funding is the same as for Maternity leave.

##### *Flexibility in use*

- Paternity leave may be taken as full-time or part-time leave. The duration of leave does not change, if taken part-time.
- For children born from 1 May 2018 onwards, at least 15 days of leave may be taken until one month following the end of Parental leave. Up to 15 days of the total of 30 days of Paternity leave may be taken until the child completes the first year of primary school.

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

- As for Maternity leave.
- The father is not entitled to Paternity leave if: there was a stillbirth; he was legally deprived of his parental right or prohibited from contacting the child; if, according to the Centre for Social Work's opinion, he has evidently shown no intention to care for the child or is otherwise neglecting his parental responsibilities; or if he is not able to nurse and care for the child (medical certificate is needed).

*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 father*

- Paternity leave (normally 30 calendar days) is extended by an additional ten days for each additional child in the case of 1) multiple live births, or 2) adoption of multiple children born from 1 January 2020 on, if the children have not yet completed the first grade of primary school. These additional days may be taken until the child completes the first year of primary school.
- If the father does not use Paternity leave, the following persons are entitled to it: mother's husband or co-habiting partner; partner of either sex in the registered same-sex partnership; and other persons who are nursing and taking care of the child. The same applies to the spouse, co-habiting partner, or partner in the registered same-sex partnership of the person using Maternity leave.

**c. Parental leave (*starševski dopust*) (responsibility of the Ministry of Labour, Family, Social Affairs and Equal Opportunities)**

*Length of leave*

- 130 calendar days per parent. Leave is an individual entitlement.

*Payment and funding*

- As for Paternity leave (see 1.b.).
- For persons not insured at the time the leave starts, but who have been insured for at least 12 months in the last three years before the start of leave (Maternity, Paternity, or Parental, whichever is taken first), see 1.a.
- The parent (or adoptive parent or foster parent) who was taking care of a child in its first year – i.e. the person who was receiving

parental earnings compensation – receives pension credits for child-rearing.

- Funding as for Maternity leave.

#### *Flexibility in use*

- The mother may transfer 100 days of her entitlement to the father (30 days are the mother's exclusive right), while the father may transfer all 130 days of his Parental leave to the mother.
- The parents must agree upon the use of Parental leave, in writing, 30 days prior to the expiry of Maternity leave. If the parents cannot reach an agreement, or their decision is not to the benefit of the child, the Centre for Social Work decides on this matter by considering the best interests of the child.
- Separated parents have the same rights as those living together.
- The Parental leave and earnings compensation are the rights of biological, adoptive and foster parents. If the same-sex partner has not adopted the child, he/she is not eligible. In that case, the biological parent is entitled to the whole of the parental leave and the respective earnings compensation.
- At least 185 days must be taken as a continuous full-time or part-time leave: in the case of part-time leave being taken, the duration of leave is not extended proportionately. Up to 75 days may be taken at any time until the child completes the first grade of elementary school (full-time or part-time), but not more than twice a year, with each section lasting at least 15 days.
- Parents can combine Parental leave (20 hours per week for the mother, 20 hours per week for the father) and take it at the same time.
- In rare cases, where the father is unknown and his entitlement cannot be transferred to the mother, a single mother is entitled to all 260 days of Parental leave.

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

- As for Maternity leave.

#### *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*

- In the case of a premature birth, the leave is prolonged by as many days as the pregnancy was shortened.
- In the case of multiple births or adoption of multiple children, Parental leave is extended by 90 days for each additional child. It is also extended by 90 days in the case of the birth of a child in need of special care.

- Leave is extended by 30 days if parents already have at least two children who have not yet completed the first grade of primary school; by 60 days if they have three such children; and by 90 days if they have four or more such children.
- Additional leave for premature or multiple births, or if parents have two or more younger children, is a family entitlement (i.e. the parents must decide which of them will take the leave).
- A person other than a parent who nurses and cares for the child is entitled to Parental leave, reduced by the number of days the parents have already used.
- If the mother is below 18 years of age and is an apprentice, pupil, or student, one of the grandparents (who is insured for Parental leave) may take the leave with the parents' consent.
- Adoptive parents have the same entitlements to Parental leave as other parents (see section 3). The leave should start no later than 15 days from the placement of the child into the family for the purpose of adoption or the adoption itself. It may be used until the child has completed the first grade of primary school.
- There are 30 days of Parental leave in the case of the adoption of a child who has completed the first grade of primary school and is below 15 years of age.
- Foster parents are eligible for 30 days of Parental leave for a foster child for which they cannot take regular Parental leave any more, but who has not yet completed the first grade of primary school. The leave should start no later than 15 days after the placement of the child into foster care.

*Parental benefit for persons who are not eligible for insurance-based leave and earnings compensation*

- Parents who are not eligible for insurance-based Maternity/Paternity/Parental leave and earnings compensation, are entitled to flat-rate parental benefit. Both the parent and the child must have permanent or temporary residence status and reside in Slovenia. The benefit amounts to €258.09 per month and is received for 365 days from the birth of a child. The mother is entitled to parental benefit for the first 77 days after the birth of the child. The father is entitled in this period only if the mother abandons the child, is not able to nurse and care for the child (medical certificate is needed), or dies. After 77 days, parental benefit is the right of one of the parents and is used according to their written agreement. Another person nursing and caring for the child, as well as fulfilling the same conditions as the parent, is entitled to the parental benefit, too – namely for 365 days minus the number of days the parents have already used.

**d. Childcare leave or career breaks**

- No statutory entitlement.

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

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

- An insured person is entitled to take leave to care for an immediate co-resident family member who is ill (spouse and children, biological or adopted). Generally, seven working days of leave may be taken for each episode of illness per family – however, 15 working days may be taken for a child of up to seven years of age or a child who is moderately, severely, or very severely mentally and physically disabled. In exceptional cases, if required due to the health condition of the sick family member, the period may be extended to 14 and 30 working days respectively, or longer in extreme cases (up to six months).
- Leave is paid at 80 per cent of the individual's average earnings in the preceding calendar year. It cannot be lower than the guaranteed wage [approximately €238] or higher than the wage which the person would receive if they were working.

### *Flexible working*

- A parent who is taking care of a child below three years of age (or 18 years of age if the child has a severe physical disability, or a moderate or severe mental disability) has the right to work part-time. The hours worked must be equal to or longer than half of full-time working hours. There is no payment, but social security contributions,<sup>4</sup> based on the proportional part of the minimum wage, are paid for the hours not worked.
- A parent who is taking care of two or more children may extend the right to work part-time until the youngest child completes the first grade of elementary school, with social security contributions paid based on the proportional part of the minimum wage for the hours not worked. One year of this entitlement is a non-transferrable right for each of the parents.

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

- Breastfeeding mothers who work full-time have the right to a break during working time lasting no less than one hour per day, until their child is 18 months of age. Payment is made for one hour per day, based on the proportional part of the basis defined in section 1.a.

### *Other*

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<sup>4</sup> Social security contributions include pension credits.

- A parent leaving the labour market in order to take care of four or more children – and who has been insured for Parental leave or has been an active job searcher for at least 12 months in the last three years – is entitled to have social security contributions (based on the minimum wage) paid from the state budget, until the youngest child completes the first grade of primary school.

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

The maximum period of post-natal leave available in Slovenia is 12.1 months.<sup>5</sup> Post-natal leave paid at a high earnings-related rate runs for a year. There is an entitlement to ECEC from the end of Parental leave, available on a full-time basis in centres. So, there is no gap between the end of leave and an ECEC entitlement. Levels of attendance at formal services for children both under and over three years are above the average both 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 2019 (including proposals currently under discussion)**

Amendments to the Parental Protection and Family Benefits Act were adopted in December 2019.

- From 1 January 2020, Paternity leave (normally 30 calendar days) is extended by an additional 10 days for each additional child in the case of 1) multiple live births, or 2) adoption of multiple children born from 1 January 2020 on, if the children have not yet completed the first grade of primary school. These additional days may be taken until the child completes the first year of primary school.
- Foster parents became eligible for 30 days of Parental leave for a foster child for which they cannot take a regular Parental leave any more, but who has not yet completed the first grade of primary school. The leave should start no later than 15 days from the placement of the child into foster care.
- The entitlement to parental benefit (for persons who are not eligible for insurance-based leave and earnings compensation) is tied to the permanent or temporary residence of one of the

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<sup>5</sup> This is a summary of Maternity leave and Parental leave (Paternity leave can be taken after Parental leave). For Slovenia, the time periods are: 77 days of Maternity leave (28 days must be taken before the foreseen delivery date); 30 days of Paternity leave; and 260 days of Parental leave. The sum is 367 days or 12.06 (12.1) months.



parents and/or a child (and no longer solely to permanent residence).

- Breastfeeding mothers are paid one hour per day until their child is 18 months of age (nine months before). Payment is based on the proportional part of the basis defined in section 1.a (and no longer on the minimum wage).
- The minimum Maternity/Paternity/Parental leave salary compensation and the parental benefit (a flat-rate payment received by parents who are not eligible for the Maternity/Parental leave salary compensation) are raised to the (hypothetical gross) amount of basic minimum income (€547.32 gross, or €402.18 net) for children who will be born from 1 January 2021 on.
- Starting from 1 January 2021, if the contributions for parental insurance were paid during a period shorter than 12 months, the (hypothetical gross) amount of basic minimum income will be factored in for the missing period.
- Starting from 1 January 2021, the persons not insured at the time when the leave starts, but who have been insured for at least 12 months in the last three years before the start of the leave, will receive the (hypothetical gross) amount of basic minimum income that will be increased by €20 (gross) per each month of insurance, but by no more than €340 (gross).

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

### *Childcare and schools*

- ECEC providers were wholly closed from 16 March to 18 June 2020. Emergency ECEC services were organised for children of parents in emergency services (healthcare, long-term care, police, etc.) and those who were otherwise obliged to go to work, if both parents worked the same shift. The services were provided by volunteers (teachers and assistant teachers) in small groups in kindergartens, and by social workers in their or the child's home.
- Parents were excused from paying parent fees for the period of children's non-attendance, up to 30 June 2020 (in order to allow a gradual return of children to kindergartens). Foregone income (from parent fees) was payed to the local communities from the central government budget.
- All schools were closed from 16 March 2020. Grades 1 to 3 of the 9-year elementary school (that includes primary and lower secondary education, i.e. ISCED 1-2, and starts at the age of 6) returned to school on 18 May 2020. The 9<sup>th</sup> grade returned on 25 May 2020. The 4<sup>th</sup> and 5<sup>th</sup> grade of elementary school returned on

1 June 2020. The 6<sup>th</sup> to 8<sup>th</sup> grade returned on 3 June 2020. Students in the last grade of upper secondary schools (ISCED 3) returned on 18 May 2020. Other upper secondary-school students did not return to school. The school year ended on 24 June 2020.

#### *Parental leave*

- There were no modifications to Parental leave.

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

- The parent who had to care for the child at home because of the closure of kindergartens and schools (up to the 5<sup>th</sup> grade of elementary school, i.e. around age 12) or other objective reasons, and thus could not work (even not from home), was entitled to an 80 per cent compensation of his/her basic salary, but not less than the minimum wage. The measure was in force between 13 March and 30 June 2020.
- Starting from 1 June 2020, parents who have to care for a child aged up to (around) 12 years (i.e. including children attending the 5<sup>th</sup> grade of elementary school) who has to stay in quarantine receive 50 per cent of their salary (not less than 70 per cent of the minimum wage).
- The one-off tax-free solidarity allowance amounting to €150 was paid to vulnerable population groups, including beneficiaries of the Maternity/Parental leave earnings compensation not exceeding the minimum wage.

## **4. Uptake of leave**

### **a. Maternity leave**

As Maternity leave is obligatory, all employed women should take up some (normally all) leave.

### **b. Paternity leave**

Roughly four in five fathers<sup>6</sup> take up to (and close to) 15 days of Paternity leave, while around two in five leave-takers take more than 15 days from 2016 on.<sup>7</sup> In mid-2018, one in five leave-takers took all 30

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<sup>6</sup> This proportion relates to all fathers and is thus higher for eligible fathers.

<sup>7</sup> Stropnik, N. (2018) 'Thirty days of (fully) compensated Paternity leave in Slovenia from January 2018,' *ESPN Flash Report 2018/7*. Brussels: European Social Policy Network, European Commission. Available at: <http://ec.europa.eu/social/main.jsp?advSearchKey=ESPNFlash&mode=advancedSubmit&catId=22&policyArea=0&policyAreaSub=0&country=0&year=0>.

paid days of Paternity leave, available from January 2018, while one in four took 16 to 30 days. The first 15 days are usually taken when the mother and child come home from the hospital.<sup>8</sup>

#### d. Parental leave

Most mothers take the entire Parental leave allocation, some take a good portion of it, while very few do not take it (usually due to health reasons). The share of fathers taking some of the leave increased from around five per cent in the mid-2000s to six to seven per cent in 2012–2016.<sup>9</sup> This shift may have been the result of the introduction of Paternity leave in 2003 that led to fathers' higher awareness of their rights, as well as their increased readiness to take over the care of a very young child. In 2017-2019 the share of fathers among all leave-takers remained at around four per cent. Considering the full earnings compensation while taking leave (except from June 2012 to December 2018 when it was 90 per cent), the reasons for fathers' persistent low participation may be found in the traditional division of tasks within the family; societal attitudes (not the declared ones, but rather those that rule people's behaviour); the absence of a positive image of the father who takes over more family responsibilities; and employers' expectations of their male employees.<sup>10 11</sup> Paternity leave provisions and fathers having the same individual entitlement to Parental leave as mothers, do not significantly influence mothers' earlier return to work after their leave period. Since fathers usually take only part of the Parental leave (if any at all), women's professional careers continue to be affected by their absence from work as a direct result of taking up Parental leave.

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<sup>8</sup> Stropnik, N. (2018), 'Fathers' rights and uptake of leaves in Slovenia,' Peer review on 'Instruments to foster long-term paternal involvement in family work,' Berlin, 4-5 October 2018. Available at: [https://ec.europa.eu/info/publications/mlp-gender-equality-seminar-long-term-paternal-involvement-family-work\\_en](https://ec.europa.eu/info/publications/mlp-gender-equality-seminar-long-term-paternal-involvement-family-work_en).

<sup>9</sup> MLFSAEO (2019) *Statistika – Družinski prejemki, zavarovanje za starševsko varstvo [Statistics – Family benefits, parental protection insurance]*. Ljubljana: Ministry of Labour, Family, Social Affairs and Equal Opportunities. Available at: [http://www.mddsz.gov.si/si/uveljavljanje\\_pravic/statistika/druz\\_prejemki\\_zavarovanje\\_sv/#c18828](http://www.mddsz.gov.si/si/uveljavljanje_pravic/statistika/druz_prejemki_zavarovanje_sv/#c18828), own calculations.

<sup>10</sup> Rakar, T., Stropnik, N., Boškić, R., Dremelj, P., Nagode, M. and Kovač, N. (2010) *Raziskava o vplivih veljavnih ukrepov družinske politike na odločanje za otroke [Research on the impact of family policy measures on deciding to have children]*, Ljubljana: Social Protection Institute of the Republic of Slovenia. Available at: <http://www.irssv.si/publikacije/leto-2010/index.html>

<sup>11</sup> Hrženjak, M. (ed.) (2016), *Spremembe očetovstva: moški med delom in starševstvom [Changing fatherhood: men between employment and parenthood]*. Ljubljana: Mirovni inštitut.