

# The Netherlands<sup>1</sup>

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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

### 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 maximum of 70 per cent of the 'daily maximum wage', which is set annually by the government (€228.76 in 2022).
- Payments are taxed.
- Funded from the unemployment fund, which is financed by employers contributing 4.15 per cent of employees' earnings.

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### *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 (€1725 per month before taxes for those aged 21 years and older in 2022). Note that in 2021 and 2022, the rule requiring self-employed women to work a minimum number of hours for eligibility is adapted in order to allow these women to be entitled to the payment. Even if self-employed women do not work sufficient hours, they are always allowed to calculate having worked 24 hours per week between January 1 and June 30 2021 in order to meet the minimum hours threshold<sup>2</sup>.
- 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.

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<sup>2</sup>

<https://www.uvv.nl/particulieren/zwanger-adoptie-pleegzorg/zwanger-en-zelfstandige/zwanger-en-zelfstandige-zez/detail/zez-uitkering-aanvragen/tijdelijke-versoepeling-urencriterium-voor-uitkeringen-die-nog-ingaan-in-2021>

## **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).
- Supplemental birth leave (*Aanvullend geboorteverlof*) is also available. The length of supplemental birth leave is five times the number of working hours per week, up to a maximum of five weeks. For example, a full-time job of 40 hours per week gives a supplemental leave entitlement of five weeks.

### *Payment and funding*

- The first week is paid by the employer at 100 per cent of earnings, with no upper limit on payments.
- The weeks of supplemental leave are paid by the Employee Insurance Agency at 100 per cent of earnings up to a maximum of 70 per cent of the daily wage, which is set annually by the government and is €228.76 in 2022.
- Payments are taxed.

### *Flexibility*

- The first week of leave must be taken within four weeks after the birth of the child.
- The weeks of supplemental 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). The supplemental leave must be taken within six months following 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.
- Employees in same-sex relationships are eligible if they have a relationship with the birth mother and legally recognize the child.
- Fathers or partners whose child was born on or after 1 July 2020 are eligible for the supplemental weeks of leave as long as they have taken the first week of birth 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 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 arrangements with respect to the duration of paid birth leave and/or top-up payments for supplemental birth leave beyond the 70 per cent payment. Collective agreements may not deviate from the legislation if it disadvantages the employee.
- Employers can temporarily refuse or change the take-up of supplemental birth leave up to two weeks before the leave is scheduled to begin. This can only occur if there are serious business reasons for doing so. For example, employers can change the days or weeks in which leave are taken, but this can only happen 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>3</sup>

#### **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.

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<sup>3</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.

- 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 per family is just over 16 months, some of which is paid and some of which is unpaid. Mothers are entitled to 12 weeks fully paid post-natal Maternity leave, while fathers and partners have eligibility for only one fully paid week of leave, plus five weeks supplemental leave paid at 70 per cent. A further 12 months of Parental leave is unpaid. There is an entitlement for children to start school, on a voluntary basis, from four years of age, prior to compulsory schooling at five years of age. There is, therefore, a significant gap of nearly 44 months between the end of well-paid leave and an entitlement to Early Childhood Education and Care (ECEC) in the form of early admission to elementary school.

For ECEC attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

ECEC (VVE, or *voor- en vroegschoolse opvang* in Dutch) is partially subsidized by municipalities and offered to children aged two and a half to four years old. In many municipalities, ECEC is offered to children at risk of language or learning deficiencies; in some municipalities, all children aged two and a half to four years old are eligible. In short, considerable differentiation exists regarding eligibility and provision across municipalities.

Parents can also make use of market-based formal childcare services, and working parents may be entitled to childcare allowances.<sup>4</sup> The Netherlands is still recovering from a government crisis related to the provision of these childcare allowances, in which parents were falsely accused of fraudulently receiving allowances. In these cases, the allowance was rescinded and parents were required to pay back thousands of Euros retrospectively, with far-reaching social and economic consequences for the affected families<sup>5</sup>. Estimates from the Tax Office show that 24,752 parents have requested reconsideration of their cases following a parliamentary inquiry into the affair<sup>6</sup>. It remains unclear whether this childcare allowance crisis will affect childcare attendance levels.

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>7</sup>, a considerable improvement from previous years.

### **3. Changes in policy since April 2021** (including proposals currently under discussion)

In response to the EU Directive 2019/1158 on the work-life balance for parents and carers, Parental leave will become partially paid in August 2022, when eligible parents will receive payment from the Employee Insurance Agency (UWV) for the first nine weeks of Parental leave. Originally the leave was to be paid at 50 per

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<sup>4</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.

<sup>5</sup> Van Dam, C. J. L., Van Aalst, R. R., Leijten, R. M., Belhaj, S., Kuiken, A. H., Van der Lee, T. M., Van Wijngaarden, J. and Van Kooten-Arissen, F. M. (2020) *Ongekend onrecht. Parlementaire ondervraging Kinderopvangtoeslag*. Available at: [https://www.tweedekamer.nl/sites/default/files/atoms/files/20201217\\_eindverslag\\_parlementaire\\_ondervragingscommissie\\_kinderopvangtoeslag.pdf](https://www.tweedekamer.nl/sites/default/files/atoms/files/20201217_eindverslag_parlementaire_ondervragingscommissie_kinderopvangtoeslag.pdf)

<sup>6</sup> From <https://services.belastingdienst.nl/toeslagen-herstel/>..

<sup>7</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.

cent of daily pay, up to a maximum of 50 per cent of the daily maximum wage (currently €228.76); but in 2022 it was decided to increase this amount to 70 per cent of the employee's daily pay, with a maximum of 70 per cent of the daily maximum wage (workers who are not employees will also be entitled to some payment, but calculated differently). These nine weeks partially paid Parental leave can be taken until the child is one year old. The main reason for this provision of partly paid leave is to give parents the opportunity to adjust to the new situation following childbirth and to encourage conscious decision making on the division of paid and unpaid work. After the child reaches one year of age, any remaining weeks of paid leave can still be taken, but as unpaid leave. In addition, the remaining 17 weeks of unpaid Parental leave can be taken until the 8<sup>th</sup> birthday of the child (see 1c).

## 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 study examining the use of the flexible part of Maternity leave shows that relatively few women (less than 2 per cent) utilise the flexibility of the last part of the leave, i.e., after the first six weeks following delivery<sup>8</sup>.

### b. Birth (Paternity) leave

In 2019, 83 per cent of fathers took this leave directly after the birth of their child, a bit lower than in 2017 (86 per cent)<sup>9</sup>. Many fathers use annual holidays to extend their leave around the birth of their child<sup>10</sup>. Initial estimates on the uptake of supplemental Birth leave suggest uptake is lower than policymakers expected, with 33 per cent of fathers and partners taking the leave<sup>11</sup>. Uptake appeared to be increasing in the first half of 2021.

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<sup>8</sup> Zwinkels, W. (2018) *Evaluatie flexibele bevallingsverlof [Evaluation flexible Maternity leave]*. Epsilon Research: Ministry of Social Affairs and Employment.

<sup>9</sup> Brakel, M. van den et al. (2020) *Emancipatiemonitor 2020: Wie zorgt er voor de kinderen? [Who is taking care of the kids?]*. Available at: <https://digitaal.scp.nl/emancipatiemonitor2020/wie-zorgt-er-voor-de-kinderen>.

<sup>10</sup> Alejandro Perez, S. (2018) *Veel vaders nemen extra verlof op na geboorte kind [Many fathers take extra leave after the birth of a child]*. Available at: <https://esb.nu/kort/20042498/veel-vaders-nemen-extra-verlof-op-na-geboorte-kind>.

<sup>11</sup> <https://www.volkskrant.nl/nieuws-achtergrond/geboorteverlof-moest-rolverdeling-gelijker-maken-maar-is-nog-niet-erg-in-trek~b916c34c/#:~:text=Sinds%20de%20invoering%20van%20het,aanzienlijk%20minder%20dan%20werd%20verwacht.&text=Sinds%20juli%20vorig%20jaar%20kunnen,vijf%20weken%20extra%20geboorteverlof%20opnemen>.



### 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. In 2019, the uptake differences between mothers and fathers became smaller (20 per cent versus 15 per cent), and mothers took nine hours per week of Parental leave on average while fathers took eight hours, though fathers took, on average, a longer period of leave (17 months compared to 15 months for mothers)<sup>12</sup>. These long periods of leave reflect the possibility of taking part-time Parental leave in the Netherlands and spreading the leave out over several months.

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>13</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 is related to the fact that collective agreements in those sectors offer partially paid Parental leave<sup>14</sup>.

### d. Other employment-related measures

Care leave: there has been an increase in female and male informal care givers. The percentage of female employees who provide informal care increased from 13 per cent in 2018 to 15 per cent in 2020. Among men, 9 per cent offered informal care in 2018 and 11 per cent in 2020. (In 2019, 404,000 female employees and 321,000 male 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

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<sup>12</sup> Brakel, M. van den, et al. (2020) *Emancipatiemonitor 2020: Wie zorgt er voor de kinderen?* [who is taking care of the kids?] <https://digitaal.scp.nl/emancipatiemonitor2020/wie-zorgt-er-voor-de-kinderen>.

<sup>13</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>14</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.

supervisor and colleagues plus flexible working hours are most beneficial when combining paid work and informal care<sup>15</sup>.

Relatively few employees with informal care responsibilities use long-term care leave. In 2019, one per cent of these female employees reported making use of long-term care leave and two per cent of male employees<sup>16</sup>.

The take-up of short-term care leave is low among female and male employees who care for sick family members or friends for a short period of time (two weeks or less): eight per cent of women and ten per cent of men. A majority of employees do not take any form of leave when providing short- or long-term care<sup>17</sup>. In 2019, 254,000 female employees and 227,000 male employees dealt with short-term, unexpected care tasks.

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 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>18 19 20</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>21</sup>. However, research suggests 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>22</sup>.

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<sup>15</sup> Boer, A. de, Plaisier, I. and Klerk, M. de (2019) *Werk en mantelzorg [Work and informal care]*. The Hague: Sociaal Cultureel Planbureau.

<sup>16</sup> Brakel, M. van den et al. (2020) *Emancipatiemonitor 2020: Wie zorgt er voor de zieke naaste? [Who is taking care of sick relatives?]*. <https://digitaal.scp.nl/emancipatiemonitor2020/wie-zorgt-er-voor-de-zieke-naaste>.

<sup>17</sup> Brakel, M. van den et al. (2020) *Emancipatiemonitor 2020: Wie zorgt er voor de zieke naaste? [Who is taking care of sick relatives?]*. Available at: <https://digitaal.scp.nl/emancipatiemonitor2020/wie-zorgt-er-voor-de-zieke-naaste>.

<sup>18</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>19</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>20</sup> Keuzenkamp, S. (ed.) (2009) *Deeltijd (g)een probleem. Mogelijkheden om de arbeidsduur van vrouwen met een kleine deeltijd baan te vergroten [Working part-time: (not) a problem?]*, Den Haag: Sociaal en Cultureel Planbureau.

<sup>21</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>22</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.

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 such 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 ten per cent turned down the request and 29 per cent only partly granted the request<sup>23</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. Prior to the COVID-19 pandemic, the proportion of employees working from home part of the time had not increased since 2014<sup>24</sup>.

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<sup>23</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. Available at: <https://digitaal.scp.nl/arbeidsmarkt-in-kaart-werkgevers-editie-2/faciliteren-werkgevers-de-balans-tussen-arbeid-en-privé>.

<sup>24</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. Available at: <https://digitaal.scp.nl/arbeidsmarkt-in-kaart-wel-en-niet-werkenden-1/kunnen-werknemers-vaker-zelf-hun-werktijden-en--plek-bepalen>.