

# Norway<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. Mother's quota (*mødrekvoten*) (responsibility of the Ministry of Children and Families)**

- There is no separate Maternity leave, but it is obligatory for women to take six weeks leave after delivery for health reasons, and three weeks may be taken before the expected birth date. These weeks are taken as part of Parental leave reserved for women before and after birth, and for which the term *mødrekvoten* or mother's quota is now used (see 1c).
- In addition, leave of up to 12 weeks is available for pregnant women who must stop work because of chemical, biological, or physical hazards, and if the employer is unable to offer alternative work. It is paid at the same rate as sickness benefit.

### **b. Paternity leave (commonly known as *pappapermisjon*) (responsibility of the Ministry of Labour and Social Affairs)**

*Length of leave (before and after birth)*

- 2 weeks after birth – 'daddy days' (plus father's quota, see 1c).

*Payment*

- None. Payment depends on individual or collective agreements, and most employed fathers are covered by such agreements.

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### *Flexibility in use*

- Paternity leave is flexible in a number of ways. Firstly, it can be used by someone else who will assist the mother (i.e. grandparents) if the parents do not live together. Secondly, the law does not inform as to when the leave must be taken other than 'in connection with the birth.' This is normally interpreted as two weeks before or two weeks after the birth. There is, however, an opportunity to move the leave if the situation requires it. Thirdly, the leave may be split up. The father may, for instance, use a day or two to be present at birth, go back to work, and then take the rest when mother and child come home from the hospital. Fourthly, it can be used by foster or adoptive parents when taking over the care of the child.

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

- All employed fathers have the right to leave, but payment is negotiated and paid by the employer.

### *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.*

- Leave can be transferred to someone else if the father does not live with the mother, since the purpose of the leave is to assist the mother. (See above regarding flexibility.)

## **c. Parental leave (*Foreldrepengeperioden*) (responsibility of the Ministry of Children and Families)**

### *Length of leave (before and after birth)*

- 46 or 56 weeks, depending on payment level (see 'payment and funding' below) plus a further three weeks before the birth, i.e. a total of 49 or 59 weeks. Of the post-natal period, 15 or 19 weeks are for mothers (*mødrekvoten* or mother's quota, see section 1a) and 15 or 19 weeks are for fathers (*fedrekvoten* or father's quota). The remaining 16 or 18 weeks is a family entitlement (*fellesperioden* or shared period) and may be taken by either parent. See 'flexibility' below for options available to parents.

### *Payment and funding*

- Parental money may either be taken for 49 weeks at 100 per cent of earnings or for 59 weeks at 80 per cent of earnings, up to a limit of six times the basic national insurance benefit payment (i.e., NOK8,867 [€858.51] per month (regulated on 1 May each year). When employees are included in collective agreements, the employers pay the difference between wages and the cap.
- Non-employed women receive a flat-rate payment of NOK90,300 [€8,742.97] per child.
- Payments are taxed.
- Funded from general taxation.

### *Flexibility in use*

- For all the different parts of leave (e.g. mother's quota, father's quota), it is possible to choose a longer period of leave paid at 80 per cent of earnings, or a shorter period of leave paid at 100 per cent of earnings.
- After the first six weeks, it is possible for the mother to postpone parts of the parental money period, as long as it is taken during the first three years after the birth of the child, and the parent receiving the money is employed full-time during the postponement period. Hospitalisation and vacation may also qualify for postponement.
- After the first six weeks, it is also possible for one or both parents to combine all or part of the parental money period with part-time work. If parents take less than the full benefit payment, this will prolong the period of parental money. Both parents may choose to combine the parental money period with part-time work (for instance, each working part-time) at the same time. A written agreement from the employer is required in both cases. There is also a requirement that non-eligible mothers have returned to employment or study (*aktivitetskrav*), in order for the father to take the family entitlement part of leave (see below).
- Father's quota and mother's quota: this period of leave (15/19 weeks) is not transferable to the other parent, except in certain circumstances, i.e. if the parent is ill or otherwise unable to care for the child, or if the mother and father do not live together.
- Father's quota may not be taken in the first six weeks of the parental money period, except for multiple births or adoption. Otherwise, fathers are free to choose at what time to use it during the first three years after the child's birth. They can also choose whether to take the quota as part-time leave, as well as whether to split it or use it in one block. This flexible use requires agreement with the employer.
- The family entitlement part may also be taken as one block of time, as part-time, or split into shorter blocks of time within the three-year period.
- Both parents may take leave at the same time, except during the period of obligatory leave for the mother (i.e., three weeks before birth and six weeks after) and during the period of shared leave, when mothers are required to go back to work or studies in order for the father to take it. During the period of the father's quota, there is no requirement for what mothers can do (i.e., both parents may be on leave together). Taking leave at the same time shortens the period of paid leave.

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

- The main eligibility rules are the same for fathers and mothers. They must be employed for six of the last ten months prior to the birth, and earn at least half the basic national insurance benefit payment over the previous year.
- The eligibility rules for the family entitlement and father's quota are somewhat different. The father can use the 16/18 weeks of paid leave (the family entitlement) even if the mother is not eligible; but the mother is required to take up work or study (at least 75 per cent of full-time hours). For the father's quota, the mother must also have been eligible, but there is no requirement that eligible mothers (employed for six of the last ten months

prior to the birth) go back to work. According to data from 2011,<sup>2</sup> 87 per cent of fathers were eligible. Most of the remainder were not eligible because the mother was not entitled to leave (being, for example, a student or unemployed), or themselves being unemployed.

- Self-employed workers are eligible for the same leave benefits as employees.
- Same-sex parents are eligible. When two women become mothers, the non-biological mother must have been officially recognised as a mother in order to have the rights to leave. Her rights are the same as a father's rights to leave. If two men have a child together through surrogacy, the biological father normally gets the whole leave if he is officially approved as a father. The other father may get paid Parental leave if he adopts the child (as a step-father) and if there are leave days left. The three-year period within which leave must be taken may present a challenge, as they cannot apply for leave before the child is born and the adoption processes may take a long time. The 15-week quota for the second father is transferable to the first father. If both fathers are adoptive parents, they may choose which of them starts the leave period at the time of the care order.

*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*

- For multiple births or adoptions, the Parental leave period is prolonged: parents of twins get 66/80 weeks and parents of triplets get 95/115 weeks.
- If the child dies during the Parental leave period, parents will receive payment for six weeks of the period that is left.
- Single mothers who are eligible for Parental leave will automatically receive the father's quota. However, if the parents agree, they may apply for the non-residential father to use the father's quota.

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

- Each parent has the right to one year of unpaid leave after the parental money period.
- Parents with a child between one and two years of age are entitled to receive a cash benefit ('cash-for-care' scheme) on condition they do not use a publicly funded ECEC service. The full benefit is NOK7,500 [€726.16] per month. Children who use ECEC on a part-time basis receive a reduced benefit (e.g. if parents do not use a place, they receive 100 per cent of the benefit; if they use a place for up to 20 hours per week, they receive 50 per cent of the full benefit). The main criteria for eligibility, therefore, is not parental employment status, but parents not using a particular service.

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<sup>2</sup> Kitterød, R.H., Halrynjo, S. and Østbakken, K. M. (2017) *Pappaperm? Fedre som ikke tar fedrekvote – hvor mange, hvem og hvorfor?* [Fathers who do not take paternity allowance - how many, who and why?]. Report 2017:2, Oslo: Institute for Social Research.

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

### *Adoption leave and pay*

- The same regulations apply as for parents having their own children, except for the three weeks of leave reserved for mothers before birth. The period is divided into non-transferable mother's and father's quotas and a family entitlement to be shared. Parents adopting from abroad may decide when to start the Parental leave period. Parents adopting children from abroad who are not eligible for Parental leave receive a cash benefit of NOK90,300 [€8,742.97].

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

- Each parent of one or two children under 12 years of age has a right to: ten working days' leave per year when the child/ren are sick (or the childminder or grandparent is ill and the children are not attending kindergarten), or 15 working days' leave per year if they have more than two children. Single parents have the right to 20/30 days' leave per year. For severely or chronically sick children, there are extended rights to leave until the child is 18 years old.
- Employees who care for terminally ill family members in the home have the right to care leave for 60 days. There is also a right to leave for ten days every year to give necessary care for sick parents or spouses/partners.
- Leave is paid by the employer at the same rate as sickness benefit, i.e., at 100 per cent of earnings.

### *Flexible working*

- Parents have a right to part-time work to care for children, until they are ten years old.

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

- The Work Environment Act grants all breastfeeding mothers the right to breastfeeding breaks of up to one hour per day for children under one year old. This leave is paid by the employer.

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

The maximum period of post-natal leave is just over three years. About two years of this is unpaid (except for the recipients of 'cash-for care,' see 1d, but they may not use publicly-funded Early Childhood Education and Care (ECEC) services or, if they do, only part-time). Leave paid at a high earnings-related rate runs for nearly 14 months. There is an entitlement to ECEC from one year of age, available on a full-time basis at kindergartens (though if the child is born later than September 1, there might not be a place ready until one year later). There is, therefore, no gap between the end of leave and an ECEC entitlement.

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

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

Norwegian newspapers have been presenting several 'sad stories' concerning fathers who have fallen into the 'father quota trap', which means they have lost the right to leave due to how the regulations have been applied. The rules have been that you must apply for Parental leave before the mother's *paid leave* is over. However, many mothers choose to extend their own paid Parental leave with a so-called *unpaid leave* (which is a right, see 1d), and in some cases the father has not applied until the mother has had her unpaid leave and thus been too late according to the previous regulations; the consequence has been that fathers have lost their leave. In response to this, there has been a change in the law for children born from 1 October 2021<sup>3</sup>. For those who have children born before 1 October 2021, the legislation is now also amended following an opinion from the civil ombudsman that disagrees with how the regulations have been applied because the consequence has been that many fathers have lost the right to parental benefits. Overall, therefore, these changes mean that fathers can apply to take leave at a later stage, while the mother is on unpaid leave and without losing the right to leave.

A report published in March 2022 by the Norwegian Labour and Welfare Administration on unpaid and paid parental leave in Norway<sup>4</sup> has led to a heated debate about the three-way division of leave (see 1c). The study looked at the total time mothers and fathers are away from work when they have children. It turns out that the imbalance between mothers and fathers is larger than the registered withdrawal of parental benefits suggests. The results from the Parental Benefit Survey 2021 show that parents largely follow the set quotas in the parental benefit period (i.e. for paid leave), with fathers taking a third (paternity quota) and mothers two-thirds (maternal quota plus the shared part). But in addition, the new study shows, mothers more often and for a longer period take *unpaid leave*; 48 per cent of the mothers and 11 per cent of the fathers took unpaid leave as an extension of the paid parental benefit period, and of these, mothers took an average of 16 weeks unpaid leave, while the fathers took 11 weeks.

From a gender equality perspective, unpaid leave has some unfortunate consequences, pulling in the opposite direction to paid leave, with its father's quota and three-way division. Not only do mothers use it far more, but parents who are on unpaid leave lose employee rights, earnings and seniority while on this leave.

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<sup>3</sup> [Foreldrepenger - www.nav.no](https://www.nav.no)

<sup>4</sup> Bakken, F. (2022) *Ulønnet og lønnet foreldrepermisjon – mødre og fedres bruk og vurderinger [Unpaid and paid parental leave - mothers 'and fathers' use and assessments]*. *Arbeid og velferd* nr.1-2022 NAV

The highest proportion of mothers on unpaid leave worked in typical women's occupations and industries. As a reason for using unpaid leave, most stated that they wanted the child to be at home longer and/or to breastfeed the child. The study also shows geographical differences, with parents in urban areas taking least unpaid leave.

The study concludes there can be several reasons that may explain why so many mothers take unpaid leave. Financially, it pays to choose the option of taking parental benefit at full rate for 49 weeks and then unpaid leave for 10 weeks, rather than a reduced benefit rate for 59 weeks. This may explain why some choose this option. Still, more than half of the couples who took an unpaid leave extension did so regardless of what benefit option they had chosen; the proportion of couples taking unpaid leave were 10 percentage points higher among couples opting for the higher rate (64 per cent) compared to couples opting for the reduced rate (54 per cent). When almost half of all mothers take unpaid leave, to extend the leave period, this can also mean that there are factors other than the actual parental benefit scheme that lead to this.

The study author suggests that it can be a value choice to stay at home longer than the state pays for. Most mothers taking unpaid leave answered that they wanted their child to be longer at home, and only 1 per cent of the mothers replied that they chose the full rate of parental benefit so as to be the shortest time away from work. The increase in unpaid leave may also be a wealth choice, that is parents who can afford for one of them to take unpaid leave are more able to choose what suits them and the child best.

The study also shows that fathers are satisfied with the current father quota while a majority of mothers want a shorter father quota.

Following the publication of the study, opponents of a three-part division of leave have criticized the scheme for working against the goal of gender equality. The Minister for Children and Family Affairs, Kjersti Toppe, has stated that the government will continue with the scheme and preserve the father quota. The Minister nevertheless expresses concern that so many women are now taking a longer period of leave without pay and pensionable income and believes the government must discuss a proposal from the opposition to evaluate the scheme<sup>5</sup>.

## 4. Uptake of leave

### a. Maternity leave

Nine out of ten mothers have the right to parental money; the remainder do not meet the eligibility conditions.<sup>6</sup> Mothers not eligible for parental money receive a

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<sup>5</sup> [Andelen kvinner som tar ulønnet permisjon, økte kraftig etter at fedrekvoten økte \(aftenposten.no\)](http://aftenposten.no)

<sup>6</sup> Grambo, A.C. and Myklebø, S. (2009) *Moderne familier – tradisjonelle valg. En studie av mors og fars uttak av foreldrepermisjoner [Modern families - traditional choices. A study of mother's and father's Parental leave episodes]*, Oslo: Nav.

one-off payment. This is a heterogeneous group of mothers, but with an overrepresentation of immigrant mothers.<sup>7</sup>

## **b. Paternity leave**

The share of fathers who take time off work around the birth of the child is approximately the same as for the father's quota: 89 per cent. This figure includes fathers taking time off work in various ways, including Paternity leave, but also annual leave and other options. These survey data are not recent. There is no official, aggregated registration of the use of Paternity leave.

## **c. Parental leave**

In the years prior to the introduction of the father's quota, fewer than four per cent of fathers took some Parental leave. Only a few years later, the uptake rate was over 70 per cent (representative sample; own research from 1997), and data from public records later showed that about 90 per cent of eligible fathers take leave of some length<sup>4</sup>. Comparable figures over time are hard to obtain because of changes in the way statistics are presented, and because the leave length changes frequently.

Although the length of the father's quota has varied over the last decade, most fathers (seven out of ten) have taken exactly the number of weeks represented by the father's quota, regardless of its length (NAV, 2017<sup>8</sup>). So, when the father's quota was 60 days, 70 per cent took exactly this period. The same happened when the quota was extended to 70 days in 2013. Then, after the quota was reduced to 50 days in 2014, again 70 per cent of fathers took the reduced quota days. Figures based on public records in 2011 show that 18 per cent of the Parental leave days were taken by fathers: in 2013, fathers took 46 days on average, and in 2014, 49 days; then, with the reduction of the quota's length to ten weeks/50 days in July 2014, fathers' average uptake decreased to 47 days. These figures from this natural experiment show that if the aim of policy is greater equality in leave-taking between mothers and fathers, changing the length of the father's quota is essential. In 2014, when the father's quota was reduced, mothers' leave use increased accordingly.

The importance of having a father's quota is illustrated in an article by Kvande and Brandth where they discuss the connection between leave design and its use<sup>9</sup>. They show that in granting fathers an individual, earmarked and non-transferable right, the welfare state has contributed to turning leave taking into a norm for modern fathering. The generosity in terms of length and full wage compensation

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<sup>7</sup> NOU 2017:6 *Offentlig støtte til barnefamiliene*.

<sup>8</sup> Parliamentary report based on Schou, L. (2017) *Fedrekvoten – uttak og holdninger* [*Father's quota: withdrawals and attitudes*], *Arbeid og velferd*, 3: 81-95. See also *Fedre som ikke tar fedrekvote – hvor mange, hvem og hvorfor?* [*Fathers who do not take paternity allowance - how many, who and why?*]. Available at: <https://samfunnsforskning.brage.unit.no/samfunnsforskning-xmlui/handle/11250/2446441?locale-attribute=en>.

<sup>9</sup> Kvande, E. and Brandth, B. (2019) 'Designing parental leave for fathers – promoting gender equality in working life', *International Journal of Sociology and Social Policy*, Vol. 40, 5/6: 465-477. DOI 10.1108/IJSSp-05-2019-0098



strengthens it as a right in working life. Fathers being paid their full wages for staying at home taking care of their child emphasizes the dual-carer norm. Their analysis also shows that the collision between fatherhood and the ideal of the unencumbered employee has weakened in many types of work organizations.

Although the use of the father's quota for Parental leave has become widespread among Norwegian fathers, there are some variations between different groups of fathers. While class differences are small, the father's level of education has some influence, particularly on the length of the leave. The eligible fathers least likely to use the quota are fathers with long working hours, in managerial positions, or with a partner who works part-time.

In a study of male managers' experiences, Kvande and Moen found that there might be a process of change going on within this group<sup>10</sup>. When fathers experience being 'irreplaceable' in caring for their child during the course of taking leave, it also influences how they practice their work as managers; they make themselves less accessible to their job, and experience being replaceable at work without it having an effect on their career development. These findings can be understood in terms of most fathers now take a relatively long period of leave, thus laying the foundation for a general change in practice that makes it easier for managers to take leave. However, this study has few informants, and future research will show whether the results apply to the majority of male managers.

Moen, Kvande and Nordli explore how male managers in the engineering industry and male brokers in the finance industry use the father's quota<sup>11</sup>. The findings show how the use of the father's quota depends on different institutional logics, which sets the framework for the practice and culture of the two organizations. The male managers in the engineering industry have become unavailable and replaceable in their organizations, thus making it possible for the fathers to use the father's quota. In contrast to this, the institutional logic in the finance industry makes brokers available and irreplaceable in their organizations, thus making it difficult for them to use the father's quota

Fathers' sharing of Parental leave also depends on their relationship to work. Fathers must sometimes negotiate with their employers when they want to take more leave than the father's quota, and the view that Parental leave is really for mothers is still to be found among some employers.

A survey based on registry data finds that low take-up of the fathers' quota among non-Western immigrant fathers is linked to low economic activity among mothers in this group<sup>12</sup>. There have also been studies of how Polish migrant fathers use

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<sup>10</sup> Kvande, E. and Moen, L.V. (2019) 'Å bli uerstattelig og omsorgen og erstattelig på jobb' [*Becoming irreplaceable in caregiving and replaceable at work: Male managers' experience with the use of parental leave*], *Norsk Sosiologisk Tidsskrift*. 05/2019.

<sup>11</sup> Moen, L.V, Kvande, E. and Nordli, K. (2019) 'Fathers' use of Parental Leave in Organizations with Different Institutional Logics', *Social Sciences*, vol.8, 1: 1-12.

<sup>12</sup> Ellingsæter, A.L., Kitterød, R.H. and Østbakken, K.M.(2019) 'Immigrants and the "caring father": Inequality in access to and utilisation of parental leave in Norway', *Ethnicities*, Vol.20,5: 959-982. DOI:10.1177/146819890109.

the Norwegian Parental leave system. In a comparative study of work and family adaptations in Norwegian and Polish families, Bjørnholt and Stefansen<sup>13</sup> report that while the dual-earner/dual-earner model is strongly rooted among the Norwegian fathers, the Polish migrants use the Norwegian Parental leave schemes more eclectically, with the dual-earner aspect as the main factor. A second study<sup>14</sup>, based on interviews with middle-class immigrant fathers from various European countries, shows that the father's quota, being a statutory right and generously compensated for, is understood as accepted by employers and is universally used by fathers. The principle of earmarking and non-transferability is experienced by these fathers as a great possibility to care for their children and perceived as important since both male and female employees are constructed as potential parents who will take Parental leave. It is in comparison with the care regimes of their homelands that their understanding of these design elements becomes evident. These results can be seen as supporting the tendency to convergence in attitudes towards Parental leave held by fathers from these countries.

As the father's quota has lengthened, flexible use has increased. In 2014, 25 per cent of eligible fathers took their father's quota part-time, combining leave and work. This figure was slightly reduced in 2015 and 2016. Also, as the quota has lengthened, parents rarely stay home together for the whole period, but it is quite common to stay home together part of the time.

The shareable Parental leave is, for the most part, taken by mothers. Figures from register data show that 14 per cent of eligible fathers took less than the father's quota, and only ten per cent took more in 2011. As the quota became longer, fewer fathers took the sharable leave. Father's use of this leave is, in part, dependent on the mother and her willingness to share: mothers who have invested in education and have strong ties to working life (e.g., work full-time and have higher-status work) are thus most likely to share. This means that fathers are more likely to take some Parental leave, when mothers have: a high level of formal education, high income and work status, and full-time employment.

NB. See also the discussion of the new study on unpaid leave in Section 3.

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<sup>11</sup> Bjørnholt, M. and Stefansen, K. (2018) 'Same but different: Polish and Norwegian parents' work-family adaptations in Norway', *Journal of European Social Policy*, Vol.29,2: 292-304. DOI: [10.1177/0958928718758824](https://doi.org/10.1177/0958928718758824)

<sup>14</sup> Kvande, E. and Brandth B. (2017) 'Individualized, non-transferable parental leave for European fathers: migrant perspectives', *Community, Work and Family*, Vol.20,1: 1-16.