

Statutory Other Measures: April 2018

With four exceptions, countries include some provision to take **leave in case of the illness of a child**. The EU Parental leave directive gives all workers an entitlement to 'time off from work on grounds of *force majeure* for urgent family reasons in cases of sickness or accident making their immediate presence indispensable', without specifying minimum requirements for length of time or payment. In some cases, leave is allocated in number of days in total in a given year, in others, it is allocated in terms of number of days per illness. Leave is often paid and often at a high level of income replacement. In some cases, the length of leave decreases as children get older: for example, from being unlimited for a child under 12 months to 14 days a year for children from six to 12 years old in Hungary; or being unlimited for a child under three years in Italy, but five days a year per parent for a child aged three to eight years.

Of the non-EU countries, Australia, Korea, Norway and the Russian Federation have an entitlement to paid leave of ten days or more per year specifically to care for a sick child. In the other countries, there is either no leave available (China, Iceland, Mexico, Uruguay); or leave is confined to seriously ill children and employees in smaller organisations are excluded (United States); or is confined to public sector employees (Brazil) or is for less than ten days and/or unpaid (Canada, Israel, New Zealand, South Africa and Switzerland). In Japan, leave for ordinary illness is five days for a child under compulsory school age (or ten if there are two children of this age); but is considerably longer in the case of a child needing constant care for more than two weeks. Along with length, payment varies considerably.

26 of the countries in this review for whom information is available offer **additional leave entitlements for other family members**, plus Brazil and Malta but for public sector employees only. Conditions for taking leave vary, from countries where leave is available in the case of ordinary illness through to countries where it is confined to serious or terminal illness or the care of a very dependent relative. Length, payment and other dimensions of leave also vary considerably.

29 countries of the 43 countries included in this year's review permit women to **reduce working hours specifically during their child's early months**. In most cases this is to permit (breast-)feeding of the child; but in several cases it has become a general right that can be taken for any reason and/or by the father (e.g. Japan, Portugal, Slovenia, Spain). Women reducing their hours in this way are entitled to earnings compensation, except in Austria, Japan, Norway, Netherlands and Switzerland. In Spain, reduced daily hours can be consolidated into full-time leave, thus in practice extending Maternity leave between two to four weeks.

Finally, in Australia, Iceland, Ireland, Italy, Lithuania, Netherlands, New Zealand and the UK, parents have a legal **right to request flexible working hours** from their employers, who must consider their request and may only refuse it if there is a clear business case for doing so. In Bulgaria, mothers of children under six have the right to ask for working from home. Portugal is the only country with **an entitlement to flexible working**; parents with children below 12 years (no age limit in the case of a child who is chronically ill or disabled living in the same household) are entitled to 'flexible working', which means that the employee may choose, within certain limits, when to start and finish daily work. In Iceland, employers are required to make the necessary arrangements to enable men and women to balance family life and work, including the arrangement of work in a flexible manner.

In most countries, **adoptive parents** have similar leave entitlements to other parents.

Country	Leave to care for sick dependents		Reduced hours		Right to request flexible work
	Children	Others	Breast-feeding ¹	Other	
Austria	●●● 2 weeks per employee per year or ● 9 months for seriously ill child	●●● 1 week per worker per year or ● 6 months	●●● 90 minute break per day	● to 7 years (larger employers)	×
Australia	●●● 10 days per worker per year	●●● 10 days per year for immediate family	×	×	Yes: until child is 18; also all with caring responsibilities
Belgium	● 10 days per worker per year	● 10 days per year or ●● 1 to 12 months for severely ill family member or ●● 2 months for palliative care	●●● 30 minute break per day if work up to 7.5 hours; 1 hour if work longer	×	×
Brazil	●●● up to 60 days per illness + 30 days unpaid (public sector only)	●●● up to 60 days per illness for spouse or family member + 30 days unpaid (public sector only)	●●●	×	×
Bulgaria	●●● up to 60 calendar days per year	●●● up to 60 calendar days per year for family members (incl. children)	●●● 2 hours per day for full-time work, 1 hour per day for part-time	● Right to <i>request</i> when returning to work after leave	Right to work from home for mothers of children under 6 ²
Canada	● 3 to 10 days in 3 provinces ³	●● 8 to 28 weeks if 'significant risk of death' for family member	×	×	×
Québec	● 10 days per worker per	● 10 days per worker per	×	×	×

¹ This includes reduction in hours specifically referring to breastfeeding, as well as the right to reduce hours in the months immediately after Maternity leave (up to 12 months after the birth) with no specific reason given.

² In practice, implementation problems are reported for this statutory right.

³ Canada: A federal benefit lasting up to 35 weeks is available for parents with a critically ill child under 18 years of age; so far, only a few provinces have legislated for a matching leave period.

	year	year			
China	×	×	●●● 1 hour per day, 2 hours for multiple births	×	×
Croatia	●●● 20 to 60 days per illness per family	●●● 20 days per illness of spouse + 7 days per year for serious illness of immediate family member	●●●	●● to 3 or 8 years for child needing extra care/developmental problem	×
Czech Republic	●● 9 days per illness	●● 9 days per serious illness for relative at home	×	×	×
Denmark ⁴	●●● 1 to 2 days per illness	×	×	×	×
Estonia	●●● 14 days per illness per family	×	●●●	● up to 16 days additional unpaid annual leave	×
Finland	●●(●) ⁵ 4 days per illness for a child up to 10 years	×	×	●● to end of second year at school	×
France	● 3 days per year or ●● up to 3 years for serious disability or illness, with up to 310 days paid	●● up to 3 years for care of terminally ill relative with up to 310 days paid	×	●● child with disability	×
Germany	●●● up to a maximum of 25 days per year per parent	● 10 days per illness + 6 months long-term care for 'care-dependent' relative	●●● 60 to 90 minutes break per day	●● dependent relative with earnings re-allocation	×
Greece Private sector	● 6 to 14 days per year per parent	● 6 to 14 days per year for dependent family members	×	●●● to 2½ years	×
Public sector	●●● 4-6 days per year per parent + 22 days for	●●● 22 days for spouse with certain medical	×	●●● to 4 years	×

⁴ Denmark: No statutory entitlement to childcare leave or career breaks, dependent on collective agreement or individual contract.

⁵ Finland: Length of leave is defined by law; level of payment is determined by collective agreements. An allowance of 70% of earnings is paid if parent cannot work because of hospital care of a child under seven, a severely ill child with ages between seven and 15 years-old, or the rehabilitation of a child under 16.

	certain medical conditions	conditions			
Hungary	●● unlimited to 14 days per family per year (according to age of child)	×	●●● two 1 hour breaks per day until child 6 months; one 1 hour break to 9 months	●● to 8 years if 3+ children	×
Iceland ⁶	×	×	×	×	Yes: employers required to support family/work balance
Ireland	●●● 3 days per year per parent	● or ●● up to 104 weeks for dependent	●●● adjust working hours	×	Yes: on return from Parental leave
Israel	●●● 8 days per parent per year from own sickness leave	●●● 6 days per year for spouse or parents from own sickness leave	●●● 1 hour per day until 4 months after ML; transferable to father	×	×
Italy	● unlimited to 3 years; 5 days per year for 3 to 8 year olds	●●● up to 2 years over working life for serious need in family	●●● 1 to 2 hours per day until child 12 months; transferable to father in some circumstances	×	Yes: until child is 6 years old or disabled child is 18
Japan	● 5 days per parent per year for child under CSA; 10 days if two or more children	●●● up to 93 days over the lifetime of a family member with a serious illness or disability needing constant care for 2 weeks or more	● 30 minutes twice a day until child 12 months	● to 3 years	×
Korea	● 90 days per parent per year, minimum 30 day	● 90 days per worker per year, minimum 30 days	●●● 30 minutes twice a day until child 12 months	×	×
Latvia	●●● 14 to 21 days per parent for a child under 14 years	×	●●● 30 minutes every three hours per child up to 18	●●● Up to 3 days additional annual leave	×

⁶ No statutory entitlement to leave to care for sick dependents, but widely available through collective agreements.

			months.	● to 14 years	
Lithuania	● 2 weeks per year per worker with a child under 14 years	×	●●● 30 minutes every three hours		Yes; all employees
Luxembourg	●●● Up to 18 days per child per year (varies by age) or up to 52 weeks if child disabled or seriously ill	×	●●● two 45 minute breaks per day or one 90 minute break	×	×
Malta Public sector	● up to 1 year per parent for care of disabled child	● up to 1 year per parent for care of spouse or parents	●●● One to three breaks per day up to 1 hour in total	●●● 20 to 35 hours per week until child is 16	Yes: teleworking for 12 months (renewable yearly)
Private sector	×	×	×	×	×
Mexico	×	×	●●● two 30 minute breaks per day until child six months old	×	×
Netherlands	●●● 2 times per year one week (usual working hours/week) or ● 1 per year 6 times working hours/ week taken part time	●●● 2 times per year one week (usual working hours/week) or ● 1 per year 6 times working hours/ week taken part time	●●● up to a quarter of working hours until child nine months old	×	Yes: flexible hours and working from home' all employees
New Zealand	●●● 5 days per year	●●● 5 days per year	×	●	Yes: any worker
Norway	●●● 10 to 15 days per parent per child per year	× (not mentioned in country note)	● ⁷	● to 10 years	×
Poland	●●● 14 days per year per worker. 60 days if child < 8 years	●●● 14 days per year per worker for family member	●●●	×	×
Portugal	●● 30 days per family per year if child < 12 years + 15 days if child >12 years	● 15 days per year for close relative + 15 days for severely disabled or	●●● 2 hours per day until child 12 months; can be	● to 12 years	Yes: entitlement to work flexible hours until child 12 years

⁷ Norway: This leave is paid by the employer.

		chronically ill spouse	taken by either parent		
Romania	●●● 45 days per year for one child until the child is 7 years old (or 18 if disabled)	● 20 or 21 days for Rest leave + up to 5 paid free days for personal issues	●● 120 working days of Maternal risk leave	×	×
Russian Fed.	●●● 45 to 60 days per child per year	× (not mentioned in country note)	●●● once every 3 hours for 30 minutes	● extra unpaid leave for some parents	×
Slovak Rep.	●● 10 days per episode	●● 10 days per episode for a relative living at home	×	×	×
Slovenia	●●● 7 to 15 days per illness, longer in exceptional cases	●●● 15 days per illness for a spouse, longer in exceptional cases	●● 1 hour a day until child 18 months	●● to 3 years or longer if child with disability ⁸	×
South Africa	●●● 3 to 5 days a year	●●● 3 to 5 days a year	×	×	×
Spain	●●● 2 to 4 days per illness per parent; 3 days public sector or ●●● unlimited for seriously ill child in hospital or needing treatment at home	●●● 2 to 4 days per illness per worker or ●● 2 to 3 years (for public sector) to care for a seriously ill relative	●●● 1 hour per day for 9 or 12 months (public sector); can be transferred to father ⁹	● between an eighth and a half to 12 years, or longer if child with disability	×
Sweden	●●● 120 days per child up to 12 years old per year	× (not mentioned in country note)	×	● reduced by 25 per cent up to 8 years.	×
Switzerland	●●● 3 days per illness episode per family	× (though 'customary' time-off for personal reasons should be granted)	●●● hours allowed depend on work.	×	×
U. Kingdom	● 'reasonable time'	● 'reasonable time'	×	●● paid time-off for both parents for ante-natal care	Yes: all employees
USA	● 12 weeks for a seriously ill child (medium or large	● 12 weeks for a seriously ill spouse or parent	● Reasonable break time in	×	×

⁸ Slovenia: Social security contributions based on the minimum wage are paid for the hours not worked.

⁹ Spain: Reduced hours until child is nine to 12 months may be consolidated as two to four weeks of full-time leave.

	employers only)	(medium or large employers only)	private place (larger employers only)		
Uruguay ¹⁰ Private Public	× ×	× ×	× ×	●●● to 6 months ●●● a minimum of 4 hours per day when baby is between 6 and 12 months	× ×

Key:

×: no statutory entitlement. ●: statutory entitlement but unpaid, including EU member states covered by *force majeure* measure in Parental leave directive; ●●: statutory entitlement, paid but *either* at low flat-rate (less than €1,000/month) *or* earnings-related at less than 66 per cent of earnings *or* not universal; ●●●: statutory entitlement, paid for all or part of duration to all parents at an earnings-related level or 66 per cent of earnings or more, the latter being an indicator used by the European Commission in monitoring member states' progress in meeting Employment Guidelines (European Commission (2010) *Indicators for monitoring the Employment Guidelines including indicators for additional employment analysis, 2010 compendium*, Table 18.M3. Available at:

<http://www.nbbmuseum.be/doc/seminar2010/fr/bibliographie/risque/compendiumjul2010.pdf>; (+): indicates some leave available to care for adult relatives. **Right to request flexible work:** employer is not required to grant the request.

¹⁰ Uruguay: Mothers in the public sector may work part-time if they are breastfeeding. This lasts according to the baby's needs, usually until 12 months.