

Leave in Europe: laws, policies and issues

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What is 'Europe'?

EU28 (excluding Cyprus, Latvia)

+

Iceland, Norway (both in European Economic Area)
& Switzerland (in European single market)

What sources?

- *2017 Annual Review of International Network on Leave Policies and Research* (country notes + cross-national tables)
- *‘Parental leave and beyond: recent developments, current issues, future directions’*:
 - Edited volume from network members due in 2019
 - Part 1 (recent developments) includes chapters on Poland, Spain, UK + China, Israel, Japan, Mexico, US

Leave in Europe: laws

- EU sets legal minimum standards for member states
 - **Maternity leave** (part of 1992 'Pregnant Workers Directive'): 14 wks, 2 wks obligatory
 - **Parental leave** (2010 Directive): 4 months per parent (1 non-transferable); until child 8 years
 - **Family illness**: workers have opportunity to take time off from work on grounds of urgent family reasons in case of sickness or accident

Leave in Europe: proposed laws

- **Maternity leave:** 2008, EC proposes 18 weeks on 100% earnings; 2010, European Parl. proposes 20 weeks + Paternity leave; 2015 EC proposal abandoned
- 2017 EC proposals:
 - **Paternity leave:** 10 days; at sick pay level
 - **Parental leave:** 4 months per parent, all non-transferable, until child 12 years; at sick pay level; right to request flexible use
 - **Family illness:** 5 days per year; at sick pay level

Leave in Europe: policies

- All countries have Maternity leave (or equivalent) and (excl.Switzerland) Parental leave...18/29 have Paternity leave
- Variation in design of leave, e.g. length, payment, flexibility in use, eligibility conditions
- Variation in statistical information on use...mostly poor

Leave in Europe: policies

Maternity leave (2017; n=29)

No Maternity Leave	4
Length of Mat.L(mns)	
Range	1.9 to 12
Median	3.3
of which, well paid	3.3
Transferable Mat.L	5

Leave in Europe: policies

Parental leave (2017; n=29)

No Parental Leave	1
Length of Par.L(mns)	
Range	6 to 120
Median	12
of which, well paid	6.8
Par. L as individual, non-transferable right	12
Most common forms of flexibility	Take leave upto certain time (18); both parents take leave together (18); take leave in several blocks (17); take leave full-time or part-time (16)

Leave in Europe: policies

Well-paid, father-only leave(2017; n=29)

None	9
Length of well-paid, father-only leave(mns)	
Range	0.1 to 4 (?DK7.9)
Median	0.85

Leave in Europe: policies.

Icelandic model

- Single 'parenting' leave model...equal entitlement for mothers and fathers
- 3+3+3: 3 months for mother + 3 months for father + 3 months for family @ 80% of earnings
- 81% of fathers take leave, averaging 88 days...but most of 'family' period taken by mothers, who average 178 days
- Model can develop, e.g. 5+5+2 proposed

Leave in Europe: issues

- what is leave for?
 - many possible purposes of leave, e.g. gender equality, boost employment, increase fertility, support maternalism
- design of leave
 - matching design to purpose(s)
 - flexibility and choice v gender equality
- eligibility and inclusion
 - employment changes → more exclusions
 - should leave be employment-related or universal social right?
- voice for children
 - what is the 'best interests of the child' and who decides?

Leave in Europe: issues

- leave needs to be coordinated with a ***range of other measures*** to promote work-life reconciliation and gender equality, incl:
 - childcare (and other formal) services
 - environment, structure and organisation of work
 - more equal sharing of parental (and other care) responsibilities between men and women

Leave in Europe: issues

- 1992 Council Recommendation on Child Care, but still a long way to go, e.g.
 - workplaces often unsupportive of men taking leave or returning after leave
 - men still not sharing responsibilities for child care (in family or in services)
 - most countries have wide gap between end of well-paid leave and start of entitlement to ECEC services...Nordic countries as main exception, e.g. Sweden

Sweden: leave and ECEC coordinated

- 13 months of well-paid leave (3 mother-only, 3 father-only) →
- entitlement to ECEC services for all children from 12 months,
 - Well-qualified staff
 - Maximum parental payment of SKK1260 (app.CAN\$195) per child per month+
• up to 120 days of well-paid leave to care for sick child

Leave in Europe: issues

- leave needs to be developed on a ***lifecourse basis*** (and as a social right to care with ‘care’ broadly defined)...getting beyond Parental leave, e.g.
 - develop Belgian ‘time credit’ system so each citizen has entitlement to quota of paid time away from employment

Europe has extensive leave policies but:

- parental leave still inadequate

and also

- needs to be much bolder to respond to
 - major demographic and employment changes;
 - the demands of ‘multi-activity’ societies;
 - need for new relationship between employment, care and gender in which people, families and communities can flourish

www.leavenetwork.org