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)

<table>
<thead>
<tr>
<th>No Maternity Leave</th>
<th>4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Length of Mat.L (mns)</td>
<td></td>
</tr>
<tr>
<td>Range</td>
<td>1.9 to 12</td>
</tr>
<tr>
<td>Median</td>
<td>3.3</td>
</tr>
<tr>
<td>of which, well paid</td>
<td>3.3</td>
</tr>
<tr>
<td>Transferable Mat.L</td>
<td>5</td>
</tr>
</tbody>
</table>
## Leave in Europe: policies

### Parental leave (2017; n=29)

<table>
<thead>
<tr>
<th>No Parental Leave</th>
<th>1</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Length of Par.L (mns)</strong></td>
<td></td>
</tr>
<tr>
<td>Range</td>
<td></td>
</tr>
<tr>
<td>Median</td>
<td></td>
</tr>
<tr>
<td>of which, well paid</td>
<td></td>
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<tr>
<td>6 to 120</td>
<td></td>
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<tr>
<td>12</td>
<td></td>
</tr>
<tr>
<td>6.8</td>
<td></td>
</tr>
<tr>
<td><strong>Par. L as individual, non-transferable right</strong></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td></td>
</tr>
<tr>
<td><strong>Most common forms of flexibility</strong></td>
<td></td>
</tr>
<tr>
<td>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)</td>
<td></td>
</tr>
</tbody>
</table>
Leave in Europe: policies
Well-paid, father-only leave (2017; n=29)

<table>
<thead>
<tr>
<th>None</th>
<th>9</th>
</tr>
</thead>
<tbody>
<tr>
<td>Length of well-paid, father-only leave (mns)</td>
<td></td>
</tr>
<tr>
<td>Range</td>
<td></td>
</tr>
<tr>
<td>Median</td>
<td></td>
</tr>
<tr>
<td>0.1 to 4 (?DK7.9)</td>
<td>0.85</td>
</tr>
</tbody>
</table>
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