

**EMPLOYMENT RELATIONS RESEARCH
SERIES NO. 100**

International Review of Leave
Policies and Related Research
2008

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International Review of Leave Policies and Related Research 2008

BY

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Glossary

This report is about leave entitlements, mainly for workers with dependant children. As the report shows, working parents today in most countries are entitled to a range of different types of leave, going under a variety of different names. Moreover, in a number of countries the distinction between types of leave is increasingly blurred. This glossary gives definitions for four of the most common types of leave, the first three of which are found in most countries.

Maternity leave

Leave generally available to mothers only (except in a few cases where part of the leave can be transferred to other carers under certain circumstances). It is usually understood to be a health and welfare measure, intended to protect the health of the mother and newborn child, just before, during and immediately after childbirth

Paternity leave

Leave generally available to fathers only, usually to be taken soon after the birth of a child, and intended to enable the father to spend time with his partner, new child and older children.

Parental leave

Leave generally available equally to mothers and fathers, either as a non-transferable individual right (i.e. both parents have an entitlement to an equal amount of leave) or as a family right that parents can divide between themselves as they choose; in some countries, part of parental leave is an individual right, the remainder a family right. It is generally understood to be a care measure, intended to give parents the opportunity to spend time caring for a young child; it usually can only be taken after the end of maternity leave. In some cases, parents can choose to take all or part of their parental leave on a part-time basis.

In some countries, parental leave is supplemented by a further period of leave intended also as a care measure, and given various names, such as 'childcare leave' or 'home care leave'.

Career break

Leave generally open to all employees, but not restricted to providing care and available to be taken across the life course. Less common as an entitlement than the three types of leave outlined above.

Executive Summary

This report is produced by an international network on leave policy and research, consisting of over 40 experts from 24 countries, mostly in Europe. The network covers policies for parents and others with care responsibilities, including for adult relatives, as well as policies available to the whole population such as life course career breaks and time accounts. But initially, priority is being given to leave policies focused on the care of children. Among the purposes of this network are: the exchange of information about policies, both in individual countries and by international organisations, and research on leave policies; the provision of a forum for the cross-national discussion of issues and trends in policy and research; and providing a source of regularly updated information on policies and research.

The network organises an annual seminar, and this report includes papers and discussions from the seminar held by the network in Budapest in October 2007. The main part of the report consists of 25 'country notes', providing information on current leave policies in the countries represented in the network, recent developments in policy, information on take-up, and a listing of recent publications and ongoing research.

Introduction (Peter Moss and Marta Korintus)

This section provides an overview of the network's October 2007 seminar. The programme included presentations on recent policy developments in selected countries, on the work on leave and related policies being undertaken by the Organisation for Economic Cooperation and Development, and on a number of policy themes and issues, including:

- the three-year leave period: too long or not?
- employers' perspectives and involvement
- policies to increase fathers' use of leave.

The annual seminars also devote some time to discussing the network itself – present business and future work. A discussion about whether the network should maintain its focus on the relatively narrow area of leave policies, or broaden its remit to include other policies supporting the relationship between employment and family life, supported sticking with leave policy, which although relatively narrow and specialised provides unique and valuable insights into the interplay of a number of themes critical to contemporary societies.

The three-year leave period: too long or not?

Hungary, the host country for the 2007 seminar, was one of the first countries to introduce parental leave and has developed a long – three year – leave period. Five papers, three from Hungary and two by discussants from the Czech Republic and Slovenia, consider attitudes to leave policy, childcare services and employment, and the consequences of a three-year parental leave.

Marta Korintus provides an introduction to leave policies and childcare services in Hungary, then reviews the findings from a national survey on the views of 22- to 35-year-olds. An apparently clear picture emerges of a long leave period being more popular than nursery care, reflecting a strong traditional belief that it is best for children under three to be at home with the mother; part-time employment also emerges as a favoured option, though it is in practice uncommon. It is, however, suggested that the interpretation of these results needs to bear in mind a number of issues including a lack of childcare in many parts of the country and many people having little knowledge and no recent experience of these services. Although introduced in part to stimulate fertility, leave has had no long-lasting effects on births, but benefits paid to parents taking leave have helped to alleviate poverty. Any changes in the system, such as reducing the length as recently recommended by OECD, will have to be built on needs assessments, the provision of real choices (with childcare more widely available), and a strong information dissemination strategy to convince the public.

Marietta Pongrácz uses international survey data to compare attitudes to employment and family across a number of European countries, including Hungary. Women in Hungary are highly family oriented and put greater emphasis on being a mother than on having a job or making a career. Yet, they attach considerable significance to job and economic activity, regarding them as benefiting family life and security. Difficulties experienced by women in the labour market, especially poor working conditions, interfere with the realisation of planned numbers of children: in Hungary women generally wish to have twice as many children as they actually give birth to. Unless the conflict between family and career is resolved there is no hope for a positive change in family-raising patterns.

Mária Frey overviews the employment of women in Hungary, especially mothers with young children; the relationship to the labour market of parents on childcare leave; and the barriers to their return to work. Employment rates among women have fallen since the Communist regime and are today rather low, below the EU average. Young mothers are in a particularly vulnerable situation and there is a correlation between number of children and women's employment. Low employment results from a long tradition of using the three-year leave (most mothers are convinced that to stay at home during this whole period is best for their children); difficulties in re-entering the labour market because of job shortages; the

relatively low public provision of childcare services, especially for children below the age of three years; and working time rigidities, in particular the low availability of part-time jobs. To return to the labour market is easier for those who do some paid work while taking childcare leave. Paid employment has always been allowed for parents taking leave yet only 7 to 8 per cent of leave takers have used this option.

In her response, **Jirina Kocourková** concludes that the Czech Republic and Hungary have had similar policy developments and experiences from the 1950s up to the present day, with long leave periods and reductions in childcare services. She argues that the real problem is not the length of parental leave in both countries, but the absence of options for women with children under three years, who are forced to make a choice between motherhood and career; the result is low fertility. The solution is to facilitate women to have both an appropriate job and a family. To make choice available for all women means that both the leave system and childcare facilities need to be developed. Current changes in the Czech Republic indicate that the 'long leave model' is not sustainable; it is time to transform this model to one much better able to meet the needs of younger generations.

Nada Stropnik's paper shows a strongly contrasting picture in Slovenia: high female employment rates including mothers; a shorter but well-paid Parental leave; and well-developed childcare services, with a widespread view that a quality childcare service is not a bad option for a one year old child. So although most parents consider care by parents to be best, even more disagreed with the statement that children who are in a childcare centre most of the week have a bigger chance of problems in their later life. In the mid-1990s the conservative political parties proposed an extension of Parental leave until a child's second or even third birthday. Although many welcomed this idea, it has also been strongly opposed because of its related risks: unequal opportunities for sexes in the labour market, organisational problems for employers, budgetary constraints, and worsening of the financial situation of young families.

Employers' perspectives and involvement

The focus of the paper by **Linda Haas** (United States) and **Philip Hwang** (Sweden) is corporate support for fathers taking Parental leave. They begin with a review of the international literature. Workplaces have traditionally been organised around a work/life model that assumes that the average worker (a man) arrives at work unencumbered by family responsibilities, so that employers need not offer workers flexibility to give family care. Several research studies have found that the more support fathers perceive they have at the workplace, the more likely they are to take Parental leave, and it is common for parents to blame fathers' workplaces for why leave is not shared more between mothers and fathers – though the impact of employers' negative attitudes may be overstated.

Workplace characteristics associated with fathers taking leave include size, sector, the gender balance of the workforce and 'business climate'.

The paper reports findings from a longitudinal study of large private corporations in Sweden. Between 1993 and 2006 there was a significant increase in fathers taking leave, to be expected since government introduced a 'father's quota' during this period. There was also a significant increase in companies' reports of having formal policies and practices to encourage fathers to take Parental leave; informal support for fathers taking Parental leave increased significantly, although not as dramatically as formal support did and informal support was still not widespread in 2006. Despite these improvements, results suggest that there is still a long way to go before most companies in the private sector are strongly supportive of policy-makers' goal of fathers taking half of available Parental leave. Moreover, blue-collar fathers receive less formal and informal support than white-collar fathers.

Companies that espoused more caring values were more supportive of fathers taking leave, but companies' average caring level was modest and was unchanged in the 13 years between studies. When women were a larger share of the workforce, companies were more supportive of fathers taking leave, but women's average share of the workforce had not changed between 1993 and 2006. Companies were also more supportive of fathers taking leave when they had a larger proportion of female top managers, but women's relative share of the management of these private companies, while growing, was still well below their share of the workforce.

Overall, the paper concludes, the majority of large Swedish companies are still not supportive of fathers taking Parental leave: the cultures of most companies remain grounded in beliefs and values that reinforce the separation of work and family life and reproduce men's advantage and dominance in the labour market. To promote profitability, it seems likely that Swedish companies will have to become more father-friendly, in order to recruit and retain a new generation of men who have grown up with the Swedish ideals of gender equality and equal parenthood and who are likely to feel entitled to take Parental leave as much as mothers.

Based on a study in 67 medium or large private companies (profit and non-profit) in Wallonia, the paper by **Bernard Fusulier** (Belgium) is about 'organisational mediation', how the work organisation influences the take-up of family-related leave. The study clearly shows that organisations accommodate statutory measures: 99 per cent of mothers take the whole Maternity leave period to which they are entitled and more than 83 per cent of fathers used their statutory entitlement to ten days of Paternity leave. Analysis of measures provided by companies themselves found the most common were systematic information on measures to support work/family articulation, 'baby presents' (a money payment or

specific gift), 'flexitime', and support facilities for personnel having difficulties in their private lives; only two organisations, however, had set up a childcare centre. Nearly one-third of the companies did not offer more than two measures, and close to 90 per cent had no more than five; the two organisations with most 'extra-legal' measures only offered nine.

The opinion of personnel managers about these company measures is either uncertain (many did not answer or had no opinion) or rather half-hearted. The advantages are regarded as neither large nor clear: the benefits most often mentioned refer to staff satisfaction and decreased absenteeism. Costs were mainly seen as low or non-existent, especially at the economic level; administration or organisational management costs were more often mentioned.

Three groups of organisations are identified:

1. Simply legalist: these companies conform to legal entitlements but provide few additional measures of their own.
2. Proactive: these companies have introduced various measures to supplement legal entitlements.
3. Reluctant: in these working environments there is not a high use of legal leave entitlements, suggesting a certain 'reluctance' towards work/family measures.

Policies to increase fathers' use of leave

The paper by Peter Moss (UK) provides an overview of the relationship between fathers and leave policy, starting with the evolution of leave policies that include fathers. The latest trend to emerge goes beyond the idea of separate leave - maternity, paternity and parental - to a single post-natal leave, equally divided between mothers, fathers and parents (to share as they choose). Initially, take-up of leave for fathers was low and this has led to various measures to stimulate fathers' use of leave. The initial idea was to penalise failure to use, such as the 'use it or lose it' principle. Some countries have introduced positive incentives, such as additional benefits if fathers take leave. Portugal has made a period of paternity leave obligatory.

The evidence points towards the importance of high paid 'fathers only' leave (i.e. with benefit payments equivalent to two-thirds or more of normal earnings¹) if leave taking is to become widespread among men. Such leave is still very limited. Of the 25 countries included in this review, nine have no 'fathers only' leave (Australia, Austria, Czech Republic,

¹ This level of payment, two-thirds or more of earnings, is an indicator used by the European Commission in monitoring member states' progress in meeting Employment Guidelines (see European Commission (2008) on page 113).

Germany, Ireland, Italy, Poland, S.Africa, US); one has 'fathers only' leave but not high paid (UK); seven have two weeks or less (Belgium, Canada, excluding Quebec, Denmark, France, Greece, Hungary, Netherlands), four have between two and six weeks (Finland, Portugal, Slovenia and Spain, but also Quebec in Canada); and three have two to three months (Norway, Sweden and Iceland).

The paper ends with a number of policy and research questions: How do fathers use leave? Do ceilings on benefit payments act as a greater disincentive for fathers than mothers? How far can 'high paid fathers only' leave policy work? How does the construction of leave policy interact with other possible influences on fathers take-up?

This general paper is complemented by a paper from **Gyða Margrét Pétursdóttir** and **Thorgerdur Einarsdóttir** from Iceland, a country that has attracted a lot of attention recently following its leave reforms which divide a nine-month post-natal leave period equally between mothers, fathers and a 'family' entitlement that parents can divide as they choose. While welcoming the new policy, and noting the high take-up rate among fathers, the authors also look critically at the consequences of how the new policy is designed, especially the way it allows leave to be taken in several short periods and by both parents together. This, they argue, encourages fathers to 'pop' in and out of employment, and not to assume primary responsibility for the care of their young child over a sustained period. Many fathers see leave as an opportunity to experience the child in different stages of development. They adopt the role of a secondary caregiver and plan their leave around their paid employment; this also leads to the leave being taken when it suits the timetable of the workplace.

The authors conclude that Parental leave legislation is a necessary but not a sufficient condition to ensure gender equality and shared parental responsibility. Women still seem to shoulder the main responsibility for caring, and the Icelandic leave, as currently designed, does not encourage men to spend time alone with the child.

Introduction to country notes on leave policies and research. Peter Moss (Thomas Coram Research Unit, Institute of Education University of London)

This section of the report sets out information on leave policy and research in 25 countries: Australia, Austria, Belgium, Canada, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, the Netherlands, Norway, Poland, Portugal, Slovenia, South Africa, Spain, Sweden, United Kingdom, United States. Nineteen of these countries are member states of the European Union and six are federal states.

Each country note is divided into four sections. The first describes current leave and other employment-related policies to support parents, under five headings: maternity leave, paternity leave, parental leave, childcare leave and career breaks; and other employment related measures, including time off for the care of sick children and other dependants and flexible working entitlements. The second section outlines recent changes in leave policy, including proposals currently under discussion. The third reviews evidence on take-up of different types of leave, while the final section provides information on selected recent publications and on ongoing research studies. In addition, basic demographic, economic, employment and gender information is set out for each country, in a boxed section at the start of each country note.

Current leave policies

A concise overview can be provided by showing, for each country, the number of months of leave (Maternity, Paternity and Parental) with benefits replacing two-thirds or more of earnings, an indicator used by the European Commission in monitoring member states' progress in meeting Employment Guidelines. On the basis of this indicator, countries can be divided in to three groups:

1. Countries providing earnings-related leave (at two-thirds or more replacement rate) of nine months or over: the five Nordic countries, three countries from Central and Eastern Europe (Estonia, Hungary and Slovenia), and Germany.
2. Countries providing four to six months of earnings-related leave, in all cases confined to Maternity leave. Ireland comes in here, although the effect of a ceiling is that the maximum payment per week is only €232, showing the need to take account of levels of ceilings in assessing the generosity of national schemes.
3. Countries providing less than two months of earnings-related leave: four of the five mainly English-speaking countries (Australia, Canada, United Kingdom, United States) as well as South Africa. It should be noted that Quebec, which now has responsibility for its own leave policy, is on a par with the top group of countries; the rest of Canada offers up to 50 weeks of earnings-related leave, but at 55 per cent of earnings it falls just below the EC indicator criterion; it also has a rather low ceiling.

Maternity leave

Only Australia and the United States make no provision for paid leave for most or all women at and around childbirth. In countries with a specific period of Maternity leave, the period is mostly between 14 and 20 weeks, with earnings-related payment (between 70 and 100 per cent) throughout. There are four exceptions, countries with extended maternity

leave - Czech Republic, Hungary, Ireland, and the UK - and Greece is about to introduce extended leave for private sector employees.

Paternity leave

Fifteen of the 22 countries under review have paternity leave, which (with two exceptions) varies from two to ten days and is usually paid on the same basis as maternity leave.

Parental leave and childcare leave

All EU member states must provide at least three months' leave per parent for childcare purposes, and four of the non-EU countries in this overview also provide parental leave, the exception being the United States (which has a generic and unpaid leave, which does not apply to all employees). In six countries, parents can take additional 'childcare' leave after Parental leave finishes.

Parental leave varies on four main dimensions: length; whether it is an individual or family entitlement; payment; and flexibility. Broadly, countries divide up into those where total continuous leave available, including maternity leave, parental leave and childcare leave, comes to around 9 to 15 months; and those where continuous leave can run for up to three years. Parental leave is a family entitlement in eight countries, to be divided between parents as they choose; an individual entitlement in another nine countries; and mixed (part family, part individual entitlement) in three countries. A majority of countries (16) provide some element of payment. However, in eight cases payment is rather low, being flat-rate or means tested or paid for only part of the leave period, or a combination of these. Only eight countries pay an earnings-related benefit pitched at more than half of normal earnings. Flexibility takes four main forms. First, the possibility to use all or part of leave when parents choose until their child reaches a certain age; second, the possibility of taking leave in one continuous block or several shorter blocks; third, the possibility to take leave on a full-time or part-time basis (i.e. so parents can combine part-time employment with part-time leave); and fourth, additional leave in the case of multiple births or, in a few cases, other circumstances.

Other employment-related measures

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. Among EU member states reviewed here, eight specify an entitlement to leave of ten days or more per year to care for sick children, though the age range of children covered varies; for all except one, leave is paid. Leave is shorter or unspecified and unpaid in the other

member states. Of the non-EU countries, only one has an entitlement to paid sick leave specifically to care for a sick child.

Nine countries enable women to reduce their working hours in the 12 months after birth, usually related to breastfeeding. Women reducing their hours are entitled to earnings compensation. Finally, in four countries parents have a legal right to request flexible working hours from their employers, who must consider their request and may only refuse them if there is a clear business case for doing so.

Changes in leave policy and other related developments

Since the 2007 review, which reported up to May 2007, there have been significant changes in leave policy, either already or soon to be implemented. **Austria** and the **Czech Republic** have introduced three Parental leave options – short, medium and long – with higher benefits paid for shorter leave periods. **Estonia** has extended Parental benefit (paid to all families) from 315 to 435 days, and raised Paternity leave benefit from a low flat-rate to 100 per cent of earnings. **Germany** has introduced six months of unpaid leave for people with dependant relatives requiring care (from July 2008). **Netherlands** has reintroduced payment for self-employed women on Maternity leave (from July 2008). **Norway** is to pay parental money to self-employed parents (from July 2008).

In a number of countries there are proposals for policy change or active discussions under way: **Australia, Austria, Czech Republic, Finland, Iceland, Ireland, the Netherlands, Norway, Poland, Spain, Sweden** and the **UK**.

Take-up of leave

Country notes show that information on take-up of leave entitlements is full of gaps, making systematic cross-national comparisons impossible. As a general rule, there is no statistical information on take-up of unpaid leave and limited information on paid leave.

Generally speaking, paid Maternity leave appears to be extensively and fully used by mothers who are eligible (in a few cases, it is even obligatory to take this leave). Paid Parental leave is also widely used. Where parental leave is unpaid, there are no regular statistics on use but take-up by both mothers and fathers is thought to be low: irrespective of gender, few parents take leave schemes that are completely unpaid. Where leave is a family entitlement, fathers' use is low (i.e. where leave can be shared between parents, fathers take only a small proportion). However, where Parental leave has both an individual entitlement element and is relatively well-paid, fathers' use is higher. There is also evidence that fathers' use of leave does respond to targeted policy changes.

Information on take-up among different socio-economic or ethnic groups within countries is even patchier. Where it exists, it points towards women being less likely to take parental leave, or to take it for shorter periods, if they are: self-employed; work in the private sector; higher educated; and/or higher earning. Fathers are more likely to take leave or to take it for longer periods if: their partners have higher education and/or earnings; if they work in female-dominated occupations or the public sector.

Research and publications on leave and other employment-related policies since January 2005

Country notes finish with a brief overview of the state of research on leave policy; a selection of publications on leave since January 2005 with a brief description of each (a total of 248 publications); and brief outlines of ongoing research on leave.

Introduction

Peter Moss and Marta Korintus

The international network on leave policies and research

This is the fourth annual review of the international network on leave policy and research.² The network was established at a seminar held in Brussels in October 2004, organised jointly by the Flemish Government's Centrum voor Bevolkings- en Gezinsstudie (CBGS - Population and Family Study Centre) and the Thomas Coram Research Unit (TCRU) at the Institute of Education University of London. This seminar was attended by researchers from a dozen countries, and built on earlier collaborative cross-national work in which the network coordinators – Fred Deven (from CBGS) and Peter Moss (from TCRU) – had both been involved. This collaboration began with the European Commission Childcare Network, an expert group that between 1986 and 1996 undertook studies on a range of issues related to the reconciliation of employment and family responsibilities, including leave policies. When the EC Network ended in 1996, collaboration continued, first with an international seminar convened in Brussels in 1999 that led to an edited book *Parental Leave: Progress or Pitfall?*; and then with a special issue of the journal *Community, Work and Family* (2002, Vol. 5, No. 3) on the theme of leave arrangements for parents.

Among the purposes of the network on leave policies and research are:

- the exchange of information about policies, both in individual countries and by international organisations, and research on leave policies;
- the provision of a forum for the cross-national discussion of issues and trends in policy and research; and
- providing a source of regularly updated information on policies and research.

A fuller description of the remit of the network can be found in Annex 1.

The network covers policies for parents and others with care responsibilities, including for adult relatives, as well as policies available to the whole population such as life course Career breaks and Time accounts. But initially, the network has given priority to leave policies focused on the care of children. These include Maternity, Paternity and Parental leave, leave to care for sick children and parental entitlements to work reduced hours.

² The 2005 and 2006 reviews are downloadable at <http://www.berr.gov.uk/files/file31948.pdf> and <http://www.berr.gov.uk/files/file40677.pdf>

Today, the network has 40 members from 24 countries (see Annex 2). It organises an annual seminar and produces an annual international review on leave policies and related research, based on contributions from its members; this volume is the fourth edition of the annual review. It has also established a website (www.sfi.dk/leavenetwork) and the aim is to develop this as an accessible source of information on leave and on the network's activities.

The current review

Like the three previous reviews – published in 2005, 2006 and 2007 – this edition contains detailed information on leave policy and research in a number of countries, mostly but not exclusively European. The information is contained in a series of country notes, prepared by network members, each following a common format. This year, the number of countries covered has increased to 25, with the addition of South Africa.

As before, this review also contains papers from the network's latest annual seminar, which was held in Budapest in October 2007. The seminar was attended by academics and policy-makers from 21 countries. These annual events provide an opportunity for exchange and dialogue about developments in national leave policies and new research projects. The Budapest seminar, for example, had three presentations about leave policy and parental employment in the host country – Hungary – with responses from two other Central European countries, Slovenia and the Czech Republic; all five are reproduced in this review. Given the long duration of Parental leave in Hungary, a central question of all these presentations was *the three-year leave period: too long or not?*

Other presentations included recent policy developments in Austria, Germany, the Netherlands, Poland, Quebec and the UK; and on the work on leave and related policies being undertaken by the Organisation for Economic Cooperation and Development.

In addition, each seminar devotes sessions to particular themes. One theme in Budapest was *Employers' perspectives and involvement*, especially in relation to employees' use of leave. Two papers from that session are included in this review, from Linda Haas and Philip Hwang, focusing on Swedish employers, and Bernard Fusulier, who looks at employers in the Walloon area of Belgium. A second theme was *Policies to increase fathers' use of leave*, and two papers from this session – a general policy overview and a closer look at the innovative Icelandic leave policy – are also included here, from Peter Moss (UK) and Gyða Margrét Pétursdóttir and Thorgerdur Einarsdóttir (Iceland). Powerpoints from nearly all the presentations (and also from previous seminars) can be accessed at the network's website.

The annual seminars also devote some time to discussing the network itself – present business and future work. One item for Budapest was a discussion about whether the network should maintain its focus on the relatively narrow area of leave policies, or broaden its remit to include other policies supporting the relationship between employment and family life. The majority view was to stick with leave policy, which although relatively narrow and specialised provides unique and valuable insights into the interplay of a number of themes critical to contemporary societies: fertility, child welfare, gender equality and relations, family functioning and relations, and employment and labour markets.

Section 1:

Articles

1.1.1

Hungary: Views of the 22-35 years old population concerning parental leave and childcare

Marta Korintus, Institute for Social Policy and Labour (Szociálpolitikai és Munkaügyi Intézet)

Recently, there has been a growing interest in leave policies closely related to the attention paid to increasing female labour force participation and balancing work and family life. The combined length of available maternity, paternity and parental leave has particularly become an issue. The first three papers (1.1.1, 1.1.2, 1.1.3), from the session titled *The three-year leave period: too long or not?* at 2007 Budapest seminar, look at Hungary as a case study, being a former socialist country with a long history of childcare leave, yet recently receiving OECD recommendations to cut back the possibilities for extended leave. These papers are complemented with responses from two other former socialist countries, the Czech Republic and Slovenia (1.1.4, 1.1.5), which had similar systems during the 1980s. The Czech Republic has much in common with Hungary, but Slovenia has developed very different leave policies and offers a very different experience.

Childcare services and leave policies in Hungary

In Hungary, the main elements of the system supporting parents in caring for young children are:

- *Bölcsőde* (nurseries for children under the age of three years)
- Family day care (for children up to the age of 14 years)

- *Óvoda* (kindergartens for children between the ages of three and six years)
- Leave for parents to care for their children

Nurseries for children under three years (*bölcsőde*) and kindergartens (*Óvoda*) for children between three and six years are mostly publicly-funded and managed centres, providing full-time care and education. They also serve four meals a day, including a hot lunch. All families are eligible who cannot look after their children (e.g. because they work). Nurseries come under the auspices of the Ministry for Social Affairs and Labour. Kindergartens are part of the education system, and it is compulsory for children to attend from the age of five years. Families pay only the cost of meals, but those in need have free or reduced priced meals. In addition to care and education, these services may offer mother-toddler groups, parent groups, take-home meals, and special events for children and families. In 2005, 11 per cent of children under three years (about 30,000 children) were in centres. The number of nurseries is far from enough, especially in the rural areas. In small settlements, where childcare centres cannot be sustained, entrepreneurs and local authorities can set up so-called family day care services, in which five to seven children under the age of 14 are cared for. There are about 78 family day care services with 530 places.

The great majority (87 per cent) of children between three and six years of age were in kindergartens.

Leave and related benefit payments have always been intended to promote childbirth and support reconciliation of work and childrearing. The first form of parental leave (GYES) was introduced in 1967. Maternal and parental leave can be taken by mothers (fathers, grandparents under certain conditions) until the child is three years old. The whole period is paid at different levels for parents who were employed, and for those who were not employed before the birth of the child.

- *Maternity leave*: 24 weeks, up to four weeks before birth. Payment is 70 per cent of earnings with no ceiling.
- *Paternal leave*: five days within two months after the birth of the child. Payment is 100 per cent of the father's average daily wage, with no ceiling.
- *Parental leave*:
GYED: From the end of the maternity leave period until the child's second birthday for insured parents. Payment is 70 per cent of earnings up to a ceiling.
GYES: Until the child's third birthday, for parents who are not insured. From the end of GYED (child's second birthday) until the child's third birthday, for insured parents. Flat-rate payment equal to the amount of the minimum old-age pension (about €110 per month in 2006).

GYET: The time period between the third and eighth birthday of the youngest child in a family with three or more children. Flat-rate payment (about €110/month in 2006). GYET is considered an acknowledgement of parenthood as paid work.

Economists both in Hungary and other countries of Europe have been warning that extended leave has an adverse effect on women returning to paid work. The longer the period the mother stays home with the child, the smaller the chance that she will be able to return to and re-integrate into the developing labour market. For example, the OECD recommendations for Hungary (OECD Economic Survey of Hungary, 2007), include the following in reference to leave:

- Possibilities for extended leave ought to be cut back to a maximum length of 12 months);
- The savings should help fund increased support for childcare services;
- Increases should be made in the level of payments for Maternity leave;
- Increased Paternity leave should be introduced.

Sociologists, on the other hand, often talk about how benefits linked to leave can alleviate poverty in low income families. Moreover, it is not really known how the public – people with and without children – think, what they consider best. That is, is it better to have long periods of leave available or to have a comprehensive system of centres and services for young children that provide full-time care and education during the day, while parents work.

Views on leave and childcare services

In order to find some answers and to reflect on the issue, I will refer to some of the results of the research of the National Institute for Family and Social Policy, which used data from the omnibus survey done by TARKI in 2005, to assess the views about childrearing of the most concerned age groups of the population. This is a multi-purpose survey, undertaken at regular intervals, based on interviews with a representative sample of about 1,000 adults at each round. Since we targeted the 22 to 35 age group, the data collection involved collating the results from several omnibus surveys, undertaken over several months. The responses we could use at the end came from 850 adults, between 22 and 35 years of age; 42 per cent were not married, 53 per cent had no children, and 55 per cent planned to have, or have more, children. Some of the questions were addressed only to parents with at least one child under the age of three years.

The overall picture emerging from the responses indicates that the respondents favoured the option of the mother staying at home with a young child; think that nurseries are used mainly because the mother needs to have a job in order to have enough income for the family; and

are of the view that a wife would rather work part time, or not work at all, if the husband earned enough for the family to live on. The responses of parents with children under the age of three years showed that most of the mothers take some form of leave, some use nurseries and only a negligible number use family day care. When asked why they do not take their child to a nursery, the overwhelming majority stated that the mother could stay at home with the child, though about a third said there was no nursery nearby (for details of replies, see Annex 1.1.1).

So, what sort of conclusions can we come to? The survey results seem to suggest that:

- Leave is most popular;
- Nurseries are seen as being more important for parents than children;
- The need to work is a strong motive;
- Part-time work would be a favoured option;
- Generally, the knowledge about leave is better than about childcare services.

On the other hand, some other considerations might put these results in a different light.

Is leave really more popular than childcare?

Can we say that leave is really more popular than childcare? The survey answers initially suggest this conclusion. However, statistical data show the widespread lack of nursery and/or family day care places, so that there are no other options in many parts of the country. Consequently, there is not much recent experience with, and general knowledge about, services for children under the age of three years. Memories of possibly unfavourable nursery experience from a long time ago might be generalised to the existing services. The opinion of those parents who use *bölcsőde* is favourable. But, they are a minority, and the omnibus survey had its limitation in targeting such parents (only 155 out of the 850 surveyed, that is, about 19 per cent). So, we do not know what percentage of parents really have a real choice between taking up leave or using childcare. Objective needs assessments are required to have a clearer picture.

Two other characteristics could also influence the views expressed in the survey. The first to consider is the fact that take-up of leave comes with payment. For many families with no or very low income it is a strong incentive, even if the payment for GYES is relatively low. For those with no realistic employment opportunities (e.g. because they live in a disadvantaged area, or do not have any education and/or skills) this payment might be a substantial portion of the family's income. The second issue is the strong traditional belief that it is best for children under three,

to be at home with the mother. Marietta Pongracz's paper (1.1.2 below) addresses this issue.

Effects of leave taking

What can we say about the effects of taking leave? When introduced, the aims were to promote childbirth and to emphasize the value of children for society. Statistical data indicates that leave has had no long-lasting effects on increasing the number of births. Making grandparents eligible for taking up Parental leave under some conditions and introducing GYET were both measures put forward as contributing to the increased value of children by society, by providing the further opportunity to raise them at home and to acknowledge motherhood as 'paid' work. However, when looking at statistical data again, the take-up of these particular options is very low.

On the other hand, the effects on alleviating poverty are sizable. Statistical evidence shows that social transfers – including payments for leave – can decrease child poverty effectively, from 48 per cent to 20 per cent (see Table 1.1.1a).

Whether or not one agrees with the economists and the OECD recommendations, it needs to be acknowledged that the take-up of leave in Hungary is very high, there are no available childcare places for children under the age of three in many areas, and the population's general knowledge about the function and quality of nurseries is inadequate. So, any changes in the system will have to be built on needs assessments, will have to be able to provide real choices, and will have to have a strong information dissemination strategy to convince the public.

Table 1.1.1a: Poverty-related statistics, 2005

	Hungary	EU25
Risk of poverty rate (total)	12 per cent	15 per cent
Risk of poverty rate for children aged 0–15 years	20 per cent	19 per cent
Children living in jobless households (0–17 years)	14 per cent	10 per cent
Risk of poverty rate before transfers for children aged 0–15 years	48 per cent	26 per cent
Proportion of 0–3-year-old children in <i>bölcsőde</i> (nurseries)	10.6 per cent	33 per cent (target by 2010)
Proportion of 3–6-year-old children in <i>óvoda</i> (kindergarten)	87 per cent	90 per cent (target by 2010)

Source: KSH (Hungarian Statistical Office)

Annex 1.1.1: detailed answers to omnibus survey questions

Q: How suitable/good are the following forms of childcare for a child under the age of three? (Responses were given on a four-point scale.)

- Mother is at home with the child: 3.87
- Father is at home with the child: 2.68
- Grandparents with the child: 2.61
- Bölcsőde: 2.35
- Family day care: 2.1
- Friends look after the child: 1.7
- Babysitter: 1.68

Q: Why do you think someone uses bölcsőde? (More than one response was allowed.)

- Income from mother's work is needed: 96.8 per cent
- Mother is afraid of losing job: 88.1 per cent
- Mother is afraid of breaking her career: 61.3 per cent
- Child needs the company of other children: 41 per cent
- Trained staff in bölcsőde: 37.3 per cent
- Bölcsőde compensates for deprived household: 32.8 per cent

Q: What would the wife do if the husband earned enough for the family to live on?

- Part-time work: 46.5 per cent
- No work: 42.2 per cent
- Full-time work: 11.3 per cent

Q: Why do you not use bölcsőde? (More than one response allowed)

- Mother can stay at home with the child: 84.1 per cent
- No bölcsőde nearby: 34.4 per cent
- Does not approve of child attending bölcsőde: 26.7 per cent

1.1.2

Hungary: mother's role - employment versus family

Marietta Pongrácz, Demographic Research Institute (Népeségtudományi Kutató Intézet)

Nowadays the dual burden of women – being a mother, wife and housewife on one hand and being economically active on the other hand – is not decreasing, but growing.

In ageing European societies, the ratio between active workers and dependants can be improved only by increasing the economic activity of women. Furthermore, the relative decrease in the proportion of younger generations and the long-term sustainability of pension funding can only be safeguarded by having more births and better fertility indicators. In other words, the fulfilment of the reproductive functions of women and families is becoming a key question of national strategy.

The tasks are clear at the macro-economic level: women must or should have more children, and at the same time they must or should work more, too. The question is how this problem presents itself at the micro-level, i.e. among women themselves? What do women think about the importance of work and family, and what role does the balance between the two have in their lives?

International comparisons

To answer these questions I use data from an international comparative study conducted in 12 European countries between 2000 and 2003. This international comparison of expectations concerning paid work and family responsibilities becomes interesting and exciting as we consider the different paths that Europe's eastern and western regions have travelled to involve women in economic activity. The forced female employment so typical of the East, with women going into jobs en masse and achieving

high employment rates, only to be followed by a sharp decline after the political and economic upheavals of the 1990s, was fundamentally different from the gradual and steady rise in female employment rates in the West.

The first question we examined was about women's priorities on the issue of work and family or work or family. It was phrased as follows: 'Although work is important, for most women home and children are more important' (see Figure 1.1.2a). This question was asked in seven countries. Hungarian respondents assigned a very high priority to family and children, coming out top among the countries under review. There was also a high level of agreement with the statement among Lithuanians and Romanians, showing that their societies, too, favour traditional values. By contrast, in the Netherlands, in Germany – especially in the former East German regions – and in Austria most respondents rejected the primacy of the traditional family role of women, placing a heavy emphasis on their labour market participation.

There is no variance in the responses by the demographic characteristics of the respondents. In family-centred societies – such as Hungary – the younger generations, aged below 30 years, gave priority to children and family to the same extent as those in older age groups. Similarly, there are no significant differences between the responses of men and women. At the same time, while men and women in so-called conservative countries had the same opinion on the matter, in countries where support for traditional female roles was lower, women proved to be even more work orientated than men, and rejected the priority of family responsibilities more frequently.

In the statement 'It is the husband's responsibility to earn money to support his family, and the wife's task is to perform household work' (see Figure 1.1.2b), there is an evident clash between the conservative and the modern view of gender roles. This question reflects a division of family responsibilities that was typical many decades ago. The majority of respondents – especially in the central and eastern part of Europe – have only read of such patterns in everyday life, yet it is precisely in these countries where such a traditional allocation of gender roles is considered ideal.

A special note must be made of the very low East German and the very high Hungarian index values in response to this statement. The emancipated and work-centred attitudes of East German women have been demonstrated in many of our international comparative studies, and this result only reconfirms earlier findings. Nor are the Hungarian figures surprising. We examined attitudes towards women's gainful employment

for the first time in 1974.³ Then, two-thirds of the respondents were of the opinion that, in families with children at primary school, the ideal situation would be if the husband could support the family on his salary, while the wife's responsibility was limited to caring for the children and doing the housework. This was at a time when about 80 per cent of women were active workers, with over 90 per cent of women of childbearing age employed.

This traditional approach to gender roles has not changed since, and indeed, it appears even stronger in the 2001 research, as the question referred not only to mothers, but to women in general. In the 27 years between the two studies much had changed in Hungarian society; however, these changes had no influence on the nostalgia felt for the traditional gender values and the traditional division of family commitments. It should be noted that the concept of, or desire for, the pattern of 'men acting as breadwinners and women as housewives' is very popular even among young people aged below 30 with higher than average education, as is confirmed by the 68 points on the index.

If, on the other hand, we examine women's employment not from the perspective of a harmonious family life, but in relation to the livelihood of the family, we encounter opinions that diverge sharply from those above. Responses to the statement 'Today most women must work to safeguard the livelihood of the family' were basically the same in all countries. Most respondents agreed that the family cannot afford to forgo the woman's salary: in other words, when it comes to the gainful employment of women, financial considerations are uppermost in all countries – with the exception of the Netherlands (see Figure 1.1.2c).

When focusing on childbearing (family raising patterns), there are considerable differences between countries in views on the value of children. The distribution of answers 'agree' and 'strongly agree' to the question 'you can't be really happy without having children' is shown in Figure 1.1.2d. This question implies a rather biased approach to the importance of children, suggesting that among the many factors contributing to happiness, having children is undoubtedly the ultimate one and human life without a child is anything but complete. In the former socialist countries there is a very positive approach to having children, far more so than in the western countries.

Wanting and having children

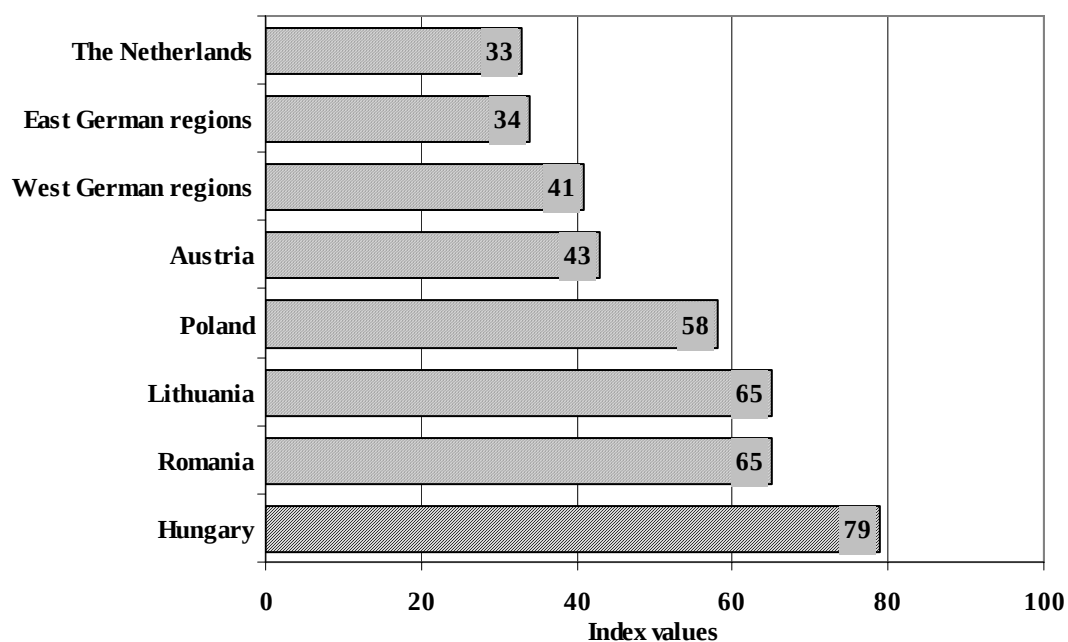
Nevertheless you come to a rather astonishing conclusion when comparing actual fertility indices – the number of children people actually have – with attitudes to having children (Figure 1.1.2e). What emerges is a negative

³ The topic was part of an interview-based opinion poll that focused on demographic questions, performed on a representative sample of 3,000 people.

correlation. Relatively high TFR values (fertility rates) are coupled with low levels of child-orientated attitude and vice versa.

So, we can say that women in Hungary are highly family-oriented and put greater emphasis on being a mother than on having a job or making a career. Yet, they attach considerable significance to job and economic activity, regarding them as benefiting family life and security. Since the need for financial security is a major pressure, it is the difficulties experienced by women in the labour market, especially poor working conditions, that interfere with the realisation of planned numbers of children: in Hungary women generally plan twice as many children as they give birth to. Finding a job while being pregnant is simply hopeless, with similar problems getting back to the labour market after maternity leave. Unless the conflict between family and career is resolved there is no hope for a positive change in family-raising patterns.

Figure 1.1.2a: Positive response to statement 'Although work is important, for most women home and children are more important'⁴



⁴ For all figures, 'index values' indicate average values assigned to the question, recalculated on a scale of 100

Figure 1.1.2b: Positive response to statement 'It is the husband's responsibility to earn money to support his family, and the wife's task is to perform household work'

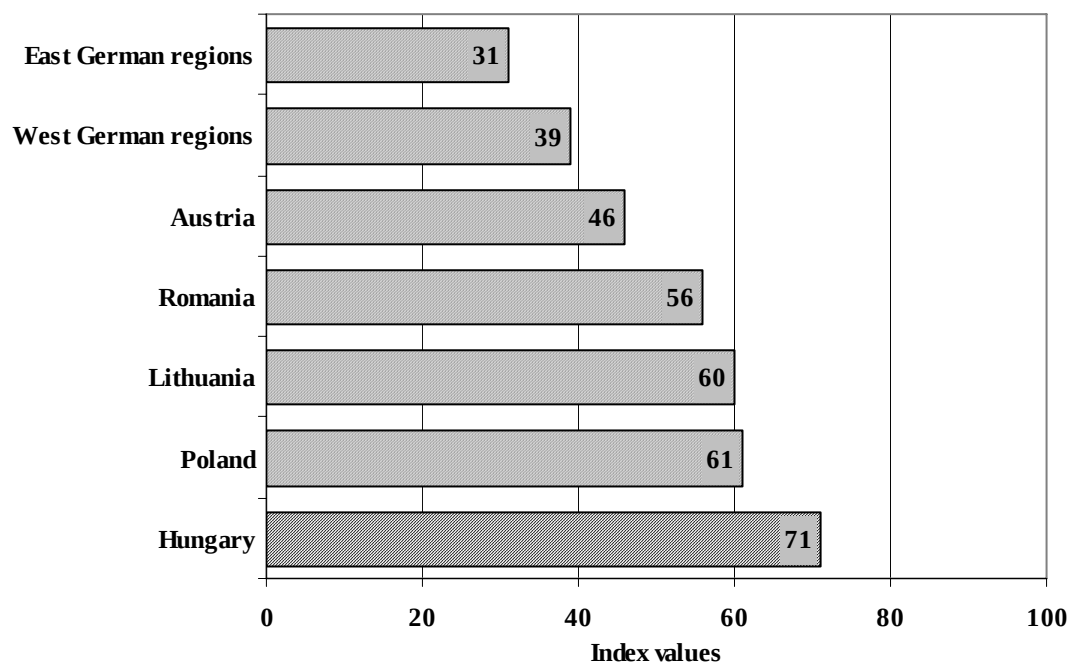


Figure 1.1.2c: Positive response to the statement 'Today most women must work to safeguarded the livelihood of the family'

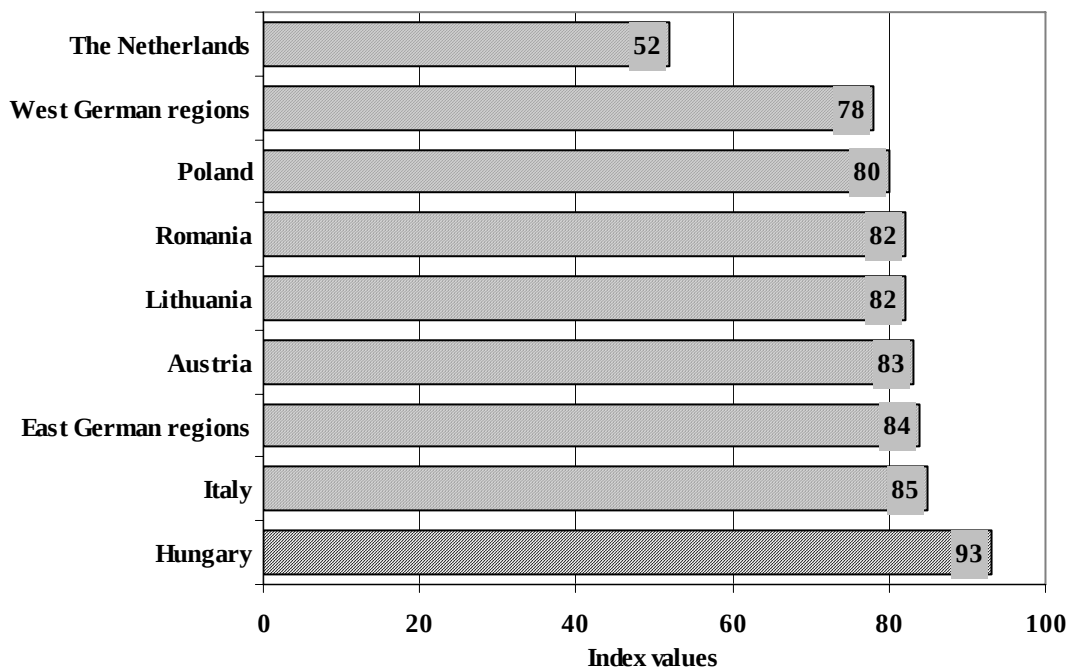


Figure 1.1.2d: Positive response to the statement 'You cannot be really happy without having children'

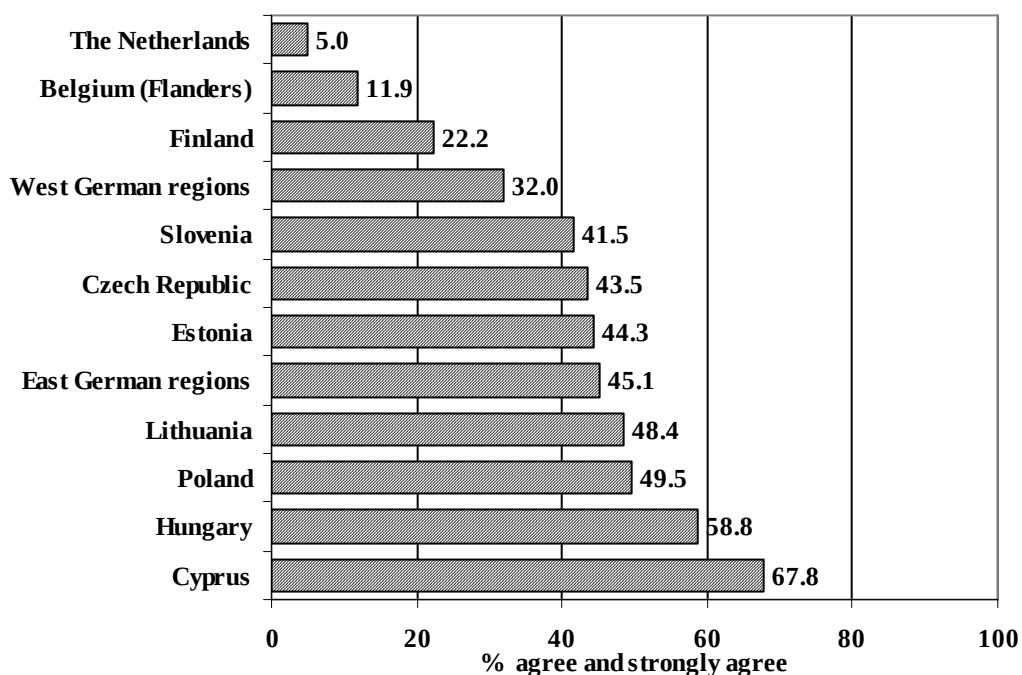
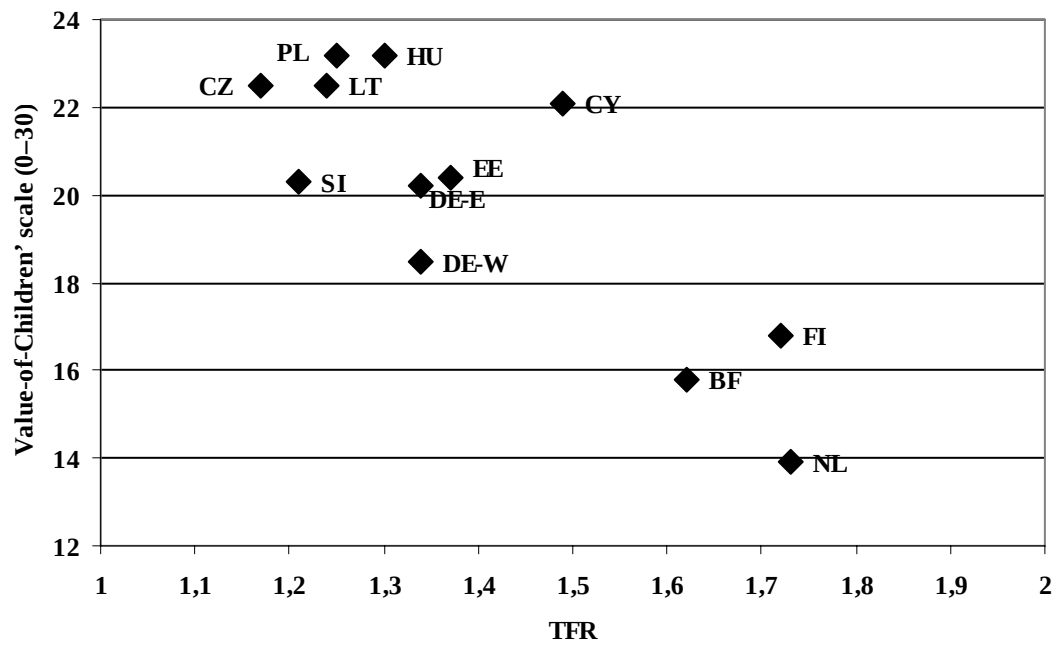


Figure 1.1.2e: Relationship between the 'Value-of-Children' scale and the total fertility in the PPA-survey year by country, age 20–50



1.1.3

Hungary: possibilities of and barriers to the employment of women on childcare leave

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This presentation provides a brief overview of the employment of women⁵ in Hungary, especially mothers with young children; the relationship to the labour market of parents on childcare leave, which in Hungary can be taken until a child's third birthday (see country note on Hungary); and the barriers to their return to work.

Women in the Hungarian labour market

During the previous Communist regime, rather high female employment was generated in Hungary. It was often said that the level of women's employment had reached the maximum level possible, not only socially but also demographically. But now, all that belongs to the past. Today, female employment rates in Hungary are low compared with the previous labour market position of women, with male employment rates, and with the average of all EU member states. During the transition shock of 1989–1992, Hungary lost about 1.1 million jobs, a fall of more than 20 per cent in total employment. The decline in employment continued during 1993 to 1997 with a further drop of 5 per cent, before stabilising in 1997. The employment rate only regained its 1993 level in 2000. Since then, a slight increase has occurred. The employment rate of men fell more than that of

⁵ It should be kept in mind throughout the paper that women on leave are considered to be economically inactive in all statistics in Hungary.

women, and then grew more slowly so the gender gap narrowed from 15.6 per centage points to 12.7. However, women are still considerably under-represented in the labour market, compared with men; and now the employment rate of women in Hungary is 6 per centage points lower than the EU average (51.1 per cent, compared with 57.1 per cent).

Female employment rates in Hungary and in the European Union, 1990–2006

Young mothers are in a particularly vulnerable situation in relation to the labour market. There is a correlation between the number of children women give birth to, and their ability to retain a job. In 2003, over three-quarters (78.2 per cent) of women between 20 and 49 years of age who had no children were employed, which was higher than the EU average. Employment fell to 59.4 per cent among women with one child, 5 per centage points lower than the EU average. Finally, only 12.6 per cent of Hungarian women with three or more children were in paid work, the lowest employment rate in the EU and far below the average for the EU25, which is around 40 per cent.

Why are employment rates among women so low? One reason is the long tradition of using the three-year childcare leave; the majority of mothers are convinced that to stay at home during this whole period might be the best for their children. However, to return into the labour market is difficult because of the general job shortage; the relatively low public provision of childcare services, especially for children below the age of three years; and the prevailing working time rigidities, in particular the low availability of part-time jobs (in 2006, only 5.4 per cent of employed Hungarian women had part-time jobs compared with an EU average of 32.3 per cent). These all constitute a barrier to women's labour market integration and encourage a traditional gender division of labour.

Labour market relations of women on childcare leave

Although mothers or fathers are both entitled to take-up childcare leave, only 4 per cent of the parents using leave are men; childcare leave is, therefore, overwhelmingly taken by women. Every third year the Hungarian Central Statistical Office collects data about the possibility and willingness of women taking childcare leave to return to employment, using a supplementary questionnaire attached to the Labour Force Survey. The main conclusions of this paper are based on these surveys.

Among those women on childcare leave who had a job before giving birth, the proportion of those who are able and want to return to their original employers has increased. In 2005, the proportion saying that they both wanted to return and had an employer who would employ them stood at 55.3 per cent, up from 45.3 per cent in 2002. This left 8.1 per cent who

reported their previous employer would employ them but that they did not want to go back to the same employer; 10.4 per cent who reported their employer had gone out of business; and 26.2 per cent who said that though they wanted to return, their employer did not want to employ them.

The proportion who wanted to return to work and had an employer who would employ them was highest (about two-thirds) among those receiving GYED, compared with one-third and 14 per cent of the beneficiaries of GYES and GYET (see the country note for Hungary for the different types of leave and leave payment). There was a small correlation between the chance to return to the original job and the length of the stay outside the labour market.

Mothers who said they would not want to return to their original employers after the childcare leave explained their responses by several unfavourable conditions relating to employment, such as shift work, other inconvenient working hours and long commuting times.

Return to work by number of children

In 1999, 64.8 per cent of women taking childcare leave wanted to return to the labour market after the leave. In 2005, the proportion had increased to 72 per cent. However, the willingness of women to work declines with the number of children. In 2005, more than four-fifths (86 per cent) of mothers with one or two children wanted to be employed after leave, but only 57 per cent of those with three children and a third (33 per cent) with four or more children.

At the same time, the proportion of women who prefer to become full-time mothers after childcare leave has decreased. In 2005, less than 10 per cent of mothers with one or two children, 15 per cent with three children, and 25 per cent with four or more children wanted to stay at home as housewives.

Barriers to employment

To return to the labour market is easier for those who do some paid work while taking childcare leave. Paid employment has always been allowed for parents taking leave (GYES), but only up to four hours a day averaged over a month. However, only 7-8 per cent of leave takers have used this option.

In 2005, two-thirds of those who did not work while taking childcare leave justified it by saying that they would prefer devoting all their time to their children; 13 per cent wanted to work but they had no one to look after their children; and 12 per cent could not find appropriate jobs. It was also mentioned by parents on leave that, given what they would earn in part-

time jobs, they could not afford to use services to look after their children or it would not be worthwhile financially to do so.

More than half (55 per cent) of mothers taking childcare leave said they would find it hard to reconcile work with family life, if they were to be (re)employed. Most said this was because of having no one to look after their children, or other family reasons. Women on childcare leave consider the main problem to be the lack of *bölcsőde*, nurseries, especially in rural areas. Even if there are childcare services, they do not really help women to become employed because their opening hours are not compatible with the working hours of possible jobs. The lack of flexible working time and part-time jobs is also a barrier to mothers with small children taking up paid work.

There are some new measures to encourage women to return into the labour market. Since the beginning of 2006, full-time work has been allowed alongside receiving childcare benefit, which can be used to cover the cost of childcare services. *START plus* was introduced in the summer of 2007. This is a labour market scheme that subsidises an employer hiring parents returning to work from childcare leave. The subvention is in the form of a reduction of social insurance contribution during the first and second years of the employment.

1.1.4

The Czech Republic: discussant comments

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As regards the history of leave systems and childcare facilities we can say that both states (the Czech Republic and Hungary) have been sharing the same developments and the same experiences since the 1950s up to now (Kocourková, 2002).

Nurseries – childcare services for children under three years of age – started to be developed in the late 1950s and 1960s as an employment-related measure. The aim was to support the increase in female labour force participation. However, in the 1960s a sharp drop in fertility occurred in both countries. Consequently, the main question on the political agenda became how to encourage women to have more children. Introduction of so-called ‘childcare leave’ – in effect, an extended maternity leave – came next

In fact, the idea of paid extended Maternity leave originated in Czechoslovakia, but was taken up first by Hungarian politicians. I have learnt from my older colleagues that at that time experts from Hungary came to Prague to discuss the problem of low fertility. Our experts told them about the intention of the Czechoslovak government to extend maternity leave. However, due to the political crisis in Czechoslovakia, introduction of this measure was postponed until 1970. Hungary introduced childcare leave earlier, in 1967.

Since the beginning of the 1990s, and the transition from communism to a democratic and capitalist regime, greater emphasis has been put on reform of the leave systems, above all to allow women with very young children to stay at home as long as possible. The number of nurseries has dropped substantially in both states. Nowadays, there are not enough nursery places for children under three years.

And now I will go back to the question: The three-year leave period – too long or not? In my view the real problem is not the length of the Parental

leave. Rather, it is the fact that in most cases there is no other possibility for women with children under three other than to stay at home to care for children.

As the results of many surveys show, in both states there is a strong preference for young children being raised at home. Women try to adapt to such public opinion. They are aware of the fact that having a child means giving up their professional careers for quite a long time; so they are forced to make a choice between motherhood and career. The result is low fertility. This choice is more difficult for women with higher education or higher income. They are forced to postpone having children to a greater extent than women with low income who do not lose much when they are on leave for three years.

The solution seems to be not to force women to make the choice but to facilitate them to have both, an appropriate job and a family. To make choice available for all women means that both the leave system and childcare facilities need to be developed.

If we look at the typology that was proposed by Karin Wall at the 2006 network seminar in Lisbon (Wall, 2007), Hungary has a system similar not only to the Czech Republic but to Germany as well (or at least until the recent major reforms in the German system). This model is called 'The long leave mother home-centred policy model'. Recently Germany has faced substantial changes in Parental leave system. Since the beginning of 2007, the first year of Parental leave was made financially more favourable as the parental benefit was increased and related to previous earnings. At the same time, more attention is being paid to the availability of childcare facilities in Germany.

Currently, similar changes have been occurring in the Czech Republic. In the last year there is a new right-wing-oriented government, and a reform of the family policy system was approved by the Czech Parliament in 2007. The aim of this reform is to encourage parents (particularly women) to go back to work before the end of the three years of parental leave. A so-called 'three-speed parental leave' system will be established next year. Parents will have to choose whether they take a two-year parental leave with higher financial compensation, a three-year parental leave with standard financial compensation or a four-year parental leave with lower financial compensation. Moreover, the aim of the new Czech government is to promote alternative forms of care for children.

Current changes in Germany and in the Czech Republic indicate that the 'long leave model' in its present shape is not sustainable. It is time to transform this model to one much better able to meet the needs of younger generations. What direction should the necessary transformation take? To make choice more available: to allow parents to choose between caring for very young children at home or to place them in childcare

facilities. After one or two years of well-paid Parental leave, a low, flat-rate payment for the rest of the three years should be kept. The system of childcare facilities should be developed so that parents who finish the well-paid leave can choose whether to take the rest of the low paid leave or to use services. Such a system comes near to Wall's 'parental choice orientated' model. Shortening of Parental leave and putting the preference on services seems to be less acceptable. This model is strongly based on the promotion of gender equality both in work and family, which can hardly be seen in reality in Hungary, the Czech Republic or Germany.

For the time being the question 'how to change the Parental leave system and how and which childcare services should be supported by the state?' is very high on the political agenda in the Czech Republic. On 16 October 2007 I participated in a panel discussion at the Czech national seminar 'Parental leave or parental work?', in Prague, where the present European Commissioner with responsibility for Employment and Social Affairs, V. Špidla, took part. He presented his opinion that we should take Iceland as an example to inspire: one-third of Parental leave is for the mother, on third for the father and one-third for the parents to choose. He stressed the point that after the introduction of the same quotas for mothers and fathers, the take-up rate has increased enormously.

But how to introduce a father's quota when a three year Parental leave has already been effective for some time and used almost only by mothers? Should we take away one year of Parental leave used by women so far and give it only to men? Is it realistic?

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1.1.5

Slovenia: discussant comments

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The mother's role: family versus employment

For more than 50 years, Slovenia has been a country with a high female employment rate. This is not only due to the professional aspirations of Slovenian women, but has also to do with the financial need; two incomes are still needed for a decent standard of living in a three- or a four-member family, so women are motivated to enter the labour market and not to leave it after childbirth. In the second quarter of 2006, the total female economic activity rate stood at 54 per cent; it was 68 per cent for women aged 15 to 64 years and as much as 90.5 per cent for women aged 25 to 49 years (Svetin, Katja and Divjak, 2007). The corresponding employment rates were 51 per cent, 63 per cent and 84 per cent, the last figure indicating that usually both parents work in families with young children. This is very different from the developments and current situation in Hungary, where the female employment rate decreased considerably in the pre-transition period, and has remained low compared with both the male employment rate in the country and the female employment rate in other EU member states (see the article above by Mária Frey).

Another important feature of female employment in Slovenia is that the majority of women are employed full time; only 11 per cent of women work part time; typically, after parental leave, women continue to work full time, surely related to the short length of leave (one year). It is true that part-time jobs are not widely available in Slovenia (like in Hungary). But only 9 per cent of all persons employed full time wish to work part time, while 59 per cent of those who work part time would rather work full time (Remec, 2005).

In 2003, 85 per cent of women aged 20 to 49 years with children below 12 years of age were employed for more than 30 hours a week (the highest proportion in the European Union), compared with just one in two Hungarian women (SORS, 2006). In Hungary, the differences between employment rates for women with different numbers of children below 12 years of age were the highest in the EU: from 60 per cent for mothers with one child to only 13 per cent for mothers with three or more children. The differences in employment rates were negligible in Slovenia: 86 per cent for mothers with one child and 82 per cent for mothers with three or more children below 12 years of age. In 2000, according to the Population Policy Acceptance (henceforth: PPA2) survey, approximately half of the women aged 20 to 49 years perceived motherhood combined with full-time employment as an ideal option for them; about a third would have preferred part-time employment (Stropnik, 2001). Reconciliation of work and family responsibilities is eased in Slovenia by the possibility to vary the start and end of their working day, for family reasons, by at least one hour, which is available to more than half of those (aged 15 to 64 years) in employment (Svetin, 2006). Of course, much more flexibility is needed, but the current trend is promising.

In the Slovenian Public Opinion Surveys conducted in the 1990s one can observe a continuous decrease in the proportion of those who agreed with the statement that the husband should earn money while the wife should take care of the household and family: from 40 per cent in 1991 to 30 per cent in 1998 (Toš, 1999). It should be noted that these still relatively high proportions reflect people's attitudes rather than their actual practice, influenced by numerous constraints. Generally, in Slovenia, the mother's right to employment has never been seriously questioned, though it is true that the religious and right-wing political parties (influenced by the Catholic Church) call for women to fulfil their 'natural' role, and argue that a woman's employment should not prevent a couple from having as many children as they wish to have.⁶ In their view, if there is incompatibility between employment and motherhood, and a choice has to be made, women should opt for the latter.

In today's Slovenian society, young women perceive (potential) motherhood as a drawback in the labour market. Although it is explicitly forbidden by the Employment Relationships Act, cases have been reported where employers insisted that certain employees sign an undated

⁶ Religion influences the desired number of children through the value system it helps create (Josipovič, 2004). The census data show higher, though also decreasing, completed fertility in the 1927-1966 cohorts of women for those who declared themselves as religious (particularly Muslims and Catholics) as compared with the non-religious. In the 1962-1966 cohorts, the completed fertility of the declared Catholics was 23 per cent higher than that of atheists, but starting with the cohorts born in the early 1950s it has also been below replacement level (Šircelj, 2006).

resignation before the employment contract becomes effective, to be used as the basis for the termination of the employment contract in case the employed woman gets pregnant.

Since almost all young women today are included in higher secondary education, it may be expected that women in Slovenia will remain highly attached to the labour market. Reconciliation measures will have to be further developed in order to prevent negative impacts on children and family life as a whole.

Employment of women on childcare leave

In Slovenia, Parental leave may be taken as 520 days of a half-time leave combined with part-time work (half of the normal working hours per day). However, less than 1 per cent of mothers/parents use this option. This is due to a shortage of part-time jobs, the need for two full-time earnings, availability and affordability of quality childcare, and/or the wish of women to fully resume their professional lives once their child is one year old.

In the 2000 PPA2 survey, a full-time leave was selected as the most preferred type of Parental leave by as many as 82 per cent of the respondents aged 20 to 49 years (by relatively more women than men) (Stropnik and Sambt, 2005: Table 3). This indicates the perceived importance of a parent's full-time presence in the first year of their child's life. Half-time leave was most preferred by only 12 per cent of respondents, while 7 per cent opted for a flexible leave.

The 2000 PPA2 survey identified that the most favoured theoretical mode of taking Parental leave was one year of full-time leave followed by two years of part-time leave combined with part-time employment (Stropnik, 2001: Table 2.5). This option was implemented in 2003. In fact, leave was not formally extended but rather the possibility of part-time employment was offered following one year of Parental leave, with the social security contributions for the non-working hours being paid from the state budget (based on the minimum wage). Such an arrangement enables parents on a prolonged leave to keep contact with their companies, jobs and professions. Thus, unlike a longer full-time leave, it does not threaten their employment. However, it does not have a considerable impact on future pensions either. In spite of its many advantages, this option is used only rarely.

Should the Parental leave be extended in Slovenia?

In the mid-1990s the conservative political parties proposed an extension of Parental leave until a child's second or even third birthday. Although many welcomed this idea, the opponents pointed to the related risks: unequal opportunities for sexes in the labour market, as

Parental leave was taken by less than 1 per cent of fathers, organisational problems for employers (obliged to guarantee the return to a former job), budgetary constraints, worsening of the financial situation of young families, etc.

The Hungarian example proves that the fear of interrupted female professional careers due to long childcare leave – clearly expressed by the centre-left political parties in Slovenia during the debate on the extension of Parental leave to two or three years – is well founded. In 2005 in Hungary, more than a quarter of formerly employed women were not able to return to their former employers after childcare leave because their employers did not want to re-employ them (see the article above by Mária Frey). The chance to return to a former job was strongly correlated with the length of absence from work. It should be noted here that, according to the Hungarian legislation, the return to a former job after childcare leave is guaranteed up to three years after giving birth.

Economic analysis of the possibility of extended Parental leave in Slovenia (Stropnik, 1996) estimated a high additional burden for the state budget if the earnings compensation remained at 100 per cent. If it did not, only the better-off would be able to benefit from a new scheme; others would not be able to afford it (i.e. to forego earnings). It is true, however, that one of the consequences would be a lower need for organised childcare, resulting in savings in the budgets of local communities.

A decade-long polarisation between the advocates of longer Parental leave and those who have warned about the traps related to it – in particular its adverse impact on employment and professional careers of women – was reflected in the results of the Slovenian 2000 PPA2 survey. About a half (56 per cent) of the respondents aged 20 to 49 years considered Parental leave lasting one year to be long enough, while 43 per cent considered it too short (Stropnik, Sambt and Kocourková, 2008). As could be expected, the former option was strongly supported by those in the age group when one is seriously planning a family (25 to 39 year olds), but also by respondents from the lowest income group.

Considering that Parental leave conditions in Slovenia are very favourable compared with most other EU member states, it was surprising to see that in the PPA2 survey more than a quarter of the respondents aged 20 to 49 (26 per cent) selected an improvement in Parental leave as their first priority for family policy measures to be implemented by the government (Stropnik and Sambt, 2005: Table 6). It is possible, though, that when expressing their wish for a longer Parental leave, people did not always consider that the compensation rate might be lower than 100 per cent or even only a flat-rate. We argue that, if faced with a lower benefit during an extended part of Parental leave, many would choose to return to work before the end of the total leave period. Consequently, more reliable information on people's possible choices could have been obtained only by

asking very specific questions regarding the length of the Parental leave in combination with the benefit level.

Childcare arrangement preferences

According to the paper by Marta Korintus (see 1.1.1 above), in the 2005 Hungarian survey conducted among the population aged 22 to 35 years, the option of the mother staying at home and taking care of a child below three years of age got the score 3.87 on a 4-point scale (the score was 2.68 for the father fulfilling the same task). Childcare at the childcare centre got the score 2.35, with the great majority of the respondents explaining this choice by the need for the mother's earnings (97 per cent) and her fear of losing her job (88 per cent) or breaking her career (61 per cent).

As noted by Mária Frey in her paper, the barriers to resuming work after childcare leave, particularly before the child reaches three years of age, encourage traditional gender roles in Hungary. A certain percentage of the Hungarian women are forced to delay their return to work and use more than one year of the childcare leave because of a relatively low public (i.e. subsidised) provision of childcare for children below the age of three years. Korintus argues in her paper that, in Hungary, the practice of staying at home (on childcare leave) with a child below three years of age rather than using childcare services may be due not only to unavailability of services, but also parent fees for childcare, insufficient knowledge about childcare services and low opinion of existing services. In Slovenia, the average public subsidy amounts to about 70 per cent of the costs of childcare programmes; the cost to parents is means tested. The problem of unsuitable opening hours of childcare centres is shared by the parents in both countries, but the situation has been slowly improving in Slovenia. While in contrast to Hungary, it is generally believed in Slovenia that a quality childcare service is not a bad option for a one-year-old child.

This does not necessarily mean that the majority of Slovenian women do not share the view of the Hungarian women who tend to use three years of childcare leave available to them – that it would be best for children if their mothers stayed at home and cared for them. Quite the opposite is the case: a clear majority (64 per cent) of the respondents (aged 20 to 64 years) in the PPA2 survey agreed that the best childcare is by parents. The attitude that the best childcare is by parents was most frequent among the low educated respondents and those with low incomes; it was also more frequent among respondents sympathising with religion and with right-wing political parties, compared with those sympathising with left-wing political parties and those who claimed that religion did not have an important role in their lives.

Although most parents considered care by parents to be best, even more (68 per cent) disagreed with the statement that children who are in a

childcare centre most of the week have a bigger chance of experiencing problems in later life. This suggests that the preference for parental childcare is not mainly due to concerns about possible long-term negative consequences of non-parental childcare. Only 12 per cent of the respondents expressed such concerns, with a higher proportion among sympathisers with religion and right-wing parties (Stropnik, 2001: Table 2.13).

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1.2.1

Making Fatherhood Visible at Work: Trends in Corporate Support for Fathers Taking Parental leave in Sweden

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Introduction

Parental leave is now a legislated right for fathers in almost every industrialised society. However, there are only a few nations where it has the potential to move corporations towards a supportive culture that promotes work-family integration for men and women, and parents' sharing early childcare. To realise this potential, Parental leave must be a universal, individual, non-transferable right of fathers as well as mothers. Fathers must be encouraged to take leave and employers must be obligated to accommodate such leave. Parental leave must offer job protection, full benefits and substantial wage compensation as symbols of

⁷ The research reported on in this paper has been financed by the Ford Foundation, Indiana University, the Swedish Council for Working Life Research, the Swedish Humanities and Social Science Research Council and the Wettergren Foundation.

its social value and to facilitate use by both parents. Lastly, it must be flexibly administered so parents can take turns, and take leave part and full time (Haas, 2003).

Sweden's Parental leave programme comes the closest to this ideal. Sweden was the first nation to offer fathers paid Parental leave, in 1974. As early as 1977, the National Labour Market Board stated, 'The right for men to take responsibility for their children on the same basis as women must be accepted and encouraged' (Arbetsmarknadsstyrelsen, 1977). Sweden was the second nation (after Norway, in 1995) to provide fathers with non-transferable rights to paid Parental leave. Currently, legislation grants fathers as well as mothers the right to two non-transferable months of leave, paid at 80 per cent of salary up to an income ceiling, that can be taken anytime until a child starts school; couples also have an additional nine highly compensated months of leave to divide up between themselves as they choose (for further information on leave policy in Sweden, see the country note later in this review). The Swedish government has been extraordinarily active in promoting fathers' use of Parental leave since men were extended the right in 1974. According to Klinth (2008), recent publicity efforts promote a more radical shared responsibility of men for childcare (rather than freedom of choice). There is intense international interest in Sweden's Parental leave programme because of its potential to undermine the gendered linkages between family and work and enhance the participation of fathers in childcare.

Despite its potential, the programme has not met the policymaking goal of fathers taking as much Parental leave as mothers. Although most (90 per cent) fathers take Parental leave, in 2007 mothers still took 79 per cent of all days taken (Haas, Chronholm and Hwang, this volume). Most research on the barriers to men taking leave focuses on what keeps *individual men* from taking more leave (Statens Offentliga Utredningar (SOU), 2005). Following the social constructionist perspective on gender, our research has focused instead on the social conditions that discourage *men as a group* from sharing leave more equitably. A gender lens on fatherhood and work emphasizes how men's private choices about how much leave to take are affected by social arrangements over which they have only limited control, such as the traditional organisational culture prevalent in private companies. The purpose of this paper is to report the results of an investigation into levels of corporate support for fathers taking Parental leave in Sweden, organisational factors related to corporate support, and prospects for the future, based on a longitudinal study of large private corporations.

Previous research on corporate support

The influence of the workplace on men's leave taking

Workplaces have traditionally been organised around a work-life model that assumes that the average worker (a man) arrives at work

unencumbered by family responsibilities, so that employers need not offer workers flexibility to give family care (Acker, 1990). While some workplaces have adapted themselves to a workforce that includes mothers, most companies give little consideration to children's relations with fathers and have rendered fatherhood invisible at work (Hojgaard, 1997). For gender equality to be reached, workplace practices must support a 'presumption of shared parenting', whereby fathers are regarded as capable, willing and involved parents, and where both fathers and mothers are responsible for children's development (Russell, James and Watson, 1988). One such workplace practice involves supporting fathers who want to take advantage of legislation that offers them the right to take Parental leave to care for young children. The European Foundation's Establishment Survey on Working Time and Work-Life Balance of companies in 21 countries, conducted in 2004–2005, found that companies were more likely to report fathers taking Parental leave if fathers had a statutory entitlement to leave. They also found that the nation with the highest reported rate for companies having fathers taking leave was Sweden, with 69 per cent (Anxo, Fagan and Smith, 2007).

Several research studies have found that the more support fathers perceive they have at the workplace, the more likely they are to take Parental leave. For example, Smeaton (2006) studied 1,200 UK fathers with children ages 3–15 months and found that fathers were more likely to take Parental leave if they described their employers as 'supportive'. Thompson, Vinter and Young (2005), using the same data set, found that fathers took longer leave when their bosses were perceived to be very supportive. Our 1996 study of 317 fathers in six western Swedish companies discovered that fathers were more likely to take leave when they perceived support from top management and likely to take more days of leave when their work groups were rated as flexible and adaptive (Haas, Allard and Hwang, 2002). Using data on 6,243 new fathers in Stockholm, Bygren and Duvander (2004) found that men took more Parental leave if fathers at their workplace had taken leave in the two preceding years, which the researchers regard as the establishment of a workplace norm for fathers' leave-taking.

It is common for parents to blame fathers' workplaces for why Parental leave is not shared more between mothers and fathers. Lammi-Taskula (2007), analysing survey data involving 3,232 mothers and 1,413 fathers in Finland, found that among couples where the fathers had not taken leave, two-thirds (65 per cent) of mothers and half (49 per cent) of fathers claimed that difficulties arranging things at work was what kept fathers from taking leave. The study by Brandth and Kvande (2001) of 1,600 Norwegian men who became fathers during 1994–1995 found that the most important reason fathers gave for not taking advantage of their non-transferable right to paid Parental leave was that they could not consider taking a leave of absence from their jobs. Research by Rostgaard, Christoffersen and Weise (1999) on 741 Danish parents with

children born between 1984 and 1989 found that about one-fifth of fathers and mothers said the main obstacle to fathers taking leave was that 'the father's work did not allow him to be on Parental leave'. Rost (1999) studied 1,000 German fathers and discovered that concerns about missing work was the second most often cited reason for fathers not taking leave; some fathers feared they would be fired even though the law guaranteed their return to the job while others were afraid they would 'lose touch' with work and miss advancement opportunities.

In 2003, the European Union's Eurobarometer survey asked 16,000 Europeans what they thought would encourage fathers to take Parental leave. The fourth most commonly cited option (of nine), mentioned by 23 per cent, was 'a more open-minded attitude towards Parental leave from superiors and colleagues at work' (European Opinion Research Group, 2004). Of the 15 countries studied, Swedish citizens were more likely than all others to think that more open-minded workplace attitudes would increase acceptance of men's use of Parental leave, with 43 per cent so indicating.

Some recent studies of Swedish parents have also shown that parents blame the father's workplace for fathers not taking more Parental leave. The 2003 study by Josefsson (2007) of 3,164 parents of children born 1993-1999 found that parents claimed that a lack of support at fathers' workplaces was one of the most important reasons for fathers not taking more Parental leave. Elvin-Nowak's (2005) qualitative study of 20 couples found that fathers and mothers considered negative attitudes of employers, managers and co-workers to be one of the main determinants of how much Parental leave fathers took. One thousand parents of children aged 1½ to 3 years interviewed in 2005 reported that negative attitudes at the father's workplace did not have a major impact on their decision-making about which parent took leave, but said instead that a positive attitude from those at the father's workplace would make a difference (SOU, 2005).

It is clear, therefore, that parents in many nations perceive workplace attitudes as a barrier to fathers taking leave. Bekkengen (2002), however, suggests that the impact of Swedish employers' negative attitudes has been overstated. She followed eight Swedish couples from before they had children until both parents were back at work after Parental leave, interviewing employers and co-workers as well as parents. She concluded that men have considerable latitude in asking for leave at the workplace, although it is easier for them to be absent when they work as part of a collective team with co-workers who have similar training than if they have individual competence that is difficult to replace temporarily. Lammi-Taskula (2007) mentions in her discussion of fathers taking leave in Finland that employers may not directly stand in the way of fathers taking leave; fathers themselves may interpret their job situation as not permitting them to take time off. Kvande (2008), considering Norwegian

fathers, agrees: 'There is no need for the employer to control the workers, the control is internalised or embodied in the worker' (84).

Workplace characteristics associated with leave taking

Previous research gives us some clues concerning what organisational characteristics might be associated with fathers taking parental leave. Factors that have received the most attention include organisational size, organisational sector, and extent to which women dominate the organisation.

Size is usually considered important because it is assumed that larger companies have more resources with which to cope with leave taking and are more visible and thus under pressure to seek societal approval by responding to fathers' growing interest in childcare. Larger companies have been found to be more supportive of fathers taking parental leave in research in Australia, the UK and the US (Anxo et al., 2007; Galinsky and Bond, 1998; Smeaton, 2006; Whitehouse, Diamond and Baird, 2007). While one Swedish government study indicated that larger workplaces were more likely to be supportive of fathers taking leave (SOU, 2005), the study by Bygren and Duvander (2006) of couples in Stockholm found that fathers were more likely to take leave in smaller workplaces.

Research studies in Sweden have found that fathers working in the private sector take fewer leave days than fathers in the public sector (Haas, 1992; Lundgren, 2006; SOU, 2005). British fathers are also more likely to report employer support for Parental leave in the public sector than in the private sector (Thompson et al., 2005). Swedish fathers in the public sector usually receive higher wage compensation for taking leave than fathers in the private sector (e.g. 90 per cent vs. 80 per cent), because of collective bargaining agreements. Fathers in the public sector are also more likely to work in women-dominated workplaces, where women's concerns about harmonising work and family life are more likely to be taken into account. Since the Swedish government has been so active in promoting fathers' use of Parental leave, it seems likely that fathers who work for government authorities would be more exposed than fathers in the private sector to educational campaigns designed to persuade them that taking Parental leave is good for children and fathers' own personal development.

The European Foundation study found that companies in the service sector were more likely to support fathers taking Parental leave (Anxo et al., 2007). Some researchers have assumed that women's domination of service jobs is the reason why service companies are supportive of fathers taking leave, while others have speculated that service occupations are characterised by less traditional, more employee-driven work design that includes an element of flexibility in combining work and family roles (Burud and Tumolo, 2004).

Whether women-dominated workplaces are more friendly towards fathers taking Parental leave has not been consistently empirically established. The Danish study by Rostgaard et al. (1999) found that fathers were more likely to take Parental leave in women-dominated workplaces, presumably more accustomed to employees combining work and family life, as did the Finnish study of Lammi-Taskula (2007). However, qualitative research by the Work Changes Gender project in 2001–2004 in six European countries suggested that women-dominated companies were more interested in advocating women's equal employment opportunities than they were in supporting fathers' rights as caregivers (Holter, 2007). In support of this view, the European Foundation study of companies found fathers were more likely to take leave when fathers outnumbered mothers (Anxo et al., 2007).

Another factor that could be related to companies' support of fathers taking Parental leave is business climate. Increased attention has been paid by work-life researchers to establishing the 'business case' for companies' support of family life, describing the positive impact that family-friendly benefits can have on business-related outcomes (Dorio, Bryant and Allen, 2008). However, economic concerns could still discourage companies from supporting fathers taking Parental leave, if such programmes are seen as a drain on company's productivity. A study of US companies showed that the 'business climate' (e.g., need to downsize or cut costs) reduced companies' responsiveness towards families (Galinsky and Bond, 1998).

Study aims

The first major aim of the study reported below is to investigate trends in Swedish companies' support for fathers taking Parental leave. Companies are considered to be supportive of fathers taking Parental leave when: (a) formal policies and support programmes for leave-taking fathers are in place; (b) fathers taking leave experience positive informal support from managers and co-workers; and (c) a large proportion of fathers take their entitlement to leave, helping to establish a workplace norm of fathers taking leave. We focus on the private sector since the rates of taking Parental leave are lower for men in the private than in the public sector. This is the only study we know of that looks over time at levels of corporate support for fathers taking Parental leave. Our analysis permits us to compare results from two company surveys involving the same type of companies in 1993 and 2006.

A second major aim of this study is to investigate which companies are more supportive of fathers taking Parental leave than others, and whether correlates of supportiveness have changed over time. In this regard, we examined non-gendered organisational factors often mentioned as possible determinants of company support for fathers: larger organisational size, being in the service sector, and enjoying a good

business climate. We also investigated the role played by gendered organisational factors that reinforce the separation of work and family life and reproduce men's advantage and dominance in the labour market. Accordingly, we looked at company values aligned with values that are traditionally associated with women and with the private (family) sphere, which we call an 'ethic of caring'. This includes concern for others, sense of social responsibility, and preference for collaborative over competitive interaction.

We analysed organisational characteristics that measure companies' involvement in promoting equal employment opportunity for women: women's share of the workforce, women's share of management, and companies' prioritising women's advancement.

This research offers a unique look into whether or not companies are becoming more supportive of fathers taking Parental leave in a society where there is strong encouragement for leave sharing. Results can also be used to speculate about what the future might be for company support for fathers' use of Parental leave in Sweden.

Study methods

Sample

We conducted mail surveys of large corporations in Sweden in 1993 and again in 2006. From the same information source, we obtained lists of companies to study that were the most profitable companies in Sweden during the year preceding each survey; we reduced this list further by including only companies that had 100 or more employees. A traditional mail survey design was carried out, which involved first mailing Swedish-language surveys to personnel officers, then a reminder letter two weeks later, then another copy of the mail survey with a new cover letter, followed by a phone call to establish eligibility and urge response. In 1993 we received surveys back from 200 companies for an 80 per cent response rate. In 2006 we received surveys back (from a somewhat larger original list) from 244 companies, for a 71 per cent response rate.

Companies ranged in size in 1993 from 103 to 25,000 employees (median=800). In 2006, companies were significantly smaller in size, ranging from 100 to 17,000 workers (median=580). In 1993, 23 per cent of the companies responding to the survey were service-orientated, with 46 per cent in manufacturing and 24 per cent in retail. In 2006, a higher proportion of companies were service-orientated (36 per cent); the same proportion were in manufacturing (45 per cent) and significantly fewer were in retail (19 per cent). At both times, companies tended to have workforces dominated by men. In 1993, 90 per cent of the companies reported workforces that were 61 per cent or more male, while in 2006, 93 per cent reported workforces that were 61 per cent or more male. In

1993, 95 per cent of top managers were men; by 2006, 82 per cent still were.

Measurement techniques

We measured the extent of formal policies and programmes by asking personnel officers if their companies had any of the following six supports in place: a formal decision to support fathers taking leave, record keeping on fathers taking leave, formal programmes to encourage blue-collar and white-collar fathers to take leave (asking about each separately), a group or person designated to encourage fathers to take leave, and whether any man in top management had taken Parental leave. The latter was included as a measure of formal support since a role model taking leave at the highest level sends a strong message about what the company's policy is about fathers and leave taking. We analysed these items separately and also used the six items to create a Formal Support Scale, by adding up how many of these supports each company had.

We measured levels of informal support by asking personnel officers four questions concerning the reaction fathers typically received from their managers and co-workers when they took leave, enquiring about white-collar and blue-collar fathers separately. Reactions were gauged on a five-point scale, ranging from very positive to very negative; responses were then recoded to indicate whether reactions were positive (very positive or somewhat positive) or not. Each item was analysed separately; the responses of all four were added together to develop an Informal Support Scale.

Our last measure of corporate support for fathers was the reported proportion of fathers using Parental leave. This question was asked somewhat differently in the two surveys, reflecting changes in fathers' rights to take leave, but we believe the data from the two years to be comparable. In 1993, companies were asked 'about what per centage' of fathers in their company took leave, picking from among seven categories. In 2006, they were asked what proportion of fathers in their company took their entitlement of non-transferable leave, using six categories. For comparison purposes, both measures were recoded into the same five categories (0 per cent, 1–20 per cent, 21–40 per cent, 41–60 per cent, and 61 per cent+).

A second aim of the study was to investigate which companies were more supportive of fathers taking Parental leave than others. In this regard, we examined whether there was a significant association between formal support, informal support, and fathers' use of leave with non-gendered organisational characteristics, including company size, sector (service vs. manufacturing and retail), and perceived business climate (specifically, how important cost cutting and boosting worker productivity was just now: very important, somewhat important, not very important).

We also looked at the associations between corporate support for fathers taking leave and organisational characteristics associated with the gendered substructure of work organisations. Accordingly, we examined women's share of the workforce and women's share of top management positions, as well as how important respondents reported the company to consider women's advancement in the company to be (very, somewhat or not very important). The fourth gendered organisational characteristic measured was companies' adherence to caring values. A seven-item Ethic of Caring Scale was developed with responses to questions about the extent to which the following were characteristic of the company: taking social responsibility, exhibiting a long-term orientation, collaboration, encouraging employee discussion of policy, taking employees' viewpoints seriously, respecting individual rights, offering employees advancement opportunities, and offering employees good pay and benefits. Higher scores on this measure would indicate that companies are crossing the boundary of separate spheres to incorporate values from the private sphere into the public and to accept some values traditionally associated with women.

Results and discussion

Trends in formal support

Results indicate a dramatic and statistically significant increase in companies' reports of having formal policies and practices to encourage fathers to take Parental leave, between 1993 and 2006 (Table 1.2.1a). This applied to total scores for the Formal Support Scale and for all individual items in the scale. In 1993, the mean score for this scale was only .60 out of 6 (i.e. 10 per cent of the total possible score); by 2006, the mean score was 2.60 (43 per cent of the total possible). In 1993, only 2 per cent of companies reported that they had made a formal decision to encourage fathers to take Parental leave, but by 2006 – in response certainly to legislation in the meantime granting men two non-transferable months of leave – 41 per cent report having made this decision. Other dramatic differences were found in terms of companies' offering of formal programmes to encourage fathers to take leave, which by 2006 was true for almost half the companies (48 per cent). In both years, the strongest sign of formal support for fathers taking leave was the fact that a man in top management had done so. In 1993, about one-third (32 per cent) of companies reported that a man in top management had taken leave; by 2006, almost all (88 per cent) did.

Despite these vast improvements in the number of formal supports for fathers taking leave, results also suggest that there is still a long way to go before most companies in the private sector become strongly supportive of policy-makers' goal of fathers taking half of available Parental leave. By 2006, well over half (59 per cent) of companies had *not* made a formal decision to support men taking Parental leave, which is surprising since legislation clearly indicates that all fathers have the right

to such leave. Moreover, only 14 per cent offered five or more of the six types of support we studied. The aspect of formal support that companies were the least likely to report was a person/group designated to encourage fathers to take leave. Only two per cent of companies reported this in 1993, while only seven per cent reported this in 2006.

The only formal measure reported by a majority of companies in 2006 was having a man in top management take leave. We asked how often men in top management took Parental leave in 2006 (but not in 1993), and only one-third (34 per cent) of companies reported this occurred 'rather often' or 'very often'. Therefore, for most companies, top management is still sending the message that fathers at the top taking Parental leave is not everyday workplace practice.

Progress in companies providing formal support for fathers taking leave appears to have a class bias. While there was a remarkable increase in formal programmes to encourage fathers to take Parental leave, there were still significantly more programmes directed towards white-collar workers than to blue-collar workers. In 2006, only one-third (34 per cent) of companies had formal programmes to encourage blue-collar fathers to take Parental leave, compared with almost half (48 per cent) of companies that had programmes for white-collar fathers.

Trends in informal support

Informal support for fathers taking Parental leave increased significantly between 1993 and 2006, although not as dramatically as formal support did. The average score on the Informal Support Scale was significantly higher in 2006 (mean=1.55, 39 per cent of all possible points) than it was in 1993 (mean=.68, only 17 per cent). Over time, companies reported significantly more positive reactions by co-workers and managers for both blue-collar and white-collar fathers taking leave (Table 1.2.1a).

Still, informal support for fathers taking Parental leave was not widespread. By 2006, positive reactions to fathers taking Parental leave on the part of managers and co-workers were reported by less than half of companies, and only a quarter of companies (26 per cent) reported positive reactions to leave-taking fathers on all four measures of informal support.

Class differences in informal support were somewhat evident in 1993, when co-workers of white-collar fathers were reported to be significantly more supportive of fathers taking leave than blue-collar co-workers. In that same year, managers' reactions to fathers taking leave were not significantly different for white-collar and blue-collar fathers (standing at only 10 per cent for both). By 2006, the class difference in informal support had increased. In 2006, blue-collar fathers received significantly less informal support for taking Parental leave than white-collar fathers did, from both co-workers and managers. Almost half (46 per cent) of

white-collar co-workers were reported as supporting male co-workers' leave, while 39 per cent of blue-collar co-workers were perceived as positive. Over one-third (37 per cent) of managers of white-collar workers were reported to react positively to men taking leave, compared with only 20 per cent of blue-collar managers.

Trends in fathers taking Parental leave

Comparing leave take-up rates for fathers in the two years, we found a statistically significant increase. This was expected since government policy had in the meantime mandated non-transferable leave to fathers (Table 1.2.1a). In 1993, almost three-quarters of companies (72 per cent) indicated that only one in five fathers took leave; by 2006, the proportion of companies with this low rate was down to 42 per cent. In 1993, only 2 per cent of companies said that 61 per cent or more of fathers in their companies took leave; by 2006 this per centage had increased considerably to 15 per cent.

Again, there appears to be quite a distance to go before companies appear receptive to fathers taking leave, based on this measure of corporate supportiveness. Since 90 per cent of fathers took Parental leave in Sweden by 2006, we would expect that almost all companies in 2006 would say that the vast majority of fathers took leave but this was not the case.

Correlations between types of support shown towards fathers

The three measures of company support for fathers taking Parental leave appear to be distinctive aspects of support, not always significantly correlated with one another. For example, in 1993 informal support and formal support were not significantly associated with each other, but each was significantly associated with per centage of fathers who took leave, even controlling for the effects of the other. In 2006, informal support and formal support were significantly intercorrelated with each other, but only formal support was significantly correlated with fathers' use of leave.

Factors related to companies' support for fathers taking Parental leave

a. Non-gendered organisational characteristics. Of the non-gendered organisational characteristics studied, business climate variables were the most significant correlates of corporate support for fathers taking Parental leave, becoming more important over time (Table 1.2.1b). In 1993, companies with the most concerns about raising productivity were the least likely to demonstrate formal support for fathers taking leave; those with the most concerns about cost-cutting were the least likely to provide informal support. In 2006, companies concerned about increasing productivity had lower scores on the formal support scale as well as fewer fathers taking leave, while companies more concerned about cost-cutting reported lower levels of formal and informal support for fathers taking leave.

Improvements in the stability and growth of the national economy have probably helped to increase corporate support for fathers taking leave in Sweden. In 1993, when Sweden was suffering a recession, 80 per cent of companies reported that enhancing productivity was 'very important', while 75 per cent indicated that cost-cutting was very important. By 2006, economic conditions in Sweden were much improved. No company in the 2006 survey indicated that enhancing productivity was 'very important' for their company, although 44 per cent still said cost-cutting was very important. If economic worries in 2006 had remained at the 1993 level we would expect that productivity and cost-cutting priorities would have had a substantial dampening effect on the development of corporate support for fathers taking leave.

Company size was not related to any measure of corporate support in either year, perhaps because our sample excludes companies with less than 100 employees. Service companies were no more likely than manufacturing or other companies to be supportive of fathers taking leave in 1993; by 2006, however, companies in the service sector were significantly more likely than other companies to offer informal support, but not to have more formal support or higher usage rates.

b. Gendered organisational characteristics. Gendered organisational characteristics showed more significant associations with corporate support than non-gendered ones (14 vs. 7 relationships were statistically significant). The gendered variable with the most association with corporate support was the Ethic of Caring Scale. The more companies had adopted values traditionally associated with women and with the private (family) sphere, involving concern for others, the more likely they were to report formal support and fathers' use of leave in both years. In 2006, this scale was also significantly related to the third measure of corporate support, informal support.

The dramatic improvement in corporate support for fathers taking Parental leave in private companies cannot, however, be attributed to a major increase in the extent to which these companies portrayed themselves as adhering to caring values, since average scores on this scale were nearly identical in both surveys – at 3.46 in 1993 and 3.50 in 2006. Furthermore, companies' scores were only slightly on the positive side of the five-point scale for caring. It is unsurprising that caring values are not more dominant in this sample of large private companies. Such values are an important feature of the gendered substructure of organisational culture that is difficult to change in a short period of time. The amount of support companies can show fathers who take leave will likely be limited, however, until a more basic change in organisational culture occurs.

Two other gender-related organisational characteristics also had important associations with corporate support for fathers taking leave: women's

share of the workforce and women's share of management. The higher the proportion of women in the workforce in both years, the more likely companies were to report informal support and fathers' leave use (but not formal support). This result suggests that the presence of women in a company's workforce changes the informal organisational climate for fathers taking leave. However, women's average share of the workforce did not increase between studies (33 per cent in 1993 and 32 per cent in 2006). This suggests that the prospects for more corporate support of fathers taking leave are reduced as long as women are not more integrated into the labour forces of large private companies.

Women's share of management positions was significantly related to fathers' reported leave use in both years, and to formal and informal support as well by 2006. The per centage of women in management significantly increased between the two studies, from an average of only 5 per cent in 1993 to 18 per cent in 2006, which probably helps to explain some of the improvement in corporate support for fathers taking leave. The importance of women's power in work organisations for company support of fathers taking leave is also evident in the result that companies in 2006 that reported prioritising women's advancement in the company were more likely to report formal support of fathers taking leave. Increasing the number of women in positions of power in corporations might have a significant impact on corporate support for fathers taking leave, but there is still a long way to go. Women's share of power in these organisations is far below their representation in the workforce: in 2006, they were on average 32 per cent of the workforce but only 18 per cent of the management of the companies in our survey.

Conclusion

Sweden was the first nation to offer fathers paid Parental leave and has arguably made the most effort to encourage fathers to take leave. It is therefore an interesting setting to study why mothers still take the vast majority of days available. This paper presents results from company surveys conducted in 1993 and 2006, which examined the role of the workplace in fathers taking leave. The companies studied are large and the most profitable in Sweden, exactly where we might expect resistance to fathers taking leave would be the strongest.

Results show that *there has been a dramatic increase in corporate support for fathers taking leave in private Swedish companies*, as measured by the presence of formal policies and practices, the amount of informal support shown by co-workers and managers to men's use of leave, and the increasing rate at which fathers are reported to take leave. The most dramatic increase was found in formal support, which was almost non-existent in 1993. Formal support also turned out to be significantly related to fathers' reported leave use in 2006, while informal support was not.

Institutional theory would predict that Swedish companies have become more supportive of fathers taking Parental leave because their policies and practices are shaped by the larger cultural environment in which they are embedded, which includes prevailing cultural beliefs and values about gender equality and government policies developed to facilitate equality (Goodstein, 1994). Sweden's generous Parental leave policy, which offers high wage compensation and over time has increased fathers' individual entitlement to Parental leave to two months, appears to have been successful in reducing corporate resistance towards fathers taking leave and making fatherhood more visible at work.

Our surveys also make it clear that *the majority of large Swedish companies are still not supportive of fathers taking Parental leave*. The majority have not made a formal decision to support fathers taking leave, implemented special programmes to encourage fathers to take leave, kept records about fathers' leave use or designated someone to encourage fathers to take leave. While the vast majority of companies reported that at least one man in top management had taken Parental leave, this was common in only one-third of companies. The majority of companies in 2006 still reported that co-workers and managers typically did not react positively to fathers who wanted to take leave. Sweden prides itself on providing social benefits on a universal basis, but we found evidence that a social class bias is entering into the implementation of this important social benefit, with blue-collar fathers receiving less formal and informal support in private companies than white-collar fathers do.

Gender theory would predict that progress towards full support of fathers taking Parental leave will be slow, because of the gendered substructure of organisational culture (Ely and Meyerson, 2000; Swanberg, 2004). The cultures of most of these large, successful, private companies remain grounded in beliefs and values that reinforce the separation of work and family life and reproduce men's advantage and dominance in the labour market. Companies which espoused more caring values, traditionally associated with women and the private sphere, were more supportive of fathers taking leave, but companies' average caring level was modest and had not changed in the 13 years between studies. We found that when women were a larger share of the workforce, companies were more supportive of fathers taking leave, but women's average share of the workforce had not changed between 1993 and 2006. Companies were also more supportive of fathers taking leave when they had a larger proportion of female top managers, but women's relative share of the management of these private companies, while growing, was still well below their share of the workforce.

In examining why some companies were more supportive of fathers' leave use than others, we discovered that concern with economic costs has stood in the way of companies offering formal and informal support for fathers taking Parental leave in the past. Economic rationality theory

would predict that companies would facilitate fathers taking Parental leave when it appears to be in their economic interest. To promote profitability, it seems likely that Swedish companies will have to become more father-friendly in the future, in order to recruit and retain a new generation of men who have grown up with the Swedish ideals of gender equality and equal parenthood and who are likely to feel entitled to take Parental leave as much as mothers. Fatherhood may then become more visible in the private sector in Sweden.

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Table 1.2.1a: Extent of Corporate Support for Fathers taking Leave⁸

Per centage of companies reporting	1993 survey (N=200)	2006 survey (N=244)
Formal support for Parental leave:		
Policy decision to support fathers' leave taking	2%	41%
Record keeping on leave taking	19%	40%
Formal programme to encourage blue-collar fathers to take leave ⁹	1%	34%
Formal programme to encourage white-collar fathers to take leave	4%	48%
Group/person designated to encourage fathers to take leave	2%	7%
Leave taking by men in top management	32%	88%
Reported five or more of the six types of formal support	Nil	14%
Informal support for Parental leave:		
Positive reaction by managers when blue-collar men want to take leave	10%	30%
Positive reaction by managers when white-collar men want to take leave	10%	37%
Positive reaction by co-workers when blue-collar men want to take leave	18%	39%
Positive reaction by co-workers when white-collar men want to take leave	26%	46%
All four types of informal support	5%	26%
Fathers' use of Parental leave:		
No fathers took leave	2%	Nil
1-20 per cent of fathers took leave	70%	42%
21-40 per cent of fathers took leave	16%	33%
41-60 per cent of fathers took leave	9%	9%
61 per cent or more of fathers took leave	2%	15%

⁸ All comparisons were statistically significant. We used chi square to evaluate whether the proportions of companies offering the various types of support were significantly different between the two years; also whether companies were more likely to support white-collar fathers than blue-collar fathers. When variation in the data did not meet the conditions for using chi square, z-tests for evaluating differences between proportions were used instead. We used t-tests for comparing means from independent samples to assess whether scale scores were significantly different by year.

⁹ The sample size is reduced for variables concerning blue-collar fathers, since 32 companies in 1993 and 24 companies in 2006 only had white-collar fathers.

Table 1.2.1b: Correlates of Corporate Support for Fathers taking Leave¹⁰

	1993 survey (N=200)			2006 survey (N=244)		
	Formal support scale¹¹	Informal support scale¹²	Fathers' leave use	Formal support scale	Informal support scale	Fathers' leave use
Non-gendered organisational characteristics:						
Company size ¹³	.09	.05	-.07	.05	.06	.00
Company sector (service)	.06	.00	.02	.02	.24*	.08
Cost concerns	.01	-.17*	.11	-.14*	-.11*	-.10
Productivity concerns	-.17*	.02	.04	-.12*	-.07	-.12*
Gendered organisational characteristics:						
Per centage workforce women	.00	.12*	-.14*	.10	.11*	.12*
Per centage management women ¹⁴	.00	.00	.13*	.14*	.16*	.21*
Prioritise women's advancement	.01	.03	.08	.24*	.10	.06
Caring values scale ¹⁵	.24*	.07	.13*	.32*	.12*	.11*

¹⁰ Bivariate (Pearson zero-order) correlations were used to examine the relationship between the three corporate support variables and organisational characteristics, using one-tailed tests of statistical significance. * signifies that result is statistically significant, at $p < .05$, in one-tailed tests.

¹¹ In 1993, the six formal support items did not form a reliable scale, as so few companies reported such support; by 2006 the items had modest reliability (Cronbach's reliability coefficient, $\alpha = .67$). When a company lacked blue-collar workers, their score for white-collar workers was used in computing the scale.

¹² The Informal Support Scale was found to be reliable in both years ($\alpha = .78$ in 1993 and $.89$ in 2006). When a company lacked blue-collar workers, their score for white-collar workers was used in computing the scale.

¹³ Because the responses for company size, number of employees, were extremely skewed, the log of size was used instead.

¹⁴ Because the per centage of women in management was skewed in 1993, the log of this per centage was used in 1993.

¹⁵ Cronbach's alpha for this scale in 1993 was $.77$ and $.69$ in 2006.

1.2.2

Family leave policies and organisational mediation

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Introduction

In many industrially advanced countries, the issue of articulating working life and family/private life is on the political agenda and various measures aimed at facilitation have been instituted such as family-related leave policies. However, these are usually not mandatory, either for the workers or the employers: in other words, the choice to use them or not is often open. Between institutional measures and individual attitudes, there is 'a complex social space of mediation', where we can find several specific fields that influence, more or less, the individual choice of using the measures. In this paper, based on a study in 67 medium or large private companies (profit and non-profit) in Wallonia, we pay attention to 'organisational mediation', meaning how the organisation, as an intermediary social space, influences the take-up of family-related leave. The aim is to study the take-up by workers of various measures, and to verify if there are specific 'organisational attitudes'.

First, we will briefly recall the issue of the articulation of family and working life, then describe the objectives of the study and the method used. We will analyse the take-up of leave entitlements, the availability of supplementary 'extra-legal' measures, the opinions of the managers about the advantages of such family-friendly support measures, and conclude with the presentation of three types of organisational attitudes to the entitlements and other measures.

¹⁶ The author thanks Silvia Giraldo and David Laloy for their help in this analysis.

The work-family issue and organisational mediation

In the first half of the 20th century, female employment decreased (Maruani and Reynaud, 2001: 16–17). Industrial society was progressively built around an 'exclusive' model of work–family articulation centred on the notion of 'father breadwinner – housewife mother'. This model was based on two ideas: the exclusive investment of each member of the family in one of these two spheres – employment and family – and the attribution of the sphere according to sex.¹⁷

In recent years, the increase of women in the labour market, including mothers with young children, has widened the gap between this model and the reality of contemporary life (Méda, 2001). In the same way, the challenge of the ageing population and the unfavourable evolution of the active/inactive ratio, in a context of fighting discriminations, promoting equal opportunity and reinforcing social cohesion, has led to questioning the male breadwinner model, benefitting employment levels of women.

At the present time, the idea that employment and family should not be incompatible, for men and women, is on the agenda. This 'cumulative model' assumes beneficial effects in terms of well-being of adults and children, equal opportunities for men and women, and economic performance. It takes into account the new socio-cultural perspective where each adult, male and female, must have the 'capability' (Sen, 2004) to be a breadwinner and a caregiver. It is also connected to the evolution of increasingly flexible labour markets and to the concept that employment is not only a means of making a living, but also a means of personal fulfilment, and not just a duty towards society (Lalivie d'Epinay, 1994).

Institutional support for work–family articulation is a tool that public authorities can use to encourage this cumulative model. This is the case, for example, for so-called (in Belgium) 'family-related leave', e.g. maternity leave, paternity leave, parental leave, breastfeeding leave, leave for care of seriously ill relatives or for palliative care, and the time credit system that allows a temporary total or partial withdrawal from the labour market without totally breaking the connection. However, this

¹⁷ As historians have shown, better salaries were sought for men so that their wives would not have to work. In 1904, in France, the socialist leader Jean Jaures wrote that 'the salary of the worker, of the breadwinner, should be increased, so that he can earn what is now the family salary' (cited by Tilly and Scott, 2002: 224). According to these authors, the percentage of married women with children under five years in France who were working was approximately 40 per cent in 1850, 30 per cent in 1910, and 20 per cent in 1960 (ibid.: 369). Today in France, the employment level for mothers living in a couple with a child under six years is around 66 per cent (OECD, 2001: 145); in Belgium, it is 71 per cent (ibid.).

should not lead to a belief that passing legislation is sufficient to ensure better articulation; companies (in the broad sense, meaning organisations where there are salaried workers) may mediate between this institutional framework and individual behaviours (European Foundation, 2007).

The company/organisational level is not only important in liberal countries (e.g. Ingram and Simons, 1995; Wood, 1999 ; Thompson, Beauvais and Lyness, 1999 ; Lewis, 2000; Dex and Smith, 2002), where governments hesitate to interfere directly in the work and family spheres, except for making up for the 'failures' of the market or of private solidarity (Beauvais and Dufour, 2003). It matters also in Sweden (Haas, Allard and Hwang, 2002) and in Finland (Salmi, 2003), where the support given by public authorities is strong. It is, therefore, also the organisational level that influences the possibilities for a more harmonious relationship between family and work life. In other words, we may assume that in a given socio-institutional context (e.g. a particular country), work organisations can develop specific relationships with the issue of work/life balance that also affects individual attitudes.

Our research is clearly in the tradition of this work analysing organisational attitudes, and is the first exploration in Wallonia, the French-speaking part of Belgium (Fusulier, Giraldo and Laloy, 2008).

The survey

This paper has two main objectives. First, to assess the take-up of family-related leave and time credit, the availability of company measures and the general opinion of managers about work/family entitlements. With that in mind, we took a 'snapshot' of the use made of the various measures, taking the year 2004 as the reference period. Second, this survey aims at answering the following question: can inter-organisational differences be observed concerning both individual use of rights and the setting up of company family-friendly policies? In other words, in an identical institutional context (i.e. Belgium), do organisations have different 'attitudes'?

A questionnaire was drawn up for a survey of organisations, covering entitlements, opinions about them, as well as details about the organisations.

Institutional supports (in 2004)

In Belgium, numerous measures have been institutionalised, as rights or conventions, aimed at promoting a better articulation of working and family life (Deven and Merla, 2005). The questionnaire concerned all the measures and enquired about their use by employees in the study organisations, during the year 2004. Maternity leave, adoption leave, breastfeeding break, paternity leave, parental leave, leave for care of

seriously ill relatives, as well as time credit and career break systems were each examined (for more details of these statutory entitlements, see the country note for Belgium in this review). For each of these measures, managers were questioned about arrangements made for replacing employees absent on leave.

'Extra-legal' family-friendly policies

Individual organisations can introduce supplementary measures that promote a better conciliation of working and private life – we refer to these measures as 'extra-legal'. Drawing on other studies carried out in various European countries, we identified a range of such measures, mainly working time policies¹⁸ and childcare arrangements¹⁹; but also travel policies, support to employees (e.g. psychological), training and internal information linked to professional and private life articulation, and the employer supplementing the benefit payments for employees taking a family-related leave. The questionnaire allowed other measures to be mentioned, in addition to those specified.

Opinions

The questionnaire had questions about the advantages, benefits and direct or indirect costs of setting up and using the measures. Respondents were also asked their opinion on the impact these could have on productivity, profit margin, absenteeism, workers' satisfaction and workforce turnover.

Describing the organisations

As we wanted to avoid discouraging respondents, we limited our questions about the organisation to size, turnover, sector of activity, etc., and the profile of its workforce – sex, age, status. We added a few questions to allow us to understand respondents' perceptions of the context in which their organisation was situated.

The sample

As our resources were limited, we had to limit the study to certain sectors. We included only employers of more than 100 workers, which assumes the presence of union representatives and a sufficient number of employees for the questions to be relevant. We focused on the private sector, in particular manufacturing, and the care and health sector.

Out of 350 medium and large organisations contacted, 67 questionnaires, completed by personnel managers, could be used. These organisations

¹⁸ E.g. flexitime, teleworking, job-sharing, system of capitalisation of hours by the month or by the year.

¹⁹ E.g. company childcare, childcare cheques, after-school services for school-age children, care during school holidays for school-age children and specific activities for children during holidays.

had about 30,000 employees.²⁰ With this response rate, we do not claim our sample is representative and assume it over-represents organisations that are more open to the issues under study. What counts, from our perspective, is that the sample is sufficiently diverse to reveal possible differentiated organisational relationships, even if we cannot measure their importance in the whole population.

Snapshot of the use of measures

In the whole of our sample of 67 work organisations, 667 men and 415 women had a child born in 2004. The study clearly shows (see Table 1.2.2a) that organisations accommodate institutional supports: 99 per cent of mothers take the whole maternity leave period to which they are entitled and more than 83 per cent of fathers used their statutory entitlement to ten days of paternity leave. But 59 fathers took no paternity leave, 34 in one company in the transport sector. Table 1.2.2a also shows that parental leave is strongly female: women accounted for 83 per cent of instances where this leave was taken.

Do companies have a replacement policy for absent workers? Table 1.2.2b summarises the responses, and should be read as follows: for example, in the 49 companies that had employees taking maternity leave in 2004 and who answered the question, 45.5 per cent of the mothers who took leave were replaced (21 per cent by a person hired for that purpose). Generally, the employee taking leave was more often replaced (either by external hiring or internal replacement) for a maternity leave than for a parental or paternity leave. This may be because maternity leave is planned long in advance (at least six months before the beginning of the leave), is a full-time leave (contrary to parental leave), and lasts longer than paternity leave. As for paternity leave, there is practically no replacement.

'Extra-legal measures'

Analysis of the 17 'extra-legal' measures specified in the questionnaire indicates that some were more widespread than others (see Table 1.2.2c). Thus, 'baby presents' (a money payment or specific gift) were given by 44 organisations. 'Flexitime' as well as the hour capitalisation system were also rather common. In about one-third of organisations, there was a support facility for personnel having difficulties in their private lives, and half the organisations said that there was systematic information available on measures to support work/family articulation.

Only two organisations, both in the care and health sector, had set up a childcare centre. Employers seldom offered additional payments to employees taking family-related leave; for example, only four companies supplemented the income of employees taking parental leave.

²⁰ Three companies did not give data on the number of workers.

We created a new variable that totalled the number of 'extra-legal' measures in each organisation, ranging from 0 to 17.²¹ This gives us the opportunity not only to classify organisations in terms of how far they favour these measures but also to use this variable in a main component analysis. The results show (Table 1.2.2d) that these measures are relatively uncommon in Walloon companies; nearly one-third of the companies do not offer more than two measures, and close to 90 per cent have no more than five. The two organisations with most 'extra-legal' measures only offer nine.

Opinions of human resources managers

Although the present survey aims mainly at establishing a snapshot that is as objective as possible, we also sought the opinions of human resources managers on the value they attach to measures to help employees articulate employment and family life. It should be noted that many respondents have no opinion or simply did not answer the opinion questions. Beyond this fact, Table 1.2.2e shows that positive opinions on the impact of the measures mainly refer to staff satisfaction and decreased absenteeism. Truly negative views are rare.

The costs of the measures (see Table 1.2.2f) were mainly seen as low or non-existent, especially at the economic level; costs in terms of administration or organisational management were more often mentioned. In response to the deliberately very general question, 'Do the measures have advantages?', there was a small majority of positive replies (36 'yes' and 29 'no').

Three organisational attitudes

In order to show the existence of differentiated organisational attitudes, we undertook a main components analysis.²² Our analysis grouped four

²¹ We attributed the same value (or the same weight) to each measure, not taking into account the frequency of the take-up of measure.

²² For each organisation, variables are built to measure the proportion of eligible workers who had used one of the types of leave. If the value of the variable is close to 1, this means that all those eligible for the leave had access to and had taken it; if the value of the variable is close to 0, no one had taken it. Thus, a variable for maternity and paternity leave was made, respectively for mothers and fathers. in 2004 in each company. Parental leave, leave for palliative care and time credit were counted for all the workers. In our analyses, we will consider the limits that such a choice implies, since we know that parental leave, for example, is strongly linked to age and to gender (more women take this leave). One index concerning the 'extra-legal' measures was also constructed. It is made up of the sum of positive answers given for each of the 17 'extra-legal' measures included in the questionnaire (1 point per measure set up). This allows a quick comparison between organisations.

variables concerning the use of statutory leave by eligible members of each company: a) the number of men taking paternity leave in 2004 as a proportion of men having a child; b) the number of workers taking parental leave; c) the number of workers taking palliative care; and d) the number of all workers taking a time credit. We added a variable for the number of 'extra-legal' measures in the company. The maternity leave variable was not included in our model because of the small observed variance in its use, since more than 99 per cent of eligible women take their complete maternity leave (15 weeks). The variable variance concerning palliative care leave and time credits is also quite low but we chose to keep them in our analysis.

Four classes of organisations, representing different relationships to the measures, can be deduced from the analysis. A first class of organisation (N=32) is characterised by a slightly higher than average parental leave use and 'extra-legal' measures. The second class (N=28) is characterised by slightly less use of time credit and parental leave and offer of 'extra-legal' measures. Further analysis shows that the differences between these two groups are due more to the characteristics of their workers (gender and age) than to a more or less favourable organisational attitude. This suggests that use of parental leave in this group of organisations probably depends more on workforce characteristics than organisational attitude.

A third class (N=4) is characterised by a lesser take-up of paternity leave, though our descriptive analysis had led us to define this leave as strongly institutionalised, since more than 90 per cent of the fathers in our sample have taken this leave (and 83 per cent the full entitlement of 10 days).

A fourth class of organisation (N=3) is different from the others because they are particularly in favour of measures that we could call weakly institutionalised: 'extra-legal' supports, but also time credit and palliative care leave.

Although this analysis suffers from limitations due to the small size of the sample and to a definite selection bias, it confirms the hypothesis of a variation in the relationship of organisations to measures offered to promote professional and family life articulation. We can see three groups of organisations, which we call: 1. simply legalist; 2. proactive; 3. reluctant.

Simply legalist

The analysis of the whole sample allows us to identify a very large group of organisations that we could not further divide. We call this group 'simply legalist'. They respond quite uniformly to the socio-institutional pressures, with strong legitimacy for particular legal entitlements. Thus, women who have had a child in 2004 took their maternity leave, fathers took their paternity leave and workers (more often women under 40)

could take parental leave. However, in this majority group, the average is low for 'extra-legal' measures, provided by the organisation as supplements to legal entitlements.

Proactive

'Proactive' organisations differ from the others because they have set up a series of 'extra-legal' supports aimed at promoting articulation between working and family life. For example, they choose to give financial compensation to workers taking statutory leave, to reduce loss of earnings. They have also set up childcare services or created synergies with childcare centres close to the workplace. These are concrete, costly and rare measures in Wallonia. This is why we call them 'proactive'. It is in these organisations that respondents usually gave a positive opinion on the effects of pro-family measures, specifically linked to the satisfaction of the workers.

Reluctant

These organisations are below average, for example in the offer of 'extra-legal' supports and especially take-up of paternity leave, although this leave seems strongly institutionalised. There is a concentration of men who have not taken paternity leave, suggesting an organisational effect. 'Reluctant' may not be the best word, but it gives the idea that in some working environments there is not high use of strongly institutionalised legal leave. A deeper analysis of the organisational dynamics would allow a better understanding of the phenomenon. It is possible that this category is under-represented in our sample, since the organisations that answered our questionnaire were more likely to have a certain sensitivity towards the issue.

Conclusion

This is the first study of its kind in Wallonia, starting from the hypothesis that there is a differentiated organisational attitude towards legal and 'extra-legal' measures that can favour a better articulation between working and family life. The analysis shows no fundamental difference between sectors in terms of organisational attitudes. Potential differences could be explained by the size and composition of the workforce, for example larger and more female in the care and health sector, smaller and mostly male in the manufacturing sector, as well as by specific features of individual sectors, such as the importance of prophylactic removal in the hospitals.

Some measures are strongly institutionalised and widely used. This is the case for maternity and paternity leave, though in some organisations the latter is not always taken and parental leave is still taken more frequently by women than by men. Organisations can also offer 'extra-legal' measures, but they are not widespread, especially if they have a direct financial cost (for example, a childcare centre) or an organisational cost

(for example, teleworking or job-sharing). More common are measures that offer flexible working hours ('flexitime' or 'hour capitalisation'). Information, contact, support and baby presents are relatively frequent, and show the recognition of family life by a great number of employers. The opinion of personnel managers about these entitlements is either uncertain (many did not answer or had no opinion) or rather half-hearted. The advantages are regarded as neither large nor clear.

Although the great majority of organisations could be called 'simply legalist', showing the importance of institutional measures, the statistical analysis showed two other organisational attitudes: a certain 'reluctance' towards work-family measures, and a certain 'proactivity'. This typology is similar to other typologies reported in research in other countries: for instance, the distinction drawn between 'passive opposition', 'conditional support' and 'active support' in Sweden (Haas and Hwang, 1999); or between 'wait-and-see', 'median' and 'innovative' in the Oil Industry in Scotland (McKee, Mauthner and Maclean, 2000).

These kinds of attitude cannot be attributed just to factors such as the institutional context, the size of the organisation or the demographic/gender composition of the workforce. Other conditions may be leading to the reduced take-up of family-related leave, including the organisational culture in a broad sense. It is thus important to better understand this 'organisational mediation'.

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Table 1.2.2a: Number of women and men taking up family-related leave and the number of organisations involved

	Women (N)	Men (N)	Organisations (N)	Organisations (%)
Maternity leave	412 (of which 409 took the legal 15 weeks)	0	49	73
Paternity leave	0	608 (of which 553 took the legal 10 days)	61	91
Parental leave	217	44	46	68
Adoption leave	3	5	8	12
Leave for caring	43	12	25	37
Prophylactic removal	232	0	14	21

Table 1.2.2b: Average replacement rate (without extra hiring) and hiring in the organisation due to maternity, paternity or parental leave²³

	Per cent of Organisations
Replacing employee due to maternity leave (N=49)	45.5
Internal replacement	24.5
Hiring replacement externally	21
Replacing employee due to paternity leave (N=61)	30.5
Internal replacement	26.5
Hiring replacement externally	4
Replacing employee due to parental leave (N=46)	38
Internal replacement	25
Hiring replacement externally	13

²³ Concerning replacements for workers taking leave, there was no information from three companies about maternity leave, three companies about paternity leave and five companies about parental leave.

Table 1.2.2c: Number of organisations providing 'extra-legal' measures

Extra-legal measures supporting the articulation of work and family life		Organisations providing(N)
Working time policies	Flexitime	28
	Teleworking	4
	Job-sharing	7
	Capitalisation of working hours per month	30
	Capitalisation of working hours per year	17
Childcare	Pre-school-age childcare	2
	After school childcare	2
	Childcare during school holidays	2
	Specific activities for children during holidays	2
Travel	Mobility plan	10
Information and training	Systematic information of workers on the measures	32
	Training on professional and family life articulation themes	3
Present for birth of child	Baby present	44
Additional payments	For maternity leave	13
	For breastfeeding leave	4
	For parental leave	4
Support	Support centre for parents with difficulties	22
Others		2

Table 1.2.2d: Cumulative amount of 'extra-legal' measures

Number of measures	Organisations (N)	Organisations (%)	Cumulative %
None	3	4.47	4.47
One	10	14.92	19.39
Two	9	13.43	32.82
Three	12	17.91	50.73
Four	13	19.40	70.13
Five	12	17.92	88.05
Six	5	7.47	95.6
Seven	1	1.49	97
Nine	2	2.98	100.0
Total	53	100.0	

Table 1.2.2e: Opinions of human resources managers on the impact of 'extra-legal' measures on the organisation

Impact on	+ve opinion	+ve and -ve opinion	-ve opinion	No opinion
Absenteeism	13 (19%)	17 (25%)	1 (1%)	36 (54%)
Productivity	6 (9%)	14 (21%)	6 (9%)	41 (61%)
Profits	3 (4%)	16 (24%)	2 (3%)	46 (69%)
Satisfaction	43 (64%)	2 (3%)	0	32 (48%)
Staff turnover	7 (10%)	19 (28%)	4 (6%)	37 (55%)

Table 1.2.2f: Opinions of human resources managers about the cost of the measures

	Significant cost	Low cost	No cost	No answer
Economic level	9 (%)	32 (%)	15 (%)	11 (%)
Administrative level	15 (%)	36 (%)	7 (%)	9 (%)
Organisational level	20 (%)	29 (%)	9 (%)	9 (%)

Table 1.2.2g: Four classes of organisations

Class 1 / 4							
V.TE ST	Proba	Averages General Class		Standard deviation General Class		Characteristic Variables Num. described	IDEN
Class 1 / 4 (Weight = 32.00 N = 32)							
4.76	0.000	0.02	0.01	0.01	0.21	13. parental leave/ workers	CPAR
2.64	0.004	3.97	3.34	1.45	1.84	11. amount of extra-legal measures	EXTR
Class 2 / 4							
V.TE ST	Proba	Averages General Class		Standard deviation General Class		Characteristic Variables Num. described	IDEN
Class 2 / 4 (Weight = 28.00 N = 28)							
2.85	0.002	0.01	0.02	0.01	0.02	13. time credit/workers	CT
4.04	0.000	2.25	3.34	1.24	1.84	11. amount of extra-legal measures	EXTR
4.15	0.000	0.31	0.01	0.00	0.01	13. parental leave/workers	PATE
Class 3 / 4							
V.TE ST	Proba	Averages General Class		Standard deviation General Class		Characteristic Variables Num. described	IDEN
Class 3 / 4 (Weight = 5.00 N = 5)							
7.37	0.000	0.25	0.93	0.22	0.21	10. ratio paternity leave/paternity	PATE
Class 4 / 4							
V.TE ST	Proba	Averages General Class		Standard deviation General Class		Characteristic Variables Num. described	IDEN
Class 4 / 4 (Weight = 3.00 N = 3)							
6.00	0.000	0.01	0.00	0.00	0.00	12. palliative care leave/ workers	CPAL
4.35	0.000	0.08	0.02	0.05	0.02	14. time credit/workers	CT
3.49	0.000	7.00	3.34	2.16	1.84	11. amount of extra-legal measures	EXTR

1.3.1

Making parental leave parental: an overview of policies to increase fathers' use of leave

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Leave for fathers

Initially limited to women, through maternity leave, the evolution of leave policy has given increasing attention to fathers and their rights and responsibilities for the care of young children. Fathers have gradually been recognised as entitled to leave, starting in Sweden in the mid-1970s. First of all, in the evolutionary process, came a 'gender neutral' approach, with a period of leave – 'parental leave' – being made equally available to mothers and fathers, a 'family entitlement' that could be divided as parents chose. Then came the introduction of leave only for fathers, both 'paternity leave', to be taken at or around the time of birth, and individual, non-transferable periods of 'parental leave'. Today, leave is gendered in these three ways: some for mothers only, some for parents to divide up as they choose, and some for fathers only.

Initially, take-up of leave for fathers was low and disappointing; I shall return shortly to the question of take-up. This has led to various measures, intended to stimulate fathers' use of leave. The initial idea was to penalise failure to use; as an individual entitlement, leave could not be transferred by fathers to anyone else, so it was lost if not used (the 'use it or lose it' principle). More recently, a number of countries have introduced

more positive incentives, additional benefits if fathers take leave, in particular a bonus period if a certain amount of the basic period of leave is taken (e.g. Estonia, Finland, Germany, Italy) or extra payments (e.g. Portugal, Basque country in Spain). Most recently, Portugal has made a period of paternity leave obligatory, a legal requirement for men having children.

In some countries, it has long been possible in exceptional circumstances (e.g. serious illness or death) to pass unused periods of maternity leave to fathers. But in the last few years, a number of countries have made such transfers a more general policy, intended to give fathers more access to maternity leave; in other words, leave intended for women can be passed over to their partners without requiring exceptional circumstances. Examples where a general transfer policy has recently been introduced include Portugal, Poland and Spain, while the UK is proposing that up to six months of the very long period of maternity leave – 12 months – should be transferable.

The history of leave policy begins with provision only for women, to protect their health and that of the newborn child. Today, all EU countries have entitlements to maternity leave and parental leave, with minimum standards defined by EU directives; and increasingly, though still not in all countries, there is an entitlement to paternity leave (where there are no EU standards, so far). The latest trend to emerge goes beyond the idea of separate types of leave – maternity, paternity and parental – to a single period of post-natal leave, equally divided between mothers, fathers and parents (to share as they choose). The harbinger of this approach has been Iceland, which recently introduced nine months, high paid (i.e. at 80 per cent of earnings up to a ceiling) 'birth leave' (*faedingarorlof*), three months for the mother, three months for father, and three months for the 'family': as noted in the country note for Iceland in this review, 'the law make no distinction between different types of leave taken by mothers and fathers', though old habits die hard and 'a distinction is made in everyday usage'.

Take-up by fathers

The evidence on take-up of leave by fathers is very clear and documented in the 'take-up' sections of the country notes in this review. Fathers:

- use high paid 'fathers only' leave;
- do **not** use low paid or unpaid Parental leave;
- do **not** use a 'family entitlement' to leave, even if high paid, if there is also a 'father's only' entitlement;

- make only limited use of 'family entitlement' to leave if there is no 'father's only' entitlement, i.e. mothers use most or all of leave that is a 'family entitlement'.

Some examples can illustrate these generalisations (for further details, see Section 3 of the respective country notes). I have already introduced the 3+3+3 leave system in Iceland, which includes three months high paid leave only for fathers. In 2004, fathers took 96 days of leave, mothers 182 days. In other words fathers used the three months specific to them, but made little use of the three months 'family entitlement'; indeed only 17 per cent of fathers used any of this period, compared with 91 per cent of mothers.

Slovenia offers 90 days of paternity leave, 15 days of which are paid at full earnings, the rest at a very low flat-rate; in addition there are 37 weeks Parental leave paid at full earnings, but provided as a 'family' entitlement. The outcome is that two-thirds of fathers, in 2005, took Paternity leave – but the great majority (91 per cent) only took 15 days (i.e. the high paid part of the leave). And while nearly all mothers took the high paid parental leave in 2003, only 2 per cent of fathers did so.

The same pattern is apparent in Denmark, which offers 18 weeks maternity leave, two weeks of paternity leave and 32 weeks of parental leave as a 'family' entitlement', all paid at full earnings (up to a ceiling). On average, in 2002/3, mothers were taking 351 days, fathers just 25, which adds up to paternity leave and only a small portion of parental leave.

This evidence, therefore, points towards the importance of high paid 'fathers only' leave (i.e. with benefit payments equivalent to two-thirds or more of normal earnings²⁴) if leave taking is to become widespread among men and for more than a week or two of paternity leave. Such leave is still either unavailable or very limited. Of the 25 countries included in this review:

- nine have no 'fathers only' leave (Australia, Austria, Czech Republic, Germany, Ireland, Italy, Poland, S.Africa, US);
- one has 'fathers only' leave but not high paid (UK);
- seven have two weeks or less of high paid 'fathers only' leave (Belgium, Canada, excluding Quebec, Denmark, France, Greece, Hungary, Netherlands);

²⁴ This level of payment, two-thirds or more of earnings, is an indicator used by the European Commission in monitoring member states' progress in meeting Employment Guidelines (see European Commission (2008) on page 113).

- five have between 2 and 6 weeks (Estonia, Finland, Portugal, Slovenia and Spain, but also Quebec in Canada); and
- three have two to three months (Norway, Sweden and Iceland).

As noted, Estonia, Finland, Germany, Italy offer an additional 'fathers only' leave, but as a bonus conditional on the father's use of a certain amount of the family element of parental leave.

Five of the countries that have no or very little high paid 'fathers only' leave – Czech Republic, Greece, Hungary, Ireland and the UK – have also introduced (or will do so shortly) an extended maternity leave, lasting more than six months. This form of leave sends a clear signal that women are primarily responsible for very young children.

Some concluding observations

Fathers are receiving a high level of attention, both in leave policy and research. It seems that how leave policy is constructed is of major significance for take-up. Leave constructed in certain ways has little impact, being virtually unused; but constructed in other ways, leave is widely used, with fathers on average taking as much as three months' leave with the recent Icelandic scheme.

This brief review generates a number of questions and observations, which might contribute to discussions about future directions for policy and research:

- How do fathers use leave? Do they, as some claim, take leave only to use it for recreational and other purposes unconnected with caring (e.g. going fishing or hunting)? Or is this a modern-day myth? And do fathers taking short periods of leave, a week or two, use it differently to those taking longer periods, two or three months or more?
- Do ceilings on earnings-related benefit payments act as a greater disincentive for fathers than mothers? Many countries offer high levels of earnings replacement to parents on leave, but many set an upper ceiling for benefits; as fathers often earn more than mothers, this may affect men more than women. But is it a disincentive to some men taking leave?
- How far can high paid 'fathers only' leave policy be pushed? Iceland has introduced a 3+3+3 scheme – and fathers take three months. Can this type of policy be further developed and continue to work? Would a 4+4+4 scheme or a 6+6+6 scheme see fathers routinely take four or six months of leave – or is there a point at which the length of leave period runs into various barriers to take-up? After a certain period, does leave become just too long for many fathers to

countenance? And if so, are these barriers encountered at different lengths of leave in different countries?

- How does the construction of leave policy interact with other possible influences on fathers' take-up? For example, attitudes of mothers, workplace culture and behaviour, wider societal norms? Would a 3+3+3 leave scheme, such as in Iceland, have the same take-up in a non-Nordic country? On the other hand, might this form of leave contribute to changing these other influences? It is argued, for example, that a period of 'father only' leave may make it easier for men to take time away from work by strengthening their hand in challenging workplace culture.
- How does the way leave policies are constructed affect not only take-up, but also the way fathers use leave when they take it? The experience from Iceland, described in the next paper by Gyða Margrét Pétursdóttir and Thorgerdur Einarisdóttir, suggests that while some features of the Icelandic system promote high take-up, other features may reduce the responsibility that fathers actually take for the care of their young children, leaving mothers still shouldering the main responsibility for caring. Put another way, how can leave policies encourage not only take-up of leave but also fathers to be alone on leave with their child so they will be able to get to know the child, to care for it in their own way, and to experience 'slow time' with the child?

But it is also important to see the issue of men taking up leave entitlements in a broader context – as part of a larger process of changing *men's* responsibility for the care and upbringing of children. Back in 1992, the then Council of Ministers agreed a Recommendation on Childcare, which adopted a range of principles and goals to support better reconciliation of employment and family responsibilities, within a gender equality framework. Article 6 of the Recommendation recommends that 'Member States should promote and encourage, with due respect for freedom of the individual, increased participation by men (regarding responsibilities arising from the care and upbringing of children)'.

Viewed in this wider perspective, we can see leave policy as one way to 'promote and encourage' more equal sharing of care and upbringing – but potentially as part of a broader programme focused on men, not just fathers. Other measures might address fathers after early childhood, for example leave for sick children, measures for shorter hours, supporting more participation by fathers in their children's schools and other services; and, equally important, sustained programmes to increase men's employment in children's services, especially early childhood education and care and schools – within Europe, only Norway has a programme of this kind including a national target for men in kindergartens.

Without this broad approach, with a focus on men's relationship with children and their upbringing, more fathers taking leave when they have very young children may still lead to increasingly gendered upbringing of children, as children start earlier and spend longer in services overwhelmingly staffed by women workers.

1.3.2

Making parental leave parental: fathers on leave in Iceland

Gyða Margrét Pétursdóttir and Thorgerdur Einarsdóttir, University of Iceland

The fathers' quota that was introduced in Iceland in 2000 has been a great success, at least in terms of take-up rates as 90 per cent of men use some of their three-month rights (Gíslason, 2007; for further information on take-up, see the country note on Iceland later in this review). Needless to say, we, the authors, are very proud of our government's initiative in leave policy for fathers – introducing a three month period of paid leave only for fathers (the 'father's quota'). But we also have some concerns. A recent newspaper article headed 'Parental leave basis for equality' states that:

Fathers leave increases competitiveness but the leave's effectiveness is clearest when women's wage development and promotion is examined. The Nordic equality ministers, now meeting in Helsinki, believe that the Nordic countries can teach other countries a few things concerning those matters. (*24. stundir [24 hours]*, 16th October 2007, p. 2).

We're not responsible for the condescending tone of the newspaper article – but it might give you some idea about the climate around fathers' leave in Iceland, as a quick discourse analysis reveals. Words and phrases like 'competitiveness' and 'women's wage development' very much resonate with the contemporary Icelandic mindset concerning Parental leave. And believing we have the longest paid leave reserved for fathers makes many people proud, believing we have taken all the necessary steps towards equal rights for men and women, so it is just a matter of time before men and women will be completely equal.

The promise it held

The reason for implementing a fathers' quota in Iceland was not to increase female labour market activity, as it is in some other countries. The employment rate for women is among the highest of the OECD countries and the birthrate is among the highest in Europe (for further details see the country note on Iceland). We need instead to pay more attention to men's labour market activity.

In the commentary that accompanied the Law on Birth and Parental Leave, it was stated that one of the aims of the law was to increase fathers' involvement in caring for their children, to ensure that fathers and their children got to spend some time together (Law on Birth and Parental Leave, 95/6/2000). If we examine men's average weekly working hours from 1991 to 2006 we can see the following:

1991 51.3	1995 50.0	1999 50.4	2003 46.9
1992 50.5	1996 50.6	2000 50.9	2004 47.1
1993 50.0	1997 50.1	2001 49.6	2005 47.8
1994 49.6	1998 49.9	2002 48.8	2006 47.5

As you can see, there has been a slight decrease. It is possible that the leave legislation sped up this process, which began before the leave was introduced. But to be on the safe side we want to add that these numbers, from Statistics Iceland (2007), are based on self-reported hours of work, people's own estimations. We know that more and more people, in the public and private sectors, are on fixed pay contracts – they get paid no overtime but are expected to handle the workload – and that might make some people insensitive to their total working hours, since some of the work is maybe done from home, occasional phone calls and emails, but these are only our reflections and not yet based on empirical evidence.

Meanwhile, the gender pay gap has been constant for 12 years (1994–2006) (Capacent Gallup, 2006). Little is happening about equal pay for men and women, which was also one of the goals of the legislation, as is reflected in the quotation above from the newspaper.

'Popping in and out' of home/work

But what do the people, parents who have been on leave, feel about it? In an attitude survey carried out in 2006 by Bryndís Jónsdóttir (2007), a random sample of parents receiving payments from The Birth Leave Fund from 2001 to 2004 were surveyed over the phone and internet. The response rate was 55 per cent. Among the questions asked were: 'Did you attend to your paid employment while on birth leave?': 35 per cent of the fathers answered 'yes' (17 per cent of mothers). Among fathers of

children born in 2004, when the leave reserved for fathers was three months (the law was implemented in steps), 42 per cent reported that they had attended to their paid employment while on birth leave.

Following that question the fathers were asked what sorts of work-related tasks they were carrying out. The tasks scoring highest included: 'On call for those who were standing in for them' (64 per cent); 'Had the mobile phone turned on and answered work-related calls' (62 per cent); 'Answered work-related emails' (49 per cent); 'Read work emails' (48 per cent). Less common, but reported by a sizeable minority, were: 'Came in to work regularly to observe and to be informed' (31 per cent); 'Attended important meetings at work' (30 per cent); and 'Worked from home on special assignments' (20 per cent). The nature of the work seems to be class related; for example, these activities are not reported by manual workers.

As is discussed thoroughly, later in this review, in the country note on Iceland, it is possible to divide the leave period, so that the three months reserved for fathers can be taken in one continuous period or divided into parts. Some fathers stay at home in one continuous period while others, 51 per cent (compared with 8 per cent of mothers), divide their leave; for fathers of children born in 2004 (when leave had reached its maximum three months), the per centage rises to 62 per cent (9 per cent of mothers). They 'pop in' and then they 'pop out', perhaps understandably if we consider that only 13 per cent of fathers (50 per cent of mothers) reported that another employee had been hired temporarily while they were on leave.

The parents were also asked: 'Were you and your spouse ever on leave for the same period?' Three-quarters of mothers and fathers (76 per cent) said 'Yes'. Of those on leave together, 32 per cent were together for 4 weeks, 20 per cent for 11 or 12 weeks.

Men 'pop out' as a way to reconcile work and family life, as our ongoing research project reveals (Pétursdóttir and Einarsdóttir, forthcoming). They have more autonomy at work than women and the nature of their work is such that it is easier for them to find a compromise between work and family life; their role as breadwinners, or their male role, is however a hindrance in that respect. Using this possibility of dividing leave, some 'pop out' for a very short period of time (then return to work before maybe popping out again); they have their mobiles at hand and check their email accounts regularly. Therefore some of the men report taking a month, a couple of weeks or a week here and there, perhaps some weeks around Christmas or around Easter, and a week or two added to their summer vacation.

This seems to be the case revealed in our qualitative research on work and family life (Pétursdóttir and Einarsdóttir, forthcoming), one reason for

this being that fathers want to enjoy their children at various times. Several of the fathers we have interviewed mentioned this. One, for example, said, when asked to describe and elaborate on his leave arrangements: 'to have time with the child at various times'. This could be interpreted along the lines that he sees this as an opportunity to experience the child in different stages of their development; in other words, he sees his role as being that of the secondary caregiver and secondary caregivers usually see their role as that of the main breadwinner and therefore they design their leave around their paid employment. This also leads to the leave being taken when it suits the timetable of the company/workplace.

So are these men cream skimming or losing out on opportunities to build connections to their children? And how do we proceed so leave policy will be in the child's best interest? We believe that is one of the most pressing issues and our main concern since the leave is relatively short, only nine months. Is it the child's best interest to go into day care at six months as mummy and daddy have to go back to work because they have been on leave together for the whole time? And is it the child's best interest if daddy is at home with mummy? Who will then care for the child?

Brandth and Kvande (2003) have pointed out that it is important for fathers to be alone on leave with their child so they will be able to get to know the child, to care for it in their own way, and to experience 'slow time' with the child. But what do parents who have been on leave think? In the attitude survey mentioned above, parents were asked 'do you think that parents should be able to divide the birth leave at their own discretion so that for example one parent can take the whole leave?' Over half (57 per cent) of the men responded with a 'yes' (66 per cent women).

In research conducted in 2002–2003 (Einarsdóttir and Pétursdóttir, 2004; Pétursdóttir, 2004), when the leave had just been introduced, voices were raised about the new leave legislation. Some mothers felt that fathers were receiving greater benefits than they were, that the fathers' leave had resulted in a reduction of their own rights to leave. We think the survey results are the expression of similar concerns: women seem to be the ones shouldering the main responsibility for caring, as the take-up patterns seem to reveal, so they want longer leave. As the leave is designed now it does not encourage men to spend time alone with the child, so it does not guarantee the child time alone with the father.

So what would be the suitable length according to those same parents? They were asked: 'How long to you think that paid birth leave for mothers/fathers should be?' Just over half of men and women (57 and 62 per cent respectively) thought the leave period for mothers should be 12 months, while 19 per cent of both men and women thought 9 months. A third of men and women (37 and 32 per cent respectively) thought the leave period for men should be three months, as it is currently, but similar

proportions (31 and 34 per cent) thought it should be six months. The interesting thing here is that men and women, for the most part, seem to have similar views. They agree that the leave should be longer for mothers.

Reaching the goal of proceeding in the child's best interest

Is law on Parental leave a basis for equality? Law on Parental leave is a good starting point. It is a necessary but not a sufficient condition to ensure gender equality and shared parental responsibility. Hence, the high take-up rates of men are promising – but they may be hiding counteracting mechanisms, strong forces pulling in the opposite direction. To name a few of those, we have individualisation and globalisation, and some have suggested that the effect of those forces is resulting in the loosening up of labour market regulations. There seems to be a certain dualism built in to the breadwinner/male role; being manly *or* being fatherly, serious players *or* family men as Hochschild (1997) suggested.

Our future task involves convincing men to be both workers and fathers without having to compromise their masculinity. There has been very little done to promote and encourage them to do so. In a society driven by people, men in particular, who almost seem to justify their existence by referring to their long working hours, men need to be informed about the child's best interest and about rights and accompanying responsibilities. We need to convince men that there is something in it for them that would also be in the child's best interest.

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Section 2:

Country notes on leave policies and research

2.1

Introduction to country notes

Peter Moss

Introduction

This section of the report sets out information on leave policy and research in 25 countries:

- Australia
- Austria
- Belgium
- Canada
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Iceland
- Ireland
- Italy
- Norway
- Poland
- Portugal
- Slovenia
- South Africa
- Spain
- Sweden
- The Netherlands
- United Kingdom
- United States

Most of these countries (19) are member states of the European Union. This affiliation is significant in considering leave policy since the European Union has set minimum standards for maternity and parental leave and leave for urgent family reasons (through Council Directive 92/85/EEC of 19th October 1992 on measures to encourage improvements in the safety and health of pregnant workers and workers who have recently given birth or are breastfeeding; and Council Directive 96/34/EC of 3rd June 1996 which gives legal effect to a framework agreement on Parental leave agreed by social partners in 1995). In effect, therefore, minimum standards for leave policy for these countries are determined by a supra-national body.

For the remaining six countries in this section, policy is purely a national competence. These include two Nordic countries that are not EU member states (Iceland and Norway); two North American countries (Canada and the United States); Australia; and (for the first time) an African country, South Africa.

Each country note begins with basic information – on demography, employment, gender equality and early childhood services – set out in a boxed section. More information on the indicators and sources used is given in an annex at the end of this introduction, immediately before the first country note.

Each country note is organised under four headings. First, details are provided of **policy for four main types of leave** – maternity, paternity, parental and care for sick dependants (covering biological and adoptive parents) – as well as in the related area of **flexible working** (i.e. are parents entitled to work reduced hours or otherwise adapt their work to meet their needs?). This includes what is termed 'childcare leave or career breaks'. The former is leave for parents following the end of Parental leave, and may not in practice be very different to Parental leave (although the conditions attached to the two types of leave may vary, see for example Finland or Norway); the latter, not common, is leave available for a wider range of reasons than the provision of care. This section focuses on statutory entitlements, although collective agreements or individual employment policies may supplement these basic entitlements for certain groups and the extent of this supplementation varies from country to country (for a fuller discussion of supplementation, see EIRO, 2004). The situation for each type of leave has been set out under a number of standard headings.

The government department responsible for leave in each country is given in this first section of each country note. Where a government chooses to locate leave policy is significant since different departments have different perspectives, rationalities and objectives. Location of policy may also have implications for the degree of coherence between leave and other policy

areas. In most countries, leave policy is located either within departments concerned with employment matters and/or the regulation of business; or within departments concerned with social and/or family affairs. One exception is Ireland where responsibility is with the Department of Justice, Equality and Law Reform.

Often, in fact, there are two departments involved, one responsible for the leave itself, the other for benefit payments. For example, in the United Kingdom, the Department of Trade and Industry has the brief for Maternity, Paternity and Parental leave and the right to request flexible working, while the Department for Work and Pensions is responsible for maternity and paternity pay (Parental leave is unpaid). In these cases, the country note refers only to the department responsible for leave policy.

The next two headings cover: ***changes in leave policy since 2005 and proposals for future change*** currently under discussion; and information on ***take-up of various forms of leave***. The concluding heading in each country note provides information on selected ***publications about leave policy since 2005 and ongoing research projects***. Readers interested in changes in leave policy and publications between 2000 and 2005 are referred to the 2006 and 2007 International Review.

Country notes have been prepared by members of the network on leave policy and research, and edited by the coordinators in collaboration with the original authors. The selection of countries included in this section, therefore, reflects the availability of network members prepared to contribute the required information. The countries covered do not include all member states of the European Union or of OECD, and this review should be seen as complementing other reviews. In particular, we would draw the reader's attention to recent reports from the European Industrial Relations Observatory (2004), the Council of Europe (Drew, 2005) and OECD (2006).

Reviewing the country notes

Demographic and economic indicators

Seven of the 25 countries are federal states (Australia, Austria, Belgium, Canada, Germany, South Africa and the United States). In some cases, this has implications for leave policies, with the constituent states or provinces having the possibility to supplement national legislation. This is most striking in Canada, where provinces and territories have their own legislation for leave policy, with ensuing variations in length and eligibility conditions, though payment to parents on leave has been the responsibility of the federal government. From 2006, however, complete responsibility for leave policy, including funding, has been transferred to the province of Québec from the federal government. In addition, various

regional governments (Autonomous Communities) in Spain have implemented additional entitlements; while some local authorities in Finland pay supplements to the national benefit for parents using 'home care leave'.

Demographic, economic, employment and gender background

The 25 countries vary widely in terms of population: from Estonia with 1.4 million people to the United States with 300 million. The *fertility rate* in South Africa is 2.8; otherwise no country reaches the replacement level of 2.1, Iceland, Ireland and the United States coming closest with 2. Fertility rates are particularly low (below 1.5) in the five Central and Eastern European countries, Germany, Greece, Italy and Spain. *National income* is highest in the four English-speaking countries (Australia, Canada, Ireland and the United States) and two of the Nordic countries (Denmark and Iceland), lowest in the five Central and Eastern European countries, Portugal and Greece, and South Africa.

Countries with high *female economic activity* rates (i.e. where these rates are 80 per cent or more of men's) include the five Nordic states, two of the Central and Eastern European states (Estonia and Slovenia) and four of the English-speaking liberal economies: Australia, Canada, the United States and the United Kingdom. On this measure, women's employment rates are low (less than 70 per cent of men's) in Italy, Greece, South Africa and Spain. The three European countries also have large *gender gaps*, comparing full-time equivalent employment rates between men and women, the difference being more than 25 per centage points. The Netherlands and Ireland also fall into this category, in the first case at least because of very high part-time employment rates among women.

Part-time employment is also particularly high among women (40 per cent or more) in Belgium, Germany, Norway, Sweden and the UK. It is relatively low (below 15 per cent) in all five Central and Eastern European countries and Greece, and also among men where the Netherlands is again distinctive for having, by far, the highest part-time employment rate (23 per cent).

Employment rates for women with children under 12 years of age are highest for the two Nordic countries for which data is available (Denmark and Finland), and for Portugal and Slovenia. The lowest rates (under 60 per cent) are found in three of the other Central and Eastern European countries (the Czech Republic, Hungary and Poland), as well as in three Southern European countries, Greece, Italy and Spain: there are very large differences between neighbouring countries such as Portugal and Spain and Hungary and Slovenia. In considering this data on maternal employment, it is important to consider the extent of women's part-time employment. For example, Finland and the Netherlands have very similar overall employment rates for women with children under 12 years – but part-time employment is much lower in the former country.

For most EU member states included in the review, *the impact of parenthood on employment* is assessed by comparing the employment rates for men and women aged 20 to 50 with a young child (under six years) and similarly aged men and women with no children. The general pattern is that men with young children work rather more than men without, the difference being between 5 and 17 per centage points. For women, the opposite is generally the case. In only two of the countries where data is available – Portugal and Slovenia – do women with children have a higher employment rate than those without. Much more common is for women without children to have higher employment rates.

However, the size of the difference varies considerably: it is lowest in Belgium, Denmark and Greece (less than five per centage points); and highest in Estonia, Germany, Ireland, Hungary and the United Kingdom (more than 18 per centage points). A small difference may mean that women, whether with or without children, have high employment rates (as in Denmark) or that both have low employment rates (as in Greece). A large difference reflects the impact of children on employment; in most cases, this is related to long periods of Maternity or Parental leave.

Taken overall, the Nordic countries have the highest rankings on the indices for *gender development and empowerment*, the Southern European and Central and Eastern European countries the lowest

Finally, the information on *early childhood education and care services* has to be compared and interpreted with particular caution. The access rates do not, for example, indicate the hours offered by services nor, indeed, what parents pay (if anything); these, and other details of services, vary considerably between countries. However, three broad conclusions can be drawn. First, that in most countries provision for children under three years falls far behind that for children from three years to compulsory school age; in some cases this reflects an underdevelopment of services, while in others (for example the Czech Republic or Poland) it reflects official policy to prioritise parental (in effect, maternal) care through policies such as Parental leave. Second, the Nordic countries have by far the highest levels of provision for children under three years, with all except Iceland now providing a general entitlement to provision either from birth (Finland) or from around 12 months of age, running through to compulsory school age; moreover, access is to services that generally offer full-time hours (i.e. for at least eight hours a day). Thirdly, most countries, at least in Europe, now provide near universal access to provision for children from three years of age until compulsory school age, in some cases stated as a legal entitlement; in many cases, however, this access is to a service available only for part-time hours (i.e. equivalent to school hours or less).

Current leave and other employment-related policies to support parents

Overview

Tables 2.1.1 and 2.1.2, at the end of this introduction, provide summaries of leave policy in the 25 countries covered in this report. A more concise overview can be provided by showing, for each country, the number of months of leave (Maternity, Paternity and Parental) with benefits replacing two-thirds or more of earnings²⁵ – an indicator used by the European Commission in monitoring member states' progress in meeting Employment Guidelines (European Commission, 2008: Table 18.M3):

Australia	0
Canada	0 (Québec – 14.5)*
South Africa	0
US	0
UK	1.5
Austria	4
Belgium	4*
France	4*
Greece	4
Netherlands	4*
Poland	4
Spain	4*
Italy	4.5
Ireland	6*
Portugal	6
Czech Rep	6.5*
Iceland	9*
Finland	11*
Denmark	12*
Norway	12.5*
Slovenia	12.5*
Sweden	13*
Germany	15*
Estonia	15*
Hungary	25*

On the basis of this indicator, countries can be divided into three groups:

1. Countries providing earnings-related leave (at two-thirds or more replacement rate) of nine months or over: the five Nordic countries, three countries from Central and Eastern Europe (Estonia, Hungary

²⁵ Countries that apply a ceiling to the amount of earnings-related payment made to leave-taking parents are indicated with an asterisk; details of where this ceiling has been fixed are given in each country note. In these countries, the great majority, a proportion of parents taking leave may not receive two-thirds of their normal earnings, because of the effect of this ceiling.

and Slovenia) and Germany; in addition, the Canadian province of Québec. In all of these cases, the earnings-related leave includes some period of Parental leave.

2. Countries providing four to six months of earnings-related leave, in all cases confined to Maternity leave. Ireland comes in here, although the effect of a ceiling is that the maximum payment is only €232 a week, showing the need to take account of levels of ceilings in assessing the generosity of national schemes.
3. Countries providing less than two months of earnings-related leave: four of the five mainly English-speaking countries (Australia, Canada, United Kingdom, United States). It should be noted that Quebec, which now has responsibility for its own leave policy, is on a par with the top group of countries; the rest of Canada offers up to 50 weeks of earnings-related leave, but at 55 per cent of earnings it falls just below the EC indicator criterion; it also has a rather low ceiling.

Although the rest of this introduction and the individual country notes differentiate between maternity, paternity and parental leave, the distinction between these types of leave is beginning to blur, pointing towards the emergence of a generic parental leave. Some countries (for example, Iceland, Norway and Sweden) have a single period of post-natal leave that does not distinguish between the three different kinds of leave. However, one part of this generic post-natal leave can only be taken by mothers and the remainder only by fathers, with the 'mother's quota' not tied to the period immediately after childbirth (these examples are discussed further below). In other cases (for example, currently in Poland, Portugal and Spain, and proposed for the Czech Republic and the United Kingdom), a part of Maternity leave can be transferred to the father.

Maternity leave

Maternity leave is normally defined as a break from employment related to maternal and infant health and welfare; for this reason it is available only to women and is usually limited to the period just before and after birth. Of our 25 countries, 5 have no statutory maternity leave. In the case of the United States, there is a general 'family and medical leave' that can be used for a range of purposes including as de facto maternity leave (though coverage is not universal, excluding workers in smaller organisations, and there is no benefit payment for leave takers); while in the case of Australia, Iceland, Norway and Sweden,²⁶ leave is available at

²⁶ In Iceland, three months of the statutory leave period is reserved for women, three months for men and three months for the parents to divide as they choose; women may use one month of their quota before birth. In Norway, nine weeks of the statutory leave period is reserved for women and six weeks for men. In Sweden, there is no general leave for women before birth, but pregnant women

this time but is not restricted to women, being subsumed into parental leave. However, while leave is paid at a high level in Iceland, Norway and Sweden, it is unpaid in Australia and the United States (which are the only two industrial countries to make no provision for paid leave for most or all women at and around childbirth).

In countries with a specific period of maternity leave, the period is mostly between 14 and 20 weeks, with earnings-related payment (between 70 and 100 per cent) throughout; in some cases, leave may be extended where there are multiple births. The amount of time that can or must be taken before birth varies.

There are five main exceptions. In South Africa, payment is between 31 and 59 per cent of earnings and confined to employees eligible for the Unemployment Insurance Fund. The other four countries all have extended maternity leave. Maternity leave in the Czech Republic is 28 weeks, in Ireland 42 weeks and in the UK 52 weeks. In the last two countries leave is not paid for the full period: in Ireland, earnings-related payments, though only up to a relatively low ceiling, are paid for 26 weeks, the remaining 16 weeks being unpaid; while in the UK, earnings-related payments last for 6 weeks, with a further 33 weeks of benefit payment at a flat-rate, leaving the remaining 13 weeks of Additional Maternity Leave unpaid. Maternity leave in Hungary is 24 weeks (with earnings-related payment throughout), while part of one type of Parental leave (GYED) can only be taken by the mother (or a single father) until the child is 12 months old – in effect an extended maternity leave. A period of extended Maternity leave, adding six months to the existing five months, is also about to be implemented for private sector workers in Greece.

There is not much flexibility in Maternity leave, indeed taking leave is obligatory in some countries (e.g. Germany and Italy). Where it occurs, flexibility mainly takes the form of some choice about when women can start to take leave and how much time they take before and after birth. Poland, Portugal and Spain, however, have introduced another dimension of flexibility: mothers may transfer or share part of the leave period with fathers as a matter of course, i.e. without exceptional circumstances such as serious illness applying. Portuguese mothers may also choose between two periods of leave, one shorter but paid at 100 per cent of earnings, the other longer but paid at 80 per cent. Maternity leave can be transferred to fathers in some other countries, but only in certain extreme circumstances (such as death or severe illness).

are eligible for a period of paid leave at this time if they work in jobs considered injurious or involving risk to the foetus.

Paternity leave

Like Maternity leave, paternity leave is by definition only available to one parent – in this case the father. Paternity leave usually refers to an entitlement to take a short period of leave immediately following the birth of a child, often associated with providing help and support to the mother. However, parental leave in a number of countries includes a period of time that only fathers can take (sometimes referred to as a 'father's quota'). The distinction between Paternity leave and father-only parental leave is therefore blurring, unless the definition of parental leave is restricted to a short period of time immediately after the birth, which is how it is treated in this review.

One example of this complexity arises from a comparison of Iceland, Norway and Sweden. Iceland has introduced a completely reformed leave policy: nine months leave after the birth, three months for mothers, three months for fathers and three months as a family entitlement to be divided between parents as they choose, all paid via the same earnings-related benefit. There is, therefore, no paternity leave per se, but three months of leave are available to fathers to take as and when they choose. Norway, by contrast, has two weeks paternity leave (i.e. to be used at the time of birth) and a further six weeks father's quota, which is a part of the parental leave that only the father can use; most of the parental leave is a family entitlement.²⁷ Sweden also has paternity leave (10 days) and a fathers' quota (60 days) as part of Parental leave.

Another example is Portugal, where there is a five day paternity leave that is, uniquely among the countries considered here, obligatory. In addition, 15 days of the three months parental leave entitlement for men are so-called 'daddy's days', which attract benefit paid at 100 per cent of earnings – but only if taken by the father immediately after the conclusion of paternity leave or maternity leave. So a father can take 20 days fully paid leave, 5 days of which are paternity leave and the remainder parental leave.

On the basis of defining paternity leave as a short period immediately after the birth, 15 of the 25 countries under review have Paternity leave, which (with three exceptions) varies from two to ten days and is usually paid on the same basis as maternity leave. (Iceland is included in the countries without Paternity leave, the three months fathers-only leave

²⁷ To complicate matters further in Norway, the Work Environment Act 2005 (the responsibility of the Ministry of Labour and Social Inclusion), which grants leave but not money, uses the name *svangerskapspermisjon* (pregnancy leave) for the leave before birth, *fødselspermisjon* (birth leave) for the six weeks after and *foreldrepermisjon* (parental leave) for the remaining leave period. However, the Ministry of Children and Equality, which grants the money for leave, refers only to *foreldrepengeperioden* (parental money period) for the payment covering all three types of leave.

being counted as parental leave on the basis that it is not restricted to being taken at or around the time of birth). The exceptions are: Québec (but not the rest of Canada) which offers three to five weeks of leave, depending on the level of benefit taken; Finland, which provides 18 days of paternity leave, with a further 12 'bonus' days for fathers who take the last two weeks of parental leave; and Spain, with a recently introduced 15 days.

Italy allows fathers 12 weeks post-natal 'optional leave', mainly in circumstances where the father is the sole or main carer (e.g. if the mother is dead or severely incapacitated). It is unclear whether this should be considered paternity leave or a variant of schemes where maternity leave can be transferred to fathers in certain conditions.

Parental leave and Childcare leave

Although treated separately in the country notes, these two forms of leave are considered together here, as Childcare leave can usually be taken immediately after parental leave, so creating one continuous period of leave, even if the conditions (such as benefit paid) may not be the same.

All EU member states must provide at least three months parental leave per parent, the Directive setting this standard defining the leave as being 'to enable them to take care of' a child, so distinguishing this leave from maternity leave where the Directive setting standards has been adopted as a health and welfare measure. No payment or flexibility requirements are specified in the EU Parental Leave Directive. Four of the non-EU countries in this overview also provide Parental leave, the exception being the United States (which as already noted only has a generic and unpaid leave, which does not apply to all employees).

In six countries, parents can take additional 'childcare' leave after parental leave finishes. In four cases the leave is unpaid: two weeks per year per parent until a child is 14 in Estonia; three months per year per parent in Iceland until a child is eight years; a year in Norway; and two to three years in Portugal (by contrast, in Estonia, Iceland and Norway Parental leave, preceding Childcare leave, is paid). Parents with three or more children in Hungary can take leave until their youngest child is eight years old, with a flat-rate benefit. Finland is exceptional in that its 'home care' leave is both available to all parents and paid, albeit with a relatively low flat-rate allowance (so blurring the distinction with Parental leave).

Parental leave varies on four main dimensions: length; whether it is an individual or family entitlement; payment; and flexibility. Broadly, countries divide up into those where total continuous leave available, including maternity leave, parental leave and childcare leave, comes to around 9 to 15 months; and those where continuous leave can run for up to three years. In the former camp come Australia, Belgium, Canada, Denmark, Greece, Iceland, Ireland, Italy, Slovenia and the UK. In the

latter camp are the Czech Republic, Estonia, Finland, France, Germany, Hungary, Norway, Poland, Portugal and Spain.

Sweden falls in between. In Sweden, paid leave is expressed in days (to emphasize that it can be taken very flexibly), roughly equivalent to 18 months if taken continuously, while each parent is also entitled to take unpaid leave until a child is 18 months. So too does Austria, with leave lasting until a child's second birthday.

Parental leave is a family entitlement in ten countries, to be divided between parents as they choose (Australia, Austria, Canada, Denmark, Estonia, France, Germany, Hungary, Poland and Spain); an individual entitlement in another ten countries (Belgium, Czech Republic, Greece, Iceland, Ireland, Italy, Portugal, Slovenia, the Netherlands and the United Kingdom); and mixed (part family, part individual entitlement) in three countries (Iceland, Norway and Sweden). It should be noted, however, that countries where leave is an individual entitlements vary in whether unused entitlements can be transferred to a partner (e.g. in Slovenia) or whether entitlements, if not used, are foregone.

A majority of countries (16) provide some element of payment. However, in seven cases (Austria, Belgium, Czech Republic, Estonia, France, Italy and Poland) payment is rather low, being flat-rate or means tested or paid for only part of the leave period, or a combination of these. Only nine countries pay an earnings-related benefit pitched at more than half of normal earnings. Finland combines a relatively high level of earnings-related benefit during parental leave, with a low flat-rate benefit for home care leave which has supplements for users with additional children and lower incomes. In some cases – notably the Czech Republic, France and Poland – parents on leave receive a general 'childrearing' benefit that is paid to all parents with young children, not just confined to those taking leave.

Slovenia has the most generous benefit payments for parental leave – at full earnings with no maximum ceiling (the only country paying an earnings-related benefit for parental leave with no upper limit). Denmark and Norway also pay full earnings, but only up to a maximum ceiling, while most or all of the leave period is paid at 80 per cent of earnings or higher in Iceland and Sweden (again up to a maximum 'ceiling' amount). Hungary, too, is relatively generous, paying a benefit of 70 per cent of earnings to parents on leave until a child's second birthday, then a lower flat-rate payment until the child is three years old.

Flexibility takes a number of forms, including:

- the possibility to use all or part of leave when parents choose until their child reaches a certain age (e.g. Belgium, Germany, Poland, Portugal, Sweden);

- the possibility of taking leave in one continuous block or several shorter blocks (e.g. Estonia, Greece, Iceland, Poland, Spain, Sweden);
- the possibility to take leave on a full-time or part-time basis (i.e. so parents can combine part-time employment with part-time leave) (e.g. France, Germany, Portugal, Québec, Sweden);
- the option to take longer periods of leave with lower benefits or shorter periods with higher benefits (e.g. Austria, Czech Republic, Denmark, Germany, Norway, Québec);
- additional leave in the case of multiple births or, in a few cases, other circumstances (e.g. Finland, Germany, Greece, Ireland, Italy and the Netherlands);
- the possibility to transfer leave entitlements to carers who are not parents (e.g. Estonia, Hungary, Slovenia).

Just as the UK has the longest period of maternity leave by far, so it also has a unique approach to Parental leave. As a minimum entitlement, eligible employees are entitled to three months unpaid leave which can be taken in portions of four weeks per year (rather than in one continuous block, as in all other countries). However, employers are encouraged to go beyond the minimum provisions of the regulations, where it is possible to do so.

Various measures have been introduced to encourage fathers to use Parental leave. Mostly these take the form of wholly or partly individualised entitlements, whereby fathers not using their 'quota' lose it, since unused leave cannot be transferred to a partner. Another approach is to offer bonus leave days to fathers who take some parental leave. Fathers in Italy who choose to use their six months parental leave are entitled to an extra month. Similarly, fathers in Finland can take 12 'bonus' days, in addition to their 18 days of paternity leave, if they take the last two weeks of parental leave; the 12 bonus days plus the two Parental leave weeks are now called 'father's month' in the legislation. Finally, as part of a radical overhaul of German policy, if the father takes at least two months of leave the overall length of benefit payment is extended to 14 months. These policy developments are discussed further in a paper article by Peter Moss in this review, 'Making parental leave parental: an overview of policies to increase fathers' use of leave'.

Career breaks

Two countries provide some form of break from employment not necessarily tied to childbearing and childcare. Employees in Sweden can take 3 to 12 months; while in Belgium, there is a basic right to one year of leave but this period can be extended up to five years by collective

agreement negotiated at sectoral or company level. In both countries, there is some payment but there is a quota on how many people can take leave at any one time.

Other employment-related measures

Generally, adoptive parents have similar leave entitlements to other parents.

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. Among EU member states reviewed here, 11 (Austria, Czech Republic, Estonia, Germany, Hungary, Italy, Poland, Portugal, Slovenia, Sweden and the Netherlands) specify an entitlement to leave of ten days or more per year to care for sick children, though the age range of children covered varies; for all except Italy, leave is paid 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 6 to 12 years old in Hungary; or being without limit for a child under three years in Italy but five days a year per parent for a child aged three to eight years.

Leave is shorter or unspecified and unpaid in the other member states.

Of the non-EU countries, only Norway has an entitlement to paid leave specifically to care for a sick child. South African workers are entitled to three days 'family responsibility leave' per year, but this covers a range of circumstances, not only caring for a sick child. While in Australia, all employees have an industrial right to use up to five days of personal or sick leave per year to care for a sick family member.

Ten of the 25 countries in this review offer additional leave entitlements, covering a wider range of family members than young children and/or situations of serious illness. For example, most provinces and territories in Canada have compassionate care leave provisions which allow employees to take time off to care for or arrange care for a family member who 'is at significant risk of death within a 26-week period. The length of leave is eight weeks unpaid within a 26-week period, but benefits of up to six weeks can be claimed through Employment Insurance for this leave. While in Portugal, in addition to up to 30 days per year of leave that can be taken to care for sick children under the age of ten years, paid at 65 per cent of the minimum wage, 15 days unpaid leave per year can be taken to care for a spouse, older child or co-resident elderly relative, increased by one day for every second and subsequent child.

Nine countries (Estonia, Greece, Hungary, Ireland, Italy, Norway, Portugal, Slovenia and Spain) enable women to reduce their working

hours in the 12 months after birth, usually related to breastfeeding. Women reducing their hours are entitled to earnings compensation. This is not usually the case in the eight countries (Estonia, Finland, Greece, Norway, Slovenia, Spain, Sweden and the Netherlands) that give parents the right to work part-time hours when their child is over one year old. (All Dutch employees have the right to work part time; employers may turn down an employee's request to work part time, but only under quite specific conditions.)

Greece provides an example of a country that provides both payment and a substantial degree of flexibility in how reduced hours may be taken. Parents working in the private sector are entitled to work one hour less per day for up to 30 months after maternity leave, with full earnings replacement. With the employer's agreement, this may be taken as: two hours less per day for the first 12 months and one hour less per day for another six months; or in block(s) of time of equal length within the 30 months period after maternity leave. This last option, of converting reduced hours into a block or blocks of leave, means that a parent can take a number of months off work, up to an estimated three and three-quarters months. This leave – titled 'alternative use of reduced hours as leave for the care of children' – is considered part of working time and paid accordingly.

Finally, in Australia, Italy 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 them if there is a clear business case for doing so.

Relationship between leave and other employment-related policies and services for young children

Although the country notes do not include a section on this topic, there is a defined relationship in a number of countries. Some countries have developed a long period of leave, up to three years, as an alternative to providing early childhood education and care (ECEC) services for the youngest age group of children. The Czech Republic and Poland are examples, with long leave periods and very low levels of ECEC provision for children under three years. Germany, or at least the former West Germany, was another example, but is in the process of shifting policy to a shorter, higher-paid leave period and increased ECEC services for children under three years.

In Denmark, Norway and Sweden, a universal entitlement for children to a publicly-funded ECEC service begins at the end of a period of well-paid Parental leave lasting about one year. This entitlement ensures that there is an ECEC place to meet the needs of working parents from the time their leave ends (although the entitlement extends to all children, not only those whose parents are employed).

In these three Nordic countries, the complementary relationship between leave and services is mainly consecutive, i.e. access to services is introduced as leave ends. In Finland, the relationship is concurrent in the sense that a three-year leave entitlement runs alongside a universal entitlement to a place in a publicly-funded early childhood service for all children *from birth*. The entitlement also includes the possibility of a state subsidy for parents choosing to use private services and a municipal supplement paid by some local authorities. The relationship here between leave and services emphasizes maximising parental choice, though in effect any choice is exercised by mothers since very few fathers take a prolonged period of leave. France, too, emphasizes a relationship between leave and services intended to support choice over the first three years after birth, although without an entitlement to a service place for children under three years.

In some countries where leave ends when children are three years old (e.g. France, Hungary, Germany, Spain), nursery schooling or kindergartens are widely available to children aged three years and upwards, with near universal coverage. Kindergartens throughout Hungary, and many in the former Eastern part of Germany, are geared to the needs of working parents, with all day and all year opening. This is not the case elsewhere in Germany or in France and Spain where the availability of school-age childcare services for periods outside term-time and school hours is not guaranteed (though widespread in France).

In other countries, there is a gap between the end of leave and universal availability of services to meet the needs of working parents; the two systems are not integrated.

Changes in leave policy and other related developments

The country notes show that leave policy continues to receive considerable public attention, with many countries reporting significant changes, either introduced since the 2007 review or to be implemented shortly, and/or proposals under discussion. Major themes in policy change and discussions are: increasing flexibility by allowing parents to opt between shorter, better paid and longer, lower paid leave periods; and, most widespread, increasing entitlements for fathers and/or inducements for fathers to take leave.

Since the 2007 review, which reported up to May 2007, significant changes in leave policy have either already been implemented or soon will be in:

- **Austria:** parents can choose between three parental leave options: a long option (€436 a month for 30 months **or** for 36 months if both parents share the childcare duties); a mid-range option (€626 a month

for 20 months **or** 24 months); and a short option (€800 a month for 15 months **or** 18 months).

- **Czech Republic:** parents can choose between three parental benefit options: a long option (after Maternity benefit or from the birth of the child (if the parent is not entitled to Maternity benefit) at the basic rate (CZK7,600, €305) until the child is 21 months old and at the reduced rate (CZK3,800, €150) until the child is 48 months old; a mid-range option only available to parents who are entitled to maternity benefit (at the basic rate (CZK7,600, €305) until the child is 36 months old); and a short option only available to parents who are entitled to maternity benefit of at least CZK380 per calendar day (at the increased rate (CZK11,400, €455) until the child is 24 months old).
- **Estonia:** parental benefit (paid to all families) has been extended from 315 to 435 days. Paternity leave benefit has been raised from a low flat-rate to 100 per cent of earnings up to a ceiling of three times average monthly earnings.
- **Germany:** six months unpaid leave for people with dependant relatives requiring care (from July 2008).
- **Netherlands:** reintroduction of payment for self-employed women on Maternity leave (from July 2008).
- **Norway:** parental money to be paid to self-employed parents, estimated at 100 per cent of their earnings (from July 2008).

Countries where there are proposals for policy change or active discussions include:

- **Australia:** a new government is proposing to increase the unpaid Parental leave from one to two years and to give parents with a child under five years the right to ask for flexible working. A public inquiry is being set up into the social costs and benefits of providing paid maternity, paternity and parental leave.
- **Austria:** the introduction of a one month obligatory paternity leave is being discussed.
- **Czech Republic:** the introduction of paternity leave is being discussed
- **Finland:** a new government aims to extend paternity leave by two weeks in 2010, to raise the minimum flat-rate parental allowance in 2009 and the home care allowance and the amount of the allowance during partial childcare leave in 2010. The government intends to '*review the possibility for a more thorough reform of the parental leave schemes*', as part of a thorough review of the whole social security

system. In October 2007 the Minister responsible for gender equality suggested that the Finnish parental leave scheme should be reformed to a 6+6+6 system (i.e. six months for mothers, six months for fathers, six months for parents to divide between them). In March 2008 the Minister of Labour supported the idea of reform based on quotas.

- **Iceland:** a pact signed by the governmental parties states that the Parental leave period should be extended; proposals will probably go before the parliament in 2008–2009.
- **Ireland:** there are commitments in the partnership agreement to review the level of statutory entitlements to maternity and paternity leave before the end of 2008. The Irish Government is also committed to increasing paid Maternity leave by five weeks; making maternity leave after the first 26 weeks available to either parent; and examining the possibility of introducing a statutory entitlement to paternity leave and shared parental leave.
- **Netherlands:** the Green Party has proposed a bill to extend the paternity leave from two working days to two weeks, paid by the employer. Discussion in parliament is expected in spring 2008.
- **Norway:** changes seem likely in fathers' quota for parental leave, but it is too early to say what these will be and when they will be introduced.
- **Poland:** a new government is proposing the gradual extension of maternity leave, to 26 weeks (for single births irrespective of order) and to 39 weeks (for multiple births) by 2014, with 20 and 31 weeks by 2009. The law is expected to be in force in January 2009. It is also proposed that parental benefit will be paid to a parent on parental leave who combines leave and work; and parental benefit will not be withdrawn if a child attends a childcare centre.
- **Spain:** the programme of the new government includes extending paternity leave by two weeks and unpaid part-time flexibility for parents working in the private sector until children are 12 years old.
- **Sweden:** the new government has proposed a 'gender equality bonus' (*jämställdhets bonus*) to offer an economic incentive for families to divide parental leave more equally between the mother and the father of the child; the bonus would allow the parent with the lowest wage an extra tax reduction when the parent with the higher wage stays at home. In February 2008, the government recommended expanding the equality bonus to apply to temporary Parental leave used to care for sick children. These proposals were expected to be presented to parliament in March 2008.

- **United Kingdom:** an independent review of the benefits and costs of extending the current right to request flexible working to parents of older children (6–17 years) will report in May 2008.

Although there is a widespread movement towards enhanced leave entitlements, reflecting the policy attention that these entitlements are receiving, these examples show very divergent national approaches being taken: for example, lengthening maternity leave in contrast to specific measures to increase fathers' participation.

Take-up of leave

Rostgaard (2005) notes that *'only in the Nordic countries are there regular, consistent statistical accounts of the use of leave, according to gender, and occasionally also according to occupation and education of the parent... [while in] most other countries, however, data on take-up of parental leave is irregular and inconsistent.'* This overview is confirmed by the information provided in country notes on take-up, which is full of gaps, making systematic cross-national comparisons impossible. As a general rule, there is no information on take-up of unpaid leave and limited information on paid leave. The situation has shown little sign of change over the last three years, since the network was established.

There is the further question of what proportion of parents are eligible for leave, where again there is no consistent and comparable information. However, a number of country notes refer to substantial proportions of parents not being eligible, for example in Australia, Canada and Spain (parental leave), Portugal (maternity leave) and the United States (family and medical leave). Ineligibility may be related to self-employment, temporary contracts, other conditions related to prior employment history or the exemption of smaller employers from leave policies.

Generally speaking, paid *maternity leave* appears to be extensively and fully used by mothers who are eligible (in a few cases, it is even obligatory to take this leave). However, in the UK, where there is an entitlement to paid 'Ordinary Maternity leave' followed by unpaid 'Additional Maternity leave', most women return to work well before the end of the unpaid entitlement.

EIRO (2004) conclude that *'the available figures show a relatively significant take-up rate [for paternity leave]'*. This conclusion is borne out in the country notes: two-thirds or more of fathers are reported to take paid paternity leave in Denmark, Finland, France, Sweden, the Netherlands and the United Kingdom.

Where *parental leave* is unpaid, as in Ireland, Portugal, Spain and the United Kingdom, there are no regular statistics on use but take-up is thought to be low by both mothers and fathers (i.e. irrespective of gender,

few parents take leave schemes that are completely unpaid) (see also EIRO, 2004). A recent survey in the UK, for example, shows that only 11 per cent of mothers had taken some parental leave within 17 months of their child's birth, two-thirds of whom had taken a week or less. Unpaid parental leave tends to be used where entitlements to other forms of leave have been exhausted.

Where leave is a family entitlement only, fathers' use is low (i.e. where leave can be shared between parents, fathers take only a small proportion). For example, less than 1 per cent of recipients are fathers in the Czech Republic; and the proportion of fathers taking parental leave is two per cent in Finland and Poland, 3 per cent in Austria, and 10 per cent in Canada. However, where Parental leave has both an individual entitlement element and is relatively well-paid, fathers' use is higher. This can be seen in the four Nordic countries in this study:

- **Denmark:** 62 per cent of children born in 2002/3 have a father who took leave and these fathers on average took 25 days of leave (as paternity leave is two weeks, this suggests most fathers also took some parental leave).
- **Iceland:** 84 fathers in 2003 took some period of leave for every 100 mothers doing so, and these fathers took on average 94 days of leave.
- **Norway:** 89 per cent of fathers in 2003 took some parental leave, although only 15 per cent took more than the one month father's quota.
- **Sweden:** 90 per cent of fathers of children born in 1998 have taken parental leave, mainly when their children were 13 to 15 months of age. Fathers also take a third of leave to care for sick children.

In all four cases, mothers continue to take more leave than fathers, the difference being greatest in Denmark (where mothers take 351 days of leave on average compared with 25 for men) and Norway (where the great majority of fathers take only the four weeks fathers' quota); and least in Sweden (where by the end of 2005, fathers were taking just under 20 per cent of all leave days) and, above all, in Iceland (where fathers take, on average, 94 days compared with 182 days leave among mothers).

These figures can be viewed from different perspectives – as reflecting how care continues to be strongly gendered or as reflecting a gradual shift towards men taking more responsibility for care. The most significant changes in fathers' behaviour seem to be taking place in Iceland and Sweden, where leave-taking has begun to move beyond a month.

It is also striking that fathers' use of leave does respond to policy changes. The average number of days' leave taken by men in Iceland has more than doubled between 2001 and 2003, in line with the extension of father-only leave over this period. The proportion of Norwegian men taking some leave has increased from 4 per cent to 89 per cent since the introduction of the one month father's quota. Similarly, the proportion of leave days taken by men in Sweden doubled between 1997 and 2004, with the introduction and then the extension of a father's quota, though the doubling to two months had a less dramatic effect than the initial introduction of a quota. Another striking example of the effect of policy change has been the number of fathers in Portugal taking the recently introduced paid Parental leave, while the proportion of fathers taking parental leave in Canada has more than trebled since the extension of leave from 10 to 35 weeks (most evidence suggests that men take parental leave at a later stage after childbirth than mothers, which may, in part, be related to breastfeeding; so extending paid leave creates favourable conditions for enhanced take-up by men). The new policy in Québec, which includes a higher paid parental leave with a father's quota, has seen a near doubling in use by fathers in just one year, from 22 to 40 per cent.

The 2007 Parental leave reform in Germany, which had the explicit aim to raise the take-up of leave by fathers, has had an immediate impact, the number of fathers taking leave more than tripling from 3.3 per cent in 2006 to 10.5 per cent in 2007. Take-up in the first quarter of 2007, i.e. immediately after the introduction of the new *Elterngeld*, was 6.7 per cent, but has since risen to 10.7 per cent in the third quarter and 12.4 per cent in the fourth quarter; 60 per cent of fathers taking leave opted for a two month 'break', while 18 per cent utilised the full 12 months leave entitlement.

All these examples are of paid leave. The importance of payment can also be seen in Catalonia, where there has been a strong take-up by public employees of a scheme that enables parents to reduce their working hours when they have a child under one year without loss of earnings. Nearly a quarter of parents using this option are fathers.

Information on take-up among different socio-economic or ethnic groups within countries is even patchier. Where it exists, it points towards women being *less likely* to take parental leave, or to take it for shorter periods, if they are: self-employed; work in the private sector; higher educated; and/or higher earning. Fathers are *more likely* to take leave or to take it for longer periods if: their partners have higher education and/or earnings; if they work in female-dominated occupations or the public sector.

Finally, there is again only very limited information on the use of flexible working options, either within leave arrangements or as a right or

possibility after leave. German data suggests that more flexible options (e.g. to take a higher benefit over a shorter period and to work part time while on leave) are taken by only a minority of parents. There is an interesting contrast here between states in the former West and those in the former East, parents in the latter being more likely to take more benefit for a shorter period; this reflects a greater propensity among women in the former East Germany to work when they have young children. However, it should also be noted that the benefit payment in Germany is low, which may affect use of flexible options.

Recent survey data from the UK show that almost a quarter of employees with dependant children under six years have asked to work flexibly, rising to 36 per cent amongst women with a child under six years; most (81 per cent) requests had been partly or fully accepted by employers. The Netherlands introduced a similar, though broader, right to request more flexible hours in 2000. An evaluation after two and a half years found that 26 per cent of employees had wanted to work less (27 per cent for men, 24 per cent for women), the main reasons given by both men and women being to have more time for family or household duties (34 per cent) or to pursue hobbies and other private activities (30 per cent). Approximately half (53 per cent) of the employees who wished to reduce their working hours had informed their employers and more than half of the employees (54 per cent) who had requested a reduction of their working hours from their employer had had their request fully granted and a further 10 per cent partially agreed. In short, the legislation had contributed to about 9 per cent of workers reducing their hours.

To summarise on take-up:

- Unpaid or low-paid leave of whatever kind has low take-up;
- Leave specifically for fathers (e.g. Paternity leave, fathers' quotas in Parental leave) is well used if paid at or near income replacement level;
- Fathers still take only a small portion of Parental leave that is a family entitlement, i.e. where parents can decide how to allocate leave between the mother and father;
- Leave is used differentially not only between women and men, but between parents with different levels of education, income and employment both individually and in relation to their partners – the impact of leave policies, therefore, is not uniform.

Research and publications on leave and other employment-related policies since January 2005

Country notes finish with a brief overview of the state of research on leave policy; a selection of publications on leave since January 2004; and brief

outlines of ongoing research on leave. Nearly 250 publications are listed, with a brief description of each.

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Table 2.1.1: Provision of statutory leave entitlements in selected countries

	Maternity leave	Paternity leave	Parental leave	Total post-natal leave (months)	Leave for sick children
Australia	x	x	✓ F	12 (0)	✓✓✓
Austria	✓✓✓	x	✓✓* F	24 (24)	✓✓✓ [+]
Belgium	✓✓✓	✓✓✓	✓✓ I	9.5 (9.5)	✓
Canada [fn]	✓✓✓	✓	✓✓✓ F	12 (11.5)	✓ [+]
Québec	✓✓✓	✓✓✓	✓✓✓ F	16 (16)	✓ [+]
Czech Rep [fn]	✓✓✓	x	✓✓* I	36 (36)	✓✓✓
Denmark	✓✓✓	✓✓✓	✓✓✓ F	10.5 (10.5)	x
Estonia	✓✓✓	✓✓✓	✓✓* F	36 (36)	✓✓✓
Finland [fn]	✓✓✓	✓✓✓	✓✓✓ F	36 (36)	x [fn]
France [fn]	✓✓✓	✓✓✓	✓✓* F	36 (36)	✓ [+]
Germany [fn]	✓✓✓	x	✓✓✓ F	36 (14)	✓✓✓
Greece[fn]a.	✓✓✓	✓✓✓	✓ I	9 (2)[fn]	✓ [+]
b.	✓✓✓	x	✓ I	27 (3)[fn]	x
Hungary[fn]	✓✓✓	✓✓✓	✓✓✓ F	36 (36)	✓✓✓
Iceland	✓✓✓	✓✓✓	✓✓✓ F/I	9 (9)	x
Ireland	✓✓	x	✓ I	16 (5.5)	✓✓✓ [+]
Italy [fn]	✓✓✓	x	✓✓ I	13.5 (13.5)	✓
Netherlands	✓✓✓	✓✓✓	✓ I	8.5 (2.5)	✓✓✓ [+]
Norway	✓✓✓	✓	✓✓✓ F/I	36 (12)	✓✓✓ [+]
Poland	✓✓✓	x	✓✓ F	36 (36)	✓✓✓ [+]
Portugal	✓✓✓	✓✓✓	✓✓ I	34 (4)	✓✓✓ [+]
Slovenia	✓✓✓	✓✓	✓✓✓ I	11 (11)	✓✓✓ [+]
S. Africa [fn]	✓✓	x	x	4 (4)	✓✓✓ [+]
Spain [fn]	✓✓✓	✓✓✓	✓ I	36 (3.5)	✓✓✓
Sweden [fn]	x	✓✓✓	✓✓✓ F/I	(g)	✓✓✓
UK	✓✓	✓✓	✓ I	18 (9)	✓
USA [fn]	x (h)	x	x	0	x

Key:

Maternity, paternity, parental leave and leave for sick children columns: x – no statutory entitlement. ✓ – statutory entitlement but unpaid; ✓✓ – statutory entitlement, paid but *either* at low flat-rate *or* earnings-related at less than 50 per cent of earnings *or* not universal *or* for less than the full period of leave; ✓✓✓ – statutory entitlement, paid for all or part of duration to all parents at more than 50 per cent of earnings (in most cases up to a maximum ceiling).

Parental leave column: * indicates the payment is made to all parents with a young child whether or not they are taking leave. F=family entitlement; I=individual entitlement; F/I=some period of family entitlement and some period of individual entitlement

Total post-natal leave column: *Unbracketed* numbers indicate total length of leave *in months* to nearest month; this includes the longest period that Maternity leave can be taken post-natally, but does not include paternity leave, which is usually taken at the same time As maternity leave and therefore does not extend the length of time after a child's birth when leave is available. *Bracketed* numbers in 'total post-natal leave' column indicate length of leave that receives some payment. Column includes both parental and childcare leave.

Leave for sick children column: [+] indicates additional leave entitlements covering a wider range of family members than young children and/or situations of serious illness.

Country footnotes [fn]:

Canada: There are differences in length of leave between provinces and territories; three provinces allow three to five days of unpaid leave to care for members of immediate family.

Czech Republic: Parental leave may be taken until child is three years, but benefit is paid until child is four.

Finland: All employees have access to leave to care for a sick child, with length and payment determined by collective agreements.

France: Parental leave payment to parents with one child until six months after the end of Maternity leave.

Germany: Parental leave payment after Maternity leave until child is two years and means tested.

Greece: a = private sector employees; b = public sector employees. Women employees in both sectors can consolidate an entitlement to work reduced hours into a full-time leave of up to 3¾ months in the private sector and 9 months in the public sector. This extra leave option is not included in the total post-natal leave shown in the Table.

Hungary: For insured parents, leave is paid at 70 per cent of earnings until child's third birthday, then at flat-rate; only mother is entitled to use in child's first year. Either of the parents in a family with three or more children may take leave during the period between the third and the eighth birthday of the youngest child (*Gyermeknevelési támogatás* – GYET). Benefit payment as for GYES.

Italy: Parental leave is six months per parent, but total leave per family cannot exceed ten months.

South Africa: Payment to eligible employees from the Unemployment Insurance Fund on a sliding scale ranging from 31 to 59 per cent. Fathers may take up to three days paid 'family responsibility leave' when their children are born.

Spain: Women employees can consolidate an entitlement to work reduced hours into a full-time leave of up to four weeks. This extra leave option is not included in the total post-natal leave shown in the Table.

Sweden: 480 days of paid leave per family (divided between individual entitlements and family entitlement), 390 days at 90 per cent of earnings and 90 days at a low flat-rate; each parent also entitled to 18 months unpaid leave.

United States: Parents may take-up to 12 weeks unpaid leave for childbirth or for the care of a child up to 12 months as part of the federal Family and Medical Leave Act; employers with less than 50 employees are exempt. Five states and Puerto Rico provide some benefit payments to parents missing work at around the time of childbirth.

Table 2.1.2: Statutory entitlements for taking Parental leave flexibly or for flexible working

	Reduced hours		Parental leave flexible options	Right to request flexible work
	First year	Later		
Australia	x	x		✓ until CSA
Austria	x	✓until 7	3, 5	x
Belgium	x	x	1,2	x
Canada	x	x		x
Quebec	x	x	3, 5	
Czech Rep	x	x	1, 3, 4	x
Denmark	x	x	1,3	x
Estonia [fn]	✓✓✓	✓✓✓until 1½	1, 4	x
Finland	x	✓✓until 8	1, 2, 6	x
France	x	x	1	x
Germany	x	x	1, 3,5, 6	x
Greece [fn]a	✓✓✓	✓✓✓until 2½	2, 5, 6	x
b	✓✓✓	✓✓✓until 4	5	x
Hungary [fn]	✓✓✓	✓✓✓until 8	4, 6	x
Iceland [fn]	x	✓until 8	2, 5, 6	x
Ireland	✓✓✓	x	5, 6	x
Italy	✓✓✓	x	5, 6	✓ until CSA
Netherlands	✓all employees entitled to work part time if employer agrees and has ten or more employees		6	x
Norway	✓✓✓	✓until 10	3,6	x
Poland	x	x	2,5	x
Portugal	✓✓✓	x	1,5	x
Slovenia	✓✓✓	✓ until 3	1,3, 4,5,6	x
S. Africa	x	x		x
Spain	✓✓✓	✓	2	x
Sweden	x	✓until 8	1,2,5,6	x
UK	x	x	5	✓ until 6
USA	x	x		x

Key:

x – no statutory entitlement. ✓ – statutory entitlement but unpaid; ✓✓ – statutory entitlement, paid but *either* at low flat-rate *or* earnings-related at less than 50 per cent of earnings *or* not universal *or* for less than the full period of leave; ✓✓✓ – statutory entitlement, paid to all parents at more than 50 per cent of earnings (in most cases up to a maximum ceiling).

CSA = compulsory school age

Reduced hours in first year: mainly refers to entitlement to take a regular break related to breastfeeding.

Reduced hours later: mainly refers to entitlement to work reduced hours or to take periods of annual leave, after the end of parental leave. Covers regular reduction of hours (e.g. excludes right to take time off to visit child's school, as in Portugal).

Parental leave flexible options: refers to options that are not subject to employers' agreement.

1 – leave can be taken full time or part time; 2 – leave can be taken in one block or several blocks of time; 3 – leave can be taken for a shorter period with higher benefit payment or for longer period with lower benefit payment; 4 – leave can be transferred to non-parent; 5 – leave can be taken at any time until a child reaches a certain age; 6 – other, mainly additional leave in case of multiple births.

Right to request flexible work: employer is not required to grant request.

Country footnotes [fn]:

Estonia: An employee with a child under 14 years is entitled to take two weeks unpaid leave per year.

Greece: a = private sector employees; b = public sector employees.

Hungary: An employee *with three or more children* may take leave or work reduced hours until a child is eight years olds, receiving a flat-rate payment.

Iceland: An employee may take 13 weeks unpaid leave until a child is eight years old.

Annex to 2.1: sources used in preparing country notes

Each country note begins with data on a number of standard demographic, economic and service items. These have been sourced from cross-national data sets that offer comparable data, though not all data sets cover all the countries included; in these cases, 'No data' is listed for the item. In some cases, network members preparing country notes have sent alternative statistics, especially for the items under 'access to ECEC services'. Where these additional statistics are substantially different to those from the cross-national data sets or where there is 'no data' from these data sets for the country, they have been given as footnotes.

The following items need further definition:

GDP per capita: expressed as Purchasing Power Parities in US dollars.

Employment gender gap: the difference, expressed in per centage points, in employment rates measured in full-time equivalent between men and women.

Employment rates for mothers and fathers: employment rates for men and women aged 20-49 years with children under 12 years.

Employment impact of parenthood: the difference, expressed in per centage points, in employment rates between men with children under 12 years and men with no children; and between women with children under 12 years and women with no children (if the employment rate of parents is higher than for childless men or women, the result shows a plus sign; if parents have lower employment rates than childless men or women, the result shows a minus sign).

The Gender-related development index: a 'composite index measuring average achievement in the three basic dimensions captured in the human development index – a long and healthy life, knowledge and a decent standard of living – adjusted to account for inequalities between men and women.' (UN Development Programme)

The Gender empowerment measure: a 'composite index measuring gender inequality in three basic dimensions of empowerment – economic participation and decision-making, political participation and decision-making and power over economic resources.' (UN Development Programme)

Access to regulated ECEC services: enrolment in childcare and early education services (i.e. early childhood education and care – ECEC) that

are regulated by public authorities. Providers and hours of attendance may vary considerably between countries

The sources used are:

European Commission (2008) *Indicators for monitoring the Employment Guidelines, 2008 compendium* (labelled as **ECI**): Tables 18.A2 and 18.5. Available at:

http://ec.europa.eu/employment_social/employment_strategy/pdf/2008compendium_en.pdf

European Commission (2008) *Equality between women and men – 2008; Report from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions* (labelled as **EWM**): Table, page 26. Available at: http://ec.europa.eu/employment_social/gender_equality/docs/com_2008_0010_en.pdf

Eurostat (2007) *Living conditions in Europe, 2007 edition* (labelled as **ECLC**): Table 3.2. Available at:

http://epp.eurostat.ec.europa.eu/cache/ITY_OFFPUB/KS-76-06-390/EN/KS-76-06-390-EN.PDF

OECD (2007) *OECD Family Database* (labelled as **OECD**): Table PF11.1. Available at: www.oecd.org/els/social/family/database

United Nations Development Programme (2007) *The Human Development report 2007/2008* (labelled **UNDP**): Tables 1, 5, 24, 25 and 27. Available at:

http://hdr.undp.org/en/media/hdr_20072008_en_complete.pdf.

2.2

Australia

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Population (UNDP)	2005	20.3 million
Total Fertility Rate (UNDP)	2000-05	1.8
GDP per capita (UNDP)	2005	US\$31,794
Female economic activity (UNDP)	2005	56.4 per cent
As % male rate (UNDP)	2005	80 per cent
% of employed working part time (ECLC) ²⁸		
Men	2005	No data
Women	2005	No data
Employment gender gap (full-time equivalent) (ECI)	2005	No data
Employment rate (parents with children under 12 years)(EWM) ²⁹		
Fathers	2006	No data
Mothers	2006	No data
Employment impact of parenthood (parents with a child 0–6 years)(ECI)		
Men	2006	No data
Women	2006	No data
Gender-related Development Index (UNDP)		2nd
Gender Empowerment Measure (UNDP)		8th
Access to regulated ECEC services (OECD)		
Children 0–2 years	2004	29 per cent
Children 3–5 years (inclusive)	2004	70 per cent

²⁸ The % employed part time in 2005 was 14.8 (men) and 45.6 (women)(source: Australian Bureau of Statistics).

²⁹ The employment rates for parents with a child under 12 years in 2006 are 91.6 per cent (fathers) and 62.3 per cent (mothers). The employment impact was +4.3% points (fathers) and -29.4% points (mothers) (source: Household Income and Labour Dynamics in Australia (HILDA) survey, wave 6. The HILDA Project was initiated and is funded by the Australian Government Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) and is managed by the Melbourne Institute of Applied Economic and Social Research (MIAESR). The findings and views reported in this country note, however, are those of the authors and should not be attributed to either FaHCSIA or MIAESR).

1. Current leave and other employment-related policies to support parents

Note on federal and state awards: In Australia, the employment conditions of employees have traditionally been detailed in *awards*, which are usually occupational or industry based prescriptive documents determined by industrial tribunals. Historically, Australia has had a different state-based industrial relations system for each of its six States, as well as a federal system. Federal awards usually applied to employees working for companies with similar operations in more than one state, while state awards covered company operations operating in a single state. Traditionally, the federal system has set the standard for conditions, with state systems usually ratifying federal decisions shortly afterwards. Until recently, approximately 40 per cent of employees were covered by the federal system, 40 per cent by the state systems with the remaining 20 per cent falling outside the award system, usually because of being in managerial positions.

Amendments to the federal *Workplace Relations Act* in December 2005 (referred to as the 'Work Choices' amendments) have significantly reduced the coverage of the state systems, bringing into the federal sphere all employees working for incorporated businesses (i.e. those falling within the federal government's constitutional power over 'corporations'). In addition, these changes and the associated 'award rationalisation' process were designed to reduce the number of awards and the matters they are able to address, as well as reduce award coverage through prioritisation of individual and collective bargaining and removal of overlapping coverage of awards and agreements. As discussed in Section 2, these changes are currently under review following the change of federal government in November 2007.

a. Statutory maternity leave

Maternity leave in Australia is conflated with the statutory entitlement to 52 weeks unpaid parental leave that can be shared between a mother and her spouse (see below). The portion of this parental leave entitlement taken by the mother is referred to in the legislation as 'maternity leave' (*Workplace Relations Act*, s.265–s.281). Since amendments to the Act in 2005, the mother must take six weeks 'maternity leave' immediately following the birth of her child (s.273).

While there is no general entitlement to paid maternity leave, some employees have access to this through industrial awards or workplace agreements, company policies, or through legislation covering public sector employees. In response to a survey conducted in August 2007, 45 per cent of female employees indicated they had access to paid

maternity leave in their main job, with prevalence considerably higher in public sector employment: 73 per cent of female employees in the public sector indicated that they had access, compared with 36 per cent in the private sector (ABS Employee Earnings, Benefits and Trade Union Membership survey, August 2007, Cat. No. 6310.0, Table 16). Organisational data indicate that the prevalence of paid Maternity leave has been increasing over recent years, with 46 per cent of large organisations surveyed by the Equal Opportunity for Women in the Workplace Agency (EOWA) in 2005 providing paid Maternity leave, compared with 23 per cent in 2001 (*Equal Opportunity for Women in the Workplace Survey 2005: Paid Parental leave*, available through EOWA website, <http://www.eowa.gov.au/>). The amount of paid leave that is granted varies significantly across employers (see later comments).

b. Statutory paternity leave

As with Maternity leave, paternity leave in Australia overlaps with the statutory entitlement to 52 weeks unpaid parental leave that can be shared between a mother and her spouse. The portion of this parental leave entitlement taken by a man when his spouse gives birth is referred to in the legislation as 'paternity leave', and is formally divided into 'short paternity leave' (up to one week at the time of the birth) and 'long paternity leave' (leave taken as the child's 'primary carer') (*Workplace Relations Act*, s.282–s.297). While short paternity leave can be taken simultaneously with the mother's maternity leave, long Paternity leave cannot, and the total period of parental leave shared between the parents cannot exceed 52 weeks. Following amendments that require a mother to take six weeks maternity leave immediately following the birth of her child, the maximum period of leave available to her spouse to use as Paternity leave has been reduced.

There is no general entitlement to paid paternity leave, but some company policies and industrial agreements do provide a period of paid leave for fathers. In response to a survey conducted in 2007, 36 per cent of male employees indicated they had access to paid Paternity leave in their main job. As with paid Maternity leave, prevalence was higher in public sector employment, even though the various legislative provisions for public sector employees focus on maternity rather than paternity leave. Fifty-nine per cent of male employees in the public sector indicated that they had access, compared with 31 per cent in the private sector (ABS Employee Earnings, Benefits and Trade Union Membership survey, August 2007, Cat. No. 6310.0, Table 16). Organisational data indicate that the prevalence of paid Paternity leave has been increasing over recent years: 32 per cent of large organisations responding to the 2005 EOWA survey mentioned above providing paid Paternity leave, compared with 15 per cent in 2001. The amount of paid leave that is granted varies significantly across employers (see later comments).

c. Parental leave

Note: As discussed above, parental leave in Australia is a shared entitlement that overlaps with Maternity and Paternity leave; all three terms refer to the one entitlement.

Length of leave

- Fifty-two weeks per family around the birth or adoption of a child. A woman can start to take leave up to six weeks before her baby is due. Except for the week following the birth of the child when both parents may take Parental leave, the remainder of the leave may only be taken by one or other parent (the child's nominated primary care provider). Under 2005 legislative amendments, a mother must take 6 weeks of the 52-week entitlement immediately following the birth.
- Parental leave can be taken sequentially with other types of paid leave, such as annual leave or long service leave (or paid Maternity/Parental leave, if it is available to the employee through their employment conditions). However, for each period of paid leave used, the unpaid parental leave entitlement is reduced by the same amount so that the maximum time available for parental leave is still 52 weeks.
- A decision of the Australian Industrial Relations Commission on 8 August 2005 in the Family Provisions Test Case provided employees on federal awards with the right to request from their employer the following extensions to the above entitlements:
 - o a period where both parents may take simultaneous unpaid Parental leave up to a maximum of eight weeks (currently one week);
 - o a further continuous period of unpaid parental leave not exceeding 12 months (from the current 12 months) – that is, a maximum of two years all up;
 - o return to work from a period of parental leave on a part-time basis until the child reaches school age.
- While the 2005 Work Choices amendments to the federal *Workplace Relations Act* did not adopt these extended entitlements, they were passed on to some employees under the state-based systems through state-based award systems or enacted in relevant state-based legislation (see above 'note on federal and state awards'). However, the Work Choices changes to the federal Act also restricted the scope of state-based benefits, as most employees previously covered by state awards were brought into the federal jurisdiction. As discussed in Section 2, the federal legislation is currently under review.

Payment

- None for statutory provisions under the federal Act. Where paid leave is offered (for example, under company policies, industrial agreements or legislative provisions for public sector employees), duration of such leave varies, with the most common provisions for

paid maternity leave being 6 or 12 weeks and for paid paternity leave 1 or 2 weeks. The rate of pay is typically the employee's normal pay rate, although in some cases there are provisions to double the duration by taking the leave at half-pay.

Flexibility in use

- None for statutory provisions under the federal Act. See above for possible variations in duration and pay where a period of paid leave is available.

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

- Employees in permanent positions (full-time or part-time) are eligible for the above entitlements provided they have 12 months continuous service with the same employer by the expected date of the birth of the child.
- Casual employees are also eligible for the above entitlements provided they have been engaged by a particular employer for a sequence of periods of employment during a period of at least 12 months and, but for the birth or adoption of a child, would have a reasonable expectation of continuing engagement. Since amendments to the *Workplace Relations Act* in 2005 all such 'eligible casuals' have a statutory right to unpaid Parental leave. In the States of New South Wales and Queensland, this right preceded the changes made to the federal Act for those meeting the relevant states' eligibility criteria and falling under the jurisdiction of those states' industrial relations laws.
- Parental leave is not available to self-employed workers. According to *The parental leave in Australia Survey* conducted in 2005, 11 per cent of mothers in employment prior to the birth of their child were self-employed, while the comparable figure for fathers was 20 per cent.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the parents

- Special Maternity leave may be taken in cases of pregnancy-related illness or miscarriage within 28 weeks of the expected date of delivery. Any leave taken for a pregnancy-related illness must be subtracted from the total entitlement to parental/maternity leave.

Additional note (e.g. if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)

- Paid parental leave, usually specified as maternity or paternity leave, is available in some awards or workplace agreements and/or company policies. In these situations conditions might be attached, such as a requirement to return to work before receiving some or all of the payment or a guarantee to return for at least a period equivalent to the leave taken. Such conditions do not appear to be common. For example, among respondents to the 2005 *The parental leave in Australia Survey* who had taken some paid maternity leave, around 5 per cent reported that some or all of their pay was delayed until their return to work.

d. Statutory childcare leave or career breaks

No general statutory entitlement.

e. Other statutory employment-related measures

Adoption leave and pay

- The same statutory rights apply as to Parental leave when a child under five years old is adopted.

Time off for the care of dependants

- All employees have access to a period of paid personal/carer's leave equivalent to 1/26th of their nominal annual hours (10 days leave for a regular full-time employee). In addition, employees can access up to two days unpaid carer's leave for each 'permissible occasion' provided paid personal leave has not been exhausted. Personal/carer's leave includes 'sick' leave and may be taken because of a personal illness, or to provide care or support to a member of the employee's immediate family or household who is ill or injured, or in the case of an unexpected family emergency.

Flexible work arrangements

- Some parents covered by state provisions have a right to request part-time work upon returning to work from Parental leave until their child reaches school age.

2. Changes in leave policy since 2005 and other related developments (including proposals currently under discussion)

On 24 November 2007, the Liberal and National Party Coalition (after almost 12 years in government) was defeated in a federal election by the Australian Labor Party. A key policy area for the new government is changes to the regulation of employment, including repealing significant aspects of the *Workplace Relations Act*, particularly those amendments introduced in December 2005 (known as 'Work Choices'). The proposed changes to employment regulation are currently under development and the new government will not be seeking to bring them into effect until the beginning of 2010; however, the parliament has recently enacted some transitional arrangements that will operate in the interim, particularly for employees on individual contract arrangements.

The proposed new employment regulations are to contain an expanded set of national employment standards, including the ability for parents of children under school age to request flexible working arrangements, as well as the extension of the maximum period of unpaid parental leave from 12 to 24 months.

Requests for flexible working arrangements

This proposed new national employment standard is based on the arrangements that operate in the United Kingdom, which the

government believes have 'been very successful in promoting arrangements that work for both employers and employees'.³⁰ It provides a right for parents who have responsibility for the care of a child under school age to request a change in work arrangements. The request must be in writing and must include reasons. An employer can accede to the request, offer an alternative set of arrangements, or refuse the request on reasonable business grounds. Both 'flexible working arrangements' and 'reasonable business grounds' are deliberately not defined to avoid limiting the options available or applying to the parties, although general information and assistance will be provided to facilitate agreement. The request is ultimately not enforceable by any third party body.

Parental leave entitlement

The proposed parental leave employment standard provides each parent with an entitlement to be absent from work for separate periods of up to 12 months of unpaid parental leave. Unpaid parental leave must be taken in association with the birth of a child to an employee or their spouse or the adoption of a child below school age. Following the first 12-month period of unpaid leave, a parent can request to take-up to another 12 months (of their spouse's leave period) instead, although in this case an employer can refuse the request on 'reasonable business grounds'. Any agreement for an additional period of leave beyond the first 12 months will reduce the spouse's entitlement by an equivalent amount.

As is currently the case, only one parent is entitled to access unpaid parental leave at any particular point in time, except for the period immediately following the birth (or adoption) of the child. Following the birth (or adoption) of the child, it is proposed to extend the period where parents may take concurrent unpaid leave from one to three weeks.

The introduction of these two proposed national employment standards in part gives effect at national level to the decision of the Australian Industrial Relations Commission (AIRC) in the Family Provisions Test Case (also known as the *Work and Family Test Case*). Whilst the AIRC decision was made in August 2005, it was subsequently overtaken by the Work Choices amendments to industrial relations legislation passed by the federal parliament in December 2005. This legislative initiative significantly changed the nature of regulation of the Australian labour market, leaving all but a core set of minimum entitlements to be negotiated directly between employers and employees at the workplace. Most of the extended Parental leave entitlements provided

³⁰ Department of Education, Employment and Workplace Relations (2008). *Discussion paper: National Employment Standards Exposure Draft*. Canberra: Commonwealth of Australia.

for in the AIRC's decision earlier in the year were not given effect in the legislation. Only the previously existing entitlements of 12 months unpaid parental leave and one week of simultaneous leave following the birth of the child were retained as universal entitlements.

Inquiry into paid maternity, paternity and parental leave

The new Government has also launched a public inquiry into the social costs and benefits of providing paid maternity, paternity and parental leave in Australia. The Productivity Commission, which is conducting the inquiry, is due to report in early 2009. The terms of the inquiry are:

1. Identify the economic, productivity and social costs and benefits of providing paid maternity, paternity and parental leave.
2. Explore the extent of current employer provision of paid maternity, paternity and parental leave in Australia.
3. Identify paid maternity, paternity and parental leave models that could be used in the Australian context.
4. Assess those models for their potential impact on:
 - a. the financial and regulatory cost and benefits on small and medium-sized businesses;
 - b. the employment of women, women's workforce participation and earnings and the workforce participation of both parents more generally;
 - c. work/family preferences of both parents in the first two years after the child's birth;
 - d. the post-birth health of the mother;
 - e. the development of young children, including the particular development needs of newborns in their first two years; and relieving the financial pressures on families.
5. Assess the cost-effectiveness of these models.
 - a. Assess the interaction of these models with the Social Security and Family Assistance Systems.
 - b. Assess the impacts and applicability of these models across the full range of employment forms (e.g. including for the self-employed, farmers, shift workers, etc.).
 - c. Assess the efficiency and effectiveness of government policies that would facilitate the provision and take-up of these

models.

The inquiry is to hold public hearings and seek public submissions and is to produce a report for public release by government by February 2009. This inquiry follows two earlier inquiries by the Sex Discrimination Commissioner (under the auspices of the Human Rights and Equal Opportunity Commission) into firstly, the issue of paid Maternity leave;³¹ and subsequently into how gender roles in the area of unpaid caring work impact on the ability of men and women to participate in paid work.³² Both of these earlier inquiries advocated the introduction of a universal paid Maternity leave scheme for Australia.

The previous government had introduced a one-off 'Maternity Payment' for children born after 30 June 2004, replacing an earlier Maternity Allowance and Baby Bonus. The Maternity Payment began as a lump-sum of A\$3,000 per child (approximately €1,875), rising to A\$4,000 in July 2006 (approximately €2,500) and A\$5,000 (approximately €3,125) in July 2008. The allowance is paid irrespective of a mother's employment status prior to the birth of the child. If spread evenly over a 14 week period, the upcoming 2008 allowance of A\$5,000 is approximately 68 per cent of the Standard Federal Minimum Wage as at the end of 2007, and around 35 per cent of (trend) average female adult full-time weekly earnings at that time (ABS Average Weekly Earnings, November 2007, Cat. No. 6302.0). These arrangements are set to remain in place until such time as the inquiry in to paid maternity, paternity and parental leave is completed and the government has formulated its response.

3. Take-up of leave

Until recently, Australia has had limited data on who has access to various types of leave, and even less information on who is accessing their entitlements and in what manner. This situation has now been addressed with the release in 2006 of figures on the availability and take-up of different leave arrangements around the birth of a child. Two surveys collected information on these and related issues. *The parental leave in Australia Survey*, conducted as part of Wave 1.5 of the Australian Government-funded *Growing Up in Australia – the Longitudinal Study of Australian Children*, collected information from parents with a child born between March 2003 and February 2004, focusing in particular on employment and leave arrangements prior to and following the child's birth. (This longitudinal study is managed by the Australian Institute of Family Studies – see

³¹ Human Rights and Equal Opportunity Commission (2002) *A time to value: proposal for a national paid maternity leave scheme*. Sydney: HREOC.

³² Human Rights and Equal Opportunity Commission (2007) *It's about time: women, men, work and family*. Sydney: HREOC.

<http://www.aifs.gov.au/growingup/>, and for an overview of the survey findings, see <http://www.uq.edu.au/polsis/parental-leave>). In addition, a supplementary labour force survey conducted by the Australian Bureau of Statistics in 2005 (*Pregnancy and Employment Transitions*, Cat. No. 4193.0) collected information on employment and leave from mothers of children under two years of age.

a. Maternity leave

Data from the *The parental leave in Australia Survey* show that 37 per cent of mothers who worked as employees in the 12 months prior to the birth of their child used some paid maternity leave following the birth, although very few leave-takers (around 4 per cent) used paid maternity leave only. Close to 60 per cent of mothers working as employees in the lead-up to the birth used some unpaid maternity/parental leave, with around one-quarter of leave-takers relying solely on this form of leave. Most of those who took leave combined paid and unpaid forms, often combining unpaid maternity leave with other forms of leave such as paid annual leave. The overall average duration of leave taken by mothers who worked as employees prior to the birth was 40 weeks. Of the total maternity leave taken by this group, around 27 per cent was paid. A small proportion of this paid maternity leave was taken at less than full-time pay: 18 per cent of mothers taking some paid maternity leave took their leave at a different pay rate, commonly at half pay in order to double the leave time available. If all forms of leave are taken into consideration (that is, including 'non-maternity' forms of leave), around 29 per cent of the total leave taken was paid leave.

b. Paternity leave

Use of paternity leave was, unsurprisingly, shown to be considerably lower than use of maternity leave. Around one-quarter of fathers of young children who worked as employees in the 12 months prior to the birth of their child used some *paid* paternity leave, but less than 10 per cent used any *unpaid* paternity/parental leave. Fathers relied very heavily on the use of non-parental forms of leave, with the most prevalent form of leave used being paid annual leave. Fathers were much less likely than mothers to combine different forms of leave, and their overall average duration of leave across all leave types was two weeks. Of the total leave taken by fathers working as employees, around 88 per cent was paid.

c. Parental leave

Among respondents to *The parental leave in Australia Survey*, around 80 per cent of employees met the basic eligibility criterion for access to parental leave. Overall, 68 per cent of mothers of children born between March 2003 and February 2004, who worked as employees in the 12 months prior to their child's birth, used some leave designated as 'parental' or 'maternity' leave; while the corresponding figure for

fathers was 30 per cent. For fathers in particular, usage of Parental leave thus falls well below access and eligibility.

d. Other employment-related measures

According to the HILDA survey, access to carers' leave currently stands at 72 per cent of employed persons (those without access are mainly self-employed and casual workers). In terms of usage, around 13 per cent of mothers of children born between March 2003 and February 2004 who returned to work as employees after the birth of their child reported using some carer's (or 'family' or 'special') leave. In addition, around 16 per cent of this group reported using some of their own sick leave to care for their child (*The parental leave in Australia Survey*). Overall, around 24 per cent used at least one of these forms of leave. Among fathers working as employees after the birth of the child: 21 used some of their own sick leave to help care for their child; 15 per cent used some carer's (or 'family' or 'special') leave; and around 30 per cent used at least one of these forms of leave. As discussed earlier, entitlements to carer's and sick leave are now combined in the personal leave entitlement under Australia's current legislation.

4. Research and publications on leave and other employment-related policies since January 2005

a. General overview

There has been some research around the issue of Maternity leave specifically and family-friendly policies generally in Australia since 2001. Much of this has been generated as a result of the work and family test case brought before the Australian Industrial Relations Commission in 2004, and also by the inquiries into paid Maternity leave and into the gender division of paid and unpaid work conducted by the Sex Discrimination Commissioner (and published by the Human Rights and Equal Opportunity Commission). In addition, as noted above, new surveys have been conducted on the use of Parental leave; and Wave 5 of the HILDA survey has also included increased information on Parental leave compared with earlier waves.

b. Selected publications from January 2005, including results from research studies

Submissions to the Family Provisions Test Case. Available at:

<http://www.e-airc.gov.au/familyprovisions/>

This website details the Commissions final decision, as well as each of the submissions by interested parties, and includes references to many other studies. Much of the background information for the ACTU's initial submission can be found in: Campbell, I. and Charlesworth, S. (2004), *Background report: key work and family trends in Australia*. Melbourne: Centre for Applied Social Research, RMIT University.

Special issue of the journal *Law in Context*, 23 (2005). This special issue, entitled 'Work, Family and the Law' examines the role of the law in shaping the relationship between work and family in Australia. It includes papers on indirect discrimination and the 'worker-carer', Parental leave, aspects of work/family discourse and the shaping of family and worker norms, the influence of anti-discrimination law on work and family, and assessments of home-based work and contracting within the Australian legal framework.

Whitehouse, G. Baird, M. and Diamond, C. (2005) *The parental leave in Australia Survey*, funded by Australian Research Council Linkage Project LP0453613, and conducted in conjunction with Wave 1.5 of the Longitudinal Study of Australian Children.

This survey was distributed in May 2005 to a cohort of parents of children born between March 2003 and February 2004 (the 'infant cohort' of the Longitudinal Study of Australian Children), and was explicitly designed to address the lack of statistical information on the use of parental leave in Australia, as well as inform analyses of the influences on, and impact of, parental leave usage. Information was collected on parents' employment status prior to the birth of a child, their use and experiences of maternity/paternity/parental leave and related policies, including reasons for using/not using leave provisions, employment status and experiences on return to work after the birth of a child, and parents' policy needs and preferences. Further information including a detailed report can be found on *The parental leave in Australia* website: <http://www.uq.edu.au/polsis/parental-leave>.

Australian Bureau of Statistics (2006) *Pregnancy and employment transitions, November 2005*, Cat. No. 4913.0.

This is a household survey conducted as a supplement to the labour force survey conducted in November 2005. It focuses on birth mothers with a natural child living with them who was under two years of age at the time of the survey. The information collected covers women's working hours during pregnancy, their use of leave associated with pregnancy and the birth of their child, and reasons for entering or not entering the workforce following the birth. Details of the work arrangements of the mother's partner, both before and after the birth, were also collected.

Pocock, B. (2006) *The labour market ate my babies*. Annandale, NSW: Federation Press.

This book examines the impact of current labour market arrangements on families and children, arguing that Australians' capacity to care is being undermined by the pressures of paid work. The author argues that a sustainable future needs new policy approaches to work and family life that incorporate the perspectives of children as well as adults.

Human Rights and Equal Opportunity Commission (2007) *It's about time: women, men, work and family*. Sydney: Human Rights and Equal Opportunity Commission

This is the final report from an inquiry held into how gender roles in the area of unpaid caring work impact on the ability of men and women to participate in paid work.

Whitehouse, G., Diamond, C. and Baird, M. (2007) 'Fatherhood and the use of leave in Australia', *Community, Work and Family*, Vol. 10, No. 4: 387–407.

This paper examines Australian fathers' use of leave at the time of the birth of a child. It shows that although most Australian fathers take some leave for parental purposes, use of formally designated paternity or parental leave is limited within the Australian policy framework, which lacks legislative provision for paid paternity or parental leave. The article includes the first detailed analysis of Australian survey data to identify factors influencing leave-taking, as well as an organisational case study illustrating some of the practicalities of implementing a comparatively generous paid Parental leave scheme.

Special issue of the journal *Australian Bulletin of Labour*, 33(2) (2007). This special issue, entitled 'Taking care: work and family policy issues for Australia', includes five articles on aspects of work/family balance in Australia. The first two articles focus on parental leave policies and practices at the organisational level, the third examines the impact of part-time work on women's wages, the fourth tests the relationship between job quality (including access to paid parental leave) and parental well-being; while the fifth critically evaluates selected work and family policy initiatives implemented by the 1996–2007 federal government.

2.3

Austria

Christiane Rille–Pfeiffer

Population	2005	8.3 million
Total Fertility Rate	2000–5	1.4
GDP per capita	2005	US\$33,700
Female economic activity	2005	49.5 per cent
As % male rate	2005	76 per cent
% of employed working part time (ECLC)		
Men	2005	6.1 per cent
Women	2005	39.3 per cent
Employment gender gap (full-time equivalent)(ECI)	2005	22.0% points
Employment rate (parents with children under 12 years)(EWM)		
Fathers	2006	92.9 per cent
Mothers	2006	68.5 per cent
Employment impact of parenthood (parents with a child 0–6 years)(ECI)		
Men	2006	+4.4% points
Women	2006	-17.7% points
Gender-related Development Index		19th
Gender Empowerment Measure		13th
Access to regulated ECEC services ³³		
Children under 3 years	2004	4 per cent
Children 3–5 years (inclusive)	2004	74 per cent

NB. Austria is a federal state

³³ A recent study gives higher figures (for 2005): 13 per cent for children under three years; 85 per cent for children three to five years (Fuchs, M. (2006) Kinderbetreuungsplätze: 'Zwischen 10.000 und 100.000'). These rates are also cited in the EC Employment Guidelines indicators.

1. Current leave and other employment-related policies to support parents

a. Maternity leave (*Mutterschutz*) (responsibility of Federal Ministry of Economics and Labour)

Length of leave (before and after birth)

- Sixteen weeks, 8 weeks before the birth and 8 weeks after the birth.

Payment (applied for the whole period of maternity leave)

- One hundred per cent of average income for the last three months of employment before taking leave for employees; there is no ceiling on payment. Self-employed women receive a flat-rate payment of €24.78 (2008) a day; freelance workers receive a flat-rate payment of €7.55 a day. Employed women on temporary contracts also receive a flat-rate payment of €7.55 a day. Eligible unemployed women or women receiving childcare benefit are entitled to 180 per cent of previous unemployment benefit.

Flexibility in use

- None.

Regional or local variations in leave policy

- None.

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

- All employed women are entitled to 16 weeks maternity leave with 16 weeks payment (100 per cent of average income), except for short-time employed women and freelance workers who are eligible for maternity leave only if they are voluntarily health-insured. Unemployed women are eligible for maternity payment only if they have completed three months continuous employment or have been compulsorily health-insured for 12 months within the last 3 years.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent) or delegation of leave to person other than the mother

- In case of danger to the health of the mother or unborn child, women are eligible to take leave earlier than 8 weeks before delivery; in cases of premature or multiple births or births by Caesarean section, women are eligible for 12 weeks after birth (in exceptional cases even 16 weeks).

b. Paternity leave (responsibility of Federal Ministry of Economics and Labour)

There is no statutory right to paternity leave, though collective agreements may provide a few days off for fathers immediately after the birth of a child. During these days off work fathers receive full earnings replacement.

c. Parental leave (*Elternkarenz*) (responsibility of Federal Ministry of Economics and Labour)

Length of leave (before and after birth)

- Until the child reaches two years. This entitlement is per family.

Payment

- A childcare benefit is available to all families who meet the eligibility conditions, whether or not parents take Parental leave (see section 2). Parents can choose between three options: a long option (€436 a month for 30 months **or** for 36 months if both parents apply for the payment ; a mid-range option (€626 a month for 20 months **or** 24 months); and a short option (€800 a month for 15 months **or** 18 months). The longer period in each option (36, 24 or 18 months) is intended to encourage the involvement of fathers in childcare, and ideally mothers and fathers should share childcare responsibilities; however, no proof of father's involvement is required.

Flexibility in use

- Leave may be taken by one parent only (mother or father) or by both parents on an alternating basis (the whole period can be divided into a maximum of three parts alternating between parents, with each part at least three months). Both parents cannot take leave at the same time except for one month the first time they alternate leave. In that case parental leave ends one month earlier (i.e. one month before the child's second birthday).
- Each parent has the possibility to postpone three months of parental leave, to use up to the child's seventh birthday (or school entry at a later date).

Regional or local variations in leave policy

- None.

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

- All employees are entitled to take 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; lone parent; or delegation of leave to person other than parent)

- None

Additional note (e.g. employer exclusions or rights to postpone)

- None

d. Childcare leave or career breaks

- Employees have the possibility to take between 6 and 12 months time off for private reasons (e.g. further education, family reasons). It is based on a mutual agreement between employer and employee and is unpaid; it is not, therefore, a statutory entitlement. The leave period is unpaid, though if leave is taken for educational reasons, then it is possible to receive a further training allowance from unemployment insurance funds (though the employee also has to meet the eligibility criteria for unemployment benefit and the employer has to recruit a substitute for the period of leave).

e. Other employment-related measures

Adoption leave and pay

- For adoptive parents the same regulations for Parental leave apply as for other parents.

Time off for the care of dependants

- Employees are entitled to take two weeks leave a year to care for sick children and one week of leave for other dependants/family members needing care, with full earnings replacement.
- Employees may take a maximum of six months family hospice leave for the purpose of nursing terminally ill family members or very seriously ill children. If the leave is taken for ill children, it can be extended to nine months. This leave is unpaid, but low-income families may claim subsidies, if such care leave causes financial distress.

Flexible working

- Parents with children born after 1 July 2004 are entitled to work part time until their child's seventh birthday (or school entry at a later date) if they are working in companies with more than 20 employees and if they have been continuously employed with their present employer for at least three years. There are no given limits concerning the extent of the part-time work. The new regulations also include the right to change working hours within the day (e.g. from morning to afternoon) without reducing the number of working hours and the right to return to full-time employment. As in the past, parents working in companies with less than 20 employees may enter into an agreement on part-time work with the employer to the child's fourth birthday (see section 1c on parental leave). Parents are protected against dismissal during the period of part-time work.

2. Changes in leave policy since 2005 and other related developments (including proposals currently under discussion)

The most important recent change in leave policy has been the introduction of the childcare benefit (*Kinderbetreuungsgeld*) in January 2002. Before, parental leave and the parental leave benefit were linked together and aimed to support employees with young children, i.e. to protect them against dismissal and to compensate for the loss of earnings due to motherhood. Since 2002 the parental leave benefit as an insurance benefit has been replaced by the childcare benefit, which is a general family benefit for which *all* parents with young children are eligible regardless of whether they were formerly gainfully employed or in a compulsory insurance scheme (for example, homeworkers, (school) students, farmers, marginal part-time workers and self-employed persons are eligible for childcare benefit.). The childcare benefit is always granted for the youngest child.

After five years of experience with the childcare benefit the Austrian Government agreed to make the existing childcare benefit scheme more flexible. Since January 2008 parents can now opt for one of three different models: either the old 'long' model (€436 a month for the period of 30 months, or 36 months if both parents share the childcare duties); or from two models offering higher payments for a shorter period: 1. €800 a month for 15 months or 18 months if both parents share childcare; or 2. €624 a month for 20 months or 24 months for both parents. The two new models should encourage mothers to enter the labour market earlier and thus reduce the negative effects of long-term labour market absence for women. Furthermore, the government decided to increase the current limit of additional earnings (e.g. income from letting and leasing, freelance contracts or capital assets) from €14,600 to €16,200 a year.

Though these modifications of the childcare benefit are widely accepted, the political debates continue. On the one hand, the flexibilisation is considered to be not extensive enough (e.g. concerning the ceiling on additional earnings). On the other hand, due to the shortage in childcare facilities it is doubted if parents will opt for the new model (i.e. shorter period and more money). Furthermore, public expenditure on the childcare benefit is very high and there is concern about future funding.

Over the last years the availability of institutional childcare – especially for children under three years – is an important issue for politicians as well as for scientists. As institutional childcare is decentralised – i.e. it is regulated by the provinces – it is rather difficult to ascertain the demand for childcare as well as the availability of care facilities. This contributes to controversy on the appropriateness of the childcare system, a debate that is always closely linked to the question of whether it is important for the child's well-being that the mother is the main caregiver during the first years. Due to the new option to choose a shorter period of childcare benefit the question of childcare for children under three years will get additional attention. Childcare in Austria is highly decentralised, being a matter for the provinces. Recently some provincial governments have decided to extend childcare services – for children aged three to six years as well as for younger children.

Increasing the participation of fathers in childcare is one of the major goals of the new regulation, and has been an issue for some time. The former attempts to increase the per centage of fathers taking up parental leave have proved to be rather ineffective. In this context it is important to distinguish between fathers taking parental leave and fathers receiving childcare benefit. Whereas the per centage of fathers taking parental leave remains very low, the number of fathers receiving childcare benefit has continuously increased. This is due to the fact that

this payment is eligible not only for employees but for all parents irrespective of their occupational status. Moreover, the only requirement for receiving childcare benefit is to observe the limit on additional earnings. Hence, it can be questioned whether the increasing number of fathers taking childcare benefit corresponds to the real participation of fathers in childcaring.

Nevertheless there is broad agreement on the need to encourage fathers to participate in childcare, and the government is currently discussing the introduction of one month of obligatory paternity leave. There are several ideas about how to frame the so-called Papa-Monat, although the main principles are agreed: a period of four to six weeks with a minimum payment of €800 or, alternatively, an earnings-related payment.

3. Take-up of leave

a. Maternity leave

It is obligatory for employees to take maternity leave and almost all mothers are eligible; the take-up of leave, therefore, corresponds to the number of births.

b. Paternity leave

There is no statutory entitlement.

c. Parental leave

Data provide evidence that almost all eligible (i.e. formerly employed) mothers — between 93 and 96 per cent — took up parental leave in the last years of the previous scheme. Since the replacement of the parental leave benefit by the new childcare benefit in 2002, there is only information on the number of women and men taking childcare benefit, which is different to the number of persons taking up parental leave. There is no way of telling from these figures what proportion of parents take parental leave and it is doubtful whether data on the take-up of parental leave will be available in the future.

Parental leave for fathers was introduced in 1990. The per centage of fathers taking up parental leave was always very low (between 0.6 and 2 per cent). Since the introduction of the childcare benefit the per centage of fathers taking childcare benefit has slightly risen to 3.8 per cent in January 2008. As mentioned before, this is mainly due to the fact that for some groups of fathers it is now possible to meet the criteria for entitlement.

d. Other employment-related measures

Contrary to the government's expectations, the take-up of the family hospice leave has been very low: 1,159 people have taken this leave

from July 2002 until the end of 2004. There is no information available on take-up of care leave for sick children as well as for other dependants.

4. Research and publications on leave and other employment-related policies since January 2005

a. General overview

Research on maternity leave is rare because the entitlement is so well established and widely accepted. Parental leave was introduced for the first time in 1957 as an unpaid leave of six months for employed mothers only. During the last decades it was modified several times and analysed in numerous research studies. Subjects of research were mainly the impact of taking up parental leave on women's employment and their occupational careers, especially on re-entry into the labour market, and the take-up of leave by fathers. Research on parental leave is often linked on the one hand to the broader issue of work-life balance and flexible working schemes for parents with young children; and on the other hand to the issue of gender equality and gender specific division of paid and unpaid labour. The introduction of the childcare benefit not only marked a fundamental change in Austrian leave policies but — as mentioned before — is also presumed to have substantial effects on research on take-up of leave due to a (potential) lack of data.

In general there have been a lot of evaluation studies on leave-related policy measures in the last few years. This is due to the recently introduced legal obligation to evaluate the effects of new regulations within two years. Particular attention in these evaluation studies (but also as an issue for research in general) has been paid to the role of fathers and their participation in childcare. Recently, too, there are several evaluation studies on part-time work for parents.

b. Selected publications from January 2005, including results from research studies

Lalive, R. and Zweimüller, J. (2005) *Does parental leave affect fertility and return-to-work? Evidence from a 'true natural experiment'*. ISA Discussion Paper No. 1613, Institute for the Study of Labor. Available at: <ftp://repec.isa.org/RePEc/Discussionpaper/dp1613.pdf>

Study on the causal effects of changes in parental leave provisions on fertility and return-to-work-behaviour, referring to the policy change that took place in 1990 in Austria (extension of parental leave from the child's first to the child's second birthday).

Prammer-Waldhör, M. (2005) *Erwerbsaktiv nach der Elternkarenz. Befunde zum Jahr 2004, Synthesis-Forschung*. Available at <http://www.fforte.at/downloads/elternkarenz.pdf>.

The Public Employment Service Austria (AMS) evaluates regularly the situation of mothers re-entering the labour market.

Steger, H. (2005): *Der Einfluss der betrieblichen Rahmenbedingungen auf die Inanspruchnahme der Väterkarenz in Österreich auf Basis eines systemisch-ökopsychologischen Familienmodells*, Diplomarbeit: Universität Wien.

Work on parental leave for fathers that tries to bring together the perspective of fathers and the perspective of companies. The empirical part includes interviews with fathers and a questionnaire to be answered by staff departments.

Scambor, E. and Fasshauer, M. (2006) *Strukturelle Rahmenbedingungen aktiver Vaterschaft. Fokus – Karenzregelungen und Teilzeit in Österreich*. Available at: http://www.karenzundkarriere.at/downloads/recherche_rahmenbed_karenz.doc

This article is an output of an initiative to encourage the careers of men and women who have taken parental leave. It illustrates in which way the given structures reinforce the current model of gender-specific division of labour in Austria.

Riesenfelder, A., Sorger, C., Wetzel, P. and Willsberger, B. (2006) *Evaluierung der Einführung des Kinderbetreuungsgeldes*. Forschungsbericht L&R Sozialforschung. Available at: http://www.lrsocialresearch.at/files/Endbericht_Eval_KBG_L&R_Sozialforschung.pdf

Evaluation Report on the introduction of the childcare benefit. The focus is on whether the childcare benefit is an adequate measure for combining family life and work.

Rille-Pfeiffer, Ch. and Kapella, O. (eds) (2007) *Kinderbetreuungsgeld. Evaluierung einer familienpolitischen Maßnahme, ÖIF-Schriftenreihe, Band 15*. Innsbruck: Studienverlag

This book presents results from a research project to evaluate the implementation of the childcare benefit from its beginning in 2002 up to 2006. Main issues covered are the impacts of the childcare benefit on the reconciliation of family and work, on women's occupational career and on male participation in childcare.

2.4

Belgium

Laura Merla and Fred Deven

Population (UNDP)	2005	10.4 million
Total Fertility Rate (UNDP)	2000-05	1.6
GDP per capita (UNDP)	2005	US\$32,119
Female economic activity (UNDP)	2005	43.7 per cent
As % male rate (UNDP)	2005	73 per cent
% of employed working part time (ECLC)		
Men	2005	7.6 per cent
Women	2005	40.5 per cent
Employment gender gap (full-time equivalent) (ECI)	2005	21.9 per cent
Employment rate (parents with children under 12 years)(EWM)		
Fathers	2006	92.2 per cent
Mothers	2006	69.3 per cent
Employment impact of parenthood (parents with a child 0–6 years)(ECI)		
Men	2006	+ 9.9% points
Women	2006	- 0.9% points
Gender-related Development Index (UNDP)	2005	14th
Gender Empowerment Measure (UNDP)	2005	7th
Access to regulated ECEC services (OECD)		
Children under 3 years	2004	38.5 per cent
Children 3–5 years (inclusive)	2004	99.6 per cent

NB. Belgium is a federal state

1. Current leave and other employment-related policies to support parents

a. Maternity leave (*Moederschapsverlof / Congé de maternité*) (responsibility of the Federal Department of Employment and Social Affairs)

Length of leave (before and after birth)

- Fifteen weeks. A woman can start to take her leave six weeks before her baby is due and nine weeks is obligatory following delivery.

Payment

- Employees in the private sector: first month at 82 per cent of earnings plus 75 per cent for the remaining weeks with a ceiling of €86.34 per day. Public sector: statutory civil servants receive full salary; contractual civil servants, as for private sector.

Flexibility in use

- The start of maternity leave can be delayed until one week before birth.

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

- All women employees are entitled to leave with earnings-related benefit. Self-employed workers can take maternity leave but have a separate system which is less advantageous compared with employees (e.g. eight weeks of paid leave).

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother

- In the case of multiple births, the length of leave increases by two weeks. Maternity leave can also be extended if the baby is hospitalised following birth.
- 'Social' parental leave. In the case of the death of the mother, or if the mother remains in hospital (after the first week after delivery) for more than a week and if the baby is at home, the father is granted the remaining weeks of the maternity leave period. He is paid 60 per cent of his earnings in addition to the payment of the mother's maternity leave income.

b. Paternity leave (*Vaderschapsverlof* / *Congé de paternité*) (responsibility of the Federal Department of Employment and Social Affairs)

Length of leave

- Ten days; three days are compulsory.

Payment

- One hundred per cent of earnings for three days paid by the employer, 82 per cent of earnings for the remaining period paid by Health Insurance (ceiling of €94.40 per day).

Flexibility in use

- Must be taken during the first month of the child's life, but can be distributed throughout this month except for the first three days, which must be taken immediately after childbirth.

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

- All male employees. Self-employed fathers are not eligible.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent) or delegation of leave to person other than the mother

- None.

**c. Parental leave (*Ouderschapsverlof* / *Congé parental*)
(responsibility of the Federal Department of Employment
and Social Affairs)**

Length of leave (before and after birth)

- Three months per parent per child, which can be taken up to the child's sixth birthday. Leave is an individual entitlement.

Payment

- €698.65 per month if leave taken full time.

Flexibility in use

- Leave may be taken full time, or half time over six months or for one day a week over 15 months. For half-time leave, the total duration of six months can be split into blocks of time, minimum two months. For one fifth leave, the total duration of 15 months can still be split into blocks, minimum five months instead of three. In addition, there is a new possibility to combine different forms of leave according to the following rule: one month at full time + two months at half time + five months at one-fifth.

Regional or local variations in leave policy

- The Flemish Community pays an additional benefit during the first year (approximately €160 per month for a full-time break)

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

- All employees who have completed one year's employment with their present employer (during the last 15 months) and who have, or expect to have, parental responsibility for a child. Otherwise, the employer can grant this benefit by agreement to the employee. Self-employed are not eligible.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the parents

- As the leave is per child, each parent of twins for example gets 26 weeks.
- Parents of disabled children can take leave until their child's eighth birthday.
- The benefit is higher for lone parents who reduce their employment by a fifth (approximately €129 instead of €96 per month in all the other cases).

Additional note (e.g. if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)

- Employers may postpone granting leave for up to six months 'where business cannot cope'. In addition, the request for leave must be addressed to the employer a minimum of two months and a maximum of three months in advance.

d. Childcare leave or career breaks

- There is a Time Credit system (*Tijdskrediet* / *Crédit temps*) which applies to employees in the private sector. Payment varies according to age, civil status and years of employment (e.g. it is higher for those aged 50 years or older, for those employed for five

years or more). The maximum for a full-time break is approximately €569.53 per month. The bonus for residents of the Flemish Community also applies to this type of leave. All eligible workers have a basic right to one paid year of this type of leave. This period can be extended up to five years by collective agreement negotiated at sectoral or company level. Users who extend their leave to care for a child younger than eight years, to care for a seriously ill family member or for a handicapped child, will continue to receive a payment during the full length of their leave. For each company, there is a 5 per cent threshold of employees who can use the time credit system at any one time; priorities are settled within the company according to certain rules (e.g. priority in the case of care for a severely ill family member). There is a guarantee in principle to return to the workplace following a career break or time credit period. The Collective Agreement No. 77 (+ supplements) specifies all conditions and procedures.

e. Other employment-related measures

Adoption leave and pay

- The same regulations as for parents having their own children, except Parental leave may be taken until a child's eighth birthday.

Time off for the care of dependants

- Employees may take-up to 10 days of leave a year 'for urgent reasons' (*force majeure*) to deal with unexpected or sudden circumstances. The legislation defines 'urgent' as making it 'obligatory and necessary' to be present at home instead of being at work (e.g. such as illness, accident or hospitalisation of a member of the household). There is no entitlement to payment.
- For a severely ill family member, an employee can take full-time leave ranging from 1 to 12 months (and up to 24 months in the case of part-time leave). It must, however, be taken in blocks of one to three months. Benefits paid are the same conditions as for Parental leave.
- Employees may also take-up to two months of leave, full time or part time, for palliative care (to be taken in blocks of one month). Benefits paid are the same as for Parental leave.

Flexible working

- None.

2. Changes in leave policy and other related developments since 2005 (including proposals currently under discussion)

In 2006, the post-natal period of maternity leave was increased by one week for all mothers who need to take the full amount of weeks during their pre-natal period. This means that women who start leave 6 weeks before birth benefit from a total of 16 weeks of maternity leave.

In April 2007, the federal government's 'Solidarity between Generations' plan was implemented. This included the following changes to time credits agreed by the social partners: limitation of paid time credit (full time) to one year, except if the time credit is taken to care for a child younger than eight years, to care for a seriously ill family member or for a handicapped child (in which case the payment will be granted for the whole duration of the leave, i.e. up to five years); time credit for 'personal purposes' (for example, travelling, renovating a house or simply taking some rest) can still be extended by collective agreement for up to five years, but without pay. In addition, the gross salary of people taking a time credit of a fifth will be limited to 90 per cent of their previous gross salary. For specific information on the new legislation in the Flemish public sector, see:

http://personeel.vlaanderen.be/statuten/omzendbrieven_dienstorders/OMZ_DVO_2007_10.htm

In June 2007, elections were held for the federal parliament in Belgium. Most parties pledged to improve Parental leave, most often by extending its duration to one year. Some parties also referred to the need to increase payment. But it took until 21 December before even an interim government was agreed and until 18 March 2008 before a new federal government was installed, so nothing happened in real terms. The programme of the new government only includes the intention '*to extend parental leave for parents with a handicapped child*'.

During 2007, specific efforts were made to facilitate leave-taking by self-employed workers, including increasing Maternity leave from six to eight weeks and extending eligibility to adoption leave.

3. Take-up of leave

a. Maternity leave

There is no systematic information on what proportion of women do *not* take the full amount of maternity leave, an issue especially relevant among the self-employed.

b. Paternity leave

Data on the take-up of the recently extended Paternity leave remain preliminary. Following the extension to 10 days, a large majority of men used the extended Paternity leave; in 2006, it was taken by 55,499 fathers, compared with 17,045 in 2002 (Sénat de Belgique). About 5 per cent of fathers continue to use only the three days of leave that was the previous entitlement.

c. Parental leave

There is no information on what proportion of employees are not eligible for parental leave. Administrative records of the take-up of Parental leave are kept by the agency in charge of the payments (RVA/ONEM: www.fgov.be). The profile of users is predominantly female although the proportion of fathers among all leave-takers is slowly growing (20 per cent in 2007). In 2007, 79 per cent of all users took their parental leave either as reduced hours (i.e. one day each week) or half-time; this was more common among fathers (92 per cent of all men on parental leave, compared with 76 per cent of all women on parental leave).

d. Other employment-related measures

The previous career break system, more recently the time credit system, is also monitored by the agency (RVA/ONEM) that is responsible for payments. Between 2004 and 2005, the number of users rose by 22 per cent, due to the large increase of part-time options (a reduction in working time of a half or a fifth). In 2005, only 14 per cent of all users opted for a full-time leave. Women represented 62 per cent of all users. People aged 50 and over represented 52 per cent of all users; users in this age group were predominantly male, suggesting that men tend to use the time credit system as a form of flexible early retirement while women tend to use it to balance paid work and (child)care.

4. Research and publications on leave and other employment-related policies since January 2005

a. General overview

There is no research on statutory leave entitlements, and only limited official information on take-up. Research has been focused on how parents have managed to take time off work or work more flexibly without recourse to legal entitlements, including the contribution of workplace policies and practices. There have been a number of publications documenting the use of these entitlements based on administrative records showing an overall increase in use, mostly by women to maintain continuous employment when having children.

b. Selected publications from January 2005, including results from research studies

Deven, F. (2005) 'Assessing the use of parental leave by fathers: towards a conceptual model', in: B. Peper et al. (eds) *Flexible working and the integration of work and personal life in a context of organisational change*. Cheltenham: Edward Elgar, pp. 247-267.

This chapter introduces a model, based on a review of the research literature and a set of hypotheses, that covers the various types of

factors and variables that influence the extent to which fathers make use of certain leave arrangements.

Fusulier, B. (2005), 'Aux antipodes de la Finlande: le Japon et son modèle alternatif d'articulation travail-famille', in: D. G. Tremblay (ed.), *De la conciliation emploi-famille à une politique des temps sociaux*. Montréal: Presses de l' Université du Québec, pp. 259–269

An analysis of Japan's model for combining work and family, in comparison with Finland's.

Fusulier B., Giraldo S. and Legros E. (2005) 'L'utilisation des dispositifs d'articulation de la vie familiale et de la vie professionnelle. Etude auprès de 48 entreprises de Wallonie', *Cahiers de l'Institut des Sciences du Travail*, 49. Louvain-la-Neuve: Institut des Sciences du Travail

This paper uses data collected from 48 medium and large private companies in Wallonia to present a first picture of the use of statutory measures intended to support workers with family responsibilities (e.g. various types of leave), and also identifies company measures. It discusses the relationship of companies to these entitlements.

Fusulier B., Merla L., Laloy D. and Plaideau C. (2005) 'Vers un modèle cumulatif d'articulation famille-travail?', in: Marquet et al. (eds) *L'Évolution Contemporaine de la Parentalité*. Brussels: PSF

This chapter examines the use of work/family measures by a sample of 40 fathers living in different family arrangements and how tasks are shared among those men calling themselves 'new dads'.

Leitner S. (2005) 'Conservative familialism reconsidered: the case of Belgium', *Acta politica*, No. 40: 419–439.

The article aims to deconstruct the myths of a homogenous familialism in conservative welfare regimes and starts with an analytical conception of familialism. Thereafter, it demonstrates how Belgium — as one of the conservative welfare regimes with high priority for the family — has changed its social care arrangements in the field of childcare and care for older persons over time.

Merla, L. (2005) 'Identity Implications of being a housefather in Belgium', paper given at the *17th Annual Meeting on Socio-Economics* organised by the Society for Advanced Socio-Economics, Central European University and Corvinus University of Budapest, Budapest, 30 June – 2 July 2005. Available at:

http://www.sase.org/conf2005/papers/merla_laura.pdf

This paper presents preliminary results of doctoral research on 'housefathers' living in Belgium, focusing on the factors that explain men's 'choice' to become housefathers, how the transition is integrated in their life history and the reactions that these men experience.

NAR/CNT (2005) *Het Tijdskrediet – Jaarlijkse evaluatie (Rapport No.67)* [*The Time credit – Annual Evaluation (Report No. 67)*]. Brussels: National Arbeidsraad / Conseil National du Travail. Available at: www.nar-cnt.be

The National Employment Council (NAR/CNT) is required to provide an annual evaluation of the use of Time Credits, including the profile of users, costs and specific arrangements made through sectoral collective agreements.

Deven, F. (2006) 'Reconciling work and family life (2001-2006)', *Introduction to Session 3 – 28th Council of Europe Conference of Ministers responsible for family qffairs*, Lisbon, 17 May 2006. Available at: www.coe.int/dg3/youthfamily/savoir-plus/conferences

This paper compares the statements of most Council of Europe Member States made at the 2001 Conference with the measures and achievements (including leave arrangements) reported at the time of the 2006 Conference.

Fusulier B. (2006) 'Articuler vie familiale et vie professionnelles en Amérique du Nord', *Les Politiques Sociales*, No.1 & 2

Starting from general indicators and policies, the paper analyses the work-family articulation model in the United Sates and in Canada, with a special interest in Quebec.

Fusulier B., Giraldo S. and Legros E. (2006) 'L'utilisation des dispositifs d'articulation de la vie familiale et de la vie professionnelle'. *Enfances, Familles, Générations*, Université de Trois-Rivières, No. 4

Based on a first-hand collection of data from 48 medium-sized and large organisations and private firms located in Wallonia (Belgium), this article provides an initial snapshot of whether workers make use of the institutional dispositions available to help them articulate their professional and family lives (maternity leave, paternal leave, parental leave, etc.). It also identifies and takes account of the extra-legal provisions introduced by organisations.

Merla, L. (2006) 'No trabajo y me siento bien' : Cambios en la división sexual del trabajo y dinámicas identitarias de padres en casa en Bélgica', *Cuadernos de Relaciones Laborales*, Vol. 24, No. 2: 111-127

This paper focuses on the interrelationship between the lack of legitimacy that stay-at-home fathers confront in their daily interactions and the discursive strategies they develop to deal with this.

Merla, L. (2006) *Appréhension et présentation de soi et transgression des normes de la division sexuelle du travail: Le cas des pères 'au foyer'*, Dissertation doctorale de sociologie, Louvain-la-Neuve : Université catholique de Louvain.

This dissertation analyses the interrelationship between the social norms assigning men to paid work and women to care and the reflexive construction of gender identity by focusing on a group of 21 stay-at-home fathers living in Belgium.

Moss, P. and Deven, F. (2006). 'Leave Policies and research: a cross-national review', *Marriage & Family Review*, Vol.39, No. 3 / 4: 255--285 (also as chapter in: *Families and social policy: national and international perspectives*, ed. L. Haas and S. K. Wisendale. Haworth Press)

This article reviews leave policies and research in a wide range of countries, both within and outside the EU, highlighting the main similarities and differences and identifying directions discernible in recent policy developments. The article concludes with a discussion of future challenges and directions for policy and research.

Desmet, B., Glorieux, I. and Vandeweyer, I. (2007) 'Wie zijn de loopbaanonderbrekers? Socio-demografische kenmerken, motivaties en arbeidshouding van loopbaanonderbrekers' ['Who uses a career break? Socio-demographic characteristics, motivations and work ethos of career break users'], *OVER-WERK*, 2007, 3-4: 156-160

This article documents the socio-demographic profile, motives and attitudes towards work and professional career of the users of the career break or time credit scheme in Flanders.

Deven, F. (2007) 'Quel avenir pour quel type de politique familiale?', in: M. Casman et al. (eds) *Familles plurielles; Politique familiale sur mesure?* Bruxelles: Editions L. Piré, pp. 300-304

This chapter analyses the objectives and the main measures ('tool kit') of family policy in Belgium. It also draws upon the relevance of a comprehensive policy dealing with work-life issues including the various leave policies.

Doucet, A. and Merla, L. (2007) 'Stay-at-home-fathering: a strategy for balancing work and home in Canadian and Belgian families', *Community, Work and Family*, Vol. 10, No. 4: 455-473.

This article explores the innovative ways that families seek to create work-family balance in Belgium and Canada, two countries where relevant social policies are still focused on encouraging private family-based solutions to balancing paid and unpaid work. Fathers who stay at home only partially 'trade cash for care'; that is, they also remain connected to traditionally masculine sources of identity.

Fusulier, B., Laloy, D. and Sanchez, E. (2007) 'L'acceptabilité sociale de l'usage de congés légaux pour raisons parentales : le point de vue des cadres d'une grande entreprise', *Recherches sociologiques et anthropologiques*, Vol. 28, No. 2: 83-103

This paper explores the role private companies play in the use of work-family balance measures, through an analysis of men's perception of the legitimacy of using these measures. It is based on a questionnaire administered to 137 executives working in a large firm in Wallonia.

Merla, L. (2007) 'Masculinité et paternité à l'écart du monde du travail: le cas des pères au foyer en Belgique', *Recherches sociologiques et anthropologiques*. Vol. 38, No. 2: 143-163.

This paper examines the difficulties stay-at-home fathers confront in maintaining a positive masculine self-image, emphasising the role played by reference to paid work both in self-definition and self-presentation as a man.

Merla L. (2007) 'Jendaa aidentiti no dainamikusu: berugii ni okeru sengyoshufu no jirei chosa kara' ['The dynamics of gender identity: the case of Belgian stay-at-home fathers'], *Kokusai Jendaa Gakkaishi [Japanese Journal of the International Society for Gender Studies]*, Vol. 5: 63-95.

This paper explores Belgian stay-at-home fathers self-reported gender identities and their relationship with the strategies fathers develop to manage their transgression of men's assignation to paid work.

Merla L. (2007) 'Père au foyer, une expérience "hors norms"', *Recherches et Prévisions*, No. 90: 17-27.

This paper is based on the results of a doctoral research study on 21 stay-at-home fathers living in Belgium and examines the reasons why these men became the primary caregivers for their children.

Fusulier B., Giraldo S. and Laloy, D. (2008) *L'entreprise et l'articulation travail/famille. Transformations sociétales, supports institutionnels et médiatisation organisationnelle*. Louvain-la-Neuve: Presses Universitaires de Louvain

Merla, L. (2008) 'Determinants, costs and meanings of Belgian stay-at-home fathers: an international perspective', *Fathering*, Vol. 6, No. 2: 113-132.

Data gathered from 21 stay-at-home fathers living in Belgium are analysed and compared with results from research conducted in Australia, Sweden and the USA on fathers taking primary responsibility for childcare. The dynamic process of managing the tension between assigned norms and personal identity is studied through a comparative overview of how stay-at-home fathers come to assume the primary responsibility of childcare, the norms they are confronted with in their daily interactions and the strategies used by these fathers to (re)construct a positive self-image.

Vandeweyer, J. and Glorieux, I. (2008) 'Men taking up career leave: an opportunity for a better work and family life balance?', *Journal for Social Policy*, Vol. 37, No. 2: 271–294

In 2004, 9 per cent of all female employees in Flanders took advantage of the career break or time credit system compared with 3 per cent of all male workers. This article compares the time use of men interrupting their careers full time or part time. Only men taking part-time leave are mainly motivated to strike a better work–life balance. Encouraging fathers to work fewer hours could well be the best policy for achieving more gender equality in Flanders.

c. Ongoing research

A sociological analysis of the influence of the professional group on the use of family-friendly policies: social workers, nurses and police officers (2006–2009). Catholic University of Louvain (UCL / ANSO). Contact: bernard.fusulier@uclouvain.be

2.5

Canada

Andrea Doucet and Diane-Gabrielle Tremblay

Population (UNDP)	2005	32.3 million
Total Fertility Rate (UNDP)	2005	1.5
GDP per capita (UNDP)	2005	US \$33,375
Female economic activity	2005	60.5 per cent
As per cent male rate (UNDP)	2005	84 per cent
% of employed working part time(ECLC) ³⁴		
Men	2005	No data
Women	2005	No data
Employment gender gap (full-time equivalent) (ECI)	2005	No data
Employment rate (parents with children under 12 years) (EWM)		
Fathers	2006	No data
Mothers ³⁵	2006	No data
Employment impact of parenthood (parents with a child 0–6 years)(ECI)		
Men	2006	No data
Women	2006	No data
Gender-related Development Index (UNDP)	2005	4th
Gender Empowerment Measure (UNDP)	2005	10th
Access to regulated ECEC services (OECD)		
Children under 3 years	2004	19 per cent
Children 3–5 years (inclusive)	2004	No data

NB Canada is a federal state, with ten provinces and three territories (referred to below as 'jurisdictions')

³⁴ The percentage of employed working part time in 2006 was 10.8 (men) and 26.1 (women). The employment gender gap in 2001 was 13.5 per cent (Source: Statistics Canada).

³⁵ The employment rate in 2006 for women with a child under three years was 64 per cent, 69 per cent for women whose youngest child was aged three to five and 73 per cent for women with a child under 16 years (Source: Statistics Canada).

1. Current leave and other employment-related policies to support parents

Note on federal and provincial/territorial responsibility: In Canada the federal government provides maternity and parental leave benefits through the Employment Insurance programme, funded by the Department of Human Resources and Social Development Canada. Provinces and territories deliver the programme and thereby modify some of the details. These variations are minimal. Labour laws also fall under provincial jurisdictions resulting in different leave entitlements. Payment of maternity and parental leave is the same under the federal programme; based on a complex formula that takes economic region and low income into account.

In January 2006 the province of Quebec launched a separate maternity, paternity and parental leave benefit programme, called the Quebec Parental Insurance Plan. Details below are for the federal programme unless otherwise stated. See section 2 for full details on the Quebec programme.

a. Maternity leave (*congé de maternité*) (responsibility of the Department of Human Resources and Social Development Canada)

Length of leave (before and after birth)

- Fifteen to eighteen weeks depending on the jurisdiction. Leave may normally not start earlier than 11–17 weeks before the expected date of birth, depending on the jurisdiction. The total leave is not affected by when a woman starts her leave, except in some cases where an extension may be granted if the actual date of delivery is later than the estimated date.

Payment

- Fifteen weeks at 55 per cent of average insured earnings (ceiling of CAN \$435 (€275) per week, up to a ceiling of \$41,000 (€25,745), for the year). Low-income families can qualify for a higher benefit rate. There is no payment for the first two weeks which are treated as a 'waiting period'. See 'regional or local variations in leave policy' for payment in Québec.

Flexibility in use

- None. Women may continue with paid work until birth if they explicitly declare that it is their personal decision to do so, but for the two months after birth no paid work is allowed for reasons of health protection.

Regional or local variations in leave policy

- Length of leave and entitlement vary across provinces and territories.
- Quebec offers benefits of 70 per cent of average weekly income up to a ceiling of CAN\$59,000 per year (€37,055) for 18 weeks of maternity leave; there is also no two-week waiting period. There is some flexibility in use of Maternity leave. It is possible to have a

higher income replacement rate but for a shorter period, or lower income for a longer period. Under the first plan, Maternity leave benefits are equivalent to 75 per cent of the weekly salary and are paid for 15 weeks and 3 weeks, respectively.

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

- Eligibility for leave varies between jurisdictions and is also different from the eligibility for payment of benefits. Except in British Columbia and New Brunswick, an employee must have been employed by the same employer for a certain amount of time, varying from 12 to 13 months. All but one jurisdiction, Saskatchewan, require this employment to be continual. Eligibility requirements for benefits under the federal programme are 600 hours of continuous employment in the last 52 weeks. Most self-employed women are not eligible for benefit since they typically work under business or service contracts and are, therefore, not considered to have insurable employment. Many part-time workers do not have enough hours to qualify.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother

- Maternity leave can be extended in some jurisdictions if the child or the mother has health-related complications (in British Columbia this applies to the child if they have a physical, psychological or emotional condition that required additional care). This extension can be up to six weeks.

Additional note (e.g. if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)

- Some employers provide a supplemental benefit plan that partially or wholly makes up the difference between federal maternity benefit and the worker's salary.

b. Paternity leave (*conge de paternité*) (responsibility of the Department of Human Resources and Social Development Canada)

Length of leave (before and after birth)

- None.

Payment

- None.

Flexibility in use

- None.

Regional or local variations in leave policy

- Up to five weeks after the birth in Québec. Paternity leave may be taken for three weeks at 75 per cent of average weekly income or for five weeks at 70 per cent.

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

- One year of continuous employment. The self-employed are not eligible.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the father

- None.

c. Parental leave (*congé parental*) (responsibility of the Department of Human Resources and Social Development Canada)

Length of leave (before and after birth)

- Thirty-seven weeks in most jurisdictions for one parent or shared between two parents but not exceeding a combined maximum of 35 weeks. Leave is an entitlement per family. In all jurisdictions except the Yukon parents can take leave at the same time. All jurisdictions require that maternity leave and parental leave be consecutive if both are taken and the maximum number of weeks of leave that are allowed - including post-natal maternity leave and parental leave - for one person in almost all jurisdictions is 52.

Payment

- Up to 35 weeks per family at the same rate As maternity leave (55 per cent of average insured earnings up to a maximum 'ceiling' of CAN\$435 (€275) per week, and maximum of \$41,000 (€25,745), for the year).
- Low-income families (less than CAN\$25,921, €16,285 per annum) are eligible for a family supplement to raise payment.

Flexibility in use

- Benefit payments can be claimed by one parent or shared. They must be taken within 52 weeks of the birth. While on leave, a parent may earn CAN\$50 (approximately €31) a week or 25 per cent of the benefit, whichever is the higher (or, if the applicant lives in one of 23 economic regions, up to CAN\$75 or 40 per cent of the weekly benefit).

Regional or local variations in leave policy

- Provincial and territorial policies vary in the length of leave, flexibility of use, eligibility, etc. The payment of benefits is the same for all jurisdictions, except for Québec since 2006. Federal workers and workers for the territorial governments are regulated by the federal policy.
- In some jurisdictions the amount of parental leave depends on whether maternity/pregnancy leave was taken - the maximum number of weeks that are allowed for one person in almost all jurisdictions is 52, although British Columbia allows for an extension of Maternity leave that is not calculated into the 52 weeks. In three jurisdictions aggregate parental leave cannot exceed the maximum of the allowed leave (i.e. no more than 37 weeks combined). In all other jurisdictions each parent may take the full parental leave that is allowed (i.e. 37 weeks each parent).
- Some jurisdictions require that leave is completed within 52 weeks.

- In Québec parents can choose from two options: either 55 weeks of parental leave at 70 per cent of average weekly income up to a ceiling of CAN\$59,000 a year (approximately €37,055) for 25 weeks and 55 per cent for another 30 weeks; or 75 per cent of average weekly income for 40 weeks. Leave can be taken at any time in the 70 weeks that follow birth.

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

- Eligibility for leave varies between jurisdictions and is also different from the eligibility for payment benefits. With the exceptions of British Columbia and New Brunswick, an employee must have been employed by the same employer for either 12 or 13 months. All but one jurisdiction require this employment to be continual. Some types of employees and employment are excluded: the specific details vary from jurisdiction to jurisdiction, but students, agricultural workers, workers in small businesses and workers in government employment creation programmes are often excluded.
- To be eligible for payment benefits, a parent must have worked for 600 hours in the last 52 weeks or since their last Employment Insurance claim. Most self-employed workers are not eligible. Self-employed workers in Québec are eligible for an 18-week maternity leave if they have earned at least CAN\$2,000 (approximately €1,255) in the 52 preceding weeks

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the parents

- There are no variations for multiple births.
- In Nova Scotia, if the child for whom leave is taken is hospitalised for more than one week, a employee can return to work and take the unused portion of the leave when the child is released (this can only be taken once per leave).

Additional note (e.g. if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)

- Some employers have a supplemental benefit plan that partially makes up the difference between Employment Insurance parental benefits and the worker's salary; some also offer additional periods of leave. A survey of private companies in Québec in 2003 found that 36 per cent of union representatives and 46 per cent of HR managers said their companies offered supplementary leave or payments. (Tremblay, 2004)
- In Alberta, if the parents both work for the same employer, the employer is not obligated to grant leave to both employees at the same time.

d. Childcare leave or career breaks

None.

e. Other employment-related measures

Adoption leave and pay

- For adoptive parents the same regulations for parental leave apply as for other parents except in four jurisdictions. In three cases, adoptive parents are eligible for adoptive leave which can be added to Parental leave. In Prince Edward Island parents are eligible for 52 weeks adoption leave instead of the 35 weeks parental leave for birth parents. In Newfoundland and Labrador and Saskatchewan adoptive parents can take 17 or 18 weeks (respectively) which can be added to Parental leave, however in Saskatchewan only the primary caregiver is eligible for the adoption leave. In Québec, adoption leave can be shared by both parents and provides for 12 weeks at 70 per cent and 25 weeks at 55 per cent.

Time off for the care of dependants

- British Columbia and New Brunswick allow three to five days of unpaid leave a year to care for immediate family members.
- In Québec, parents are allowed 10 days by the *Loi sur les normes du travail*.
- Nine jurisdictions have compassionate care leave provisions which allow employees to take time off to care for or arrange care for a family member who 'is at significant risk of death within a 26-week period.' The length of leave is eight weeks unpaid within a 26-week period. Benefits of up to six weeks can be claimed through Employment Insurance for this leave; to qualify for benefits you must have worked 600 hours in the last 52 weeks and your weekly earnings must decrease by 40 per cent. This leave, *inter alia*, allows parents to take time off to care for a sick child even after 52 months have passed since the birth or if leave periods have been exhausted.

Flexible working

- In the federal and Québec jurisdictions, a pregnant woman or nursing mother may ask her employer to temporarily modify her duties or to assign her to another position, if continuation of her present duties puts her health or that of her unborn child or nursing infant at risk.

2. Changes in leave policy since 2005 and other related developments (including proposals currently under discussion)

Following an agreement reached in 2005, the new Québec Parental Insurance Plan came into effect in January 2006, replacing the maternity and parental leave benefits through the federal Employment Insurance programme. This new Plan has a number of advantages in terms of the population covered, flexibility in taking the leave and the income replacement rate. It introduces three major changes.

The first change provides for a period of leave reserved for the father that cannot be transferred to the mother, which is an innovation in

Canada and even in North America. Québec fathers are now entitled to a three to five week paternity leave with higher benefits than are provided under the federal programme, since the income replacement rate and maximum eligible earnings have also been increased.

The second change involves the increased income offered by the Plan. In addition to the abolition of the 14-day waiting period stipulated under the federal programme (two weeks without benefits as for all Employment Insurance claimants), the new Quebec Plan increases the maximum insurable income to \$59,000 (€38,750) instead of \$41,000 (€25,893), as is the case with the federal parental leave.

The third change relates to the introduction of more flexibility in the Plan since parents now have two options: a basic plan (longer leave with lower benefits) or a special plan (shorter leave with higher benefits). The latter might interest those who need a higher income replacement rate (especially if their employment income is relatively low) or else who cannot afford to miss work too long for various personal or work-related reasons. Whereas the federal programme provides for benefits corresponding to 55 per cent of the maximum insurable income (\$41,000) during the 15 weeks of maternity leave and 35 weeks of parental leave (accessible to both parents, but with a 14-day waiting period per couple), the new Quebec basic plan offers benefits of 70 per cent of the average weekly income for 18 weeks of Maternity leave and 5 weeks of paternity leave. As regards parental leave, it offers benefits that correspond to 70 per cent of income for 7 weeks and 55 per cent for 25 weeks. Adoption leave can also be shared by both parents and provides for 12 weeks at 70 per cent and 25 weeks at 55 per cent.

The special plan provides for higher income replacement rates but for a shorter period. Under this plan, maternity and Paternity leave benefits are equivalent to 75 per cent of the weekly salary and are paid for 15 weeks and 3 weeks, respectively. Parental leave is compensated at 75 per cent for 25 weeks and can be shared by the father and the mother. Under this special plan, the mother can receive benefits for a maximum of 40 weeks (versus 50 in the basic plan). Adoption leave can also be shared by both parents and lasts 28 weeks at 75 per cent under this second option.

Lastly, it must be underlined that the new Plan is more accessible and will allow more parents, including self-employed workers and students, to receive benefits since it no longer requires individuals to have worked 600 hours over the previous 52 weeks, but simply to have earned an insurable income of \$2,000 (€1,255). The funding of this programme is based on additional contributions that Quebec employers, employees and self-employed workers must pay into the

Plan. Employers and employees of course continue to contribute to the federal Employment Insurance programme.

This new Plan has been quite successful, and the Québec government has had to increase the contributions of employers, employees and self-employed in order to keep up with the increase in births. The fertility rate was over 1.6 in Québec in 2006, due to an increase of 8 per cent in births in 2006, and the increase is of 2 per cent in 2007.

3. Take-up of leave

Because the information available combines maternity and parental leave and benefits, the section below has been organised under two headings: 'mothers' and 'fathers'.

a. Mothers

Slightly more than three-quarters (76.5 per cent) of mothers in 2006 had insurable income. Most (83.5 per cent) of this group received maternity or parental benefits from the federal Employment Insurance programme or Quebec Plan. A substantial minority (23.5 per cent) were without insurable employment and therefore not eligible for maternity or parental leave, including mothers who were self-employed (except for Quebec), students, paid workers who did not qualify, and those not previously employed. (Statistics Canada, 2006 Employment Insurance Coverage Survey, as reported in *The Daily*, 3 October 2007).

b. Fathers

The federal Employment Insurance programme provides for parental leave that can be shared by the father and the mother. But survey data indicate that this measure has not been enough to increase fathers' participation significantly since mothers still took an average of 11 months off in 2004 and only 11 per cent of fathers took part of the leave, increasing to 14.5 per cent in 2005.

In Québec, take-up was higher in 2005, with 22 per cent of fathers using some parental leave. But the new parental leave scheme, introduced in 2006, appears to have had an impact on fathers' participation; in 2006, 48.4 per cent of fathers in Québec took a period of leave. This mainly accounted for an increase across Canada in fathers taking leave, rising to 20 per cent in 2006. Data from the General Social Survey also indicate that, taking account of all forms of leave, fathers' absence from work for birth or adoption has increased from 67 to 80 per cent in Québec from 2005 to 2006, and from 45 per cent to 55 per cent across the whole of Canada.

Two-thirds (67 per cent) of Canadian men return to work less than one month after birth or adoption, compared with only 2 per cent of

women; 17 per cent of fathers take 1 to 5 months of leave and 10 per cent 6 to 11 months compared with 12 and 33 per cent of women. While just over half of all mothers (51.5 per cent) take 12 months or more of leave, compared with only 4 per cent of fathers.

4. Research and publications on leave and other employment-related policies since January 2005

a. General overview

Parental leave policy has been directly studied by Statistics Canada, a government agency that undertakes statistical and social analyses on a broad range of economic and social issues. Questions about maternity and parental leave were added to the annual Employment Insurance Coverage Survey at Statistics Canada to monitor uptake following the introduction in 2000 of extended leave benefits (from 10 to 35 weeks). Mothers are asked about parental benefits including the reasons for their spouse taking or not taking parental leave. Fathers are not included in this part of the survey.

Most Canadian research providing information on leave policies is embedded in more general research on work-family balance, the links between parental leave and maternal health, and fathers and their work-family balance. There is a growing body of literature that examines issues of work-family balance in Canada and how workplace practices and cultures might better provide more support and flexibility to parents and ensure optimal development in children. Within this research, there is some emphasis being given to fathers, including a large national study conducting research into the lives of diverse groups of Canadian fathers (*Supporting fathering involvement*, see section 4c).

b. Selected publications from January 2005, including results from research studies

Doucet, A. (2006) *Do men mother? fathering and domestic responsibilities*. Toronto: University of Toronto Press.

This book explores the narratives of over 100 Canadian fathers who are primary caregivers to children, and the interplay between fathering and public policy, gender ideologies, community norms, social networks and work-family policies.

Tremblay, D.-G., Najem, E. and Paquet, R. (2006) 'Articulation emploi-famille et temps de travail : De quelles mesures disposent les travailleurs canadiens et à quoi aspirent-ils?' *Enfance, Famille et générations*, 2006. No. 4. Available at:

<http://www.erudit.org/revue/efg/>

On the basis of Statistics Canada data from the Workplace and Employment Survey (WES), this article highlights the measures for work-family balance that are accessible to Canadian workers, including

support for childcare and for elderly parents, as well as working time arrangements, analysing the data by gender.

Cette, G., Méda, D., Sylvain, A. and Tremblay, D-G. (2007) 'Activité d'emploi et difficultés de conciliation emploi-famille: une comparaison fine des taux d'activité en France et au Canada', *Loisir et société/Leisure and Society*, Vol. 29, No. 1: 117-154.

This article compares participation rates of women in Canada and in France and tries to explain the differences on the basis of Statistics Canada's Employment Survey.

Evans, P. (2007) 'Comparative perspectives on changes to Canada's paid parental leave: implications for class and gender', *International Journal of Social Welfare*, Vol. 16: 119-128.

The paper examines the impact of changes in Canadian Parental leave and maternity benefits (implemented in 2001) and the links between policy changes and gender and class inequalities.

Tremblay, D.-G., Chevrier, C. and Di Loreto, M. (2007) 'Le travail autonome: une meilleure conciliation entre vie personnelle et vie professionnelle...ou une plus grande interpénétration des temps sociaux?', *Loisir et société/Leisure and Society*, Vol. 29, No. 1:191-214.

This article looks at work-life balance and leave for independent workers, on the basis of a qualitative survey in Québec.

Tremblay, D.-G., Najem, E. and Paquet, R. (2007) 'Temps de travail et organisation du travail: une source de stress et de difficultés de conciliation emploi-famille', *Pistes*, Vol. 9, No. 1. Available at: http://www.pistes.uqam.ca/menu_p.html

This article looks at stress and work-life balance and highlights the measures for work-family balance that are accessible to Canadian workers on the basis of the WES surveys, analysing the data according to gender and presence of children.

Tremblay, D.-G., Paquet, R. and Najem, E. (2007) 'Work-family balancing and working time: is gender determinant?', *Global Journal of Business Research*. Vol. 1 No. 1: 97-113.

On the basis of Statistics Canada data from the Workplace and Employment Survey (WES), this article highlights the measures for work-family balance that are accessible to Canadian workers, including support for childcare and for elderly parents, as well as working time arrangements, analysing the data according to gender and presence of children simultaneously.

c. Ongoing research

Balancing cash and care: a study of father's use and effects of Parental leave in Canada (2003-2008). Andrea Doucet, Carleton University

funded by the Social Sciences and Humanities Research Council of Canada (2003–2007). PhD Researcher: Lindsey McKay.

This research project examines parental leave policy and practice of federal and provincial governments, following enhanced commitment to this leave, with a particular focus on the use and effects of this leave policy by, and for, fathers in Ontario. Contact: Andrea Doucet at andrea_doucet@carleton.ca

Supporting fathering involvement (2004–2009). A multi-site and multi-cluster project by the Father Involvement Research Alliance, encompassing university and community research alliances across Canada, coordinated by Kerry Daly at the University of Guelph and funded by the Social Sciences and Humanities Research Council of Canada.

The seven research clusters include a 'New Fathers Cluster' led by Ed Bader, Catholic Community Services of York Region, and Andrea Doucet, Sociology and Anthropology, Carleton University, which will study: the support services provided to fathers through the first 18 months of the child's life, including the pre-natal period; the impact of becoming a dad on the father's physical and mental health and on the father's personal development; and examination of the degree of support afforded to fathers by the health care system. Contact: Kerry Daly: kdaly@uoguelph.ca.

Offer and use of work-family balancing by parents in Québec; a comparison of men and women in different types of organisations (2006–2008). Diane-Gabrielle Tremblay (Télé-université, Université du Québec à Montréal), Renaud Paquet and Elmoustapha Najem (Université du Québec en Outaouais), funded by the Canada Research Chair on the Socio-organisational Challenges of the Knowledge Economy (www.telug.quebec.ca/chaireecosavoir) and Human Resources Development Canada.

This research project began with analysis of the Workplace and Employment Survey (WES) from Statistics Canada. The research will continue in 2008–2009 with the analysis of work–life–learning balance, analysing the WES data on access to training and participation in training according to gender and availability of work–life measures. Contact: Diane-Gabrielle Tremblay: dgtrembl@telug.uqam.ca.

Organisational and Professional mediations in the takeup of leave and other work–family balance measures; a comparison between Belgium and Québec. Diane-Gabrielle Tremblay and Bernard Fusulier, funded by the Bell Canada Chair on Technology and Work Organisation (www.telug.uqam.ca/chairebell).

This research examines three professional groups (police, social work and nursing) to determine to what extent the organisational context and the attitudes of peers in various professions can impact on the use

of various types of leave, mainly parental leave. Contact: Diane-Gabrielle Tremblay dgtrembl@teluq.uqam.ca

2.6

Czech Republic

Jirina Kocourková

Population (UNDP)	2005	10.2 million
Total Fertility Rate (UNDP)	2005	1.2
GDP per capita (UNDP)	2005	US\$20,538
Female economic activity (UNDP)	2005	51.9 per cent
As % male rate (UNDP)	2005	77 per cent
% of employed working part time (ECLC)		
Men	2005	2.1 per cent
Women	2005	8.6 per cent
Employment gender gap (full-time equivalent) (ECI)	2005	18.7% points
Employment rate (parents with children under 12 years)(EWM)		
Fathers	2006	93.9 per cent
Mothers	2006	53.4 per cent
Employment impact of parenthood (parents with a child 0–6 years)(ECI)		
Men	2006	+ 8.6 % points
Women	2006	- 40.5% points
Gender-related Development Index (UNDP)		29th
Gender Empowerment Measure (UNDP)		34th
Access to regulated ECEC services (OECD)		
Children under 3 years	2004	3 per cent
Children 3–5 years (inclusive)	2004	85.3 per cent

1. Current leave and other employment-related policies to support parents

a. Maternity leave (*materska dovolena*) (responsibility of the Social Security system)

Length of leave (before and after birth)

- Twenty-eight weeks: 6–8 weeks before the birth and 20–22 weeks following birth.

Payment (applied for the whole period of maternity leave)

- Sixty-nine per cent of gross daily wage up to a ceiling of CZK479 (approximately €20) for a calendar day. The same rate is paid for self-employed women.

Flexibility in use

- None except for when leave can be started before birth.

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

- To be eligible for maternity benefit, an employee must have contributed to sickness insurance for at least 270 days during the last two years.
- A self-employed worker must meet the same condition as an employee, and in addition have contributed to sickness insurance for at least 180 days during the last year.
- Students are entitled to the benefit.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother

- In the case of multiple births, the length of leave is increased by nine weeks.
- When the child is born dead, the mother is granted 14 weeks of maternity leave.

b. Paternity leave

No general statutory entitlement.

c. Parental leave (*rodicovska dovolena*) (responsibility of the Ministry of Work and Social Affairs)

Length of leave

- Both parents can take leave until the child's third birthday. Leave is an individual entitlement (but only one parent is entitled to the benefit).

Payment

- While parental leave can only be taken up to the child's third birthday, Parental benefit (*rodicovsky prispevek*) is granted until the child's fourth birthday. Parents can choose between three Parental benefit options: a long option (after maternity benefit or from the birth of the child (if the parent is not entitled to maternity benefit) at the basic rate (CZK7,600 per month, €305) until the child is 21 months old, and at the reduced rate (CZK3,800 per month, €150) until the child is 48 months old); a mid-range option only available to parents who are entitled to Maternity benefit (at the basic rate (CZK7,600 per month, €305) until the child is 36 months old); and a short option only available to parents who are entitled to maternity benefit of at least CZK380 per calendar day (at the increased rate (CZK11,400, €455) until the child is 24 months old).

Flexibility in use

- Parents can work, full time or part time, while receiving parental benefit. Accordingly, parental benefit can be considered as a kind of care benefit.
- Both parents can take parental leave at the same time, but only one of them is entitled to parental benefit. They can alternate in receiving benefit as often they want.

- Parents can place a child under three years in a childcare facility for up to five days a month without losing parental benefit; they can also have a three-year-old in kindergarten for up to four hours each day without losing benefit.

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

- There are no special requirements; however, each parent has to ask for formal approval of 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; lone parent); or delegation of leave to person other than the parents

- In the case of disabled children, a parent is entitled to parental allowance at the basic rate (CZK7,600, €305) until the child is seven years of age.
- Parental benefit can be taken by grandparents or other persons where they provide day care for the child and the parents agree to transfer their entitlement.

d. Childcare leave or career breaks

No general statutory entitlement.

e. Other employment-related measures

Adoption leave and pay

- For adoptive parents the same regulations for parental leave apply as for other parents.

Time off for the care of dependants

- Employees can take leave to care for a sick relative at home (in all cases of illness for a child under 10 years; otherwise, only in case of a serious illness). Paid at 69 per cent of earnings (though earnings are calculated at a lower level than for maternity leave) up to a ceiling of CZK441 (approximately €16) for a calendar day. A parent can take no more than nine days in one block of time, but there is no limit regarding the frequency of taking leave.

Flexible working.

- None.

2.Changes in leave policy since 2005 and other related developments (including proposals currently under discussion)

Improvement of parental leave arrangements was among priorities in the government's 2005 Family Policy Concept. Recent changes that have been introduced in leave policy include: an extension of possibilities for parents to use the state childcare and kindergarten facilities without losing their entitlement to parental benefit (in 2001 and 2006); and an increase in parental benefit in 2007 when the amount was doubled, bringing it up to about 40 per cent of average gross earnings in 2005.

The current right-wing government, in office since 2006, has introduced changes in family policy that came into effect from January 2008. The main change is in parental benefit, which became more closely connected to the economic activity of parents. Parents now have three options: (1) four years of Parental benefit with a lower rate of payment than the parental benefit in 2007; (2) three years of Parental benefit with the amount of parental benefit close to the amount in 2007; or (3) two years of parental benefit with a higher rate of parental benefit (CZ11,400, €455).

In connection with efforts to strengthen the man's role in the family, there are also discussions about the introduction of paternity leave. However, so far no legislative procedure has been started.

An amendment of the Sickness Insurance Act number 187/2006 was adopted in 2006 and should have been implemented from 2007. However, implementation was twice postponed, first until 2008 and then until 2009. The proposed amendment includes two changes related to the parental care of a child. First, the father of the child or husband of the woman who has delivered the child will be able to take maternity leave instead of the mother from the seventh week after the child's birth. Second, parents will be allowed to alternate with each other during the course of taking leave to care for a sick child. This 'care benefit' can be received for a period of nine days in total, but there is no limit as regards how many times parents can use this provision during a year.

3. Take-up of leave

a. Maternity leave

Nearly all mothers take maternity leave.

b. Paternity leave

There is no statutory leave entitlement.

c. Parental leave

Legislation on parental leave, so that fathers could take leave, was introduced in 1990, but truly equal conditions for both parents were not introduced until January 2001. However, the number of men receiving parental benefit in comparison with women has remained negligible. In 2001, there were 0.77 per cent men among recipients of this benefit. Since then, there has been a slight increase, but only to 0.99 per cent in 2003 and 1.4 per cent in 2006.

There is no information about how long women or men take the parental leave. It is assumed that most parents taking leave stay on

leave only until their child's third birthday (when entitlement to leave, though not benefit, ends) as they prefer not to lose their jobs.

4. Research and publications on leave and other employment-related policies since January 2005

a. General overview

Before 2002 there was little research related to parental leave arrangements. But since 2003 three extensive research projects have been carried out. The first – *Podpora vyuzivani rodicovske dovolene muzi [Support of men taking parental leave]* – was about Parental leave arrangements and the possibilities of their improvement, including a study of attitudes about men on parental leave. One of the research questions was why it is not attractive for men to stay at home with small children (Marikova and Radimska, 2003). The second project – *Harmonisace rodiny a zamestnani: Rodiny s otci na rodicovske dovolene [Reconciliation of work and family: families with fathers on parental leave]* – investigated the preferences and attitudes of parents with small children and how they perceived the possibility of fathers taking parental leave. Parental leave is considered to be the main provision that should support equal sharing of responsibilities in family and more extensive involvement of fathers in the care of children (Nesporova, 2006). The third project – *Zamestnani a pece o male deti z perspektivy rodicu a zamestnavatelů, Uplatneni naroku na rodicovskou dovolenou a volno na peci o nemocneho clena rodiny v praxi [Employment and care for small children from the perspective of parents and employees, using parental leave and time off for the care of a sick relative in practise]* – was about the use of parental leave arrangements in practice and to better understand the low level of interest among employees in family-friendly work arrangements, with a view to changing attitudes (Kucharova, Ettlerova, Nesporova, and Svobodova, 2006).

b. Selected publications from January 2005, including results from research studies

Nesporova, O. (2005) *Harmonisace rodiny a zamestnani. Rodiny s otci na rodicovske dovolene [Reconciliation of work and family: families with fathers on parental leave]*. Prague: Research Institute for Labour and Social Affairs. Available at: <http://www.vupsv.cz>
Final report of the project *Harmonisace rodiny a zamestnani: Rodiny s otci na rodicovske dovolene [Reconciliation of work and family: families with fathers on parental leave]*, described in 4a.

Ettlerova, S. and Stastna, A. (2006) 'Harmonisace rodinnych and pracovnich povinnosti rodicu se zavislymi detmi' ['Harmonisation of family and working obligations of parents having dependant children'], *Demografie*, Vol. 48, No. 1: 12–21

Professional self-fulfilment causes the discrepancy between women's reproductive plans and their actual behaviour, making the issue of harmonisation of employment and family life important in a period of high women's employment rate.

Nesporova, O. (2006) 'Otcove pecujici o deti formou rodicovske dovolene' ['Fathers caring for children in the form of Parental leave'], *Demografie*, Vol. 48, No. 3: 179-193

The article provides information on parental leave taken by fathers in the Czech Republic in comparison with the situation in other European countries. It introduces a more detailed description about Czech families with fathers using parental leave, drawing on qualitative research. The main focus is the actor's point of view, which is presented in relation to the broader social context, especially in the field of gender roles and reconciliation of family and work life.

Stropnik, N., Sambt, J. and Kocourková, J. (2007) 'Preferences versus actual family policy measures: the case of parental leave and child allowance', in: Ch. Hohn, I. Kotowska and D. Avramov (eds) *People, population change and policies: lessons from the Population Policy Acceptance Study*. Dordrecht: Kluwer/Springer

In this chapter, preferences regarding parental leave and child allowance arrangements are compared with actual schemes.

Soukupová E. (2007) 'Materka dovolena: jak si stojíme v porovnání s Evropou?' ['Maternity leave: what is our position in Europe?'] *Demografie*, Vol. 49, No. 1: 60-72

The article provides a comprehensive comparison among 25 states in the EU, Norway, Iceland and Switzerland as regards to the length of leave and payment during maternity leave.

Koranova, M. and Kucharova, V. (2007) 'Otcovska (rodicovska) dovolena' ['Paternity (parental) leave'], *Forum socialni politiky*, Vol. 1, No. 1: 25-26

The possibility of the introduction of paternity leave is currently being discussed in the Czech Republic. This article gives the main results for this type of leave, from research and practise in European countries.

2.7

Denmark

Tine Rostgaard

Population (UNDP)	2005	5.4 million
Total Fertility Rate (UNDP)	2000-05	1.8
GDP per capita (UNDP)	2005	US\$33,973
Female economic activity (UNDP)	2005	59.3 per cent
As per cent male rate (UNDP)	2005	84 per cent
% of employed working part time (ECLC)		
Men	2005	12.7 per cent
Women	2005	33 per cent
Employment gender gap (full-time equivalent) (ECI)	2005	14.5 per cent
Employment rate (children under 12 years)(EWM)		
Fathers	2006	No data
Mothers	2006	No data
Employment impact of parenthood (parents with a child 0–6 years)(ECI)		
Men	2006	+8.7% points
Women	2006	- 3.4% points
Gender-related Development Index (UNDP)		11th
Gender Empowerment Measure (UNDP)		4th
Access to regulated ECEC services (OECD) ³⁶		
Children under 3 years	2004	61.7 per cent
Children 3–5 years (inclusive)	2004	89.7 per cent

1. Current leave and other employment-related policies to support parents

Note on terminology: *Graviditetsorlov* is the leave to be taken by the mother before birth, *Barselorlov* the leave reserved for the mother after birth, *Fædreorlov* the leave reserved for the father after birth, and *Forældreorlov* the leave available for both parents after birth. However, in the law the four leave schemes bear the same name *Barselorlov*, or

³⁶ The access rate in 2006 was 63 per cent for children under three years and 96 per cent for children aged three to five years (Source: Danmarks statistik, 2007; http://www.dst.dk/asp2xml/PUK/udgivelser/get_file.asp?id=8712)

literally childbirth leave, because they technically all originate from the same law on leave.

a. Maternity leave (*Graviditets* and *Barselsorlov*) (responsibility of the Ministry of Labour)

Length of leave (before and after birth)

- Eighteen weeks: 4 weeks before the birth and 14 weeks following birth.

Payment (applied for the whole period of maternity leave)

- One hundred per cent of earnings up to a ceiling of DKK703 (€100) per working day before taxes for full-time employees, or DKK3,515 (€470) weekly.

Flexibility in use

- None.

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

- Eligibility for an employee is based on a period of work of at least 120 hours in 13 weeks preceding the paid leave. Workers with temporary contracts are excluded only if they are not eligible for unemployment benefit.
- Eligibility for self-employed workers (including helping a spouse) based on professional activity on a certain scale for a duration of at least 6 months within the last 12 month period, of which 1 month immediately precedes the paid leave.
- People are eligible who have just completed a vocational training course for a period of at least 18 months or who are doing a paid work placement as part of a vocational training course.
- Unemployed people are entitled to benefits from unemployment insurance or similar benefits (activation measures).
- Students are entitled to an extra 12 months educational benefit instead of the maternity leave benefit.
- People on sickness benefit continue to receive this benefit which is the same amount as the maternity leave benefit.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother

- None. There is no additional leave for multiple births as the right to maternity (and paternity and parental leave) is related to the event of birth and not the number of children born.

Additional note (e.g. if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)

- All public sector employees, through collective agreements, receive full earnings in 24 of the 52-week leave period (including maternity, paternity and parental leave). Some private sector employers also pay full earnings for part or all of this period. Survey data shows that 63 per cent of mothers receive such additional income during the maternity leave, and as many as 73 per cent of those who were in employment prior to giving birth (Olsen, 2008). (See more

information on additional rights under paternity and parental leave.)

c. Paternity leave (*Fædreorlov*) (responsibility of the Ministry of Labour)

Length of leave

- Two weeks, to be taken during the first 14 weeks after birth.

Payment

- As maternity leave.

Eligibility

- Anyone in a recognised partnership, including same sex partnerships.

Additional note (e.g. if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)

- All public sector employees, through collective agreements, receive full earnings during the leave. In a recent survey, 85 per cent of all fathers received full wages during paternity leave (Olsen, 2008).

c. Parental leave (*Forældreorlov*) (responsibility of the Ministry of Labour)

Length of leave

- Thirty-two weeks, until the child is 48 weeks. Each parent is entitled to 32 weeks but the total leave period cannot exceed more than 32 weeks per family.

Payment

- As maternity leave.

Flexibility in use

- Between 8 and 13 weeks can be taken later; any further period must be agreed with the employer. This entitlement is per family.
- Parents can prolong the 32 weeks leave to 40 weeks (for all) or 46 weeks (only employees). The benefit level is reduced over the extended leave period, so that the total benefit paid equals 32 weeks at the full rate of benefit.
- It is possible to return to work on a part-time basis, with a reduced benefit payment spread over this extended period of leave (e.g. a parent may work half-time and thus prolong the leave period from 32 to 64 weeks). This is subject to agreement with the employer.

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

- As maternity leave

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent)

- None.

Additional note (e.g. if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)

- Labour market agreements often give the right to 10 weeks of full pay during parental leave (Olsen, 2008)

- From 2007, the industrial sector (representing 7,000 employers nationwide including production, service, knowledge and IT) has introduced a paid father's quota. Previously women had been awarded the right to 14 weeks with payment (in addition to the basic benefit payment) after giving birth. Now the family has been awarded 9 extra weeks with this additional payment, making 23 weeks of additional payments. Three weeks are for the father, three weeks for the mother and three for the parents to share. The weeks for the mother and the father respectively are quotas and are lost if not used.
- As part of the labour market negotiations in spring 2008, a new parental leave model has been introduced for employees working in the state sector. If both parents work in the state sector they now have a right to leave with full payment for 6+6+6 weeks after maternity leave, in all 14 weeks of maternity leave and 18 weeks of parental leave, both with full payment, a total of 32 weeks. Six weeks are earmarked for the mother, six weeks for the father and six weeks can be shared. The six weeks for the father replace his two weeks of paternity leave with full earnings, so in all he now has an individual right to six weeks with full pay.
- In a survey on parents of children born in 2005, 55 per cent of fathers reported that they received full wages during their whole time on Parental leave, and 9 per cent of mothers. This difference is due to mothers taking longer leave periods, going beyond the weeks where they might be entitled to full earnings; for a large part of their leave period, therefore, they receive only basic benefit payments (Olsen, 2008) as outlined under maternity leave.

d. Childcare leave or career breaks

- None

e. Other employment-related measures

Adoption leave and pay

- For adoptive parents the same regulations for parental leave apply as for other parents, with the exception that 2 of the 48 weeks must be taken by both parents together.

Time off for the care of dependants

- All employees are eligible for a care benefit (*Plejevederlag*) if they care for a terminally ill relative or close friend at home.

Flexible working

- None.

2. Changes in leave policy since 2005 and other related developments (including proposals currently under discussion)

As mentioned above, from 2007 the industrial sector has introduced a paid father's quota, giving them three weeks leave with full earnings

replacement as an individual right. As part of the labour market negotiations in spring 2008, the right to parental leave with full earnings replacement was secured for public sector employees, for 18 weeks in total.

All same sex couples are now also entitled to two weeks of paternity leave.

3. Take-up of leave

a. Maternity leave

Nearly all mothers take maternity leave. In a survey conducted among parents of children born in 2005, 99 per cent of mothers had taken maternity leave. Mothers on average used all the 14 weeks to which they were entitled, and 95 per cent reported that they experienced no problems with the workplace when they wanted to take leave. A few mothers reported that they were made redundant or experienced bullying from colleagues, and several mentioned that the employer found it difficult to find a replacement (Olsen, 2008).

b. Paternity leave

Most (89 per cent) of fathers in the survey made use of the two weeks of paternity leave, and 95 per cent reported that they had experienced no problems with the workplace when they asked for leave (Olsen, 2008).

c. Parental leave

The survey data show that among parents of children born in 2005, 24 per cent of fathers took parental leave and 94 per cent of mothers. On average, mothers took 28 weeks of leave, and fathers eight weeks. Twenty-three per cent of fathers started their leave before the maternity leave expired, i.e. parents were on leave at the same time. Two-thirds (68 per cent) of two-parent families took all the 32 weeks of parental leave to which they were entitled. Among single parents, 73 per cent took 32 weeks; as Olsen notes, this is interesting because single parents in the Nordic countries tend to take shorter leave periods, often due to the loss of income (Olsen, 2008).

Among the men, public employees account for two-thirds (67 per cent) of parental leave takers even though they only make up 48 per cent of those entitled to parental leave. This may be because they receive full earnings during leave or because they are working in more gender-mixed workplaces. Among those men who do not take leave, 88 per cent are employed in the private sector (Olsen, 2008) and this suggests that they have more difficulties taking leave and/or poorer rights.

It seems that the take-up of leave is related to the educational level of both the man and the woman. In those families where the woman takes the greatest part of the leave, the mother tends to have a low educational level and the father is unskilled, or the reverse; in these families, women typically take 99 per cent of total parental leave weeks. Self-employed workers, both men and women, in general tend to take fewer weeks of leave.

There seems to be agreement on the division of leave between men and women; 98 per cent of women and 98 per cent of men stated that they and their partner agreed on how to divide the leave period. They also seem to agree on what is important to consider when dividing leave between parents. Among the considerations that affect the division of leave weeks, couples mentioned their work/educational situation (men 45 per cent, women 30 per cent), their finances (39/28 per cent), the child (32/25 per cent), desire to reconcile work and family life (28/27 per cent), equality between parents (22/8 per cent), and day care of the child (11/5 per cent) (Olsen, 2008).

A third (34 per cent) of women and 6 per cent of men make use of the right to flexible leave, postponing the leave until later, or extending the leave by reducing the payment, or working part time.

The survey also revealed that 27 per cent of men and 42 per cent of women reported a lack of information on leave rights and that 37 per cent of men and 23 per cent of women were in favour of the re-introduction of quotas in parental leave. Olsen interprets this lower support among women as related to the fact that a father's quota would require women to give up a number of weeks currently available to them. The higher support among fathers is related to a wish for more back-up when they discuss leave-taking with their employer or with colleagues (Olsen, 2008).

4. Research and publications on leave and other employment-related policies since January 2005

a. General overview

Although there are quite extensive statistics on the use of leave, Danish research into the take-up of leave and the reconciliation of work and family life is only limited. Most statistics also use the parent rather than the child as the unit of analysis. Little is therefore known about how children are cared for in their early months in regards to the length of leave, parental work hours and how parents combine the leave.

b. Selected publications from January 2005, including results from research studies

Olsen, B.M. (2005): *Mænd, orlov og arbejdspladskultur. Fire danske virksomheder*. København: Socialforskningsinstituttet, 05:19.

This report focuses on how men break traditional gender barriers; the study concerns the new strategies of fathers for combining family and employment. Contact: bmo@sfi.dk

Olsen, B.M. (2008) *Evaluering af den fleksible barselsorlov. Orlovsreglerne set fra forældres, kommuners og arbejdspladsers perspektiv*. [Evaluation of the flexible leave. Leave rights from the perspective of parents, municipalities and employers]. SFI 07: 29. Available at:

http://www.sfi.dk/graphics/SFI/Pdf/Rapporter/2007/0729_Fleksibel%20Barselorlov.pdf

This report investigates and evaluates the new leave entitlements. Parents, local authorities and employers have participated in providing qualitative and quantitative data; the data on take-up originates from a SFI survey on use of leave by parents of children born in 2005. Results from the report are referred to above. In addition, local authorities find the administration of the leave to be burdensome; two-thirds of employers are favourable to having negotiated rights but at the same time want simpler rules.

c. Ongoing research

The meaning of gender in negotiations at the workplace (2003–2008). Doctoral thesis by L. Bloksgaard at Ålborg University.

This project investigates the continuing gender segregation at the workplace by focusing on the gender branding process in negotiations at the workplace, e.g. in negotiations on leave. Contact: lblo@ihis.aau.dk

Care architecture (2005–2008). Hans Hansen, Olli Kangas and Tine Rostgaard, Danish National Institute of Social Research.

A study of the institutional design and take-up of parental leave in eight European countries (Denmark, Sweden, Norway, Finland, Germany, England, The Netherlands, Italy). The research suggests alternative ways to evaluate and measure welfare state designs and outcomes, and will use quantitative data to look at how different stylised families fare in the various welfare set-ups. Contact: tr@sfi.dk

2.8

Estonia

Katre Pall

Population (UNDP)	2005	1.3 million
Total Fertility Rate (UNDP)	2000-05	1.4
GDP per capita (UNDP)	2005	US\$15,478
Female economic activity (UNDP)	2005	52.3 per cent
As % male rate (UNDP)	2005	80 per cent
% of employed working part time (ECLC)		
Men	2005	4.9 per cent
Women	2005	10.6 per cent
Employment gender gap (full-time equivalent)(ECI)	2005	4.8 per cent
Employment rate (parents with children under 12 years) (EWM)		
Fathers	2006	92.4 per cent
Mothers	2006	66.7 per cent
Employment impact of parenthood (parents with a child 0–6 years)(ECI)		
Men	2006	+10% points
Women	2006	- 8.4% points
Gender-related Development Index (UNDP)		41st
Gender Empowerment Measure (UNDP)		31st
Access to regulated ECEC services (OECD) ³⁷		
Children under 3 years	2004	No data
Children 3–5 years (inclusive)	2004	No data

1. Current leave and other employment-related policies to support parents

a. Maternity leave (*rasedus-ja sünnituspuhkus*) (responsibility of the Ministry of Social Affairs)

Length of leave (before and after birth)

- One hundred and forty days: 30–70 days can be taken before birth of a child. If less than 30 days leave is taken before the expected birth, leave is shortened accordingly.

³⁷ The access rate in 2006 was 22 per cent for children one to two years and 86.5 per cent for children aged three to six years (Source: Estonian Statistical Office)

Payment

- One hundred per cent of average earnings (calculated on employment in the previous calendar year). There is no ceiling on the benefit. The minimum wage (€280 per month in 2008) is paid to mothers who did not work during the previous calendar year but have worked prior to the birth of a child.

Flexibility in use

- None except for when leave can be started before birth; taking leave is obligatory.

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

- All employed mothers are eligible for maternity leave, including workers with temporary contracts if the contract lasts at least three months. Self-employed people qualify for maternity benefit on the same conditions as workers

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother

- One hundred and fifty four days in cases of multiple birth or birth with complications.

**b. Paternity leave (*isapuhkus* – literally 'father's leave')
(responsibility of Ministry of Social Affairs)**

Length of leave (before and after birth)

- Ten working days, to be taken during the maternity leave of the mother or during two months after the birth of a child.

Payment

- One hundred per cent of average earnings (calculated on earnings from six previous calendar months) up to a ceiling of three times average monthly earnings.

Flexibility in use

- Must be taken during the mother's maternity leave or two months after the birth of a child.

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

- All public servants and other employed fathers with permanent employment contracts.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother

- None.

**c. Parental leave (*lapsehoolduspuhkus* – literally 'childcare leave')
(responsibility of Ministry of Social Affairs)**

Length of leave

- Until the child reaches three years. This entitlement is per family.

Payment

- There are two types of benefit payable, neither of which is specifically linked to parental leave but available to all families who meet the eligibility conditions.

- Parental benefit (*vanemahüvitis*) is paid at 100 per cent of average earnings (calculated on employment in the previous calendar year) for 435 days (i.e. 62 weeks) from after the end of maternity leave, with a ceiling equivalent to three times average earnings (€1,620 per month in 2008). The minimum benefit paid to working parents is the minimum wage (€280 per month in 2008). For non-working parents, parental benefit is paid from the birth of the child at a flat-rate (€231 per month) until the child reaches 18 months of age.
- Childcare benefit (*lapsehooldustasu*) is a flat-rate payment (€38.5 per month), paid from the end of payment of parental benefit until the child reaches three years of age, to both working and non-working parents (i.e. payment continues if a parent takes up employment).

Flexibility in use

- Parental leave may be used in one part or in several parts at any time until a child is three years of age.
- When a parent takes up employment after the birth of a child, the parental benefit is reduced.

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

- Fathers are eligible for parental benefit when their child has reached 70 days of age.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother.

- The actual caregiver of a child is eligible for parental leave if parents do not use leave themselves. In the case of a non-parental caregiver, he or she is eligible for childcare benefit, but not parental benefit.

d. Childcare leave or career breaks

- An employee with a child under 14 years of age can take two weeks of unpaid leave per year.

e. Other employment-related measures

Adoption leave (lapsendamispuhkus) and pay

- Seventy days of adoption leave per child for parents adopting a child under 10 years at 100 per cent of average earnings. Adoptive parents are eligible for parental leave for a child under three years, and qualify for parental benefit and childcare benefit.

Time off for the care of dependants

- Leave can be taken by either parent to care for a sick child under 12 years, with full earnings replacement for up to 14 calendar days per episode of illness.
- Parents with a handicapped child may take one day of leave per month with full earnings replacement.
- Parents may take a supplementary period of holiday – three days per year for a parent raising one or two children under 14 years and six days per year for a parent raising a child under three years, or

three or more children under 14 years. There is a flat-rate payment of €4.2 per day.

Flexible working

- Breastfeeding mothers with a child under 18 months can take a breastfeeding break every three hours with full wage replacement; they may aggregate these breaks and take a longer break once a day.

2. Changes in leave policy since 2005 and other related developments (including proposals currently under discussion)

The payment of parental benefit was extended from 225 days to 315 days in 2006 and to 435 days in 2008. Payment for paternity leave was increased to 100 per cent of earnings in 2008. Previously there was a flat-rate payment of €4.2 a day.

3. Take-up of leave

a. Maternity leave

As maternity leave is obligatory, 100 per cent of employed women take-up leave.

b. Paternity leave

Fourteen per cent of fathers took up leave (in 2006).

c. Parental leave

No official statistics about take-up of leave are collected. According to research, over 80 per cent of women take-up parental leave. Men account for 1 per cent of the recipients of parental benefit and childcare benefit.

d. Other employment-related measures

In 2004, 19 per cent of people who received benefit for caring for a sick child were men. This proportion has steadily risen by about one per cent every year.

4. Research and publications on leave and other employment-related policies since January 2005

a. General overview

Leave policies and childcare arrangements have gained researchers' attention recently as the issues of demographic changes and work-life balance have emerged in the political arena. Previously, research on reconciliation of work and family life, including use of parental leave, focused mainly on women. No significant research has been done on employers' family-friendly policies.

b. Selected publications from January 2005, including results from research studies

Tallinna Ülikool, Rahvusvaheliste ja sotsiaaluuringute Instituut & EV Sotsiaalministeerium [University of Tallinn, Institute for International and Social Research & the Ministry of Social Affairs] (2005) *Soolise võrdõiguslikkuse monitooring 2005 [Gender Equality Monitoring 2005]*. Available at:

[www.sm.ee/est/HtmlPages/SVmonitooring_2005/\\$file/SVmonitooring_2005.pdf](http://www.sm.ee/est/HtmlPages/SVmonitooring_2005/$file/SVmonitooring_2005.pdf)

The report assesses the current situation and attitudes towards gender equality in Estonia, the authors concluding that the majority of the population share traditional and gender-stereotyped values that are reproduced by the educational system and in families.

Vörk, A. and Karu, M. (2006) *Eesti vanemahüvitise mõju sündimus- ja tööturukäitumisele: hindamise võimalused ja esimeste kogemuste analüüs [Impact of parental benefits on female labour force participation and fertility behaviour]*. PRAXIS Working Paper 25/2006. Available at: http://www.praxis.ee/data/toimetised_25_2006.pdf

This research proposes methodology for assessing the impact of the implementation of parental benefit. It also presents the first findings on impact, including that, since the implementation of the new scheme, working mothers tend to have more second and third births. Contact: Andres Vörk at andres.vork@ut.ee

Vörk, A. and Paulus, A. (2006) *Peredele suunatud rahaliste toetuste mõju vaesuse leevendamisele Eestis: analüüs mikrosimulatsiooni meetodi abil. [The impact of benefits to families on child poverty in Estonia: micro simulation analyses]*. Available at: [http://www.sm.ee/est/HtmlPages/peretoetused_2007/\\$file/peretoetused_2007.pdf](http://www.sm.ee/est/HtmlPages/peretoetused_2007/$file/peretoetused_2007.pdf)

The analyses reveal how different benefits targeted towards families with children reveal child poverty in Estonia. Parental benefit has little effect on child poverty. Contact: Andres Vörk andres.vork@ut.ee

Karu, M., Kasearu, K. and Biin, H. (2007) *Isad ja lapsehoolduspuhkus. [Fathers and parental leave]*. PRAXIS Center for Policy Studies. Available at: http://www.praxis.ee/data/Karu_Kasearu_Biin_Isad_ja_lapsehoolduspuhkus_PRAXIS.pdf

The study concentrates on the issue of fathers' involvement in childcare activities in Estonia, and the aim was to find out what are the reasons for fathers not taking up parental leave. The study gives an overview of the arguments that fathers use to explain their decision whether to take or parental leave or not. Also, the experiences and attitudes of employers regarding men on parental leave are studied. The authors conclude that more fathers would use their right to parental leave and parental benefit if the scheme allowed men to share the parental leave

with the mother (either simultaneously or in turns), or if it enabled them to stay at home with a child older than one year or 18 months. Contact: Marre Karu marre.karu@praxis.ee

Pajumets, M. (2007) 'Miks emme läheb tööle? Naiste subjektiivsed ootused ja tööle antavad tähendused' ['Why mummy goes to work? Subjective expectations and different meanings given to work'], in: B. Vaher and K. Seeder (eds) *Töö ja Pere. Paindlik töökorraldus ja lastevanemate tööhõive*. Tallinn: Eesti Tööandjate Keskliit.

Qualitative study on parental leave where the author interviewed mothers and fathers of 20 families with at least one child under three years of age. The primary focus of this research was to analyse the incentives, barriers and attitudes in relation to mothers going to work, and to identify the different reasons behind their maternity leave and employment decisions. The study revealed that women prefer to take on more than one role in order to satisfy their ambitions and do not work only out of financial necessity: work is a means of achieving self-realisation, a way to be integrated and feel useful in society, and to receive acknowledgement. Furthermore, long breaks from work undermine people's competitiveness in the labour market.

2.9

Finland

Minna Salmi, Johanna Lammi-Taskula and Pentti Takala

Population (UNDP)	2005	5.2 million
Total Fertility Rate (UNDP)	2000-05	1.8
GDP per capita (UNDP)	2005	US\$32,153
Female economic activity (UNDP)	2005	56.9 per cent
As % male rate (UNDP)	2005	86 per cent
% of employed working part time (ECLC)		
Men	2005	9.2 per cent
Women	2005	18.6 per cent
Employment gender gap (full-time equivalent) (ECI)	2005	6.4% points
Employment rate (parents with children under 12 years)(EWM)		
Fathers	2006	92.7 per cent
Mothers	2006	70.6 per cent
Employment impact of parenthood (parents with a child 0–6 years)(ECI)		
Men	2006	+11.6% points
Women	2006	- 17.5% points
Gender-related Development Index (UNDP)		8th
Gender Empowerment Measure (UNDP)		3rd
Access to regulated ECEC services (OECD) ³⁸		
Children under 3 years	2004	22 per cent
Children 3–5 years (inclusive)	2004	46.1 per cent

³⁸ National statistics for 2004 show 25 per cent of children under three years attending services and 68 per cent of children aged three to five years. Services are available for all children aged 0-6 years (compulsory school age is seven).

1. Current leave and other employment-related policies to support parents

a. Maternity leave (*äitiysvapaa/moderskapsledighet*³⁹) (responsibility of the Ministry of Social Affairs and Health and the of Ministry Labour)

Length of leave (before and after birth)

- One hundred and five working days (i.e. for all types of leave, one calendar week consists of six working days): between 30 and 50 days can be taken before the birth.

Payment

- Earnings-related benefit. During the first 56 days of leave, the payment is equal to 90 per cent of annual earnings up to a ceiling of €46,207, with a lower per centage for higher earnings; after this initial period of leave, benefit is paid at 70 per cent of earnings up to €30,033, again with a lower per centage for higher earnings. Half of all mothers with an employment contract receive full pay during the first three months of the maternity leave. During this period the daily benefit is paid to the employer. Mothers not employed and those whose annual earnings are less than €6,513 before the birth get a minimum flat-rate allowance of €15.20 a working day (€380/month).

Flexibility in use

- None.

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

- Entitlements based on residence, i.e. paid to all women who have lived in Finland at least 180 days immediately before the date on which their baby is due. The basic formula is that a person who is entitled to family benefits is also entitled to leave.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother

- In cases of premature birth, if the pregnancy has lasted at least 154 days and ends earlier than 30 days before the due day, the mother is entitled to benefit and leave from the next day on for the following 105 days.
- Leave can be delegated to the father if the mother, due to illness, is unable to care for the child; or to another person responsible for the care of the child if the mother dies and the father does not care for the child.

³⁹ Names of types of leave are given in Finnish and Swedish. Finland is a bilingual country with a Swedish-speaking minority.

b. Paternity leave (*isyysvapaa/faderskapsledighet*) (responsibility of the Ministry of Social Affairs and Health and the Ministry of Labour)

Length of leave

- Eighteen working days, plus a further 12 'bonus' days for fathers who take the last two weeks of parental leave. The 12 bonus days plus two parental leave weeks are now called 'father's month' in the legislation.

Payment (applied for the whole period of Paternity leave)

- Earnings-related benefit, with payment equal to 70 per cent of annual earnings up to €30,034, with a lower per centage for higher earnings. Minimum allowance as for maternity leave.

Flexibility in use

- The one to 18 days can be taken in four segments, the 12 bonus days in one segment.

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

- As maternity leave, but the father must also live with the child's mother.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother

- None.

c. Parental leave (*vanhempainvapaa/föräldraledighet*) (responsibility of the Ministry of Social Affairs and Health and the Ministry of Labour)

Length of leave

- One hundred and fifty-eight working days per family.

Payment

- Earnings-related benefit. During the first 30 days of leave, the payment is equal to 75 per cent of annual earnings up to €46,207, with a lower per centage for higher earnings. After this initial period of leave, the payment is 70 per cent of earnings up to €30,033, with a lower per centage for higher earnings. Minimum allowance as for maternity leave.

Flexibility in use

- Each parent can take leave in two parts, of at least 12 days duration.
- Leave can be taken part time, at 40–60 per cent of full-time hours, but only if both parents take part-time leave and only with the employer's agreement. Benefit payments are reduced accordingly.
- The 'father's month' can be taken within six months from the end of the Parental leave period provided that the child has been taken care of at home by the mother or the father until the start of the 'father's month'.

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

- As maternity leave.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother

- In the case of multiple births, the length of leave is extended by 60 days for each additional child. Either the father or the mother can use the extended leave, partly or wholly during the maternity leave or the parental leave period.
- If, due to premature birth, the maternity leave has started earlier than 30 working days before the expected date of delivery, parental leave is extended by as many working days.
- If the mother dies and the father does not care for the child, the parental benefit can be paid to another person responsible for the care of the child.

d. Childcare leave or career breaks

- Childcare leave, referred to as 'Home care leave' (*hoitovapaa/vårdledighet*) can be taken from the end of Parental leave until a child's third birthday. This leave can be taken in two parts, the minimum length being one month. While taking leave, a parent receives a home care allowance consisting of a basic payment of €294 a month, with an additional €94.09 for every other child under three years, €60.46 for every other pre-school child over three years and a means-tested supplement (up to €168 a month). The average home care allowance per family in 2006 was €364 a month. Some local authorities, especially in the Helsinki area, pay a municipal supplement to the home care allowance; in 2006, these supplements averaged €170 a month.

e. Other employment-related measures

Adoption leave and pay

- Adoptive parents are eligible for Parental leave of 234 working days after the birth of the child (or 200 working days if the child is older than two months when the adoptive parents assume care for the child). Fathers are eligible for the same paternity and parental leave as fathers having their own children. Adoptive parents are entitled to home care allowance for a period that ends two years after the parental leave period started even if the child is older than three.

Time off for the care of dependants

- Between two and four days at a time for parents of children under 10 years when the child falls ill (temporary childcare leave, *tilapäinen hoitovapaa/tillfällig vårdledighet*), the length being regulated by collective agreements. There are no limits on how often parents can take leave for this purpose during the course of a year. Payment is dependant on collective agreements, but often at full earnings. Parents with joint custody who do not live with the child are now entitled to the leave.

Flexible working

- Parents can work reduced hours (partial childcare leave, *osittainen hoitovapaa/partiell vårdledighet*) from the end of Parental leave until the end of the child's second year at school. The employee should negotiate the reduction in hours with the employer, and the employer can refuse only if the reduced working hours would lead to serious disadvantages for the organisation – in that case, working hours must be a maximum of 30 hours a week. Both parents can take partial childcare leave during the same period, but cannot take leave during the same time in the day. Employees taking partial childcare leave before the child's third birthday or during the child's first and second year at school are entitled to a partial home care allowance of €70 a month .

2.Changes in leave policy since 2005 and other related developments (including proposals currently under discussion)

There have been no major changes in the leave schemes since 2005 but several minor ones, including:

- The per centage of earnings replaced by leave benefits has been raised, in the case of Maternity leave up to 90 per cent of earnings during the first 56 days and in the case of Parental leave from 70 to 75 per cent of earnings during the first 30 days. If both parents take parental leave, they both receive the raised benefit during the first 30 days of their leave.
- The Parental leave period for adoptive parents has been lengthened from 180 to 200 days.
- Same-sex parents in a registered relationship can share the Parental leave.
- The addition to home care allowance for siblings has been raised by €10.
- Since August 2006, a parent who does not live with the child is also entitled to temporary childcare leave to care for a sick child under 10 years of age.
- A new term, 'father's month', has been introduced into the legislation. The 'father's month' consists of the two last parental leave weeks and the 12 bonus days which the father gets if he takes the two last parental leave weeks. Taking advantage of the 'father's month' is more flexible than it used to be, as it can be taken until the child is 16 months old.

Proposals to reform parental leave have been made. Finnish members of the Network on Leave Policy and Research, Minna Salmi and Johanna Lammi-Taskula, have recommended, in their proposal to the Council for Gender Equality in November 2006, a thorough reform where the various forms of leave (maternity, paternity and parental) would be consolidated and renamed Parental leave. This Parental leave would last 18 months, and it could be taken until the child turns three, in one period or several, with the minimum period being two months. The Parental leave would be divided into three 6-months sections, one for the mother, one for the father and one to be shared as the parents see fit. A Paternity leave of 1 to 18 days would remain in the scheme, to be taken immediately after the birth of the child. A single parent would be entitled to the whole 18 months leave. The proposal also includes: a higher payment with a fixed per centage of 80 per cent of earnings for the whole leave period; a rise in the minimum flat-rate allowance to make it comparable with the minimum allowance for the unemployed; and a rise in the partial home care allowance from €70 to €210 to encourage parents of young children to work shorter hours.

The proposal is based on research findings. The present leave period, which ends when the child is 9–10 months old, is not in line with knowledge on child development. Today, most mothers stay at home until the child is 18 months old. Moreover, the Maternity and Parental leave periods have remained at the same length for 20 years. One of the main aims of Finnish leave policy has long been to encourage more men to take Parental leave. The reform would improve the present situation, not only for fathers but also for mothers and children. A specific quota for fathers is well founded, as Nordic experience shows that fathers use leave periods that are explicitly specified for them and which the family (or the child) would otherwise lose. The proposal does not include coercion, as fathers could still choose only a short Parental leave period or only the Paternity leave. The proposal also aims at clarifying the present complicated leave schemes and payments.

The proposal received attention in the media, and the Council for Gender Equality included the proposal in its motions for the new government's programme. In its Family Policy programme, the Family Federation in Finland suggests a gradual realisation of the reform: first a lengthening of the leave into 12 months and a two-month quota for fathers. The Federation also proposes a change in the regulation of part-time Parental leave such that it would not be conditioned on both parents taking the part-time leave.

Several political parties proposed reforms in the leave schemes in their programmes for the parliamentary election in March 2007, but the propositions were often vague and general in nature. Of the six biggest parties, from which the government coalition would be formed, the

three smaller ones suggested lengthening the parental leave until the child is 12 months old; two of the three larger parties were more vague or modest and one offered no view. Lengthening of paternity leave or the father's month was mentioned by one major and three minor parties. One major and three minor parties wanted to raise the level of the minimum allowance. All six parties wanted the expenses incurred by the employer to be shared equally by all employers.

The new Government formed in April 2007 (comprising the Centre Party, the Conservatives, the Greens and the Swedish People's Party) aims to extend Paternity leave by two weeks in 2010, and to raise the minimum flat-rate parental allowance in 2009 and the home care allowance and the amount of the allowance during partial childcare leave in 2010. The Government also intends to 'review the possibility for a more thorough reform of the parental leave schemes', as part of a thorough review of the whole social security system.

In October 2007 the Minister responsible for gender equality suggested, in a Nordic Ministers meeting, that the Finnish parental leave scheme should be reformed according to the 6+6+6 proposal presented above. In March 2008 the Minister of Labour supported the idea of reform based on quotas.

In its proposals for the governmental programme in 2007 the Ministry of Labour suggested a swift re-evaluation 'of the expediency in the changing labour market situation of service and benefit arrangements, such as the Home care leave, which lead outside the labour market'. This suggestion follows that of the OECD which in Spring 2005 wrote in its report *Babies and Bosses* (volume 4) that 'the system of Home Care Allowance holds back labour supply growth' and that 'policy should consider reform options limiting benefit payments and / or duration'. However, these suggestions have not gained support in the political debate. Moreover, according to parental leave surveys from 2001 and 2006 conducted by STAKES, nearly all parents of young children support the home care allowance. Findings of the surveys and other studies also suggest that it is not the opportunities to take Home care leave but the availability of jobs and permanent employment contracts that regulate mothers' participation in the labour market.

Since 1996, every child under school-age has been entitled to a place in local authority day care service, or state subsidised private services. Even though this universal entitlement is rather new and came about after a long and thorough political process, during the first years of the 21st century it has again been questioned. In 2004 the State Secretary of the Ministry of Finance suggested that the entitlement should be restricted for children who have a parent staying at home unemployed or on parental leave. This suggestion led to a survey on the extent to which day care services were used by children with a parent at home.

The survey showed that only 2 to 5 per cent of children entitled to day care services attended day care in a situation where they have a parent staying at home. The debate faded out until the issue was again raised by the media at the beginning of 2007. In surveys of leaders of day care centres, some supported the idea to restrict the universal right to day care.

These suggestions are again at odds with the opinions of parents of young children. In surveys by STAKES from 2001 and 2006 a great majority (85–88 per cent) of mothers and fathers of two-year-olds wanted to keep the subjective right to day care intact, irrespective of whether their own child was taken care of at home or in day care. Moreover, in the public debate voices have also been raised for a high quality early childhood education which would demand attention to accessibility and quality of care and education, instead of plans to restrict it. Local authorities have made savings by closing down small day care centres and concentrating day care services into bigger units. Groups of children in day care are often too big and personnel too few. Many local authorities do not offer enough part-time day care services and not in a way to secure continuity for the child. Indicators of effectiveness in day care are based on full-time attendance which means that flexible arrangements are not considered effective. More resources need to be directed to secure a good environment for children to grow up in.

It remains to be seen what the new government will do with the subjective right to day care. All six major political parties mention the day care services as something they want to ensure, some mention concrete measures to develop the services and some the need to renew the legislation to specifically include the goal of early childhood education for day care provision. In its programme the new Government promises to revise the day care legislation and develop more diverse forms of day care, e.g. part-time day care.

The government also aims to reform the day care fee scheme by August 2008. The fees will be raised by 16.6 per cent, vary from no payment to €233 per month, and will be index-linked. The fee for a child will be calculated on the basis of actual family size (previously, only two children under school-age were counted) and income. This reform leads to higher fees for 40 per cent of families and lower fees for 48 per cent; for example, many single parent families and families with several children will have lower fees than previously. However, income levels are still set so low that a third of all families will pay the highest level of fee.

In spring 2007 the government put forward plans to scrap the possibility of free day care for low-income parents to encourage parents who stay at home not to use day care services or to use only half-day

services. The plan aroused criticism because it was seen as a step towards abolishing the subjective right to day care, and was withdrawn in the autumn. Now the government plans to enable a more flexible movement between part-time and full-time day care, to encourage parents to use part-time day care.

3. Take-up of leave

a. Maternity leave

Almost all mothers use the leave.

b. Paternity leave

Today, the great majority of fathers take paternity leave. In 2006, 46,329 men did so; in the same year there were 58,165 births. The proportion of fathers taking paternity leave has been increasing – from 46 per cent in 1993 and 63 per cent in 2000 to 70 per cent in 2006. In 2006, the average length of the leave taken was 14 working days. But only 5,059 fathers, i.e. about 9 per cent of all fathers, took the new bonus leave period (i.e. they had also taken the last two weeks of the preceding parental leave).

Paternity leave is taken more often by men (a) with middle-level income who work in white collar and skilled jobs in social and health care, education, technical branches and manufacturing industry; and (b) who are partners of young, well-educated women in white collar or skilled jobs. Men who are less likely to take paternity leave include those: in management or other senior or entrepreneurial positions; in agriculture or construction work; on low incomes or unemployed; or with a partner aged over 40 years or less educated or with a blue-collar job or on a low income; or if there are three or more children in the family. Length of paternity leave correlates with the father's age and sector of employment as well as industry: men in their thirties take longer paternity leave than men in their twenties or forties, and men who work in the private sector take a shorter period of leave than men in the public sector. The full three weeks of paternity leave is most often taken by men who work in the social and health care sector or in agriculture; it is least often taken in education and arts sectors as well as in construction (Lammi-Taskula, 2003, Hämäläinen and Takala 2007).

c. Parental leave

The 158 days of Parental leave is mostly taken by mothers. Almost all mothers take Parental leave whereas only 2 to 3 per cent of fathers have taken leave over the years it has been available. However, the new arrangement under which there are bonus days of Parental leave for fathers who take the last two weeks of Parental leave has almost quadrupled the number of men taking Parental leave from 1,700 men in 2002 to 5,700 in 2005 and 6,400 in 2006. At the same time, the

average length of leave taken by fathers has fallen; from 64 working days in 2002 to 37 in 2003 and only 28 in 2006. Two-fifths of fathers taking leave use a month or less, while a fifth use at least five months. The most common length of leave taken by fathers is 42 days, which means that men take all days labelled for fathers – but no more (Hämäläinen and Takala, 2007).

Men with high education, employed in the public sector in middle-sized or big organisations, and whose partners also have high education, are more likely to take bonus leave – but the leave periods they take are shorter than those taken by men with less education (Hämäläinen and Takala, 2007). Overall, longer periods of parental leave are taken more often by men with a good employment position and a high level of education. Take-up is also more common among men over 30 years of age, and working in the public sector, in scientific work or social and health care.

Unlike paternity leave, the length of parental leave taken by men is connected to their level of education and socio-economic position. Men with a high level of education, in skilled jobs or in superior positions take shorter periods of leave than men with a lower level of education and in blue-collar or less skilled white-collar position. The position of the men's spouses also played a role: longer parental leave was more rarely taken by men with a spouse in a blue-collar job; while fathers take-up of parental leave is most common in families where the mother has university education and/or high income (Lammi-Taskula, 2003). Both bonus leave and longer parental leave are taken by men more often if the family has twins or triplets (Hämäläinen and Takala, 2007).

In 2003, the first year that the part-time option for taking parental leave was available, 37 parents received the partial parental allowance, rising to 84 in 2004 and to 106 in 2006. This means that about 0.2 per cent of families with a newborn child have used the new arrangement in its first four years and the interest has not increased from 2005 to 2006.

d. Childcare leave or career breaks

Almost all families (86 per cent) take advantage of the home care allowance at least for some of the time after parental leave. Since 2006 statistics are available for use of leave by women and men, showing that 'home care leave' is used almost entirely by women. In 98 per cent of all families where one of the parents has taken care of the child supported by home care allowance, it was the mother. Earlier the share of fathers who take this leave was, based on individual studies, assessed to be 2 to 3 per cent (Lammi-Taskula, 2003).

Statistics also enable an assessment of take-up periods of home care allowance. In families paid home care allowance at some point before

their child turns three,⁴⁰ periods taken divide evenly: 26–27 per cent take less than 7 months, 22–23 per cent between 7 and 12 months, 28 per cent 13 and 24 months, and 21–25 per cent longer than 24 months (the maximum length being 26–27 months). The proportion for the longest periods has declined from 2003 to 2005. The (few) male home care allowance recipients have less shortest and longest periods than the female ones have, but they also have more periods of 13–24 months (31–33 per cent). (Calculations based on Statistical Yearbooks of the Social Insurance Institution 2004–2006.)

Only a quarter of mothers giving birth in 1999 returned to employment right after parental leave: on average mothers stayed at home until their child was 18 months old. Just over half (53 per cent) of mothers were at home taking care of their child at two years after the birth, but a third of these women were already on maternity or parental leave with another baby. Some women at home were officially unemployed or combined home care of children with studying or part-time work (Lammi-Taskula, 2004).

The results of recent research confirm earlier findings that the leave schemes seem to create two categories of women: women with higher levels of education and better employment prospects have more options, being able to choose between a shorter or a longer family leave period, maybe also between a period of part-time work and working full time; women with little education and less opportunities in the labour market have fewer alternatives. So, a woman without work prior to the birth of her child is more likely to stay at home for a longer period supported by the home care allowance. The home care allowance, therefore, seems to have become an income source for unemployed women; rather than functioning as an alternative to the use of childcare services, as intended, it also serves as an alternative to unemployment (Lammi-Taskula, 2004).

Earlier, only a small number of families – 2,100 in 2003 – took advantage of partial home care leave. However, after the reform making parents of younger school children eligible for the partial care allowance, the number of families increased and was 10,690 in 2006. Of these, about 7,500 families took the leave with a school-age child.

e. Other employment-related measures

There is no information available on the take-up of temporary childcare leave.

⁴⁰ These statistics exclude all families receiving home care allowance where the person taking care of the child is not a parent; however, these families only comprise 2–3 per cent of all recipients.

4. Research and publications on leave and other employment-related policies since January 2005

a. General overview

Research on statutory leave entitlements and on take-up is done on the initiative of individual researchers; no systematic follow-up takes place except for basic statistics. Research has been focused on the take-up of parental and home care leave and its connections with women's labour market participation, as well as on men's take-up of family leave. Recent research has compared leave schemes and their take-up and consequences in the Nordic countries and also widened the focus to workplace attitudes and practices in connection with leave take-up. In addition, decision-making between parents and men's and women's reasons for leave-taking have been studied, as well as the consequences of leave-taking to the economic position of families. Currently, studies relying on register-based data have been accomplished where the consequences of women's leave-taking for their career and wage development was studied with a longitudinal approach. Studies that focus on the everyday situations of parents in families and at work are under way; they also aim at following the take-up of new forms of paternity and parental leave.

b. Selected publications from January 2005, including results from research studies

Haataja, A. (2005) *Äidit ja isät työmarkkinoilla [Mothers and fathers in the labour market]*. Helsinki: Sosiaali- ja terveysministeriön selvityksiä. This report gives a picture of the transformation in the positions of mothers and fathers in and outside the labour market from the end of the 1980s to the first years of the 21st century.

Lammi-Taskula, J. and Salmi, M. (2005) 'Sopiiko vanhemmuus työelämään? Perhevapaat ja työpaikan arki' ['Does parenthood fit into working life? Family leave and the everyday experiences at workplaces'], in: P. Takala (ed.) *Onko meillä malttia sijoittaa lapseen? [Do we have patience to invest in children?]*. Helsinki: Kansaneläkelaitos. pp. 110–125.

These two papers and book chapter report on the STAKES' 'Family Leave from the Perspective of Gender Equality' study (2001–2003) where 3,300 mothers and 1,400 fathers with a child born in 1999 reported of their practices and experiences.

Takala, P. (2005) *Uuden isyysvapaan ja isän muiden perhevapaiden käyttö [Use of the new paternity leave and of the other family leave options available for fathers]*. Helsinki: The Social Insurance Institution. Available at:
[http://www.kela.fi/in/internet/liite.nsf/NET/260805104733PN/\\$File/oslo_takala.pdf](http://www.kela.fi/in/internet/liite.nsf/NET/260805104733PN/$File/oslo_takala.pdf)

The report examines the use of family leave by fathers and, in particular, how the new bonus leave is used less than expected.

Takala, P. and Hytti, H. (2005) 'Minimum parental allowance payments received by Finnish mothers', *Yearbook of Population Research in Finland*, No. 41: 47–60.

This article reports on a study that aimed to describe the characteristics typical of women receiving minimum parental allowance and to analyse how often they had to rely on last-resort income support (social assistance).

Haataja, A. and Mattila-Wiro, P. (2006) *Impact of alternative benefit levels and parental choices on the parents' income. Micro-simulation approach on the Finnish Parental leave. Discussion Papers 399*. Helsinki: Governments Institute for Economic Research

The paper presents changes in the level of the Parental leave benefit scheme since the 1990s and analyses spouses' income differences in different family situations. The main aim is to evaluate a tripartite proposal in Spring 2006 to reform the scheme. Evaluations are made using micro-simulation methods at population level and in type-family calculations. www.vatt.fi

Haataja, A and Nyberg, A (2006) 'Diverging paths? The dual-earner/dual-carer model in Finland and Sweden in the 1990s', in: A. L. Ellingsæter and A. Leira (eds) *Politicising parenthood in Scandinavia: gender relations in welfare states*. Bristol: Policy Press, pp.217–240

This chapter analyses changes in the policy models as well as the response to and effects of policy interventions in combination with economic development.

Hiilamo, H. (2006) 'Woman-friendliness and economic depression: Finland and Sweden in the 1990s', in: A. L. Ellingsæter and A. Leira (eds) *Politicising parenthood in Scandinavia: gender relations in welfare states*. Bristol: Policy Press. pp.171–194

This chapter investigates what impacts economic recession, combined with differences in childcare policy, have had on the sustainability of the gender equality ambition in Finland and Sweden.

Lammi-Taskula, J. (2006) 'Nordic men on Parental leave: can the welfare state change gender relations?', in: A. L. Ellingsæter and A. Leira (eds) *Politicising parenthood in Scandinavia: gender relations in welfare states*. Bristol: Policy Press. pp.79–100

This chapter compares current entitlements of fathers for Parental leave in the Nordic countries, and analyses the ambivalence in cultural conceptions of gender and parenthood that complicate negotiations in the family and workplace on fathers' use of leave. What is the likelihood of changing gender relations with the help of welfare policies such as Parental leave?

Salmi, M. (2006) 'Parental choice and the passion for equality in Finland', in: A. L. Ellingsæter and A. Leira (eds) *Politicising parenthood in Scandinavia: gender relations in welfare states*. Bristol: Policy Press. pp.145–170

This chapter uses survey data from 5,000 Finnish families with young children to analyse the outcome of family policy reforms in the 1990s in a gender equality perspective, asking what is the relation between the reforms and parents' everyday practices and wishes.

Haataja, A. (2007) 'Parental leave, childcare policies and mother's employment in Finland and Sweden: a comparison', in: R. Myhrman and R. Sääntti (eds) *Opportunities to reconcile family and work*. Ministry of Social Affairs and Health, Reports 2007:16. Helsinki: Helsinki University Printing House.

The article discusses examples of problems in international comparisons of parental leave schemes and women's employment and presents a summary of the comparisons of the Finnish and Swedish parental leave schemes, day care policies and employment.

Salmi, M. and Lammi-Taskula, J. (2007) 'Family policy, labour market and polarisation of parenthood in Finland', in: R. Myhrman and R. Sääntti (eds) *Opportunities to reconcile family and work*. Ministry of Social Affairs and Health, Reports 2007:16, Helsinki: Helsinki University Printing House

The article analyses the socio-economic patterns of the gendered take-up of parental leave and the consequences of long leave periods combined with varying employment prospects to a polarisation of parenthood between men and women as well as among women. Will the family policy reforms add to or decrease the polarisation of parenthood?

Lammi-Taskula J. (2007) 'Parental leave for fathers? gendered conceptions and practices in families with young children in Finland'. Research Report 166. Helsinki: STAKES.

The study, a Ph.D. thesis in sociology, explores the gendered actualisation of statutory parental leave rights in Finland, based on survey data from 3,232 mothers and 1,413 fathers of young children, collected in 2001–2002. The results indicate that although fathers' involvement in childcare is widely understood as important, in practice the mother's primacy in childcare is not challenged. Among parents of young children, gendered parental responsibilities are emphasized in relation to one's own choices, but not expected from the partner to the same extent. Gender ideology plays a significant role in the actualisation of leave rights in families. The likelihood of sharing Parental leave is also related to a high education level of both parents, as well as to the father's employment in the female-dominated public sector. Although many fathers report family economy as an obstacle

for their take-up of leave, their choices are based more on assumptions than calculations. The ideologies and practices of (not) sharing parental leave are reflected in the division of labour in unpaid housework. In families where the mother takes the whole leave period, parents develop separate spheres of experience and housework tasks are more differentiated than in families where at least part of parental leave is taken by the father. The study suggests that individual leave rights for fathers are needed in family policy; and that the actualisation of fathers' childcare responsibility requires support by their employers and colleagues in work organisations as well as questioning of prevailing gender relations in the everyday life of families.

Lilja, R., Asplund R. and Kauppinen K. (eds) (2007) *Perhevapaavalinnat ja perhevapaiden kustannukset sukupuolten välisen tasa-arvon jarruina työelämässä? [Do the choices and costs of family leave hamper gender equality in working life?]*. Helsinki: Ministry of Social Affairs and Health

The report presents the key results of a research project – *Combining work and family – a challenge for equality planning* (2005–2008), a joint project between the Labour Institute for Economic Research, the Research Institute of the Finnish Economy, the Finnish Institute of Occupational Health and the Social Insurance Institution of Finland, financed by the European Social Fund and the Ministry of Social Affairs and Health. Using extensive statistical analysis, the project explores which kind of costs the use of family leave incurs in the private sector, at the company and individual level. The results indicate that the direct costs of family leave for companies are on average quite small, but that the indirect costs tend to have a negative impact on firm profitability, especially in female-dominated industries; this has direct repercussions on the pay capacity of female-dominated industries and thereby on the male–female wage gap. The results also show that the earnings of mothers returning from family leave lag behind those of childless but otherwise similar women who have worked uninterruptedly, but also that these negative wage effects fade out rather quickly after re-entry into working life; however, the longer the family leave period, the higher and more prolonged is the earnings penalty. A similar effect is not observable in the case of fathers due to their typically very short family leave spells.

Results of the project are published in English: see Kellokumpu, J. (2007) *Baby and pay: the family gap in Finland* (Labour Institute for Economic Research (PT), Working papers 236). Available at: www.labour.fi; Napari, S. (2007) *Is there a motherhood wage penalty in the Finnish private sector?* (Research Institute of the Finnish Economy (ETLA), Discussion papers No. 1107). Available at: www.etla.fi.

Hämäläinen, U. and Takala, P. (2007) 'Isien perhevapaat ja tasa-arvo' ['Fathers' use of family leave and equality'], in: R. Lilja, R. Asplund and K. Kauppinen (eds) (2007) *Perhevapaavalinnat ja perhevapaiden kustannukset sukupuolten välisen tasa-arvon jarruina työelämässä?* [Do the choices and costs of family leave hamper gender equality in working life?] Helsinki: Ministry of Social Affairs and Health, 2007

This chapter studies fathers' choices between three options (taking no family leave, taking Paternity leave or sharing Parental leave with the mother), based on a register-based data set of 102,055 fathers in 2001–2004. Fathers' use of family leave is affected by numerous factors: parents' labour market status and education, family structure, firm characteristics, etc. Moreover, the utilisation of Parental leave schemes increased with income despite the Finnish allowance system of decreasing compensation rate.

c. Ongoing research

Family leave and gender equality in working life (2006–2008). Minna Salmi and Johanna Lammi-Taskula, STAKES and Pentti Takala, Kela (The Social Insurance Institution).

This survey of mothers (N=1,435) and fathers (N=1,058) having children in 2004 focuses on the consequences of leave taking for women's labour market participation; the experiences of and obstacles to men taking leave; parents' practices, wishes and opinions on the newly introduced part-time leave in particular, and on how to take care of young children in general, as well as their workplace experiences when taking leave and returning from leave. The study also looks at the practices and consequences of employees' leave-taking from the company perspective, based on a survey of 551 organisations and interviews with 14 personnel managers. Contact Minna.Salmi@stakes.fi.

Contradictory reality of the Child Home Care Allowance (CHCA) — CHCA as an option for parents' work-life choices and its consequences for their work careers (2006–2009). Katja Repo, Tapio Rissanen and Jorma Sipilä, University of Tampere.

Child Home Care Allowance (CHCA) is a social policy system that raises lots of political and emotional tensions among politicians, citizens and researchers. In spite of its contradictory nature different kinds of 'payments for care' schemes are reaching a wider acceptance among users and on the political level. The project aims to illuminate the labour market consequences of the CHCA, which have been the focus of the debate. The research questions are: 1) what kind of consequences does the CHCA have on parents' work-life choices and later work careers? 2) How does the CHCA relate to the pursuit of reconciling work and family? 3) How does the allowance change the tools and meanings of social policy? The project also includes a cross-national statistical comparison of the consequences of CHCA using data from three different welfare states: Finland, Norway and Sweden. Contact Katjo.Repo@uta.fi.

2.10

France

Jeanne Fagnani and Danielle Boyer

Population (UNDP)	2005	61 million
Total Fertility Rate (UNDP)	2000-05	1.9
GDP per capita (UNDP)	2005	US\$30,386
Female economic activity (UNDP)	2005	48.2 per cent
As % male rate (UNDP)	2005	79 per cent
% of employed working part time (ECLC)		
Men	2005	5.7 per cent
Women	2005	30.7 per cent
Employment gender gap (full-time equivalent) (ECI)	2005	16.1% points
Employment rate (parents with children under 12 years)(EWM)		
Fathers	2006	91.1 per cent
Mothers	2006	65.9 per cent
Employment impact of parenthood (parents with a child 0–6 years)(ECI)		
Men	2006	+11.7% points
Women	2006	- 9.7% points
Gender-related Development Index (UNDP)		7th
Gender Empowerment Measure (UNDP)		18th
Access to regulated ECEC services (OECD)		
Children under 3 years	2004	26 per cent
Children 3–5 years (inclusive)	2004	100 per cent

1. Current leave and other employment-related policies to support parents

a. Maternity leave (*Congé de maternité*) (responsibility of Ministry of Social Affairs, Health and Solidarity)

Length of leave (before and after birth)

- Sixteen weeks: at least three weeks before the birth, the remainder can be taken before or after.

Payment

- One hundred per cent of earnings, up to a ceiling of €2,773 a month.

Flexibility in use

- Two weeks can be taken before or after birth.

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

- All employees and self-employed workers.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother

- In the case of multiple or premature births, the length of leave increases to 12 weeks after birth.
- Mothers having a third or higher order child receive 24 weeks of leave.

b. Paternity leave (*Congé de paternité*) (responsibility of Ministry of Social Affairs, Health and Solidarity)

Length of leave

- Two weeks (in reality 11 working days).

Payment

- As maternity leave.

Flexibility in use

- Must be taken within the four months following the birth.

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

- All employees and self-employed workers.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother

- None.

c. Parental leave (*Congé parental*)

Length of leave

- Until the child reaches three years. Leave is an individual entitlement.

Payment

- A benefit - *Complément de libre choix d'activité* (CLCA) – is available to all families who meet the eligibility condition whether or not they are on parental leave. It is a flat-rate payment (€536 per month), paid to families whose income is below a certain level (in practice, about 90 per cent of families are eligible). However, to parents with only one child it is only paid until six months after the end of the Maternity leave; in other families it is paid until the child reaches three years of age).
- Another benefit - *Complément optionnel de libre choix d'activité* (COLCA) – is available to large families (with at least three children, the youngest born since July 2006): an allowance of €766 per month is paid on condition that one parent stops working completely. However, the duration is only for one year. Large families can choose between COLCA and CLCA.
- Both CLCA and COLCA are paid by the CNAF (*Caisse nationale des allocations familiales*), the French family allowance fund.

Flexibility in use

- Parents taking leave may work between 16 and 32 hours per week.
- If parents work part time, the CLCA payment is reduced. If both parents work part time, they can each receive CLCA but the total cannot exceed one full CLCA payment. For the higher allowance paid for large families (COLCA), one parent must stop work completely.

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

- All employees are eligible for Parental leave if they have worked at least one year for their employer before the birth of a child.
- Eligibility for CLCA becomes more restrictive the fewer children a parent has: for example with three children the eligibility condition is to have worked for two out of the five years preceding birth (two out of the four years for parents with two children), but with only one child it is necessary to have worked without a break for two years preceding birth.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the parents)

- Where a child is seriously ill or disabled, parental leave (regulated by the Labour code) can be extended by a year.

Additional note (e.g. if leave payments are often supplemented by collective agreements, employer exclusions or rights to postpone)

- Employers can refuse to let parents work part time if they can justify this on business grounds.
- The 'family tax credit' (*Crédit d'impôt famille*, CIF), introduced in 2004, is a financial incentive provided to companies to encourage them to develop family-friendly initiatives for their employees. The CIF stipulates that 25 per cent of related expenses are deductible from taxes paid by the company up to a ceiling of €500,000 per year and per company. Eligible expenses can include training programmes for employees on Parental leave and supplements paid to employees taking various forms of leave.

d. Childcare leave or career breaks

No general statutory entitlement.

e. Other employment-related measures

Adoption leave and pay

- For adoptive parents the same regulations for Parental leave apply as for other parents.

Time off for the care of dependants

- Every employee is eligible for an unpaid leave (*Congé de présence parentale*) to care for a sick child under the age of 16 years. Legally, periods of leave cannot exceed three days (or five days in specific cases), but this is a minimum and most collective agreements have special arrangements, as in the public sector where employees can take 14 days a year to care for a sick child.

- *Allocation journalière de présence parentale*: In cases of a serious disability or illness of a child under 20 years, every employee with at least one year of employment with an employer is entitled to paid leave to care for her/his child, or to work part time for a period of up to three years (the allowance is paid for a maximum of 310 days within a period of three years). The level of the allowance depends on the duration of work in the enterprise and on the family structure (in couples, if one parent stops work completely, the amount is €39.58 per day in 2007 and €47.02 for a lone parent). A similar period of leave is possible for employees who need to care for a relative at the end of life, either a child or a parent living in the same house.

Flexible working

- No general statutory entitlement. Employees in the public sector are entitled to work part time for family reasons.

2.Changes in leave policy since 2005 and other related developments (including proposals currently under discussion)

COLCA was introduced in July 2006, the aim being to encourage fathers to take-up this leave by providing them with a higher amount of money than CLCA.

3.Take-up of leave

a. Maternity leave

Although it is not obligatory, almost all mothers take-up maternity leave, although the length of leave taken varies, with women in higher status employment taking less leave.

b. Paternity leave

Around two-thirds of eligible fathers took leave in 2003 (Chauffaut, 2003; Bauer and Penet, 2005).

c. Parental leave and childrearing benefit

It is impossible to calculate the number of parents on parental leave because employers are not required to provide information about take-up. Statistics are limited to APE or CLCA, and it is not possible to find out how many recipients of APE are also on Parental leave.

Changes in APE since July 1994, which extended eligibility to parents with two children and introduced the option of part-time work from the beginning of the payment period, contributed to a dramatic increase in the number of recipients, reaching 581,000 in 2005 compared with 275,000 in 1995. The economic activity rate of mothers with two children, the youngest aged less than three years, decreased from 69 per cent in 1994 to 53 per cent in 1998. It has been estimated that

between 1994 and 1997 about 110,000 working mothers with two children left the labour market to take advantage of APE. The incentive for low-paid mothers to stop working is strong because of savings on childcare costs and other expenses. Research has also shown that mothers living in rural areas and small towns, where public childcare provision is scarce, claim APE more frequently.

Research provides evidence that women make up 98–99 per cent of parents taking leave. It also suggests that mothers who were in employment just before taking maternity leave are more likely to claim APE/CLCA *if* they are entitled to parental leave because they have a job guarantee; with high unemployment, most working mothers who are not entitled to parental leave cannot take the risk of losing their job unless their partner has secure employment (Simon, 2000). This hypothesis receives support from research conducted among mothers with three children who were receiving APE/CLCA (Fagnani and Letablier, 2005).

Mothers are more likely to claim parental leave and CLCA when they face demanding working conditions, for example atypical/non-standard working hours or 'flexible' hours imposed by employers. It has been hypothesized that one of the factors explaining the high take-up of APE is the deterioration in working conditions in recent years. From this perspective, taking parental leave with CLCA is one way to escape a job with difficult working conditions that create difficulties for workers trying to combine paid and unpaid work.

A number of factors help to explain why fathers are so reluctant to claim Parental leave, including: the unequal gender distribution of domestic and child-raising tasks within the family still persisting in France (Algava, 2002); traditional value systems; in most couples, the man earning more than the woman; and a workplace culture in the private sector that makes it difficult for a man, in particular at management level, to take parental (Fine-Davis and al., 2004).

The small number of fathers who take APE are mostly blue-collar workers or employees with a stable job beforehand. Compared with fathers who do not take APE, they are more likely to work in female-dominated sectors and to have partners with a higher level of education, a higher status job and higher earnings (Boyer, 2004).

Among parents who had their first child in 2004, 16 per cent received the CLCA (Blanpain, 2005). This low take-up may be due to several reasons: because mothers with only one child do not want to, or cannot, interrupt their professional life for a long time after Maternity leave; and because the scheme was quite new when these figures were collected and still not well known. Since 1997, there has been an increase in the number of parents receiving APE or CLCA (having at

least two children) who work part time and therefore get a reduced benefit. In 2006 there was a total of 587,600 recipients of CLCA.

The number of recipients for COLCA is very low, 900 in December 2006.

4. Research and publications on leave and other employment-related policies since January 2005

a. General overview

Only a few studies recently have addressed this issue. In the context of high unemployment and increased casualisation of the labour market, leave policy and the wider issue of reconciling paid work and family life have been relegated to a secondary position on the policy agenda. Public opinion is more concerned with the pension and education systems.

b. Selected publications from January 2005, including results from research studies

Blanpain, N. (2005) 'Les prestations familiales et de logement en 2004', *Etudes et Résultats DREES*, No. 451.

A description of the recipients of family allowances and housing allowances in 2004, and the increase in their number since 2003.

Fagnani, J. and Letablier, M.T. (2005) 'Caring rights and responsibilities of families in the French welfare state', in: B. Pfau-Effinger and B. Geissler (eds) *Care arrangements and social integration in european societies*. Bristol: Policy Press, pp.153–172.

An analysis of childcare policies in France since the 1980s, which also explores the range of childcare arrangements for working parents and their advantages and drawbacks with respect to the economic emancipation of women and to social inequalities.

Bauer, D. and Penet, S. (2005) 'Le congé de paternité', *Etudes et Résultats, DREES*, No. 442.

This study explores the socio-economic characteristics of 1) fathers who take-up Paternity leave and 2) fathers who cannot afford or refuse to claim their right to Paternity leave. Level of income and working conditions are important explanatory factors of the divide between the two groups. Highly-paid men and those who hold an unstable job are much less likely to take advantage of the Paternity leave.

Berger, E., Chauffaut, D., Olm, C. and Simon, M-O. (2006) 'Les bénéficiaires du complément de libre choix d'activité (CLCA): une diversité de profils', *Etudes et Résultats, DREES*, No. 510.

The authors describe the different categories of CLCA recipients and put emphasis on the socio-economic variables of the decision-making processes.

Chauffaut, D., Minonzio, J., Nicolas, M., Olm, C. and Simon, M-O. (2006) 'La prestation d'accueil du jeune enfant (PAJE): un dispositif globalement apprécié par ses bénéficiaires', *l'Essentiel*, CNAF, No. 46

This study draws on results of a national survey carried out among a representative sample of families with one child aged under 6 years. Attitudes and perceptions towards PAJE (*Prestation d'accueil du jeune enfant*) are investigated and analysed. The authors focused on three main dimensions of the scheme: simplicity (taking into consideration that one of the aims of PAJE was to 'simplify' the childcare allowances system), information about the eligibility criteria and financial aspects.

Lefèvre, C., Pailhé, A. and Solaz, A. (2007) 'Comment les employeurs aident-ils leurs salariés à concilier travail et famille', *Populations et Sociétés*, No. 440

This research is based on a survey titled 'Familles et Employeurs', carried out by INSEE on private and public enterprises with at least 20 employees. Both employers and employees were interviewed and completed a questionnaire. The objective was to investigate family-friendly measures and policies put in place by companies. Only 35 per cent of companies in the private sector provided an income supplement for employees on Maternity or Paternity leave, whereas all public sector workers received their full salary.

2.11

Germany

Wolfgang Erler and Daniel Erler

Population (UNDP)	2005	82.7 million
Total Fertility Rate (UNDP)	2000-05	1.3
GDP per capita (UNDP)	2005	US\$29,461
Female economic activity (UNDP)	2005	50.8 per cent
As % male rate (UNDP)	2005	77 per cent
% of employed working part time (ECLC)		
Men	2005	7.8 per cent
Women	2005	43.8 per cent
Employment gender gap (full-time equivalent) (ECI)	2005	23.3% points
Employment rate (parents with children under 12 years) (EWM)		
Fathers	2006	91.4 per cent
Mothers	2006	62.7 per cent
Employment impact of parenthood (parents with a child 0–6 years)(ECI)		
Men	2006	+9% points
Women	2006	-26.5% points
Gender-related Development Index (UNDP)		20th
Gender Empowerment Measure (UNDP)		9th
Access to regulated ECEC services (OECD)		
Children under 3 years	2001	9 per cent
Children 3–5 years (inclusive)	2001	80.1 per cent

NB. Germany is a federal state

1. Current leave and other employment-related policies to support parents

a. Maternity leave (*Mutterschutz*) (responsibility of the Ministry for Family, Senior Citizens, Women and Youth)

Length of leave (before and after birth)

- Fourteen weeks: six weeks before the birth and eight weeks following the birth. It is obligatory to take the eight weeks leave after birth.

Payment

- One hundred per cent of earnings, with no ceiling on payments.

Flexibility in use

- None. Women may continue with paid work until birth if they explicitly declare that it is their personal decision to do so. But for the two months after birth no paid work is allowed for reasons of health protection.

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

- All women employees, including those employed part time, even if working below the statutory social insurance threshold.
- Self-employed workers are not eligible.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother

- In the case of multiple or premature births, the length of leave increases to 12 weeks after birth.
- In certain circumstances (e.g. death or chronic illness of the parent), other relatives living with the newborn child may receive the benefit.

b. Paternity leave

No general statutory entitlement.

c. Parental leave (*Elternzeit*) (responsibility of the Ministry for Family, Senior Citizens, Women and Youth)

Length of leave

- Until three years after childbirth. This entitlement is per family.

Payment

- Parents on parental leave receive an income-related 'Childrearing Benefit' (*Elterngeld*⁴¹) for a period of 12 months, at a replacement rate of 67 per cent of a parent's average earnings during the 12 months preceding childbirth. While no means test applies, there is a ceiling of €1,800 per month and the minimum payment is €300, even for parents without prior income. A parent with average earnings below €1,000 per month receives a low income benefit increase: for every €2 their monthly earnings are below €1,000, their childrearing benefit increases by 0.1 per cent.
- Both parents are equally entitled to the childrearing benefit but if the father takes at least 2 months of leave the overall length of benefit payment is extended to 14 months.⁴² Moreover, if another child is born within 24 months the childrearing benefit is increased by 10 per cent.

⁴¹The term was originally *Erziehungsgeld*, but was changed to *Elterngeld* (parents' money) in 2007 with the intention to make clear the shared parental responsibility of bringing up children, including that of fathers.

⁴²The benefits paid during the two months of obligatory Maternity leave following childbirth are included in the 12 (+2) childrearing benefit period, effectively reducing the actual benefit period available to both parents to 10 (+2) months

Flexibility in use

- Instead of 12(+2) months the childrearing benefit may be spread over 24(+4) months, but the monthly benefit level is reduced so that the overall payment remains the same.
- Parents receiving a childrearing benefit may work up to 30 hours a week. However, if the company they work for has less than 15 employees they need their employer's consent. Income from part-time work is taken into account for the calculation of benefit entitlements.
- The final year of Parental leave may be taken up to a child's eighth birthday with the employer's agreement.
- Both parents are entitled to take leave at the same time and both can take-up to two leave intervals.

Regional or local variations in leave policy

- Parental leave legislation is federal. But four states (*Länder*) pay a means-tested childrearing benefit extended to the third year of Parental leave ranging from €200 to €350 per month and child.

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

- Parental leave: all parents gainfully employed at date of birth.
- Childrearing benefit: all parents, if not employed for more than 30 hours a week.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the parents

- In case of multiple births the childrearing benefit is increased by €300 per month for each additional child.

Additional note (e.g. if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)

- Many collective and individual company agreements allow parents to utilise their Parental leave entitlement within 12 years or, in the public sector, within 18 years after childbirth.

d. Childcare leave or career breaks

- None.

e. Other employment-related measures

Adoption leave and pay

- For adoptive parents the same regulations for Parental leave apply as for other parents.

Time off for the care of dependants

- In the case of sickness of a child (below 12 years of age) parents may take-up to 10 days of leave, receiving 80 per cent of earnings from their health insurer with no ceiling. The maximum annual leave period that may be taken per family is 25 days. From July 2008 relatives of care-dependant persons will be entitled to six months of unpaid leave.

Flexible working

- None.

2.Changes in leave policy since 2005 and other related developments (including proposals currently under discussion)

The recent overhaul of the childrearing benefit, which came into effect in January 2007, constitutes a paradigmatic policy shift for the German family policy context. Already the red-green government had announced its intentions to overhaul the childrearing benefit, replacing a flat-rate payment (whose value had not increased since 1986) with an earnings-related income replacement of 67 per cent. At the same time, the childrearing benefit was to be renamed, changing from *Erziehungsgeld* (childrearing benefit) to *Elterngeld* (parental allowance) in order to underscore a fundamental political purpose of the reform: to counter the inherent gender inequality effects of Germany's traditional leave scheme, which had done little to entice fathers to take-up leave and led to comparatively long labour market exits of women, reinforcing a gendered division of labour. To overcome these problems, the red-green government proposed to reserve part of the leave entitlements for fathers only and to reduce the duration of benefit payments to one year in order to provide parents with an incentive to return to the labour market sooner.

When first announced in 2004, the proposal aroused harsh criticisms from the Christian Democrat opposition parties (CDU/CSU) who accused the red-green government of wanting to force mothers into the labour market, harming their freedom of choice and endangering the well-being of children. On the other hand, parties on the left and sections of the Social Democrat Party (SPD) portrayed the proposal as socially unjust, because higher income households would receive more benefits for the same 'job', i.e. bringing up a child.

In the face of such strong resistance it is all the more surprising that the current 'grand coalition' government of Social and Christian Democrats actually went beyond the original plans of the preceding red-green government. The new parental leave legislation, which took merely one year to pass Germany's complicated parliamentary process not only introduced a 67 per cent income replacement rate for a reduced benefit period of one year; it also reserved two months of parental leave for the exclusive use of fathers, despite the fact that the CDU/CSU had previously been highly critical of a reduction of the length of benefit payments and the introduction of dedicated leave periods for fathers.

Certainly, the new parental leave legislation contains a number of compromise solutions that are the direct result of the controversy that surrounded the reform. For example, the two newly instituted 'daddy months' are not, as originally planned, deducted from the 12-month

benefit period if the father does not take at least two months of leave. Instead, the two months are added as a bonus to the standard 12 month period, a solution which helped to deflect criticisms against daddy months being a punitive measure. A second major compromise has been the introduction of an option to spread the benefit payments over a period of 24 instead of 12 months. This was a concession to strong social conservative currents within the CDU/CSU, which saw the reduction of paid parental leave periods as a frontal attack on the traditional German home care model. Finally, the inclusion of a basic minimum payment to all parents, irrespective of prior employment status, and the simultaneous introduction of a cap on the maximum amount of individual benefit payments were a means to allay criticisms about the social inequity of an income-related parental allowance.

Overall, the new Parental leave legislation represents a major departure from Germany's traditional emphasis on the male breadwinner model. Driven by a growing concern about the country's demographic decline and the comparatively low performance of Germany's early education system, policy-makers across the political spectrum have tentatively embraced the notion, that a more equal division of labour and a more active state role in the provision of early childhood services are crucial for the economic sustainability of an ageing society. This is also evidenced by the current expansion of services for children under three years, for which the national government is providing local authorities with €4 billion between 2008 and 2013.

An important innovation in 2008 is the introduction of a six-month unpaid leave entitlement for people with dependant relatives requiring care; the legislation, including this new form of leave, is due to be implemented in July 2008. The SPD proposal of a 10 day paid leave period for such instances was not included in the final reform proposal of Germany's Long-Term Care Insurance scheme.

3. Take-up of leave

a. Maternity leave

There is a 100 per cent take-up as it is prohibited to work for eight weeks after birth.

b. Paternity leave

There is no statutory leave entitlement

c. Parental leave and Childrearing benefit

In 2002 overall take-up of childrearing benefit (*Erziehungsgeld*) stood at 92.4 per cent; 78.8 per cent of these cases extended the leave period beyond the first six months after childbirth, while 69.1 per cent took more than one year of leave. At the time, 8.5 per cent of parental leave recipients were working on a part-time basis of up to 30 hour.

The 2007 parental leave reform had the explicit aim to raise the take-up of leave by fathers, and recently published data by the Federal Statistics Office shows that the number of fathers taking leave has more than tripled from 3.3 per cent in 2006 to 10.5 per cent in 2007. Whereas take-up in the first quarter of 2007, i.e. immediately after the introduction of the new *Elterngeld*, was 6.7 per cent, it rose to 10.7 per cent in the third quarter and 12.4 per cent in the fourth quarter; 60 per cent of fathers taking leave opted for a two-month 'break' while 18 per cent utilised the full 12 months leave entitlement. For mothers, the situation is exactly the opposite: 87 per cent of mothers opted for the entire 12 months leave period, whereas merely 1 per cent returned to work immediately after the obligatory eight weeks of maternity leave.

The new Parental leave law has, therefore, been successful in raising the utilisation of leave by fathers. It has also reduced the number of people taking more than one year of paid leave, a declared goal of the new law. In fact, just 10 per cent of parents made use of the option to prolong their paid leave to two years, at 33.5 per cent of prior income.

Somewhat less clear is the question whether the switch from a flat-rate to an earnings replacement benefit has improved the economic situation of average leave-takers. The statistics show that almost half of all recipients merely received the minimum sum of €300 and among this group, a substantial part would have probably been better off with the former leave entitlement, which guaranteed them €300 for two years instead of one. An additional 22.3 per cent of recipients benefited from the low income component of the new *Elterngeld*. In other words, for more than two-thirds of parents, the introduction of an earnings replacement benefit has had little or no positive impact from a financial point of view.

4. Research and publications on leave and other employment-related policies since January 2005

a. General overview

Whereas the Parental leave changes in 2001 and 2004 increased the flexibility of leave entitlements for both parents, they also reduced the number of parents eligible for benefit and in many cases the benefit level. Various research revealed that the combination of means testing, relatively modest benefit levels and comparatively long leave periods entailed significant 'employment penalties' for mothers and offered little incentives for fathers to get involved in childrearing. Increasingly, research has been making use of longitudinal data like the German Socio-Economic Panel (GSOEP) and has been combining sociological and economic theories for an analysis of the effects of Parental leave legislation on household and individual behaviour. Indeed, the recent

parental leave reform may be seen partly as a reaction of policy-makers to problems identified by empirical parental leave studies.

b. Selected publications from January 2005, including results from research studies

Institut für Demoskopie Allensbach (2005) *Einstellungen junger Männer zu Elternzeit, Elterngeld und Familienfreundlichkeit im Betrieb – Ergebnisse einer repräsentativen Bevölkerungsumfrage* [Attitudes of young men towards Parental leave, parental payment (benefit) and family-friendly workplaces – results of a representative population survey]. Available at: <http://www.deutschland-wird-kinderfreundlich.de/>
This survey studies the reasons younger men give for not taking up or not being interested in taking up Parental leave and payment. Reasons include financial loss (82 per cent), career disadvantages (74 per cent) and experience in their own family (55 per cent).

Bothfeld, S. (2005) *Vom Erziehungsurlaub zur Elternzeit. Politisches Lernen im Reformprozess* [From parental 'vacation' to parental time. Policy learning in reform processes]. Frankfurt: Campus Verlag
Based on the analysis of position papers and statements of political and social actors, the author offers a meticulous analysis of the policy learning processes that underpinned the Parental leave reform in 2001.

BMFSFJ (Bundesministerium für Familie, Senioren, Frauen und Jugend) (2005) *Siebter Familienbericht. Familie zwischen Flexibilität und Verlässlichkeit* [Seventh Family Report. Families between flexibility and reliability]. Berlin: BMFSFJ
Seventh German Family Report representing a comprehensive overview of the developments and challenges facing German families and their individual components.

BMFSFJ (Bundesministerium für Familie, Senioren, Frauen und Jugend) (2006) *Elterngeld und Elternzeit: Einstellungen der Verantwortlichen in deutschen Wirtschaftsunternehmen. Ergebnisse einer repräsentativen Umfrage* [Childrearing benefit and parental leave: attitudes of managers in German companies. Results of a representative survey]. Berlin: BMFSFJ.
An employer survey assessing the attitudes of employers towards the new childrearing benefit and Parental leave rights introduced in 2007. Generally, employers saw the new measure in a positive light (61 per cent).

Spiess, K. and Wrohlich, K. (2006) 'The parental leave benefit reform in germany: costs and labour market outcomes of moving towards the scandinavian model', *ISA Discussion Paper*, DP No. 2372.
Based on a micro-simulation model, the paper shows that on average all income groups, couples and single households, benefit from the 2007 leave reform.

Schönberg, U. and Ludsteck, J. (2007) 'Maternity leave legislation, female labor supply, and the family wage gap', *ISA Discussion Paper*, No. 2699. Available at: <http://www.isa.org>.

The paper analyses the impact of expansion in leave coverage on mothers' labour market outcomes after childbirth. It offers evidence that each expansion induced women to delay their return to work, but that the expansions had little impact in the long-run on women's labour supply.

Destatis–Statistisches Bundesamt (2008) *Öffentliche Sozialleistungen – Statistik zum Elterngeld. Anträge von Januar bis Dezember 2007*, Wiesbaden: Statistisches Bundesamt. Available at: <http://www.destatis.de>.

Official statistics on the utilisation of Parental leave entitlements since the *Elterngeld* reform in 2007.

c. Ongoing research

The federal Family Ministry has commissioned the Rheinisch-Westfälisches Institut für Wirtschaftsforschung [*North Rhine-Westphalian Institute of Economic Research*] to conduct a permanent evaluation of the effects of the new Childrearing benefit. First results are due to be published in the course of 2008.

2.12

Greece

Evi Hatzivarnava Kazassi

Population (UNDP)	2005	11.1 million
Total Fertility Rate (UNDP)	2000-05	1.3
GDP per capita (UNDP)	2005	US\$23,381
Female economic activity (UNDP)	2005	43.5 per cent
As % male rate (UNDP)	2005	67 per cent
% of employed working part time		
Men	2005	2.3 per cent
Women	2005	9.3 per cent
Employment gender gap (full-time equivalent) (ECI)	2005	30.3% points
Employment rate (parents with children under 12 years) (EWM)		
Fathers	2006	96.8 per cent
Mothers	2006	57 per cent
Employment impact of parenthood (parents with a child 0–6 years)(ECI)		
Men	2006	+14.8% points
Women	2006	- 4.7% points
Gender-related Development Index (UNDP)		24th
Gender Empowerment Measure (UNDP)		37ty
Access to regulated ECEC services (OECD) ⁴³		
Children under 3 years	2003	7 per cent
Children 3–5 years (inclusive)	2003	No data

1. Current leave and other employment-related policies to support parents

Note on leave information: The information given below is based:

i) on leave arrangements for employees in the private sector who are covered by laws and the National General Collective Labour Agreements signed between the Federation of Greek Industries and the General Confederation of Labour, which set the minimum requirements for all the private sector.⁴⁴

⁴³ The access rate in 2006 was 22 per cent for children under 3 years and 71 per cent for children aged 3-5 years (Source: National Statistical Service of Greece)

⁴⁴ Collective Labour Agreements are signed between Employers and Confederations of large sub-sectors of the economy such as the bank sector or

ii) on leave arrangements for public sector employees that are covered by basic laws and the Code for Civil Servants.

i. Private Sector

a. Maternity leave (Άδεια Μητρότητας) (responsibility of the Department of Employment and Social Protection)

Length of leave (before and after birth)

- Seventeen weeks: eight weeks must be taken before birth and nine weeks after birth.

Payment

- One hundred per cent of earnings, with no ceiling in payment .

Flexibility in use

- None except for when leave can start: if birth takes place before the time envisaged, the rest of the leave can be granted after birth so long as the total time taken remains 17 weeks.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother

- None.

b. Paternity leave (Άδεια Γέννησης Τέκνου) (responsibility of the Department of Employment and Social Protection)

- Two days paid leave at the time of the child's birth.

c. Parental leave (Γονική Άδεια Ανατροφής) (responsibility of the Department of Employment and Social Protection)

Length of leave

- Three and a half months per child for each parent. Leave is an individual entitlement.

Payment

- None.

Flexibility in use

- Leave may be taken up to the time the child turns three and a half years.
- Leave may be taken in several blocks of time subject to agreement with the employer.

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

- All employees who have completed one year's continuous employment with their present employer.
- For an employee to be entitled, his/her spouse must work outside the home.

enterprises of the wider public sector such as the Electricity Company. Such agreements usually have improved provisions with regard to the National General Collective Labour Agreement.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the parents

- As leave is per child, the leave period is doubled for parents of twins and tripled for triplets.
- Lone parents who have responsibility for a child are entitled to parental leave up to six months.
- Parents with a disabled child do not get additional Parental leave, but are eligible for carer's leave (see 1e below).

Additional note (e.g. if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)

- Leave is granted for up to 8 per cent of the total number of employees in each enterprise in each year.

d. Childcare leave or career breaks

- A parent can take time off work with full payment, up to an estimated three and three-quarter months, as part of a scheme that also allows parents to work reduced hours. For more details, see section e below – 'flexible working'.

e. Other employment-related measures

Adoption leave and pay

- For adoptive parents the same regulations for Parental leave apply as for other parents.

Time off for the care of dependants

- Leave for children's sickness: up to six days per year per parent of unpaid leave if the parent has one child, up to eight days if he/she has two children and up to 14 days if he/she has more than three children. The leave is also granted for other dependant members of the family (e.g. a disabled spouse or adult child as well as disabled parents or unmarried sisters if their annual income is less than the basic income of an unskilled worker).
- Leave for visiting children's school: four days paid leave per year for both parents for each child that attends school up to the age of 16.
- Leave for parents of children with disability: one hour per day, if the parent asks for it (unpaid and only applied in enterprises with more than 50 employees).
- Leave for parents whose children need regular transfusion or haemodialysis: up to 10 days per year paid leave
- Leave for widows/ers or unmarried parents caring for children: in addition to other leave, six days per year paid leave. If the parent has three or more children the leave is eight days per year. The leave is granted for children below 12 years and can be taken in one block or several.

Flexible working

- Parents are entitled to work one hour less per day for up to 30 months after maternity leave, with full earnings replacement. With

the employer's agreement this may be taken as: two hours less per day for the first 12 months and one hour less per day for another six months or in block(s) of time of equal time value within the 30 months period after maternity leave. This last option, of converting reduced hours into a block or blocks of leave, means that a parent can take a number of months off work, up to an estimated three and three-quarters months. This leave – titled 'alternative use of reduced hours as leave for the care of children' – is considered part of working time and paid accordingly with no ceiling in payment

- Adoptive parents of children up to the age of six are entitled to flexible working or a childcare leave (see section id above).

ii. Public Sector

a. Maternity leave (Άδεια Μητρότητας) (responsibility of the Department of Interior)

Length of leave (before and after birth)

- Five months: two months must be taken before birth and three after birth. For every child after the third, the length of post-natal leave is extended by two months.

Payment

- One hundred per cent of earnings, with no ceiling in payment.

Flexibility in use

- If birth takes place before the time envisaged, the rest of the leave can be granted after birth so long as the total time taken remains five months. If birth takes place after the time envisaged, the leave is extended until the actual birth date without any respective reduction in the leave after birth.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother

- Childbearing women who need special therapy and have exhausted their sick leave, are granted paid childbearing leave.

b. Paternity leave

No general entitlement.

c. Parental leave (Άδεια χωρίς αποδοχές) (responsibility of the Department of Interior)

Length of leave

- Up to two years per parent employed in the public sector.

Payment

- None, except if there are three or more children, when three months of leave are fully paid; if both parents are employed in the public sector, only one parent is entitled to this payment.

Flexibility in use

- Leave may be taken at any time up to the time the child turns six years.

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

- An employee can use this leave if his/her spouse does not make use of the childcare leave at the same time (see section iid below)
- In cases of separation, divorce, widowhood or birth without marriage, only the parent that cares for the child is entitled to this leave.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the parents

- There is no variation in the length of leave in the case of twins or triplets.
- In the case of three or more children, three months of the leave are paid.
- Parents with a disabled child do not get additional parental leave, but are eligible for leave for the care of dependants (see iie below).

Additional note (e.g. if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone

- None.

d. Childcare leave (άρδεια ανατροφής or μειωμένο ωράριο εργαίας)

- A parent can take nine months of childcare leave with full payment as an alternative option to a scheme which allows parents to work reduced hours. The leave is paid and is granted after maternity leave. The leave does not constitute a personal entitlement and can be used by either or both parents within the total nine-month period. A husband is not entitled to this leave if his wife is not working. For a parent who is unmarried, widowed, divorced or has a severely disabled child, the leave is extended by one month. For more details, see section e below – ‘flexible working’.

e. Other employment-related measures

Adoption leave and pay

- Adoptive mothers are granted a three-month paid leave during the first six months after the adoption, if the child is less than six years of age. One of the three months can be taken before adoption.

Time off for the care of dependants

- Leave for children’s sickness: none.
- Leave for visiting children’s school: up to four days for one child, up to five days for two or more children. If the children attend different levels of schools an extra day is granted. The leave is paid and is not a personal entitlement, i.e. the total number of days is for both parents.
- Leave for employees whose children or spouses need regular transfusion or periodic therapy, or whose children suffer from severe

mental handicap or Down Syndrome: up to 22 days per year paid leave.

Flexible working

- Parents are entitled to work two hours less per day if he/she has children less than two years old, and one hour less per day if he/she has children between two and four years old, with full earnings replacement. As mentioned above (section iid) there is an alternative option for this leave which is nine consecutive months off work after Maternity leave.
- Flexible working does not constitute a personal entitlement and can be used by either or both parents within the total entitlement period. A husband is not entitled flexible working if his wife is not working.
- For a parent who is unmarried, a widow or widower, divorced or severely disabled, flexible working is extended by six months. In the case of the birth of a fourth child, flexible working is further extended by two years.
- Adoptive parents of children up to the age of four are entitled to flexible working or, alternatively, childcare leave (see section iid above).

2. Changes in leave policy since 2005 and other related developments(including proposals currently under discussion)

Reconciliation between work and family life in Greece is an issue that has gained policy attention over recent years and has become more important as the integration of women and mothers in the labour market has become a main objective of policy. In this context, leave policy has also become important, with increasing demands for more extended and more effective measures. Over the last two decades, there has been a trend towards more leave and greater length, flexibility and choice.

In the private sector, during the last five years new types of leave have been introduced for working parents, for example: extra paid leave for widows/ers and unmarried parents caring for a child; paid leave for parents whose child needs regular transfusion or haemodialysis; and the provision of reduced working hours that can now be granted in different ways, i.e. reduced daily working hours or in block(s) of time (see i1.e above).

For the National General Collective Agreement of 2008-09, the following proposals have been agreed and implemented:

- The extension of maternity leave by one week (from 17 to 18 weeks) and the possibility for mothers, if they so wish and on

medical advice, to receive after birth half of the leave not used before birth.

- The provision of the nine weeks of post-natal maternity leave, to which biological parents, are entitled for adoptive mothers. The starting date of this leave would be the date that the adoptive mother takes responsibility for the care of the child.
- The extension of paternity leave to five days instead of two. Three of the five days should be taken just after birth and the rest during the period of confinement. Adoptive fathers should be entitled to the same leave ,with the adoption time as the starting point for the provision of the leave.
- The payment of parental leave and the coverage of the cost equally by the employer and the Manpower Employment Organisation.
- The payment of the leave for children's sickness and its extension to 12 days per year if the parent has one child below 12, to 16 if the parent has two children, and to 24 if the parent has three or more children.
- The extension of the prohibition of dismissal from work from the one-year period after birth to the period of the right to work reduced hours.
- The extension of the leave of widows/ers or unmarried parents (see i1.e) to divorced and separated parents who have responsibility for the care of a child.
- The extension of leave rights to foster parents.
- The clarification that the leave for visiting children's school (four days per year) is per child.

However, the most important recent development for the employees of the private sector is included in Law 3655/3.4.08. The Law, which is not yet implemented, will introduce an entitlement to a 'special leave for the protection of maternity', equal to six paid months. This leave is granted after maternity leave and before the beginning of the use of flexible working (reduced hours of daily work). However, if the parent, with the employer's agreement, makes use of the right to consolidate reduced hours into a period of full-time leave, then the 'special leave for the protection of maternity' will be taken after this leave. For the duration of the 'special leave', the Manpower Employment Organisation will pay the mother a monthly sum equal

to the minimum daily wage agreed in the National General Collective Labour Agreement, as well as all social insurance contributions.

This new leave entitlement is for mothers only, and is seen as an extension of maternity leave; it contradicts, therefore, other types of leave (apart from maternity leave itself) that are for both parents.

In the public sector, which in general has a more generous leave policy, the most significant development took place in 1999 when mothers were given the option to stay at home with their child for nine consecutive months after maternity leave instead of choosing to have reduced daily working hours. Since January 2007 this option has been extended to fathers, in accordance with the EU Directive 73/2002. In fact, the new Code for Civil Servants (Law 3528/07) includes new provisions concerning maternity leave and other leave for employees with family obligations. These provisions include:

- Maternity leave extended by two months for each child after the third.
- Parental leave (two years of unpaid leave until the child turns six years) now fully paid for a period of three months on the birth of a third or subsequent child.
- Childcare leave (nine consecutive months off work) or alternatively, reduced hours of work until the child turns four years is extended by six months in the case of reduced hours of work or one month in the case of the nine months off work option for an unmarried, widowed and divorced parent or a parent with serious disability.

3. Take-up of leave

There is no information on take-up of the various types of leave.

4. Research and publications on leave and other employment-related policies since January 2005

a. General overview

Leave policies are a recent development and as yet have not been the focus of research or evaluation. Most available research has focused on the issues around reconciling work/family including flexible working arrangements and childcare rather than leave per se. Special mention must be given to the project *Equal partners: reconsidering the role of men in work and private life* that is being implemented within the context of the EQUAL Initiative (see section 4b for more details)

b. Selected publications from January 2005, including results from research studies

Moussourou, L. and Petroglou, P. (2005) 'Concilier Famille et Travail pour les Hommes et les Femmes en Grèce', in: Association des Femmes de l'Europe Meridionale (eds) *Concilier Vie Familiale et Vie Professionnelle pour les Femmes et les Hommes: du Droit a la Pratique*. Athens: Sakkoulas Publishers.

The chapter on Greece reports on the legal framework of leave for parents and comments on their effectiveness.

Common Programme of Work of the National Thematic Network for the Reconciliation of Work and Family Life (1st Cycle of Implementation of the Community Initiative EQUAL) (2005) *Guide of Good Practice for the Reconciliation of Work and Family Life*. Available from KETHI, the Research Centre for Gender Equality) (in Greek)

One of the chapters of this publication is about a survey conducted in 14 enterprises with a total of 12968 employees According to the survey only three enterprises were recording leave take-up.

COFACE (2006) *Hommes and Familles: Evolution des roles masculines dans les familles en Europe*. Brussels: COFACE (also in English and Greek)

This publication is based on a research project (2005–2006) on the economic and family aspects of equal opportunities between women and men. It was undertaken by a partnership of COFACE member organisations in seven EU member states. The Centre for Families and Children (KMOP) was the partner from Greece. The project was funded by DG EMPL/G/1 Horizontal and International Issues–Equality for Women and Men. One of the issues discussed was leave policy.

ALKISTIS Project (2007) *Flexibility in family and work: a guide for employers and employees for the new forms of employment and the reconciliation between work and family lives*. Athens: KEK AKMI (in Greek)

This publication was produced within the context of the project ALKISTIS of the Second Cycle of the implementation of the Community Initiative EQUAL (2005–2006). The project's main objective was the reconciliation of work and family lives.

Symeonidou, H. and Magdalinos, M. (2007) *Family policies in the EU countries. reconciliation of work and family life: a cost-benefit analysis for Greece*. Athens: A. Sakkoulas Publishers (in Greek)

This book includes a chapter on different types of leave for parents and how these are related to reproductive behaviour.

Research Centre for Gender Equality (KETHI) (2007) *The role of fathers in the reconciliation between work and family-personal lives*, Athens: Congress Line (in Greek).

This publication is based on the work of the project *Equal partners: reconsidering the role of men in work and private life* (2005–2006). The project leader was the Research Centre for Gender Equality (KETHI) of Greece and the project transnational partners were: the Reform-Resource Centre for Men (Norway); the CENTRUM PRAW KOBIECI Women's Rights Centre (Poland); the Commission for Equality and Women's Rights (Portugal); and the National Machinery for Women's Rights (Cyprus). On the national level, partners were the Family and Childcare Centre, the Federation of Greek Industries and the Office for Gender Equality of the Municipality of Athens. The project was carried out in the framework of the European Community Fifth Action Programme on Gender Equality. Within this project a qualitative study took place and one of the issues examined was the take-up of leave.

c. Ongoing research

Family protection: labour and insurance provisions of employees of the public sector in the member states of the EU - comparative analysis (in progress). Institute of Labour of the General Confederation of Labour of Greece, funded by the Women's Secretariat of the Superior Confederation of Civil Servants.

Reconciliation of work and family: study for the identification of the needs of parents in Athens (in progress). L. Alipranti and E. Tsanira, The National Centre of Social Research.

This study is focused on working parents, with typical or atypical work schedules, who have their children in kindergartens of the Athens municipality. Contact lalipranti@ekke.gr.

2.13

Hungary

Marta Korintus

Population (UNDP)	2005	10.1 million
Total Fertility Rate (UNDP)	2000-05	1.3
GDP per capita (UNDP)	2005	US\$17,887
Female economic activity (UNDP)	2005	42.1 per cent
As % male rate (UNDP)	2005	73 per cent
% of employed working part time		
Men	2005	2.7 per cent
Women	2005	5.8 per cent
Employment gender gap (full-time equivalent) (ECI)	2005	13.6% points
Employment rate (parents with children under 12 years)(EWM)		
Fathers	2006	86.1 per cent
Mothers	2006	49.8 per cent
Employment impact of parenthood (parents with a child 0–6 years)(ECI)		
Men	2006	+ 7.8% points
Women	2006	- 33.6% points
Gender-related Development Index (UNDP)		34th
Gender Empowerment Measure (UNDP)		50th
Access to regulated ECEC services (OECD) ⁴⁵		
Children under 3 years	2004	6.9 per cent
Children 3–5 years (inclusive)	2004	87 per cent

1. Current leave and other employment-related policies to support parents

Note on terminology: the Hungarian names for the Parental leave discussed in 1c include the word *gondozas*, that is 'care'. By contrast, GYET - available after the child is older than three (see section 1d) – includes the word *nevelés*, that is 'upbringing'. The Hungarian names for parental and childcare leave (see sections 1c and 1d) – abbreviated as GYES, GYED and GYET – literally refer only to the payment element, although in practice they cover leave and payment (e.g. GYES is *gyermekgondozási segély*, literally 'childcare allowance').

⁴⁵ The access rate in 2006 was 18 per cent for children under three and 87 per cent for children aged three to five years (Hungarian Statistical Office)

a. Maternity leave (*szulesi szabadsag*) (responsibility of the National Health Insurance Fund)

Length of leave (before and after birth)

- Twenty-four weeks: up to four weeks before birth. However, only mothers are entitled to take one type of parental leave until the child's first birthday (see section 1c).

Payment (terhessegi-gyermekagyi segely)

- Seventy per cent of average daily earnings, with no ceiling on payments. In cases when there has been previous employment (i.e. the pregnant woman is eligible) but no actual income can be determined on the first day of eligibility (e.g. the pregnant woman is on sick leave for several months, or is self-employed and does not have an actual income), the payment is twice the amount of the official daily minimum wage. In this case, payment is made by the Treasury, not the National Health Insurance Fund.

Flexibility in use

- The start date can be between four weeks before birth and the birth itself.

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

- All women are entitled to 168 days unpaid maternity leave.
- Women employees and self-employed women with at least 180 days of previous employment are entitled to benefit payment for the period of maternity leave.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother

- None.

b. Paternity leave⁴⁶ (responsibility of the National Health Insurance Fund)

Length of leave

- Five days, to be taken during the first two months of the child's life.

Payment

- One hundred per cent of father's average daily wage.

Flexibility in use

- None except for when leave can be started after birth.

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

- All employed fathers.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the father

- None.

⁴⁶ Paternity leave has no separate name in Hungarian; it is just listed as one of the eligible reasons for leave days in the Code of Labour legislation.

c. Parental leave (responsibility of the National Health Insurance Fund and the Treasury)

There are two types of leave and benefit: (1) for non-insured parents, *Gyermekgondozasi sagely* (GYES); (2) for insured parents, *Gyermekgondozasi dij* (GYED). Both are family entitlements except for GYED up to the child's first birthday, which is an entitlement only for mothers.

Length of leave

- **GYES**

- a. Until the child's third birthday, for parents not insured.
- b. From the end of GYED (child's second birthday) until the child's third birthday, for insured parents.

- **GYED:** from the end of the Maternity leave period until the child's second birthday, for insured parents.

Payment

- **GYES:** Flat-rate benefit equal to the amount of the minimum old-age pension, HUF27,130 per month (approximately €105) in 2007.
- **GYED:** Benefit of 70 per cent of earnings, up to a ceiling of HUF91,700 per month (€355) in 2007. The ceiling is determined each year, as 70 per cent of twice the minimal daily wage.

Flexibility in use

- A parent taking GYES cannot work until the child's first birthday, but can then work unlimited hours while still receiving the full benefit until the child's third birthday.

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

- **GYES:** all parents.
- **GYED:** either of the parents living with the child is eligible as long as she/he has been employed for at least 180 days within the two years before the birth of the child; however, only one parent can actually take GYED.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the parents

- **GYES:** Parents of a child who cannot be admitted to a childcare centre due to illness can take leave until the child's eighth birthday; parents of a child with a long-term illness or disability can take leave until the child's tenth birthday (longer in discretionary cases); parents of twins are eligible until the children begin elementary school and the benefit payment is doubled.
- **GYES:** can be taken by grandparents from the first to the third birthday of the child if the child is looked after in her/his own home and if the parents agree to transfer their entitlement. Grandparents taking GYES can work less than four hours daily, or without limitation if the work is done in the home, after the child becomes older than three years of age.

d. Childcare leave or career breaks

Either of the parents in a family with three or more children may take leave during the period between the third and eighth birthday of the youngest child (*Gyermeknevelési támogatás* – GYET). Benefit payment as for GYES. The person taking up GYET can work less than four hours daily, or without limitation if the work is done in the home. GYES and GYED are intended to promote childbirth and support reconciliation of work and childrearing; GYET is considered an acknowledgement of parenthood as paid work.

e. Other employment-related measures

Adoption leave and pay

- For adoptive parents the same regulations for Parental leave apply as for other parents.

Time off for the care of dependants

- There is an entitlement to leave, the length of which depends on the age of the child: under one year – unlimited; 12–35 months – up to 84 days per child per year; 36–71 months – 42 days; 6 to 12 years – 14 days. Lone parents are entitled to a double period of leave. Leave is a family entitlement and a benefit is paid at 70 per cent of earnings.

Flexible working

- Mothers are entitled to two one-hour breaks per day for breastfeeding until a child is six months old; and one one-hour break until a child is nine months old. In the case of twins, the number of hours is multiplied by the number of sets of twins.

2. Changes in leave policy since 2005 and other related developments (including proposals currently under discussion)

A change introduced in 2005 specifies that the person taking GYES cannot work until the child's first birthday, but he/she can work unlimited hours after that while also accessing the full amount of the benefit until the child's third birthday. With this change, GYES has, in effect, become more like a universal payment to parents of children under three who were not insured before having their child.

3. Take-up of leave

a. Maternity leave

There are only statistics on the number of women receiving benefit. The average monthly number in 2006 was 30,451. It is thought that almost all eligible women take leave.

b. Paternity leave

There is no information.

c. Parental leave

There are only statistics on the number of recipients of benefit. The average monthly numbers in 2006 were: 166,922, or 68.8 recipients per thousand women of fertile age, for GYES; 91,678, or 37.8 recipients per thousand women of fertile age, for GYED; and 45,819, or 18.9 recipients per thousand of women of fertile age, for GYET. The total number of recipients (of GYED, GYES and GYET), male and female, in 2005 was 293,300, that is, 9.3 per cent of women of economically active age. There is no information on what proportion of parents take leave or how long they take; it is thought, however, that the number of fathers taking leave is very small; over the years, the number of male recipients of benefit has been between 1,000 and 3,000. While there is no data available on the proportion of parents taking leave, an estimate can be made on the basis that about 18 per cent of children under three years were in childcare centres in 2006, so the remainder probably had a parent (predominantly mothers) taking up one of the Parental leave options.

It is thought that mothers with higher education and better paid jobs take shorter periods of leave, especially as the last year of GYES is paid at a flat-rate and because of the implications for careers of prolonged absence from work. Some indication of leave-taking is provided by data on the age of children entering *bolcsode* (nurseries taking children under three years of age); most children enter between 18 months and two years of age.

d. Other employment-related measures

In 2006, the total number of sick leave days for employees in Hungary was 30,957,300; 3.5 per cent of these were taken for sick children. The respective number for entrepreneurs was 5,373,400, with 1.4 per cent of these for sick children.

4. Research and publications on leave and other employment-related policies since January 2005

a. General overview

Many publications in 2007 focused on the system of childcare leave in Hungary. The length of leave, the availability of childcare services, and the influence of these on the labour market participation of women have been the main concern of most publications in this area. The sudden interest in the topic, especially by economists, can be partly explained by the OECD recommendations for Hungary (OECD, 2007), published in May 2007, which include reforms to reduce the duration of Parental leave, and savings from this to be channelled into childcare services.

b. Selected publications from January 2005, including results from research studies

Blaskó, Zs. (2005) 'Dolgozzanak-e a nők? A magyar lakosság nemi szerepekkel kapcsolatos véleményének változásai 1988, 1994, 2002' ['Should women work? Changes in the Hungarian population's opinions related to gender roles, 1988, 1994, 2002'], *Demográfia*, Vol. XLVIII, No. 2-3:159-186.

Building on survey data from the International Social Survey Programme, collected in 1988, 1994 and 2002, this study looks at attitude changes concerning gender roles in Hungary. After the political transformation in 1989, the idea of the male-breadwinner model became rather more accepted, and the article argues that this was mostly due to massive unemployment in the early nineties. The re-valued and newly produced concept of the 'homemaker woman' provided a new and attractive form of self-identity to many women losing their jobs, but no similar 'help' was offered to men in the same situation. After the first shock of the economic transformation, the attractiveness of traditional gender roles decreased to some extent in most groups of society.

Gabos, A. (2005) *A magyar családtámogatási rendszer termékenységi hatásai [Fertility effects of Hungarian family benefit system]*. Ph.D. dissertation. Available in Hungarian at:

www.lib.uni-corvinus.hu/phd.html

The study looks at the history of fertility and family policy in Hungary. In general, Hungarian fertility has been decreasing since 1876 with minor exceptions. The study shows that the Hungarian family benefit system, or rather the in-cash supports, had a positive effect on fertility between 1950 and 2003, both in the short and long term. The results coincide with those in the international literature.

Koncz, K. (2006) 'A felzárkózás elmaradása: a magyar nők munkaerőpiaci helyzetét' ['Missing of the catching up: the labour market position of Hungarian women'], *Statisztikai Szemle (Statistical Review)*, Vol. 84, No. 7: 651-674

The article describes the characteristics of female employment in Hungary between 2000 and 2004, and concludes that the tendencies observed went against the guidelines of the EU employment strategy. The labour market position of women is worse than that of men. It manifests in difficulties of integration and reintegration to the labour market, in reproduction of labour market segregation, in the lack of equal opportunities for promotion, in evaluation of jobs, and in wage and income differences. The positive employment-related actions for women are quite limited in number. Initiatives, such as new legislation to prioritise pregnant women and women with young children, have not had satisfactory results.

Ignits, Gy. and Kapitány, B. (2006) 'A családtámogatások alakulása: célok és eszközök' ['The changes in family assistance: aims and means'], *Demográfia*, Vol. 49, No. 4: 383–401

The article follows the changes in the support system of family policy between 1989 and 2006, which reflect the changes caused by macroeconomic conditions, financial possibilities and the different ideologies and aims of social policies of successive governments. It traces the changes in its share of GDP, in the most important elements of the concrete forms of assistance, and in the proportion of the total amount of family assistance accounted for by different forms of assistance. The authors conclude that during the transition years, the emergence of unemployment and the growing social inequality forced the support system of family policy to take over more and more the tasks of social policy.

KSH (Hungarian Central Statistical Office) (2006) *Visszatérés a munkaerőpiacra gyermekvállalás után* [Returning to the labour market after having children]. Budapest: KSH (Hungarian Central Statistical Office)

The Hungarian Central Statistical Office has used a special ad hoc module attached to the Labour Force Survey on five occasions since 1993 to follow the intentions and opportunities/possibilities of those who took up the different forms of childcare leave to (re-)enter the labour force. This publication reports the results of the survey done in 2005.

Bálint, M. and Köllő, J. (2007) 'Gyermekeknevelési támogatások' ['Childcare supports'], in: K. Fazekas, Z. Cseres-Gergely and A. Scharle (eds) *Munkaerőpiaci Tükör 2007*. Budapest: MTA Közgazdaságtudományi Intézet, Országos Foglalkoztatási Közalapítvány [Institute of Economics, Hungarian Academy of Sciences], pp. 24–74

The 'Munkaerőpiaci Tükör' series is a yearbook published since 2000, which aims to provide information about main developments in the Hungarian labour market, and new research results. A section of the 2007 yearbook deals with the expected labour supply effects of employment-related provisions including childcare leave and allowances.

Bass, L., Darvas, A. and Szomor, E. (2007) *Gyermekeknevelési szabadságok és gyerekintézmények. Mi a jó a gyerekeknek, mit szeretnének a szülők?* [Childcare leave and childcare services. What is good for children, what would parents like?]. Available at: www.gyerekesely.hu

The paper is an overview of childcare leave and childcare services with some suggestions for alternative solutions, contributing to the debate about the OECD recommendations for Hungary to reduce the length of leave and to develop services.

Glass, C. and Fodor, E. (2007) 'From public to private maternalism? Gender and welfare in Poland and Hungary after 1989', *Social Politics: International Studies in Gender, State & Society*, Vol. 14, No. 3: 323–350

The paper compares the political processes and gendered outcomes of welfare state formation in Hungary and Poland. The authors find that despite the differences in the substance of the policies (while maternalism is privatised in Poland, it is publicly supported and subsidised in Hungary), both regimes limit women's labour market opportunities.

OECD (2007) *Economic survey of Hungary 2007: improving reconciliation between work and family*. Available at: https://www.oecd.org/document/29/0,3343,en_2649_37457_38616413_1_1_1_37457,00.html

The report concludes that more help should be given to parents to combine work and family roles. Its recommendations include further work to identify and remove barriers to the creation of jobs with hours and flexibility that suit working parents; and reforms to reduce the duration of Parental leave, channelling savings into childcare services.

Scharle, Á. (2007) 'The effect of welfare provisions on female labour supply in Central and Eastern Europe', *Journal of Comparative Policy Analysis*, Vol. 9, No. 2: 157–174

Former socialist countries in Central and Eastern Europe encouraged women to work full time and provided various services in-kind and cash transfers to mothers; female labour supply was high under socialism, but decreased sharply during the transition to a market economy. The article analyses how this decrease can be explained by the structural changes in the labour market, and how much is due to the withdrawal of family benefits and services.

Pongrácz, T. (2007) 'Gyermekvállalás, gyermektelenség és a gyermek értéke közötti kapcsolat az európai régió országában' ['Correlation between childbirth, childlessness and the valuation of children in some European countries'], *Demográfia*, Vol. 50, No. 2-3: 197–219.

The paper examines the correlation between childbirth, childlessness and the valuation of children in some European countries with the help of the results of the PPA II survey carried out in 14 countries between 2000 and 2003. In Central and Eastern Europe and in Cyprus the high valuation of children could be demonstrated, while in Western Europe a neutral, indifferent attitude could be seen.

2.14

Iceland

Thorgerdur Einarsdóttir and Gyda Margrét Pétursdóttir

Population (UNDP)	2005	0.3 million
Total Fertility Rate (UNDP)	2000-05	2.0
GDP per capita (UNDP)	2005	US\$36,510
Female economic activity (UNDP)	2005	70.5 per cent
As % male rate (UNDP)	2005	86 per cent
% of employed working part time		
Men	2005	8.7 per cent
Women	2005	37.5 per cent
Employment gender gap (full-time equivalent) (ECI)	2005	No data
Employment rate (parents with children under 12 years)(EWM) ⁴⁷		
Fathers	2006	No data
Mothers	2006	No data
Employment impact of parenthood (parents with a child 0–6 years)(ECI)		
Men	2006	No data
Women	2006	No data
Gender-related Development Index (UNDP)		1st
Gender Empowerment Measure (UNDP)		5th
Access to regulated ECEC services (OECD) ⁴⁸		
Children under 3 years	2003	58.7 per cent
Children 3–5 years (inclusive)	2003	94.8 per cent

1. Current leave and other employment-related policies to support parents

Note on terminology: In Icelandic the term *faedingarorlof* (literally 'birth leave') is used in law to refer to paid maternity, paternity and Parental leave. But in common parlance, the term is mostly used to

⁴⁷ The employment rate in 2002 for women with a child under seven years was 84 per cent (part time 51.9 per cent) and 86.5 per cent (part time 35.8 per cent) for women with a youngest child aged seven to fifteen years (Source: Statistics Iceland).

⁴⁸ The access rate in 2005 was 52.8 per cent for children under 3 years and 94.1 per cent for children aged three to five years (Source: Statistics Iceland).

refer to women's absence from the labour market due to birth and childcare. When the father takes his leave, it is usually referred to as *fedraorlof* (paternity leave). So even if the law makes no distinction between different types of leave taken by mothers and fathers, a distinction is made in everyday usage.

Foreldraorlof refers to the unpaid leave included in section 1d under the heading of 'Childcare leave', though it translates literally into 'Parental leave'. The type of leave referred to in section 1c under the heading of 'Parental leave' is translated into English by the Ministry of Social Affairs as 'parents' joint rights'.

a. Maternity leave (*faedingarorlof*) (responsibility of the Ministry of Social Affairs)

Length of leave (before and after birth)

- Three months: one month may be taken before birth.

Payment (applied for the whole period of Maternity leave)

- Eighty per cent of earnings up to a ceiling (approximately €6,000 per month), for those who have been in the workforce during the preceding 24 months. The payment to a mother working shorter part-time hours, i.e. between 25 and 49 per cent of full-time hours, is at least €630 per month; and for a mother working longer hours, at least €830. Others (including students) receive a flat-rate payment.

Flexibility in use

- The mother is obliged to take two weeks of leave following the birth. After that she can take leave on a part-time (50 per cent) basis and work part time. It is also possible to take leave in one continuous period or as several blocks of time (i.e. leave can be 'uninterrupted' or 'interrupted').
- See section 1c.

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

- All women who have been economically active prior to childbirth are eligible for leave.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother

- See section 1c.
- Maternity leave can be extended by two months if the mother suffers any complications during or after the birth.

b. Paternity leave (*faedingarorlof*) (responsibility of the Ministry of Social Affairs)

Length of leave

- Three months.

Payment (applied for the whole period of Parental leave)

- As maternity leave.

Flexibility in use

- As maternity leave, except for the obligatory two weeks that mothers must take after birth.

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

- All men who have been economically active prior to childbirth are eligible for leave.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother

- See section 1c.

c. Parental leave (see note on terminology at the start of section 1) (responsibility of the Ministry of Social Affairs)

Length of leave (before and after birth)

- Three months after birth.

Payment

- As maternity leave.

Flexibility in use

- The total of nine months leave (covering maternity, paternity and joint rights) can be used until 18 months after the birth.
- Leave can be taken in one continuous period or as several blocks of time.

Regional or local variations in leave policy

- None.

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

- As maternity leave.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the parent.

- In the case of multiple births, the length of leave increases by three months for each additional birth; it can be extended by the same amount if the child suffers from a serious illness. Leave also increases if the child has to stay in hospital more than seven days after the birth by that amount of time up to four months.
- Lesbian or homosexual couples can apply for leave.

d. Childcare leave or career breaks (*Foreldraorlof*)

- Each parent may take 13 weeks unpaid leave until the child is eight years old.

e. Other employment-related measures

Adoption leave and pay

- The same regulations as for parents having their own children if the child is younger than eight years when adopted.

Time off for the care of dependants

- None.

Flexible working

- Employers are required by law 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 and parents being able to take leave from work in cases of serious or unusual family circumstances.

2.Changes in leave policy since 2005 and other related developments (including proposals currently under discussion)

In 2007 the legal directive on Parental leave was slightly amended. Previously, parents who had children with only short intervals between births (less than three years) received reduced payments – 80 per cent of 80 per cent of their previous earnings (i.e. payments in Parental leave were used as a referent in calculating the amount due for the leave period after the second birth).

A bill to revise Parental leave is due for parliamentary discussion in 2008. Proposals include payments to be based on earnings for a 12-month period, ending six months prior to birth, and both parents being able to start their leave one month prior to the estimated date of delivery. A pact signed by the governmental parties states that the Parental leave period should be extended; proposals will probably go before the parliament in 2008–2009.

3.Take-up of leave

a. Maternity leave

In 2005, 99.3 per cent of women applying for leave used the three months available. For more details see section 3c.

b. Paternity leave

See section 3c.

c. Parents' joint rights

In 2005, 89.4 fathers took a period of leave (paternity and/or parents' joint rights) for every 100 mothers taking some leave, and fathers took about a third of all days of leave taken by parents (an average of 95 days leave compared with 179 for mothers). Overall, 19.2 per cent of fathers took some of the parents' joint rights, and 18.3 per cent took less than their three months of designated Parental leave; 90.4 per cent of mothers took some period of parents' joint rights.

In 2004, 15 per cent of men but 53.9 per cent of women took leave in one uninterrupted period; the remainder, including most fathers, took their leave in two or more parts. Figures for 2005 have been delayed due to administrative changes.

d. Other employment-related measures

Employers are not penalised if they do not make arrangements to enable men and women to balance family life and work, and there is no monitoring by the state of the implementation of this measure. According to recent surveys, there is a certain resistance to the law by employers; almost half consider men taking three to six months leave as problematic.

4. Research and publications on leave and other employment-related policies since January 2005

a. General overview

Research on leave and other employment-related policies is relatively rare in Iceland. Nevertheless, several studies have been conducted, some of them by students as final essays or theses in their studies. Even if not scientific these documents are valuable as they provide some data and thus help to fill the knowledge gap.

b. Selected publications from January 2005, including results from research studies

Eydal, G. B. (2005) 'Childcare policies of the Nordic welfare states: different paths to enable parents to earn and care?', in: B. Pfau-Effinger and B. Geissler (eds) *Care and social integration in European societies*. Bristol: Policy Press, pp.153–172

The chapter analyses the childcare policies of the Nordic countries from a historical and comparative perspective.

Eydal, G. B. (2005) *Family Policy in Iceland 1944-1984*. Doctoral thesis. Department of Sociology, Göteborg University. Contact: ge@hi.is

The thesis provides a comprehensive study of family policy and social policy in Iceland in the post-war period.

Gíslason, I. V. (2005) 'Fedur sem taka lengra faedingarorlof' ['Fathers who take longer leave'], in: U. Hauksson (ed.) *Rannsóknir í Félagsvísindum VI [Research in social sciences]*. Reykjavík: Félagsvísindastofnun Háskóla Íslands, pp. 293–304.

This conference paper explores the social/family situations of fathers who take more than their designated three months of Parental leave.

Mackeviciute, I. (ed.) (2005). *Fathers on Paternal Leave*. Vilnius: Centre for Equality Advancement. Available at:

<http://www.jafnretti.is/D10/Files/Fathers%20Parental%20Leave.pdf>

A joint report based on qualitative research with fathers on leave, employers and decision-makers in Lithuania, Iceland, Denmark and Malta.

Pétursdóttir, G. M. (2005) "Ad vera eda vera ekki". Sjálfsmyndir kvenna, hlutverk og samskipti kynjanna' ["To be or not to be'. Women's identities, roles and gender relations'], in: U. Hauksson (ed.) *Rannsóknir í Félagsvísindum VI [Research in Social Sciences]*. Reykjavík: Félagsvísindastofnun Háskóla Íslands. pp. 273-281.

This conference paper explores women's identities as mothers, labour force participants and wives.

Atlason, G. H. (2006) *On reconciliation of gender equality and daily routines in Iceland: Icelandic report on the project 'between paid and unpaid work: family friendly policies and gender equality in Europe'*, (ed. Jolanta Reingardiene). Vilnius: Social Research Centre, Vytautasmagnus University, Centre for Equality Advancement. http://www.jafnretti.is/D10/Files/island_gislihrafn_en.pdf

This is the Icelandic part of a qualitative and quantitative cross-national survey conducted in May 2006. The survey investigated how families reconcile work and family life, and reveals that Icelandic society is a 'stressful society' with up to 90 per cent of the respondents experiencing some conflict between work and family responsibilities.

Jolanta Reingardiene (ed.) (2006). *Between paid and unpaid work: family friendly policies and gender equality in Europe*. Vilnius: Social Research Centre, Vytautasmagnus University Centre for Equality Advancement. Available at: <http://www.jafnretti.is/D10/Files/BetweenPaidandUnpaidWork.pdf>

Full report of the cross-national study referred to above.

Eyðal, G. B. (2006) 'Feður og fjölskyldustefna' ['Fathers and family policy'], in: U. Hauksson (ed.) *Rannsóknir í félagsvísindum VII [Research in social sciences]*. Reykjavík: Félagsvísindastofnun Háskóla Íslands og Háskólaútgáfan.

Eyðal, G. B. (2006) Þróun og einkenni íslenskrar umönnunarstefnu 1944–2004 [Development and characteristics of the Icelandic caring policy 1944–2004]. *Uppeldi og menntun [Upbringing and Education]*, Vol. 15, No. 2: 9–29

Gíslason, I. V. (2006) *Fostering caring masculinities: Icelandic national report*. Akureyri: Jafnsrættisstofa <http://www.jafnretti.is/D10/Files/FOCUS%20-%20Icelandic%20National%20Report.pdf>

Langvasbråten, T. and Teigen, M. (2006) *Fostering caring masculinities. FOCUS - the European dimension*. Oslo: Institute for Social Research. Available at: <http://www.jafnretti.is/D10/Files/FOCUS%20-%20European%20Report.pdf>

Fostering Caring Masculinities (FOCUS) is an EU-funded project (the partner countries are Germany, Iceland, Norway, Slovenia and Spain) whose aim is to examine and improve men's opportunities for balancing work and family life in order to encourage men to take on more caring tasks. The project shows that major hindrances exist in all the countries for men to take on caring responsibilities, although to a different degree in the different countries.

Pétursdóttir, G. M. (2006) 'Skreppur og Pollyanna: Um ólíka möguleika og sýn kynjanna innan vinnustaða Reykjavíkurborgar á samræmingu fjölskyldulífs og atvinnu' ['Mr. Step Out and Pollyanna: different chances and views among men and women towards compromising family life and work among the City of Reykjavík workplaces'], in: Ú. Hauksson (ed.), *Rannsóknir í Félagsvísindum VII [Research in social sciences]*. Reykjavík: Félagsvísindastofnun Háskóla Íslands og Háskólaútgáfan.

Valdimarsdóttir, F. R. (2006) *Nordic experiences with parental leave and its impact on equality between women and men*. TemaNord 2006:531. Copenhagen: Nordic Council of Ministers. Available at: <http://www.jafnretti.is/D10/Files/Nordic%20experiences%20with%20parental%20leave.pdf>

Eyðal, G. B. (2007) 'Fæðingarorlof: Löggjöf og lífsstíl' ['Parental leave: Legislation and lifestyle'], in: G. T. Jóhannesson (ed.), *Rannsóknir í félagsvísindum VIII [Research in social sciences]*. Reykjavík: Félagsvísindastofnun Háskóla Íslands.

This conference paper introduces a recent study on the effects of parental leave on fathers' involvement in caring.

Gíslason, I. V. and Holter, Ö. (2007) 'Välfärdsstat i könslämna: kön ekonomi och livskvalitet' ['Welfare states in a gender dilemma: gender, economy and quality of life'], in: Ö. Holter (ed.) *Män i rörelse. Jämställdhet, förändring och social innovation i Norden*. Riga: Gidlunds Förlag.

The Nordic welfare states have long promoted gender equality. The authors argue that the gender dilemma of the Nordic countries today is the de facto refusal to see men as gendered beings and therefore failing to implement policies which would promote increased participation of men in family life.

Gíslason, I. V. (2007) *Parental leave: bringing the fathers in. Developments in the wake of new legislation in 2000*. Akureyri: Centre for Gender Equality. Available at:

<http://www.jafnretti.is/D10/Files/parentalleave.pdf>

The report explores the effect of the parental leave legislation on various parts of society, such as working hours, birth rate, etc.

Gíslason, I. V. (2007) 'Maskulinitet eller sociala möjligheter' ['Masculinity or social possibilities'], in: Ö. Holter (ed.) *Män i rörelse. Jämställdhet, förändring och social innovation i Norden*. Riga: Gidlunds Förlag

Using Iceland as an example, the author argues that when trying to explain the general social behaviour of men there is no need for the mystical 'masculinity' concept. Social possibilities are what cause the behavior of men and when they are changed, men are not hampered by ideas about masculinity.

Jónsdóttir, B. (2007) *Upplifun foreldra á fæðingarorlofi* [Parents' experience of parental leave]. MA thesis. University of Iceland.

Pétursdóttir, G. M. (2007) "'Going global". Útrás íslenskra hugbúnaðarfyrirtækja og samræming fjölskyldulífs og atvinnu' ["'Going global". Reconciling family life and work in a global work environment within software companies'], in: G. T. Jóhannesson (ed.) *Rannsóknir í félagsvísindum VIII* [Research in social sciences]. Reykjavík: Félagsvísindastofnun Háskóla Íslands

This conference paper explores the recent internationalisation of Icelandic software firms and its effect on reconciling work and family life among their employees.

Pétursdóttir, G. M. and Einarsdóttir, T. (2007) *Fyrirvinnur, hálfdrættingar og heildarhyggja. Um vinnumenningu, fjölskylduábyrgð og kynjatengsl innan vinnustaða Reykjavíkurborgar* [Breadwinners, junior partners and holism. Work culture, family responsibility and gender relations within the City of Reykjavík workplaces.] Unpublished report for the City of Reykjavík Equal Opportunities Commission

This report evaluates the equal opportunities and family friendly policy of the City of Reykjavík through interviews with supervisors and employees of both sexes.

c. Ongoing research

Work cultures, gender relations and family responsibility (2004–2009). Doctoral thesis by Gyda Margrét Pétursdóttir at the University of Iceland, funded by the Icelandic Research Council.

The project, part of a larger transnational research network that includes Iceland, Norway and Spain, is a comprehensive case study of work cultures, gender relations and family responsibilities in the modern labour market, focusing on changing work cultures and meanings of work due to deregulations of the economy and increased international competition. Contact: gydap@hi.is.

2.15

Ireland

Eileen Drew

Population (UNDP)	2005	4.1 million
Total Fertility Rate (UNDP)	2000-05	2.0
GDP per capita (UNDP)	2005	US\$38,505
Female economic activity (UNDP)	2005	53.2 per cent
As % male rate (UNDP)	2005	74 per cent
% of employed working part time		
Men	2005	No data
Women	2005	No data
Employment gender gap (full-time equivalent) (ECI)	2005	27.1% points
Employment rate (parents with children under 12 years (EWM)		
Fathers	2006	No data
Mothers	2006	No data
Employment impact of parenthood (parents with a child 0–6 years)(ECI)		
Men	2006	+6.1% points
Women	2006	-18.2% points
Gender-related Development Index (UNDP)		15th
Gender Empowerment Measure (UNDP)		19th
Access to regulated ECEC services (OECD)		
Children under 3 years	2000	15 per cent
Children 3–5 years (inclusive)	2000	64.9 per cent

1. Current leave and other employment-related policies to support parents

a. Maternity leave (responsibility of the Department of Justice, Equality and Law Reform)

Length of leave (before and after birth)

- Forty-two weeks: at least two weeks must be taken before birth.

Payment

- Seventy per cent of earnings (calculated by dividing gross earnings in the relevant tax year by the number of weeks worked), subject to a minimum of €151.60 per week and up to a ceiling of €232.40 a week for 26 weeks; the remaining 16 weeks are unpaid.

Flexibility in use

- None except for when leave can be started before birth.

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

- To be eligible for maternity benefit, an employee or self-employed person has to meet certain conditions relating to payment of Pay Related Social Insurance (PRSI), for example to have been employed for 39 weeks during which PRSI was paid in the 12-month period before the birth of the child.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother

- None.

b. Paternity leave

No general statutory entitlement.

c. Parental leave (responsibility of the Department of Justice, Equality and Law Reform)

Length of leave

- Fourteen weeks per parent per child (i.e. an individual right).

Payment

- None.

Flexibility in use

- Leave may be taken up to the child's eighth birthday.
- Increase in the maximum age of the eligible child to 16 years in the case of children with disabilities.
- Extension of the *force majeure* provisions to include persons in a relationship of domestic dependency, including same-sex partners.
- Leave may be taken in separate blocks of a minimum of six continuous weeks or more favourable terms subject to employer's agreement.
- Transfer of Parental leave entitlements from one parent to another if both parents are employed by the same employer, subject to the employer's agreement.

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

- All employees who have completed one year's continuous employment with their present employer.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the parents

- As leave is per child, the leave period is doubled for parents of twins and tripled for triplets.
- Parents with a disabled child do not get additional parental leave, but would be eligible for carer's leave (see section 1e).

Additional note (e.g. if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)

- Parental leave can be postponed for six months (to a date agreed on by both the employer and employee) if the granting of the leave

- would have a substantial adverse effect on the operation of the business.
- An employee who falls ill while on parental leave and as a result is unable to care for the child may suspend the parental leave for the duration of the illness following which period the parental leave recommences.
- Provision for statutory codes of practice on the manner in which parental leave and *force majeure* leave might be taken and the manner in which an employer can terminate parental leave.

d. Childcare leave or career breaks

No general statutory entitlement.

e. Other employment-related measures

Adoption leave and pay

- Forty weeks leave for adopting mothers or sole male adopters, with 24 weeks paid; payment and eligibility As maternity leave. If the child is under three years of age at the time of adoption, unpaid Parental leave can be taken before the child reaches five years of age. However, if the child is aged between three and eight years at the time of adoption, the leave must be taken within two years of the adoption order.
- Sixteen weeks unpaid adoptive leave.
- Section 9 of the Act makes provision for splitting the period of adoptive leave and/or additional adoptive leave in the event of the hospitalisation of the adopted child, subject to the agreement of the employer.
- Section 10 provides for situations where an employee returns to work having postponed leave under Section 9 and is subsequently absent from work due to sickness.

Time off for the care of dependants

- Three days paid leave in any 12 consecutive months, up to a limit of five days in any 36 consecutive months (treated as *force majeure*).
- Employees with 12 months continuous service can take a maximum of 65 weeks unpaid leave to provide full-time care for a dependant (e.g. a child with a severe disability), either in one continuous period or as several blocks of time. Employees may work up to 10 hours per week while on carer's leave, subject to certain income limits. An employee on carer's leave may be entitled to a means-tested carer's benefit.

Flexible working

- Breastfeeding mothers can either adjust their working hours or, if breastfeeding facilities are provided at work, take breastfeeding breaks.

2.Changes in leave policy since 2005 and other related developments (including proposals currently under discussion)

A number of changes to Maternity leave have been introduced from 1 March 2007, including increasing the maximum length to 42 weeks, 26 weeks of which will be paid.

The Adoptive Leave Act 2005, which came into effect on 28 November 2005, provides for a number of improvements to the existing adoptive leave arrangements such as: provision for attendance by adoptive parent(s) at preparation classes and pre-adoption meetings without loss of pay; provision for termination of additional adoptive leave in the event of illness, subject to the agreement of the employer; provision to postpone the period of adoptive leave/additional adoptive leave in the event of the hospitalisation of the child, subject to the agreement of the employer; provision that an employee's absence from work on additional adoptive leave will count for all employment rights (except remuneration and superannuation benefits) associated with the employment.

In addition, the parental leave (Amendment) Act 2006 implements a number of improvements to parental leave. These include: raising the maximum age by which parental leave must be taken from an eligible child's fifth to eighth birthday; an increase in the maximum age of the eligible child to 16 years in the case of children with disabilities; an entitlement to take the 14 weeks parental leave in separate blocks of a minimum of 6 continuous weeks, or more favourable terms with the agreement of the employer; and the extension of Parental leave entitlements to persons acting *in loco parentis* of an eligible child.

There are commitments in the partnership agreement *Towards 2016*⁴⁹ to review statutory entitlements to Maternity and Paternity leave before the end of 2008. The Irish Government is also committed, in the

⁴⁹ *Towards 2016* is the national strategic framework to address key economic and social challenges in Ireland. It was negotiated between the Government and the social partners, and organised into four 'pillars': Trade Unions; Business and Employers; Farming; Community and Voluntary. As with the previous six Social Partnership Agreements, *Towards 2016* focused principally on incomes, fiscal, social, economic and competitiveness policies; it covers the needs of children, young adults, people of working age, older people and people with disabilities. Issues such as childcare, work/life balance and parental leave are among the social issues involved in discussions leading to the *Towards 2016* Agreement. For more information see: <http://www.taoiseach.gov.ie/index.asp?locID=181&docID=2755>

Approved Programme for Government, to increasing paid maternity leave by five weeks; making all leave after the first 26 weeks available to either parent; and examining the possibility of introducing a statutory entitlement to paternity leave and a shared parental leave. This will take note of comparative provisions and best practice across Europe.

3. Take-up of leave

a. Maternity leave

There is no information on take-up of leave.

b. Paternity leave

There is no statutory leave entitlement.

c. Parental leave

According to a survey in 2001 for the Department of Justice, Equality and Law Reform (MORI MRC, 2001) on the uptake of Parental leave and *force majeure* leave to care for dependants, almost 7 per cent of employees in the 655 organisations surveyed (517 in private and 138 in public sectors) were eligible for Parental leave during the course of 2001. In all, it was estimated that 20 per cent of these eligible employees had taken Parental leave. The survey showed that 84 per cent of Parental leave was taken by women.

In a second study (Newmarket Consulting, 2001), involving case studies of 25 organisations in Ireland, 62 out of 71 employees interviewed had heard of Parental leave, though the level was higher in the public sector than in the private sector organisations. The largest barrier to take-up of Parental leave was financial, noted by 63 per cent of interviewees.

d. Other employment-related measures

There is no information on take-up. Nearly one-third of employers surveyed (29 per cent) in the Department of Justice survey (MORI MRC, 2001) had granted *force majeure* leave. The study by Newmarket Consulting (2001) noted that the duration of *force majeure* leave was considered by both employees and employers to be more restrictive than the previous informal system of compassionate leave.

4. Research and publications on leave and other employment-related policies since January 2005

a. General overview

Leave policies are a recent development and are, as yet, incomplete. While maternity, carer's and parental leave are now statutory entitlements, there is no statutory paternity leave nor any right to

request flexible working – although the public sector has such arrangements. However, the issue of statutory rights and duration of leave are currently under review. Despite the introduction of Maternity leave and pay in 1994 there have been no specific studies on the use of this entitlement nor the take-up of carer's leave. More attention has been given to the Parental leave entitlement introduced in 1998. Most available research has focused on broad issues around reconciling work/family, including flexible working arrangements and childcare rather than leave per se.

b. Selected publications from January 2005, including results from research studies

Drew, E. and Murtagh, E. (2005) 'Work-life balance: senior management champions or laggards?', *Women in Management*, Vol. 20: 262–278.

This paper examines the attitudes towards work/life balance arrangements in a large Irish organisation, based on the results of an online survey, focus groups discussions and interviews with senior managers. It notes that managers operate in a 'long hours' culture in which availing of work/life balance such as reduced hours or unpaid Parental leave was seen as incompatible with a career in management.

Fine-Davis, M., McCarthy M., Edge, G. and O'Dwyer, C., (2005) *Work-life balance and social inclusion in Ireland: results of a nationwide survey*. Dublin: National Flexi-work Partnership.

This report presents the results of a nationwide survey on work-life balance and related social issues, focusing on three target group: working parents and carers, older people and people with mental health problems. Respondents' attitudes to social policy issues were sought on topics including: Paternity leave, Parental leave, work-life balance, gender roles and childcare.

Fine-Davis, M. (2005) 'Work-life balance of Irish parents: a cross-national comparative study', in: G. Boucher and G. Collins (eds) *The new world of work: labour markets in contemporary Ireland*. Dublin: Liffey Press, pp.17–41.

This paper summarises the key findings for Ireland in comparative perspective from a cross-cultural study of working parents of young children carried out in France, Italy, Ireland and Denmark.

Fine-Davis, M., McCarthy, M., Edge, G. and O'Dwyer, C. (2005) *Work-life balance and social inclusion in Ireland: results of a nationwide survey*. Dublin: National Flexi-Work Partnership (Centre for Gender and Women's Studies, Trinity College Dublin; IBEC; ICTU; FÁS, Age Action Ireland and Aware)

This report presents the results of a nationwide representative survey carried out in Ireland on a sample of 1,212 people concerning their experiences and attitudes in relation to work-life balance. The survey

examines attitudes to work-life balance on the part of both employed and non-employed people.

Drew, E. (2006) *Facing extinction? Why men are not attracted to primary teaching*. Dublin: The Liffey Press.

This book draws upon a national survey of primary school teachers to ascertain factors motivating or discouraging them from entering the profession and levels of satisfaction. Work-life balance emerged as the most prominent motivation. Long school holidays and shorter working hours were major sources of satisfaction, especially among women teachers.

Drew, E. and Bacik, I. (2006) 'Struggling with juggling: gender and work/life balance in the legal professions', *Women's Studies International Forum*, Vol. 29: 136–146.

This article examines gender issues among Irish legal professions, showing that women lawyers find it difficult to achieve work/life balance and that a large proportion of lawyers had never taken any leave. The study highlights a similarly low take-up of flexible working arrangements due to possible loss of promotion opportunities and/or clients/earnings potential and the negative perceptions of their colleagues.

Redmond, J., Valiulis, M. and Drew, E. (2006) *Literature review of issues related to work-life balance, workplace culture and maternity/childcare issues. Report No. 16*. Dublin: Crisis Pregnancy Agency

This literature review includes sections on legislative and policy issues related to all types of parental leave in Ireland, and compares rights and entitlements for parents here to other European countries. Issues of leave are connected with work-life balance, and related to how they help or hinder those facing a crisis pregnancy. Specific issues related to the negative perceptions of parents who take leave are explored in the literature on workplace culture.

Drew, E. and Daverth G. (2007) 'Negotiating work/life balance: the experience of fathers and mothers in Ireland', *Recherches sociologiques et anthropologiques*, Vol. XXXVIII, No. 2: 65–81

This paper reviews literature on parental work/family roles and shows how the labour market behaviour of fathers and mothers exhibits an asymmetrical pattern. It draws on empirical survey data to examine the degree of work/life balance adoption (working time patterns and leave arrangements) by fathers and mothers employed in five major Irish organisations. The paper then explores the impact of work/life balance arrangements on parents' careers and attitudes. It concludes by discussing the kinds of work/life balance interventions/measures necessary to address the equality issues that arise from uneven divisions of labour in the un/paid work roles of fathers and mothers.

Fine-Davis, M. (2007) *Childcare in Ireland today: policy briefing paper to the Irish Congress of Trade Unions*. Dublin: Social Attitude and Policy Research Group, Trinity College Dublin.

This paper provides an analysis of childcare policy in Ireland and makes recommendations to the trade union movement on the way it might influence future policy in this area.

Fine-Davis, M., Fagnani, J., Giovannini, D. Hojgaard, L. and Clarke, H. (2007) *Padri e madri: I dilemmi della conciliazione famiglia-lavoro. Studio comparative in quattro paesi europei*. Bologna: Il Mulino. This book presents the results of a comparative attitudinal study of the work-life balance issues of working parents of children under six in four European countries: France, Italy, Denmark and Ireland. Leave policies in all countries and attitudes to various leave policies are presented and compared. (This is the Italian version of: M. Fine-Davis, J. Fagnani, D. Giovannini, L. Hojgaard and H. Clarke (2004). *Fathers and mothers: dilemmas of the work-life balance - a comparative study in four European countries*. Dordrecht: Kluwer Academic Publishers).

Dunne, L.A. Drew, E. and MacSweeney, R. (forthcoming) *An economic model for additional leave in Ireland*. Dublin: Irish Congress of Trade Unions

This Briefing Paper proposes and costs a leave model to: address the issue of the gender pay gap; provide fathers with the infrastructure so that they can participate in family life; and facilitate the care needs of an ageing population. As a matter of equity, it also includes a period of leave for employees who have no children. The analysis in the paper calculates the cost of extending Maternity leave provision to fathers, carers and employees seeking further education, based on a six-month durations without sacrificing labour market retention and progression. This model could be delivered at no additional cost to the Exchequer but it would involve an increase of 1-2 per cent on the standard tax rate for all employees in Ireland.

Drew, E. and Daverth, G. (2008) *Living to work.....or working to live? The role of managers in creating work/life balance in Ireland*. Dublin: Irish Congress of Trade Unions

This Briefing Paper sought to identify how managers negotiate and understand work-life balance within four public and private sector Irish organisations, using qualitative interview-based data. It examines the role of managers in facilitating (or otherwise) work-life balance arrangements, through formal and informal policies and procedures. Drawing upon managers' own personal experiences and views, the interviews illustrate the differential, and highly gendered, access to work/life balance by staff. The paper goes on to recommend measures that the trade union movement might adopt to promote further work-life balance.

Fine-Davis, M., Craven, F., McCarthy, M., Holzworth, A. and O'Sullivan. (2008) *An evaluation of the FÁS initiative for parents in receipt of the one parent family payment*. Dublin: FÁS and Social Attitude and Policy Research Group, Trinity College

This report presents the results of a survey of 110 women in receipt of the One Parent Family Allowance in Dublin and Cork. In the context of the overall study, the extent to which childcare is a barrier to accessing training and employment is studied.

2.16

Italy

Dino Giovannini

Population (UNDP)	2005	58.6 million
Total Fertility Rate (UNDP)	2000-05	1.3
GDP per capita (UNDP)	2005	US\$28,529
Female economic activity (UNDP)	2005	37.4 per cent
As % male rate (UNDP)	2005	62 per cent
% of employed working part time		
Men	2005	4.6 per cent
Women	2005	25.6 per cent
Employment gender gap (full-time equivalent) (ECI)	2005	28.7% points
Employment rate (parents with children under 12 years (EWM)		
Fathers	2006	54.6 per cent
Mothers	2006	93.8 per cent
Employment impact of parenthood (parents with a child 0–6 years)(ECI)		
Men	2006	+13.4% points
Women	2006	- 5.6% points
Gender-related Development Index (UNDP)		17th
Gender Empowerment Measure (UNDP)		21st
Access to regulated ECEC services (OECD)		
Children under 3 years	2000	6.3 per cent
Children 3–5 years (inclusive)	2000	99.6 per cent

1. Current leave and other employment-related policies to support parents

a. Maternity leave (*Congedo di Maternità*) (responsibility of the Ministry of Labour and (for public employees) Ministry of Finance and General Affairs)

Length of leave (before and after birth)

- Twenty weeks: at least four weeks before the birth.

Payment

- Eighty per cent of earnings with no ceiling for salaried workers. For home helps, self-employed workers and temporary agricultural labourers, earning is 80 per cent of conventional earnings determined each year by the law; for non-fixed term workers,

maternity leave depends on accredited contributions, though each professional sector has the possibility to determine, with approval by the Ministry of Labour, a higher ceiling, after considering the income and contribution potential of the professional sector.

Flexibility

- The 20-week period is compulsory, but there are two options for taking this leave: 4 weeks before the birth and 16 weeks after; and 8 weeks before the birth and 12 after. The allowance is accorded to autonomous female workers from 8 weeks before the birth to 12 weeks after; maternity leave, however, is not compulsory for this category.

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

- All women employees and self-employed women with social security membership.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent) or delegation of leave to person other than the mother.

- In the case of multiple or premature births, the length of leave increases by 12 weeks.

Additional note (e.g. if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)

- Public sector employees receive 100 per cent of earnings.

b. Paternity leave

There is no general statutory entitlement. However, employed fathers may take three months paid leave following childbirth in the following circumstances: the mother's death or severe illness; the child being left by the mother; or the child being in the sole care of the father. Conditions are the same as for maternity leave.

c. Parental leave (*Congedo Parentale*) (responsibility of the Ministry of Labour and (for public employees) Ministry of Finance and General Affairs)

Length of leave

- Six months for mothers and six months for fathers. Fathers taking three months Paternity leave (see section 1b) are entitled to one month of additional Parental leave. Leave is an individual entitlement, but the total amount of leave taken by two parents cannot exceed 10 months (or 11 months if the father takes at least three months Paternity leave as set out in section 1b).

Payment

- Thirty per cent of earnings when leave is taken for a child under three years; unpaid if taken when a child is three to eight years, unless annual earnings are under approximately 2.5 times the amount of minimum earnings (for 2004, €13,396).

Flexibility in use

- Leave can be taken at any time until a child is eight years old. There are two options for taking this leave: a single leave period up to a

maximum of six months; or shorter leave periods amounting to a maximum of six months.

- It is possible for each parent to take leave at the same time.
- A lone parent is entitled to 10 months leave.

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

- All employed parents, except domestic workers and home helps. Self-employed workers are generally entitled to three months, which can be taken only during the first year after the child's birth.
- The father is entitled to leave even if the mother is not, for example if she is a housewife.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the parents

- As the leave is per child, each parent is entitled to additional leave in the case of a multiple birth (e.g. the length is doubled for twins, tripled for triplets). In the case of lone parents, the parental leave, taken continuous or in shorter sections, can be of 10 months.

Additional note (e.g. if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)

- Public sector employees receive 100 per cent of earnings during the first 30 days of leave.

d. Childcare leave or career breaks

- None.

e. Other employment-related measures

Adoption leave and pay

- For adoptive parents the same regulations for Parental leave apply as for other parents.

Time off for the care of dependants

- Without limit for a child under three years; five days a year per parent for a child aged three to eight years. Unpaid.
- Public or private employees are entitled to two years leave over the course of their entire working life in case of a serious need in their family, for example the disability of a child or other relative, even if not co-resident. This leave is paid. Fathers and mothers cannot take this leave at the same time.

Flexible working

- Until a child is 12 months old, women who are employees are entitled to work reduced hours (one hour less per day if working six hours a day or less; two hours less per day if working longer), with full earnings compensation. Fathers are entitled to use this benefit in certain conditions, for example: if the mother is self-employed or freelance; if the mother opts not to use it; if the mother is not employed; or if the father has sole custody of the child. Home helps, domestic workers and self-employed workers are not entitled to reduced hours, but in this case, too, the father can work reduced hours.

- Employees (mothers and fathers) who have parental responsibility for a child under six years or a disabled child under 18 years have a legal right to apply to their employers to work flexibly (e.g. to reduce their working hours). Employers have a legal duty to consider these requests and may refuse them only 'where there is a clear business ground for doing so... [and must give] a written explanation explaining why'.

2.Changes in leave policy since 2005 and other related developments (including proposals currently under discussion)

There have been no changes since 2005 and none are under discussion.

3.Take-up of leave

a. Maternity leave

Maternity leave is compulsory for salaried workers.

b. Paternity leave

There is no information on the take-up of 'optional leave'.

c. Parental leave

There is no information on the take-up of Parental leave

4.Research and publications on leave and other employment-related policies since January 2005

a.General overview

There are only a few recent studies that address these issues. They focus in particular on the stereotypical dimension of caring roles, which does not treat paternity leave as a father's right, and the necessity to change laws that contain discriminatory assumptions. Starting from the labour law, the role of paternity leave is an important theme for interdisciplinary research, being of topical interest in a period when there is a developing discussion about equality of opportunities and finding a better balance between time devoted to the family and to employment. Other studies have examined recent changes in family organisation, with special attention to men's role, including paternity. Studies are developing a new understanding of family welfare and quality of social life, as well as proposing new lines for research and evaluation of services and other possible interventions.

b.Selected publications from January 2005, including results from research studies

Procentese F. (2005) *Padri in divenire: nuove sfide per i legami familiari* [*Becoming father: new challenges for the family ties*]. Milano: Franco Angeli

The book reports a study carried out in Naples with a sample of fathers, which explores parental leave experience, including conflicts and management of work/life relationships between working fathers and mothers.

Rosina, A. and Sabbatini, L. L. (2005) *Diventare padri in Italia: Fecondità e figli secondo un approccio di genere* [Becoming a father in Italy: fertility and children in a gender approach]. Roma: Ed. Istat. Available at:

<http://www.istat.it/istat/eventi/eccezionalequotidiano>

The book examines the meaning of fatherhood in today's Italy, fathers' involvement in childcare and the father's role within the married couple.

Sabbatini, L. L. (2005) *Come cambia la vita dei bambini* [How the life of children changes]. Roma: Ed. Istat. Available at:

<http://www.istat.it/istat/eventi/paternita2005>

The first chapter presents the report of a study about children and family life in Italy, including the changes in families, involvement of mothers and fathers in childcare, the caregivers in and out of the family, children and housework.

Tindara, A. (2005) *Genitorialità, lavoro e qualità della vita: una conciliazione possibile* [Parenthood, work, life quality: possible conciliation]. Milano: Franco Angeli.

The book reports a study carried out in the city of Modena (in northern Italy) which explored fertility, norms on parental leave, dilemmas of work-life balance and leave policy.

Calafà, L. (ed.) (2007) *Paternità e lavoro* [Paternity and work]. Bologna: Il Mulino.

The book focuses on sharing reconciliation and paternity in the law, adopting a comparative perspective (the situations in Italy, Spain, England and France are compared), with contributions on private law, constitutional jurisprudence, and sociology.

Donati, P. (ed.) (2007) *Famiglie e bisogni sociali: la frontiera delle buone prassi* [Families and social needs: the border of good practice]. Milano: Franco Angeli

This volume is one in a series of publications that report the research and documentation activities of *Osservatorio nazionale sulla famiglia* [National Family Observatory]. Its specific focus is the monitoring of social policy intervention and measures concerning the family, both at the national and local level.

Fine-Davis M., Fagnani, J., Giovannini, D., Hojgaard, L. and Clarke, H. (2007) *Padri e madri: I dilemma della conciliazione famiglia-lavoro* [Fathers and mothers: dilemmas of the work-life balance]. Bologna: Il Mulino

(This is the Italian version of: M. Fine-Davis, J. Fagnani, D. Giovannini, L. Hojgaard and H. Clarke (2004). *Fathers and mothers: dilemmas of the work-life balance - a comparative study in four European countries*. Dordrecht: Kluwer Academic Publishers. Italian version edited by D. Giovannini, with an Appendix on maternity, paternity and parental leave)

This book presents a comparative analysis of the dilemmas faced by working parents with young children in four European countries (France, Italy, Ireland and Denmark), including the results of a survey carried out in the countries, an overview of the latest research findings in the four countries and a synthesis of the policy situation in each country.

Gavio, F. and Lelleri, F. (2007) 'La fruizione dei congedi parentali in Italia nella pubblica amministrazione, nel settore privato e nel terzo settore. Monitoraggio dell'applicazione della legge n. 53/2000 dal 2001 al 2004' ['The development of parental leave in Italy in public administration, private sector and third sector. Monitoring of the application of the Law n. 53/2000 from 2001 to 2004'], in: P. Donati (ed.) *Famiglie e bisogni sociali: la frontiera delle buone prassi (Families and social needs: the border of good practice)*. Milano: Franco Angeli.

This chapter provides an overview of the latest research findings in Italy on workplace day care centres and parental leave schemes.

2.17

The Netherlands

Hanne Groenendijk and Saskia Keuzenkamp

Population (UNDP)	2005	16.3 million
Total Fertility Rate (UNDP)	2000-05	1.7
GDP per capita (UNDP)	2005	US\$32,684
Female economic activity (UNDP)	2005	56.2 per cent
As % male rate (UNDP)	2005	77 per cent
% of employed working part time		
Men	2005	22.6 per cent
Women	2005	75.1 per cent
Employment gender gap (full-time equivalent) (ECI)	2005	30% points
Employment rate (parents with children under 12 years) (EWM)		
Fathers	2006	94.5 per cent
Mothers	2006	72.7 per cent
Employment impact of parenthood (parents with a child 0–6 years)(ECI)		
Men	2006	+ 6.1% points
Women	2006	- 8.1% points
Gender-related Development Index (UNDP)		6th
Gender Empowerment Measure (UNDP)		6th
Access to regulated ECEC services (OECD) ⁵⁰		
Children under 3 years	2004	39 per cent
Children 3–5 years (inclusive)	2004	68.2 per cent

1. Current leave and other employment-related policies to support parents

a. Maternity leave (*zwangerschaps- en bevallingsverlof*) (responsibility of Department of Social Affairs and Employment)

Length of leave (before and after birth)

- Sixteen weeks, 6 weeks before the birth and 10 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.)

⁵⁰ The access rate for children under four years to an ECEC centre was 24.9 per cent in 2004 (Source: Statistics Netherlands)

Payment

- One hundred per cent of earnings up to a ceiling equivalent to the maximum daily payment for sickness benefit (€177).

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 from four weeks before this date.

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

- All women employees.
- Since August 2004, self-employed women are no longer included. They were supposed to arrange their own insurance if they wanted to be paid. From 1 July 2008 onwards the entitlement to a 16-week payment up to a maximum of 100 per cent of the statutory minimum wage (€1,335 a month before taxes) will be re-established.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother

- None.

b. Paternity leave (*kraamverlof*) (responsibility of Department of Social Affairs and Employment)

Length of leave

- Two working days at the birth of a child.

Payment

- One hundred per cent of earnings, with no upper ceiling, paid by the employer.

Flexibility

- Leave can be taken within four weeks after 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.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone 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)

- See section 1c.

c. Parental leave (*ouderschapsverlof*) (responsibility of Department of Social Affairs and Employment)

Length of leave

- Thirteen times the number of working hours per week per parent per child, to be taken up to the child's eighth birthday. For example, a full-time job of 38 hours a week gives a leave entitlement of 494 hours.

Payment

- For participants in the life course savings scheme (see section 2), there is a tax reduction of half the statutory minimum wage, i.e. 50 per cent of €1,335 a month in the case of full-time leave.

Flexibility in use

- With the agreement of the employer, leave can be taken for more hours a week during a shorter period or for less hours a week over a longer period (e.g. on a half-time basis over 26 weeks).
- With the agreement of the employer, leave can be taken in two or three blocks of time.

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

- All employees who have completed one year's continuous employment with their present employer.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the parents

- As the leave is 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)

- Employers are permitted to deviate from the statutory entitlements by collective labour agreement or (under certain conditions) by written agreement with the works council or staff representatives. In these cases, employees can be offered less than the statutory entitlement (for example, less payment, a shorter leave or no right at all) or more. For instance, in 15 per cent of the collective agreements made in 2004, parental leave was partly paid, at between 25 per cent and 90 per cent of previous earnings. In the public sector, parental leave is paid at between 70 to 75 per cent of previous earnings.

d. Childcare leave or career breaks

No general statutory entitlement.

e. Other employment-related measures

Adoption leave and pay

- Each parent is entitled to four weeks leave when a child is placed for adoption (or long-term fostering), with payment equivalent to Maternity leave.
- Leave can be taken during a period starting at two weeks prior to the placement of a child and up to 16 weeks after placement.
- 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 of 10 days a year can be taken to care for a sick child living at home, or a sick partner or parent. The employer is required to pay 70 per cent of the employee's earnings. All employees are eligible, subject to three conditions: first,

an employer can refuse to grant the leave if the interests of the organisation might be seriously harmed; second, care must be necessary because of illness; third, care has to be provided by the employee involved.

- Employees with a child, partner or parent with a life-threatening illness are entitled to unpaid leave of up to six times their working hours per week. 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' can be taken by an employee with very exceptional personal circumstances (e.g. a broken water pipe, a death in the family, 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 Working Hours Adjustment Act, all employees who have completed one year's continuous employment with their present employer have the right to increase or decrease their working hours. The right to adjustment of working hours is, 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 less than 10 employees.

2.Changes in leave policy since 2005 and other related developments (including proposals currently under discussion)

In February 2007 a new Cabinet was installed, consisting of Christian Democrats (CDA), Social Democrats (PvdA) and more orthodox Christians (CU). It decided to re-establish the entitlement to a statutory maternity payment for self-employed women, which had been removed by a previous government in 2004. The main reason is the protection of mother and child. Many self-employed have not taken out private maternity insurance, as anticipated, because insurance companies require a two-year waiting period. Statutory payment, to be re-introduced on 1 July 2008, prevents the situation arising of self-employed pregnant women taking too short a period of leave for financial reasons, which may be dangerous for mother or child.

Since 1 January 2006 a new savings scheme with a tax incentive element has been introduced: the Life Course Savings Scheme (*Levensloopregeling*). It is meant, first and foremost, to support the combination of employment and family responsibilities by enabling workers to cope better with stressful periods. The intended effect is an increase in the labour participation of women and older workers. Consequently, tax provisions for collective early retirement schemes have been cancelled from 1 January 2006.

This savings scheme offers employees a way to finance longer periods of various types of unpaid leave. It does not, however, give any additional leave entitlements, beyond existing statutory rights. The right to additional leave of various kinds is left to negotiations between employers and employees, resulting in either a Collective Labour Agreement, a leave policy of the organisation or an individual agreement on various types of leave. The formulation of these agreements or policies (on the conditions for the right to unpaid leave, a maximum or minimum period, etc.) has been a first effect of the introduction of the scheme.

Participation in the new savings scheme is an entitlement, but each individual employee must choose whether or not to use it. This life-course arrangement requires employees to take personal responsibility for the funding of longer periods of unpaid leave. State support is restricted to tax relief on savings. This emphasis on personal responsibility is an important aspect of the government's view on long-term leave: employees are supposed to save for Parental leave, long-term care leave, pre-pension leave and all other periods of long-term leave that an employee might want to take during his or her working life. As a consequence, the proposal for a paid long-term care leave was changed into an unpaid leave: employees are supposed to use the new Life Course Savings Scheme to finance such leave themselves. The same approach of employee responsibility applies to Parental leave, though if employees participate in the savings scheme and make use of their statutory Parental leave, additional tax relief is offered equivalent to 50 per cent of the statutory minimum wage (€30 a day or €667 a month maximum). There is no requirement as to the minimum amount of money an employee saves in the scheme when applying for the tax relief – it could be as little as €1.

In the first half of 2006 an evaluation was made of the policies used in the field of work and family. The evaluation was sent to parliament in September 2006 (SZW, 2006). Main questions for the analysis were: What is the main problem to be solved with the policies? Why is the government taking responsibility in solving this problem? Did the instruments contribute to the aim and if so, with what direct and indirect effects and at what costs? The analysis resulted in an assessment of leave and childcare arrangements using a list of relevant criteria, for example the family friendliness of the arrangements is of great importance. Although this evaluation was discussed in the Dutch House of Representatives, together with a lot of other issues and documents, it received little attention. However, some proposals of the new Dutch Cabinet correspond with findings of the evaluation.

In line with the evaluation, the new government decided that the length of parental leave will be doubled (from 13 to 26 weeks per employee)

and that the Life Course Savings Scheme will be adapted to this. In fact this means that employees – if they choose to use the Life Course Savings Scheme – during their six-month parental leave period are entitled to a payment of up to €667 a month (before taxes). This new legislation will come into force on 1 January 2009.

In May 2007 Democrats '66 (*D66*) proposed an extension of the four weeks Adoption leave to six weeks in cases of international adoption. In June 2007 the Green Party (*Groen Links*) proposed a bill to extend paternity leave from two working days to two weeks of leave, paid by the employer. During the autumn of 2007 both bills have been prepared for discussion in parliament, which is expected in spring 2008.

3. Take-up of leave

a. Maternity leave

No specific study has been done on the take-up 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 confinement, take-up of 100 per cent might be expected.

b. Paternity leave

A recent employee survey found that 90 per cent of men entitled to Paternity leave took up some sort of leave: 51 per cent had taken the statutory paternity leave, but most had taken holidays or leave accrued in lieu of pay (Van Luijn and Keuzenkamp, 2004).

c. Parental leave

In 2006, 114,000 female employees and 143,000 male employees (working 12 hours or more per week) were entitled to parental leave. Of women eligible for Parental leave, 44 per cent took leave (of which 58 per cent had a paid leave), averaging 9 months and 10 hours a week. Of men entitled, 21 per cent took leave (of which 60 per cent had a paid leave) for an average of 11 months and 8 hours a week. During their period of leave, mothers worked on average 60 per cent of their working hours, fathers 80 per cent.

It is unclear whether leave payments came from employers or from personal savings in the Life Course Savings Scheme. In 2006, 21,000 employees saved in this scheme to finance a parental leave (CBS, Statline, 2007), but there are no figures for the numbers who actually financed their leave from this source in 2006.

An evaluation of Parental leave in 2000 found that the uptake of Parental leave was higher among: a) women; b) workers with middle and higher levels of education; c) part-time workers (almost exclusively

women); and d) workers in the public service sector. In male-dominated sectors such as industry, construction and agriculture, and especially in commerce, the hotel and catering industry, transport and communication, the uptake was much lower than the average, as it was for workers in technical jobs (Grootscholte, Bouwmeester and Klaver, 2000⁵¹).

A later study (Van Luijn and Keuzenkamp, 2004) investigated the use of Parental leave among those with a need for such leave. The main reasons given by parents who said they did not have a need for Parental leave were: 'there is enough (good) childcare' and 'I already work part time or have adjusted my working hours with a part-time job'. The study found that leave was more often used among workers who had higher levels of education, worked for employers offering a greater number of work-family arrangements and a stronger personal orientation to work. The uptake was lower for more ambitious employees and for employees who experience more stress as a result of combining work and family. The need for leave was greater among women than men (36 per cent of the entitled mothers compared with 17 per cent of the entitled fathers); but among those with a need for parental leave, women and men did not significantly differ as to the use of leave. Parents who had a need for parental leave but did not use it said their main reasons for not taking leave were the anticipated loss of income (as the leave generally is unpaid) and the availability of (good) childcare. About 10 per cent said that their partner had stopped working or did not have a job (which made leave for the employee unnecessary).

More recent data (2005) show that fathers more often indicate that they have a need for Parental leave but do not take it up (66 per cent versus 43 per cent of mothers). Financial impossibility is the reason that is most often mentioned (SZW, 2006).

In a comprehensive study on the position and participation of women from ethnic minorities in Dutch society (Keuzenkamp and Merens, 2006), attention is paid to the uptake of parental leave by Turkish, Moroccan, Surinamese and Antillean working parents. Uptake is found to be much lower among Turkish, Moroccan and Antillean workers than among Surinamese and indigenous workers. The two main reasons why respondents did not take-up parental leave are the unfamiliarity with this facility and the fact that there was no need (others took care of the children).

⁵¹ Grootscholte, M., Bouwmeester, J. A. and Klaver, P. de (2000) *Evaluatie Wet op het ouderschapsverlof. Onderzoek onder rechthebbenden en werkgevers*. Den Haag: Ministerie van Sociale Zaken en Werkgelegenheid.

d. Other employment-related measures

Short-term care leave and emergency leave

The report from Van Luijn and Keuzenkamp, referred to above, also presents results of a survey among employees, investigating the take-up of other types of leave. The researchers concluded that over the two year period under study only a fairly small proportion of employees made use of these leave schemes. Short-term leave was used by 9 per cent of the employees who took time off work to care for a sick child, parent or partner, and emergency leave was used by 5 per cent of employees taking time off in an emergency situation. Most employees instead used holidays or leave accrued in lieu of pay and sometimes (in about 5 per cent of the cases) employees reported ill. The study offers no explanation of these findings.

Respondents who had felt a need for leave but had not used any, were asked why they did not take-up leave. The reasons were mainly work related (work would not permit it, colleagues would have to step in, continuity of work would be disrupted, etc.). In many cases, however, employees had felt no need for leave, because they had been able to deal with the specific situation outside working hours or someone else (in many cases their partner) had been able to do so (Van Luijn and Keuzenkamp, 2004).

More recent research, carried out by Statistics Netherlands in 2005 on behalf of the Ministry of Social Affairs (see also paragraph 4a), found that 280,000 women and 236,000 men took care of a sick member of their family for a short period; 26 per cent of the women and 29 per cent of the men who undertook such care took up some sort of leave. Mostly this was a holiday (9 per cent of the women and 11 per cent of the men), but 7 per cent of the women and 8 per cent of men took up emergency leave or short-term care leave (Portegijs, Hermans and Lalta, 2006).

The study on ethnic minorities (Keuzenkamp and Merens, 2006) shows that there are no significant differences between women and men and between different ethnic groups in the uptake of short-term care leave (among working people who had a sick relative).

Long-term care leave

At the time that Van Luijn and Keuzenkamp carried out their major research project on the need for and use of all kinds of leave arrangements, the formal long-term leave regulation was not yet enacted. They interviewed employees who took care of a seriously ill person for at least two weeks. Of those who did so, 69 per cent said they had felt a need for leave but only 43 per cent actually took up some sort of leave (mostly holidays or unpaid leave).

The research carried out by Statistics Netherlands on behalf of the Ministry of Social Affairs (see paragraph 4a) found that in 2005, 353,000 women and 329,000 men took care of seriously ill relatives or friends on a regular basis and/or for a long period. Eleven per cent of the women and 12 per cent of the men took up some sort of leave. This was, however, not always the statutory arrangement: 4 per cent of the women and an equal share of the men used short-term care leave and 1 per cent of both women and men used long-term care leave (Portegijs, Hermans and Lalta, 2006).

The same survey reported that 56 per cent of the employees who took care of seriously ill relatives or friends did not take-up leave, although they felt a need for this (52 per cent of the women and 60 per cent of the men). Reasons for this included: it was not possible because of their work and (to a lesser extent) because of financial consequences; and a lack of information on the statutory leave arrangements (SZW, 2006).

The Working Hours Adjustment Act

The Working Hours Adjustment Act (WAA) was evaluated in spring 2004. The evaluation included a study carried out among employers, employees and works councils. This provided insight into the effect of the legislation in practice, from the perspective of the parties most closely involved (Muconsult, 2003⁵²).

In the first two and a half years after the introduction of the WAA (in July 2000), 59 per cent of employees had not wanted to change their working hours, 26 per cent had wanted to work less and 15 per cent more. Men (27 per cent) indicated slightly more often than women (24 per cent) that they wished to work fewer hours. The main reasons given by both men and women to work less hours were to have more time for family or household duties (34 per cent) or to pursue hobbies and other private activities (30 per cent). Most employees wanted to work either eight hours (37 per cent) or four hours (48 per cent) less per week.

Approximately half (53 per cent) of the employees who wished to reduce their working hours had informed their employer. For the majority (60 per cent) of those employees who had not, this was because they considered (among other things) the financial consequences to be too great. There are also employees who do not make their wishes known either because they expect their request to be

⁵² Muconsult (2003) *Onderzoek ten behoeve van evaluatie van Waa en Woa* [Evaluation of the WAA (Working Hours Adjustment Act) and the WOA (The Equal Treatment Full-time and Part-time Workers) Act]. Amersfoort: Muconsult (There is an executive summary in English. Contact: info@muconsult.nl)

turned down by the employer (23 per cent) or because they believe it will jeopardise their position in the company (17 per cent).

More than half of the employees (54 per cent) who had requested a reduction of their working hours from their employer had had their request granted; 10 per cent were partially agreed and 23 per cent were refused by the employer. The reasons given by employers for refusing employees' requests were largely related to operational difficulties, which are allowed for in the legislation (i.e. too difficult to schedule, too costly, or too difficult to find replacement staff).

Among employees who had expressed their wishes to the employer and were aware of their statutory rights, 8 per cent said that the statutory rights played a decisive role in making their request, and the legislation offered support in 21 per cent of cases. When these employees were asked to estimate how important the WAA was to the employer in dealing with the request, one in three of the employees thought that the legislation had played a part (20 per cent thought its role was small and 13 per cent large).

Just over half (53 per cent) of large businesses adjusted their working hours policy when the WAA came into force. In most cases this was done through collective labour agreements; 4 per cent of the businesses that had received requests in the last 2½ years for a change in working hours, held the view that the number of requests had risen since the introduction of the legislation.

Life Course Savings Scheme

During the first year that the Life Course Savings Scheme was available (2006), 340,000 employees working at least 12 hours per week participated in the scheme (5.5 per cent of all employees who work at least 12 hours per week). Employees with higher education use the Savings Scheme more: 8 per cent, compared with 4 per cent of employees with a lower level of education. Older employees participate more often than younger ones, men more often than women, and those working full time more often than part-time workers. Half of the participants in the Life Course Savings Scheme say that they do so to finance early retirement, and 3 out of 10 participants do not know yet for what purpose they will use their savings. Six per cent say that they want to use the scheme to finance parental leave and 5 per cent for a sabbatical (Statistics Netherlands, 2007).

4. Research and publications on leave and other employment-related policies since January 2005

a. General overview

The Work and Care Act and the Working Hours Adjustment Act are aimed at giving more opportunities to reconcile work and family. In order to monitor the attainment of this goal, every two years a survey commissioned by the Ministry of Social Affairs and Employment will measure the number of people that would like to combine work and care and the number of people actually combining these two tasks. This survey will also look into the number of employees in need of leave arrangements and the number actually using them. Also the reasons for not combining work and care and for not using leave will be investigated.

The number and content of collective agreements on leave arrangements are monitored in a yearly study by the Ministry of Social Affairs and Employment.

b. Selected publications from January 2005, including results from research studies

Anxo, D. and Boulin, J-Y. (eds) (2005) *Working time options over the life course: changing social security structures*. Dublin: European Foundation for the Improvement of Living and Working Conditions. Available at: www.eurofound.eu.int.

This report is one of the outcomes of a research project of the European Foundation for the Improvement of Living and Working Conditions on 'a new organisation of time over working life'. The focus in this report is on institutional arrangements of available working time options and their effect on the social security system in European countries.

Dekker, P. and Ederveen, S. (2005) *European times: public opinion on europe and working hours, compared and explained*. Den Haag: Centraal Planbureau / Sociaal en Cultureel Planbureau. Available at: www.scp.nl

This report presents facts about time-use and time-use preferences for both the EU-member states and the United States, together with an analysis of the influence of taxation and Parental leave on the number of hours worked.

Kremer, M. (2005) *How welfare states care: culture, gender and citizenship in Europe*. Doctoral dissertation. University of Utrecht. Contact: kremer@wrr.nl

Welfare state scholars often presume that diversity in women's employment across Europe is based on financial (dis)incentive structures embedded in welfare states: affordable childcare, tax and benefit schemes, therefore, would do the trick. This dissertation shows

that such an approach cannot sufficiently explain the gendered division of labour and care and the most recent changes in the four countries of the study: Denmark, Belgium, the Netherlands and the UK. The explanatory notion is 'the ideal of care', culturally defined moral images of good enough care that are promoted by welfare states and embedded in their regulations (among which are leave arrangements), laws and implementation processes.

Bos, I. and van den Ameele, A. N. (2006) *Arbeid en zorg in cao's 2004*. Den Haag: Ministerie van Sociale Zaken en Werkgelegenheid
Report of a study on the number and content of Collective Labour Agreements on leave arrangements.

Keuzenkamp, S. and Merens, A. (2006) *Sociale atlas van vrouwen uit etnische minderheden*. Den Haag: Sociaal en Cultureel Planbureau. An English summary will be available at
<http://www.scp.nl/english/publications/summaries>

This report presents a broad overview of the position and participation of groups of women from ethnic minorities in the Netherlands, with most attention focused on women from the four largest groups (Turkish, Moroccan, Surinamese and Antillean origin). Their position and participation are compared with those of indigenous women and with those of men from the same ethnic groups. Topics include: education, labour market participation, attitudes on women's role, combination of labour and care and the use of childcare and leave arrangements, income and health.

SZW (Sociale Zaken en Werkgelegenheid) (2006) *Beleidsdoorlichting Arbeid en Zorg*. Den Haag: Ministerie van Sociale Zaken en Werkgelegenheid.

A review of work/family policies in the Netherlands, carried out by the Ministry of Social Affairs.

Portegijs, W., Hermans, B. and Lalta, V. (eds) (2006) *Emancipatiemonitor 2006 [Emancipation Monitor 2006]*. Den Haag: Sociaal en Cultureel Planbureau / Centraal Bureau voor de Statistiek. English summary available at:

<http://www.scp.nl/english/publications/summaries/9037702864.html>

The Emancipation Monitor, which is published every two years, contains a wide range of statistics which present a picture of the situation of women in the Netherlands.

Roman, A. A. (2006) *Deviating from the standard: effects on labour continuity and career patterns*. Ph.D. dissertation. Utrecht University.

This thesis comprises three empirical studies covering four types of career path detours: part-time work, non-participation (voluntary and unemployment) and institutional career breaks. The analyses show that part-time work is not conducive to climbing career ladders. It also

shows that labour force exits have a long-term impact on earnings and socio-economic status, especially for women. Even 10 years after the period of voluntary non-participation, the negative effects on the wages of women are still there. The Belgian career break system, however, shows a more positive balance. Men experience positive effects on wage and wage growth after temporary hour reduction (part-time breaks), which bring them back up to the wage level prior to the break. Women experience a positive effect on their wage and wage growth after using a full-time career break, and this effect persists over time.

Koopmans, I. (2007) *De beheersing en verdeling van het zorgrisico. Modernisering van de sociale zekerheid 1987-2007. [Managing and distributing the care risk. Modernising social security 1987-2007]*. Ph.D. dissertation. Amsterdam: Aksant

The central question in this dissertation is: What are the implications of the transition from a male breadwinner model to an adult worker model for the Dutch social security system? Research questions focus on: the optimal division of responsibility (state, market and family) for the management of life-course risks; measures taken and responsibilities rearranged within the Dutch social security system; and the evaluation of the measures. Two ways to integrate care into the social security system are examined: to guarantee social security rights to employees with care responsibilities (like adjustment of the Unemployment Insurance Act); and to allot a more independent place in the system to care, so that care responsibilities entitle a person to time and/or money or publicly subsidised facilities (e.g. Parental leave, the Life Course Savings Scheme, formal childcare) to enable him or her to care. Koopmans illustrates the lack of a coherent vision or targeted policy on the position of care work within the Dutch system of social security, probably due to the absence of consensus in Dutch society and politics about the relationship between care work and employment. Although several measures have been taken, the right to provide care is not linked to a right to the protection of income. Furthermore, a savings scheme such as the Life Course Savings Scheme is less suitable for care risk than insurance. Insurance is also preferable because a certain degree of interpersonal risk distribution can be realised.

Statistics Netherlands (2007) *Levensloopregeling leeft nog niet* (webmagazine 23 April 2007). Available at: www.scp.nl
This article on the website of Statistics Netherlands presents findings from the Labour Force Survey 2006 on the use of the Life Course Savings Scheme.

Portegijs, W. and Keuzenkamp, S. (eds) (2008) *Nederland deeltijdland. Vrouwen en deeltijdwerk [Part-time working in the Netherlands]*. Den Haag: Sociaal en Cultureel Planbureau. English summary available at: <http://www.scp.nl/english/publications/summaries/9789037703467.html>.

This report presents an outline of recent developments in the labour force participation and working hours of women, and looks at how far these developments correlate with views on the role of women in the family and on the labour market. It is not only women with young children who prefer to work part time; 62 per cent of part-time working women are not in that position. Current research being carried out by the Netherlands Institute for Social Research/SCP, focusing among other things on these part-time working women without young children, is intended to provide greater clarity on this.

2.18

Norway

Berit Brandth and Elin Kvande

Population (UNDP)	2005	4.6 million
Total Fertility Rate (UNDP)	2000-05	1.8
GDP per capita (UNDP)	2005	US\$41,420
Female economic activity (UNDP)	2005	63.3 per cent
As % male rate (UNDP)	2005	87 per cent
% of employed working part time (ECLC)		
Men	2005	13.8 per cent
Women	2005	44.2 per cent
Employment gender gap (full-time equivalent) (ECI)	2005	No data
Employment rate (parents with children under 12 years) (EWM)		
Fathers	2006	No data
Mothers	2006	No data
Employment impact of parenthood (parents with a child 0–6 years)(ECI)		
Men	2006	No data
Women	2006	No data
Gender-related Development Index (UNDP)		3rd
Gender Empowerment Measure (UNDP)		1st
Access to regulated ECEC services (OECD) ⁵³		
Children under 3 years	2003	43.7 per cent
Children 3–5 years (inclusive)	2003	85.1 per cent

1. Current leave and other employment-related policies to support parents

Note on terminology: There is no single agreed name for maternity or parental leave. The Work Environment Act 2005 (the responsibility of the Ministry of Labour and Social Inclusion), which grants leave but not money, uses the name *svangerskapspermisjon* (pregnancy leave) for the leave before birth, *fødselspermisjon* (birth leave) for the six weeks after and *foreldrepermisjon* (Parental leave) for the remaining leave period. The Ministry of Children and Equality, which grants the money for leave, refers to *foreldrepengeperioden* (parental money period).

⁵³ The access rate in 2005 was 76.2 per cent for children aged one to five years (Source: Statistics Norway).

a. Maternity leave (*svangerskapspermisjon* and *fødselspermisjon* – see note on terminology) (responsibility of the Ministry of Children and Equality)

NB. There is no separate Maternity leave.⁵⁴ The information below is for that part of Parental leave reserved for women before and after birth; it is treated separately here, but is in effect part of the longer *foreldrepengeperioden* (parental money period).

Length of leave (before and after birth)

- Nine weeks: three weeks before the birth and six weeks following birth.

Payment (applied for the whole period of parental money)

- One hundred or 80 per cent of earnings (see section 1c)

Flexibility in use

- None. If the baby is born before the estimated delivery date (e.g. so that the mother only used two of her three weeks pre-birth leave), the remaining time cannot be transferred to after the birth and is therefore lost.

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

- All women employed for 6 of the last 10 months prior to delivery and who have earned at least half the basic national insurance benefit payment over the previous year are eligible for leave. Non-employed women receive a flat payment (currently corresponding to about €5,000).

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent) or delegation of leave to person other than the mother

- If the mother or child is ill and hospitalised after delivery, leave payment can be postponed.

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

Length of leave (before and after birth)

- Two weeks after birth – ‘daddy days’ (plus six weeks = fathers’ quota, see section 1c)

Payment

- ‘Daddy days’ are unpaid by government; pay depends on individual or collective agreements.

Flexibility in use

- None.

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.

⁵⁴ Leave is available for pregnant women who must quit work because of chemical, biological or physical hazards. To be eligible, these hazards must be documented and the employer unable to offer alternative work. It is paid at the same rate as sickness benefit.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent) or delegation of leave to person other than the mother

- None.

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

Length of leave (before and after birth)

- Maximum length is 54 weeks with 100 per cent parental money (see below). Of these, nine weeks are for mothers (included above under Maternity leave, in section 1a) and six weeks are for fathers (*fedrekvoten* or 'father's quota'). The remaining 39 weeks are a family entitlement and may be taken by either mother or father.

Payment

- Parental money may either be taken at 100 or 80 per cent of earnings, up to a ceiling of six times the basic national insurance benefit payment (NOK400,872 a year, €50,140). The lower rate of benefit gives a longer leave period.
- Non-employed women receive a flat payment (currently about €5,000).

Flexibility in use

- Family entitlement: it is possible to choose a longer period of leave (39 weeks) paid at 80 per cent of earnings, or a shorter (29 weeks) paid at 100 per cent.
- After the first six weeks, it is possible to postpone parts of the parental money period, as long as it is taken during the first three years after birth and the parent receiving the money is employed full time. 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 full benefit payment, this will prolong the period of parental money. If both parents choose to combine parental money with part-time work, for instance each working half time, this will not result in a longer period. A written agreement from the employer is demanded in both cases.
- Father's quota: this period of leave (six weeks) is not transferable to the mother, except in certain circumstances, e.g. if the father is ill or otherwise unable to care for the child or if the mother and father do not live together.
- The 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 during the period to use it and whether to split the quota or use it in one block. Splitting requires agreement with the employer.

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

- The eligibility rules are the same for fathers and mothers. They must be employed for 6 of the last 10 months prior to birth and have earned at least half the basic national insurance benefit payment over the previous year.
- The father can use the 29/39 weeks of paid leave even if the mother is not eligible; but the mother is required to take-up work (at least 75 per cent of full-time hours) or study on a full-time basis. For the father's quota, there is no requirement that mothers go back to work.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the parents

- Family entitlement: when more than one child is born, parental money is increased by seven weeks for each child (with 80 per cent pay) or five weeks with 100 per cent pay. If the child dies during the parental leave period, parents will receive payment for six weeks of the period that is left.
- Father's quota: may be transferred to the mother if the father is ill and unable to care for the child, or if the mother and father do not live together.

d. Childcare leave or career breaks

- Each parent has the right to one year of unpaid leave after parental leave.
- Parents with a child aged 12–36 months are entitled to receive a cash benefit ('cash-for-care' scheme) on condition they do not use a full-time place in a publicly-funded childcare centre. In 2007 the full benefit was NOK3,307 per child per month (approximately €405). Children who use centres 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 17–24 hours a week they receive 40 per cent of the full benefit). The main criterion for eligibility, therefore, is not parental employment status, but parents not using a particular type of service.

e. Other employment-related measures

Adoption leave and pay

- The same regulations as for parents having their own children, except for the nine weeks of Maternity leave. The whole period, with the exception of the father's quota, may be taken by either parent. In addition, parents adopting children from abroad receive a cash benefit of NOK38,320 (2007, €4,860).

Time off for the care of dependants

- Each parent of a child under 12 years has a right to 10 days leave when children are sick, or 15 if they have more than two children. Single parents have the right to 20/30 days a year. For severely or chronically sick children, there are extended rights to leave until the

child is 18 years old. Leave is paid at the same rate as sickness benefit.

Flexible working

- Breastfeeding mothers may reduce their working hours by two hours per day, with payment from the employer.
- Parents have a right to part-time work to care for children, until children are 10 years old.

2. Changes in leave policy and other related developments since 2004 (including proposals currently under discussion)

Increased flexibility was introduced in January 2007 into the parental leave (parental money) period and how it can be used. From 1 July 2008, self-employed parents will receive parental money estimated at 100 per cent of their earnings.

There is currently a lively political debate about extending the father's quota, stimulated by a proposal from the Committee on Equal Pay, which was asked by the government to consider measures to ensure equal pay between women and men. One of its proposals was to increase men's share of care by means of a tripartite division of the Parental leave, following the Icelandic model, i.e. dividing the leave period equally between fathers, mothers and a third part to be shared between parents as they choose. This led to political discussions, with the Prime Minister and the Minister for Children and Equality being against the proposal. Another committee, the Men's Panel, has proposed a compromise: a division of the parental leave period into four parts, one for each parent and the remaining two to be shared. Changes seem likely but it is too early to say what these will be and when they will be introduced.

3. Take-up of leave

a. Maternity leave

Three out of four mothers have the right to parental money; the remainder do not meet eligibility conditions. These figures are based on data from public records (Danielsen and Lappegård, 2003).

b. Paternity leave

The take-up rate is approximately the same as for the father's quota (89 per cent).

c. Parental leave

In the years prior to the introduction of the father's quota less than four per cent of fathers took some parental leave. Only a few years later, the take-up rate was over 70 per cent (representative sample, own research from 1997), and data from public records (2003) show that 89

per cent of fathers take leave. Brandth and Kvande (2003) show the many aspects of fathers' use of the fathers' quota. After the extension of the father's quota to six weeks in 2006, figures based on public records in 2007 show that 70 per cent of eligible fathers take more than five weeks. More and more fathers take six weeks (NAV).

Until 2005 the father's quota was four weeks. Figures have shown that use of the father's quota only constituted 7.7 per cent of the total leave time available. Most fathers do not take more than their quota: only 15 per cent of fathers take any part of parental leave (i.e. in addition to the father's quota). Parental leave, therefore, is for the most part taken by mothers and has in practice become a maternity leave. Father's use of the leave is dependant 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 education, high income and work status, and full-time employment.

However, some characteristics of the father are also associated with use of leave. The higher the father's level of education, the more likely he is to use the fathers' quota and other parts of parental leave. While the fathers least likely to use the quota are those with long working hours, in managerial positions or with a wife who works part time.

Moreover, fathers' sharing of parental leave also depends on their own relationship to work. Fathers must often negotiate with their employers when they want to take more leave than the father's quota, and the view that parental leave is really maternity leave is to be found among some employers. Fathers therefore may experience their jobs as a hindrance to taking more leave.

4. Research and publications on leave and other employment-related policies since January 2005

a. General overview

The Norwegian Research Council has an ongoing programme on Work Life Research. As part of this programme, there are several projects that deal with care- and employment-related policies, which are listed below (See section 4c).

b. Selected publications from January 2005, including results from research studies

Brandth, B., Bungum, B. and Kvande, E. (eds) (2005) *Valgfrihetens tid. Omsorgspolitik for barn møter det fleksible arbeidslivet.* [The epoch of free choice. care politics for children and the flexible working life]. Oslo: Gyldendahl

A central question in this edited volume is what type of care policies give parents and children more time together at the same time as they generate democratic gender relations. It shows how working life and welfare state policies influence parents' time for childcare, and a central question is how free choice works in this connection.

Kvande, E (2005) 'Embodying male workers as fathers in a flexible working life', in: D. Morgan, B. Brandth and E. Kvande (eds) *Gender: bodies and work*. London: Ashgate

In this chapter the welfare state is seen as a 'local embodying agent' in Norwegian working life through the introduction of the parental leave system for fathers. The system embodies male employees in work organisations by focusing on the need to protect fathers from the strains of working life and also permitting fathers to spend time with their young children.

Børve, H. E. (2007) 'Pregnant bodies in a globalised working life', *European Journal of Women's Studies*, Vol. 14, No. 4: 311–326

This article focuses on what happens when Norwegian female employees face working conditions imported from other countries, in a globalised Norwegian company.

Lappegård, T. (2008) 'Changing the gender balance in caring: fatherhood and the division of parental leave in Norway', *Population Research and Policy Review*, Vol. 27, No. 2: 139–153

Using register data from 1993–1997, the article shows that gender balance in breadwinning has a strong effect on fathers' use of parental leave.

c. Ongoing research

Det nye arbeidslivet: Nye arbeidstidsordninger blant fedre og mødre og blant foreldrepar [The new work life: new working hours among fathers and mothers and among couples]. Ragni Hege Kitterød and Randi Kjeldstad, Statistics Norway, Oslo.

The project studies how mothers and fathers with children living at home organise their time for employment and what consequences this might have for time pressure and division of work among couples. Contact: Ragni Hege Kitterød at ragni.hege.kitterod@ssb.no

Fleksible arbeidskulturer og foreldres tidskonflikter [Flexible work life cultures and parental time conflicts]. Elin Kvande and Berit Brandth, Department of Sociology and Political Science, NTNU (Norwegian University of Science and Technology), Trondheim

Sub-projects include: care policies in different time regimes (Birgitte Johannesen); gender and care in a globalised work life (Hege Børve); Children's time negotiations with parents in different working cultures (Brita Bungum); and time cultures and parental time conflicts (Berit

Brandth and Elin Kvande). Contact: Berit Brandth at berit.brandth@svt.ntnu.no or Elin Kvande at elin.kvande@svt.ntnu.no

Kjønn, mestring og deltakelse i arbeidsliv og hjemmeliv. [Gender, coping and participation in work and home life]. Øystein G. Holter, Work Research Institute, Oslo

The study focuses on how employees with care responsibilities solve the conflicts between working life and family life. What are the consequences for realisation of resources and competence in working life, and for life quality and relations in private life? Contact: Øystein Gullvåg Holter at oeholter@online.no

Postindustriell arbeidstid – nye begreper, nye realiteter? [Post-industrial working hours – new concepts, new realities?] Anne-Lise Ellingsæter, Institute for Social Research (ISF), Oslo

The main question in this study is to what extent and in what ways the restructuring of work in the post-industrial economy leads to a change in the time structure of employment. How does such a restructuring influence practice, norms and the social meaning of work and family? Contact: Anne Lise Ellingsæter at anne.l.ellingsater@samfunnsforskning.no

2.19

Poland

Irena E. Kotowska and Piotr Michoń

Population (UNDP)	2005	38.2 million
Total Fertility Rate (UNDP)	2000-05	1.3
GDP per capita (UNDP)	2005	US\$13,847
Female economic activity (UNDP)	2005	47.7 per cent
As % male rate (UNDP)	2005	78 per cent
% of employed working part time (ECLC)		
Men	2005	8 per cent
Women	2005	14.3 per cent
Employment gender gap (full-time equivalent) (ECI)	2005	13.4 % points
Employment rate (parents of children under 12 years)(EWM)		
Fathers	2006	88.0 per cent
Mothers	2006	60.8 per cent
Employment impact of parenthood (parents with a child 0–6 years)(ECI)		
Men	2006	+15.6% points
Women	2006	-10.3% points
Gender-related Development Index (UNDP)		35th
Gender Empowerment Measure (UNDP)		39th
Access to regulated ECEC services (OECD) ⁵⁵	2001	2 per cent
Children under 3 years	2001	36 per cent
Children 3–5 years (inclusive)		

⁵⁵ The access rate in 2006/7 was 2.3 per cent for children under three years and 44.6 per cent for children aged three to five years (Source: Statistical Yearbook 2007).

1. Current leave and other employment-related policies to support parents

a. Maternity leave (*urlop macierzyński*) (responsibility of the Ministry of Labour and Social Policy)

Length of leave (before and after birth)

- Eighteen weeks for a first birth, 20 for subsequent births, of which 14 weeks are obligatory: up to two weeks can be used before the expected date of birth.
- Eight weeks in the case of a baby's death.

Payment

- One hundred per cent of average earnings for 12 months before birth, with no ceiling on payments.

Flexibility in use

- None except for when leave can be started before birth.

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

- Insured employees, including all employees and self-employed women covered by social security insurance at the start of leave.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother

- In the case of multiple births, the length of leave increases to 28 weeks.
- Leave and leave payment unused by the mother, after the obligatory 14 weeks, may be transferred to the father, i.e. up to four weeks for the first birth, 6 weeks for subsequent births and 14 weeks for multiple births.

b. Paternity leave

No general statutory entitlement.

c. Parental leave (*urlop wychowawczy*) (responsibility of the Ministry of Labour and Social Policy)

Length of leave

- Thirty-six months. The entitlement is per family.

Payment

- A parental allowance (*Dodatek z tytułu opieki nad dzieckiem w okresie korzystania z urlopu wychowawczego*) of PLN400 (€115) per month is paid if monthly household income per capita does not exceed PLN504 (€145). The basic payment is for 24 months, but the period can be extended to 36 months where there is more than one child. The parental allowance is paid only to parents who are taking leave and not working; parents lose parental benefit if they use their right to work while being on Parental leave. The parental benefit is not paid if the child attends crèche or kindergarten.

Flexibility in use

- Leave can be taken until a child's fourth birthday.

- Parents can take leave in one continuous period or in up to four separate blocks.
- Parents can take leave together for up to three months.
- During the Parental leave period, parents may be employed if working does not prevent them from caring for their children. A parent working while on leave can be employed by a different employer. However, a parent working while taking Parental leave cannot claim the parental allowance.

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

- Employees with a work record of at least six months.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the parents

- Leave may be extended for another 36 months if a child is disabled or chronically ill and requires care, but can be taken no later than the child's 18th birthday. A payment of PLN583 (€148) per month is made in these cases and the payment period can be extended up to 72 months.

d. Childcare leave or career breaks

No general statutory entitlement.

e. Other employment-related measures

Adoption leave and pay

- The same regulations as for parents having their own children.

Time off for the care of dependants

- An employee can take leave of up to 14 days per year to provide personal care for a family member, paid at 80 per cent of earnings.
- An employee can take leave to care for a child up to 8 years of age (14 years if the child is disabled or chronically ill) in the case of: an unforeseen closure of a nursery school, kindergarten, or school; or the illness or childbirth of the spouse caring permanently for the child. This leave is also paid at 80 per cent of earnings.

Flexible working

- No general statutory entitlement.

2. Changes in leave policy since 2005 and other related developments (including proposals currently under discussion)

Due to recent regulations (December 2006), maternity leave has been extended to 18 (for a first birth), 20 (for each successive birth) and 28 weeks (for multiple births) respectively and the government is planning a further extension. According to the proposal for family policy changes currently under preparation, maternity leave will be extended gradually to 26 weeks (for single births, irrespective of order) and to 39 weeks (for multiple births) in 2014, reaching 20 and 31 weeks, respectively, in 2009. The law is expected to be in force from 1 January 2009.

In the context of the low fertility rate in Poland, policy measures aimed at a fertility recovery are under strong political and public debate. Experts argue that besides reducing financial costs of children, measures that diminish incompatibilities between work and family are necessary. That argument is strengthened by the fact that Poland needs both higher fertility and increased employment of men and women. Rigid labour market conditions, traditional patterns of sharing family responsibilities which limit men's use of different gender neutral measures related to childcare, and deeply underdeveloped childcare services result in strong incompatibilities between work and family. Since both structural and cultural causes for these incompatibilities have been identified by experts, gender roles receive more attention and the role of employers is highlighted as well. The term 'a family-friendly employer' has started to appear in public debates.

In the draft of the family policy programme, prepared at the beginning of 2007 by the previous government and currently under consultation, reconciliation issues are for the first time not ignored. The new government, which took office at the end of November 2007, is continuing to work on family policy changes, and in the new draft, work-family reconciliation measures receive even more attention. For instance, it is proposed that: parental benefit will still be paid to a parent on parental leave who combines leave and work; contrary to the current regulation, the parental benefit will not be withdrawn if a child attends a childcare centre; there will be some incentives for companies to implement family-friendly measures; the enterprise social fund can be used to finance childcare centres established by a company as well as to refund costs of institutional care covered by parents; and companies will be released from their obligatory contributions to the social security funds for persons who return to work after maternity and parental leave.

3. Take-up of leave

a. Maternity leave

There are no regular statistics on use of maternity leave, though it is obligatory to take leave. Data on maternity allowances provided by the Social Insurance Institution (*Zakład Ubezpieczeń Społecznych*) refer to the number of days paid and cannot be used to calculate the number of users since duration of leave depends on birth order. It is likely that, due to increase in the number of births since 2004, the number of mothers on Maternity leave in Poland also increased, and the number of days of Maternity leave used in a year has risen: from 22,262 days in 2004, to 23,640 in 2005, and to 24,832 in 2006.

There is no information on the number of fathers who take a period of Maternity leave that is unused by their partners.

b. Paternity leave

There is no statutory leave entitlement.

c. Parental leave

There are no regular and coherent government statistics on the use of Parental leave and parental allowances. Statistics show the number of parents taking leave declined from 336,000 in 1993 to 139,000 in 2000; a major reason for this fall was the rapid decline in fertility, the number of births dropping from 547,700 in 1990 to 378,300 in 2000. Another source shows that the number of persons returning to work from Parental leave and unpaid leave declined steadily from 49,000 in 2000 to 41,000 in 2002 and 35,000 in 2005.

Other statistics refer to the numbers receiving parental allowance: that number declined from 164,000 persons in 2000 to 63,000 in 2003. Reforms of family benefits implemented in 2004 increased the number to 140,000 in 2005 but it dropped to 130,700 in 2006.

Summing up, the available official statistics do not show the incidence of Parental leave among parents entitled to take leave, the proportion of parents who receive parental allowance, or the average duration of leave; and despite the fact that fathers have been entitled to parental leave since 1996, no data about take-up are collected.

A more precise picture of take-up of Parental leave comes from analyses of data collected in the second quarter of 2005 using a module added to the Labour Force Survey (Kotowska and Baranowska, 2006; Matysiak, 2007). Amongst those entitled to take Parental leave, nearly 50 per cent of mothers but only 2.5 per cent of fathers took the leave. Due to the low benefit level and means testing, Parental leave was most used by low-paid mothers and mothers with low levels of education; leave was taken by 37 per cent of mothers with university education, 54 per cent with secondary education, and 61 per cent with the lowest educational level. Women with higher qualifications (specialists and managers) were also more reluctant to take leave than women employed in the personal service sector or offices.

About 70 per cent of women who took Parental leave were entitled to parental allowance (i.e. their household income was low enough to be eligible). One in two women with tertiary education received parental allowance compared with 72 per cent of women with only secondary education and 81 per cent of women with the lowest level of education. Women living in villages were more likely to receive the allowance than their counterparts in towns (82 per cent and 64 per cent respectively).

A substantial majority of mothers took full-time leave (80 per cent) despite the right, since 2003, for part-time employment during the leave period. Similarly, most women on leave (almost 93 per cent) did not take advantage of the option to take leave in more than one block of time.

Among reasons for not taking Parental leave, mothers indicated financial reasons more often than fathers (30 per cent of mothers vs. 14 per cent of fathers). However, reasons related to employment seem to be more relevant than financial ones. Concerns about possible negative career impacts of taking Parental leave and preferences to stay in employment were raised by 37 per cent of mothers and 30 per cent of fathers. Urban residents were more concerned about these negative effects.

In discussion on take-up of Parental leave, the underdevelopment of institutional childcare services cannot be ignored. In 2005 only 2 per cent of children under three years of age attended crèches, and 41 per cent of children aged three to five years attended kindergartens. These figures are low compared with other EU member states. In addition, no childcare subsidies are offered to families. The estimated cost of childcare to a minimum income earner ranges from 23 per cent of earnings to 82 per cent, and for a person with an average monthly income from 8.5 per cent to 30 per cent. Childcare is therefore less affordable to single and/or minimum income families and/or for families with more than one child requiring childcare.

If one also takes into account the rather inflexible working arrangements and the limited provision of part-time work, it is clear there are strong incompatibilities between work and parenthood in Poland. The family policy can be labelled as an 'imposed home care' model: employed parents mostly have to rely on themselves and the support of relatives to ensure childcare. In the 2005 survey, nearly 45 per cent of mothers of children below three years of age, who were not in work, state that difficulties in reconciling work and care for small children were the main reason for their decisions to stay out of the labour market. At the same time, nearly one-third of mothers could not find a job.

4. Research and publications on leave and other employment-related policies since January 2005

a. General overview

Recent years have brought a rising interest in leave policies and work-family arrangements both in research and public discourse. Studies of developments in family life and changes in family policy in Poland have been carried out, often taking a comparative perspective and referring

to EU policy. Labour market developments and their possible impacts on family behaviours, as well as the effects of leave policies on employment careers, have also received attention. Moreover, in studies on reconciling work and family life, gender issues and the role of employers are increasingly under consideration.

Another important development in research on family policy is an increasing use of sample surveys designed to study opinions on existing policy measures, the use of these measures and support for different policy options.

b. Selected publications from January 2005, including results from research studies

Matysiak A. (2005) 'The sharing of professional and household duties between Polish couples: preferences and actual choices', *Studia Demograficzne*, No. 1/147: 122–154

The concept of family models, referring to the reconciliation of the demands of family and employment, was applied to study couples' preferences and practices. Although the most preferred model was the dual earner/dual carer model, the most often practiced was the dual earner/female double burden model and the male breadwinner model.

Balcerzak-Paradowska B. (2004) *Rodzina i polityka rodzinna na przełomie wieków [Family and family policy at the turn of the century: changes, threats and the need for action]*. Warsaw: Institute of Labour and Social Issues

The book discusses demographic and family changes in Poland in relation to changes observed in Europe, and the need for an adequate family policy. Changes in family policy in Poland during the transformation time are described in detail and compared with main developments in EU countries.

Kotowska, I. E. (ed.), Matysiak, A. and Domaradzka, A. (2005) *Scenariusze polityki ludnościowej dla Polski: Badanie eksperckie Delphi [Population policy scenarios for Poland: results of the Delphi Study]*. Warsaw: Warsaw School of Economics

The book presents population policy scenarios resulting from the Delphi Study carried out under the DIALOG project. One of the scenarios, evaluated as highly desirable and highly feasible, aimed at promoting individual responsibility for old age (ageing) and responsible parenthood (family and fertility). The second one, highly desirable and possibly feasible, was orientated to better living conditions for the elderly (ageing) and families (family and fertility), and promoting equal opportunities for women and men (gender roles). The third one, assessed as possibly desirable and feasible, put an emphasis on activity, responsibility and self-development (measures related to ageing and gender roles).

Kotowska, I. E. (2005) 'Europa wobec przeobrażeń rodziny. Czy potrzebna jest europejska strategia prorodzinna?' ['Europe towards family changes: Is there a need for a European family strategy?'], in: M. J. Radło (ed.) *Polska wobec redefinicji Strategii Lisbońskiej* [Poland towards redefinition of the Lisbon Strategy], Warsaw-Gdansk: Gdansk Institute on the Market Economy, pp. 223–241

Fertility increase is discussed as a goal that needs to be achieved to increase the developmental potential of Europe, leading to the conclusion that family policy should be included in a redefined Lisbon Strategy.

Kotowska, I. E. (2005) 'Work and parenthood: main findings of comparative data analysis and some policy implications', *Studia Demograficzne*, No. 2/148: 54–82

A synthesis of findings presented in the report of the DIALOG project (see Kotowska et al., 2005, below).

Kotowska, I.E. (ed.), Matysiak, A., Muszyńska, M. and Abramowska, A. (2005) *Work and parenthood: comparative data analysis and policy implications, workpackage 6. DIALOG project*. Warsaw: The Institute of Statistics and Demography, Warsaw School of Economics. Available at: <http://www.bib-demographie.de/ppa/IndexDialogStart.htm>

The research report presents analyses on work–family arrangements in 14 European countries based on analysis of data from the Population Policy Acceptance Survey, undertaken as part of an EU project named DIALOG. The analysis included employment patterns of couples, using a typology of family models: the male breadwinner model, the modernised male breadwinner model and the dual earner model. It includes analysis of practised and preferred work–parenthood arrangements. The study covers countries with different stages of demographic development, different levels of economic development, and different welfare regimes.

Wóycicka I. (ed.) (2005) *Szanse na wzrost dzietności – jaka polityka rodzinna* [Chances to increase fertility – what type of family policy is needed? Polish Lisbon Strategy Forum]. Gdańsk: Blue Books

The book presents proceedings from the conference on 'Chances to increase fertility – what type of family policy is needed'. The first part presents economic and cultural determinants of fertility. Its subsequent chapters refer to: Family change: Poland and Europe; economic activity of women – chances and results; cultural patterns of family in Poland; and fertility. In the second part, different measures of family policy are discussed and evaluated. Firstly, family policy in Poland is described in reference to policies in selected European countries. Next, job protection of pregnant women and mothers caring for small children is discussed. Policy measures referring to institutional care and education are considered from the reconciliation perspective. And

finally, the role of social services is considered. The third part is devoted to good practices that should be promoted.

Balcerzak-Paradowska, B., Szymborski, J., et al. (2006) *Sytuacja demograficzna Polski i założenia polityki ludnościowej w Polsce – Raport 2004* [Demographic situation of Poland and assumptions regarding population-related policy in Poland: Report 2004]. Warsaw: Governmental Population Council. Available at:

http://www.stat.gov.pl/bip/389_43_PLK_HTML.htm

The report includes a programme of population-related policy prepared by the group of experts nominated by the Governmental Population Council. After evaluating demographic changes in Poland and policy responses, the programme proposes, for different domains, goals and measures. As well as policies related to ageing and migration, the programme focuses on family policy.

Kotowska, I. E. (2006) 'Poland', in: N. van Nimwegen and G. Beets (eds) *Social situation observatory, Demography Monitor 2005: demographic trends, socio-economic impacts and policy implications in the European Union, report 72*. The Hague: Netherlands Interdisciplinary Demographic Institute, pp. 276–283.

The report presents an evaluation on the most important population-related policy issues in Poland and information on recent changes in policy.

Kotowska I. E. and Baranowska, A. (2006) *Praca a obowiązki rodzinne w 2005 r.* [Work and family in 2005, information and statistical analyses]. Warsaw: Central Statistical Office

The publication presents results of the special cross-sectional survey on reconciliation between work and family life, carried out in 2005 as an *ad hoc* module in the Labour Force Survey, following Eurostat recommendations. The analysis deals with family-supportive work arrangements, use of parental leave and use of childcare services by the individual and employment characteristics of users.

Michoń, P. (2006) *Familisation and defamilisation policy in 22 European countries*, paper presented at the 4th Annual ESPAnet Conference, *Transformation of the welfare state: political regulation and social inequality*, 21–23 September 2006, Bremen. Available at: <http://www.espanet2006.de/>

The paper compares state policy towards working families in 23 European OECD countries and their potential consequences for women's labour market activity. It develops and uses a welfare state typology based on the theoretical concept of familisation and defamilisation, focusing on the caring function of a modern family and its consequences for women labour market activity.

Kwiatkowska, A. and Nowakowska, A. (2006) *Mężczyzna polski, psychospołeczne czynniki warunkujące pełnienie ról zawodowych i rodzinnych* [Polish Man, psycho-sociological factors influencing fulfilling family and professional roles]. Białystok: Wydawnictwo Wyższej Szkoły Ekonomicznej w Białymstoku

The report presents results from a study on fatherhood, with special attention paid to professional and family responsibilities. The majority of fathers expressed a strong belief that to give up work when children are small is a bad solution. Fathers who used Parental leave are more likely to participate actively in unpaid work at home and perceive more activities (like ironing, washing, preparing food) as gender neutral.

Głogosz, D. (2007) *Kobiety Zatrudnione W Niepełnym Wymiarze Czasu Pracy, Skutki dla życia rodzinnego i zawodowego* [Women working part-time; the consequences for family and professional life]. Warsaw: IPiSS (Institute of Labour and Social Issues)

The book presents a comprehensive overview of socio-economical characteristics of part-time employment of women in Poland; also work-life balance, sharing work and responsibilities in the household and opportunities for mothers are discussed.

Kotowska, I. E. (2007) 'Uwagi o polityce rodzinnej w Polsce w kontekście wzrostu dzietności i zatrudnienia kobiet' ['Remarks on family policy in Poland in the context of increases in fertility and women's employment'], *Polityka Społeczna*, No. 8: 13–19.

Debates on increased fertility in Poland cannot ignore that simultaneously, there is a strong pressure on increasing employment, especially for women. The article focuses on determinants for reconciling labour market participation and family, considered in terms of structural and cultural conflicts. By referring to results of empirical studies in the field, it is argued that those measures which reduce indirect costs of motherhood are of primary relevance for stimulating both fertility increase and higher employment of women. These measures diminish the structural conflict (the institutional setting not adequately adjusted to women's employment) and cultural conflict (the perception of gender roles neglecting the increasing labour force participation of women). They include: the development of institutional childcare, gender-neutral possibilities of flexible work organisation and part-time employment, leave and social benefits, as well as promotion of the dual earner-dual carer family model and gender equality in employment.

NB. This issue (No. 8, 2007) of *Polityka Społeczna* (Polish monthly journal on social policy) is a special issue on the theme of family policy in Poland. Supplemented by an article by C. Saraceno - 'Family policies in Europe: a comparative perspective' – the issue has been published in English.

Kotowska I. E., Słotwińska-Rosłanowska, E., Styrac, M. and Zadrożna, A. (2007) *Sytuacja kobiet powracających na rynek pracy po przerwie spowodowanej macierzyństwem i opieką nad dzieckiem [Mothers returning to work after job breaks related to maternity and parental leave, research report]*. Warsaw: Polish Association of Social Policy

The report presents results of a survey, conducted in 2007, of women working in non-agricultural sectors who gave birth in the years 1995–2004, focusing on their arrangements for reconciling family and work. Mothers were also asked their preferences and evaluation of existing practices, duration of leave and leave allowances. Mothers' opinions were compared with employers' opinions drawn from a sample survey of firms, also conducted in 2007.

Matysiak, A. (2007) 'Organizacja czasu pracy i opieki' ['Work and care'], in: I. E. Kotowska, U.Sztanderska and I.Wóycicka (eds) *Aktywność zawodowa i edukacyjna a obowiązki rodzinne [Economic and educational activities and family]*. Warsaw: Scholar Publishing Company

Further data from analysis of the LFS-based survey on reconciliation between work and family life (see Kotowska and Baranowska, 2006).

Kotowska, I. E., Sztanderska, U. and Wóycicka, I. (eds) (2007) *Aktywność zawodowa i edukacyjna a obowiązki rodzinne [Economic and educational activities and family]*. Warsaw: Scholar Publishing Company

The book extensively discusses economic activity, education and family responsibilities in Poland from the household and individual perspectives. Financial and care transfers as well as time allocation between employment, education and family are also included. The main data source used are the Labour Force Survey, the LFS-based survey on reconciliation between work and family life (2005) and a nationally representative survey (2005) which extends the issues studied under the LFS survey of work and family. Analyses are carried out within the context of the main population and labour market developments after 1989.

Muszyńska, M. (2007) *Structural and cultural determinants of fertility in Europe*. Warsaw: Warsaw School of Economics, Warsaw.

Differences in fertility levels in Europe are discussed by referring to various theoretical concepts and empirical studies on incompatibility between women's employment and fertility. The theoretical model developed by the author makes a distinction between structural and cultural factors and describes their effects on fertility decisions and fertility at the macro level. Some models are empirically justified and referred to selected typologies of the welfare state.

Kotowska I. E. and Matysiak, A. (2008) 'Reconciliation of work and family under different institutional settings', in: C.Höhn, D.Avrarov

and I. E. Kotowsska. (eds) *People, population change and policies: lessons from the Population Policy Acceptance Study*. New York: Springer, pp.327–350.

The Population Policy Acceptance Survey data were used to analyse work–family life arrangements from two perspectives: a desirable increase in female employment and a highly desirable rise in fertility. The practised and preferred work–family arrangements were studied in terms of the family-partnership models by employment patterns, with special emphasis being placed on institutional settings.

Kotowska, I. E., Jóźwiak, J., Matysiak, A. and Baranowska, A. (forthcoming, 2008) 'Childbearing Trends and Policies: Polish Case Study', in: T. Frejka, J. Hoem, T. Sobotka and L. Toulemon (eds) [*Childbearing trends and policies*] (working title). New York: Springer
The main trends in family-related behaviours in the years 1989–2005 (i.e. fertility decline and changes in its patterns, a decreasing propensity to marry, postponement of marriage, and a slowly increasing frequency of divorces and separations) are discussed, taking into account labour market developments and family policy, including measures to increase fertility.

Michoń, P. (2008) *Praca Matek w Polityce Krajów Unii Europejskiej* [*Labour of mothers in the policy of European Union countries*]. Poznań: Wydawnictwo Akademii Ekonomicznej w Poznaniu.
Comparative analysis of work–life balance policy in 27 EU countries. Special attention is paid to three groups of policy tools: *familisation of care* - family related leave (maternity, paternity, parental, childcare leave and benefits); *defamilisation of cost* - family benefits and tax allowances; *defamilisation of care* - childcare facilities for children from birth to statutory school age.

Michoń, P. (forthcoming, 2008) *Kij i marchewka, - uprawnienia ojców do korzystania z urlopów rodzinnych i ich wpływ na podział pracy w rodzinie* [*Stick and carrot - fathers' entitlements to family related leave and their consequences for division of work in family*].

The article discusses the problem of availability, evolution and use of family-related leave for fathers, with special attention paid to the impact the leave has for division of work within a family.

c. Ongoing research

Postawy i preferencje rodziców wobec różnych form opieki nad dzieckiem a ich zadowolenie z życia [*Parents' childcare-related attitudes and preferences and their life satisfaction*] (2008–2009). Piotr Michoń, Poznan University of Economics.

Programy Praca-Życie jako czynnik konkurencyjności firm i kształtowania społecznego środowiska pracy [*Companies' work-life balance policy as a factor for competitiveness and the work and social*

environment] (2007–2009). Dorota Głogosz, IPISS (Institute of Labour and Social Issues).

Strukturalne i kulturowe uwarunkowania aktywności zawodowej kobiet w Polsce [Structural and cultural determinants of women's labour force participation] (2005–2008). Irena Kotowska, Institute of Studies on Market Economy, Warsaw School of Economics

Women's participation in the labour market in Poland is studied taking into account institutional and economic changes after 1989 as well as attitudes and opinions about women's employment and family duties. The main data sources are two country-level representative sample surveys: the cross-sectional survey on reconciliation between work and family of 2005 and the retrospective survey of 3,000 women and their partners in 2006, which allows for a longitudinal approach. The book will be published by the end of 2008.

2.20

Portugal

Karin Wall and Mafalda Leitão

Population (UNDP)	2005	10.5 million
Total Fertility Rate (UNDP)	2000-05	1.5
GDP per capita (UNDP)	2005	US\$20,410
Female economic activity (UNDP)	2005	55.7 per cent
As % male rate (UNDP)	2005	79 per cent
% of employed working part time (ECLC)		
Men	2005	7 per cent
Women	2005	16.2per cent
Employment gender gap (full-time equivalent) (ECI)	2005	15.1% points
Employment rate (parents of children under 12 years) (EWM)		
Fathers	2006	94.2 per cent
Mothers	2006	76.4 per cent
Employment impact of parenthood (parents with a child 0–6 years)(ECI)		
Men	2006	+11.8% points
Women	2006	+ 3.9% points
Gender-related Development Index (UNDP)		28th
Gender Empowerment Measure (UNDP)		22nd
Access to regulated ECEC services (OECD)		
Children under 3 years	2004	23.5 per cent
Children 3–5 years (inclusive)	2004	78 per cent

1. Current leave and other employment-related policies to support parents

a. Maternity leave (*licença de maternidade*) (responsibility of the Ministry of Labour and Social Solidarity)

Length of leave (before and after birth)

- One hundred and twenty calendar days: 90 must be taken following the birth, the remaining 30 days may be taken before or after the birth.

Payment

- One hundred per cent of earnings, with no ceiling on payments.

Flexibility in use

- Women can choose when to take 30 of the 90 days.

- Women (or men) can take 120 calendar days at 100 per cent of earnings or 150 calendar days at 80 per cent.
- The mother must take at least six weeks leave after which the remaining entitlement can be transferred to the father.

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

- All women employees with a record of six months (continuous or intermittent) of insurance contributions. Mothers who have no record of contributions are entitled to a monthly benefit of €325 for four months.
- Self-employed workers who contribute to social security and unemployed women receiving unemployment benefit.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother

- In the case of multiple births, the leave period is extended by one month for every additional child.
- In cases of poor health or death of the mother after giving birth, the father is entitled to the (remaining) leave to which the mother would otherwise have been entitled.
- A working grandparent is entitled to 30 days leave following the birth of a grandchild to an adolescent still living at home.
- In cases of poor health or health risks for the mother and child, pregnant women are entitled to receive maternity benefits before birth for as long as the period of risk lasts, without any loss of the 120 days Maternity leave.

b. Paternity leave (*licença de paternidade*) (responsibility of the Ministry of Labour and Social Solidarity)

Length of leave

- Five working days which are obligatory.

Payment

- As maternity leave.

Flexibility in use

- The five days may be taken during the first month after birth.

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

- As maternity leave.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother

- None.

c. Parental leave (*licença parental*) (responsibility of the Ministry of Labour and Social Solidarity)

Length of leave

- Three months per parent. The leave is an individual and non-transferable entitlement.

Payment

- None, except for 15 'daddy days' (calendar days) paid at 100 per cent of earnings, with no ceiling on payment, if taken by the father immediately after the fifth day of Paternity leave or immediately after Maternity leave.

Flexibility in use

- The three months leave may be taken up to the child's sixth birthday and can be taken: a) on a full-time basis for three months; b) on a half-time basis for a period of 12 months per parent; or c) on an alternating basis, i.e. working half time and full time up to a maximum of three months full time per parent.

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

- As maternity leave.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the parents

- When there is a severely handicapped or chronically ill child, including adopted children and living-in stepchildren, one of the parents is entitled to six months leave (*licença para assistência a pessoa com deficiência ou doença crónica – leave to care for a handicapped or chronically ill child*), which may be extended to 4 years and taken up to the child's 12th birthday. This leave can only be taken by one of the parents and it is paid at 65 per cent of earnings, with a maximum payment equivalent to the national minimum wage (€403 per month in 2007).

Additional note (e.g. if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)

- Where both parents work for the same employer, the employer has a right to postpone the leave of one of the parents.

d. Childcare leave or career breaks

- After parental leave, and only if parental leave was taken up, one of the parents may take two years special leave on a full-time basis, extended to three years when there is a third or subsequent child (*licença especial para assistência a filho ou adoptado – special leave to care for a child or an adopted child*). The leave is unpaid. However, unlike parental leave, which is an individual entitlement, this special leave can only be taken by one parent who must prove that the other partner is employed or incapable of working. Moreover, while parents on Parental leave continue to be considered as employees with full rights and guarantees as if they were working (for example, they continue to be entitled to holidays which they can take at the end of the leave period), in the case of special leave (and of leave to care for handicapped or chronically ill children), there is a suspension of the work contract: all rights and guarantees are suspended but the worker's right to return to his/her job is safeguarded. The period of special leave is also taken into account in the calculation of old-age and invalidity pensions.

e. Other employment-related measures

Adoption leave and pay

- In cases of adoption of a child under the age of 15 years, the adopting parent has a right to 100 consecutive days of leave. If there are two adopting parents, the leave may be divided between them.

Time off for the care of dependants

- Up to 30 days per year can be taken to care for sick children under the age of 10 years, with no age limit in the case of a child who is chronically ill or disabled. This is a family entitlement to be divided between parents as they choose. Paid at 65 per cent of the minimum wage. If the child under the age of 10 years is in hospital care, this entitlement lasts for as long as the child is in hospital.
- Up to 15 days unpaid leave per year to care for a spouse, an older child, or a close relative (parents, grandparents, siblings). The entitlement is increased by one day for every second and subsequent child. Workers in the public sector are entitled to nearly full payment (they lose one-sixth of their earnings).

Flexible working

- Parents are entitled to two hours 'nursing' leave per day during the first year after birth, with no reduction of earnings (*dispensa para amamentação e aleitação – leave to breastfeed or to feed*). This is a family entitlement. The leave may be taken by one parent, either the mother or the father, usually in two different periods: one hour in the morning and one hour in the afternoon (unless negotiated otherwise with the employer). Parents may also share the nursing leave by taking one hour each per day. In cases of multiple births, leave is increased by 30 minutes for every child.
- If there is a handicapped or chronically ill child below one year of age, one of the parents (as long as the other is employed) may also apply for a five-hour reduction in the working week.
- Parents are entitled to four hours leave per school term to go to their children's school until children reach 18 years of age, with no reduction of earnings.

2. Changes in leave policy since 2004 and other related developments (including proposals currently under discussion)

Between 2002 and 2005, the centre-right wing coalition emphasised a familialistic policy perspective. Rather than gender equality and the expansion of services to support dual earner families with children, as under the previous socialist government, the main issue on the policy agenda was the need to allow women more freedom of choice, through part-time work and staying at home, in the reconciliation of work and family life. Pro-natalist and pro-life perspectives were also high on the agenda. Policy developments included extending the right to unpaid part-time Parental leave from 6 to 12 months, increasing the protection

of mothers in the workplace and building up 'life support services', i.e. support services for vulnerable pregnant women. In 2004, options were introduced for taking maternity leave: leave can now be taken for four months at 100 per cent of earnings or five months at 80 per cent of earnings. It was also made obligatory for fathers to use the five days of Paternity leave.

New elections took place in 2005, with the Socialist Party winning a majority of seats in parliament. Work/family policy again centred on the promotion of an 'early return to full-time work' policy model, based on a short well-paid leave, full-time employment both for mothers and fathers and a complementary relationship between the leave system and services for young children (see Wall, Review 2007, chapter 1.3,).

Two main policy developments affecting work/family balance have been stressed. First, the expansion of early childhood education and care services to support dual earner families with young children, with specific goals to be achieved by 2009: to reach a coverage rate of 33 per cent for the under three years age group, a 90 per cent coverage rate for the three to five years age group and a 100 per cent coverage for children aged five years; and to integrate all primary school children in out-of-school childcare services. Second, increasing paid maternity leave (150 days at present) within a framework of more equal sharing between mothers and fathers. One suggestion, from the government's electoral programme, was to provide a fifth month of maternity leave at full earnings, but to make this conditional on more equal sharing of the previous four months between mothers and fathers. Another proposal, in a more recent document setting out the revision of the social security system (2006) and currently under discussion by social partners, is an increase in paid maternity leave by one month for every second and subsequent child (dependant on more equal sharing of the previous months).

However, policy measures in the field of Maternity and Paternity leave have not yet been introduced. In part this may be explained by the recent public debates on the decrease in fertility rates in Portuguese society (which dropped to its lowest value ever in 2006: 1.36) and on the high rates of poverty in families with children. Policy priorities have shifted towards family policy objectives emphasising pro-natalist goals and financial support for families. The following measures were introduced: extension of family benefits to pregnant mothers (as from the 13th week of pregnancy); additional (20 per cent) family benefit for lone mothers; a social maternity benefit for mothers who are not entitled to Maternity leave because they do not have social security contributions (€325 per month, for four months); and the introduction of higher family benefits for second and subsequent children (family benefit is doubled for children between one and three years in households with two children and tripled in households with three

children). Policy aims regarding the extension of Maternity leave and the building up of gender equality in maternity/paternity leave therefore seem to have been put on hold.

3. Take-up of leave

a. Maternity leave

It is estimated by the Ministry of Labour and Social Solidarity that two-thirds of mothers (66.6 per cent, in 2006) are eligible for paid maternity leave. In 2006, 24 per cent of mothers on Maternity leave decided to choose the longer leave period, i.e. five months at 80 per cent of earnings. For 2007 it is estimated that 36 per cent of mothers have decided to take the longer leave period.

Parental sharing of the four or five months of maternity leave has remained at extremely low levels. In 2004 only 391 fathers (0.3 per cent) shared some of the leave and in 2005 and 2006 only 413 and 442 (0.4 per cent). For 2007 it is estimated that 554 fathers shared the leave. In summary, the four or five months of leave after childbirth still seem to be considered as 'maternity' leave rather than as 'shared' leave.

b. Paternity leave

The emphasis on gender equity in Portuguese policy appears to be having some effect. Since 2002 there has been a steady increase in the take-up of paternity leave. The five-day paternity leave (introduced in 1999 and made obligatory in 2004) was used in 2000 by 11 per cent of fathers, increasing to 26 per cent in 2002 and to 35 per cent in 2003. Since then, the proportion of fathers who take the five-day paternity leave has increased about 2 per cent per year: 37 per cent in 2004, 39 per cent in 2005 and 41 per cent in 2006. Estimates for 2007 confirm these trends: 45,687 fathers in 2007 took the leave (up from 42,894).

The same trends may be observed for the 15 additional Paternity leave days (the optional 'daddy days' introduced in 1999). In 2001 only 4 per cent of fathers chose to take the 15 days and this increased to 14 per cent in 2002 and to 24 per cent in 2003. Since then, take-up rates have been increasing slowly: to 28 per cent in 2004, 30 per cent in 2005, 33 per cent in 2006. Estimates for 2007 confirm these trends: 37, 552 fathers taking up the 15 daddy days (up from 34,296).

The rise in take-up of Paternity leave is related to increased awareness of benefit conditions and entitlements. Nevertheless, traditional gender role attitudes in workplaces often play a role in depressing take-up. The 'obligatory' clause introduced in 2004 is helping to increase take-up rates of the five day leave but the impact is not as widespread as expected.

c. Parental leave

There is no information on take-up of leave. But as leave is unpaid, take-up is estimated to be very low.

4. Research and publications on leave and other employment-related policies since January 2005

a. General overview

Most research has been on the broad question of the reconciliation of work and family life rather than specifically on leave policy, though most studies include information on such policies.

b. Selected publications from January 2005, including results from research studies

Guerreiro, M.D., Lourenço, V. and Pereira, I. (2006) *Boas práticas de conciliação entre a vida profissional e a vida familiar. Manual para as Empresas [Good practices for the conciliation of work and family life. A handbook for employers]*. Lisbon: CITE

This book describes and analyses good practices of work/family balance in various Portuguese firms.

Guerreiro, M. D. and Pereira, I. (2007) 'Women's occupational patterns and work-family arrangements: do national and organisational policies matter?' in: R. Crompton, S. Lewis, C. Lyonnette (eds) *Women, men, work and family in Europe*. Basingstoke: Palgrave Macmillan, pp. 190–209.

This chapter focuses on women's occupational patterns and work-family arrangements, drawing on a study of various service organisations employing a significant number of women. The main aim of the study was to analyse the different work-family policies and practices in these organisations and their relationship with the working parents' strategies towards their jobs and family life.

Wall, K. (2007) 'Main patterns in attitudes to the articulation between work and family life: a cross-national analysis', in: R. Crompton, S. Lewis and C. Lyonnette (eds) *Women, men, work and family in Europe*. Basingstoke: Palgrave Macmillan, pp. 86–115

Drawing on data from the ISSP Family and Gender Survey (2002), this chapter explores the diversity in attitudinal patterns to work/family articulation in seven countries (Portugal, Spain, Czech Republic, Germany, Great Britain, France and Sweden). Using national and cross-national analyses, the main objective was to understand the attitudinal diversities and contrasts developing in European society in relation to work/family articulation.

Wall, K. and Amâncio, L. (2007) *Família e género em Portugal e na Europa*. Lisboa: Imprensa de Ciências Sociais

This book provides a cross-national analysis of attitudes to family life and gender roles and of work/life stress in seven European countries (Portugal, Spain, UK, France, Germany, Sweden and the Czech Republic).

Wall, K. (2008) 'I modelli di politiche relative ai congedi e l'articolazione lavoro/famiglia in Europa: una prospettiva comparativa' ['Leave policy models and the articulation of work and family in Europe: a comparative perspective'], *Rivista Sociologia e Politiche Sociali*, No. 1

This article analyses cross-national variations in Parental leave policy in 19 European countries. On the basis of comparative evidence describing leave arrangements and their connections to other work/family issues, it identifies six main leave policy models.

NB. This issue of *Politiche Sociali* (No. 1, 2008) is a special issue on the theme of family, gender and work: policies and practices in the European context, edited by I. Crespi and S. Bould.

Wall, K. (2008, forthcoming) 'Family change and family policy in Europe', in: S. Kamerman and A. Kahn (eds) *Family change and family policies in Southern Europe*. Oxford: Clarendon Press.

The chapter on Portugal analyses six main topics: the formation of families; family law; families and the division of labour (including the analysis of employment and parenting policies); the income of families; families and social services; the politics and institutionalisation of family policies.

c. Ongoing research

Transnational care practices of refugees and working class migrants living in Australia and Portugal: a comparative perspective. University of Lisbon and University of Western Australia

The aim of this research is to explore the impact of distance on the experiences of working class migrants and refugees living in Australia and in Portugal who care for ageing, disabled parents in their home countries. This research addresses the questions of their motivation to contribute to practical, emotional and personal care of their elderly parents back home, of their capacity (ability, opportunity) to assist primary care-givers, of the influence of cultural differences in expectations and obligation of care and notions of independence on the delivery of distant care, and of the structural constraints that shape the forms of this type of care-giving. Contact: imerla@cyllene.uwa.edu.au

WOUPS (Workers under pressure and social care (2007–2009)), Coordinated by Claude Martin, CNRS/University of Rennes, in collaboration with ICS/University of Lisbon (K. Wall), University of Torino (C. Saraceno, M. Naldini), University of Utrecht (T. Knijn), University of Göteborg (U. Bjornberg) and WSI (C. Klenner).

The aim of this research project is to understand how workers with long or atypical working hours reconcile work and family life. The project will look at the development of policies and policy-making in six different countries and carry out qualitative studies focusing on two types of workers and caring needs: parents with young children and workers caring for a dependant elderly relative.

2.21

Slovenia

Nada Stropnik

Population (UNDP)	2005	2 million
Total Fertility Rate (UNDP)	2000-05	1.2
GDP per capita (UNDP)	2005	US\$22,273
Female economic activity (UNDP)	2005	53.6 per cent
As % male rate (UNDP)	2005	80 per cent
% of employed working part time (ECLC)		
Men	2005	7.2 per cent
Women	2005	11.1 per cent
Employment gender gap (full-time equivalent) (ECI)	2005	10.2% points
Employment rate (parents with children under 12 years (EWM)		
Fathers	2006	95.3 per cent
Mothers	2006	84.8 per cent
Employment impact of parenthood (parents with a child 0–6 years)(ECI)		
Men	2006	+12.2% points
Women	2006	+ 5.5% points
Gender-related Development Index (UNDP)		25th
Gender Empowerment Measure (UNDP)		41st
Access to regulated ECEC services (OECD) ⁵⁶	2004	No data
Children under 3 years	2004	No data
Children 3–5 years (inclusive)		

1. Current leave and other employment-related policies to support parents

a. Maternity leave (*porodniški dopust*) (responsibility of the Ministry of Labour, Family and Social Affairs)

Length of leave (before and after birth)

⁵⁶ The access rate in 2006/07 was 40.8 per cent for children under three years and 79.5 per cent for children aged three to five years.

- One hundred and five calendar days (15 weeks): four weeks (28 days) before the birth and 11 weeks following birth.

Payment

- One hundred per cent of average earnings of the entitled person during the 12 months prior to the leave, or of the average basis from which the parental leave contributions were paid, for women who are insured (i.e. covered by parental leave insurance that forms part of the social security insurance). If the contributions were paid during a period shorter than 12 months, the minimum wage is taken into account for the missing period. There is no ceiling, and the minimum is 55 per cent of the minimum wage. Women not insured at the time the leave starts, but who have been insured for at least 12 months in the last three years before the start of Maternity leave, receive 55 to 105 per cent of the minimum wage (approximately €290 to €550 per month), depending on the period they have been insured for in the last three years.

Flexibility in use

- None.

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

- See 'payment' for insurance conditions for payment

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother

- Leave can be delegated to the father or another person caring for the child if the mother dies, abandons the child or is incapable of living and working independently. The period is reduced by 28 days and by as many days as the mother has already received the benefit.

b. Paternity leave (*očetovski dopust*) (responsibility of the Ministry of Labour, Family and Social Affairs)

Length of leave

- Ninety calendar days (i.e. about 13 weeks). Fathers are obliged to take at least 15 days of full-time leave during the child's first six months.

Payment

- During the first 15 days of the paternity leave, 100 per cent of average earnings up to a ceiling of 2.5 times the average wage in Slovenia (approximately €3,155 per month), with a minimum payment of 55 per cent of the minimum wage (approximately €290 a month). For the remaining 75 days the father is paid social security contributions based on the minimum wage (approximately €80 per month). For fathers not insured at the time the leave starts, but who have been insured for at least 12 months in the last three years before the start of Maternity leave, see section 1a.

Flexibility in use

- Seventy-five calendar days may be taken as full-time leave up to the child's third birthday. If they are taken as individual days, the

length of the leave is equal to 70 per cent of the eligible calendar days.

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

- As maternity leave.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother

- None.

c. Parental leave (*dopust za nego in varstvo otroka*) (responsibility of the Ministry of Labour, Family and Social Affairs)

Length of leave

- Two hundred and sixty calendar days (about 37 weeks). Each parent is entitled to half the total, but this individual right may be transferred between parents.

Payment

- As for the first 15 days of Paternity leave, i.e. 100 per cent of average earnings up to a ceiling. For persons not insured at the time the leave starts, but who have been insured for at least 12 months in the last three years before the start of Maternity leave, see section 1a.

Flexibility in use

- Parental leave may be taken as 520 days of a half-time leave combined with part-time work (half of the normal working hours per day). If Parental leave is taken half time, the benefit paid is reduced accordingly.
- Up to 75 days may be taken at any time up to the child's eighth birthday, as full-time or part-time leave or by individual days. In this last case, the length of the leave is equal to 70 per cent of the eligible calendar days.

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

- As for Maternity leave

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the parents

- In the case of a premature birth, the leave is prolonged by as many days as pregnancy was shortened.
- In the case of multiple births, parental leave is extended by 90 days for each additional child. It is also extended by 90 days in the case of the birth of a child suffering from physical or mental impairment.
- Leave is extended by 30 days if parents already have two children below eight years of age; by 60 days if they have three children; and by 90 days if they have four or more children of this age.
- If the mother is a student below 18 years of age, one of the grandparents (who himself/herself must be insured for parental leave) may take parental leave.

d. Childcare leave or career breaks

No general statutory entitlement.

e. Other employment-related measures

Adoption leave and pay

- One hundred and fifty calendar days (about 21 weeks) for a child aged one to four years; 120 days (about 17 weeks) for a child aged 4 to 10 years. Payment and eligibility as for Parental leave.

Time off for the care of dependants

- An insured person is entitled to take leave to care for an immediate co-resident family member (spouse and children, own or adopted) who is ill. Generally, seven working days of leave may be taken for each episode of illness per family, but 15 working days may be taken for a child of up to seven years of age or for a moderately, severely or very severely mentally and physically disabled child. Exceptionally, if required due to the health condition of the sick family member, the period may be extended, by 14 and 30 working days, or longer in extreme cases (up to six months).
- Leave is paid at 80 per cent of average earnings over the preceding 12 months. It cannot be lower than the guaranteed wage (approximately €238) or higher than the wage that the person would receive if he/she were working.

Flexible working

- The parent leaving the labour market in order to take care of four or more children is entitled to have social security contributions (based on the minimum wage) paid from the state budget until the youngest child reaches the age of 10 years.
- One of the parents who is taking care of a child below the age of three years or a seriously disabled child below the age of 18 years has the right to work part time. The hours worked must be equal to or longer than half full-time working hours. There is no payment, but social security contributions based on the minimum wage are paid for the hours not worked.
- Breastfeeding mothers who work full time have the right to a break during working time lasting not less than one hour a day. Payment is the same as for Parental leave.

2.Changes in leave policy since 2005 and other related developments (including proposals currently under discussion)

The Parenthood Protection and Family Benefits Act, adopted in December 2001, introduced the right to Paternity leave lasting 90 days, though due to budget constraints, this right was implemented gradually: 15 days in January 2003, a further 30 days in January 2004, and the remaining 45 days in January 2005.

Since 2005, eligibility for payment while taking leave has been extended to parents who have been insured for at least 12 months in the last three years before the start of the leave.

The Parenthood Protection and Family Benefits Act (2001) was revised in May 2006. The Maternity leave must now start 28 days prior to the expected delivery date (without the former possibility to start it 42 days before the delivery date), thus making the leave following childbirth longer. In order to enable more fathers to take paid Paternity leave, at least 15 days of full-time Paternity leave must be taken during a child's first six months (and not only during the Maternity leave, i.e. till the child's age of 2.5 months). The rest of the 75 days can be used up to the child's third birthday (before it could be used until the child's age of eight years), which is aimed at encouraging fathers to devote more time to their very small children.

Previously there was a possibility to receive unused Parental leave benefit to pay for childcare services, rent or house purchase, but this option was abandoned in May 2006 as implementation proved too complicated.

From January 2007, two categories of persons will be added to those covered by the parenthood protection insurance (i.e. persons entitled to the Parental leave and wage compensation): 1) farmers, their household members and other persons who have farming as their only or main activity (profession), if covered by mandatory pension and invalidity insurance; and 2) unemployed persons included in public works.

3. Take-up of leave

a. Maternity leave

All insured mothers take maternity leave.

b. Paternity leave

Sixty-three per cent of fathers took up to 15 days of paternity leave in 2003 (when it was introduced), 72 per cent in 2004 and some two-thirds in 2005. Research suggests that most fathers (91 per cent in 2004) do not take more than 15 days of Paternity leave because their earnings are not fully compensated during the rest of it. There are also obstacles on the employers' side (Rener, Švab, Žakelj and Humer, 2005; Stropnik, 2005).

c. Parental leave

All mothers take Parental leave. In 2003, 2.2 per cent of fathers took a part of it, as compared with 0.75 per cent in 1995 and only 0.6 per cent

in 1999. This shift may be attributed to higher awareness of fathers' rights following the introduction of paternity leave. However, until now the proportion of cases where the parents share the leave has remained at about 2 per cent. Considering the full wage compensation during the leave, the reasons for low participation of fathers may be found in the traditional division of tasks within the family, attitudes in the society (not the declared ones but rather those that rule people's behaviour), the absence of a positive image of the father who takes over more family responsibilities, and employers' expectations of their male employees.

Paternity leave and fathers having their own entitlement to part of parental leave do not significantly influence mothers to return to work earlier after their leave period (Stropnik, 2005). Fathers usually take only part of the leave (if any at all), so that absence due to parental leave keeps on threatening the women's professional careers.

4. Research and publications on leave and other employment-related policies since January 2005

a. General overview

Apart from the basic statistical data on Parental leave, the FFS (Family and Fertility Survey) and the DIALOG project (resulting in the IPPAS database covering 14 European countries) provide information for 1994 and 2000 about attitudes among the 20–64-year-old population towards the current Parental leave arrangements, personal experience and preferences, and possible impact on fertility of improved Parental leave. Most research conducted since 2000 has been based on the IPPAS database (DIALOG project; <http://www.bib-demographie.de/ppa/IndexDialogStart.htm>). Recent analyses focus on Slovenia and compare it with other European countries (Stropnik, 2005), or cover up to 14 European countries (Stropnik and Sambt, 2005; Stropnik, Sambt and Kocourková, 2006; Stropnik and Sambt, 2007).

In Slovenia, which has one of the lowest fertility rates in the world, research on leave is very important due to the possible positive effects of this policy on decisions to have more children. However, some relevant information needed for in-depth research is still missing. For instance, because surveys have not included a question in which the length of leave is related to the benefit level, we do not know how many people would support/take longer Parental leave if the benefit was lower than former earnings.

b. Selected publications from January 2005, including results from research studies

Rener, T., Švab, A., Žakelj, T. and Humer, Ž. (2005) *Perspektive novega očetovstva v Sloveniji: vpliv mehanizma očetovskega dopusta na aktivno očetovanje* [The perspectives of new fatherhood in Slovenia: impact of parental leave on active fatherhood]. Ljubljana: Fakulteta za družbene vede, Univerza v Ljubljani. Contact: Tanja.Rener@guest.arnes.si; alenka.svab1@guest.arnes.si
This quantitative and qualitative study focuses on paternity leave and the possibilities to involve more fathers in active fatherhood.

Stropnik, N. (2005) *Stališča prebivalstva kot odraz novih trendov v starševstvu in podlaga za preoblikovanje družinske politike v Sloveniji* [People's attitudes as a reflection of new trends in parenthood and the basis for reshaping of family policy in Slovenia]. Ljubljana: Inštitut za ekonomska raziskovanja
Comparing 14 countries, this paper considers perceptions of the father's role; preferences and most favoured measures for the reconciliation of employment and family life; and the fertility behaviour of highly educated people and the impact of new or changed family policy measures on it.

Stropnik, N. (2006) 'Medgeneracijski transferji dohodkov' [Intergenerational income transfers], in: A. Črnak-Meglič (ed.) *Otroci in mladina v prehodni družbi* [Children and youth in the transition society]. Ljubljana: Ministrstvo za šolstvo in šport and Urad Republike Slovenije za mladino / Maribor: Aristej, pp. 77–99
This chapter examines earnings compensation for parental leave in the context of intergenerational transfers in Slovenia.

Stropnik, N., Sambt, J. and Kocourková, J. (2006) 'Preferences for improved parental leave and higher child allowance', paper given at the *European Population Conference 2006*, Liverpool
The paper is based on analysis of the International Population Policy Acceptance Survey database which covers 14 European countries. It shows to what extent improved Parental leave arrangements for employed women and a substantial rise in child allowance are supported and considered to be priority family policy measures by women and men aged 20 to 49 years; and identifies factors determining these views. The results are explained in the context of policy arrangements at the time of the national surveys (2000–2003).

Stropnik, N. and Sambt, J. (2007) 'Parental leave and child allowances: attitudes, preferences and possible impact', *Revija za socialnu politiku*, Vol. 14, No. 3: 347–371. Available at:
<http://www.rsp.hr/ojs2/index.php/rsp/article/viewFile/714/670>
Comparing 14 European countries, this paper considers preferred options for parental leave and child allowance; how much support exists for improved parental leave arrangements for working women and a

substantially higher child allowance; and what possible impact the improvements in these two measures may have on fertility.

2.22

South Africa

Lisa Dancaster, Tamara Cohen and Marian Baird

Population (UNDP)	2005	47.9 million
Total Fertility Rate (UNDP)	2000-05	2.8
GDP per capita (UNDP)	2005	US\$11,110
Female economic activity (UNDP)	2006	45.9 per cent
As % male rate (UNDP)	2006	58 per cent
per cent of employed working part time (ECLC)	2005	No data
Men	2005	No data
Women		
Employment gender gap (full-time equivalent) (ECI)	2005	No data
Employment rate (parents with children under 12 years (EWM)		
Mothers	2006	No data
Fathers	2006	No data
Employment impact of parenthood (Parents with a child 0– 6 years)(ECI)		
Men	2006	No data
Women	2006	No data
Gender-related Development Index (UNDP)		107th
Gender Empowerment Measure (UNDP)		No data
Access to regulated ECEC services (OECD)		
Children under 3 years	2004	No data
Children 3–5 years (inclusive)	2004	No data

NB. South Africa is a federal state, with nine provinces

1. Current leave and other employment-related policies to support parents

Note on leave information: Leave entitlement in South Africa is primarily governed by one main statute that applies to the whole country, namely, the Basic Conditions of Employment Act (BCEA). Individual provinces (of which there are nine in South Africa) do not have authority to amend these provisions. By virtue of the authority given to the Minister of Labour in terms of the BCEA, a number of sectoral determinations have been made for the following industries: forestry, farm workers, domestic workers, hospitality, children in

performing arts, learnerships, wholesale and retail, private security, contract cleaning, civil engineering, small business (less than 10 employees) and taxi sectors. Only where these sectors provide for leave that is different from that stipulated in the BCEA is it noted here.

The leave provisions in the BCEA and Sectoral Determinations are minimum standards that can be improved upon through collective bargaining, usually in statutory forums called bargaining councils. Information/data on leave provisions in bargaining council agreements is difficult to obtain as there does not appear to be an accessible database housing the agreements of all the bargaining councils in South Africa. Bargaining council agreements are also not necessarily a reliable indicator of employer provision because bargaining councils do not exist for all the industrial sectors in the country and even in those sectors that do have bargaining councils, not all employers in the industry are necessarily members of the bargaining council or are covered by the scope of the collective agreements reached there.

a. Maternity leave (responsibility of the Department of Labour)

Length of leave (before and after birth)

- Four months. An employee may commence maternity leave at any time from four weeks before the expected date of birth (or earlier if a medical practitioner certifies it necessary for a mother's health or that of her unborn child) and may not work for six weeks after the birth of her child, unless a medical practitioner or midwife certifies that she is fit to do so.
- An employee's right to return to the same or comparable job after a pregnancy-related absence is protected in the unfair dismissal provisions of the Labour Relations Act.
- An employee who has a miscarriage during the third trimester of pregnancy or who bears a stillborn child is entitled to Maternity leave of six weeks after this event, whether or not the employee had already commenced maternity leave at the time of the miscarriage or stillbirth.

Payment

- Statutory Maternity leave is unpaid in the BCEA. There is provision for payment to eligible employees from the Unemployment Insurance Fund (UIF). This is for contributors only. Payment is on a sliding scale ranging from 31 per cent to 59 per cent of earnings depending on level of earnings. It is for a maximum period of 17.32 weeks and application must be made eight weeks before the birth of the child. Payment of maternity benefits does not reduce the amount of payment for other benefits that an employee is entitled to claim from the Fund. These benefits are not subject to taxation.
- Compulsory contributions to the UIF are made by employers and employees and each contributes an amount of 1 per cent of the employee's remuneration. Most of the employees entitled to statutory Maternity leave are also entitled to receive maternity

benefits from UIF. There is, however, one group of employees that, despite being entitled to receive statutory maternity leave, are excluded from the benefits of the Unemployment Insurance Act. These are employees in the national and provincial spheres of government. However, public service employees are entitled to four months maternity leave in terms of a July 2007 Determination in respect of leave in the public service. Although this Determination does not explicitly state that this leave is fully paid, it can be assumed to be so by virtue of the fact that contract workers are entitled to fully paid maternity leave in this Determination.

- If a contributor also receives cash benefits from another source (for example her employer), she will only receive a benefit from the UIF if she receives less than her normal monthly salary from that source. The amount she would then receive from the UIF will cover the shortfall between the amount received from the outside source and her normal salary.

Flexibility in use

- An employee may commence maternity leave: i) at any time from four weeks before the expected date of birth, unless otherwise agreed; or ii) on a date from when a medical practitioner or a midwife certifies that it is necessary for the employee's health or that of her unborn child.

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

- An employee is not eligible for statutory maternity leave if working for less than 24 hours a month for their employer.
- Independent contractors and self-employed women are not eligible for statutory maternity leave.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent) or delegation of leave to person other than the mother

- None.

Additional note (e.g. if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)

- Employees in the public service may take an additional 184 calendar days of unpaid leave.
- A survey (Elsley, 2007) of 361 enterprise level agreements and 31 bargaining council agreements found that the duration of Maternity leave in collective agreements mirrors the four consecutive months stipulated in the BCEA, and only about 7 per cent of agreements specifically provided for additional unpaid maternity leave of about two months.
- About 4.9 per cent of the bargaining council agreements and 3 per cent of enterprise level agreements provide on average between 25 per cent and 33 per cent of payment towards maternity leave by employers (Benjamin, 2007).
- See also 'flexible working' (section 1e) for the Code of Good Practice on the Protection of Employees during Pregnancy and after the Birth of a Child.

b. Paternity leave

No general statutory entitlement, though fathers who wish to take leave at the time of the birth of their child can use their family responsibility leave (see section 1e).

c. Parental leave

No general statutory entitlement.

d. Childcare leave or career breaks

No general statutory entitlement.

e. Other employment-related measures

Adoption Leave and pay

- There is no statutory leave for adoption of a child. There is, however, a right to claim unemployment insurance benefits for time off work for adoption purposes. Only one parent can make application for adoption benefits and the child adopted must be under two years of age. The failure to provide statutory adoption leave means that if an employer refuses to grant an employee adoption leave it effectively nullifies the provision of adoption payment from the UIF.
- Employees in the public service are entitled to 45 working days when adopting a child under the age of two years by virtue of the July 2007 Determination regulating leave in the public service. Although this Determination does not explicitly state that this leave is fully paid, it can be assumed to be so by virtue of the fact that contract workers are entitled to fully paid adoption leave in this Determination. These employees are permitted to extend this leave by 184 calendar days of unpaid leave.

Time off for the care of dependants

- An employee is entitled to family responsibility leave when the employee's child is born; when the employee's child is sick; or in the event of the death of the employee's spouse or life partner, or the employee's parent, adoptive parent, grandparent, child, adopted child, grandchild or sibling. This leave is fully paid by the employer and is available for a maximum period of three days in a 12-month period (five days for domestic workers). An employee must have been employed for longer than four months and work at least four days per week in order to qualify for this leave.
- Employees in the public service are permitted to utilise three days family responsibility leave for the birth of a child of a spouse or life partner, or in the event of the sickness of a child, spouse or life partner. They are entitled to utilise up to five days leave per annual leave cycle for the death of a spouse, life partner, child or immediate family member. Total family responsibility leave cannot exceed five days. The Determination does not stipulate that this leave is paid but it can be assumed to be so by virtue of the fact

that the Determination specifically permits a further 184 calendar days to be utilised as unpaid leave if an employee has exhausted their family responsibility leave, subject to the approval of the Head of Department.

Flexible working

- No general statutory entitlement.
- Codes of Good Practice are guidelines for employers and do not have the status of legislation. The Code of Good Practice on the Protection of Employees during Pregnancy and after the Birth of a Child provides that employers must consider granting rest periods to employees who experience tiredness associated with pregnancy and should also consider that tiredness associated with pregnancy may affect an employee's ability to work overtime. It also states that arrangements should be made for pregnant and breastfeeding employees to be able to attend antenatal and post-natal clinics during pregnancy and after the birth of a child and recommends that arrangements be made for employees who are breastfeeding to have breaks of 30 minutes twice a day to breastfeed or express milk for the first six months of a child's life. It further recommends that employers identify and assess workplace hazards to the pregnant mother and/or to the foetus and consider appropriate action. The Code of Good Practice on the Integration of Employment Equity into Human Resource Policies and Practices adds that an employer should provide reasonable accommodation for pregnant women and parents with young children, including health and safety adjustments and antenatal care leave.
- The Code of Good Practice on the Integration of Employment Equity into Human Resource Policies and Practices requires employers to endeavour to provide 'an accessible, supportive and flexible environment for employees with family responsibilities'. This is specified to include 'considering flexible working hours and granting sufficient family responsibility leave for both parents'. In addition, the Code of Good Practice on Arrangement of Working Time states that the design of shift rosters must be sensitive to the impact of these rosters on employees and their families and should take into consideration the childcare needs of the employees. It adds that arrangements should be considered to accommodate the special needs of workers such as pregnant and breastfeeding workers and workers with family responsibilities.

2.Changes in leave policy since 2005 and other related developments (including proposals currently under discussion)

There have been no policy changes to the provision of maternity or family responsibility leave for over 10 years. It is interesting to note that in 1996 the Green Paper on Policy Standards for a new

Employment Standards Statute considered two options to assist women to continue working when they are faced with family responsibilities:

- permitting women to interrupt their employment to care for children – ‘the career break’;
- permitting women to reduce their working hours in order to combine parental responsibility with continued work.

The second option was recommended but neither was incorporated into the BCEA in 1997. The recommendations on Maternity leave and family responsibility leave were incorporated into the BCEA.

The last changes to maternity benefits were made in 2001 when the flat-rate Unemployment Insurance Benefit of 45 per cent of earnings was amended to the sliding scale discussed above. There are currently no proposals for changes to leave policy or maternity payments, or for the introduction of the right to request flexible working arrangements.

3. Take-up of leave

a. Maternity leave

There is no information on the take-up of maternity leave.

b. Paternity leave

There is no statutory leave entitlement. There is no information on the take-up of ‘family responsibility’ leave used for this purpose or for the take-up of Paternity leave provided for in collective agreements.

c. Parental leave

There is no statutory leave entitlement. There is no information on the take-up of Parental leave provided for in collective agreements.

4. Research and publications on leave and other employment-related policies since January 2005

a. General overview

There is a shortage of research examining statutory leave entitlements in South Africa. There is no information on employee take-up of existing leave entitlements.

b. Selected publications from January 2003, including results from research studies

Dupper, O. (2003) ‘Maternity’, in: M.P. Olivier, N. Smit and E.R. Kalula (eds) *Social security: a legal analysis*. Durban: Butterworths, pp. 399–414

This chapter discusses maternity leave and benefits in South Africa, and employment protection during and after maternity leave. Maternity

benefits are discussed in the light of relevant ILO provisions and in the context of changes from the Unemployment Insurance Act of 1966 to the Unemployment Insurance Act of 1991. It also discusses discrimination on the grounds of pregnancy in the context of South African law and selected cases from South Africa and other countries. See also Dupper, O. (2006). 'Maternity Protection' in E. Strydom, (ed.) *Essential social security law* (2nd ed.), pp.155–168.

Dancaster, L. (2006) 'Work-life balance and the legal right to request flexible working arrangements', *South African Journal of Economic and Management Sciences*, Vol. 9, No. 2: 175–186.

This article discusses the UK right to request flexible working arrangements. It notes the gap in work–family research in South Africa and that research in South Africa on flexible working arrangements has focused mainly on flexible and atypical working arrangements as efficiency measures rather than as tools for enhancing work–life integration. It also highlights the need for integrated state policy on work and family in South Africa.

Benjamin, N. (2007) 'Mainstreaming gender standards in collective bargaining' in: *Bargaining indicators 2007: a collective bargaining omnibus*. Labour Research Service: Cape Town

This chapter is part of an annual publication designed to assist trade unions in collective bargaining through the provision of information on collective bargaining outcomes on a range of wage and non-wage issues. The focus of this chapter is specifically on raising the gender standards for low-paid women workers.

Elsley, T. (2007) 'Outcomes of collective bargaining in South Africa', in: *Bargaining indicators 2007: a collective bargaining omnibus*. Labour Research Service: Cape Town

This chapter is part of the annual publication referred to above and focuses on an analysis of wage and non-wage bargaining outcomes in collective bargaining agreements. The sample included 31 bargaining councils out of an estimated 49 functioning bargaining councils in South Africa, and collective agreements from 361 unique bargaining units that could be characterised as engaging in decentralised bargaining (bargaining outside of bargaining council structures), typically involving a single employer and one or more trade unions.

Posel, D. and Muller, C. (2007) *Is there evidence of a wage penalty to female part-time employment in South Africa? Working Paper No 61*, Durban: School of Economics and Finance, University of KwaZulu Natal. Available at: www.econrsa.org

This paper investigates female part-time employment in South Africa using household survey data from 1995 to 2004. The data shows that women are over-represented in part-time employment, and that the growth in this employment has been an important feature of the

feminisation of the labour force. In contrast to many studies of part-time work in other countries, this study found evidence of a significant wage premium for female part-time employment in South Africa.

Dancaster, L. and Baird, M. (2008) 'Work and care: a critical examination of South African labour law', *Industrial Law Journal*, Vol. 29: 22–42.

The focus of this paper is on legislative options for the combination of work and care in South Africa. It highlights the inadequacy of legislative provisions governing leave options (leave for care emergencies, Maternity leave, Paternity leave and Parental leave) and flexible working arrangements. The inadequacy of work–family provisions in South African law is determined in the light of selected international comparators and the care needs (in particular HIV/AIDS care) that exist in South Africa. The paper also looks at drivers for increased state intervention in work–family policy in South Africa.

c. Ongoing research

Organisational characteristics as determinants of work-family arrangements in South African organisations. (2006–2009). Doctoral thesis by Lisa Dancaster, Health Economics and HIV/AIDS Research Division, University of KwaZulu Natal, Durban.

This Ph.D. study, undertaken through the University of Sydney, aims to fill the existing gap in data on work-family arrangements in South African organisations by providing information on a range of such arrangements in over 300 organisations listed on the South African stock exchange. Contact: Lisa Dancaster at dancaste@ukzn.ac.za.

2.23 Spain

Anna Escobedo

Population	2005	43.4 million
Total Fertility Rate (UNDP)	2000-05	1.3
GDP per capita (UNDP)	2005	US\$27,169
Female economic activity (UNDP)	2005	44.9 per cent
As % male rate (UNDP)	2005	66 per cent
% of employed working part time (ECLC)		
Men	2005	4.5 per cent
Women	2005	24.2 per cent
Employment gender gap (full-time equivalent) (ECI)	2005	28.6% points
Employment rate (parents of children under 12 years) (EWM)		
Fathers	2006	93.2 per cent
Mothers	2006	58.8 per cent
Employment impact of parenthood (parents with a child 0–6 years)(ECI)		
Men	2006	+10.0% points
Women	2006	- 8.4% points
Gender-related Development Index (UNDP)		12th
Gender Empowerment Measure (UNDP)		12th
Access to regulated ECEC services (OECD)		
Children under 3 years	2004	20.7 per cent
Children 3–5 years (inclusive)	2004	98.6 per cent

1. Current leave and other employment-related policies to support parents

a. Maternity leave (*Permiso y prestación por maternidad*) (responsibility of the Ministry of Labour and Social Affairs and the National Institute of Social Security)

Length of leave (before and after birth)

- Sixteen weeks: 6 weeks must be taken following the birth, while the remaining 10 weeks can be taken before or after birth. By consolidating an entitlement to reduced working hours, mothers can, in practice, extend maternity leave by two to four weeks (see section 1e *permiso de lactancia*, originally to support breastfeeding)

Payment

- One hundred per cent of earnings up to a ceiling of €3,074 a month. A flat-rate benefit (€527 per month or €17 per day) is paid for 42

days to all employed women who do not meet eligibility requirements.

Flexibility in use

- The start date for taking leave before birth can vary.
- Mothers may take leave part time except for the six weeks following birth; initially excluded, self-employed mothers now also have this option.

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

- All employed women are entitled to maternity leave, but conditions must be met to qualify for the earnings-related maternity leave benefit (all employees can receive a flat-rate payment for 42 days after delivery): for example, the mother needs to be making social security contributions at the beginning of the leave; or be receiving unemployment contributory benefit; or in the first year of the Parental leave, *and* have contributed to social security at least 180 days in the previous seven years, or 360 days during working life. Women under 21 years do not need any previous period of social security contribution, and women between 21 and 26 only need 90 days in the previous seven years, or 180 days during working life. This requirement is more flexible for women working part time. On the other hand, self-employed mothers are exempted from paying social security contributions while on maternity leave.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother

- In the case of multiple births (or multiple adoption or foster), or birth (or adoption or foster) of a child with some disability, working mothers have the right to two extra weeks of leave per newborn child from the second onward, and the family benefits from an additional lump sum benefit.
- In the case of a premature birth or infant hospitalisation, maternity leave is extended up to 13 weeks.
- Employed mothers have the right to transfer up to 10 of their 16 paid weeks of Maternity leave to the father on condition that they take six weeks after giving birth, that their partner fulfils contributory requirements, and that the transfer does not endanger their health. Leave can be completely transferred or partly transferred, so both parents share part-time leave.
- If the mother dies, the father can take the maternity leave entitlements, independently of the mother's previous employment situation and entitlements.
- If the baby dies, maternity leave is not reduced.

Additional note (e.g. if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)

- Employees in the public sector in Catalonia can choose between extending maternity leave by 16 weeks or reducing working time by a third until the child is approximately 17 months old; either option is paid.

b. Paternity leave (*permiso de paternidad, permiso por nacimiento*) (responsibility of the Ministry of Labour and Social Affairs)

Length of leave

- Fifteen days.

Payment

- One hundred per cent of earnings, paid by the Social Security Fund, with the same ceiling as for maternity leave, except for the first two days which remain paid by employers or the self-employed in the private sector.

Flexibility in use

- The first two days have to be used at the time of birth (*permiso por nacimiento* i.e. birth leave). Fathers who need to travel in their work have two extra days, paid by the employer (this does not apply in the public sector).
- The 13 days of paternity leave (*permiso de paternidad*) can be used during or immediately after the end of maternity leave. This does not apply in the public sector, where the 15 days are considered as a whole, to be taken at the time of birth as a general rule (except when the specific regional government (*Comunidades Autónomas*) or institution regulates differently).
- Fathers can use paternity leave part time, subject to their employer's agreement.

Regional or local variations in leave policy

- A number of regional governments have improved entitlements (see section 2 below). For example, public sector workers in Catalonia receive five days at birth (as birth leave), and a month of paternity leave that has to be taken at the end of maternity leave.

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

- All employees fulfilling contributory requirements (i.e. at least 180 days in the previous seven years, or 360 days during working life)

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the father

- Two more days paid by Social Security in the case of multiple birth (or adoption or fostering).
- The entitlement is gender neutral to encompass homosexual and lesbian couples, where this leave can be taken by the member of the couple who did not use the Maternity leave (or most of it).
- In the mentioned case of public employees in Catalonia, lone mothers can use the extra month for fathers at the end of Maternity leave.

Additional note (e.g. if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone) or delegation of leave to person other than the parents

- See 'regional or local variations' for improved conditions offered by some regional governments for their employees.

c. Parental leave (*Excedencia por cuidado de hijos*) (responsibility of the Ministry of Social Affairs)

Length of leave (before and after birth)

- Each parent is entitled to take leave until three years after childbirth. Leave is an individual right. During the first year, return to the same job position is protected; after the first year, job protection is restricted to a job of the same category.

Payment

- None. Workers taking leave are credited with social security contributions, which affect pension accounts, health cover and new Maternity or Paternity leave entitlements, for the first two years in the private sector and for the whole period in the public sector.

Flexibility in use

- There are no limits to the number of periods of leave that can be taken until the child is three years, with no minimum period.

Regional or local variations in leave policy

- A number of regional governments have improved entitlements (see section 2 below). For example, some flat-rate payments are made to women and men taking parental leave in the Basque Country (€200 per month for mothers and €250 per month for fathers); in Castilla-León (€527 per month in 2008, but restricted to families with an annual income below €30,000); in Navarre (when having a second child or a disabled child, €330 euros per month for one year, or until the child is three years in the case of large families); and Castilla-La Mancha (payment to men if they have taken at least three weeks of the maternity leave).

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

- All employees, though employees on temporary contracts can only claim leave that is shorter than their contract period. Unemployed and self-employed workers are not eligible.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent)

- Social security contributions are credited for a longer period (from 30 to 36 months) in families with more than three children or with two children one of whom has a disability.

Additional note (e.g. if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone) or delegation of leave to person other than the parents

- If both parents work for the same company, the employer can put restrictions on both parents using leave at the same time if this is justified for production reasons.
- In the public sector the employee's job position is protected for two years, and in the third year within the same municipality.
- See 'regional or local variations' for improved conditions offered by some regional governments for their employees.

d. Childcare leave or career breaks

- Unpaid career breaks are recognised in the labour and public employees' regulations (*excedencia voluntaria*). The only protection offered is to be able to claim the right of return to an equivalent job before the end of the leave, once there is a vacancy. This job protection works much better in the public than in the private sector.

e. Other employment-related measures

Adoption leave and pay

- The same regulations as for other parents for the adoption or fostering of children under six years or children with additional needs (e.g. disabilities, international adoptions).
- Public employees involved in an international adoption have the right to two months of paid leave, including basic payment without benefits, when the process requires that the adoptive parents stay in the country of origin of the future adoptive child.

Time off for the care of dependants

- Two days leave per worker (*permiso por enfermedad grave de un familiar*) to care for a seriously sick child or for other family reasons (serious illness, hospitalisation or death of a relative to a second degree of consanguinity or affinity), paid for by the employer. The entitlement is extended to four days if travelling is required for work (e.g. the workplace is in a different municipality). However there is no agreement on what 'serious illness' means. For public sector employees this entitlement is extended to three days (five days if travelling is required) for the care of first degree relatives (e.g. partner, children or parents, including in laws).
- Each worker may take-up to two years of leave (*excedencia por cuidado de un familiar*) or have working hours reduced by between an eighth and a half (*reducción de jornada por cuidado de un familiar*) to take care of a dependant relative (up to the 'second degree of consanguinity or affinity') due to severe illness, disability, accident or old age. The leave or reduced hours has previously been unpaid; but since mid-2007, when the leave is to care for a person with assessed high dependency, the informal carer on leave can claim a payment of €487 per month. Workers taking leave are credited with social security contributions, which affect pension accounts, health cover and new leave entitlements, for the first year of full-time or part-time leave.
- Public employees can extend the unpaid leave to care for a relative for up to three years, with the whole period credited with social security contributions and related social protection benefits. Furthermore, they can work half time for up to one month without loss of earnings in the case of a very serious illness of a first degree relative (child, partner or parent including in laws); they can also benefit from extra flexibility in working time as do parents of children under 12 years.

Flexible working

- During the first nine months after the child's birth (12 months in the public sector), employed mothers are entitled to one hour of absence during the working day without loss of earnings, which is paid by the employers (*permiso de lactancia*, originally to support breastfeeding). The period can be divided into two half-hours or be replaced by a half-hour shortening of the normal working day; the public sector and many collective agreements allow the full hour shortening of the normal working day. If both parents are working, the mother can transfer this right to the father or partner. All employed mothers can consolidate this reduction in working time as full-time leave, thus in practice extending their maternity leave between two to four weeks.
- A working parent can reduce his/her working day by between an eighth and half of its normal duration to care for a child until the eighth year or to look after a disabled child (*reducción de jornada por guarda de un hijo*). Employees may decide, within their usual work schedule, the extent and period of the working time reduction. It is defined as an individual right, and there is no payment, but workers taking this 'part-time leave' are credited with up to two years full-time social security contributions (which affect pension accounts and new leave entitlements). Public employees can benefit from this working time reduction until the child is 12 years, and have guaranteed some working time flexibility to adapt, for example, to school hours.
- A number of regional governments have improved entitlements: Basque Country and Navarre provide non income-related payments to support this measure; Castilla-León provides payments restricted to families with an annual income below €30,000; public employees in Catalonia, both fathers and mothers, can reduce their working hours by one-third without reducing their earnings for one year from the end of maternity leave plus the new father month leave, that is approximately until a child is 17 months old. Similarly, they may reduce their working hours by a third with a 20 per cent earnings reduction or by a half with a 40 per cent earnings reduction if they have a child under six years or care for a disabled relative.

2.Changes in leave policy since 2005and other related developments (including proposals currently under discussion)

In general terms the issue of benefits and services to support families or households with dependant children or relatives is gaining ground in the national political agenda and debates. This was reflected in the programmes presented by all parliamentary political parties during the national election campaign in March 2008, and in several measures adopted during 2007 (e.g. a new lump sum of €2,500 paid at birth).

In 2007, a reform of leave arrangements in Spain was made in the framework of a general law for gender equality (*Ley Orgánica 3/2007, para la Igualdad efectiva de mujeres y hombres*, effective from 24 March) followed by a new general law regulating work in the public sector (*Ley 7/2007, del Estatuto Básico de Empleado Público, EBEP* effective from 13 May), and a new law to regulate self-employment and its social protection. The implementation of a 2006 law on dependency has opened the possibility to link long leave to care for relatives with high dependency to a new €487 per month cash benefit for informal family carers.

The 2007 Spanish Gender Equality Law foresees measures such as balanced representation of women and men in politics, gender equality plans in public and private companies, and a generic right to work-life balance. The section on reconciliation of work, personal and family life revises the current leave entitlements and orientates these policies towards balancing the share of family responsibilities between women and men. However, the main improvement is limited to the introduction of a two-week paternity leave paid by Social Security (with the commitment to reach four weeks in the next six years) that can be taken during or right at the end of maternity leave; it is the first time that fathers have received an individualised entitlement paid by the public social protection system.

Maternity leave is not extended in time, except for up to 13 weeks in cases of hospitalisation of the baby. But its coverage is being improved by lowering the previous eligibility conditions and with the introduction of a new flat-rate maternity benefit for 42 days for employed mothers who do not meet contributory requirements needed to benefit from the normal Maternity leave benefit. This is not yet a universal maternity leave benefit, but a trend in this direction. The generalisation of the possibility to consolidate the old 'breastfeeding leave' as full-time leave will in practice enable women to extend maternity leave by two to four weeks. However this is still paid by the employer, which means better provision in the public than in the private sector, and in well-off companies than in low productivity sectors. Unpaid flexibility is also extended: unpaid working time reduction (now from one-eighth to a half of working time) can be used until the child is 8 in the private sector or 12 in the public sector, instead of 6 years old; and the unpaid family leave to care for ill relatives has been extended from one to two years in the private sector and three years in the public sector.

The central government introduced, in December 2005, for its employees improvements in leave arrangements and working time reductions for parents and informal carers of dependants. These improvements have been generalised in 2007 to the whole public sector by the new public sector labour law (Law 7/2007 EBEP). Some of these measures have also been extended to all employees (e.g. the new

paternity leave) but not all, as the new gender equality legislation states that employers should assume the responsibility of developing gender equality and family-friendly measures for their employees.

Labour and social security measures have been discussed and basically agreed with the two main trade unions, CCOO and UGT. As is often the case in Spain, the law is interesting and progressive; but from the perspective of parental leave and children it does not solve the most urgent family needs, which are to have paid time for caring for children when services (affordable and with reasonable quality standards) are not available, in particular when children are under 12 months or when small children are ill.

Groups advocating gender equality (mainly women's groups, with the support of trade unions, and some men's groups) constituted in 2005 a platform that strongly promoted the new Paternity leave, but wanted it to be longer than the measure approved. This platform has continued and aims now at developing a leave system with equal and non-transferable rights between men and women (*Plataforma por Permisos de Nacimiento y Adopción Iguales e Intransferibles* at www.nodo50.org/plataformapaternidad/). Some groups (e.g. mothers in favour of breastfeeding and wanting to spend more time with babies, organisations of large families) are asking to extend maternity leave from 16 week to 6 months, and launched in 2007 a legislative initiative (www.bajapormaternidadseismeses.org), which failed as they had little representation in the parliament and not much connection or support from trade unions.

Spain's rules on family-related leave continue to be spread over several pieces of legislation (labour law for private sector, labour law for public sector, social security, specific labour and social security law for the self-employed, gender equality and family law). Even though these legislative reforms continue to introduce many small improvements and detailed changes, they are still not addressing a number of key issues:

- Under usual conditions, the total duration of paid leave around birth (or adoption or fostering) by public social security is still only 18 weeks (16 for the mother and 2 for the father which can be used simultaneously), which is very short from the perspective of the baby's health and care.
- Unpaid Parental leave is used by few families (6 per cent), and for short periods (six months on average).
- Atypical workers (temporary employees, the self-employed and others) are inadequately covered.

- Though fathers have a new opportunity to be involved in fathering at home, at least for two weeks, this is a short period to produce structural changes in attitudes and practices.

During the 2004–08 legislature, the Spanish Government gave priority to services and benefits focused on dependency (basically elderly care) and to extending centre-based provision of early childhood education and care (ECEC). In May 2006 the government passed a law on education consolidating public funding for all three to six-year-old children, and assuming a new policy commitment to raise public funding to cover 20 per cent of the under three in ECEC centres (about half of present estimated coverage in public and private centres). However, there has been no coordination or connections made between legislation covering leave policy and ECEC services.

On the other hand, there has been a connection made between leave policy and the 2006 law to promote autonomy and care of dependants (*Ley 39/2006, de 14 de diciembre, de promoción de la autonomía personal y atención a las personas en situación de dependencia*). The law has introduced, in mid-2007, a new mechanism for the professionalisation of informal carers of highly dependant relatives, which includes a €487 monthly wage and social security protection. Users of the leave arrangements for family reasons will be able to apply for this benefit, if the relative they care for is assessed as highly dependant (*RD 615/2007, por el que se regula la Seguridad Social de los cuidadores de las personas en situación de dependencia*). However the logic is rather to activate and somehow to 'professionalise' adult housewives with low employment opportunities (on average in their fifties), rather than to give respite and affordable leave opportunities to employees. The law excludes from the definition of dependants children under three years of age, except those with severe handicaps or chronic illnesses.

From July 2007, all Spanish families receive a lump sum benefit of €2,500 per newborn child. The new benefit was introduced in November 2007, either as a tax deduction for tax payers or as a non-contributory benefit for non-tax payers (*Ley 35/2007, de 15 de noviembre, por la que se establece la deducción por nacimiento o adopción en el Impuesto sobre la Renta de las Personas Físicas y la prestación económica de pago único de la Seguridad Social por nacimiento o adopción*). In less than two weeks 171,689 parents filled in their forms to ask for this amount at the end of 2007.

Regional governments continue to develop additional entitlements taking into account the shortcomings of parental leave policy at state level. The Basque Country, Navarre and Castilla-Leon, within family policy, offer a flat-rate benefit for parents using the unpaid parental leave or the unpaid working time reduction to take care of children. In

June 2006, Catalonia reviewed a law from 2002 to support reconciliation of work and family life for public employees, introducing a new 'father's month' after maternity leave, and extending the fully paid one-third working time reduction for one year from the end of the maternity leave or from this additional father's month. There are also supplementary entitlements in Castilla-La Mancha, Rioja and Asturias.

General national elections in 9 March 2008 raised the debate on family policy. The programmes presented by all parliamentary political parties for the national election campaign included for the first time proposals to improve Parental leave arrangements and ECEC services. Proposals in the political parliamentary spectrum included: one month of Paternity leave (PSOE, Socialist Party); six months maternity leave plus three months paternity leave (left-wing Green coalition); one year of paid parental leave at 50 per cent of previous earnings (centre Christian Democrat coalition); and the creation of a Family Ministry to review family policy (Popular Party, main right-wing national party). Besides that civil groups are emerging in favour of family plurality and more support for families with children, with new demands such as longer paid leave to enable babies to spend longer at home, while protecting the family's employment and financial situation.

As the Socialist party won the elections with a working majority, PSOE's electoral promises will be a reference point for the next four years. Its social policy for families with young children is orientated towards services, with a commitment to create 300,000 new ECEC places for children under three years. Its programme also includes extending paternity leave by two weeks, and unpaid part-time flexibility for parents working in the private sector until children are 12 years old. But it does not include any proposal to improve Parental leave, which is especially relevant since it is not easy to create 300,000 ECEC new places in four years; and even if successful, the demand may not be met with present high rates of maternal employment. So part of the problem would remain, especially for children under 12 months or with additional needs. The introduction of a paid and effective Parental leave scheme has an important part to play.

3. Take-up of leave

a. Maternity leave

Maternity leave benefit covers 65 per cent of the births in 2005 (author's own calculations based on data provided by the Social Security Institute and the Spanish Statistical Institute); this was similar to the 68 per cent employment rate among women aged 25 to 34 years (average age at maternity is around 31 years old). Coverage has been improving since 1995 (the first year for which the data is

available) when it was 31 per cent, while the corresponding female employment rate was 40 per cent. Increased coverage is due both to growing female employment and better coverage of atypical employment situations due to regulatory reforms. In 2005 fathers shared some Maternity leave in about 1.8 per cent of the cases and in 27.5 per cent of adoption cases.

b. Paternity leave

Most fathers are eligible for paternity leave according to the Labour Force Survey data. While payment for fathers taking paternity leave was made only by employers, there was no information on take-up rates. From 24 March 2007 onwards, fathers have a new entitlement of two weeks paid from Social Security, which also covers the self-employed. A preliminary estimate is that around 45 per cent of fathers of newborns have used the new measure in 2007 (author's own calculations based on data provided by the Social Security Institute and the Spanish Statistical Institute).

c. Parental leave

In 2007, 57 per cent of employees were eligible for parental leave, which means around 55 per cent of fathers and 35 per cent of mothers with children under three years old.⁵⁷

In 2005, 27,953 people started some period of Parental leave; fathers made up only 4.5 per cent of users. This corresponds to 6 per cent of the births in that year, an increase since 1995 (the first year for which the data is available) when it was 1.7 per cent. However, it represents only about 2 per cent of children under three years old, a relevant age since leave can only be taken until children reach three years.

New research, based on a sample drawn from the Social Security system, has estimated that between 1989 and 2005 96 per cent of users have been mothers, with a median duration of 184 days, and 4 per cent fathers with a median duration of 172 days; 36 per cent of fathers and 26 per cent of mothers used this unpaid Parental leave for less than three months. Eleven per cent of user mothers and 25 per cent of user fathers do not return to the same company, which means that in these cases the use of Parental leave is connected to a change of employment (Escobedo and Navarro, based on data from MCVL_04

⁵⁷ Own estimate based on Labour Force Survey data from Eurostat and from the Spanish Statistical Institute, taking into account that only employees with permanent contracts can fully benefit from Parental leave, i.e. self-employed, family and temporary workers are excluded. For non-national employees (14 per cent of all employees), an additional barrier may be that they need an employment contract to renew residence permission, but that they would be considered to be non-employed if on Parental leave.

facilitated by the Social Security, Spanish Ministry of Labour and Social Affairs).

Qualitative research indicates that users are mainly women after their maternity leave ends, in some cases taking leave for a short period until a childcare arrangement is available (for example if the maternity leave ends in May and a place in an early education nursery is only available in September), and in other cases for longer periods. But only 13 per cent of users took leave for more than one year according to the recent quantitative research.

d. Other employment-related measures

The fact that Parental leave and working-time reduction are not paid limits their use, even among those who have a secure job, as most couples at this time of life have high housing costs. The influence of payment can be seen from the high use made of the fully paid working-time reduction of one-third of usual working hours for parents of children under one year old, available for public employees in Catalonia. Preliminary data indicate that in 2005, 7,845 employees out of a total workforce of about 140,000 used this measure, of whom 21 per cent were men (excluding teachers, who often consolidate the reduction as full-time leave taken after Maternity leave, and among whom only 8 per cent of users were men). As men account for 32 per cent of the total workforce, men's use of this benefit is high.

There are no data on the use of unpaid working-time reductions. Recent research is providing new data on the use of the leave to care for dependant relatives, available from 2001 onwards. It is estimated that between 2001 and 2005 about 9,000 employees used it in Spain (1,800 per year), of which 82 per cent were women, with a median duration of 62 days, and 18 per cent men with an median duration of 55 days (25 per cent of men and 13.5 per cent in the case of female users reintegrate to the labour market with a different company) (Escobedo and Navarro, based on data from MCVL_04 facilitated by the Social Security, Spanish Ministry of Labour and Social Affairs). This contrasts with 538 employees of the Catalan regional government who took a working-time reduction with partial earnings compensation to care for a dependant or disabled relative in 2003 out of a workforce of about 100,000. This provides further evidence that paid leave or reduced working hours attract substantially more use than unpaid entitlements.

Finally, there is no data on the use of short leave in cases of acute illness/accident of children or relatives, nor on other types of career breaks. Employers have no obligation to keep records, and the government has no statistics as no payment is involved.

4. Selected publications from January 2005, including results from research studies

a. General overview

A new research fund on Social Protection has been created and has been operating since 2006. It is presently supporting research on leave arrangements. This will improve the current situation where data and evaluation are scarce, which has meant that until now reforms have been adopted without evaluation of their impact on use and users. In addition, in 2006, the National Institute of Social Security has created a new database with a sample of 4 per cent of all social security contributors, with selected data on their work and social security affiliation life course (Muestra Continua de Vidas Laborales); results are starting to be published (as the ones included in the previous section). The database is being improved and is now supplemented with tax and household data. From the perspective of leave arrangements, the database still provides limited information; however, for the first time it does provide detailed information about the unpaid Parental leave and leave to care for a relative.

Otherwise, the few indicators published on a yearly basis since 1995 by the National Institute of Social Security provide little information (e.g. total social security expenditure by region and the number of administrative records initiated each year, with the per centage of those for fathers; but with no other information such as duration of leave, flexible use or characteristics of users). Comparative data on social expenditure on maternity and parental leave, compiled by both Eurostat and the OECD, highlight the low priority given to leave benefits in Spanish policies.

Academic research treats the issue of leave in the framework of research on reconciliation of employment and family life, but only in a few cases as a central issue. Leave in these studies is mainly researched using qualitative methodologies (e.g. in-depth or semi-directed interviews), or the few available official data (e.g. comparative indicators on public expenditure), or from the perspective of laws and legal researchers.

The topic of leave is also included, but again not as a central issue, in some research and development projects related to gender equality and reconciliation of work and family life or working-time policies at company levels. Research here focuses rather more on how parents, and in particular dual career couples, manage to work more flexibly using not only statutory but also family-friendly workplace policies and practices.

b. Selected publications from January 2005, including results from research studies

Carrasquer, P. and Martín-Artiles, A. (2005) 'La conciliación de la vida laboral y familiar en la negociación colectiva', *Cuadernos de Relaciones Laborales*, Vol. 23, No. 1: 131–150

This article presents results of research on collective bargaining conducted between 2003 and 2005 in the field of reconciliation of work and family life, in the chemicals and retail trade sectors.

Cánovas, A., Aragón, J. and Rocha, F. (2005) 'La conciliación de la vida laboral y familiar en las Comunidades Autónomas', *Cuadernos de Relaciones Laborales*, Vol. 23, No. 1: 73–93.

This article analyses the main reconciliation policies, including the improvement of leave arrangements, developed in the different autonomous communities up to 2003.

Escobedo, A. (2006) 'El sistema de licencias parentales para el cuidado de los menores' ['Leave arrangements for the care of minors'], in: X. Roigé (ed.) *Familias de ayer, familias de hoy: Continuidades y cambios en Cataluña* [Yesterday's families, today's families: continuity and change in Catalonia]. Barcelona: Icaria – Institut Català d'Antropologia, pp. 235–264

An historical overview of the regulation of leave arrangements in Spain.

Balaguer, I. and Arderiu, E. (2007) *Calidad de los servicios para la primera infancia y estimación de la demanda. Colección: Estudios, 53* [The quality of early childhood services and an estimate of demand]. Madrid: Ministerio de Trabajo y Asuntos Sociales

The book gives an updated and critical overview on how early childhood education and care services are developing in Spain. It provides new research data on non-regulated provision, which has grown in the 2000s in a context of changing and decentralised regulation. The book estimates service demand for children under three years of age, taking into account parental employment trends and use of leave arrangements.

Borràs, V., Torns, T. and Moreno, S. (2007) 'Las políticas de conciliación: políticas laborales versus políticas de tiempo', *Papers Revista de Sociología*, No. 83: 83–96

The article reviews work and family reconciliation policies at company level, their limitations, and the stimulus that the European Employment Strategy has represented in Spain. The authors explore working-time policies as explanatory drivers for reconciliation policies at company level.

Escobedo, A. and Navarro, L. (2007a) *Perspectivas de desarrollo y evaluación de las políticas de licencias parentales y por motivos*

familiares en España y en la Unión Europa: Informe de resultados de la Muestra Continua de Vidas Laborales. [Perspectives of leave policies for working parents and family reasons in Spain and the EU: research report based on the analysis of the Spanish Continuous Sample on Working Lives]. Contact anna.escobedo@uab.es

Final report of a project consisting of an exploratory evaluation of the Spanish system of leave arrangements for family reasons in the context of the EU, based on statistical work using a social security affiliated sample, and on a review of available documentation and administrative data.

Escobedo, A. and Navarro, L. (2007b) 'Una evaluación del sistema de licencias parentales y por motivos familiares en España desde la perspectiva de género' ['Gender evaluation of leave arrangements for working parents and family reasons in Spain'] Working paper presented at the Working Group on Gender at the *Spanish Congress of Sociology*. Barcelona, 15 September 2007. Contact anna.escobedo@uab.es

Gala, C. (2007) *La conciliación de la vida laboral y familiar del personal de las entidades locales. [The reconciliation of work and family life by public employees in local administration]* *Estudios de Relaciones Laborales*, No. 2. Barcelona: CEMICAL-Diputació de Barcelona (Consorti Estudis i Mediació de l'Administració Local, Diputació Barcelona)

This book is based on a study of the regulations and collective bargaining at the level of local administration all over Spain in the field of reconciliation of work and family life, which mostly relates to leave arrangements. (There is also a Catalan version focusing on the situation in Catalonia published as *Estudis de Relacions Laborals*, No. 4. CEMICAL, Diputació de Barcelona).

Pazos, M. (ed.) (2007) *Economía e igualdad de género: retos de la Hacienda Pública en el siglo XXI. Colección: Estudios de Hacienda Pública. [Economy and gender equality: challenges for the public finances in the 21st century]*. Madrid: Instituto de Estudios Fiscales. Available at www.ief.es/Investigacion/Temas/Genero/Libro_Genero.pdf

Edited volume of contributions to a seminar organised by a research institute of the Spanish Ministry of Public Finances, including analyses of Parental leave, early education and care policies, and gender equality, particularly based on Sweden and Spain, but also on other international references.

Síndic de Greuges (2007) *School enrolment for children 0 to 3 in Catalonia*. Available (in Catalan, Spanish and English) at: http://www.sindic.cat/ficheros/informes/53_Escolaritzacio0a3anys.pdf
Special report by the Ombudsman in Catalonia on complaints received about early childhood education and care services, which includes a section on Parental leave arrangements.

c. Ongoing research

Evaluation research of the Catalan law on conciliation of personal, family and labour life of the personnel working for the administration of the Government of Catalonia (2006–2008). Anna Escobedo and Lara Navarro, Department of Sociology, Universitat Autònoma de Barcelona (UAB), funded by the Social Affairs Department of the Generalitat de Catalunya.

The project aims at producing data on the use of the supplementary measures introduced in April 2002 in the public sector by the Catalan Government in various professional groups with different proportions of men and women, and with more male- or female-orientated work cultures (e.g. teachers, health public sector, general administration and services, police and firemen). A second stage is envisaged, based on qualitative methodology and a more in-depth approach. Contact: Anna.Escobedo@uab.es

Equidad Distributiva en el acceso a los recursos de tiempo en España: El caso de las excedencias para atender a la primera infancia y a familiares dependientes (2007–08). Sebastià Sarasa and a research team, Department of Social and Political Sciences, Pompeu Fabra University, funded by FIPROS (Spanish Research Fund on Social Protection), Ministry of Labour and Social Affairs.

The project analyses social inequality in access to time resources and policies, focusing on unpaid parental leave and the unpaid leave to care for dependant relatives. Contact: sebastia.sarasa@upf.edu

The employment impact of parenthood in Spain, and on the use of social security schemes. Employment options for mothers and fathers living in households with under 3s (2008). Anna Escobedo and Lara Navarro, Department of Sociology, Universitat Autònoma de Barcelona (UAB), funded by FIPROS (Spanish Research Fund on Social Protection), Ministry of Labour and Social Affairs.

The project focuses on households with children under three years of age for the time period from 1995 to 2005. It is based on a longitudinal analysis of the Continuous Sample on Working Lives (MCVL_2006). The aim is to characterise patterns of employment continuity and discontinuity, including the use of leave arrangements and work-time reduction for childcare purposes, or the use of unemployment benefits. Contact: Anna.Escobedo@uab.es

From maternity protection towards a care legislation (2008). Noelia Igareda and a research team, Antigona research centre, Department of Political Science and Public Law, Universitat Autònoma de Barcelona,

funded by FIPROS (Spanish Research Fund on Social Protection), Ministry of Labour and Social Affairs.

The research is conducted from the perspective of law, philosophy and political science. Its purpose is to contrast the conceptualisation of motherhood and fatherhood in Spanish leave arrangements and related social protection regulation, with the conceptualisation of maternity and paternity in Spanish society, analysing social, economic and cultural factors. The methodology combines discourse analysis from relevant legal texts with in-depth interviews. Contact: Noelia.Igareda@uab.es

2.24

Sweden

Linda Haas, Anders Chronholm and Philip Hwang

Population (UNDP)	2005	9 million
Total Fertility Rate (UNDP)	2000-05	1.7
GDP per capita (UNDP)	2005	US\$32,525
Female economic activity (UNDP)	2005	58.7 per cent
As % male rate (UNDP)	2005	87 per cent
% of employed working part time (ECLC)		
Men	2005	11 per cent.
Women	2005	39.6 per cent
Employment gender gap (full-time equivalent) (ECI)	2005	10.6% points
Employment rate (parents with children under 12 years)(EWM)		
Fathers	2006	No data
Mothers	2006	No data
Employment impact of parenthood (parents with a child 0–6 years)(ECI)		
Men	2006	No data
Women	2006	No data
Gender-related Development Index (UNDP)		5th
Gender Empowerment Measure (UNDP)		2nd
Access to regulated ECEC services (OECD) ⁵⁸		
Children under 3 years	2004	39.5 per cent
Children 3–5 years (inclusive)	2004	86.7 per cent

1. Current leave and other employment-related policies to support parents

a. Maternity leave (*havandeskapspenning*) (responsibility of the Ministry of Social Affairs)

There is no general entitlement to statutory Maternity leave. But pregnant women are eligible for 50 days of leave paid at 80 per cent of income if they work in jobs considered injurious or involving risk to the foetus. Other pregnant women may use paid Parental leave or sick leave up to 60 days before the baby is due.

⁵⁸ The access rate in 2005 was 83 per cent for children aged one to five years of age (Source: Skolverket)

b. Paternity leave (*pappadagar*) (responsibility of the Ministry of Social Affairs)

Length of leave

- Ten days (+ 60 days = fathers' quota, see 'Parental leave'). Designed to be used to attend delivery, care for other children while mother is in hospital, stay over in the hospital in a family room after childbirth and/or participate in childcare when the mother comes home.

Payment

- Eighty per cent of earnings up to a ceiling of SEK403,000 per year (2007) (€43,070).

Flexibility in use

- Can be used at any time during the first 60 days after childbirth.

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

- To get the maximum amount of compensation, a father needs to be employed for at least 240 days before the expected or actual date of childbirth or adoption; otherwise, a father gets the low 'guarantee' level of SEK180 a day (€20). Self-employed fathers have the same rights as fathers employed by others; however, their income compensation can vary depending on how much 'corporate' tax they have paid in.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother

- Leave is doubled for fathers of twins.
- Mothers can take leave in some situations, e.g. when paternity is not established.

c. Parental leave (*föräldraförsäkring*) (responsibility of the Ministry of Social Affairs)

Length of leave (before and after birth)

- Four hundred and eighty days of paid leave. Sixty days are only for the mother (*mammamånader* or a 'mother's quota') and 60 days only for the father (*pappamånader* or a 'father's quota'). The remaining 360 days are a family entitlement. Half of these days are reserved for each parent; if days are transferred from one parent to another, the parent giving up his or her days must sign a consent form.
- In addition, each parent is entitled to take unpaid leave until a child is 18 months.

Payment

- For eligible parents (see below), 390 days at 80 per cent of earnings up to a ceiling of SEK403,000 per year (2007) (€43,070); the remaining 90 days at a flat-rate payment of SEK180 a day (€20). (A special formula has been introduced, reducing earnings by 3 per cent before counting the 80 per cent of earnings.) Non-eligible

parents receive SEK180 a day for 480 days. In 2004, 10 per cent of mothers and 29 per cent of fathers had incomes above the ceiling (Lidström, 2005).

Flexibility in use

- The length of leave is counted in days (rather than weeks or months) to enhance flexibility of use.
- Paid and unpaid leave can be combined to enable parents to stay at home longer.
- Paid leave can be taken at any time until a child's eighth birthday.
- Parents can take paid leave full-time, half-time, quarter-time or one-eighth time, with the length of leave extended accordingly (e.g. one day of full-time leave becomes two days of half-time leave and four days of quarter-time leave).
- Parents can take leave in one continuous period or as several blocks of time. An employee taking Parental leave has the right to stay away from work for a maximum of three periods each year.

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

- All parents are entitled to paid parental leave, but paid leave at 80 per cent of earnings requires parents to have had an income of over SEK180 a day for 240 days before the expected date of delivery or adoption. A parent remains qualified for parental leave at the higher rate if an additional child is born or adopted within 30 months of the birth or adoption of an earlier child.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the parents

- Families with multiple births are entitled to additional paid leave (in the case of twins, an additional 90 days at 80 per cent of earnings and 90 days at a flat-rate of SEK180 a day; for every further child, an additional 180 days at 80 per cent of earnings).
- If only one parent has custody of the child, he or she can use all the Parental leave days.

Additional note (e.g. if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)

- Parental leave pay has already been negotiated in collective bargaining agreements in the public sector and is becoming more commonplace in the private sector where about 10 per cent of mothers and 11 per cent of fathers receive extra parental leave pay (*föräldralön*) because of union collective agreements (Lidström, 2005). In government jobs, parents usually have the right to 80 per cent of their pay for the days of parental leave that are paid at the low flat rate. In the private sector, unions have often negotiated a 90 per cent wage replacement rate (compared with the government mandated 80 per cent), or a wage replacement at 80 per cent up to the full amount of wages earned, above the ceiling, but usually only for three months (Lindquist and Wadensjö, 2005).

d. Childcare leave or career breaks

- Employees can take between 3 and 12 months leave from work for several purposes; this opportunity, which is not connected to the parental insurance system, is called *friår* (free year). To apply for this leave, certain conditions must be met including: there has to be an agreement between the employer and the employee; the employee must have been employed by the same employer during the last two years; and the employee taking leave must be replaced by an unemployed person. Employees taking leave will receive 85 per cent of unemployment benefit which is earnings-related up to a maximum 'ceiling'; the maximum benefit for employees taking *friår* is SEK580 (approximately €63) a day. As the budget for *friår* is limited, not all applicants will be successful. In general, it can be assumed that few parents would be able to use this benefit in order to care for children.

e. Other employment-related measures

Adoption leave and pay

- Cohabiting adoptive parents get five days each at the time of adoption; a single adoptive parent would get 10 days, considered to be part of temporary (paid) Parental leave (*tillfällig föräldraledighet*) (see below).

Time off for the care of dependants

- Temporary Parental leave (*tillfällig föräldrapenning*) is available at 120 days per child per year for children under the age of 12, and for children aged 12 to 15 with a doctor's certificate. This is paid at 80 per cent of earnings; it is a family entitlement and it can be used to care for sick children. Sixty of these days can also be used to stay at home with young children if the regular caregiver is sick. Since 2001, they can be offered to someone outside the family, if they are an eligible person in the social insurance system, to care for a sick child if parents cannot miss work. Since 2001, one day of temporary leave per year can be used by a parent to visit a child's school if the child is aged 6 to 11 years. The '*pappadagar*' (see section 1b) also come under this category of temporary Parental leave.

Flexible working

- Until a child reaches the age of eight years or completes the first grade of school, parents have the right to reduce their normal working time by up to 25 per cent; there is no payment for working reduced hours.

2. Changes in leave policy since 2005 and other related developments (including proposals currently under discussion)

In 2006, an amendment to parental leave legislation strengthened Parental leave rights by prohibiting employers from refusing an applicant a job on the grounds that the person wants to take leave in the future. An amendment to the Security of Employment Act in 2006

protects individuals on parental leave from layoffs during their leave; notice of termination cannot begin until a parent has returned to work (Jämställdhets Ombudsmannen, 2006); this rule, however, does not apply to jobs that are considered to be short-term.

In October 2006, a new centre-right government was elected. This government proposed a 'gender equality bonus' (*jämställdhets bonus*) to offer an economic incentive for families to divide Parental leave more equally between the mother and the father of the child. The bonus would allow the parent with the lowest wage an extra tax reduction when the parent with the higher wage stays at home. This also applies to parents who do not live together. In February 2008, the government recommended expanding the equality bonus to apply to temporary parental leave used to care for sick children. These proposals were presented to parliament in March 2008.

Another proposal, also presented to the Swedish parliament in March, is for a municipal childraising allowance (*Vårdnadsbidrag*). Local authorities will be able to decide whether to provide a benefit of up to SKK3,000 (€320) per month for parents with a child aged one to three years who do not use publicly-funded early childhood services.

To better evaluate whether various measures are helping to reach the goal of fathers sharing more of parental leave, the government is beginning to analyse statistics by couples, rather than by individual mothers and fathers. This will enable an assessment to be made of what per centage of all days taken by a couple are used by fathers (Jansson, M. (2005), *Föräldrapenning - att mäta hälften var* [Parental leave-measuring each one's half]. Stockholm: Försäkringskassan Statistisk [Insurance Office Statistical Report]).

3. Take-up of leave

a. Maternity leave

Between 1994 and 2004, around 25 per cent of pregnant women took maternity leave for an average of 38 days, because their job did not permit their continued work without risk (Reformerad Försäkring, 2005).

b. Paternity leave

In 2004, about 80 per cent of fathers took paternity leave, for an average of 9.7 days out of the 10 days available (*ibid.*).

c. Parental leave and childrearing benefit

Almost all families use paid parental leave in Sweden today. Although it is possible to use this benefit until a child reaches the age of eight years, the majority of parents take the main part of the leave before

their child reaches the age of two, using the leave period paid at 80 per cent of earnings during their child's first year. Widespread affordable childcare is relatively easy to obtain once a child is 18 months or older (all children are entitled to a place from 12 months of age), so parents try to put together a combination of paid and unpaid leave until a child reaches that age. While it is possible to take leave for part of a day, such part-days account for only around 3 per cent of all days taken (*ibid.*).

Ninety per cent of fathers of children born in 1998 took parental leave, mainly when their children were 13 to 15 months of age. Fathers are more likely than mothers to take leave part-week (e.g. one day a week) (*ibid.*).

The most common measure used to compare men and women's use of paid Parental leave is to compare the total amount of days used in one year. It is clear from this measure that mothers still take most Parental leave, although the proportion of total days used by men has been increasing. In 1987, fathers took about 7 per cent of total parental leave days that year; in 2005, it had increased to 19.5 per cent (JämO, 2006⁵⁹), and during 2007 it increased further to 20.8 per cent (Försäkringskassan, 2008⁶⁰). The introduction of a father's quota in 1995 (one month) and its extension in 2002 (to two months) have both led to more fathers taking more leave; the second month had a less dramatic effect than the first (Reformerad försäkring, 2005).

Fathers with more education take more Parental leave, as do fathers whose partners have higher levels of education and higher income. Fathers taking no leave are more likely to have been born outside Sweden, and unemployed fathers and fathers in small towns and rural areas generally take less leave than other fathers. Fathers who work in the public sector are more likely to take leave, perhaps because they get more compensation as a result of collective bargaining. Fathers are more likely to take Parental leave for a second child (usually the first child is preschool age) (*ibid.*).

d. Other employment-related measures

Mothers are more likely than fathers to work part-time hours; 50 per cent of mothers with two children with the youngest being two years old or less worked part-time in 2005, compared with only 7 per cent of

⁵⁹ JämO [Jämställdhetsombudsmannen - Gender equality ombudsman] (2006). Pappornas föräldraledighet ökar långsammare, January 17. Available at: www.jamombud.se.news

⁶⁰ Available at: <http://www.forsakringskassen.se/omfk/analys/barnfamilj/foraldrap/#pappa>

fathers (Statistiska Centralbyrån 2007⁶¹). However, no official statistics are kept concerning whether parents working part time are using their entitlement to work reduced hours, or whether they were working in part-time jobs to begin with. At the present time, more Swedish women report involuntarily working part-time than do men (Statistiska Centralbyrån, 2005. Available at www.scb.se/templates/standard_9428.asp).

When temporary Parental leave is used to care for sick children, it is more often used by mothers (64 per cent of days taken in 2004) (JämO, 2006).

4. Research and publications on leave and other employment-related policies since January 2005

a. General overview

The research conducted during the three decades of Swedish Parental leave has mainly focused on comparing mothers' and fathers' use of Parental leave, as a major issue has been the unequal sharing of Parental leave days between women and men.

b. Selected publications from January 2005, including results from research studies

Duvander, A.-Z., Ferrarini, T. and Thalberg, S. (2005) *Swedish parental leave and gender equality—achievements and reform challenges in a European perspective (Institute for Future Studies Working Paper 2005, No.11)*. Stockholm: Institute for Future Studies Report

This article elaborates upon some of the benefits of gender-neutral Parental leave in Sweden (e.g., it enhances couple fertility) and some of its challenges (e.g., mothers take many more days than fathers). It discusses possible changes in eligibility requirements that would make it easier for people without a labour market history to collect compensation.

Elvin-Nowak, Y. (2005) *Världens bästa pappa? Om mäns relationer och strävan efter att göra rätt. [The world's best father? About men's relationships and struggle to do it right.]* Stockholm: Bonnier

This book uses material from interviews with 20 fathers to report on the difficult transition taking place in Sweden, from when masculinity used to be constructed from participation in successful paid work and through a certain distance from everyday responsibility for children, to the situation now where there is pressure on men to construct masculinity through active fatherhood and responsibility for children, living in a more gender-equitable relationship with women.

⁶¹ Statistiska Centralbyrån, *På tal om kvinnor och män [Talking about women and men]*. Available at www.scb.se

Försäkringskassan (2005) *Vägen ur föräldraledigheten* [The path back from parental leave]. RKV Redovisar 2005:7

This report presents the results of a study of 53,174 parents (87 per cent women) who took at least 100 days of parental leave during 2002. Results showed that the longer parents took parental leave, the more likely they were to become unemployed after the period was over; this was particularly true for women.

Lidström, M. (2005) *Socialförsäkringstaket och föräldralön – Ekonomi vid föräldraledighet* [The social insurance ceiling and parents' pay – economics of parental leave]. *Försäkringskassan Analyserar* [Social Insurance Office analysis report], 2005:7. Available at:

www.forsakringskassan.se

This report shows that 30 per cent of men and 10 per cent of women up to age 45 have incomes over the insurance ceiling, working mostly in the private sector. Parental leave pay has already been negotiated in most collective bargaining agreements in the public sector and is becoming more commonplace in the private sector, offering parents either 80 per cent or even 90 per cent of their income, up to a higher ceiling or regardless of salary amount.

Lindquist, G. S. and Wadensjö, E. (2005) *Inte bara socialförsäkringar – Kompletterande ersättningar vid inkomstbortfall* [Not only social insurance – complementary income replacement at loss of income]. *Rapport till expertgruppen för studier i samhällsekonomi* [Report to the expert group for studies in national economy], 2005:2. Stockholm: Regeringskansliet, Finansdepartementet. Available at:

www.regeringen.se/sb/d/5225/a/52073

In government jobs, parents usually have the right to 80 per cent of their pay for the days of parental leave that are now paid at a low rate. In the private sector, unions have been more likely to negotiate a 90 per cent wage replacement rate (vs. the government-mandated 80 per cent), or a wage replacement at 80 per cent up to the full amount of wages earned, above the ceiling, but usually only for three months. Since the majority of men work in the private sector, the lower availability of such contracts in the private sector can reinforce the pattern that men stay home less than women.

Orpana, L. (2005) *Pappaindex 2004*. Stockholm: Tjänstemannens centralorganisation [White-collar workers' union federation]. Available at: www.tco.se.

In 2000, the white-collar workers' union federation developed an annual 'pappa index,' to examine progress in fathers taking of parental leave. They estimate that leave would not be shared equally until 2023, unless new measures to encourage fathers to take more leave are enacted, such as raising of the income ceiling.

Prhat, A.-M. (2005) *Uppdrag livspussel [Mission: life's puzzle]*. TCO granskar [White-collar union federation reports], nr. 17/05. Stockholm: TCO

This report features the results of phone interviews with a random sample of 1,000 Swedes, aged 15–74. Almost all (97 per cent) think parental leave should be shared, but most (90 per cent) oppose the trend towards making leave a non-transferable individual right.

Reformerad försäkring [Reformed social insurance] (2005) *Statens Offentliga Utredningar [Official Government Reports] 2005:73*. Stockholm: SOU

A survey of 1,000 parents revealed a paradox: respondents thought parents should decide themselves how Parental leave should be shared within their family, but the majority were still positive towards the increase in the number of pappa and mamma months, and thought fathers should take more leave. A survey of personnel officers revealed that the majority of workplaces still look at men's leave-taking in a negative light.

Westerlund, L., Lindblad, J. and Larsson, M. (2005) *Föräldradighet och arbetstid [Parental leave and work time]*. Stockholm: Landsorganisationen [Blue-collar workers' union federation]

This report analyses data on labor market involvement of parents who had their firstborn children during 2000 and 2001, before and after they took parental leave. They conclude that the group with the weakest position in the labour market, blue-collar women, are more likely to be unemployed or under-employed after leave, reducing their economic independence.

Bygren, M. and Duvander, A.-Z. (2006) 'Parents' workplace situation and fathers' parental leave use', *Journal of Marriage and Family*, Vol. 68: 363–372

Data from Statistics Sweden on couples' use of Parental leave in Stockholm in 1997 showed that fathers took less leave if they worked in the private sector and in smaller workplaces. Fathers' leave-taking was greater when both fathers and their partners worked at workplaces where fathers had taken leave previously. The conclusion was that employers need to be considered when researching the gender-based division of childcare in Swedish families.

Duvander, A.-Z. and Andersson, G. (2006) 'Gender equality and fertility in Sweden: a study on the impact of the father's uptake of Parental leave on continued childbearing', *Marriage and Family Review*, Vol. 39, No. 3–4: 121–242

This article examines the relationship between the father's and the mother's use of leave and the continued childbearing of a couple, based on longitudinal information on registered Parental leave use and childbearing of all intact partnerships in Sweden during 1988–1999. The

authors found a positive effect of a father's taking moderately long leave on a couple's second- and third-birth propensity, but no such effect of a father's taking very long Parental leave.

Engström, P. Hesselius, P. and Persson, M. (2006) *Överutnyttjande i tillfällig föräldrapenning för vård av barn*[Misuse of temporary parental benefits for the care of children]. IFAU-Institutet för arbetsmarknadspolitisk utvärdering [Institute for Labour Market Evaluation]: Rapport 2006: 9. Available at: <http://www.ifau.se/upload/pdf/se/2006/r06-09.pdf>

This report analyses data on suspected cheating regarding the use of temporary parental leave. The result shows that up to 22.5 per cent of the paid benefit is probably used by parents who do not follow the rules.

Lammi-Taskula, J. (2006) 'Nordic men on parental leave: can the welfare state change gender relations?', in: A. Ellingsaeter and A. Leira (eds) *Politicising parenthood in Scandinavia*. Bristol: Policy Press, pp.79-100.

This chapter reviews the literature on men taking parental leave in the five Nordic countries. It covers policy changes giving men rights to take leave, trends showing that fathers increasingly take leave, findings concerning the effects of socio-economic status and partners on men's leave-taking, family negotiations about leave-taking, and the influence of the workplace on fathers taking leave. The chapter concludes that Parental leave policy is a necessary but not sufficient condition for changing gendered patterns of parenting.

Lundgren, F. (2006) 'Mer pappaledigt i högutbildade' ['More fathers take parental leave among the highly educated'], *Välfärd* [Social Welfare], No. 4: 12–13

The article analyses government data from 2003–2004 on couples who had their first child during 2003 and who used at least 260 days of parental leave altogether. Findings show that the number of days that fathers take as leave is highest among couples where the mother's income is over the income ceiling for benefits while the father's income is below. Fathers who work in the private sector took the fewest leave days.

Carlson, L (2007) *Searching for equality: Sex discrimination, parental leave and the Swedish model with comparisons to EU, UK and US law*. Ph.D. thesis. University of Stockholm. Uppsala: Iustus

This dissertation compares the Swedish approach to the problem of economic equality to the approaches found in EU, UK and US law. The findings of this thesis suggest that Sweden may need to reassess its approach to equality.

Chronholm, A (2007) 'Fathers' experience of shared parental leave in Sweden', in : *Articuler vie familiale et vie professionnelle: une entrée par les pères. Recherches sociologiques et anthropologiques. No. 2: 2007.* Université catholique de Louvain.

This article focuses on a study of fathers who had taken more than four months of paid Parental leave. It gives a description of both the background to their decision to take a long period of Parental leave and their experiences during their leave. The study showed that both parents wanted to share the leave and that many couples had decided to do so before the child was born. A majority of the fathers were very positive and stressed both the importance of getting a close relationship with their child and the possibilities for the mother of the child to be able to get back to work or studies.

Duvander, A.-Z. and Evertsson, M. (2007) *Föräldraledighet och arbetslivskarriär – En studie av mammors vägar i arbetslivet [Parental leave and careers – A study of mothers' progress in the labour market]. Demografiska rapporter 2007:3.* Statistiska centralbyrån

Using longitudinal data from the Swedish Level of Living Survey, 1974–2000, research revealed that women take longer parental leave with their first and second children than they do with later children; women take longer leave when they have a less prestigious job and when they work in the public sector. Taking longer leave was associated with women's lesser likelihood of being promoted to more prestigious jobs.

Försäkringskassan (2007) *Attityder till misstänkt bidragsbrott inom tillfällig föräldrapenning [Attitudes towards suspected false claims for temporary Parental leave.].* RKV Redovisar 2007: 9

Focus groups were conducted during 2007 with parents on the topic of parents' use of temporary Parental leave. Such leave can be used for three purposes: fathers can use it immediately after childbirth or adoption to be with their families; parents can use it to visit daycare, preschool or schools; and parents can use it to replace earnings lost when they stay home to care for a sick child. Results indicated that this type of Parental leave was widely regarded by parents as being too easy to get; in some situations, parents could request compensation from this programme without anyone checking to see if they were using it for the intended purpose, e.g. actually caring for their sick children. Parents were reported to misuse this benefit to receive pay when they themselves were sick (their own sick pay does not begin immediately) or when they would like to have some time off work to do things.

Försäkringskassan (2007) *VAB – Vård av barn – Tillfällig föräldrapenning 1974-2006 [Caring for children – temporary parental insurance 1974–2006].* Redovisar 2007: 10

This report describes in detail the development of temporary parental leave in Sweden, designed to encourage parents to share childcare in families.

Haas, L. and Hwang, P. (2007) 'Gender and organisational culture – correlates of companies' responsiveness to fathers in Sweden', *Gender & Society*, Vol. 21, No. 1: 52–79.

This article investigates the influence of two ideologies about gender, the doctrines of separate spheres and masculine hegemony, on the responsiveness to fathers shown by Sweden's 200 largest corporations in 1993. 'Father friendliness' was measured with 16 items, many concerning fathers' access to parental leave. Father-friendly companies had adopted values associated with the private sphere and prioritised women's entrance into the public sphere.

Josefsson, J. (2007) *Uppdelning av föräldraledighet – Nöjda och missnöjda föräldrar [Division of parental leave – satisfied and dissatisfied parents]*. Försäkringskassan (Swedish Social Insurance Agency): Working Papers in Social Insurance 2007: 2. Available at: <http://forsakringskassan.se/filer/publikationer/pdf/wp0702.pdf>

This report focuses on how satisfied parents are with their division of parental leave. Fathers are less satisfied than mothers when the mother takes a greater part of the Parental leave. Parents claimed that the primary reason for fathers taking less parental leave was economic or based on a lack of support at the fathers' workplace.

Meyer, A, (2007) *Studies on the Swedish parental insurance*. Ph.D. thesis. Lund: Department of Economics, Lund University

This dissertation contains three essays considering different aspects of Swedish parental insurance. In the first essay, the sharing of temporary Parental leave is discussed from a gender perspective, showing that men in general have stronger bargaining power than women. The second one features a comparison of single and cohabiting mothers' use of temporary parental leave, showing that single mothers with higher educational levels take less temporary Parental leave to improve their chances of advancement in the labour market. The third essay focuses on what influences parents' satisfaction with the sharing of parental leave. If parents' labour market situation largely influences the sharing of their parental leave, they are less likely to be satisfied than if other reasons are given.

Plantin, L. (2007) 'Different classes, different fathers? On fatherhood, economic conditions and class in Sweden', *Community, Work and Family*, Vol. 10, No. 1: 93–110.

A qualitative study of 30 couples found that parents under economic pressure – from being unemployed, involuntarily working part-time, as well as from instability in the labour market and cutback in welfare benefits – often choose to divide parental leave in a traditional way, with the mother taking as much as she can, since fathers tend to make more money than mothers. Working class fathers' lower likelihood of taking parental leave is seen as a reaction to this economic pressure as

well as differences in the social construction of fatherhood by class; middle class fathers were more likely than working class fathers to see fatherhood as a 'radical experience', a 'reflexive project,' an opportunity to develop themselves (an emphasis on government campaigns to urge fathers to take leave).

Haas, L. and Hwang, P. (2008) 'The impact of taking parental leave on fathers' participation in childcare and ties with children: Lessons from Sweden', *Community, Work and Family*, Vol. 11, No. 3: 85–104

This article investigates whether taking Parental leave is associated with fathers' greater responsibility for childcare and closer ties with children. The findings suggest that positive effects of leave-taking on fathers' participation in childcare occur more often when fathers have taken 90 days or more of leave.

Klinth, R. (2008) 'The best of both worlds? Fatherhood and gender equality in Swedish paternity leave campaigns, 1976–2000', *Fathering*, Vol. 6, No. 1: 20–38.

This qualitative study of material used in 13 national campaigns to promote fathers taking of parental leave in Sweden (most conducted by the National Social Insurance Office) examines how men are portrayed in terms of their 'identities, rights, and responsibilities as parents'. While results suggest that images of fathers in these campaigns have been progressive, only recently have these publicity efforts promoted a more radical shared responsibility of men for childcare (rather than freedom of choice).

c. Ongoing research

Companies' and unions' responsiveness to fathers – a follow-up (ongoing). Linda Haas, Indiana University, and Philip Hwang, Göteborg University.

Mail surveys were conducted of the 400 largest Swedish companies, and the largest union chapter in each of these companies, during 2005–2006. Funded by the Swedish Council for Research on Worklife and Society and Indiana University (USA). Preliminary results suggest that companies have become substantially more 'father friendly' in the past 10 years. Between one-fourth and one-third of unions reported that they had practices and policies to encourage fathers to take leave. Contact: Linda Haas at lhaas@iupui.edu

2.25

United Kingdom

Margaret O'Brien and Peter Moss

Population (UNDP)	2005	60.2 million
Total Fertility Rate (UNDP)	2000-05	1.7
GDP per capita (UNDP)	2005	US\$33,238
Female economic activity (UNDP)	2005	55.2 per cent
As % male rate (UNDP)	2005	80 per cent
% of employed working part time (ECLC)		
Men	2005	10.4 per cent.
Women	2005	42.7 per cent
Employment gender gap (full-time equivalent) (ECI)	2005	21.8% points
Employment rate (parents with children under 12 years)(EWM)		
Fathers	2006	91.0 per cent
Mothers	2006	63.1 per cent
Employment impact of parenthood (parents with a child 0–6 years)(ECI)		
Men	2006	+ 5.7% points
Women	2006	-21.3% points
Gender-related Development Index (UNDP)		10th
Gender Empowerment Measure (UNDP)		14th
Access to regulated ECEC services (OECD)		
Children under 3 years	2004	25.8 per cent
Children 3–5 years (inclusive)	2004	80.1 per cent

1. Current leave and other employment-related policies to support parents

a. Maternity leave (responsibility of the Department for Business Enterprise & Regulatory Reform)⁶²

Length of leave (before and after birth)

- Fifty-two weeks. A woman can start to take her leave from the beginning of the 11th week before her baby is due.

⁶² See page 94 for discussion of responsibility of Department of Work and Pensions for maternity pay

Payment

- Ninety per cent of woman's average earnings for six weeks with no ceiling plus a flat-rate payment of £117.18 (approximately €150) for 33 weeks. The remaining 13 weeks are unpaid.

Flexibility in use

- None except for when leave can be started before birth.

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

- All women employees are eligible for 26 weeks 'Ordinary Maternity leave' (OML) plus a further 26 weeks of 'Additional Maternity leave' (AML). Women employees and employed earners who have worked for their employer for 26 weeks, into the 15th week before the baby is due, and who meet a minimum earnings test, are eligible for 'Statutory Maternity Pay' consisting of six weeks' payment at 90 per cent of average weekly earnings, with no ceiling, plus 33 weeks of flat-rate payment at £117.18 (approximately €150) a week or 90 per cent of earnings, whichever is the lesser.
- Self-employed workers who have worked for 26 weeks out of the 66 preceding the expected week of childbirth qualify for 39 weeks of the flat-rate payment.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent) or delegation of leave to person other than the mother

- None.

Additional note (e.g. if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)

- Many employers' provisions go beyond the statutory minimum. For example, in 2007, 53 per cent of workplaces with five or more employees offered extra-statutory maternity leave and 16 per cent provided higher than the minimum maternity pay (Hayward et al, 2007)

b. Paternity leave (responsibility of the Department for Business Enterprise and Regulatory Reform)

Length of leave

- Two weeks to be taken during the first eight weeks of the child's life.

Payment

- Flat-rate payment of £117.18 (approximately €150) a week.

Flexibility in use

- None except for when leave can be started after birth.

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

- Employees who meet three conditions: they are the biological father of the child or the mother's husband or partner; they expect to have responsibility for the child's upbringing; they have worked continuously for their employer for 26 weeks ending with the 15th week before the baby is due.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone 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)

- A minority of employers' provisions go beyond the statutory minimum. For example, in 2007, 18 per cent of workplaces with five or more employees offered extra-statutory Paternity leave and 19 per cent of employers provided higher than the minimum paternity pay (Hayward et al., 2007)

c. Parental leave (responsibility of the Department for Business Enterprise and Regulatory Reform)

Length of leave

- Thirteen weeks per parent per child (i.e. an individual right), with a maximum of four weeks leave to be taken in any one calendar year.

Payment

- None.

Flexibility in use

- Leave may be taken in blocks or in multiples of one week, up to four weeks per year.
- Leave may be taken up to the child's fifth birthday.

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

- All employees who have completed one year's continuous employment with their present employer and who have, or expect to have, parental responsibility for a child.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the parent

- Parents of disabled children get 18 weeks leave, which may be taken until their child's 18th birthday. They may also take leave a day at a time if they wish.
- As the leave is per child, each parent of twins gets 26 weeks.

Additional note (e.g. if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)

- The statutory scheme is referred to by government as a 'fallback scheme' since the government's intention is that 'wherever possible employers and employees should make their own agreements about how Parental leave will work in a particular workplace'.⁶³ A survey in 2003 for the government found that employers in 11 per cent of workplaces provided Parental leave beyond the statutory minimum; this mainly involved increased flexibility in how leave could be taken,

⁶³ Department for Business, Enterprise and Regulatory Reform, *Parental leave: summary guidance*. Available at:

<http://www.berr.gov.uk/employment/balancing-work-family-responsible/parental-leave/index.html>

with only a quarter of the 11 per cent – 3 per cent of all workplaces – providing some payment (Woodland et al., 2003).

- Employers may postpone granting leave for up to six months 'where business cannot cope'.

d. Childcare leave or career breaks

None.

e. Other employment-related measures

Adoption leave and pay

- One adoptive parent is eligible for 52 weeks' leave paid at a flat-rate payment of £117.18 (€150) a week for the first 39 weeks, and a further 13 weeks' unpaid leave. There is also a right to paid paternity leave for the adopter not taking adoption leave.

Time off for the care of dependants

- Employees may take 'a reasonable amount of time off work to deal with unexpected or sudden emergencies and to make necessary longer term arrangements'.⁶⁴ The legislation does not define what is 'reasonable', 'since this will vary with the differing circumstances of an emergency' (*ibid.*). Emergencies are specified as including 'if a dependant falls ill or has been injured or assaulted' or 'to deal with an unexpected disruption or breakdown of care arrangements' or 'to deal with an unexpected incident involving the employee's child during school hours'. There is no entitlement to payment.

Flexible working: the right to request and the duty to consider

- Employees (mothers and fathers) who have parental responsibility for a child under six years, a disabled child under 18 years or who care for an adult have a legal right to apply to their employers to work flexibly (e.g. to reduce their working hours or work flexi-time). Employers have a legal duty to consider these requests and may refuse them only 'where there is a clear business ground for doing so... [and must give] a written explanation explaining why'.⁶⁵

⁶⁴ Department for Business, Enterprise and Regulatory Reform, *Frequently asked questions about time off for dependants*. Available at:

<http://www.berr.gov.uk/employment/balancing-work-family-responsible/time-off/index.html>

⁶⁵ Department for Business, Enterprise and Regulatory Reform, *Frequently asked questions about time off for dependants*. Available at:

<http://www.berr.gov.uk/employment/workandfamilies/flexible-working/faq/page21615.html>

2.Changes in leave policy since 2005 and other related developments (including proposals currently under discussion)

Changes introduced in October 2006 extended the pay period of statutory maternity and statutory adoption pay from six to nine months, in respect of parents whose children were due to be born or placed for adoption on or after 1 April 2007.

In April 2007, the right to request flexible working was extended to employees who care for an adult. In November 2007 an independent review of the benefits and costs of extending the current right to request flexible working to parents of older children was announced. The report of this review⁶⁶ was published on 15 May 2008 and recommended extending the right to request flexible working to parents of children aged 16 and under. The government accepted these recommendations and is consulting on their implementation.

The government's stated ambition is to introduce the following measures by the end of the current UK Parliament (i.e. no later than May 2010).

- extend statutory maternity and adoption pay to a full year;
- introduce a new right to allow fathers to take-up to six months Additional Paternity Leave (APL) during the child's first year, if the mother returns to work before the end of her Maternity leave (i.e. the father's right is conditional on the mother not using her full entitlement to maternity leave). Some of this APL can be paid if the mother has some of her entitlement to maternity pay remaining at the time of her return to work. It will be the choice of the mother as to whether she takes up all her leave and pay entitlements or returns to work early. There have been a series of consultations on the detail of the scheme,⁶⁷ with the government's most recent response to APL administration published in January 2008.⁶⁸

Implementation of APL is proving complex. Most recently there has been an announcement that the provision will not be implemented before April 2009. A new IT system in the relevant delivery department is one factor delaying implementation.

3.Take-up of leave

⁶⁶ Available at: <http://www.berr.gov.uk/files/file46092.pdf>

⁶⁷ *Work and families: choice and flexibility - additional paternity leave and pay* (DTI, 2006) <http://www.berr.gov.uk/employment/workandfamilies/add-paternity-leave/index.html>

⁶⁸ Department for Business, Enterprise and Regulatory Reform, Response to ALP Consultation <http://berr.gov.uk/files/file44293.pdf>

a. Maternity leave

The extension to the period of Maternity leave in 2003 has led to an increase in the length of leave taken. The proportion of mothers taking 18 weeks leave or less fell from 42 per cent in 2002 to nine per cent by 2005; while the proportion of mothers taking five to seven months leave rose from a third to a half, and the proportion taking more than nine months increased from nine per cent to one quarter (Smeaton and Marsh, 2006).

It is estimated that nearly a third of women taking Maternity leave (29 per cent) receive payments from their employers additional to benefit payments (Smeaton and Marsh, 2006).⁶⁹ Higher earning workers and those working in the public sector or in a workplace with trade union representation are more likely to receive such additional income (Smeaton and Marsh, 2006). An analysis of the Millennium Cohort, a large sample of children born in 2000, indicates that 81 per cent of employed mothers took Maternity leave (rates were higher in Scotland) and that 83 per cent of these mothers had returned to work by nine to ten months after the birth of the cohort baby (Dex and Ward, 2007).

b. Paternity leave

A survey in 2002 (before the introduction of a statutory entitlement) found that nearly all fathers (95 per cent) working as employees took time off work around the time their baby was born, most commonly as (a) annual leave or (b) paternity leave provided by the employer. Where employers offered fully paid Paternity leave, take-up was almost universal (Hudson, Lissenburgh and Sahin-Dikmen, 2004). Following the introduction of statutory paternity leave in 2003, a 2005 survey reported increased leave-taking by fathers: the proportion taking more than two weeks increased from 22 to 36 per cent. Four-fifths of fathers who were employees and took time off used their new entitlement to paternity leave. The remaining fifth did not use parental leave, relying on annual or other forms of leave. But nearly half used paternity leave exclusively, while the remaining 30 per cent used a combination of paternity and other forms of leave (Smeaton and Marsh, 2006). An analysis of the Millennium Cohort indicates that 93 per cent of employed fathers took some leave around the time of birth (45 per cent Paternity leave and 50 per cent annual leave) (Dex and Ward, 2007).

A recent employer's survey indicates that in 88 per cent of workplaces, fathers on paternity leave took statutory paternity pay (SPP) but in 1 in 10 cases fathers declined to claim SPP, relying completely on annual leave/holiday entitlements (most commonly in the private sector).

⁶⁹ This national employee survey result suggests slightly higher rates of extra-statutory maternity benefits than the national employer survey findings (Hayward et al., 2007).

Additionally, in 56 per cent of workplaces, fathers 'topped-up' their paternity leave to take more than the statutory two weeks by utilising annual leave/holiday entitlements (Hayward et al., 2007).

c. Parental leave

Parental leave is not used widely, at least in the first 17 months of a child's life; and if used, it is only taken for short periods. In 2005, 11 per cent of mothers had taken some Parental leave since the end of Maternity leave (up from 8 per cent in 2002). Two-thirds had taken a week or less (ibid.). Eight per cent of fathers (who described themselves as entitled) had taken some Parental leave within 17 months of their child's birth, three-quarters for less than a week (Smeaton and Marsh, 2006).

d. Other employment-related measures

The results of the Second Flexible Working Employee Survey 2005 (Holt and Grainger, 2005) show that almost a quarter of employees with dependant children under six years have asked to work flexibly, rising to 36 per cent amongst women with a child under six years. Only around 11 per cent of these requests were declined – compared with 20 per cent before the law was introduced. A 2005 survey of maternity and paternity rights and benefits (Smeaton and Marsh, 2006) shows that 47 per cent of mothers work flexitime compared with just 17 per cent in 2002, and almost triple the number of new fathers now work flexibly. It also shows that the proportion of mothers who have changed their employer when returning to work has halved from 41 per cent in 2002 to 20 per cent. A 2007 update of this survey was due to be published at time of going to press.

Results from the latest Work-Life Balance Employee Survey (2006) indicate that 9 per cent of employees stated that they had caring responsibilities for adults, with women more likely to have caring responsibilities at 12 per cent compared with men at 9 per cent. Forty-two per cent of employees stated that they were aware of the introduction of the right to request flexible working from 1 April 2007 (Hooker et al., 2006).

Results from the 2007 Work-Life Balance Employer survey shows an across-the-board increase in the availability of flexible working arrangements – 95 per cent of workplaces had at least one provision, in contrast to 83 per cent in 2003 (Hayward et al., 2007). However, take-up had not increased at the same pace; 42 per cent of workplaces reported take-up of two or more flexible working practices, an increase from 36 per cent in 2003.

In terms of the right to request flexible working, 40 per cent of employers report receiving requests in the previous 12 months, with

only 9 per cent of these requests refused. The most frequently requested flexibility was to work part time or reduced working hours for a limited period and the most frequent reason for refusal was the potential for work disruption (Hayward et al., 2007).

4. Research and publications on leave and other employment-related policies since January 2005

a. General overview

Most leave policies have been introduced relatively recently into the UK: Parental leave and time off for the care of dependants in 1999; adoption and Paternity leave and the right to request flexible working in 2003. There is, therefore, limited research on these statutory entitlements, and also only limited official information on take-up, with none on unpaid leave entitlements. The longest established entitlement is Maternity leave and pay, first introduced in 1976, and there have been a number of studies over time (in 1979, 1988, 1996, 2002 and 2005) looking at the use of this entitlement and showing how this has increased as more women use leave to maintain continuous employment when having children. In the absence of official contemporaneous records, annual surveys and the UK's cohort studies are providing useful sources of information on patterns of take-up.

b. Selected publications from January 2005, including results from research studies

Davis, S., Neathey, F., Regan, J. and Willison, R. (2005) *Pregnancy discrimination at work: a qualitative study* (Working Paper Series No. 23). Manchester: Equal Opportunities Commission. Available at: http://www.eoc.org.uk/cseng/wp23_qualitative_study.pdf

This report examines women's experiences and views of pregnancy discrimination based on in-depth interviews and focus groups.

Holt, H. and Grainger, H. (2005) *Results from the Second Flexible Working Employee Survey* (Employment Relations Research Series No. 39). London: Department of Trade and Industry. Available at:

<http://www.berr.gov.uk/employment/research-evaluation/errs/page13419.html>

This report provides an update on the 2004 report (Palmer, 2004) on the knowledge and use of the legal right, introduced in April 2003, for employees to apply to their employers to work flexibly.

Kersley, B. et al. (2005) *Inside the workplace: first findings from the 2004 Workplace Employment Relations Survey*. London: Department of Trade and Industry. Available at:

<http://www.berr.gov.uk/employment/research-evaluation/wers-2004/index.html>

The Workplace Employment Relations Survey provides an overview of employment relations and working life in British workplaces.

O'Brien, M. (2005) *Shared caring: bringing fathers into the frame*. Manchester: Equal Opportunities Commission. Available at: http://www.eoc.org.uk/cseng/research/shared_caring_wp18.pdf
Evidence and policy review on extending fathers' access to leave provision and flexible working.

Brewer, M. and Paull, G. (2006) *Newborns and new schools: critical times in women's employment (DWP Research Report No. 308)*. London: Department of Work and Pensions. Available at <http://www.dwp.gov.uk/asd/asd5>

This report investigates how and when differences develop in work behaviour between men and women, focusing on the period immediately after childbirth and during the initial years of family development; includes rate and speed of return to work among women after childbirth, and considers the impact of maternity pay.

Casebourne, J. et al. (2006) *Employment rights at work: survey of employees 2005 (Employment Relations Research Series, No. 51)*. London: Department of Trade and Industry. Available at: <http://www.berr.gov.uk/employment/research-evaluation/errs/page13419.html>

This report examines employees' awareness, knowledge and exercise of their employment rights as well as where employees go to seek information and advice about their rights at work.

Hooker, H., Neathy, F. Casebourne, J. and Munro, M. (2006) *The third work-life balance employees survey: executive summary (Employment Relations Research Series No. 58)*. London: Department of Trade and Industry

This report is the third in the series, and examines employee take-up of work-life balance practices and the impact of employer provision.

Smeaton, S. and Marsh, A. (2006) *Maternity and paternity rights and benefits: survey of parents 2005 (Employment Relations Research Series, No.50)*. London: Department of Trade and Industry. Available at:

<http://www.berr.gov.uk/employment/research-evaluation/errs/page13419.html>

This report presents results from the latest in a government-commissioned series of surveys of parents, beginning in 1979, including parents' use of maternity, paternity and parental leave, both statutory and additional benefits provided by employers.

Dex, S. and Ward, K. (2007) *Parental care and employment in early childhood (EOC Working Paper Series No. 57)*. Manchester: Equal Opportunities Commission. Available at:

<http://www.eoc.org.uk/Default.aspx?page=15568>

This report presents results on maternal and paternal employment and caring behaviours for a nationally representative sample of babies born between September 2000 and December 2001 across the four countries of the UK.

Hayward, B., Fong, B. and Thornton, A. (2007) *The third work-life balance employer survey: executive summary (Employment Relations Research Series No. 86)*. London: Department for Business (DBERR). Available at: <http://www.berr.gov.uk/files/file42645.pdf>

This report is the third in the series, and examines employer awareness, provision and attitudes to work-life balance arrangements. Reports of employee take-up (flexible working patterns and leave behaviour) at workplace level are also covered.

Tanaka, S. and Waldfogel, J. (2007) 'Effects of parental leave and working hours on fathers' involvement with their babies: evidence from the UK Millennium Cohort Study', *Community, Work and Family*, Vol. 10, 409–426.

Using the UK Millennium Cohort Study, the analysis finds that taking leave and working shorter hours are related to enhanced father involvement with the baby.

2.26

United States

Sheila B. Kamerman and Jane Waldfogel

Population (UNDP)	2005	299.8 million
Total Fertility Rate (UNDP)	2000-05	2.0
GDP per capita (UNDP)	2005	US\$41,890
Female economic activity (UNDP)	2005	59.6 per cent
As % male rate (UNDP)	2005	82 per cent
% of employed working part time (ECLC)		
Men	2005	No data
Women	2005	No data
Employment gender gap (full-time equivalent) (ECI)	2005	No data
Employment rate (parents with children under 12 years)(EWM)		
Fathers	2006	No data
Mothers	2006	No data
Employment impact of parenthood (parents with a child 0–6 years)(ECI)		
Men	2006	No data
Women	2006	No data
Gender-related Development Index (UNDP)		16th
Gender Empowerment Measure (UNDP)		15th
Access to regulated ECEC services (OECD)		
Children under 3 years	2005	29.5 per cent
Children 3–5 years (inclusive)	2005	70 per cent

NB. United States is a federal state

1. Current leave and other employment-related policies to support parents

Note on leave policy: There is no statutory right to any of the types of leave or other statutory measures covered in country notes. The federal Family and Medical Leave Act (FMLA) provides leave for a variety of reasons including: childbirth or the care of a newborn child up to 12 months; for the placement and care of an adopted or foster child; for the care of a seriously ill child, spouse or parent; or for a serious health condition of the employee that makes him/her unable to work for more than three consecutive days. The federal Department of Labor is responsible for FMLA. Details of FMLA are given below:

Length of leave (before and after birth)

- Up to 12 weeks in a 12-month period.

Payment

- Unpaid.

Flexibility in use

- FMLA may be taken in one continuous period or divided into several blocks of time.

Regional or local variations in leave policy

- Five states (California, Hawaii, New Jersey, New York, Rhode Island) and Puerto Rico have Temporary Disability Insurance (TDI) programmes, sometimes referred to as cash sick leave benefits. These provide workers with partial compensation (about the same level as unemployment insurance benefit, i.e. about half of earnings, US\$262 (approximately €165) a week on average in 2003) to replace loss of earnings caused by short-term non-job-related disability, and mostly cover 10–12 weeks of absence from work around the time of childbirth, including four weeks before and six to eight weeks after. TDI programmes cover about a quarter of the labour force.
- California is the first state to enact a comprehensive paid family leave law. Beginning in July 2004, the state provides all workers covered by the state's Temporary Disability Insurance (TDI) programme (described below) with up to six weeks of a partially paid leave (55–60 per cent of earnings up to a maximum of US\$840 (approximately €700) a week in 2004) following childbirth, adoption or care of a seriously ill child, parent, spouse, or domestic partner. These benefits are funded by employee contributions, and benefit levels are adjusted annually as wages increase. It costs a minimum wage earner an additional US\$11.23 a year for this benefit while the estimated average additional costs is US\$46.
- The State of Washington enacted a paid family leave law in March 2007, granting workers in firms with 25 or more employees up to five weeks of paid leave annually to care for a new born or adopted child.

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

- FMLA covers all employees working for a covered employer (see below) and who have worked for that employer for at least one year (even if not for a continuous period) and for at least 1,250 hours over the preceding 12 months.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother

- None.

Additional note (e.g. if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)

- Private employers and non-profit organisations with less than 50 employees are exempt (all public sector employees are covered).

2.Changes in leave policy since 2005 and other related developments (including proposals currently under discussion)

No changes in leave policy at federal level have taken place recently or are currently under discussion; it has not been discussed during the campaigns for the presidency. A number of states, however, have taken initiatives.

The Washington State legislature enacted a comprehensive paid family leave law (see section above) in April 2007. In March 2008, New Jersey became the third state in the United States to offer paid family leave for all its workers, after California and Washington. The legislation will extend the state's existing temporary disability insurance (TDI) system to provide workers with up to 12 weeks of TDI benefits at two-thirds of prior wages up to US\$502 a month to cover leave to care for a newborn, adopted or foster child, or sick child, parent, spouse, or partner. The measure will be financed by employee payroll deductions that will cost every worker in New Jersey a maximum of 64 cents a week, or US\$33 a year starting on 1 January 2009. All workers who contribute to the programme will have the opportunity to draw benefits starting 1 July 2009. The New York State legislation, also building on its TDI policy, is proposing similar but less generous legislation, but replacing only half of prior wages up to a maximum of US\$170 a week

Minnesota, Montana and New Mexico have active At-Home Infant Care policies providing low-income working parents who choose to have one parent stay home for the first year of a newborn or adopted child's life, with a cash benefit offsetting some portion of the wages foregone.

3.Take-up of leave

Because of the qualifying conditions, only about 58 per cent of workers in private firms are eligible for FMLA, with lower coverage for low wage workers, workers with young children, and working welfare recipients (Phillips, 2004). About 80 per cent of working parents between the ages of 18 and 54 have access to at least some paid leave either through statutory provision, collective agreements or individual workplace policies, especially older workers. But as FMLA does not include any payment, workers who are eligible for the leave often do not take it (Commission on Family and Medical Leave, 1996⁷⁰; Waldfogel, 2001; Cantor et al., 2001). Thus, though the law provides de facto parental leave entitlements, studies have found that it has had generally small

⁷⁰ Commission on Family and Medical Leave (1996) *A workable balance: report to the Congress on family and medical leave policies*. Washington, DC: Women's Bureau, US Department of Labor.

effects on leave usage by new mothers (Ross, 1998⁷¹; Waldfogel, 1999⁷²; Han and Waldfogel, 2003) and no discernible effects on leave usage by new fathers (Han and Waldfogel, 2003). The fact that the law extended coverage but had so little impact on usage suggests that there are limits to the extent to which families are willing and able to use unpaid leave.

4. Research and publications on leave and other employment-related policies since January 2005

a. General overview

Sheila B. Kamerman continues to carry out a programme of research on comparative maternity, paternity, parental, and family leave policy studies, and monitors developments in the advanced industrialised countries, the countries in transition to market economies, and developing countries. She and her colleague Alfred J. Kahn co-direct the Columbia University Clearinghouse on Child, Youth and Family Policies, which provides up-to-date information on child-related leave policies (among other child and family policies). For more information, see www.childpolicyintl.org

b. Selected publications from January 2005, including results from research studies

Berger, L.M., Hill, J. and Waldfogel, J. (2005) 'Maternity leave, early maternal employment and child health and development in the US', *Economic Journal*, Vol. 115 (501): 29–47

This article uses data from the National Longitudinal Survey of Youth to explore links between mothers' returns to work within 12 weeks of giving birth and health and developmental outcomes for their children. The findings suggest causal relationships between early returns to work and reduction in breastfeeding and immunisations as well as increases in behaviour problems.

Goodpaster, N. (2005) "'Married Moms" at home: the effects of the FMLA on a mother's labor force participation decision'. Available at:

http://209.85.165.104/search?q=cache:QtVTUdb884J:www.economic.s.adelaide.edu.au/workshops/doc/women_in_lf.pdf+Goodpaster,+N+2005+Married+Moms&hl=en&ct=clnk&cd=1&gl=us

This article reports the findings of a study of the impact of the FMLA on mother's labour force participation and finds that during the years after the FMLA, some women who took maternity leave never returned to their jobs and appeared to be leaving the labour force.

⁷¹ Ross, K. (1998) 'Labor pains: the effects of the Family and Medical Leave Act on recent mothers' returns to work after childbirth', paper presented at the Population Association of America Annual Meeting, Chicago, Illinois, April 1998.

⁷² Waldfogel, J. (1999), 'The impact of the Family and Medical Leave Act', *Journal of Policy Analysis and Management*, Vol. 18, No. 2: 281–302.

Tanaka, S. (2005) 'Parental leave and child health across oecd countries, *Economic Journal*, Vol. 115 (501): 7-28

This study examines the effects of parental leave policies on child health outcomes using data from 18 OECD countries from 1969 to 2000. The focus is on investigating the effects of both job-protected paid leave and other leave – including non-job-protected paid leave and unpaid leave – on child health outcomes, more specifically, infant mortality rates, low birth weight and child immunisation coverage.

Lovell, V. (2007) *Maternity leave in the United States: paid parental leave is still not standard, even among the best US employers*. Washington DC: Institute for Women's Policy Research. Available at: <http://www.iwpr.org/pdf/parentalleaveA131.pdf>

Nearly one-quarter of the 100 best employers of working mothers provide only four or fewer weeks of paid maternity leave and half provide six weeks or less, according to data provided by the Working Mother Media Inc and *Working Mothers* magazine. Nearly half provide no paternity leave or leave for adoption.

Nepomnyaschy, L. and Waldfogel, J. (2007) 'Paternity leave and fathers' involvement with their young children: Evidence from the ECLS-B', *Community, Work and Family*, Vol. 10, No. 4: 425-451

The article examines the associations between fathers' leave-taking and fathers' involvement with their children 9–10 months post-birth. The authors find that fathers who took longer periods of leave immediately after the birth are more involved with their infants 9–10 months later.

Han, W.-J., Ruhm, C. and Waldfogel, J. (2008) 'Parental leave policies and parents' employment and leave-taking'. Paper presented at the *APPAM Conference*, November 2007

The paper utilises data from the June Current Population Survey (CPS) Fertility Supplement, merged with data from other months of the CPS, to describe trends in parents' employment and leave-taking after birth of a newborn and analyse the extent to which these behaviours are associated with parental leave policies. The period examined – 1987 to 2004 – is one in which such policies were expanded at both the state and federal level. The main finding is that leave expansions have increased the amount of time that new mothers and fathers spend on leave, with effects that are small in absolute terms but large relative to the baseline for men and much greater for college-educated women than for their counterparts with less schooling.

Han, W.-J., Ruhm, C., Waldfogel, J. and Washbrook, E. (forthcoming, 2008) 'The timing of mothers' employment after childbirth', *Monthly Labor Review*

The article uses data from the ECLS-B, a new nationally representative sample of over 10,000 children born in 2001, to examine variation in

the timing of women's post-birth employment. The authors examine how mothers' employment post-birth varies by their race/ethnicity, family structure, education level, age, and prior birth history.

Annex 1

A formal network of experts on leave policies and research

Purposes of the network

- The exchange of information about leave policies adopted in individual countries and by international organisations;
- The cross-national analysis of such policies;
- The exchange of information about research on leave policies, including findings and conclusions;
- Providing a forum for the cross-national discussion of issues and trends in policy and research;
- Providing a source of regularly updated information on policies and research.

Terms of reference of the network

The network will pay particular attention to employment-related policies intended to support parents and others with care responsibilities (including for adult relatives); including maternity, paternity and parental leave, leave to care for sick or disabled relatives, and entitlements to work reduced hours. But attention will also be paid to policies available to the whole population to improve work/life balance, such as 'career breaks' and 'time accounts'.

The scope of its work will include:

- the background, rationale and implementation of policies;
- the form they take and the assumptions and values that underlie them;
- their use (both overall and among different sub-groups of the population) and what factors influence use;
- their consequences (benefits and costs) for individuals, families, employers and the wider society;
- how employers and workplaces respond to workers taking leave, and manage in their absence, and
- the relationship of leave policies to other policy areas (e.g. the provision of services for children and their families).

Activities

The basic activity of the network is *an annual seminar*, organised by the members of the network. Attendance will be open to all network members, though consideration will need to be given to some 'rationing' of attendance if demand gets too high.

Other activities will be built onto this annual seminar. There are many possibilities, including for example:

- A *regular publication* containing updated information on leave policies and research, and a selection of papers (both from annual seminars and other papers reproduced with authors' permission).
- The development of a *network website*, including regularly updated information on leave policies and research (e.g. a bibliography of publications).
- Using the network as a means to develop *cross-national research proposals*.
- *Other events and activities*, e.g. seminars on more specialist issues, supporting the preparation of special journal issues and edited book volumes.

Participation

The network is open to researchers, policy-makers and others from both particular countries and international organisations. The main condition is expertise and interest in the subject, and a willingness to contribute to the work of the network.

Annex 2

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Annex 3

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