

Belgium⁷¹

Laurène Thil (Katholieke Universiteit Leuven) and **Bernard Fusulier** (Université Catholique de Louvain)

April 2026

Belgium is a federal state.

For comparisons with other countries in this review on leave provision and early childhood education and care services, please see the [cross-country tables](#) at the front of the review (also available individually on the [Leave Network website](#)). To contact authors of country notes, see the [members](#) page on the Leave Network website.

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

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

Length of leave (before and after birth)

- Employees: 15 weeks: can start from 6 weeks before her baby is due.
- It is obligatory for employees to take leave from 1 week before the due date to nine weeks after delivery.
- Self-employed: 12 weeks.
- It is obligatory for self-employed workers to take leave from 1 week before the due date to two weeks after delivery.
- Unemployed: same rights as employees.

Payment, funding and taxation

- Employees in the private sector: the first month at 82 per cent of earnings, plus 75 per cent for the remaining weeks with an upper limit of €186.80 per day. Statutory civil servants receive their full salary, and contractual civil servants are paid as per the private sector.
- Self-employed mothers receive €908.11 per week (full time) (or €454.05 per week when taken half time) during the first 4 weeks and from week 5 onwards (€830.59 per week full time and €415.30 per week half time).
- Unemployed mothers: in the first month they receive unemployment benefits + 19.5 per cent of the gross salary limited to the salary ceiling taken into consideration by the unemployment sector, after which they receive unemployment benefits + 15 per cent of previous earnings with an upper limit (as for the first month).

⁷¹ Please cite as: Thil, L. and Fusulier, B. (2026). 'Belgium country note', Dobrotić, I., Arnalds, A. A., Kaufman, G., Koslowski, A., Moss, P. and Valentova, M. (eds.) *International Review of Leave Policies and Research 2026*. Available at: http://www.leavenetwork.org/lp_and_r_reports/

- A first payment is made no later than the thirtieth calendar day, counting from the first day of Maternity leave. Then there are monthly payments. These payments are funded through Federal Health Insurance, which is financed by employer and employee contributions and general taxation.
- Maternity leave allowance is taxable income and a withholding tax of 11.11 per cent is deducted from the basic amount. It must be indicated on the annual tax return.

Flexibility in use

- The start of Maternity leave can be delayed until 1 week before the birth.
- Up to 2 weeks of post-natal leave can be taken as 'free days,' thereby spreading Maternity leave over a longer period and facilitating a more gradual re-entry into paid employment.
- Self-employed mothers are entitled to 9 weeks of optional leave to be taken in blocks of 7 days during the 36 weeks following birth. Each week of optional leave can be converted into 2 weeks of part-time leave, where women want or need to go back to work on a part-time basis (for up to 18 weeks).

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

- All female employees or women on unemployment benefits are entitled to leave with an earnings-related benefit payment.
- Self-employed workers can take Maternity leave but have a separate system, which is less advantageous than the system for employees. They have 12 weeks (instead of 15) and only 3 of those are compulsory. The allowance is also limited to a fixed amount.
- No differences apply to same-sex couples. Only their labour market position determines their benefit access, not the gender composition of their couple, nor its institutional bond (married or unmarried).
- For non-citizens/immigrant workers, their labour market status determines their benefit eligibility. An individual must have been working as an employee for a minimum of 120 days, plus paying social security contributions. For temporary workers, the minimum is 400 hours of work across 6 months.

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

- Mothers who need the full six weeks of pre-natal leave for health reasons can take an extra week of post-natal leave, i.e., their Maternity leave is extended to 16 weeks. However, the remainder of their pre-natal leave is not added onto their post-natal leave if they fall sick.
- 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 is provided in the case of the death of the mother, or if the mother remains in hospital (for longer than a week after delivery) and if the baby is at home. Then the father or co-parent is granted the remaining weeks of the Maternity leave, and paid 60 per cent of his earnings in addition to the payment of the mother's Maternity leave benefit.

Regional or local variations in leave policy

- None.

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

- None reported.

**b. Birth leave (*Geboorteverlof* / *Congé de naissance*⁷²)
(responsibility of the Federal Department of Employment)**

Length of leave

- 20 working days.

Payment, funding and taxation

- 100 per cent of earnings for the first 3 days paid by the employer, then 82 per cent of earnings for the remaining period with an upper limit of €153.17 per day in April 2026.
- Funded as for Maternity leave.
- Birth leave allowance is taxable income and a withholding tax of 11.11 per cent is deducted from the basic amount. It must be indicated on the annual tax return.

Flexibility in use

- Can be taken during the first 4 months after the birth of the child.
- Can be taken in one term or spread over several periods.
- Self-employed workers may take leave in whole days or half days.

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

- All male employees and self-employed workers are eligible, but unemployed men are not.
- Men in same-sex relationships are eligible.

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

- None.

Regional or local variations in leave policy

- None.

⁷² This leave was previously called 'paternity leave'. The official term now changed to 'birth leave' and explicitly mentions fathers and co-parents as target groups of this type of leave.

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

- None reported.

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

Length of leave (before and after birth)

- 4 months per parent.
- Leave is an individual, non-transferable entitlement.

Payment, funding and taxation

- €1,058.86 per month (€1,803.91 per month for single parents) in the case of full-time leave in April 2026.
- Payments are taxed. Parental leave allowance is subject to withholding tax. The withholding tax deducted from allowance is 10.13 per cent if a full break and 17.15 per cent if a part-time break. Funded as for Maternity leave.

Flexibility in use

- Leave may be taken full-time, part-time (50 per cent) over eight months, one day per week (20 per cent) over 20 months, or a half day a week (10 per cent) over 40 months.
- For part-time leave, the total duration of 8 months can be split into blocks of time (with a minimum of 2 months). For 1/5th of the leave, the total duration of 20 months can also be split into blocks (with a minimum of 5 months).
- Leave can also be combined as follows: 1 month at full-time + 2 months at part-time + 5 months at 1/5th.
- Leave may be taken up until the child's 12th birthday.
- Both parents can take leave at the same time.

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 (in practice, this can refer to: the child's biological mother and/or biological father; the person with whom the child has paternal filiation; the wife or partner of the biological mother of the child; the adoptive parents). Otherwise, the employer can grant this benefit by agreement with the employee. All employees in the public sector are eligible, regardless of the length of their service.
- Non-eligibility: Self-employed workers, platform workers and unemployed persons are not eligible. Eligibility is tied to employee status (as described above).
- No differences exist for same-sex couples or adoption parents. Their labour market position determines their eligibility, not the gender composition of the couple, or their marital status.

In practice, as regards female couples undergoing medically assisted reproduction (MAR), the co-parent ('non-gestational mother') may indeed be legally recognised as the child's parent, but a number of factors must be taken into account. If the couple are married, the co-parent is automatically recognised as the child's legal mother, since the joint parental project of the two married women is sufficient to establish a dual parentage link (see the Act of 5 May 2014 establishing the co-parent's legal parentage, and Article 325/2 of the Civil Code on the presumption of motherhood). If the couple are not married, the co-parent must formally recognise the child, but she will be recognised only if the biological mother consents, it is established that she was indeed party to the MAR agreement, and the child is indeed the result of that MAR procedure (see Article 325/4 of the Civil Code on authorisation for such recognition, and Article 7 of the Act of 6 July 2007 on medically assisted reproduction). As regards male couples entering into a surrogacy arrangement, the situation is more complex because there is no statutory regulation in Belgium (meaning that surrogacy is neither expressly permitted nor prohibited). Case law does, however, accept that the ordinary rules on parentage and adoption may be applied in order to establish a legal relationship between the child and the so-called intended parents, whether they are a heterosexual couple, a female couple or a male couple. It is possible to draw up a 'moral agreement' between the gestational carrier ('surrogate mother') and the intended parents, but it is not possible to seek its enforced performance through the courts (meaning that if the surrogate ultimately decides to keep the child, nothing can prevent her from doing so).

As for the parentage male couples, a number of factors must also be taken into account. If the surrogate is not married, one of the two fathers could recognise the child (subject to the conditions set out in Article 329bis of the Civil Code), and the other father could then adopt the child once his spouse and the surrogate have consented to this (which means that she would waive her status as the child's legal mother, since under Belgian law a child cannot have more than two legal parents). If the surrogate is married, her spouse is automatically designated as the child's legal father or mother. One of the two fathers would then have to bring a combined action to challenge paternity/maternity in order to nullify the spouse's paternity/maternity and establish his own paternity by proving that he did in fact provide his sperm and is the child's biological father (see Article 318, §5 of the Civil Code regarding this 'double proof'). Once he has been legally recognised, the other father could then, as in the first case, adopt the child once his spouse and the surrogate have consented (same principle). If it is not possible to proceed under the parentage rules set out above, it is then conceivable for the two fathers to adopt the child jointly 2 months after the child's birth.

- For non-citizens/immigrant workers, their labour market status is what determines their eligibility; they need to be working as a Belgian employee. For recognised refugees in Belgium (i.e., people granted refugee status), access to parental leave is the same as for Belgian nationals, because recognised refugees have full access to the labour market. Any obstacles are therefore mostly de facto (employment stability, employer tenure, administrative steps), not a formal legal exclusion based on refugee status. Asylum seekers are also not explicitly excluded from parental leave because of their asylum status, but in practice they often face structural barriers to access because (a) they can only start working after a waiting period and

- (b) Parental leave is tied to employee status, social security contributions and employer tenure.
- Taking the 10 per cent Parental leave is only possible with the agreement 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; single parent); or delegation of leave to person other than the parents

- As the leave is allocated per child, the length of leave is increased for multiple births (e.g., each parent of twins gets eight months of leave).
- Parents of disabled children can take leave until their child's 21st birthday.

Regional or local variations in leave policy

- The Flemish community (i.e., the government in Flanders) pays an additional benefit bonus (encouragement benefit / *aanmoedigingspremie*) for a maximum of one year for Flemish care leave or Time Credit (see 1d). The amount of this additional payment depends on the sector of employment (e.g., private, social profit or public) and the reduction of employment while taking leave. This additional benefit payment is highest for employees in the social profit sector, namely an additional €639.55 net per month for employees taking a full-time break in April 2026 (for Flemish care leave or, in the case of Time Credit, for care reasons); while for employees in the private sector it is €227.88 net per month (for Parental leave or, in the case of Time Credit, for the reason the leave was taken). The encouragement benefit is not foreseen in case of a 10 per cent Parental leave.

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 6 months 'where business cannot cope'. In addition, the request for leave must be addressed to the employer a minimum of 2 months and a maximum of 3 months in advance.

d. Childcare leave or career breaks

- There is a Time Credit system (*Tijdskrediet met motief/Crédit-temps avec motif*), which applies to employees in the private sector; and a rather similar scheme – 'career breaks' (*Loopbaanonderbreking/Interruption de carrière*) – applies in the public sector. All eligible workers have a basic right to 1 paid year of this type of leave over their working lives, taken full-time, or 24 months taken part-time or 60 months taken at one-fifth time.
- Leave taken under the Time Credit with motive/career break system can only be taken in order to care for a child younger than eight years (or for a disabled child up to the age of 21 years), to provide palliative care, and/or to care for a severely ill relative. Payment varies according to age, civil status, and years of employment (e.g., it is higher for those employed for five years or more). The maximum for a full-time break is €647.37 per month before taxation in April 2026. The bonus for residents of the Flemish community taking Parental leave also applies to this type of leave.

- Employees need 2 years of previous employment with the same employer in order to be granted payment. There is a guarantee in principle to return to the workplace following a career break or Time Credit with motive period.
- For each company, there is a 5 per cent threshold of employees who can use the Time Credit with motive 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 relative increase of this threshold, corresponding to the number of employees (one more unit per ten employees in a business with more than 50 employees).
- Payments to Time Credit with motive users are funded by the federal social security system, which is financed by contributions from employers and employees, and by the federal government.
- Collective agreements negotiated at sectoral or company level are permitted to extend the Time Credit with motive period up to 51 months for care purposes. This maximum length of leave is applicable regardless of whether the leave is being taken full- or part-time.
- All employees can trace their personal account of Time Credit/career break in an online e-government tool: Break@Work (www.breakatwork.be).

e. Other types of leave and flexible working

Adoption leave and pay

- The same regulations apply as those for parents having biological children, except that the Parental leave may be taken up until a child's 12th birthday.

Time off for the care of dependants

- Employees may take up to ten days per year of **leave for 'urgent reasons'** (*overmacht/force majeure*) in order 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 an illness, accident or the hospitalisation of a member of the household). There is no entitlement to payment.
- For a **severely ill family member** (thematic leave: medical care leave), 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 as for Parental leave.
- Employees may also take up to 2 months of leave, full-time or part-time, for **palliative care** (to be taken in blocks of one month) (thematic leave: palliative leave). Benefits paid are the same as for Parental leave.
- Employees in the private sector and non-statutory workers in the public sector are allowed to take an **informal caregiver leave** to provide help or support to a person who, because of their old age, state of health or disability, is vulnerable and dependent (thematic leave: informal care leave). This does not have to be a family or household member. The entitlement to a full break is a maximum of 6 months over the entire career or a maximum of 12 months in the case of a half-time break or a 1/5th break. The leave is granted only once in a career. The informal caregiver leave can also be taken by statutory civil servants.

- **Foster parents** may take 6 days of leave to allow them to fulfil administrative and legal requirements, and this is also paid as per Parental leave.

Specific provision for (breast)feeding

- None.

Flexible working for carers

- Full-time employees can negotiate with their employer to work 4 days a week instead of 5. They will still work full-time hours, but these will be compressed into fewer days. This means that an employee can now work more than 8 hours a day at the workplace, but never more than 10 hours. The request must come from the employee and must be in writing; the employer can refuse, but must justify their reasons in writing to the employee. If the employer accepts, a written amendment to the employment contract between the employee and the company must be drawn up, setting out the practical arrangements for the new working hours.
- In Flanders, some employers experiment with flexible contracts adapted to the living conditions of parents with joint custody. These parents have 1 week with more working hours and 1 week with fewer working hours, depending on whether the children reside with them or not. The system is not used in all economic sectors and receiving such a contract depends on the goodwill of the employer.
- Flanders also has a system of flexi-jobs where retired people and some types of employees can earn some additional wages for a predefined period of time or a predefined job.

Time off for antenatal appointments and care

- No statutory entitlement.

Other provisions of leave

- **Career savings account.** Each employee can voluntary save 'time rights' for use later in their career (time for time principle). 'Time rights' that can be saved are (i) voluntary overtime (up to 100 hours) and (ii) conventional days off (not official days off). Time saved in the system can be taken later in the career. The system is dependent of the sector in which the employee works; to be activated and implemented, this measure must be translated into sectoral collective agreements by the social partners.

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

The maximum period of paid post-natal leave available in Belgium is 51 months (including full use of the basic entitlement to Time Credit), but most of this is low paid; leave paid at a high rate ends after Maternity and Birth leave at around four months after birth. There is an entitlement to ECEC from 2.5 years of age: from this age, children are legally entitled to 23 to 33 hours per week of pre-primary education or a place in kindergarten, depending on local authorities. So, there is

technically no gap between the end of Parental leave/Time Credit and an ECEC entitlement, but a substantial gap of more than two years between the end of well-paid leave and an ECEC entitlement.

For ECEC attendance levels, see 'relationship between leave and ECEC entitlements' in the [cross-country tables](#) at the front of the review.

3. Changes in policy since April 2025 (including proposals currently under discussion)

Family credit will be one of the flagship social measures of the next legislative term. Its stated aim is to simplify, harmonise, and better distribute leave related to the birth and upbringing of children, regardless of parents' employment status. In practical terms, family credit would work like a kind of 'backpack' of leave entitlements attached not to the parent, but to the child. It would bring together several existing schemes, including Maternity leave, Parental leave, and career break arrangements for caring for a child. This pool of leave could then be divided freely between the parents, depending on their preferences. There would no longer be any distinction between employees, self-employed workers, or civil servants. Single parents would be able to make full use of the entire entitlement. Another notable innovation is that certain periods of leave could also be taken by grandparents, better reflecting the diversity of family structures. Although the final shape of the reform still needs to be defined, the ambitions are substantial: up to 24 months of leave per child, usable until the child turns 18 years.

As a first step, the government has opted for a gradual approach. From 2026, birth leave will be extended by 1 additional week, which may be taken either as maternity rest or as birth leave by either parent, regardless of employment status. The following stages are expected to begin from 2028, once the budget allocated to the reform will be increased. In the longer term, CD&V (Flemish Christian-democratic political party) has even mentioned the possibility of 24 weeks of leave to be shared between both parents.

4. Uptake of leave

Viewing the ongoing increasing flexibility of numerous types of leave, with all the variation in remuneration and duration across different sectors (private, public, education, etc.), it becomes increasingly difficult to provide accurate data on leave uptake rates in Belgium. Available statistics are mostly administrative and developed to fit the monthly payments of the users. The main source of information is the federal agency in charge (RVA/ONEM⁷³), but for a more detailed account, see 'Documentation/Statistics'. The actual number of users according to the type of leave is especially blurred by the variations in the duration of leave. An increasing number of employees opt for one day per week leave, especially among those older workers taking a Time Credit/career break to facilitate the final years of their formal career. This also holds, to a lesser extent, for the uptake of Parental leave, especially among fathers who continue to work but who 'soften' their involvement via this one day per week leave. Such fathers are registered as leave-takers for 20 months (instead of four). The drawback of this flexibility is that it

⁷³ Available at: www.rva.be / www.onem.be

keeps users much longer in the annual statistics. We therefore invite readers to be very careful in their interpretation of the statistics we provide in this country note.

a. Maternity leave

A period of Maternity leave is obligatory for employees. There is no systematic information on what proportion of women do *not* take the full amount of Maternity leave, an issue which is especially relevant among the self-employed. In 2024, 62,711 employees or unemployed women took Maternity leave (completed in the reference year), with an average of 14.55 weeks of paid leave for the birth of their child. 7,165 self-employed women took Maternity leave, with an average of 11.62 weeks of paid leave.

b. Birth (Paternity) leave

In 2024, 53,102 (compared to 53,993 in 2023) fathers or co-parents (as employees) used the Birth leave for 4 or more days (there is no information about fathers using 3 – or fewer – days of paid leave paid by the employer).⁷⁴ On average in 2024, they took 16.33 days of paid leave for the birth of their child, out of a maximum of 20 days available in 2024.

c. Parental leave

There is no information on what proportion of employees are *not* eligible for Parental leave. In 2025, on a monthly average, 106,026 employees used Parental leave, an increase compared to 2024 (101,026). Obviously, most people taking Parental leave are women. In 2010, 38,053 women used Parental leave and in 2025, that number rose to 65,070. The number of men taking Parental leave increased from 13,891 in 2010 to 40,955 in 2025. So, the proportion of fathers among all leave-takers has grown during this period 2010-2025 from 27 to 39 per cent.

Part-time leave options are the most popular, especially among men (only 10 per cent of them used a full-time Parental leave versus 17 per cent for women). 51 per cent of male leave-takers use the 1/5th time option and 45 per cent of female leave-takers, suggesting that it is predominantly used as a flexible measure. In 2025, the 1/10 Parental leave option was taken by 12, 775 men (31 per cent) and 12,729 women (20 per cent).⁷⁵

d. Other types of leave and flexible working

In 2025, 94,724 (in 2024, 86,692) employees in the private sector made use of the Time Credit system, mostly via the part-time formula; in comparison, only 2, 176 individuals (2 per cent) took a full-time break (143 men versus 2,033 women). Part-time use of Time Credit is predominantly used as an end-of-career measure (62 per cent). Men predominantly take Time Credit as end-of-career leave (79 per cent or 37,215 individuals), while women are more equally divided between end-of-career leave (N = 21,213) and part-time general leave (N = 20,755). Overall,

⁷⁴ RIZIV/INAMI data..

⁷⁵ See:

<https://interactivestats.services.rvaonem.fgov.be/interactivestats/population/thematic/Holidays.jsf?dswid=3121&nocid=true&faces-redirect=true>

with the new legislation reducing the appeal of the Time Credit scheme, the number of users has decreased dramatically since 2015 (when N = 149,268).

The use of 'Corona time credit', introduced in the COVID-19 crisis to help companies formally recognised as being in difficulty and/or restructuring, is anecdotal as only 2 people were using it in 2025, mainly the end-of-career Corona time credit.

In 2025, 31,924 civil servants (32,213 in 2024) used the career break system (21,644 of them being women). If men are using the career break system, they generally use more of the end-of-career measure (72 per cent, compared to 57 per cent for women). Compared to 2015 (when N = 72,221), the number of users has decreased significantly. The most significant reason for this decrease is the tightening of the rules around the reasons permitting an individual to take leave. Probably there was also an effect of the measures taken to combat the pandemic, including the widespread use of teleworking. Another reason is that Flemish civil servants and teachers can only use the Flemish care credit system (and no longer have access to the federal career break system). The decrease on the federal level is compensated at the Flemish level, so that there is no decrease in total in the public sector, aside from the decrease caused by the more stringent regulations around an individual's eligibility for taking leave.⁷⁶

⁷⁶ See: <https://www.tijd.be/politiek-economie/belgie/algemeen/belg-neemt-fors-minder-tijdskrediet/10098519.html>