

DEPARTMENT FOR BUSINESS
ENTERPRISE & REGULATORY REFORM

EMPLOYMENT RELATIONS
RESEARCH SERIES NO. 80

International Review of
Leave Policies and Related
Research 2007

JULY 2007

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International Review of Leave Policies and Related Research 2007

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About EMAR

Employment Market Analysis and Research (EMAR) is a multi-disciplinary team of economists, social researchers and statisticians based in the Employment Relations Directorate of the Department for Business, Enterprise and Regulatory Reform.

Our role is to provide the evidence base for good policy making in employment relations, labour market and equality and discrimination at work. We do this through:

- Conducting periodic benchmark surveys
- Commissioning external research reports
- Conducting in-house research and analysis
- Assessing the regulatory impact of new employment laws
- Monitoring and evaluating the impact of government policies

We publicly disseminate the results of this research through the BERR Employment Relations Research Series and other publications. For further details of EMAR's work please see our web pages at:

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About this publication

The project manager for this report was Steven Taylor, Senior Research Officer in the EMAR branch.

Published in July 2007 by the Department for Business, Enterprise and Regulatory Reform. © Crown Copyright 2007

URN 07/1232 ISBN 978-0-85605-702-1

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Foreword

The Department for Business, Enterprise and Regulatory Reform (BERR) leads work to create the conditions for business success through competitive and flexible markets that create value for businesses, consumers and employees. It drives regulatory reform, and works across Government and with the regions to raise levels of UK productivity. It is also responsible for promoting choice and quality for consumers through competition policy and for ensuring an improved quality of life for employees.

As part of that work the Employment Market Analysis and Research branch (EMAR) of the Department manages a research programme to inform policy making on employment relations, labour market and equality and discrimination at work issues.

This report presents information and research on leave policies such as maternity leave, paternity leave and parental leave (or their equivalents) in 24 different countries. For each country, the report includes information on: current statutory entitlements; recent changes in leave policy and other related developments; estimates of take-up rates for the different entitlements; and an overview of relevant research and publications. It also contains a number of cross-cutting articles.

The report is the third annual review prepared by members of the International Network on Leave Policies and Related Research, following their Network Seminar held in Lisbon in November 2006.

Please contact us at emar@berr.gsi.gov.uk if you wish to be added to our publication mailing list, or would like to receive regular email updates on EMAR's research, new publications and forthcoming events.



Grant Fitzner

Director, Employment Market Analysis and Research

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Glossary

This report is about leave entitlements, mainly for workers with dependent 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; usually it 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 23 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 provision of 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 Lisbon in November 2006. The main part of the report consists of 24 '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 Karin Wall)

This section provides an overview of the network's November 2006 seminar. It summarises some of the main points raised at a session on current issues in leave policy and research, including recent developments in leave policy, major gaps in knowledge and challenges for future policy and research (identified by two leading figures in the field, Sheila Kamerman and Fred Deven). Three common themes emerged, each requiring more attention in policy formulation and evaluation:

1. The practice of leave policy – how do leave policies, with their varying conditions and contexts, actually work in practice?
2. The politics of leave – how, by whom and under what influences do policies get made?
3. Leave as a rights issue – should there be a right to care and be cared for?

Each seminar devotes a session to a particular theme. The theme in Lisbon was leave policy and social inequality; how leave policy may interact with various dimensions of inequality such as class, ethnicity

and gender. Two papers on this theme follow, as well as a paper by Dr. Karin Wall, the seminar convenor, on models of leave policy.

Leave policy and social inequality. Jeanne Fagnani (Centre d'économie de la Sorbonne, University of Paris1-CNRS) and Dr Danièle Boyer (CNAF, Bureau de la recherche)

This paper considers how leave policy can interact with social inequality, and how this relationship is affected by the way policy is designed. The design of the French Parental leave, for example, seems well adapted to the needs of a dual-earner family with both parents holding stable jobs in the public sector or in large companies. Parents in such families enjoy job protection and can afford to work part time or to stop working altogether for one year if their income is not low; they will also save money on childcare costs. In contrast, negative side effects or unintended consequences are likely to penalise self-employed people, small entrepreneurs, consultants, etc., and low-income families holding precarious jobs. The paper concludes that in a context of cost containment in most welfare states and of growing social inequalities since the nineties, it is important to tackle the issue of interactions between national leave policies and social inequality.

Leave policy and social inequality: the case of Norway. Elin Kvande (Department of Sociology and Political Science, Norwegian University of Science and Technology, Trondheim)

During the 1990s two important family policy reforms were introduced in Norway. In 1993, the paid Parental leave system was extended to one year of leave with pay, and the *father's quota* was introduced (a period of Parental leave that only the father could use). In 1998 the *cash for care* system was introduced, a cash payment to families with young children who did not use publicly funded day care. These two reforms represent very different policies in Norwegian welfare state provisions for families. The paper compares these two policies and their effects on family practices for Norwegian parents.

Even though cash for care is designed as a gender neutral scheme, it is understood and practised as a gendered one, because it is situated in a gendered context. If one of the parents is to stay at home, the answer of who stays is usually given in advance. In other words, it is well adapted to a particular pattern of gender relations: where mothers reduce their working hours and fathers keep working as before.

The father's quota is in marked contrast to this, because it is an individual right for fathers designed with the explicit aim of breaking with the traditional gender pattern of working and caring. It is not an

optional scheme to be decided on by the mother and father, as is the case for cash for care, but a right given to fathers as employees. The consequence has been a high take-up rate of the quota by men.

Leave policy models and the articulation of work and family in Europe: a comparative perspective. Karin Wall (Institute for Social Sciences, University of Lisbon)

This paper examines major cross-national variations in Parental leave policy and practice and analyses their interconnections with parental employment, early childhood education and care (ECEC) services, and policies linking work, family and gender. It locates this analysis in relation to three important dimensions that underpin the social construction of work/family articulation (a term used to describe the relationship between work and family, in preference to 'reconciliation' or 'balancing'): expectations and practices concerning the division of paid and unpaid work; the social construction of motherhood; and the cultural construction of the relationship between working parents and the Welfare State.

The aim of the paper is to identify the main 'leave policy models' that exist in contemporary European society. On the basis of comparing 19 countries, six models are described:

1. The 'one year leave' gender equality orientated model (Sweden, Iceland, Denmark, Slovenia).
2. The parental choice orientated policy model (Finland, France, Norway).
3. The 'long leave' mother home-centred policy model (Czech Republic, Estonia, Germany (prior to recent reform), Hungary).
4. The short leave part-time mother policy model (Ireland, Netherlands, United Kingdom).
5. The short leave male breadwinner model (Greece, Italy, Spain).
6. The early return to full-time work leave policy model (Portugal).

The paper concludes that future analysis should focus on identifying:

- The main leave policy models (on the basis of broad common characteristics of work/family policy and practice);
- Slightly diverging routes within these models;
- Models that, at a particular point in time, are more disconnected from the main configurations of work/family policy and practice.

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 24 countries: Australia; Austria; Belgium; Canada; Czech Republic; Denmark; Estonia; Finland; France; Germany; Greece; Hungary; Iceland; Ireland; Italy; the Netherlands; Norway; Poland; Portugal; Slovenia; 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 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 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). 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 main exceptions, all countries with extended Maternity leave: Czech Republic, Hungary, Ireland and the UK.

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 nine 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 breast-feeding. 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

Leave policy is receiving much attention at present, with most countries reporting significant changes in recent years and many reporting discussions about further changes. Moreover, in nearly all cases the direction of change is towards increasing the scope of leave entitlements. Many of the changes – actual or mooted – extend fathers' rights. Increased flexibility is another common theme.

Since the beginning of 2006, there are significant changes in leave policy reported in: Quebec (this Canadian province has gone further than any region or province in any other country in developing its own leave policy, distinctive from other Canadian provinces and territories); Germany (policy changes, that have reduced the length of paid Parental leave but increased the level of payment and introduced incentives for fathers to take leave, are described by the country note authors as a 'paradigmatic shift'); Ireland and the United Kingdom (in both cases extending the period of Maternity leave); Netherlands (a new savings scheme with a tax incentive element that offers employees a way to finance longer periods of various types of unpaid leave); and Spain (the introduction of 15 days of paid Paternity leave and wider coverage for Maternity leave). These examples show very divergent national approaches being taken: for example, lengthening

Maternity leave in contrast to specific measures to increase fathers' participation; or increasing benefit payments funded through taxation or social security contributions in contrast to moving towards parents funding their own leave via individualised savings schemes.

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 is thought to be low by both mothers and fathers: 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 2004

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

Introduction

Peter Moss and Karin Wall

The international network on leave policies and research

This is the third annual review of the international network on leave policy and research.¹ 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 provision of a source of regularly updated information on policies and research. A fuller description of the remit of the network can be found in Annex A1.

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 leaves, leave to care for sick children and parental entitlements to work reduced hours.

¹ The second review, published in 2006, is downloadable at <http://www.berr.gov.uk/files/file31948.pdf>.

Today, the network has more than 40 members from 23 countries (see Annex A2). 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 third edition of the annual review. It has also recently 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 two previous reviews, published in 2005 and 2006, 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 24, with the addition of Austria and Poland.

As before, this review also contains papers from the network's latest annual seminar, which was held in Lisbon in November 2006. The Lisbon 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 Lisbon seminar, for example, had presentations about recent developments in leave policy in Portugal, the host country for the seminar, Canada, the Czech Republic, Estonia, Finland, Germany, Greece and Slovenia (Powerpoint files from some of these and other presentations can be found on the network's website).

In addition, each seminar devotes a session to a particular theme. The theme in Lisbon was leave policy and social inequality, how leave policy may interact with various dimensions of inequality such as class, ethnicity and gender. Two papers from that session are included in this review, from Jeanne Fagnani (France) and Elin Kvande (Norway). A third paper in this review is by Karin Wall (Portugal) on *Leave Policy Models and the Articulation of Work and Family in Europe: a comparative perspective*. This paper has been developed from Karin's contribution to the seminar's introductory session and provides a cross-national analysis of leave policy models in 19 European countries.

Current issues in leave policy and research

The seminar devoted a session to reflecting on current issues in the field of leave policy and research. Sheila Kamerman (United States) identified nine recent developments in leave policies:

- Diverse and increasingly complex policy packages, often very hard to understand and administer;
- Gender equity, labour markets and child welfare as major policy drivers;
- A tendency to increase the length of leave entitlements;
- Increasing attention being paid to fathers in leave policies, especially the introduction of measures to increase take-up;
- Increasing concern of policy-makers with fertility, especially in Central and Eastern Europe;
- Increasing awareness of the need for clear linkage between leave policies and early childhood education and care (ECEC) policies;
- More emphasis in policies on parental choice – but not much evidence that women in practice are able to exercise choice;
- A move, led by right governments, to 'cash for care' schemes (i.e. cash offered to parents, in practice mothers, who do not use public ECEC services);
- Relatively little attention given to children's rights when framing leave policy.

Professor Kamerman also identified, as questions, a number of major gaps in knowledge about leave policies and how they worked:

- What was the actual level of earnings replacement in earnings-related schemes (especially given the frequency of ceilings on payments in such schemes, i.e. earnings levels above which no income replacement is offered)?
- What effect do leave policies have on ethnic, class and other inequalities?
- What is parents' actual experience of using leave legislation, for example is a legal job guarantee for leave takers actually enforceable and enforced?

- How are cash benefits for those taking leave treated for tax purposes?
- What effect do eligibility conditions have on take-up and how do these conditions differ between countries?
- How and where is policy made, and who are the major actors in the process of policy development?
- Why are there such significant differences in policy between countries?
- Are there consistent differences in policy between right and left governments?

In the same session of reflections, Fred Deven (Belgium), one of the network's two coordinators, raised some challenges for policy and research:

- The difficulty of reconciling the many different aims that may be attached to leave policy, e.g. child welfare, gender equality, increased fertility, labour market retention.
- The many different stakeholders or actors, which makes it difficult to understand how and why policies are developed.
- Making the invisible more visible: Parental leave policies often have a lot of small print (i.e. detailed conditions), which needs careful study if the workings of leave policies in practice are to be fully understood.
- Having EU Directives may give the impression that everyone has a right to Maternity or Parental leave, but this is not the case in practice due to eligibility conditions, while some people who are entitled are not able to afford to take full advantage of their rights.
- Leave policies may be too narrowly focused on children. Do they need to be developed within a life course perspective, which might also include some form of time management policy such as the Belgian career break scheme?
- Leave policies need to be developed as part of a total package of support for employed carers, in which leave explicitly and coherently articulates with other measures (e.g. services).
- Leave policies should be framed more in terms of human rights, with care (to give and to receive) treated as a basic human right.

Three common themes emerge from these two contributions, each requiring more attention in policy formulation and evaluation:

1. The practice of leave policy – how do leave policies, with their varying conditions and contexts, actually work in practice?
2. The politics of leave – how, by whom and under what influences do policies get made?
3. Leave as a rights issue – should there be a right to care and be cared for?

Section 1:

ARTICLES

1.1

Leave policy and social inequality

Jeanne Fagnani (Centre d'économie de la Sorbonne, University of Paris1-CNRS) and Danièle Boyer (CNAF, Bureau de la recherche)

Introduction

Is it relevant to address such an issue? Against the background of an increase in social inequality in most European countries, we think it is important to explore how leave policy interacts with social inequality. However, it is a complex issue and our aim here is merely to launch the debate on a topic that needs far more research. By taking the examples of France and Sweden, we would like to analyse their Parental leave schemes through the prism of social inequality and to highlight how leave policy interacts with social inequality. (For information on current leave policies in France and Sweden, see pages 150 to 156 and 260 to 272.)

We will not use the term Parental leave to cover all types of leave concerning job-protected, time off from employment for parents at the time of pregnancy, childbirth or adoption. We will focus on the period *after* Maternity or Paternity leave, i.e. the so-called 'Parental leave' as a social right to care for young children. In this short presentation, we will not address the gender equality issue although it is of course closely related to social inequality.

Parental leave schemes and social inequality

Several aspects of Parental leave schemes are at stake when we investigate the interactions between these schemes and social inequality (considered here either from the point of view of income level or, when more appropriate, from the point of view of socio-professional status). First, we will point out the impact of social inequality on access to Parental leave and raise the following question: who can afford Parental leave? The answer is that this depends on how the scheme is designed:

a) The financial component, i.e. income replacement, is crucial. The political choice (depending on the importance given by society to the right to care and the hierarchy of priorities in family policy-making) between flat-rate or income-related benefits has significant outcomes in this area: whether, for example, parents taking Parental leave receive a benefit equivalent to the compulsory minimum income or a benefit linked to previous earnings has important consequences.

In France, the benefit for parents taking leave (called 'child-rearing benefit') is not means-tested but it is paid at a flat rate and the amount is low, pegged to the minimum wage rate (€530 per month in 2007) if the parent does not work, and less if he or she works part time (Berger et al., 2006). This means that only low-paid parents (i.e. mostly mothers) are encouraged or likely to claim this Parental leave benefit, because otherwise they could not afford to stop paid work.

Outcomes in the short term are important: better paid workers (i.e. those earning more than the minimum wage) are mostly deterred from taking leave because the benefit payment is so low; and those among this group who are receiving this benefit would have stopped working anyway (or reduced their working hours). In the long term, this pattern of use is likely to contribute to an increase in social inequality because of the growing divide between those who have taken up Parental leave, mostly among the more disadvantaged sectors of the workforce, and the others who are more career-orientated and socially more privileged. Research has demonstrated that long periods spent outside of the labour market, for example taking Parental leave, can have detrimental outcomes for employees (Fine-Davis et al., 2004; Marc, 2004; Fagnani and Letablier, 2005).

In Sweden, the logic underlying the Parental leave scheme is different from the French one: parents taking leave receive 80 per cent of earnings. This wage-related benefit, designed to replace earnings, is aimed at promoting gender equality at home and in the workplace. It is, however, an anti-redistributive policy from the point of view of cash transfers to families because the already well-paid receive more than the low-paid: the benefit system confirms income inequalities. Nevertheless, this effect is offset by the Swedish fiscal system, which is entirely devoted to vertical redistribution (contrary to the French fiscal system, which fuses vertical and horizontal redistributions), with well-off families paying more income tax than their French counterparts (Bradshaw and Finch, 2002).

b) Eligibility criteria may also have an impact. Let us take the example of French Parental leave. If you have one child, you are entitled to Parental leave benefit (CLCA) – but only if you have worked continuously for the two years preceding the birth (unemployed periods are not taken into consideration). Therefore those parents who hold a precarious or unstable job or who have been registered as unemployed before the birth (overrepresented among low-income families and immigrant families) are excluded: this outcome is at odds with the principle of equal access to the right to care irrespective of income level. However, as we have already mentioned, a low level of benefit deters take-up of leave by well-paid workers, thereby illustrating the complexity of interactions between Parental leave policies and social inequality. In some countries, such as the UK and France, where social inequalities are stronger than in Scandinavian countries, it is especially important to deal with this issue.

(In Sweden, there is also an employment-related eligibility condition to receive Parental leave benefit, but it is less demanding: parents need to have had some income, set at a low threshold, for 240 days before the expected date of delivery. Access to paid leave is, therefore, more inclusive than in France.)

c) Flexibility of the scheme (part-time option available or not). In France, low-income parents (the two lowest quintiles of family income) are much more likely to take-up full-time Parental leave. They represent half of the recipients of the child rearing benefit (CLCA) who have completely interrupted their work (Table 1.1.1). Well-off families (the two highest quintiles of family income) are more likely to work part time and to opt to take a reduced amount of CLCA: 63 per cent of parents on Parental leave and working part time were living in these high income families. Once again this contributes to an increase, in the long term, in the divide between low-paid and highly paid women in terms of both their involvement in paid work and career achievements.

Table 1.1.1: Parents with two children (the youngest being under three years of age) on Parental leave: Breakdown according to income level, France (2005)

	Full-time leave	Part-time leave
Very low-income	20	3
Low-income	30	13
Medium income	22	21
High medium income	14	33
Very high income	14	30
Total	100	100

Source: CNAF/DREES/CREDOC, 2006

d) Other factors having an impact on social inequality. Parental leave is currently job-protected but empirical surveys in France demonstrate that parents with unstable jobs or in precarious employment (overrepresented among the working poor) are more likely than others not to be able to take-up their jobs again because, for instance, their employer did not comply with the legislation or the company went bankrupt. Conversely, public servants are particularly privileged from this point of view, whatever their income level or job position.

Duration of leave is also likely to have a long-term adverse impact on employment. Research has demonstrated that long periods of leave have negative consequences on women's occupational achievements. They can also make employers more reluctant to promote women to positions that require costly investment in firm-specific knowledge.

In summary, as far as the French Parental leave is concerned, it seems that, against the background of dramatic changes in the labour market and the parallel organisational changes in the workplace, the current scheme is well adapted to the needs of a dual-earner family with both parents holding stable jobs in the public sector or in large companies. Parents in such families enjoy job protection and can afford to work part time or to stop working altogether for one year if their income is not low; they will also save money on childcare costs.

In contrast, negative side effects or unintended consequences are likely to penalise self-employed people, small entrepreneurs, consultants, etc., and low-income families holding precarious jobs.

However, beyond this focus on Parental leave schemes, it is crucial to look at the overall organisation of Parental leave policy and to place it in institutional and cultural context, as we have already tried to suggest. In particular, the availability of alternatives to leave should also be taken into consideration, such as the provision of high quality and affordable childcare services – i.e. publicly subsidised for children under three years of age. A shortage of places can be detrimental to parents who cannot afford to rely on private and expensive childcare arrangements. In this context, middle and low income parents might be obliged to turn necessity into virtue and take Parental leave.

We can illustrate this by taking the example of France. A recent survey has demonstrated that among parents on full-time leave, 72 per cent say that using a formal childcare arrangement would have been too expensive, and among them young and low or middle income couples

are overrepresented. Moreover, to explain why low-income parents often stop working in order to receive the child-rearing benefit, it is also important to take into account the effect of their working schedules on the decision-making process: nearly half (44 per cent) of low-income parents who have stopped work mention the lack of synchronisation between working hours and the opening hours of childcare services and 40 per cent declare that they would have preferred to go on working (Berger et al., 2006).

Final comments

To conclude: in a context of cost containment in most welfare states and of growing social inequalities since the nineties, it is important to tackle the issue of interactions between national leave policies and social inequality.

There is one last point we want to make. In countries with Parental leave schemes similar to France, the divide in take-up of leave is probably greater between well-protected employed parents (irrespective of income level or earnings) and those who hold unstable or precarious jobs than between low-paid and well-paid parents.

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1.2

Leave policy and social inequality: the case of Norway

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During the 1990s two important family policy reforms were introduced in Norway. In 1993, the paid Parental leave system was extended to one year of leave with pay, and the *father's quota* was introduced (a period of Parental leave that only the father could use). In 1998 the *cash for care* system was introduced, a cash payment to families with young children who did not use publicly funded day care. These two reforms represent very different policies in Norwegian welfare state provisions for families. In this paper I will compare their effects on family practices for Norwegian parents. I will divide the discussion into three parts, focusing in turn on Parental leave, the father's quota, and cash for care. (For information on current leave policies in Norway, see pages 213 to 219.)

Context

A central aim for work/family policy in Norway, as in most other Nordic countries, has been to encourage gender equality. We have a high percentage of working mothers (80 per cent) combined with a high fertility rate (1.8). This combination has often been seen as an indication of the impact of parenthood policies, facilitating the reconciliation of work and childcare for both mothers and fathers.

Up until the end of the 1990s there was a strong gender equality model in Norwegian family policies, promoting the sharing of both paid and unpaid care work. Through *Parental leave* and *day care services* the dual-earner and dual-career family were encouraged. This model has mainly been supported by the Social Democrats and the parties on

the left; it was a left coalition government that introduced a father's quota into the Parental leave system.

In 1998 a conservative coalition government came to power. It introduced the cash for care system, which is generally perceived as supporting a traditional family model with mothers staying at home. Before the introduction of this system, Norway experienced a very heated and polarised debate. Indeed, the 1998 election has been called the 'cash for care election'. The cash for care system was said to guarantee parents "freedom of choice" between using publicly funded day care or staying at home and receiving a cash benefit.

Parental leave

In 1993, the period of Parental leave in Norway was extended to one year with a benefit payment of 80 per cent of previous earnings; this has now been changed to include an option of payment at 100 per cent of earnings, but paid over a shorter period. All mothers who are entitled to Parental leave use it, about 80 per cent in all. The remainder, who cannot use this leave, are not fully integrated in the labour market (e.g. students, workers in the informal sector, or women without paid work).

In about 15 per cent of families, both parents share the Parental leave: fathers take some part of the leave (over and above the father's quota period). It is more common to find parents sharing Parental leave in families where:

- the mother's education and income is higher than the father's;
- the mother's and father's income is similar;
- the father works in the public sector.

Only a very small number of non-European immigrants share the Parental leave because relatively few mothers are in the labour force.

Father's quota

At the same time as Parental leave was extended, in 1993 a father's quota was introduced, with four weeks of the Parental leave entitlement reserved for the father. The principle was 'use it or lose it'; if the father does not use his quota, the parents are 'punished' by losing these weeks of paid leave because it is not transferable to the mother. The quota period has now been increased to six weeks.

The father's quota represents strong normative guidelines on the conduct of fathers, by signalling that fathers have an obligation to stay at home on leave to care for their children. It was presented by the

minister at the time as a way of 'gently enforcing' fathers to participate in Parental leave. While many policy reforms often arrive after the establishment of new family practices, the father's quota is an example of a reform that aimed to change the practices of fathers.

Who uses the father's quota?

Before the introduction of the father's quota, fathers could share the Parental leave with the mother; in practice, few did. However, there was a dramatic change in fathers' use of leave after the introduction of the quota. Five years later, 80 per cent of fathers stayed at home with their newborn babies for a certain period of time. Today the coverage rate has increased to 90 per cent. This dramatic change in the proportion of fathers who stay at home on leave is the reason the father's quota has been termed a success. There has, however, been far less change in the number of fathers sharing the remaining (non-quota) part of Parental leave.

What variations can be seen in the use of the quota? When as many as 90 per cent of the fathers use the quota, this means that there is extensive take-up in all social groups. Still the question is: who are the fathers in the 10 per cent group of non-users? Analysis of data shows that the number of users is lower among:

- self-employed fathers;
- fathers in senior managerial positions;
- fathers who are not fully integrated in the labour market and those who have just finished their education;
- fathers belonging to non-European immigrant groups. This can probably be explained by the more traditional family patterns found amongst many of these groups, where mothers of young children do not participate in the labour market.

Cash for care

Cash for care, the scheme introduced in 1998, means that parents with children from one to three years of age may receive a cash payment of around €450 a month, provided they do not use a full-time place in a public day care centre. The payment is not dependent on whether parents are working or not; a working parent may receive it if she or he does not use a publicly funded day care centre, e.g. if they use an unsubsidised service like private family day care or an informal carer such as a relative. The scheme is intended to be gender neutral: if two parents decide one should stay at home with the child, then they can choose which of them it will be. Although working parents can claim the benefit, an important aim of the cash for care reform was to give parents of small children more time to care for their young children. 'Giving back time to the family' was one of the slogans used in the debates preceding the introduction of this new measure.

Who uses the cash for care scheme?

An initial analysis, conducted in 2001, came up with a number of short-term conclusions:

- Parents' working hours were not reduced on average because very few stayed at home and employed parents continued to have the same working hours.
- Children did not get more time with their parents.
- Parents taking the cash for care payment mainly used it to pay private carers (family day carers), rather than to stay at home.

A later evaluation, conducted in 2006, showed some longer-term effects:

- More mothers with very young children (one- to three-year-olds) stop working, meaning that the employment rate in this group has fallen compared to the 2001 figures.
- Mothers who are not fully integrated in the labour market are more likely to stop working.
- More non-European immigrant families use the cash for care scheme compared to the rest of the population.

The uptake of the cash for care system might change considerably after 2006 because of the public day care guarantee which was introduced in 2003 through an agreement including all the political parties. We can already observe a great increase in the use of public day care. This will have an impact on the use of the cash for care system. This is also the reason why parts of the red and green government that is now in power would like to abolish the cash for care system.

Discussion

I will concentrate the discussion on a comparison between the father's quota and the cash for care scheme and fathers' use of the different systems. But first, it should be noted that there are a number of important differences between the two measures. The father's quota is an *individual right* reserved for fathers. This genders it from the very start and, deliberately, restricts choice. Cash for care, by contrast, has been defined as a payment given to the *family*. It strongly emphasises *choice* with respect to childcare and which of the parents should stay at home. Its design is thus gender neutral.

What we see is that, even if cash for care was not designed as an individual right for one of the parents, and even if it is purportedly 'optional', something you can choose, it is in fact well adapted to a

particular pattern of gender relations: where mothers reduce their working hours and fathers keep working as before.

The father's quota is in marked contrast to this, because it is an individual right for fathers, designed with the explicit aim of breaking with the traditional gender pattern of working and caring. It is not an optional scheme to be decided on by the mother and father, but a right given to fathers as employees. The high take-up rate of the quota shows the positive consequences of basing its eligibility on the employment contract. Connecting care policy to employment means that it builds on the same thinking as many other welfare benefits and schemes regulating conditions in working life in Norway that are defined as a part of the work contract. Thus, male employees who have become fathers do not, in principle, have to negotiate individually with their employers about taking time off work when they have a new child; they have the right to use the father's quota. The fact that it is a right that applies to male employees as a group makes it easier to avoid the stress and strain of being one among a minority or being the only one to take leave to provide care for children.

Even though cash for care is designed as a gender-neutral scheme, it is understood and practised as a gendered one, because it is situated in a gendered context. If one of the parents is to stay at home, the answer of who stays is usually given in advance. We find this traditional division of work between women and men not only in couples where the mother and father have different incomes and status in working life. It is also found in couples where the parents have equal incomes.

Cash for care may also be used to work part time. Part-time work, however, is gendered; it is something 'women do'. It is how women combine work and family, and it is often connected to low pay and marginal connections to working life. Therefore part-time work is not relevant for many male employees. It would increase the risk for stigmatisation and would not be compatible with a masculine work orientation.

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1.3

Leave policy models and the articulation of work and family in Europe: a comparative perspective

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Introduction

Leave arrangements for parents may be seen as a fundamental element of the 'policy package' needed to support the reconciliation of work and family life. Paid Maternity leave and paid or unpaid Parental leave are now available throughout Europe – Western, Central and Eastern (Deven and Moss, 2002). Many countries have encouraged long periods of Parental leave, with an emphasis on 'home care' for children below age three; while policy developments over the last decade have also increased the presence of Paternity leave and of the 'father's quota' in Parental leave. Both developments raise the issue of gender equality in leave policy.

Although work/family balance is high on the policy agenda, both at national and EU levels, within Europe there are considerable variations in the structuring and the use made of leave arrangements by parents, as well as in the rationales and objectives of leave policy. Drawing on the comparative data for 19 European countries presented in the 2006 review of the network on leave policies and research (Moss and O'Brien, 2006), on the discussions which took place in the annual

seminar (November 2006) and on various statistical data concerning work/family issues in Europe, I will examine major cross-national variations in Parental leave policy and practice and analyse their interconnections with parental employment, early childhood education and care (ECEC) services, and policies linking work, family and gender. My aim is to identify the main 'leave policy models' that exist in contemporary European society.

To enhance comparison, leave arrangements are examined on the basis of three main dimensions. First, since unpaid Parental leave is known to have extremely low take-up rates, I will only look at total *post-natal paid* leave (in months, including the compulsory paid weeks of post-natal leave for mothers and the paid weeks that may be taken after that by the mother and the father). Second, I will take into account the type of *compensation* available during this period (high, when compensation is earnings-related at 80 or 100 per cent; average, when compensation is earnings-related at about 66 per cent or related to a fairly generous flat rate; low, when compensation implies a low flat-rate payment). The third dimension is linked to the emphasis on *gender* sharing of leave: such sharing is strongly encouraged through the concept of paid Paternity leave and a father's quota during Parental leave; promoted through flexibility regarding who may use Parental leave; or not encouraged at all.

Exploring the rationale of leave policies also implies some analysis of interconnections between these and other policy areas or outcomes concerning work, gender and family life. Leave policy research has underlined the crucial importance of analysing cross-national differences related to employment, in particular women's employment and the division of paid work in couples with children, to the provision of ECEC services, and to gender and family/work policies. The latter may be more or less supportive of working parents with young children and usually emphasise different perspectives on how children should be cared for and who should care for them.

Recent analysis of gender regimes and the family/work system have examined three important dimensions that underpin the social construction of work/family articulation.² The first is related to the

² The concept of 'work/family articulation' refers to the processes and practices whereby individuals and families develop specific strategies to manage paid and unpaid work. The latter may include cutting back on working hours, taking leave, adapting parents' work schedules or delegating care for young children to professional or informal carers. 'Reconciliation' and 'balancing' are the terms currently used to analyse this process. But they can imply that some form of conciliation or equilibrium between the two spheres is always achieved, and this represents an analytical drawback. I therefore prefer the more neutral concept of 'articulation' between work and family life.

expectations and practices concerning the division of paid and unpaid work (who should work outside the home, who should care for young children and be responsible for housework, who actually does so, and whether paid work should be or is full time or part time). For example, strong support/agreement with the ideal of the husband as the main provider and the wife as a secondary provider (part-time work) will make it difficult for the mother not to assume her conventionally assigned role of main childcarer and homemaker (Crompton, 1999).

Second, discussions on gender regimes have also shown that it is essential to take into account the *social construction of motherhood* (Leira, 1992; McMahon, 1995; Pfau-Effinger, 1999). Motherhood may be interpreted as a long phase of life in which i) the special tasks of caring totally absorb women's capacity for work, thereby excluding maternal employment altogether; ii) only certain periods absorb women's capacity for work, during which times maternal employment has a negative impact on family life; or iii) motherhood does not absorb women's capacity for work, so that maternal employment does not have a negative impact on children and should be managed alongside childcare and family responsibilities.

A third significant dimension is the *cultural construction of the relationship between working parents and the Welfare State*. In European society, we have different ideological frameworks regarding this relationship or, more broadly, the relationship between the family and the state. From one point of view, care for children may be regarded primarily as the task of the state. The underlying ideal, in this context, is that children are future citizens, therefore the state is seen as more competent in fulfilling the task of care and education than private households. Caring for children, however, may alternatively be considered as primarily the task of families, the underlying attitude being that children are seen as needing special care and support (by parents, or especially by the mother) to become competent and balanced individuals. This alternative ideological framework is quite strong in Central European countries but it is also present in other countries and seems to be part of an ongoing policy debate in many other countries.

Six main leave policy models in Europe

For the 19 countries under discussion,³ I have examined the comparative evidence describing variations in leave arrangements and their connections to other work/family issues. Trying to find some pattern in these variations, I shall identify and explore six main leave policy models.

1. The 'one year leave' gender equality orientated model

The 'one year leave' model is associated with leave arrangements that provide approximately *one year of paid leave* (9 to 13 months) *with full or very high compensation of previous earnings*.⁴ In the four countries (Sweden, Iceland, Denmark, Slovenia) that fit this model most closely, there is an initial short Maternity leave followed by a longer period of paid Parental leave, which allows one of the parents to stay at home for most of the first year of the child's life.

The *promotion of gender equality* in leave arrangements is *high* on the policy agenda. This is particularly true of Sweden and Iceland, with both countries putting a strong emphasis on a (non-transferable) father's quota of Parental leave (two months in Sweden, three months in Iceland), while in Denmark and Slovenia we find two weeks of Paternity leave (with 100 per cent compensation of prior earnings) and an emphasis on the flexible gender sharing of leave. In Slovenia, for example, half of the eight months of paid Parental leave (100 per cent compensation) is for fathers but they may be transferred to the mother.

Leave policy in these countries is also connected to governmental policies endorsing strong support for dual-earner parents through ECEC services. *Complementarity* between the one-year leave and ECEC, emphasising the idea that the majority of children after age one are brought into formal provision, is ensured through a high availability of services: coverage rates for children below age three are amongst the highest in all European countries: 48 per cent (0–3 years) in Sweden, 64 per cent (0–3 years) in Denmark, 39 per cent (0–3 years) in Slovenia and Iceland (Table 1.3.1).

Lastly, the economic behaviour of women and of couples with young children underlines the *erosion of the 'male breadwinner model'* in

³ Sweden, Denmark, Iceland, Norway, Finland, Slovenia, France, Belgium, Germany, Estonia, Hungary, Czech Republic, Netherlands, UK, Ireland, Portugal, Spain, Italy, Greece.

⁴ For data on which this and other models are based, see country notes in 2006 International Review (Moss, P. and O'Brien, M. (eds) *International Review of Leave Policies and Related Research 2006*. London: Department of Trade and Industry).

these countries and the growing importance of women's employment and dual-earner couples. Female economic activity rates are very high (Table 1.3.2), with average or low proportions of female part-time work (Sweden 38 per cent; Denmark 33 per cent; Iceland 38 per cent;⁵ Slovenia 11 per cent), and there is a similar employment rate for women with or without children below six years of age (Deven and Moss, 2005). Division of paid labour in couples with children also shows a strong decline in the male breadwinner model, with less than one-fifth of couples with children in Denmark and Sweden falling into this category (Table 1.3.3). However, given the medium levels of female part-time work in some of these countries, the dual-earner model tends to be distributed fairly evenly between the 'full-time dual-earner couple' and the 'one and a half earner' model (see Sweden, where 77 per cent of couples with children are dual-earner couples, equally divided between the full-time dual-earner model and the one and a half earner model).⁶

In summary, from the point of view of mother's employment, the one year leave system seems to be connected to both part-time and full-time work, thus pointing to some diversity in the articulation of work and family life after the end of paid Parental leave.

2. The parental choice orientated policy model

The leave policy model that I have labelled the 'parental choice orientated' model emerged during the 1990s in the context of a difficult (and often heated⁷) policy debate centred on the need, advocated by some political parties and sectors of society, to allow parents to choose between caring for children below three years of age at home or putting them in regulated ECEC services. Under varied but similar concepts – 'Cash for care' (Norway), 'Home care allowance' (Finland), 'Cash benefit for parental education' (APE – France) – the countries that fit this model most closely opened up their leave arrangements in order to provide parents with the *option of a long (two to three years) paid Parental leave*. However, prior to the introduction of this means-tested *low-paid* long leave (see the flat rates for each country in country notes), these countries already had a well-paid leave of several months after the birth of a child (3 to 12

⁵ For women aged 25–54 in Iceland; aged over 15 in other countries.

⁶ Data was not available on the employment status of couples with children in Iceland and Slovenia. However, given the low levels of female part-time work in Slovenia, the one and a half earner model is likely to have much lower proportions. In this, as in some other indicators (such as the much more recent emphasis on gender equality, in comparison with the Nordic countries), Slovenia has a specific pathway within this leave policy model.

⁷ See the article (1.2) by Elin Kvande in this report, describing how the issue of long Parental leave was hotly debated in Norway during the 1990s.

months⁸) as well as ECEC services which had expanded regularly during previous decades. In this context, the long Parental leave system was endorsed as an extra option for families rather than as the main or preferred form of caring for very young children.

As a result, a second characteristic of this leave policy model is a *concurrent relationship between leave arrangements and ECEC services* for very young children. Services are available as from the end of the initial well-paid leave so that parents who are entitled to the long Parental leave can choose whether to take it or to go back to work and rely on childcare services. Supporting parental choice over the first three years after birth thus implies keeping up high levels of service provision for this age group. Coverage rates for ECEC services in these countries are fairly high (Table 1.3.1): 29 per cent in France (0–3 years), 28 per cent (1–2 years) and 44 per cent (2–3 years) in Finland, 40 per cent (0–3 years) in Norway, 38 per cent (Flemish community)/18 per cent (French community) (0–3 years) in Belgium. Given their specific pathways, France and Belgium provide childcare services for children below age one, thereby allowing for some ‘early return to work’ strategies based on the use of day care facilities, whereas Norway and Finland, as in Sweden (less so in Denmark⁹), only tend to provide services for children over age one.¹⁰

Emphasis is thus on parental choice but *gender equality is also on the policy agenda*, even if less explicitly than in the previous model. In most of the countries this implies providing paid Paternity leave (two to three weeks, with the exception of Norway, where Paternity leave is not paid) and the possibility of gender sharing of the Parental leave. Finland provides an extra bonus of 12 days paid Paternity leave if the father takes the last two weeks of Parental leave but Norway, more in line with Sweden, has a non-transferable father’s quota of six weeks.

⁸ Norway and Finland clearly have a more generous initial leave system, similar to the ‘one-year leave model’, with a well-paid leave which can go up to 11 or 12 months. France and Belgium only have an initial well-paid Maternity leave of four months.

⁹ Denmark provides ECEC services for children over six months.

¹⁰ Even though in Finland children under one year old are ‘entitled to a day care place’, in practice there are very few day care places for children of this age. As Salmi and Lammi-Taskula (2004, 2006) point out, parental leave ends when the baby is about 9–10 months old and the majority of mothers (80 per cent) take home care allowance after this period and therefore rarely apply for a day care place; according to Salmi and Taskula’s study, the average home care period lasts until the child is 1.5 years. This has led to a drop in places for this very young age group; in the 1970s there even used to be separate sections for young babies in day care centres but this no longer happens. As a result, if parents decide not to take the whole parental leave period, they usually consider other options, such as a private nanny at home.

In these countries, the economic behaviour of women and couples with young children also points to a *strong move away from the male breadwinner model*. Female employment rates are high, even if slightly lower in France and in Belgium in comparison with Finland and Norway; female part-time work varies but is rather significant in France (31 per cent), Belgium (41 per cent) and Norway (43 per cent). However, in contrast with the countries in the previous model, the available data indicates the existence of some differences in the employment rates of working mothers with/or without children below age six. The difference goes up to 16 per cent in Finland and 10 per cent in France (see country notes).

On the other hand, the division of paid labour in couples with children also shows the erosion of male breadwinning. Compared to the Swedish/Danish pattern, the male breadwinner model is more important (with a quarter to one-third of couples falling into this type) and there is a more predominant model of full-time dual-earner couples rather than an equal distribution between the full-time dual and one and a half earner models (Table 1.3.3 for data for Finland, France and Belgium).

In summary, from the point of view of parental employment, the parental choice orientated model seems to be connected to changes in the division of parental paid labour that still allow for a considerable amount of male breadwinning, even if the scales have turned strongly in the direction of full-time dual-earner couples (with children).

3. The 'long leave' mother home-centred policy model

A third policy model can be identified that conforms strongly to the idea that mothers should stay at home when children are very young. During the phases of active motherhood, in particular when children have not yet started school, it is seen as important for mothers to stay at home and to gradually take-up work again as the child gets older. In the four countries (Germany, Hungary, Czech Republic, Estonia¹¹) which fall more closely into this model, leave policy is based on a *long, fairly low-paid leave which emphasises maternal home care until the child is three years old*. After an initial well-paid post-natal Maternity leave (of two to six months), there is either a low flat-rate payment for the rest of the three years (see Germany and the Czech Republic) or a more generous compensation for the first 10 to 18 months (see

¹¹ Austria was not included in the 2006 review but its leave policy model also fits this third model based on a long leave for mothers, low emphasis on gender equality, low expansion of day care facilities and considerable differences in the activity rates of women with and without small children (see country notes for more information on Austria).

Hungary and Estonia, as well as recent developments in Germany¹²) followed by a low flat-rate payment during the rest of the leave.

Emphasis on mother care for very young children provides linkages to three other characteristics of this leave policy model. First, *there is a low emphasis on gender equality in leave arrangements*. If women, at least when children are small, are primarily regarded as being responsible for childcare, then men are primarily regarded as breadwinners who earn most of the income for the family and should not be integrated into leave arrangements during this period. In practice, this means that well-paid Paternity leave is in general not provided (only in Hungary, for five days) and that protected periods of leave (or 'quotas'), when stipulated, are for mothers rather than fathers: in Hungary and Estonia, the first six months of Parental leave have to be taken by the mother; together, Maternity leave and the mother's quota make it possible for the child to be cared for by the mother during the first year of life.

The second characteristic is a *low availability ECEC service* for children under three years, as the leave system and these facilities are not seen as complementary. In other words, the long period of leave is seen as an alternative to the building up of service provision, in particular for children below age three. Coverage rates for this age group are therefore very low (see Table 1.3.1): 9 per cent in Germany (only 3 per cent in West Germany) and in Hungary, 1 per cent in the Czech Republic, 12 per cent (1 – 2 years) in Estonia.

The third characteristic *is an emphasis on a male breadwinner model when couples have small children*, making for a specific configuration of parental employment in these countries. Overall, female activity rates are average or even slightly above average (Table 1.3.2) but there are considerable differences between the activity rates of women with or without children below age six. The difference is as high as 20 per cent in Germany, 39 per cent in the Czech Republic, 35 per cent in Hungary and 30 per cent in Estonia. As a result, the employment status of couples with and without children is also very different. In

¹² Recent changes in leave arrangements in Germany have made payment more generous. Instead of two years at 300 euros per month (means-tested), Germany has introduced two years of Parental leave at 33 per cent of prior earnings, with a maximum ceiling of 900 euros (or one year of Parental leave at 67 per cent of prior earnings, with a maximum ceiling of 1800 euros). The change seems to represent a political compromise between a shift towards a well-paid 'one year leave' system and the former long, low-paid or even unpaid 'mother-centred' leave system. It will allow working women to choose between a fairly well-compensated leave of 12 months or a longer low-paid leave; in either case, it would seem to decrease dependency on a male income model (see country note for more information on this recent policy shift).

couples with children, the male breadwinner model is the predominant, even if not a fully predominant, model. In Germany, 40 per cent of couples with children are male breadwinner couples, 33 per cent are one and a half earner couples and only one-quarter of all couples are full-time dual-earner couples (Table 1.3.3). EuroStat data on male breadwinning in couples with and without children for new member countries shows that the proportion of male breadwinner couples in couples with children under 12 goes beyond 40 per cent in the Czech Republic and Hungary and is between 30 and 40 per cent in Estonia (Aliaga, 2005).

In summary, the long leave mother home-centred model appears to be linked to a pattern of female economic activity in which there are large differences between women with and without small children.

4. The short leave part-time mother policy model

This model strongly reflects what has been designated by some authors as a modernised version of the male breadwinner pattern (Pfau-Effinger, 1999). As in the preceding model, women and men are to an equal degree integrated into employment as long as there are no dependent children in the household. However, rather than stay-at-home mothers, who are encouraged to use a long leave arrangement, it is seen as adequate, during the phases of active motherhood, to combine work and childcare by working part time. The main social spheres for caring are the family and the market, with traditionally underdeveloped state provision of leave arrangements and ECEC services. Nevertheless, over the last decade, there have been some changes, in particular in relation to the development of regulated services (not only for pre-schoolers but also for primary school children after the school day ends, cf. Sher, 2007).

Paid leave arrangements in the three countries (Ireland, the Netherlands, United Kingdom) that fit this model most closely are centred on one main type of leave: a *short, non-transferable Maternity leave* which provides high compensation (70 to 100 per cent) of previous earnings for only one to four months. In the UK and Ireland, this paid leave is followed by some additional unpaid or low-paid Maternity leave. Recent extensions of Maternity leave appear to be bringing these two countries nearer to the idea of an initial year of home-based care by mothers. On the other hand, there have not been any developments in the direction of a long, low-paid Parental leave; all three countries have an unpaid Parental leave of only three months per parent (i.e. an individual entitlement). In the UK, this may only be taken in short blocks (maximum one month per year, until the child's fifth birthday); in the other two countries, leave may be taken in one or more blocks of time, subject to the employer's agreement and up to the child's fifth (Ireland) or eighth birthday (the Netherlands).

Lastly, the promotion of *gender equality in leave arrangements is not high on the agenda*. Paternity leave has been introduced in the UK but with a flat-rate payment; the Netherlands has only a very short Paternity leave; and Ireland none at all. Nor is there any flexibility regarding the gender sharing of the initial Maternity leave (though this is proposed in the UK), and Parental leave is short and unpaid.

Emphasis on part-time working mothers and on social policy objectives underlining the need to increase female participation in the labour market in order to bring low-income families out of poverty have led, over the last decades, to an *increased availability of ECEC services for small children*. Coverage rates for children below age three vary from a lower than average 15 per cent in Ireland to 20 per cent in the UK and 23 per cent in the Netherlands (Table 1.3.1). In comparison with the preceding model, these coverage rates provide some complementarity between the leave system and care services, and would appear to allow for more diversity in the articulation between work and caring when children are still small.

The characteristics of female activity rates and of parental employment seem to confirm this, especially in the UK and the Netherlands. Female activity rates are high, close to or above the average EU value (Table 1.3.2), as is female part-time work. There are some differences between the employment rates of women with and without children below age six: the gap is lower in the Netherlands, but rather high in the UK (see country notes). Nevertheless, in contrast with the preceding model, it is *the one and a half earner pattern, rather than the male breadwinner one, that is the predominant model for the division of paid labour in couples with children*. In the Netherlands, 53 per cent of couples with children are one and a half earner couples, 33 per cent are male breadwinner couples and 11 per cent are full-time dual-earner couples; in the UK, the proportions are respectively 40, 30 and 29 per cent.

In summary, the short leave part-time mother model is more strongly connected to part-time working mothers, even if the male breadwinner model is also important and increases when couples have young children (Aliaga, 2005).

5. The short leave male breadwinner model

We can identify a fifth policy model, which conforms more strongly to the idea of the male breadwinner/female home-carer pattern. Although expectations and attitudes to gender roles are changing rapidly in all southern European countries (Wall, 2007), women have traditionally been regarded as being responsible for work in the private household, not only during the phases of active motherhood but also during married life in general, irrespective of whether the couple have children or not. In the three countries (Italy, Greece, Spain) that fit

this model most closely, *male breadwinning is important in couples with and without children* and emerges clearly as the predominant pattern of the division of paid labour among couples with children: 54 per cent in Italy, 50 per cent in Greece, 56 per cent in Spain (Table 1.3.3). The gap between the employment rates of women with or without children below age six is low (see country notes), but this is due to high proportions of women, both with and without children, who are not engaged in the labour market; female activity rates continue to be amongst the lowest in Europe even if they have been increasing over the last decade.

In the context of a traditional emphasis on male breadwinning and a weak Welfare State, leave policy is based on *one main type of leave arrangement: a short (about four months) of very well-compensated leave for mothers*. Paternity leave either does not exist or else is very short. As for Parental leave, this is an individual entitlement (of three to six months) in all three countries; it is unpaid in Greece and Spain and estimated to be rarely used.

In Italy, however, there was a shift a few years ago towards a low-paid Parental leave system, with 30 per cent compensation for previous earnings: Parental leave continues to be an individual entitlement (six months per parent), but couples can only take a total amount of ten months. As yet there is no information on take-up rates. It will be interesting to see if an individual entitlement plus low compensation, rather than the concept of a 'father's quota' plus high compensation encourages some engagement of fathers in the leave system or, as is more likely, merely encourages some working mothers to take Parental leave for six months.

Policies in these countries have not provided strong support for dual-earner parents through ECEC services for children under three years. The per centage of young children in regulated day care services is low, (as in the mother-centred leave policy model), revealing a *low integration of the leave and services systems* (see Table 1.3.1). Nevertheless, with the exception of Greece, the majority of children aged three to six years are in ECEC services.

6. The early return to full-time work leave policy model

The last leave policy model is what we may tentatively identify as the *early return to full-time work* and gender equality orientated model found only in Portugal. Initially, I thought of considering it as a diverging case within the short leave male breadwinner model, mainly because Portugal's pathway is also strongly linked to a 'weak' Welfare State and to the promotion, until the early 1970s, of the male breadwinner pattern of family life. But also for methodological reasons, as the identification of a model on the basis of one country would, at first sight, weaken or invalidate the aims of this analysis.

However, the separate analysis of the Portuguese case is important for two main reasons. First, to emphasise the fact that a particular pathway followed in one country can effectively lead to a very different outcome in terms of the leave regime and its relationship to services and parental employment. To carry out analysis on the complex patterns and shifting dynamics of policy models, to capture changing and emerging realities (rather than to define abstract ideal types), it is necessary to understand the 'non-fits' as well as the 'easy fits' (other relative 'non-fits', such as Slovenia, Belgium or Ireland, would also provide an interesting challenge for analysis).

The second reason is related to the changes that are taking place in other southern European countries. Gender equality objectives, the promotion of female employment and public support for dual-earner couples through the provision of ECEC services are also emerging more strongly in other parts of Southern Europe, in particular in Spain where female activity rates and full-time employment have risen sharply over the last few years (Escobedo, 2005). The Portuguese leave policy model may, therefore, prove to be an emerging rather than an outlying model and its characteristics may help to increase our understanding of the changing nature of leave policy and practice in other Southern European countries.

From the point of view of leave arrangements, there is also one main type of leave in Portugal: *a short, highly compensated, post-natal leave of four or five months* (four months with 100 per cent compensation or five months at 80 per cent). However, only the first six weeks have to be taken by the mother, the rest being gender flexible. The development of *linkages between gender equality policy and leave policy* has also led to the introduction of a 'compulsory' five-day Paternity leave and two 'daddy weeks' of Parental leave with 100 per cent compensation of earnings (the rest of Parental leave - three months full-time or 12 months part-time is unpaid). In 2002 only 14 per cent of fathers used the two daddy weeks; by 2005 this had increased to 30 per cent. Lastly, work/family balance is supported during the first year of the child's life through entitlement to a reduction in working hours (two hours per day, either parent, no loss in earnings), rather than through the promotion of part-time work or a longer low-paid Parental leave.

Supporting work/family balance and gender equality in employment have also been the main policy drivers for the expansion of publicly subsidised (mainly third sector) ECEC services since the 1980s. Coverage rates increased to 78 per cent (2005) for children aged three to six (up from 29 per cent in 1985) and to 23 per cent for children below age three (up from 12 per cent in 1996); increasing the latter to 35 per cent by 2009, in particular through the expansion of crèches for

children aged five months to two years, is high on the policy agenda. These coverage rates are still lower than the rates found in the one-year leave countries but they are now similar to those found in France or Finland and have built up a *complementary and consecutive relationship between the leave system and services for young children*. Support for dual-earner couples has also been reinforced in primary schools, leading to almost universal coverage (99 per cent, in 2006) for out-of-school care (after school finishes at 3.30 p.m.) for children aged six to ten (Wall and Silva, 2007).

The above-mentioned policies - in the context of a strong work ethic concerning women's employment (since the 1974 revolution), a low tradition of part-time work and a family standard of living that increases considerably with the income of two earners - are important to understand the development of an approach to leave based on expectations and practices of an early return to full-time employment of mothers with small children. The economic behaviour of women and of couples with children underlines a *decline of the male breadwinner pattern* and the growing importance of women's employment and dual-earner couples. Female activity rates in Portugal are high, most women work full-time (86 per cent) and there is a similar employment rate for women with or without children below age six (Table 1.3.2 and country notes). Data on the division of paid labour show that the full-time dual-earner is the predominant pattern for the division of paid labour in couples with children (Table 1.3.3): over two-thirds (68 per cent) of couples with children are full-time dual-earner couples (the second highest proportion in the EU, after Slovenia) and there is a low proportion of male breadwinning (Aliaga, 2005).

In summary, the early return to full-time work model appears to be linked to a pattern of full-time dual-earner couples and female economic activity in which there are no differences between women with and without small children.

Final comments

Articulation of work and family life in Portugal has moved away from a male breadwinner, female carer pattern towards a dual-earner pattern (both working full-time) where childcare is mostly delegated (to crèches and pre-schools, to out-of-school care, to nannies, to relatives). Nevertheless, in terms of leave policy, Portugal's early return to full employment model does not seem to adjust to any of the five main leave policy models. If we take into consideration the characteristics of the model, we can see quite clearly that, historically, Portugal's pathway is linked to the Southern European short leave male breadwinner model. However, there has also been divergence: a stronger promotion of women's employment and the dual-earner model; an emphasis on the expansion of service provision, in spite of

budgetary constraints; and a stronger linkage between leave policies and gender equality policy. As we mentioned earlier, this may be an emerging model in some Southern European countries. In Spain, female activity rates, based on full-time work, are increasing rapidly, service provision is expanding and gender equality is high on the policy agenda. In other words, the generating principles of the early return model may be spreading.

However, the specificity of the Portuguese approach to leave may also mean that the particular paths taken in some countries but not in others represent an important challenge for research and that the effort in terms of analysis must be threefold:

- To identify the main leave policy models (on the basis of broad common characteristics of work/family policy and practice);
- To identify slightly diverging routes within these models;
- To identify models that, at a particular point in time, are more disconnected from the main configurations of work/family policy and practice.

Finally, a comment on the possible linkages between the main leave policy models that I have identified in this exploratory analysis and other demographic or family variables. The most obvious one is, of course, the linkage between these models and fertility. Drawing conclusions in this respect is risky as these interconnections are never linear. However, the analysis does seem to point to connections between some more generous, albeit differing, policy models – the one-year leave model and the parental-choice orientated model – and higher fertility rates. It also shows that some flexibility concerning female economic activity and some availability of ECEC services – as in the short leave part-time mother model – would seem to have a more positive impact on fertility behaviour than models based on mother home-centredness, low complementarity between the leave system and ECEC services and a male breadwinner pattern.

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Table 1.3.1: Children in regulated early childhood education and care services (2002-2005)

Countries	Per cent of children in regulated services by age groups		
	0-2 years old		3-5 years old
	OECD (a)	Other sources (b unless otherwise stated)	OECD (a) unless otherwise stated
Sweden	40	48	87
Iceland	59	39 (c)	95
Denmark	62	64	90
Slovenia	-	39 (c)	80 (c)
Finland	35	22	68 (c)
France	26	29	100
Norway	44	40	85
Belgium	39	30	100
Germany	9	10	80
Hungary	7	-	87
Czech Republic	3	1	85
Estonia	-	22 (c)	86 (c)
UK	26	-	79
Ireland	15	-	65
Netherlands	39	6	68
Italy	6	6	100
Greece	-	3	46 (b)
Spain	21	5	99
Portugal	24	23	78

Sources: (a) OECD (2006) *OECD Family Database*. Available at www.oecd.org/els/social/family/database. (b) Hantrais, L., Dimiter P., Billari, F. C. (2006) *Policy Implications of Changing Family Formation*, Population Studies, No. 49, Strasbourg, Council of Europe, pp. 97. (c) National Statistics provided by Leave Network members in 2007; see country notes.

Table 1.3.2: Female economic activity rates and part-time employment (2005)

Countries	Female activity rate 2005 (per cent of total population 15-64)	Female part-time employment 2005 (per cent of total employment)
European Union (EU25)	63	32
Sweden	76	40
Iceland	82	33
Denmark	76	33
Slovenia	66	11
Finland	73	19
France	64	31
Norway	76	43
Belgium	60	41
Germany	67	44
Hungary	55	6
Czech Republic	62	9
Estonia	67	11
UK	69	43
Ireland	61	32 (2004)
Netherlands	70	75
Italy	50	26
Greece	55	9
Spain	58	24
Portugal	68	16

Sources: European Commission (2006) *Employment in Europe 2006*. Brussels: European Commission. For Iceland and Norway, Eurostat (2006) *Labour Market Latest Trends (Statistics in Focus: Population and Social Conditions 6/2006)*

Table 1.3.3: Division of paid labour (couples with children under 15) (2000)

Countries	One bread-winner	Both full-time	Husband ft/Wife pt	Both part-time	Husband pt/Wife ft
Portugal	26.5	66.5	7.0	-	-
Spain	56.3	35.6	7.5	0.2	0.4
Greece	49.7	43.7	4.7	0.9	0.9
Italy	53.6	31.2	13.0	1.3	0.9
Finland (2002)	31.2	58.9	5.0	-	-
France	36.0	45.4	16.3	1.2	1.1
Belgium	27.3	40.8	28.3	1.9	1.7
Luxembourg	51.2	25.7	23.2	-	-
Netherlands	32.7	10.8	52.9	2.3	1.3
Germany	39.7	26.1	32.9	0.6	0.7
UK	29.8	28.6	40.0	0.7	0.9
Ireland	55.5	27.1	16.2	1.1	-
Sweden(2002)	13.0	39.4	39.1	-	-
Denmark(1999)	17.5	75.2	-	-	-

Sources: Eurostat (2002); Denmark, Finland and Sweden - OECD (2005) Babies and Bosses, Vol. 4. Paris: OECD.

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 24 countries:

- Australia
- Austria
- Belgium
- Canada
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Iceland
- Ireland
- Italy
- Norway
- Poland
- Portugal
- Slovenia
- 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 19 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 3 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 five countries, policy is purely a national competence.

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 for Business Enterprise and Regulatory Reform has the brief for Maternity, Paternity and Parental leave and the right to request flexible working, while the Department of 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 2004 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 2004 and ongoing research projects***. Readers interested in changes in leave policy and publications between 2000 and 2004 are referred to the 2006 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

Six of the 24 countries are federal states (Australia, Austria, Belgium, Canada, Germany 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 24 countries vary widely in terms of population: from Estonia with 1.3 million people to the United States with 292 million. The *fertility rate* in no country, however, reaches the replacement level of 2.1, Iceland 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), and lowest in the five Central and Eastern European countries, Portugal and Greece.

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 Canada and the United States. On this measure, women's employment rates are low (less than 70 per cent of men's) in Italy, Greece and Spain. These three 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 are 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 Greece 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 whereas only just over a tenth of employed mothers in Finland work part time, the proportion is more than three-quarters in the Netherlands.

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 15 per centage points (Sweden is the exception). For women, the opposite is generally the case. In only three countries – Portugal, Slovenia and Sweden – 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 Denmark, Greece and Belgium; and highest in Germany, the United Kingdom, Estonia, Czech Republic and Hungary. 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 Parental leave (four of the five countries with the highest employment differential offer three years of 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 or, 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 to compulsory school age; in some cases this reflects an under-development 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 24 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 earnings¹³ - an indicator used by the European Commission in monitoring member states' progress in meeting Employment Guidelines (European Commission, 2006, Table 18.M3):

Australia	0
Canada	0 (Quebec - 14.5)*
USA	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,

¹³ 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.

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). 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 increasingly blurring, 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 24 countries, four 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 and Sweden,¹⁴

¹⁴ In Iceland, three months of the statutory leave period are reserved for women, three for men and three for the parents to divide as they choose; women may use one month of their quota before birth. In Sweden, there is no general leave for women before birth, but pregnant women are eligible for a

leave is available at this time but is not restricted to women, being subsumed into Parental leave. However, while leave is paid at a high level in Iceland 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 four main exceptions, all countries with 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 six 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.

There is not much flexibility in Maternity leave; indeed, taking leave is obligatory in some countries (e.g. Germany, 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. 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).

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

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

'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. In a recent reform, 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 four 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.¹⁵ Sweden also has Paternity leave (10 days) and a father's quota as part of Parental leave (60 days).

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, five 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 24 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 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: Quebec (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

¹⁵ 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.

'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' leave per parent for childcare purposes, so distinguishing this leave from Maternity leave which is for health and welfare purposes; no payment or flexibility requirements are specified in the EU 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 that 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 from 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 emphasise 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 entitlement 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 four main forms. First, 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); second, the possibility of taking leave in one continuous block or several shorter blocks (e.g. Estonia, Greece, Iceland, Poland, Spain, Sweden); 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) (e.g. France, Germany, Portugal, Québec, Sweden); and fourth, 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). Other forms of flexibility include: options to take longer periods of leave with lower benefits or shorter periods with higher benefits (e.g. Denmark, Germany, Norway, Québec); and 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.

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 adoptive 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 sick leave specifically to care for a sick child. 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 24 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 is an example of a country that provides both payment and a substantial degree of flexibility in how reduced hours may be taken. 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.

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, is another case, though (as discussed below) there are currently major policy changes under way.

Denmark and Sweden follow a similar pattern, but with leave finishing and services beginning for children at a much earlier age. 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 two 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 emphasises maximising parental choice, though in effect any choice is exercised by mothers since very few fathers take a prolonged period of

leave. France, too, emphasises 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, nor 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.

The relationship between leave and services can change over time. A current example is Portugal, where a new government has stated that it intends, in relation to reconciliation of work and family life, to increase support services for families with young children, rather than improve leave. It has presented a Programme for the Enlargement of the Network of Services, which includes the aim of increasing by 50 per cent, over the next three years, the number of places in crèches.

Changes in leave policy and other related developments

This section in the country notes reveals how leave policy is receiving much attention at present, with many countries reporting significant recent changes or future changes either a waiting implementation or under active discussion (see the 2006 review for changes before 2004). Major themes in policy change are: increasing flexibility; increasing entitlements for fathers and/or inducements for fathers to take leave; extending eligibility.

Most recently, since the beginning of 2006, there are significant changes in leave policy reported in:

Quebec: this Canadian province has gone further than any region or province in any other country in developing its own leave policy, distinctive from other Canadian provinces and territories (the same pattern has occurred with ECEC services, where Quebec has a distinctive policy that offers higher levels of provision). Since 2006, Quebec offers: increased benefit payments and more flexibility in use of leave entitlements; more

inclusive eligibility conditions; and a father's quota on Parental leave.

Germany: at the beginning of 2007, policy changes were introduced that the country note authors refer to as a 'paradigmatic shift'. Rather than a long period of low-paid or unpaid leave, intended to encourage parents (mothers) to stay at home until children reach three years, a much higher level of benefit is now offered, but over a shorter period, to encourage women's early return to employment. Moreover, an incentive has been introduced to encourage fathers to take some period of leave, introducing an explicit policy goal of increasing men's participation in childcare: if the father takes at least two months of leave the overall length of benefit payment is extended from 12 to 14 months.

Ireland: Maternity leave has been extended, since March 2007, from 34 to 42 weeks.

Netherlands: Since 1 January 2006 a new savings scheme with a tax incentive element has been introduced: the Life Course Savings Scheme. This savings scheme offers employees a way to finance longer periods of various types of unpaid leave, including Parental leave. It does not, however, give any additional leave entitlements, beyond existing statutory rights.

Spain: A new law on gender equality, approved in March 2007, introduces 15 days of paid Paternity leave and extends coverage for Maternity leave.

United Kingdom: Changes introduced in October 2006 extended the paid period of Maternity leave from six to nine months, as part of a longer term goal of 12 months paid Maternity leave.

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; or increasing benefit payments funded through taxation or social security contributions in contrast to moving towards parents funding their own leave via individualised savings schemes.

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) concludes 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 2 per cent in Finland and Poland, 3 per cent in Austria, 5 per cent in Germany 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 Parental 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 to 25 for men) and Norway (where the great majority of fathers take only the four weeks father's 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 to 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 from 1997 to 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 Quebec, 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.

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 which 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 suggest 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 East Germany, 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 dependent 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 employers had had their request fully granted and a further 10 per cent partially agreed. In short, the legislation had contributed to about nine 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 2004

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. Over 200 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	×	×	✓ F	12 (0)	✓✓✓
Austria	✓✓✓	×	✓✓* F	24 (24)	✓✓✓ [+]
Belgium	✓✓✓	✓✓✓	✓✓ I	9.5 (9.5)	✓
Canada [fn]	✓✓✓	✓	✓✓✓ F	12 (11.5)	✓ [+]
Québec	✓✓✓	✓✓✓	✓✓✓ F	16 (16)	✓ [+]
Czech Rep	✓✓✓	×	✓✓* I	36 (36)	✓✓✓
Denmark	✓✓✓	✓✓✓	✓✓✓ F	10.5 (10.5)	×
Estonia	✓✓✓	✓✓	✓✓ F	36 (36)	✓✓✓
Finland	✓✓✓	✓✓✓	✓✓✓ F	36 (36)	×
France [fn]	✓✓✓	✓✓✓	✓✓* F	36 (36)	✓ [+]
Germany	✓✓✓	×	✓✓✓ F	36 (14)	✓✓✓
Greece	✓✓✓	✓✓✓	✓ I	9 (2)	✓ [+]
Hungary[fn]	✓✓✓	✓✓✓	✓✓✓ F	36 (36)	✓✓✓
Iceland	✓✓✓	×	✓✓✓ F/I	9 (9)	×
Ireland	✓✓	×	✓ I	14 (4.5)	✓✓✓ [+]
Italy [fn]	✓✓✓	×	✓✓ I	13.5 (13.5)	✓
Netherlands	✓✓✓	✓✓✓	✓ I	8.5 (2.5)	✓✓✓ [+]
Norway	✓✓✓	✓	✓✓✓ F/I	36 (12)	✓✓✓ [+]
Poland	✓✓✓	×	✓✓ F	36 (36)	✓✓✓ [+]
Portugal	✓✓✓	✓✓✓	✓✓ I	34 (4)	✓✓✓ [+]
Slovenia	✓✓✓	✓✓	✓✓✓ I	12 (12)	✓✓✓ [+]
Spain	✓✓✓	✓✓✓	✓ I	36 (3.5)	✓✓✓
Sweden [fn]	×	✓✓✓	✓✓✓ F/I	(g)	✓✓✓
UK	✓✓	✓✓	✓ I	18 (6)	✓
USA [fn]	×	×	×	0	×

Key:

Maternity, paternity, parental leave and leave for sick children

columns: × - 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).

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; bracketed numbers in

'total post-natal leave' column indicate length of leave which 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.

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.

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.

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 the care of a child up to 12 months of age as part of the federal Family and Medical Leave Act; employers with less than 50 employees are exempt. Five states and Puerto Rica 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	x	5	x
Belgium	x	x	1,2	x
Canada	x	x		x
Quebec	x	x	3, 5	
Czech Rep	x	x	1, 4	x
Denmark	x	x	1,3	x
Estonia	✓✓✓	✓✓✓until 1½	1, 4	x
Finland	x	✓✓until 8	1, 2, 6	x
France	x	x	1, 5	x
Germany	x	x	1, 3,5, 6	x
Greece	✓✓✓	✓✓✓until 2½	2, 5, 6	x
Hungary	✓✓✓	x	4, 6	x
Iceland	x	✓until 8	2, 5, 6	x
Ireland	✓✓✓	x	5, 6	x
Italy	✓✓✓	x	5, 6	✓ until CSA
Netherlands	✓all employees are entitled to work part time		2*,6	x
Norway	✓✓✓	✓until 10	3,6	x
Poland	x	x	1,2,5	x
Portugal	✓✓✓	x	1,5	x
Slovenia	✓✓✓	✓ until 3	1,4,5,6	x
Spain	✓✓✓	✓	2	x
Sweden	x	✓until 8	1,2,5,6	x
U.Kingdom	x	x	5	✓ until 6
U.States	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: 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 cases of multiple births.

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

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 from those from the cross-national data sets or are more recent, 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 a child aged 0-6 years and men with no children; and between women with a child aged 0-6 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 (2006) *Indicators for Monitoring the Employment Guidelines, 2006 Compendium* (labelled as ECI): Tables 18.A2 and 18.5. Available at: http://ec.europa.eu/employment_social/employment_strategy/pdf/compendiumjuly2006_en.pdf

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2.2

Australia

Michael Alexander, Gillian Whitehouse and Deborah Brennan

Population	2004	19.9 million
Total Fertility Rate	2000-05	1.7
GDP per capita	2004	US\$30,331
Female economic activity	2004	56.1 per cent
As % male rate	2004	79 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		
Mothers	2003	No data
Fathers	2003	No data
Employment impact of parenthood	2005	No data
Gender-related Development Index		3 rd
Gender Empowerment Measure		8 th
Access to regulated ECEC services		
Children 0-2 years	2005	29 per cent
Children 3-5 years (inclusive)	2005	70 per cent

NB Australia is a federal state

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.

However, amendments to the federal Workplace Relations Act in December 2005 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 will 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.

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, s265-s281). Since amendments to the Act in 2005, the mother must take six weeks' 'maternity leave' immediately following the birth of her child (s273).

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 2005, 41 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: 72 per cent of female employees in the public sector indicated that they had access, compared with 32 per cent in the private sector (ABS Employee Earnings, Benefits and Trade Union Membership Survey, August 2005, Cat. No. 6310.0, Table 12). 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 Paternity 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, s282-s297). 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 recent 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 2005, 32 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-eight per cent of male employees in the public sector indicated that they had access, compared with 27 per cent in the private sector (ABS Employee Earnings, Benefits and Trade Union Membership Survey, August 2005, Cat. No. 6310.0, Table 12). Organisational data indicate that the prevalence of paid paternity leave has been increasing over recent years, with 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 recent amendments, a mother must take six 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:
 - a period where both parents may take simultaneous unpaid parental leave up to a maximum of eight weeks (currently one week);
 - 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;
 - return to work from a period of parental leave on a part-time basis until the child reaches school age.
- While the 2005 amendments to the federal Workplace Relations Act did not adopt these extended entitlements, they may be passed on to employees under the State-based systems through the State-based award system or enacted in relevant State-based legislation (see Section 1, 'note on federal and state awards'). This has already occurred to some extent. However, recent changes to the federal Act mean that only a small proportion of employees will receive these benefits, as most employees previously covered by State awards have now been brought into the federal jurisdiction.

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 six or 12 weeks and for paid paternity leave one or two 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.

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 *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 one twenty-sixth of their nominal annual hours (ten 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 and other related developments since 2004 (including proposals currently under discussion)

The previous section has documented some recent changes to leave policy arising out of amendments to the federal Workplace Relations Act in December 2005 and State-level responses to the 2005 decision of the Family Provisions Test Case. No other changes in leave policy are currently under formal discussion, although there has been a series of inquiries, reports and test cases in recent years.

The government introduced a one-off 'Maternity Payment' for children born after 30 June 2004, replacing the 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 2006 allowance of A\$4,000 is approximately 70 per cent of the Standard Federal Minimum Wage as at the end of 2006, and around 37 per cent of average female adult full-time weekly earnings at that time.

While the pursuit of paid Maternity leave lost some momentum following these changes, other advances in leave policy and flexibility in working time on return to work were pursued in 2004, when the Australian Council of Trade Unions (ACTU), with 46 affiliated trade unions, brought its Family Provisions Test Case (or as it is colloquially known, the Work and Family Test Case) before the Australian Industrial Relations Commission (AIRC). The test case included the following claims:

- an employee right to unpaid Parental leave of up to 104 weeks (an increase from the previous 52 weeks), plus a right to an unbroken period of eight weeks' simultaneous unpaid leave for both parents at the time of the birth or placement of the child (previously one week);
- consultation with an employee during periods of Parental leave about any significant workplace changes and their effect on the employee's position;

- an employee right to work on a part-time basis after Parental leave for specified periods until the child reaches school-age;
- an employee right to request, and employer obligation to avoid unreasonable refusal of, a variation in working arrangements such as hours, times and place of work; and
- an employee right to request further periods of unpaid leave in conjunction with annual leave or to purchase up to six weeks' unpaid leave and an employer obligation to avoid unreasonable refusal of such requests.

The ACTU's position was strenuously opposed by the major employer associations and by the Australian Government.

In reaching its decision on 8 August 2005 on this test case, the AIRC provided employees on federal awards with the right to request from their employer the following extensions to the pre-existing parental leave entitlements:

- an extension of the period of unpaid Parental leave parents could take simultaneously up to a maximum of eight weeks (previously one week);
- an extension of the period of unpaid Parental leave by a further continuous period of leave not exceeding 12 months (that is, up to 24 months from the previous 12 months);
- return from a period of Parental leave on a part-time basis until the child reaches school age.

The employer was required to consider the request having regard to the employee's circumstances and, provided the request was genuinely based on the employee's parental responsibilities, could only refuse the request on reasonable grounds related to the effect on the workplace or the employer's business. Such grounds could include cost, lack of adequate replacement staff, loss of efficiency and the impact on customer service.

A conciliated outcome was also reached between the industrial parties around the ACTU's claims for unpaid emergency leave for employees to deal with emergency situations and carers leave. This agreement was subsequently ratified by the AIRC as part of its final decision, which included the following conditions:

- access of up to ten days of personal leave per annum (an increase from the previous five days per annum) for the purposes of caring for immediate family or household members who are sick and require care and support or who require care due to an unexpected emergency, with specified evidentiary requirements;
- where all paid personal leave entitlements have been exhausted, unpaid personal leave to be used to care for immediate family or

- household members who are sick and require care and support or who require care due to an unexpected emergency, with the employer and employee to agree on the period of this leave;
- in the absence of agreement between the employer and employee about the period of unpaid personal leave to be taken, an employee could take-up to 16 hours (i.e. two days) of unpaid personal leave per occasion, provided that specified evidentiary requirements are met.

All these decisions arrived at in the Family Provisions Test Case were subsequently overtaken by changes to industrial relations legislation passed by the Federal Parliament in December 2005. This legislative initiative (referred to as 'Work Choices') 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 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, although these provisions were formally extended to 'eligible' casual employees (as defined earlier). Employees who are currently covered by award entitlements (approximately 20 per cent of all employees) will retain the new higher entitlements; however, it is anticipated that the number of award employees will continue to decrease over time (as it has for the last 15 years) as employees move to individual or collective agreements, and as that occurs these higher entitlements will need to be negotiated along with all others outside the core set of minima.

The institutional changes also effectively abolished the State-based industrial relations systems for all except government employees and those not in 'incorporated' businesses in those systems, bringing close to 90 per cent of employees under the newly deregulated federal system. The Federal Government introduced these changes on the grounds that they would provide employers and employees with the means to determine the most appropriate work and family arrangements for their particular circumstances, as well as increased productivity and improved employment opportunities.

Besides these legislative changes, there have been two inquiries of note in the area of work and family that have been under way since the beginning of 2005. First, the Sex Discrimination Commissioner (under the auspices of the Human Rights and Equal Opportunity Commission) undertook an inquiry to examine how gender roles in the area of unpaid caring work impact on the ability of men and

women to participate in paid work. The terms of reference for the Inquiry were to:

- identify existing systemic barriers in employment faced by men and women in balancing paid work and family responsibilities;
- identify how gender roles in unpaid caring work affect the participation of men and women in paid work;
- examine data on: men and women's access to current and proposed family-friendly employment provisions; community attitudes toward unpaid caring work; and the gender dimensions of efforts to achieve work and family balance; and
- examine legislation, policies, practices and services to ensure men and women are able to combine their paid work and family responsibilities.

The final report of the inquiry, *It's About Time: Women, Men, Work and Family*, was released on 7 March 2007. The main recommendations were:

- the introduction of a federal Family Responsibilities and Carers' Rights Act to provide protection from discrimination for employees with family and carer responsibilities;
- a legislated right for workers to request flexible work arrangements, with a corresponding duty on employers to reasonably consider these requests;
- introduction of a government-funded scheme providing 14 weeks' paid maternity leave, paid at the level of the minimum wage; and
- consideration of a more comprehensive scheme of paid parental leave including
 - a minimum of two weeks' paid paternity leave
 - the phased introduction of an additional 38 weeks' paid parental leave available to either parent.

The second development was a parliamentary inquiry into balancing work and family life. The Parliamentary Standing Committee on Family and Human Services investigated ways in which the Australian Government could better help families balance their work and family responsibilities. The committee was particularly interested in:

- the financial, career and social disincentives to starting families;
- ways of making it easier for parents who so wish to return to the paid workforce; and
- the impact of taxation and other matters on families in the choices they make in balancing work and family life.

The Committee sought submissions and held public hearings and delivered its report in December 2006. Its most widely reported recommendations were for tax concessions around childcare, including removal of fringe benefits tax from employer provided childcare and making childcare expenses tax deductible for working parents. Other recommendations relating to the issue of returning to paid work were for:

- systematic collection of workplace level data;
- analysis of the effects of different types of industrial agreements on how employees balance work and family responsibilities;
- monitoring of flexible working in Australia and comparison with countries like the UK with 'right to request' provisions;
- a public campaign to highlight the benefits of family-friendly arrangements to managers and employees.

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 www.aifs.gov.au/growingup/, and for an overview of the survey findings, see 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 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, 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

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, as the survey indicates that around 80 per cent of employees with newborn children (both mothers and fathers) met the basic eligibility criterion of 12 months' continuous service with an employer. Estimates of eligibility and access are of course considerably lower if the focus is broadened to all employed persons. According to the Household, Income and Labour Dynamics in Australia (HILDA) Survey (fourth wave 2004), 60 per cent of employed persons say they (or their fellow workers) have access to Parental leave (although the question does not specify whether it is paid or unpaid). Parental leave is not available to self-employed workers and many casual workers; between them, these groups make up 40-45 per cent of those in employment.

d. Other employment-related measures

According to the HILDA survey, access to carer's leave currently stands at 68 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 2004

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 to earlier waves.

b. Selected publications from January 2004, including results from research studies

Bittman, M., Hoffmann, S. and Thompson, D. (2004) *Men's Uptake of Family-friendly Employment Provisions (Policy Research Paper No.22)*. Canberra, ACT: Department of Family and Community Services. Available at

www.facs.gov.au/publications/research/prp22/contents.htm.

This report of research into men's uptake of family-friendly workplace provisions comprises two parts – a review of the literature in the area; and two case studies of companies that have introduced Family-Friendly policies into the workplace – and identifies barriers to men's use of available provisions.

Whitehouse, G. (2004) 'From family wage to parental leave: The changing relationship between arbitration and the family', *Journal of Industrial Relations*, Vol. 46, No. 4: 400-412.

This article examines how, from the establishment of a 'family wage' for men in the early 1900s through to ongoing test cases over parental leave in the early 2000s, the arbitration system has played a central role in shaping the policy framework affecting families and the intersection of market and domestic labour. Abandonment of the family wage and the protectionist environment, along with changing social values and labour force patterns, has recast the relationship between arbitration and the family over the course of the twentieth century; nevertheless, the wage-selling system continues to sustain a contemporary variant of the male breadwinner model and is playing a pivotal role in shaping parental employment rights into the twenty-first century.

Submissions to the Family Provisions Test Case. Available at:

www.e-airc.gov.au/familyprovisions/

This website details the Commission's 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.

Baird, M. and Cutcher L. (2005) "'One for the father, one for the mother and one for the country": an examination of the construction of motherhood through the prism of paid maternity leave', *Hecate*, Vol. 31, No. 1: 83-92.

This paper provides a categorisation of constructions of motherhood in Australia, including a view of the historical role of mothers in Australia as nation-builders. The authors argue that a social and historical understanding of these constructions provides insights into the Australian policy framework and helps explain the difficulties in moving towards a policy such as paid maternity leave in spite of marked changes in the labour force participation of Australian women and changing income arrangements in households.

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: 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 May 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.

2.3

Austria

Christiane Rille-Pfeiffer

Population	2004	8.2 million
Total Fertility Rate	2000-05	1.4
GDP per capita	2004	US\$32,276
Female economic activity	2004	49.3 per cent
As % male rate	2004	75 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		
Mothers	2003	72.1 per cent
Fathers	2003	95.6 per cent
Employment impact of parenthood		
Men	2005	+5.2% points
Women	2005	-14.4% points
Gender-related Development Index		17 th
Gender Empowerment Measure		10 th
Access to regulated ECEC services ¹⁶		
Children under 3 years	2004	4 per cent
Children 3-5 years (inclusive)	2004	74 per cent

NB. Austria is a federal state

¹⁶ A recent study gives higher figures (for 2005): 13 per cent for children under 3 years; 85 per cent for children 3 to 5 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)

- 16 weeks, eight weeks before the birth and eight weeks after the birth.

Payment (applied for the whole period of maternity leave)

- 100 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 €24.37 (2007) a day; freelance workers receive a flat-rate payment of €7.42 a day. Employed women on temporary contracts also receive a flat-rate payment of €7.42 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 three 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 eight 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). The benefit is €436 a month for 30 months; or for 36 months if both parents share the childcare duties.

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 six and twelve 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

- The same regulations as for parent having their own children.

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 six months' family hospice leave for the purpose of nursing terminally ill family members or very seriously ill children. 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 the 1st July 2004 are entitled to work part time until the 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 above Parental leave). Parents are protected against dismissal during the period of part-time work.

2. Changes in leave policy and other related developments

(including government proposals currently under discussion)

In the last years three major changes have taken place

- The most important 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. In January 2007 Austria's new government agreed to make the existing childcare benefit scheme more flexible. According to the draft amendment parents can now opt for two different models: either the old model (€436 a month for the period of 30 months, or 36 months if both parents share the childcare duties) or a

modified scheme i.e. higher payments (€800 a month) for a shorter period (15 months or 18 months for both parents). The new model 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 from €14,600 to €16,200 a year. Hence since 2002 the term 'parental leave' only refers to labour legislation and the protection against dismissal.

- Family hospice leave (see Section 1e) was introduced in July 2002.
- Entitlement to part-time work for parents (see Section 1e above) was introduced in July 2004.

Though the new government has already agreed on modifications of the childcare benefit, the political debates on that matter go on. 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 that people would opt for the new model (i.e. shorter period and more money).

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 care-giver during the first years.

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.

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 3.47 per cent in 2006. 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: from July 2002 until July 2004, 775 persons. There is no information available on take-up of care leave for sick children as well as for other dependants.

4. Recently completed and current research on leave and other employment-related policies since January 2002

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 2002¹⁷, including results from research studies

Kollros, E. (2002), *Karenz & Kindergeld: Karenzurlaub und Kindergeld, Teilzeitarbeit, Bildungskarenz und Familienhospizkarenz* (Parental leave and childcare benefit: parental leave and childcare benefit, part-time, educational leave and family hospice leave). Wien: Manz.

This book provides information about the legislation on leave policies.

Lichtenberger, I. (2002), *Die Situation der Frau beim Wiedereinstieg in das Berufsleben nach der Karenzzeit* ('The situation of woman returning to professional life after parental leave').

¹⁷ Publications are from 2002, not 2004, as Austria did not appear in last year's review.

Doctoral thesis at the Johannes Kepler University Linz, which describes the re-entry into the labour market and individual coping strategies of mothers in Upper Austria.

Städtner, K. (2002), *Arbeitsmarktrelevante Konsequenzen der Inanspruchnahme von Elternkarenz ('Take-up of parental leave and its impact on labour force participation and income')* (ÖIF Working Paper Nr. 25/2002). Available at: www.oif.ac.at.

Based on labour force theory, this paper examines the impact of taking parental leave on the labour force participation and income of women and men.

Hausegger, T., Schrems J., et al. (2003), *Väterkarenz. Ergebnisse einer Recherche zu diesem Thema auf Basis von vorhandener Literatur und Daten ('Parental leave for fathers')*. Wien: Prospect Research & Solution und Quintessenz.

This report is a compilation of data and studies on parental leave for fathers.

Organisation for Economic Cooperation and Development (2003), *Babies and Bosses: Reconciling work and family life. Austria, Ireland and Japan*. Paris: OECD Publications.

A report of an OECD review of three countries, taking place in autumn 2002, which examined policies and practices that aim to facilitate the reconciliation of work and family for parents with young children.

Städtner, K. (2003) *Female employment patterns around first childbirth in Austria* (ÖIF Working Paper Nr. 33/2003). Available at www.oif.ac.at.

This paper investigates the labour market behaviour of women in Austria around their first childbirth, including the odds of interrupting employment and the odds of (re)entering the labour market within three years.

Lutz, H. (2004) *Wiedereinstieg und Beschäftigung von Frauen mit Kleinkindern. Ein Vergleich der bisherigen Karenzregelung mit der Übergangsregelung zum Kinderbetreuungsgeld* (WIFO Monographien 3/2004). Available at www.wifo.ac.at/www/jsp/index.jsp.

Report of findings from an evaluation of the family hospice leave. The focus is on the number of persons taking this type of leave and their situation (i.e. financial constraints), but the reactions of employers are also analysed.

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

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

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)	2004	10.4 million
Total Fertility Rate (UNDP)	2000-05	1.7
GDP per capita (UNDP)	2004	US\$31,096
Female economic activity (UNDP)	2004	43.4 per cent
As % male rate (UNDP)	2004	72 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 (ECEO)		
Mothers	2003	67.5 per cent
Fathers	2003	91.7 per cent
Employment impact of parenthood (ECI)		
Men	2005	+10.7% points
Women	2005	- 2.1% points
Gender-related Development Index (UNDP)		12 th
Gender Empowerment Measure (UNDP)		5 th
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 €82.99 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 to employees.

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

- 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 €90,74 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

- €685 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 plus two months at half-time plus 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*). 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 €547 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 year of this type of leave but this period can be extended up to five years by collective agreement negotiated at sectoral or company level. 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 (plus supplements) specifies all conditions and procedures.

See Section 2 for changes to time credits to be introduced from April 2007.

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 ten 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 one to 12 months (and up to 24 months in 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 2004 (including proposals currently under discussion)

The federal government considered the conclusions and recommendations of the *Etats généraux des Familles/Staten Generaal van Gezinnen* (2005-2006). In particular, the group

'combining work-family' recommended various changes to leave policies, such as the harmonisation of different regimes; the administrative simplification of career breaks and time credits; the harmonisation of measures between the public and the private sectors; the organisation of a system of parental insurance; and the improvement of the regime of leave for self-employed workers. They also recommend that the full ten days of paternity leave become obligatory, instead of the current three days. The federal government took up a number of recommendations, including the extension of the Paternity leave and increasing the bonus for the Parental leave by about €100 a month.

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 six weeks before birth benefit from a total of 16 weeks of maternity leave.

The implementation of the federal government's 'Solidarity between Generations' plan is under way. The social partners agreed that the following changes will be made to time credits: 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; 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. This revised version of Collective Agreement No. 77 is applicable from April 2007 on. 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

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 ten days, a large majority of men used the extended paternity leave; in 2004, it was taken by 52,848 fathers (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 women, although the proportion of fathers is slowly growing (17 per cent of fathers in 2005). In 2004, 61.5 per cent of all users took their parental leave as reduced hours (i.e. one day each week); this was more common among fathers (82 per cent of all men on parental leave, compared with 58 per cent of all women on parental leave). Only 15 per cent of all users opted for a full-time 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 2004

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 the use, mostly by women to maintain continuous employment when having children.

b. Selected publications from January 2004, including results from research studies

Deven, F. and Carrette, V. (2004) 'A Review of the Impact on Children of Leave Arrangements for Parents', *Cross-National*

Research Reports, Vol.7, No.4: 11-21. Available at: www.xnat.org.uk.

This article reviews the research evidence of the mostly positive impact of longer paid Maternity leave and examines in more detail the scant research available on the impact of other types of leave on children. It also raises the methodological issues related to research with very young children.

Van Dongen, W. (2004) *Het combinatiemodel in Vlaamse organisaties. Beschikbare regelingen voor werknemers (CBGS Werkdocument 2004/1)*. Brussels: CBGS.

A report on a survey of a sample of employers in Flanders with the 'Family Business Audit' instrument probing for the variety of measures employers provide and employees prefer to combine work and family life.

Julémont, G. (2004) *Vers une approche intégrée du temps ou comment synchroniser les temps sociaux et familiaux. Le cas particulier des congés à l'adresse des travailleurs ayant des responsabilités familiales*, Bruxelles: Institut pour l'égalité des femmes et des hommes.

This report examines the evolution of Belgium's leave policies and proposes measures to improve the coordination of parental and family leave systems.

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 Organizational 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., 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. & Plaideau C. (2005) 'Vers un modèle cumulatif d'articulation famille-travail?', in: Marquet et al. (eds) *L'Evolution 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'.

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 to Finland's.

Leitner S. (2005) 'Conservative Familialism Reconsidered: the Case of Belgium', *Acta politica*, N° 40, pp. 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. Available at: 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)]. Brussel: 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 Affairs, Lisbon, 17 May. 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 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 States and in Canada, with a special interest for 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 Wallonie (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*, eds L. Haas & 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.

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.

Casman, M., Simaÿs, C., Bulckens, R. & Mortelmans, D. (eds) (2007) *Familles plurielles. Politique familiale sur mesure?* Bruxelles: Editions L. Piré. Available at www.lesfamilles.be/ebooks/EGF-FR.pdf

This book provides an analytical overview of Belgian families, and focuses on the following dimensions: demographic trends, paid work, the state, society and family policies.

Merla, L. (forthcoming) 'Determinants, costs and meanings of active fatherhood: an international perspective', *Fathering*, under revision.

This paper is based on the results of a doctoral research on 21 stay-at-home fathers living in Belgium and a review of research conducted in Australia, Sweden and the USA on men taking the primary responsibility for childcare. The paper aims to shed light on the dynamic process of the management of the tension between assigned norms and personal identity, which is located at the centre of gender identity. This is done through a comparative overview of how at-home dads 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.

Merla, L. (forthcoming) 'Masculinité et paternité à l'écart du monde du travail: le cas des pères au foyer en Belgique', *Recherches sociologiques et anthropologiques*.

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

c. Ongoing research

Politiques publiques pour promouvoir l'emploi des parents et l'inclusion sociale. Université libre de Bruxelles.

Broadly examines the impact of young children on the labour market participation and employment patterns of parents (especially young mothers). The use of childcare services and of leave arrangements is also taken into account. Contact: dmeulder@ulb.ac.be

Public policies in the field of childhood and youth in Belgium in the 20th century (2006). Observatory of Childhood, Youth and Support to Youth of the French Community and Institute of Human and Social Sciences, University of Liège (ULg). Contact: Jean-Francois.Guillaume@ulg.ac.be

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)	2004	32 million
Total Fertility Rate (UNDP)	2000-05	1.5
GDP per capita (UNDP)	2004	US\$31,263
Female economic activity (UNDP)	2004	60.2 per cent
As per cent male rate (UNDP)	2004	83 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 (ECEO)		
Mothers ¹⁸	2003	No data
Fathers	2003	No data
Employment impact of parenthood (ECI)		
Men	2005	No data
Women	2005	No data
Gender-related Development Index (UNDP)		7 th
Gender Empowerment Measure (UNDP)		11 th
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')

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

Note on federal and provincial responsibility: In Canada the federal government provides maternity and Parental leave through the employment insurance programme. Provinces and territories deliver the programme and thereby modify some of the details. Labour laws also fall under provincial jurisdictions resulting in different leave

¹⁸ The employment rate in 2001 for women with a child under 6 years was 64.2 per cent and 70.3 per cent for women with a child under 16 years (Statistics Canada).

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.

a. Maternity leave (*congé de maternité*) (at federal level, responsibility of Human Resources and Skill Development)

Length of leave (before and after birth)

- Fifteen to 18 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\$413 per week, approximately €271). 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 Quebec.

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 (approximately €39,325) 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. 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.

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 requires 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*) (at federal level, responsibility of Human Resources and Skill Development)

Length of leave (before and after birth)

- Four days. One day before birth, three days after.

Payment

- None.

Flexibility in use

- None.

Regional or local variations in leave policy

- Up to five weeks after the birth in Quebec. 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*) (at federal level, responsibility of Human Resources and Skill Development)

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 55 per cent of average insured earnings up to a maximum 'ceiling' of CAN\$413 (approximately €271) per week.
- Low-income families (less than CAN\$25,921, approximately €17,020 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 €33) 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 Quebec 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 Quebec 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 €39,325) 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 Quebec are eligible for an 18-week Maternity leave if they have earned at least CAN\$2,000 (approximately €1,314) 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 hospitalized for more than one week, an 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 Quebec 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.
- 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

- The same Parental leave regulations as for parents having their own children, 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 care-giver 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 Quebec, parents are allowed ten 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 Quebec 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 and other related developments since 2004 (including proposals currently under discussion)

Following an agreement reached in 2005, the new Quebec Parental Insurance Plan came into effect in January 2006, replacing the measures under the federal 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. Quebec 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 Parental Leave Program (two weeks without benefits as is the case with Employment Insurance with which this programme is associated), the new Quebec Plan increases the maximum insurable income to \$59,000 (€38,750) instead of \$40,000 (€26,270), 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 (\$40,000) during the 15 weeks of Maternity leave and 35 weeks of Parental leave (accessible to both parents, but with a 14-day waiting period in each case), the new Quebec basic plan offers benefits of 70 per cent of the average weekly income for 18 weeks of Maternity leave and five weeks of Paternity leave. As regards Parental leave, it offers benefits that correspond to 70 per cent of income for seven 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 three 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 \$2000 (€1315). The funding of this program is based on additional contributions that employers, employees and self-employed workers must pay into the Plan. Employers and employees of course continue to contribute to the federal Employment Insurance Program.

It is evidently still too early to assess the impact of this new Plan on fathers' participation in parental responsibilities. However, based on what has been observed in other countries which introduced the measure of a Paternity leave period not transferable to mothers, it is likely that there will be an increase in the participation of Quebec fathers, at least for these reserved weeks, if not more. This is especially true since, compared to Canadian fathers, there seemed to be a greater number of fathers in Quebec taking advantage of Parental leave and because the income replacement rate has been

increased, making it easier to take the leave at a time when financial needs are considerable. Preliminary data from the Quebec government indicates that take-up rate of fathers is some 36 per cent with the new regime.

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

About two-thirds (66 per cent) of mothers in 2003 received maternity or parental benefits. A substantial minority (25 per cent) were without insurable employment and therefore not eligible for Parental leave, including mothers who were self-employed, students, paid workers who did not qualify, and those not previously employed. Figures indicate, however, that a large majority of women who are in paid employment can access benefits, even if they work part-time, and most who are eligible use the entitlement: in 2003, 86 per cent of women with children one year or under who had 'insurable employment' received maternity and/or parental benefits (Statistics Canada, 2004 Employment Insurance Coverage Survey, as reported in *The Daily* 22 June, 2004).

Use of leave has grown rapidly. The combination of wider access to parental benefits following the 2000 legislation and rising labour force participation of expectant mothers produced an increase in the overall proportion of all new mothers receiving maternity or parental benefits from 54 per cent in 2000 to 61 per cent in 2001 (which is more than 80 per cent of those eligible). In 2002, an average of 108,700 mothers collected parental benefits each month, four times as many as in 2000 when the figure was 30,100. Mothers younger than 20 had the highest increase – nearly five times.

Public expenditure on the leave programme also increased over this period. Between 2000 and 2002 maternity benefits rose 13 per cent and parental benefits nearly fourfold, from CAN\$40 million (approximately €26.3 million) per month in 2000 to CAN\$152 million (approximately €100 million) per month in 2002. Furthermore, adoption benefits went from \$0.5 million to \$2 million. This jump can be explained by the 2000 legislation which increased the time allowed for leave and decreased the number of hours worked needed to qualify for benefits.

As a result of the longer paid benefit period, the proportion of women returning to work after about a year off (9 to 12 months) jumped from 8 per cent to 47 per cent between 2000 and 2002, while the median time at home for women with benefits increased

from six months in 2000 to ten months in 2001. Although most employees with benefits took advantage of the revised Parental leave programme and were, or planned to be, off work for almost a year, one-quarter of the women took less than nine months off.

Women taking longer and shorter leave periods share certain similarities; they had roughly the same median age (30), the same marriage rate (95 per cent), and the same education (seven out of ten had a post-secondary diploma or university degree). However, while almost one-quarter of the husbands of women who took less time off claimed or planned to claim benefits, only a handful of the long-leave-takers did so. This follows from the Canadian system, where, if fathers claim some of the 35 paid Parental leave weeks, mothers will have less than a year of paid leave for themselves, and thus a shorter stay at home. Analysis indicates that women with partners who claimed or planned to claim parental benefits were 4.6 times more likely to return to work within eight months than those with partners who did not claim benefits.

Other significant factors linked to a shorter leave period included a mother's job being non-permanent (these women were almost five times more likely to return to work in less than nine months compared to those with a permanent job), and low employment earnings (mothers with maternity or Parental leave benefits who returned to work within four months had median annual earnings of just under CAN\$16,000 (approximately €11,360) (Marshall, 2003; Perusse, 2003).

b. Fathers

The federal Parental leave Program 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 Quebec, take-up was higher, with 22 per cent of fathers using some Parental leave; with the new Parental leave scheme, introduced in 2006, it appears to have increased to 40 per cent.

Mothers report that their desire to stay with their child was the most common reason men did not take Parental leave, followed by financial reasons, and that it was easier for women to take time off work (Statistics Canada, 2004 Employment Insurance Coverage Survey, as reported in *The Daily* 22 June, 2004).

Overall, since the new federal legislation in 2000 most newborns are receiving full-time care by their mothers for longer, and many more

are also experiencing a father at home for some of the time as well. But women still receive the majority of parental benefits.

4. Research and publications on leave and other employment-related policies since January 2004

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 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 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 2004, including results from research studies

Hughes, K. D. (2005) *Risky Business: Women's Self Employment and Small Business in Canada*. Toronto: University of Toronto Press. Report of a study examining self-employed women's access to maternity benefits and Parental leave.

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 care-givers of 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:

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.

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 leaves for independent workers, on the basis of a qualitative survey in Quebec.

Tremblay, D-G., Najem, E. and Paquet, R. (forthcoming, 2007) 'Temps de travail et organisation du travail: une source de stress et de difficultés de conciliation emploi-famille', *Pistes* (electronic journal).

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. (forthcoming, 2007) 'Work-family balancing and working time: is gender determinant?', *Global Journal of Business Research*. Autumn 2007.

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 (2003-2007). Andrea Doucet, Carleton University funded by the Social Sciences and Humanities Research Council of Canada (2003-2007).

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 adoucet@ccs.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 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 organizations (2006-2008). Diane-Gabrielle Tremblay (Télé-université, Université du Québec à Montréal), Renaud Paquet and Elmustapha Najem (Université du Québec en Outaouais), funded by the Canada Research Chair on the Socio-organizational 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

Organizational and Professional mediations in the takeup of leaves 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 Organization (www.telug.ugam.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@telug.ugam.ca

2.6

Czech Republic

Jirina Kocourková

Population (UNDP)	2004	10.2 million
Total Fertility Rate (UNDP)	2000-05	1.2
GDP per capita (UNDP)	2004	US\$19,408
Female economic activity (UNDP)	2004	51.7 per cent
As % male rate (UNDP)	2004	76 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 (ECEO)		
Mothers	2003	54.1 per cent
Fathers	2003	94.4 per cent
Employment impact of parenthood (ECI)		
Men	2005	+9.1% points
Women	2005	-39.2% points
Gender-related Development Index (UNDP)		28 th
Gender Empowerment Measure (UNDP)		28 th
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: six to eight 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 CZ479 (approximately €17) 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 lone parent or multiple births, the length of leave increases 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

- Flat rate of CZ7,582 (approximately €270) which is equivalent to 40 per cent of average gross earnings in 2005. While the Parental leave can only be taken up to the child's third birthday, parental benefit is granted until the child's fourth birthday.

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 as 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

- Parents of disabled children can take leave until the child's seventh birthday.
- 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

- The same regulations as for parents having their own children.

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 ten 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 CZ441 (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 and other related developments since 2004 (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 the abolition of the limit of income that parents can earn without losing their entitlement to parental benefit (2004), so that now parents can receive benefit even if working full time; and an increase in parental benefit by 40 per cent (2005).

An amendment of the Sickness Insurance Act, which should have been implemented from 2007, was intended to enable the father to take Maternity leave instead of the mother from the seventh week after the birth of the child; or he and the mother should be able to alternate. However, the new law was much broader and it has also been controversial; implementation, therefore, has been postponed until 2008. Another important measure, approved by parliament in 2006, has been introduced: the level of parental benefit has been

doubled, bringing it up to about 40 per cent of average gross earnings in 2005. In connection with efforts to strengthen the man's role in the family, there are also discussions about the introduction of Paternity leave.

The new right-wing government, in office since 2006, has announced changes in family policy. The main changes relate to parental benefit which should become more closely connected to the economic activity of parents. Parents should have three possibilities: (1) four years of Parental leave with a lower rate of payment than the current parental benefit; (2) three years of Parental leave with the current amount of parental benefit; or (3) two years of Parental leave with a higher rate of parental benefit (CZ11,400, approximately €405). Although only a proposal, these changes are expected to be approved later in 2007.

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 to 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 job.

4. Research and publications on leave and other employment-related policies since January 2004

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 – *Harmonizace 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 taking Parental leave by fathers. 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, 2005). 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 practice] – 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, Ettlrova, Nesporova, and Svobodova, 2006).

b. Selected publications from January 2004, including results from research studies

Mariková, H. (2004) 'Kdo jsou otcové na rodicovské dovolené?' [Who are the fathers on Parental leave?], *Gender, rovné příležitosti, výzkum* [Gender, equal opportunities and research], *Bulletin of the Sociological Institut AV ČR*, Vol. 5, No. 1: 8-9

This article examines the socio-demographic characteristics of fathers on Parental leave and suggests a typology of these fathers.

Ministry of Work and Social Affairs (2004) *National Report on Family*. Prague: Ministerstvo práce a sociálních věcí [Ministry of Work and Social Affairs] (also available in Czech as *Národní zpráva o rodině*)

This comprehensive study provides an insight into reproductive behaviour and recent conditions for families to reconcile work and parenting.

Smidova, I. (2004) *Jiní muži: Alternativní dráhy mužů v České republice* [Other men: Alternative life careers of men in the Czech Republic]. Doctoral thesis. Masaryk University, Brno

Nesporova, O. (2005) *Harmonizace 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 *Harmonizace 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) 'Harmonizace rodinnych and pracovnich povinnosti rodicu se zavislymi detmi' ['Harmonisation of Family and Working Obligations of Parents Having Dependent 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 harmonization of employment and family life important in a period of women's high 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 the length of leave and payment during Maternity leave.

2.7

Denmark

Tine Rostgaard

Population (UNDP)	2004	5.4 million
Total Fertility Rate (UNDP)	2000-05	1.8
GDP per capita (UNDP)	2004	US\$31,914
Female economic activity (UNDP)	2004	59.4 per cent
As % male rate (UNDP)	2004	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 (ECEO)		
Mothers	2003	79.9 per cent
Fathers	2003	93.2 per cent
Employment impact of parenthood (ECI)		
Men	2005	+8.3% points
Women	2005	-2.1% points
Gender-related Development Index (UNDP)		15 th
Gender Empowerment Measure (UNDP)		4 th
Access to regulated ECEC services (OECD) ¹⁹		
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: Maternity, Paternity and Parental leave in Denmark all bear the same name, *Barselsorlov*, or literally Childbirth Leave, because they technically all originate from the same law on leave.

a. Maternity leave (*barselsorlov*) (responsibility of the Ministry of Labour)

¹⁹ The access rate in 2006 was 63 per cent for children under 3 years and 96 per cent for children aged 3-5 years (Source: Danmarks statistik, 2007; http://www.dst.dk/asp2xml/PUK/udgivelser/get_file.asp?id=8712)

Length of leave (before and after birth)

- Eighteen weeks: four 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 DKK683 (approximately €92) daily before taxes for full-time employees, or 3,415 DKK (approximately €460) 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 six months within the last 12-month period, of which one 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.
- From 2007, the industrial sector (representing 7,000 employers nationwide including production, service, knowledge and IT) has introduced a paid father's quota. Previously, the mother would have the right to 14 weeks with payment after giving birth. Now the family has been awarded 9 extra weeks with payment, i.e. 23 weeks in all. Three weeks are set of for the father, three weeks for the mother and three to share. The weeks set up for the

mother and the father respectively are quotas and are lost if not used.

b. Paternity leave (*barselsorlov*) (responsibility of the Ministry of Labour)

Two weeks. Same details as for Maternity leave.

c. Parental leave (*barselsorlov*) (responsibility of the Ministry of Labour)

Length of leave

- Thirty-two weeks, until the child is 48 weeks. This entitlement is per family.

Payment

- As Maternity leave.

Flexibility in use

- Between eight 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)

- See Maternity leave.

d. Childcare leave or career breaks

- None

e. Other employment-related measures

Adoption leave and pay

- The same regulations as for parents having their own children, with the exception that two 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 (see later for proposed changes).

Flexible working

- None.

2. Changes in leave policy and other related developments since 2004 (including proposals currently under discussion)

As quoted above, from 2007, the industrial sector has introduced a paid father's quota, giving them three weeks' leave with full wage replacement as an individual right.

3. Take-up of leave

a. Maternity leave

Nearly all mothers take Maternity leave. See 'Parental leave', below.

b. Paternity leave

See 'Parental leave', below.

c. Parental leave

The information given below combines maternity and Parental leave; official statistics do not differentiate between the two types of leave, but regard it as one leave. Nearly all children (93 per cent) born in 2002/2003 have a mother who took leave before or after giving birth. Nearly two-thirds (62 per cent) of children have a father who took leave following birth, and 55 per cent of children have a father and mother who *both* took leave. Mothers on average take 351 days, fathers 25 days. There is no information on how many parents do not take leave because they are not eligible. Fathers may also be using vacation instead of taking leave, in order not to avoid a loss of income, or in some cases, there may not be a father in the family (Danmarks Statistik, 2004).

Younger mothers tend to take less leave; among those under 20 years, only 19 per cent have used the leave scheme, in most cases because they are attending school (*ibid.*). Some research indicates that self-employed parents use all forms of leave to a smaller degree, and especially among women; 20 per cent of self-employed women between 30 and 40 years are estimated not to use maternity/Parental leave, and only 30 per cent of self-employed fathers in the same age group take paternity/Parental leave (ASE, 2004²⁰).

²⁰ ASE (2004) ASE Analyse. Available at www.ase.dk.

In addition, statistics are available on the use of leave according to occupational group and status, but there are no significant differences here.

4. Research and publications on leave and other employment-related policies since January 2004

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 with regard to the length of leave, parental work hours and how parents combine the leave.

b. Selected publications from January 2004, including results from research studies

Cybulski, F.W. and Stegmann, J. (2004) *Barselsorlov og familiepolitik. En undersøgelse af barrierer og muligheder* [Maternity leave and family policy – research on barriers and opportunities]. Roskilde: Center for Ligestillingsforskning, Roskilde Universitets center.

The report is based on interviews with fathers working in white-collar jobs in the private sector. It shows that fathers who wish to take-up Parental leave are often exposed to harassment, bullying and teasing. Fathers refrain from taking leave because of a work culture which does not favour men on leave.

Danmarks Statistik (2004) *Pasningsgaranti*. Available at: www.dst.dk/pasningsgaranti.aspx.

Statistics on the number of local authorities able to offer a guarantee of childcare places for children from below one year of age to school age.

Rostgaard, T. (2004) *With Due Care: Social Care for the Young and the Old across Europe*. PhD Dissertation. Southern University Centre. Contact tr@sfi.dk

PhD thesis examining the institutional design of care benefits for children, including Parental leave, and identifying a number of care regimes across Europe.

c. Ongoing research

Three projects related to Parental leave. Bente Marianne Olsen, Danish National Institute of Social Research.

The first project investigates parents who choose an atypical division of labour, where the father takes the main responsibility for the daily care of small children by taking Parental leave or reduces the time spent at work. This is a post-doctoral project, financed by the Danish Social Science Research Council. The second project, conducted with Nordic colleagues and supported by The Nordic Council of Ministers Welfare programme, focuses on how men break traditional gender barriers; the Danish study concerns the new strategies of fathers for combining family and employment. In the third project, the fathers' use of Parental leave, holiday and care leave for a sick child, as well as working time reductions, is analysed in relation to the occupational situation of the father, examining the role played by the type of work, working time and other factors; this study is part of a prospective cohort study of 6000 children born in 1995 with the third data collection in 2003. Contact: bmo@sfi.dk

Does the gap in family-friendly policies drive the family gap? (2004) Mette Verner, Helena Skyt Nielsen and Marianne Simonsen, Århus School of Business/Århus University.

This research project investigates how differences in family friendliness at the workplace influence women's choice of workplace, and how women's incomes are affected when they have children and take leave. Data include register data of five per cent of economically active women between 20-40 years.

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)	2004	1.3 million
Total Fertility Rate (UNDP)	2000-05	1.4
GDP per capita (UNDP)	2004	US\$14,555
Female economic activity (UNDP)	2004	52.2 per cent
As % male rate (UNDP)	2004	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 (ECEO)		
Mothers	2003	62.4 per cent
Fathers	2003	91.2 per cent
Employment impact of parenthood (ECI)		
Men	2005	+10.9% points
Women	2005	-30% points
Gender-related Development Index (UNDP)		34 th
Gender Empowerment Measure (UNDP)		31 st
Access to regulated ECEC services (OECD) ²¹		
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.

²¹ The access rate in 2005 was 22 per cent for children under 3 years and 86 per cent for children aged 3-5 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 (€231 per month in 2007) 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 case of multiple birth or birth with complications.

b. Paternity leave (*isa täiendav lapsepuhkus* – literally 'additional child leave') (responsibility of Ministry of Social Affairs)

Length of leave (before and after birth)

- Fourteen days, to be taken during the maternity leave of the mother or during two months after the birth of a child.

Payment

- €4.2 a day.

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 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 315 days (i.e. 45 weeks) from after the end of Maternity leave, with a ceiling equivalent to three times average earnings (€1,387 per month in 2007). The minimum benefit paid to working parents is the minimum wage (€231 per month in 2007). For non-working parents, parental benefit is paid from the birth of the child at a flat rate (€172 per month) until the child reaches 14 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 six months of age (from 70 days old from 1 September 2007).

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 care giver of a child is eligible for parental leave if parents do not use leave themselves. In the case of a non-parental care giver, 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 (lapsedamispuhkus) and pay

- Seventy days of adoption leave per child for parents adopting a child under ten 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 earning 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 earning 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; they may aggregate these breaks and take a longer break once per week; they can either adjust their working hours or, if breastfeeding facilities are provided at work, take breastfeeding breaks.

2. Changes in leave policy and other related developments since 2004 (including proposals currently under discussion)

The Parental Benefit Act took effect on 1 January, 2004. The intention is to compensate the loss of income for the caring family member during the first year of parenthood. The payment of parental benefit was extended from 225 days to 315 days in 2006.

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 take-up leave.

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 1 per cent every year.

4. Research and publications on leave and other employment-related policies since January 2004

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 2004, including results from research studies

Unt, M. and Krusell, S. (2004) *Lastehoid Eesti Peredes* [Childcare in Estonian Families]. Tallinn: Rahvastikuministri Büroo poolt tellitud uuring.

Report of research commissioned by the Ministry of Population about use of childcare and reconciliation of work and family life of parents raising a child under three years in Estonia.

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]. Contact: Anneli Kährik at anneli.kahrik@sm.ee

Vörk, A. (2005) *Eesti vanemahüvitise mõju sündimus- ja tööturukäitumisele: analüüsimise metoodika, andmete kaardistamine ning esimeste kogemuste analüüs*. [The impact of Estonian parental benefit on births and employment behaviour: methodology of analyses, data mapping and analyses of first experiences]. PRAXIS.

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

2.9

Finland

Minna Salmi, Johanna Lammi-Taskula and Pentti Takala

Population (UNDP)	2004	5.2 million
Total Fertility Rate (UNDP)	2000-05	1.7
GDP per capita (UNDP)	2004	US\$29,951
Female economic activity (UNDP)	2004	56.9 per cent
As % male rate (UNDP)	2004	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 (ECEO)		
Mothers	2003	72 per cent
Fathers	2003	92.4 per cent
Employment impact of parenthood (ECI)		
Men	2005	+13.1% points
Women	2005	-15.7% points
Gender-related Development Index (UNDP)		11 th
Gender Empowerment Measure (UNDP)		6 th
Access to regulated ECEC services (OECD) ²²		
Children under 3 years	2004	35 per cent
Children 3-5 years (inclusive)	2004	46.1 per cent

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

a. Maternity leave (*äitiysvapaa/moderskapsledighet*²³) (responsibility of the Ministry of Social Affairs and Health and the Ministry of Labour)

Length of leave (before and after birth)

²² National statistics for 2004 show 25 per cent of children under 3 years attending services and 68 per cent of children aged 3 to 5 years. Services are available for all children aged 6 years (compulsory school age is 7).

²³ Names of types of leave given in Finnish and Swedish. Finland is a bilingual country with a Swedish-speaking minority.

- 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 €43,700, 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 €28,400, 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. 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 case 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 an other person responsible for the care of the child if the mother dies and the father does not care for the child.

**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 + 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 €28,400, 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 for 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/föräldradighet) (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. This entitlement is 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 €43,700, with a lower per centage for higher earnings. After this initial period of leave, the payment is 70 per cent of earnings up to €28,400, 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 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 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 and €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 2005 was €372 a month. Some local authorities, especially in the Helsinki area, pay a municipal supplement to the home care allowance; in 2005, these supplements averaged €168 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 which 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 ten 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 dependent 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 working 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 and other related developments since 2004 (including proposals currently under discussion)

There have been no major changes in the leave schemes since 2005 but several minor ones, including:

- The percentage 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 less than ten 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 six-month sections, one for the mother, one for the father and one to be shared as the parents see fit. A Paternity leave of one 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 percentage 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 that is explicitly specified for them and if the family (or the child) otherwise would lose the leave period. 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 next 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 were 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 to a more thorough reform of the Parental leave schemes’.

In its proposals for the next governmental programme 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 childcare leave but the availability of jobs and permanent employment contracts which 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 2-5 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 small. 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.

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 2005, 47,100 men did so; in the same year there were 57,700 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 2005. In 2005, the average length of the leave taken was 15 working days. But only 4,533 fathers, i.e. about eight per cent of all fathers, took the new bonus leave period (i.e. they had also taken the last two weeks of the preceding Paternity 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 positions; in agriculture or construction work; on low-incomes; or with a partner aged over 40 years or less educated or with a blue-collar job or on a low-income. 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 art sectors as well as in construction (Lammi-Taskula, 2003).

c. Parental leave

The 158 days of Parental leave are mostly taken by mothers. Almost all mothers take Parental leave whereas only 2-3 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 tripled the number of men taking Parental leave (from 1,700 men in 2002 to 5,700 in 2005). But at the same time, the average length of the leave taken by fathers has fallen; from 64 working days in 2002 to 37 in 2003 and only 29 in 2005.

Parental leave is 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. Two-fifths of fathers taking leave use a month or less, while a fifth use at least five months. 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 took shorter periods of leave than men with a lower level of education and in blue-collar or less skilled white-collar positions. 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).

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 107 in 2005. This means that about 0.2 per cent of families with a newborn child have used the new arrangement in its first three years.

d. Childcare leave or career breaks

'Home care leave' is used almost entirely by women; there are no yearly statistics on the take-up of home care leave, but the share of fathers who take this leave is assessed to be 2-3 per cent (Lammi-Taskula, 2003). Mothers usually stay at home longer than the Parental leave. 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 childcare leave. However, after the reform making parents of younger school children eligible for the partial care allowance, the number of families increased to nearly 11,000. Of these, about 8,000 families take 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.

4. Research and publications on leave and other employment-related policies since January 2004

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 are under way where the consequences of women's leave-taking for their career and wage development can be studied with a longitudinal approach. Studies that focus on the everyday situations of parents in families and at work are underway; they also aim at following the take-up of new forms of paternity and Parental leave.

b. Selected publications from January 2004, including results from research studies

Lammi-Taskula, J. (2004) 'Äidit työmarkkinoilla – kahden kerroksen väkeä?' ['Women in the labour market – people on two stories?'], *Yhteiskuntapolitiikka*, Vol. 69, No. 2: 202-206.

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 lapsiin? [Do we have Patience to Invest in Children?]*. Helsinki: Kansaneläkelaitos, pp. 110-125.

These two papers and book chapter report on the Stakes' 'Family Leaves 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.

Haataja, A. (2005) *Äidit ja isät työmarkkinoilla [Mothers and Fathers in the Labour Market]*. Helsinki: Sosiaali- ja terveystieteiden tutkimuskeskus.

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.

Takala, P. (2005) *Uuden isyysvapaan ja isän muiden perhevapaiden käyttö [Use of the new Parental 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/oslotakala.pdf](http://www.kela.fi/in/internet/liite.nsf/NET/260805104733PN/$File/oslotakala.pdf)

The report examines the use of types 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 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 leaves, 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 polarization 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?

c. Ongoing research

Family leaves 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 and fathers 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. Contact firstname.lastname@stakes.fi

Combining work and family – a challenge for equality planning (2005-2008). Reija Lilja, Labour Institute for Economic Research, Rita Asplund, ETLA and Kaisa Kauppinen, Finnish Institute of Occupational Health.

The overarching objective of the project is to estimate the costs related to family leave and to evaluate the effects of these costs on women's wage and career development, as well as on their opportunities and well-being in working life. The main goal of the research is to develop good practices and initiate new models for equality planning. The research draws on both register-based longitudinal databases and information and experiences gathered at the company level. Contact reija.lilja@labour.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 firstname.lastname@uta.fi

2.10

France

Jeanne Fagnani and Danielle Boyer

Population (UNDP)	2004	60.3 million
Total Fertility Rate (UNDP)	2000-05	1.9
GDP per capita (UNDP)	2004	US\$29,300
Female economic activity (UNDP)	2004	48.2 per cent
As % male rate (UNDP)	2004	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 (ECEO)		
Mothers	2003	66.3 per cent
Fathers	2003	91.4 per cent
Employment impact of parenthood (ECI)		
Men	2005	+11% points
Women	2005	-10.2% points
Gender-related Development Index (UNDP)		14 th
Gender Empowerment Measure (UNDP)		No data
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 four weeks before the birth and at least ten weeks following the birth, with two weeks which can be taken before or after.

Payment

- Hundred per cent of earnings, up to a ceiling of €2,589 a month (2006). The difference between the former salary and the replacement wage can be supplemented by the employer.

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.

Payment

- As for 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 (€530 per month in 2007), 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 €759 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 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 conditions (e.g. employer exclusions or rights to postpone)

- Employers can refuse to let parents work part time if they can justify this on business grounds.

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

- 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 and other related developments since 2004 (including proposals currently under discussion)

CLCA replaces APE for children born after January 2004. 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 hypothesised 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 leave (Fine-Davis et al., 2004).

The small number of fathers who take APE are mostly blue-collar workers or employees with a stable job beforehand. Compared to 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.

It is too early to have information on the number of recipients for COLCA.

4. Research and publications on leave and other employment-related policies since January 2004

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 2004, including results from research studies

Boyer, D. (2004) 'Les pères bénéficiaires de l'APE: révélateurs de nouvelles pratiques paternelles?', *Recherches et Prévisions, CNAF*, No.76: 53-62.

This study compares the small proportion of fathers who receive APE and the great majority who, though eligible, do not do so.

Fine-Davis, M., Fagnani, J., Giovannini, D., Hojgaard, L. and Clarke, H. (2004) *Fathers and Mothers: Dilemmas of the Work-life Balance*. Dordrecht: Kluwer

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.

Gosset, S. (2004) 'Les usages des bénéficiaires de l'allocation parentale d'éducation (APE) attribuée pour le deuxième enfant', *Recherches et Prévisions, CNAF*, No.75: 35-48.

The author investigates how mothers provided with APE have used this time set aside for child-rearing and shows that mothers were, on the whole, very satisfied.

Marc, C. (2004) 'L'influence des conditions d'emploi sur le recours à l'APE', *Recherches et Prévisions, CNAF*, No. 75: 8-25.

Drawing on INSEE's Labour Force Surveys and using econometric methods, this study has investigated the influence of work conditions on take-up of parental leave, proposing a new approach to the determinants of labour force withdrawal by women eligible for APE.

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 six 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.

2.11

Germany

Wolfgang Erler and Daniel Erler

Population (UNDP)	2004	82.6 million
Total Fertility Rate (UNDP)	2000-05	1.3
GDP per capita (UNDP)	2004	US\$28,303
Female economic activity (UNDP)	2004	50.4 per cent
As % male rate (UNDP)	2004	76 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 (ECEO)		
Mothers	2003	60 per cent
Fathers	2003	89.7 per cent
Employment impact of parenthood (ECI)		
Men	2005	+9% points
Women	2005	-26.5% points
Gender-related Development Index (UNDP)		21 st
Gender Empowerment Measure (UNDP)		9 th
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

- An income-related 'Childrearing Benefit' (*Elterngeld*²⁴) is paid for 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. A parent with earnings below €1,000 per month receives a low-income benefit increase: for every €2 their earnings are below €1,000 per month, 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 two months of leave the overall length of benefit payment is extended to 14 months.²⁵ Moreover, if another child is born within 24 months the childrearing benefit is increased by 10 per cent.

²⁴The term was originally *Erziehungsgeld*, but was changed to *Elterngeld* – parents' money – with the intention to make clear the shared parental responsibility of bringing up children, including that of fathers.

²⁵The 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 in 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 periods of leave.

Regional or local variations in leave policy

- Parental leave legislation is federal. But five states (*länder*) pay a means-tested childrearing benefit extended to the third year of Parental leave ranging from €200 a month (Bavaria, for a first child) to €350 (Bavaria, for a third or subsequent child).²⁶

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 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 agreements and individual companies extend the Parental leave period up to 12 years or, in the public sector, up to 18 years for more than one child.

d. Childcare leave or career breaks

- None.

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

- In case of sickness of a child (below 12 years of age) parents may take-up to ten 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. No other statutory right to leave for care dependants is available.

²⁶ Both under legislation discussion at the moment.

Flexible working

- None.

2. Changes in leave policy and other related developments since 2004 (including proposals currently under discussion)

Parental leave reform in 2001 represented an important policy adjustment. But the recent overhaul of the childrearing benefit, which has come 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 Democratic 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 Democratic Party (SPD) portrayed the proposal as socially unjust, as 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 was 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 care services are crucial for the economic sustainability of an ageing society. This is also evidenced by the current debate about the rapid expansion of infant care services, an argument which has long been a taboo for Germany's political elites but now enjoys increasing political support even within the CDU/CSU.

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

Since the recent reform of the German childrearing benefit has only come into effect on 1 January 2007, no reliable data on possible changes in the use of Parental leave entitlements are yet available.

First reports indicate that take-up of the two fathers' months is higher than expected in the more affluent southern *Bundesländer* (states) of Baden-Württemberg and Bavaria (15 and 12 per cent respectively compared to 5 per cent under the previous legislation). In the economically depressed north-eastern State of Mecklenburg-Vorpommern, where there are only slight signs of economic and labour market recovery, the take-up rate seems to remain at the former 5 per cent.

The last *official* government report on Parental leave usage relies on data from the year 2003, when the former system was in operation (Fendrich et al., 2003). At the time, the data revealed that 14.2 per cent of households with newborn children were not entitled to leave, either because they were not in gainful employment or because they were self-employed.²⁷ Another 12.6 per cent of entitled households did not take-up leave, primarily because they worked more than 30 hours or did not want to damage their earnings and career opportunities. The proportion of households not entitled to leave was more than twice as high in the former East Germany, which has much higher unemployment rates than in the former West Germany (25.5 per cent compared with 9.9 per cent). Take-up of leave was found to be higher among public sector employees and employees working in establishments with more than 50 workers; it increased as earnings decreased; and it was higher for employees working more than 19 hours a week before birth.

In 2003, 4.9 per cent of fathers made use of their Parental leave and childrearing benefit entitlements – a small proportion which had nevertheless more than doubled since 2001. However, only 0.2 per cent of these fathers took their leave entitlements alone, while the vast majority made use of their entitlements simultaneously with the mother and thus shared the childrearing responsibilities. One of the key aims of the 2007 Parental leave reform is the increase of paternal involvement in childrearing through the introduction of two specially designated 'partner months' and the increase of compensation levels, intended to reduce the financial opportunity costs of Parental leave take-up.

Overall take-up of childrearing benefit in 2002 stood at 92.4 per cent. 78.8 per cent of these cases extended the leave period beyond the first sixth months after childbirth while 69.1 per cent took more than one year of leave. Due to the income ceilings of the time only around 60 per cent of all recipients received the full benefit of €300 per month. Moreover, the report showed that the length of leave taken was considerably shorter in East than West

²⁷ The 2007 Parental leave reform has extended the childrearing benefit entitlement to all parents and will thus largely solve the issue of non-eligibility.

Germany, a fact that may be largely explained by the long-standing tradition of female labour market attachment in Eastern Germany as well as the greater availability of infant care services.

The 2003 government survey reported that the option to spread the last year of unpaid leave until the child's eighth birthday had, until then, been utilized by 15.3 per cent of parents in East Germany and 6.1 per cent in West Germany. Some parents (13.9 per cent) said they did not know of the option or had not made a decision yet (14.5 per cent), while 12.7 per cent said they would not make use of the option. The remainder, nearly half of all parents, had decided to take the entire three-year leave entitlement in a row, without interruption. Again, there were strong differences between West Germany, where 56.9 per cent of parents took all three years of leave at once and East Germany where merely 29.8 per cent did so.

In 2002, 8.5 per cent of recipients of the childrearing benefit were working on a part-time basis of up to 30 hours, a proportion which had more than doubled compared with the year 2000, when the figure was 4 per cent. Hours worked increased from the first six months after birth, when 54.3 per cent worked less than 15 hours a week, to months 19 to 24, when this figure had fallen to 34.6 per cent. The relatively low take-up of part-time employment is in contrast to the strong preferences stated by women to work part time, and the low take-up rates for the option of combining part-time employment and Parental leave is probably related to difficulties in finding adequate childcare solutions.

4. Research and publications on leave and other employment-related policies since January 2004

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 partly seen as a reaction of policy-makers to problems identified by empirical Parental leave studies.

b. Selected publications from January 2004, including results from research studies

Bird, K. (2004) *Reconciling Work and the Family: The Impact of Parental leave Policies and Occupation on the Female Life Course*. Frankfurt a.M: Peter Lang.

This book uses a life-course approach with data from three cohorts of women ending their professional training in 1960, 1970, and 1980, in particular comparing the relative labour market attachment of different occupations and the disruptive influence of having children on women's biographies.

BMFSFJ (Bundesministerium für Familie, Senioren, Frauen und Jugend) (2004) *Bericht über die Auswirkungen der §§ 15 und 16 Bundeserziehungsgeldgesetz. Elternzeit und Teilzeitarbeit während der Elternzeit [Report on the impact of §§ 15 and 16 of the National Parental leave Law. Part-time work during the Parental leave period]*. Berlin: BMFSFJ.

This report offers an analysis of the parental use of and knowledge about flexibility features, such as a right to part-time employment, introduced by the Parental leave reform in 2001.

Merz, M. (2004) *Women's Hours of Market Work in Germany: The Role of Parental leave (IZA Discussion Paper No. 1288)*. Bonn: Institut für die Zukunft der Arbeit.

This report examines the evidence for leave-taking as a biographical crossroads leading to part-time employment career paths for mothers.

Weber, M. A. (2004) *Wann kehren junge Mütter auf den Arbeitsmarkt zurück? Eine Verweildaueranalyse für Deutschland [When do young mothers return to the labour market? An analysis of leave break length] (Discussion Paper No. 04-08)*. Mannheim: Zentrum für Europäische Wirtschaftsforschung.

Available at: <ftp://ftp.zew.de/pub/zew-docs/dp/dp0408.pdf>

Based on longitudinal data, this paper shows the strong influence of leave-taking on employment careers of mothers and also that, from 1992 to 2002, the average length of leave taken was decreasing.

Ziefle, A. (2004) *Die individuellen Kosten des Erziehungsurlaubs: Eine empirische Analyse der kurz- und längerfristigen Folgen für den Karriereverlauf von Frauen [The individual costs of Parental leave: An empirical analysis of its short- and long-term consequences for the career paths of women] (Discussion Paper SP I – 2004-102)*. Berlin: Wissenschaftszentrum Berlin für Sozialforschung.

Study based on survey data that shows the short- and long-term negative career effects of Parental leave take-up on mothers' later career opportunities.

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/RedaktionBMFSFJ/RedaktionFamilienfreundlich/PDF-Anlagen/allensbach-einstellungen-jungerm_C3_A4nner,property=pdf,bereich=familienfreundlich,rwb=true.pdf

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).

BMFSFJ (Bundesministerium für Familie, Senioren, Frauen und Jugend) (2005) *Siebter Familienbericht. Familie zwischen Flexibilität und Verlässlichkeit [7th 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', *IZA 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.

c. Ongoing research

The German Family Ministry has recently funded an evaluation of the effects of the new childrearing benefit, which will include an analysis of take-up rates and the characteristics of beneficiaries.

2.12

Greece

Evi Hatzivarnava Kazassi

Population (UNDP)	2004	11.1 million
Total Fertility Rate (UNDP)	2000-05	1.3
GDP per capita (UNDP)	2004	US\$22,205
Female economic activity (UNDP)	2004	42.7 per cent
As % male rate (UNDP)	2004	66 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 (ECEO)		
Mothers	2003	52.7 per cent
Fathers	2003	96.5 per cent
Employment impact of parenthood (ECI)		
Men	2005	+13.9% points
Women	2005	-3.5% points
Gender-related Development Index (UNDP)		23 rd
Gender Empowerment Measure (UNDP)		29 th
Access to regulated ECEC services (OECD) ²⁸		
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 on leave arrangements in the private sector that 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. Leave arrangements for public sector employees, which are more generous than those of the private

²⁸ The access rate in 2004 was 9 per cent for children under 3 years and 68,7 per cent for children aged 3-5 years (Source: National Statistical Service of Greece)

sector, are covered by different legislation and are not included in this report.

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.

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 a 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-quarters months, as part of a scheme which also allows parents to work reduced hours. For more details, see section 1e – 'flexible working'

e. Other employment-related measures

Adoption leave and pay

- The same regulations apply for Parental leave as for parents having their own children.

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 12 days if he/she has more than three children. The leave is also granted for other dependent members of the family (e.g. a disabled spouse or adult children 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.
- 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 ten days per year paid leave.
- Leave for widows/ers or unmarried parents caring for children: in addition to other types of 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-month 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-quarter 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 a childcare leave.

2. Changes in leave policy and other related developments since 2004 (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 turned to a main objective of policy. With reference to leave policy, there is a trend towards greater flexibility and choice in the provision of the various types of leave for parents. Over the last five years new extra 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 1e above).

A development that took place in 2006 concerns surrogate motherhood: women who obtain a child through surrogate motherhood have the right to all leave that relates to the care of the child; while during the breastfeeding period both the mothers who gave birth to the child and the surrogate mother have rights to reduced hours of work (childcare leave).

The partners of the National General Collective Labour Agreement of 2006-07 have proposed to the Government legal reform that would allow the payment of parental leave, i.e. the payment by the Family Benefits Fund of a sum equivalent to the daily wage of an unskilled worker to employees who receive parental leave as well as the payment of social insurance contributions. They have also suggested the development through the Employment and Training Fund of actions so that working women are replaced by unemployed people during maternity leave. However, no follow-up to the above proposals has as yet taken place.

Other proposals made by the General Confederation of Labour of Greece for the National General Collective Agreement of 2006-07, but not included in the Agreement, are:

- the extension of the prohibition of dismissal from work beyond 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 1e) to divorced and separated parents who have the responsibility of a child;
- the extension of leave rights to foster parents.

Though information concerning the leave policy in the public sector is not included in this report, we should mention that there are significant variations in the provision of leave between the public and private sectors, the public sector having in general a more generous leave policy. For example, since 1999 mothers working in the public sector, who are entitled to a longer period of reduced working hours than parents in the private sector, now have 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 the right for the above leave was extended to fathers, in accordance with the EU Directive 73/2002. In fact, the new Code for Civil Servants (Law 3528/07), has included new provisions concerning maternity leave and other types of leave for employees with family obligations. These provisions include:

- Maternity leave is extended by two months for each child after the third.
- Parental leave (two years of unpaid leave until the child turns six years) is now fully paid for a period of three months on the birth of a third or more children.
- Childcare leave (i.e. reduced hours of work until the child turns four or nine consecutive months off work) 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 2004

a. General overview

Leave policies are a recent development and have not been as yet 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 2004, 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 its 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 12,968 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 2nd 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) (forthcoming) *The Role of Fathers in the Reconciliation between Family and Work 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 are: the Reform-Resource Centre for Men (Norway); the CENTRUM PRAW KOBIEC 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.

2.13

Hungary

Marta Korintus

Population (UNDP)	2004	10.1 million
Total Fertility Rate (UNDP)	2000-05	1.3
GDP per capita (UNDP)	2004	US\$16,814
Female economic activity (UNDP)	2004	42.1 per cent
As % male rate (UNDP)	2004	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 (ECEO)		
Mothers	2003	50.3 per cent
Fathers	2003	86.4 per cent
Employment impact of parenthood (ECI)		
Men	2005	+8.7% points
Women	2005	-35.3% points
Gender-related Development Index (UNDP)		30 th
Gender Empowerment Measure (UNDP)		41 st
Access to regulated ECEC services (OECD) ²⁹		
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 leaves 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 (Sections 1c and 1d) – abbreviated as GYES, GYED and GYET – literally refer only to the payment element, although in practice they cover leave and

²⁹ The access rate in 2005 was 11 per cent for children under 3 and 87 per cent for children aged 3 to 5 years (Hungarian Statistical Office)

payment (e.g. GYES is *gyermekgondozasi segely*, literally 'childcare allowance').

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 earnings, with no ceiling on payments. In cases where 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 leave³⁰ (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.

³⁰ 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.

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 (responsibility of the National Health Insurance Fund and the Treasury)

There are two types of leave and benefit: (1) for non-insured parents, *Gyermekgondozasi segely* – 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. But until the child's first birthday only the mother or a single father is entitled.

Payment

- **GYES:** Flat-rate benefit equal to the amount of the minimum old-age pension, HUF27,130 per month (approximately €110) (2006).
- **GYED:** Benefit of 70 per cent of earnings, up to a ceiling of HUF91,700 per month (approximately €367) (2006); the ceiling is determined each year.

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:** mothers only until the child's first birthday. After the child's first birthday, either of the parents living with the child is eligible as long as she/he has been employed at least for 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 10th 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 cannot work also.

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. 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

- The same regulations as for parents having their own children.

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; six 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 case of twins, the number of hours is multiplied by the number of the twins.

2. Changes in leave policy and other related developments since 2004 (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 2005 was 29,849. 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 2005 were: 161,404 for GYES; 87,172 for GYED; and 47,304 for GYET. There is no information on what proportion of parents take leave or for how long they take leave; it is thought, however, that the number of fathers taking leave is very small. While there is no data available on the proportion of parents taking leave, an estimate can be made on the basis that about 11 per cent of children under three years were in childcare centres in 2005, so that 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 2004

a. General overview

There has been little research in this area, most studies focusing on income transfers to families. Most publications deal with the history of leave policies and comparisons with other countries.

b. Selected publications from January 2004, 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 the 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 munkaerő-piaci helyzet' ['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 into the labour market, in reproduction of the labour market segregation, in the lack of equal chance in 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.

2.14

Iceland

Thorgerdur Einarsdóttir and Gyda Margrét Pétursdóttir

Population (UNDP)	2004	0.3 million
Total Fertility Rate (UNDP)	2000-05	2.0
GDP per capita (UNDP)	2004	US\$33,051
Female economic activity (UNDP)	2004	70.9 per cent
As % male rate (UNDP)	2004	87 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 (ECEO) ³¹		
Mothers	2003	No data
Fathers	2003	No data
Employment impact of parenthood (ECI)		
Men	2005	No data
Women	2005	No data
Gender-related Development Index (UNDP)		3 rd
Gender Empowerment Measure (UNDP)		2 nd
Access to regulated ECEC services (OECD) ³²		
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 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

³¹ The employment rate in 2002 for women with a child under 7 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 7 to 15 years (Statistics Iceland).

³² The access rate in 2005 was 52.8 per cent for children under 3 years and 94.1 per cent for children aged 3 to 5 years (Statistics Iceland).

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 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)

- Same as for maternity leave.

Flexibility in use

- Same as for 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

- Same as for 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 parents

- 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

- No statutory entitlement. But parents generally receive around ten days' leave, with full pay, as a result of collective agreements.

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 and other related developments since 2004 (including proposals currently under discussion)

Recently, 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). There has also been some discussion among party officials now in the wake of the 2007 parliamentary election that the total leave period should be extended to 12 months.

3. Take-up of leave

a. Maternity leave

In 2004, 98.9 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 2004, 89.8 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 96 days' leave compared to 182 for mothers). Overall, 17.1 per cent of fathers took some of the parents' joint rights, and 17.9 per cent took less than their three months of designated parental leave; 90.5 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.

d. Other employment 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 2004

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 2004, including results from research studies

Einarsdóttir, T. and Pétursdóttir, G.M. (2004) 'Thetta liggur einhvern veginn betur fyrir henni...' ['She's better suited for it somehow...'], in: Ú. Hauksson (ed.) *Rannsóknir í Félagsvísindum V [Research in Social Sciences]*. Reykjavík: Félagsvísindastofnun Háskóla Íslands og Háskólaútgáfan.

This conference paper compares Iceland and Norway, based on the project Culture, Custom and Caring.

Laufey, Ý.H. and Jónsdóttir, Ó. (2004) *Fedraorlof: Vidhorf stjórnenda á mismunandi stjórnunarstigum [Parental leave: The attitudes of employers at different managerial levels]*. BS-thesis. University of Reykjavik. Available at:

http://www.hgj.is/media/Ritgerdir/Rannsokn_fedraorlof.pdf.

The thesis is based on a study of attitudes to parental leave of managers at different levels.

Pétursdóttir, G. M. (2004) 'Ég er tilbúin að gefa svo mikið'. *Sjálfraedi, karllaeg vidmid og mótsagnir í lífi útivinnandi maedra og ordraedum um ólíkt edli, getu og hlutverk*. ['I'm ready to give so much. Autonomy, male norms and paradoxes in the lives of mothers in paid work and the discourse on different nature, competencies and roles']. MA thesis. University of Iceland. Contact: gydap@hi.is

The thesis is based on a qualitative analysis of the life situation of six mothers in paid work in modern Iceland.

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

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: Center 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". Sjalfsmyndir 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.

Eydal, G. B. (2006) 'Feður og fjölskyldustefna' ['Fathers and family policy'], in: Ú. Hauksson (ed.) *Rannsóknir í félagsvísindum VII [Research in Social Sciences]*. Reykjavík: Félagsvísindastofnun Háskóla Íslands og Háskólaútgáfan.

Eydal, 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 a 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>

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

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 carried out for the City of Reykjavík Equal Opportunities Commission.

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)	2004	4.1 million
Total Fertility Rate (UNDP)	2000-05	1.9
GDP per capita (UNDP)	2004	US\$38,827
Female economic activity (UNDP)	2004	51.9 per cent
As % male rate (UNDP)	2004	72 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 (ECEO)		
Mothers	2003	No data
Fathers	2003	No data
Employment impact of parenthood (ECI)		
Men	2005	+6.1% points
Women	2005	-18.2% points
Gender-related Development Index (UNDP)		4 th
Gender Empowerment Measure (UNDP)		17 th
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 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 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.
- Twelve 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 ten 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 and other related developments since 2004 (including proposals currently under discussion)

The Maternity Protection (Amendment) Act 2004 came into effect on 18 October 2004. The main provisions of the Act include: reducing the compulsory pre-confinement period from four to two weeks; attendance at ante-natal classes without loss of pay; entitlement for breastfeeding mothers either to adjust their working hours or, if breastfeeding facilities are provided, to breastfeeding breaks; postponement by the employee of maternity and/or additional (unpaid) Maternity leave (subject to the agreement of the employer) in the event of the hospitalisation of the child; termination of additional Maternity leave (subject to the agreement of the employer) in the event of the employee's illness; provision that an employee's absence from work on additional Maternity leave will count for all employment rights associated with the employment (except remuneration and superannuation benefits) such as seniority and annual leave.

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, 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 six 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.

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 dependents, 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 2004

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 right to request flexible working - although the public sector has such arrangements. 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 2004, including results from research studies

Fine-Davis, M., Fagnani, J., Giovannini, D., Hojgaard, L. and Clarke, H. (2004) *Fathers and Mothers: Dilemmas of the Work-Life Balance – A Comparative Study in Four European Countries*. Dordrecht, London and Boston: Kluwer Academic Publishers

This book presents results of a comparative study of the dilemmas faced by working parents with young children in four European countries – France, Italy, Ireland and Denmark. It was the aim of the study to identify the key issues concerning the reconciliation of work and family roles with particular emphasis on the barriers to men's greater involvement in domestic and family activities. Data on Parental leave, annual leave and related issues are presented.

Fine-Davis, M. (2004) 'The childcare policy debate in Ireland', *Administration*, Vol. 52, No. 2: 36-56.

This paper presents a historical overview of the evolution of public policy on childcare in Ireland from the late 1970s to the present. It discusses Irish childcare policy in cross-cultural perspective, and also makes recommendations for improved childcare policy.

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 groups: 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 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.

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 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.

c. Current research studies

Management Perspectives on Work/Life Balance (2007). Eileen Drew and Gwen Daverth, Trinity College Dublin, funded by the Irish Congress of Trade Unions.

This study will interview managers on their role in promoting (or otherwise) work/life balance in four different organisations. It will collect qualitative data on how work/life balance policies (formal and informal) are communicated and applied; differential access to work/life balance; and their own personal experiences and views.

Costing a Model of Work/Life Balance (2007). Eileen Drew and L. A. Dunne, Trinity College Dublin, funded by the Irish Congress of Trade Unions.

This study is based on costing an economic work/life balance model in Ireland. The model includes the implementation of three different types of paid leave for men and women in employment: (1) Parental leave; (2) Elder/Adult care Leave; and (3) Study Leave, each with a time span of 6, 12 or 18 months.

Childcare Policy in Ireland: Overview Analysis and Recommendations (2007). Margaret Fine-Davies, Trinity College Dublin, funded by the Irish Congress of Trade Unions.

This study will provide an overview analysis concerning childcare policy in Ireland and make recommendations to the trade union movement on the way it might influence future policy in this area.

2.16

Italy

Dino Giovannini

Population (UNDP)	2004	58 million
Total Fertility Rate (UNDP)	2000-05	1.3
GDP per capita (UNDP)	2004	US\$28,180
Female economic activity (UNDP)	2004	37.0 per cent
As % male rate (UNDP)	2004	61 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 (ECEO)		
Mothers	2003	49.7 per cent
Fathers	2003	94 per cent
Employment impact of parenthood (ECI)		
Men	2005	+13.3% points
Women	2005	-6.8% points
Gender-related Development Index (UNDP)		18 th
Gender Empowerment Measure (UNDP)		24 th
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.

Flexibility

- The 20-week period is compulsory, but there are two options for taking this leave: four weeks before the birth and 16 weeks after; and eight weeks before the birth and 12 after.

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' 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 ten 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 €13,000, in which case paid at 30 per cent of earnings.

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 ten 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.

- 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).

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

- The same regulations as for parents having their own children.

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.
- 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 serious disability of a child or other relative, even if not co-resident. This leave is paid at 100 per cent of earnings, up to an annual ceiling of €36,151. 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; if the mother opts not to use it; if the mother is not employed; or if the father has sole custody of the child.
- 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 and other related developments since 2004 (including proposals currently under discussion)

There have been no changes since 2004 and none are under discussion.

3. Take-up of leave

a. Maternity leave

Maternity leave is compulsory.

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 2004

a. General overview

There is no recently completed research on statutory leave entitlements, and there is only limited official information on take-up. An overview of the latest research findings in Italy is provided in Fine Davis et al. (2004).

b. Selected publications from January 2004, including results from research studies

Fine-Davis, M., Fagnani, J., Giovannini, D., Hojgaard, L. and Clarke, H. (2004) *Fathers and Mothers: Dilemmas of the Work-Life Balance*. Dordrecht: Kluwer.

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.

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 fathers' role and 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 care givers 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.

Osservatorio Nazionale sulla Famiglia (CUR.) (2006) *Buone pratiche e servizi innovativi per la famiglia [Good Practices and Innovative Services for the Family]*. Milano: Angeli.

This book presents a theoretical and methodological approach to 'good practice studies' of family-friendly social policies. Two different scenarios concerning good practices in Italy are outlined, in comparison with the European context.

ISTAT (2007) *Essere madri in Italia [To be Mothers in Italy]*. Roma: ISTAT. Available at: www.istat.it/dati/catalogo/20061220_00.

This report presents results from the second survey round, undertaken in 2005, of the national sample of about 50,000 mothers with children born in 2003 (about 10 per cent of all births in that year). The second part of the report examines difficulties in work/family balance and with Maternity and Parental leave.

2.17

The Netherlands

Hanne Groenendijk and Saskia Keuzenkamp

Population (UNDP)	2004	16.2 million
Total Fertility Rate (UNDP)	2000-05	1.7
GDP per capita (UNDP)	2004	US\$31,789
Female economic activity (UNDP)	2004	55.8 per cent
As % male rate (UNDP)	2004	76 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 (ECEO)		
Mothers	2003	69.6 per cent
Fathers	2003	93.6 per cent
Employment impact of parenthood (ECI)		
Men	2005	+6.6% points
Women	2005	-9.4% points
Gender-related Development Index (UNDP)		9 th
Gender Empowerment Measure (UNDP)		7 th
Access to regulated ECEC services (OECD) ³³		
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, six weeks before the birth and ten weeks after the birth. (If the birth is later than the expected date of delivery, the

³³ The access rate for children under four years to an ECEC centre was 24.9 per cent in 2004 (Statistics Netherlands)

longer benefit period preceding childbirth is not deducted from the benefit period after childbirth).

Payment

- One-hundred per cent of earnings up to a ceiling equivalent to the maximum daily payment for sickness benefit (€172 in 2007).

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 have to arrange their own insurance if they want to be paid.

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 50 per cent of the statutory minimum wage, i.e. €650 a month in case of full-time leave (2007).

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 and 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 ten 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 ten employees.

2.Changes in leave policy and other related developments since 2004 (including proposals currently under discussion)

In July 2003, a Bill was presented to parliament which included the right to unpaid long-term care leave, which would entitle all employees to a leave of up to six times their working hours per week to care for a child, partner or parent with a life-threatening illness. Due to two changes in the cabinet, it took a long time for parliament to discuss the Bill, and the legislation did not come into force until 1 June 2005.

In August 2004 the entitlement of female self-employed workers to a maternity benefit (formerly 16 weeks up to a maximum of 100 per cent of the statutory minimum wage) and the entitlement of male and female self-employed workers to an adoption benefit (formerly four weeks up to a maximum of 100 per cent of the statutory minimum wage) were cancelled. Since then, self-employed workers must make their own arrangements to cover lost earnings; self-employed women, for example, will have to take out private maternity insurance or set aside money in some other way.

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 desired 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 to use their entitlement and participate. 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 has been 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 statutory minimum wage (€30 a day or €650 a month maximum, 2007). 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, such as 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 gained only a little attention. However, some proposals of the new Dutch cabinet correspond with findings of the evaluation.

In February 2007, a new government was installed, a coalition of Christian Democrats (CDA and CU) and Social Democrats (PvdA). The new government announced 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. Other changes proposed include: self-employed women again will be granted a benefit during Maternity leave (see under 1a); the Life Course Savings Scheme will be extended for other purposes, like financing the period between two jobs or for providing an income during the start of an enterprise; the accessibility of the scheme for people with lower incomes will be improved; and the government will reconsider the entitlement of self-employed workers, since at present only employees can benefit from the scheme. It is unclear when these changes will be made.

In March 2007, the Green Party (*Groen Links*) proposed a Bill to extend the Paternity leave from two working days to two weeks of leave, paid by the employer. This Bill will probably be discussed in the House of Representatives before summer 2007.

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 2005, 118,000 female employees and 148,000 male employees (working 12 hours or more per week) were entitled to Parental leave. Of the mothers eligible for Parental leave, 44 per cent took

Parental leave, averaging eight months and 11 hours a week. Of those men entitled to leave, 19 per cent took leave for an average of 11 months and eight hours a week. During their period of leave, mothers worked on average 60 per cent of their working hours, fathers 80 per cent (Portegijs, Hermans and Lalta, 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, 2000³⁴).

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).

³⁴ Grootscholte, M., Bouwmeester, J.A. and de Klaver, P. (2000) *Evaluatie Wet op het ouderschapsverlof. Onderzoek onder rechthebbenden en werkgevers*. Den Haag: Ministerie van Sociale Zaken en Werkgelegenheid.

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).

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, 2003³⁵).

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

³⁵ 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)

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 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, 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 three out of ten 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 2004

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 who 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 contents 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 2004, including results from research studies

Van der Linden, L. and van der Werf, C. (2004) *Ervaringen van werkgevers met de Wet arbeid en zorg*. Den Haag: Ministerie van Sociale Zaken en Werkgelegenheid. (English summary available soon).

Report of a study among employers investigating their experiences with the Work and Care Act.

Van Luijn H. and Keuzenkamp, S. (2004) *Werkt verlof? Het gebruik van regeling voor verlof en aanpassing van de arbeidsduur*. Den Haag: Sociaal en Cultureel Planbureau. English summary available at:

http://www.scp.nl/english/publications/books/9037701825/does_leave_work.pdf.

Report of a study among employees on the need for and the use of leave arrangements.

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, leave arrangements), laws and implementation processes.

Bos, I. and van den Aamele, 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 contents 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 or Antillean origin). Their position and participation are compared with those of indigenous women and with those of men from the same ethnic group. 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*. PhD 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 is also shown that labour force exits have a long-term impact on earnings and socio-economic status, especially of women. Even ten 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.

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.

2.18

Norway

Berit Brandth and Elin Kvande

Population (UNDP)	2004	4.6 million
Total Fertility Rate (UNDP)	2000-05	1.8
GDP per capita (UNDP)	2004	US\$38,454
Female economic activity (UNDP)	2004	63.1 per cent
As % male rate (UNDP)	2004	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 (ECEO)		
Mothers	2003	No data
Fathers	2003	No data
Employment impact of parenthood (ECI)		
Men	2005	No data
Women	2005	No data
Gender-related Development Index (UNDP)		1 st
Gender Empowerment Measure (UNDP)		1 st
Access to regulated ECEC services (OECD) ³⁶		
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

³⁶ The access rate in 2005 was 76.2 per cent for children aged one to five years (Statistics Norway)

Equality, which grants the money for leave, refers to *foreldrepengeperioden* (parental money period).

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. 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 six of the last ten months prior to delivery are eligible for leave and who have earned at least half the basic national insurance benefit payment over the previous year. 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’ (+ 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.

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 (*Foreldrepengeperioden*) (responsibility of the Ministry of Children and Equality)

Length of leave (before and after birth)

- Maximum length is 54 weeks. 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 is 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 (NOK 377,352 a year (2006), approximately €46,360). The lower rate of benefit gives a longer leave period.
- Non-employed women receive a flat payment (currently corresponding to 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 six of the last ten 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 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 NOK 3,307 per child per month (approximately €405). Children who use centres on a part-time basis receive a reduced benefit (e.g. if parents use no 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. 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 NOK 38,320 (2007).

Time off for the care of dependants

- Each parent of a child under 12 years has a right to ten 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 ten years old.

2. Changes in leave policy and other related developments since 2004 (including proposals currently under discussion)

Increased flexibility has been introduced in January 2007 into the parental leave (parental money) period and how it can be used. The present government has plans to increase the father's quota to ten weeks. There are two years left of their period, and an increase is expected in the next year's budgets.

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 4 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 recent data from public records (2003) show that 89 per cent of fathers now take leave. Brandth and Kvande (2003) show the many aspects of fathers' use of the fathers' quota.

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 dependent 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 educational level, 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 father's quota and other parts of parental leave. While the fathers least likely to use the quota are fathers with long working hours, in managerial positions or with a wife who works part time.

Moreover, a fathers' sharing of the parental leave also depends on his 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 2004

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 2004, 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.

Børve, H.E. (forthcoming, 2007) 'Pregnant Bodies in a Globalized Working Life', *European Journal of Women's Studies*

This article focuses on what happens when Norwegian female employees face working conditions imported from other countries, in a globalised Norwegian company.

c. Ongoing research

Det nye arbeidslivet: Nye arbeidstidsordninger blant fedre og mødre og blant foreldrepår [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)	2004	38.6 million
Total Fertility Rate (UNDP)	2000-05	1.3
GDP per capita (UNDP)	2004	US\$12,974
Female economic activity (UNDP)	2004	47.9 per cent
As % male rate (UNDP)	2004	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 (ECEO)		
Mothers	2003	59.2 per cent
Fathers	2003	84.9 per cent
Employment impact of parenthood (ECI)		
Men	2005	+14.6% points
Women	2005	- 11.1% points
Gender-related Development Index (UNDP)		33 rd
Gender Empowerment Measure (UNDP)		30 th
Access to regulated ECEC services (OECD)		
Children under 3 years	2001	2 per cent
Children 3-5 years (inclusive)	2001	36 per cent

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 is obligatory: up to two weeks can be used before the expected date of birth.

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 covered by social security insurance at the start of

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, six weeks for subsequent births and 14 weeks for multiple birth.

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 400 PLN (€107) per month is paid if monthly household income per capita does not exceed 504 PLN (€128). 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.

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 eighteenth birthday. A payment of 583 PLN

(€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 eight 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 is ill, in childbirth or stays in an in-patient healthcare institution. This leave is also paid at 80 per cent of earnings

Flexible working

- No general statutory entitlement.

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

Since the 1970s, the length of Maternity leave was 16 weeks for the first birth, 18 weeks for each successive birth, and 26 weeks in the case of multiple births. This was extended during the 1997-2001 right-wing government, but in 2002 the leave was shortened to the previous duration. Due to recent regulations (December 2006), the Maternity leave has again been extended to 18, 20 and 28 weeks respectively and the government is planning a further extension to 26, 28 and 34 weeks. Since August 2001, fathers are entitled to take unused Maternity leave.

Parental leave was introduced in 1968, and the parental allowance in 1981. Fathers became entitled to the parental leave and allowance in 1996.

The Parental leave scheme in Poland has been subjected to some criticism for its inflexibility, moderated by the amendments in 2002-2003 to adjust regulations to EU requirements. Parents were granted a right to take Parental leave in up to four parts, as well as being allowed to work part time or to undertake employment or education during Parental leave.

Previously, it was possible to work and receive the parental allowance when the total income of the parent on leave did not exceed 60 per cent of the monthly average remuneration in the national economy. Since 2004 persons who take a job while on Parental leave lose their parental allowance irrespective of the income criterion.

In the context of the low fertility in Poland, policy measures aimed at a fertility recovery are under strong political and public debates. 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 and currently under consultation, reconciliation issues are for the first time not ignored.

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. 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.

Summing up, the available official statistics do not show the incidence of Parental leave among parents entitled, 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 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 to 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 work 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 have mostly to rely on themselves and 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, stated 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 2004

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 2004, including results from research studies

Kotowska I.E. (2004) Percepcja zmian ludnościowych a polityka ludnościowa w Polsce - wybrane wyniki badania PPA2 ['Perception of population change and population-related policy in Poland: selected results of the Population Policy Acceptance Survey'], in: *Sytuacja demograficzna Polski, raport 2002 [Demographic situation in Poland, report 2002]*. Warsaw: Governmental Population Council. pp. 141-159.

In this chapter, data from the PPA and LFS surveys were used to analyse patterns of sharing employment and household duties within Polish families.

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 resulted 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 oriented 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 Lizbońskiej [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, a role of social services is considered. The third part is devoted to good practices which 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 to population-related policy in Poland: Report 2004]. Warsaw: Governmental Population Council

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 LFS, following Eurostat recommendations. The analysis deals with family-supportive work arrangements, use of Parental leave and use of childcare services by 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* 21st-23rd 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.

Kotowska I. E., Józwiak J., Matysiak A. and Baranowska A. (forthcoming, 2007) '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.

Kotowska I. E., Matysiak A. (2007) Reconciliation of work and family under different institutional settings, in: Höhn Ch., Avramov D., Kotowska, I. E. (eds) *People, Population Change and Policies: Lessons from the Population Policy Acceptance Study*, 327-350 (in print).

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., Słotwińska-Roslanowska, E., Styrac, M. and Zadrozna, 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 leaves, 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]*. Scholar Publishing Company. Further data from analysis of the LFS-based survey on reconciliation between work and family life (see Kotowska and Baranowska, 2006).

Muszyńska, M. (2007) *Structural and Cultural Determinants of Fertility in Europe*. Warsaw: Warsaw School of Economics.

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 welfare state.

2.20

Portugal

Karin Wall

Population (UNDP)	2004	10.4 million
Total Fertility Rate (UNDP)	2000-05	1.5
GDP per capita (UNDP)	2004	US\$19,629
Female economic activity (UNDP)	2004	55.2 per cent
As % male rate (UNDP)	2004	79 per cent
% of employed working part time (ECLC)		
Men	2005	7 per cent
Women	2005	16.2 per cent
Employment gender gap (full-time equivalent) (ECI)	2005	15.1% points
Employment rate (ECEO)		
Mothers	2003	76.4 per cent
Fathers	2003	94.6 per cent
Employment impact of parenthood (ECI)		
Men	2005	+12% points
Women	2005	+3.8% points
Gender-related Development Index (UNDP)		26 th
Gender Empowerment Measure (UNDP)		20 th
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.
- 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 be entitled.
- A working grandparent is entitled to 30 days' leave following the birth of a grandchild to an adolescent still living at home.

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 for 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 four years and taken up to the child's twelfth 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.

e. Other employment-related measures

Adoption leave and pay

- In cases of adoption of a child under age 15, the adopting parent has a right to 100 consecutive days' 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.

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 breast feed 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 and other related developments since 2004 (including proposals currently under discussion)

Between 2002 and 2005, the centre-right wing coalition emphasized a familialistic policy perspective. Rather than gender equality and the expansion of services to support 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 six to twelve 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 leave 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. Two main policy developments affecting work/family balance have been stressed. First, the expansion of ECEC service provision to support families with young children; specific goals have been set up: to reach a coverage rate of 33 per cent for the 0-3 age group and of 90 per cent for the 3-5 age group, by 2009/2010. Secondly, increasing paid Maternity leave (150 days at present) within a framework of more equal sharing between mothers and fathers.

One suggestion is 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 children (dependent on more equal sharing of the previous months).

Policy measures in this field are expected in 2007, but no proposals have yet been made.

3. Take-up of leave

a. Maternity leave

It is estimated by the Ministry of Labour and Social Solidarity that about three-quarters of mothers (2004) are eligible for paid Maternity leave. It is estimated that, in 2006, 19.6 per cent of mothers on Maternity leave decided to choose the longer leave period, i.e. five months at 80 per cent of earnings.

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). 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 in Portuguese policy on gender equity 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 2002 by 26 per cent of fathers and the 15-day additional Paternity leave by 14 per cent; while in 2005 the same periods of leave were taken up by 39 per cent and 30 per cent of fathers. Government estimates for 2006 confirm these trends: 42,894 fathers in 2006 taking the

five day Paternity leave (42,982 a year earlier); and 34,296 in 2006 taking up the 15-day Paternity leave (up from 32,945).

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 2004

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 2004, including results from research studies

Torres, A. (ed.) (2004) *Homens e Mulheres entre família e trabalho [Men and Women between Family and Work]* (CITE, Ministério da Segurança Social e do Emprego, Estudos, No.1). Lisbon: DEEP.

This book presents the results of a 1999 survey on the reconciliation of work and family life in Portugal.

Wall, K. and São José, J. (2004) 'Managing work and care in immigrant families in four European countries', *Social Policy and Administration*, Vol. 38, No. 4: 591-621.

This article explores the strategies used by immigrant families to reconcile work and care for young children in four European countries (Finland, France, Italy and Portugal), drawing on in-depth interviews with couples and lone parents who have children below age ten.

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., Pereira, I. (2007) 'Women's Occupational Patterns and Work-Family Arrangements: Do National and Organisational

Policies Matter?' in R. Crompton, S. Lewis, C. Lyonnette *Women, Men, Work and Family in Europe*. Palgrave Macmillan, pp. 190-209.

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*, Palgrave Macmillan, pp. 86-115.

Wall, K. (2007 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

2.21

Slovenia

Nada Stropnik

Population (UNDP)	2004	2 million
Total Fertility Rate (UNDP)	2000-05	1.2
GDP per capita (UNDP)	2004	US\$20,939
Female economic activity (UNDP)	2004	53.4 per cent
As % male rate (UNDP)	2004	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 (ECEO)		
Mothers	2003	85.3 per cent
Fathers	2003	94.2 per cent
Employment impact of parenthood (ECI)		
Men	2005	+11.9% points
Women	2005	+1.5% points
Gender-related Development Index (UNDP)		24 th
Gender Empowerment Measure (UNDP)		32 nd
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 (*porodniški dopust*) (responsibility of the Ministry of Labour, Family and Social Affairs)

Length of leave (before and after birth)

- One hundred and five calendar days (15 weeks): four weeks (28 days) before the birth and 11 weeks following birth.

³⁷ The access rate in 2005/06 was 38.5 per cent for children under three years and 79.9 per cent for children aged three to five years.

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 in benefit).

b. Paternity leave (*očetovski dopust*) (responsibility of the Ministry of Labour, Family and Social Affairs)

Length of leave

- Ninety calendar days (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 Parental 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 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 father

- 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 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 is 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 four to ten 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 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 to 14 and 30 working days, respectively, 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 ten 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 and other related developments since 2004 (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 the 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 during the whole of Maternity leave, i.e. till the child's age of 11 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 reaches the age of eight years), which is aimed at stimulating 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.

In 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 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 earlier to work 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 2004

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 employed mothers in 1994 and in 2000 about attitudes towards the current Parental leave arrangements, personal experience and preferences, and possible impact of improved Parental leave on fertility. Most research conducted since 2000 has been based on the IPPAS database (DIALOG project; <http://www.bib-demographie.de/ppa/IndexDialogStart.htm>). Some analyses are limited to the Slovenian situation (Stropnik and Črnič Istenič, 2001), some focus on Slovenia and compare it with other European countries (Stropnik, 2001 and 2005), while the rest include up to 14 European countries (Stropnik and Sambt, 2005; Stropnik, Sambt and Kocourková, 2006).

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 2004, including results from research studies

Stropnik, N. (2004) 'Impact of social and economic transition on family policies', paper given at the *European Population Forum 2004: Population Challenges and Policy Responses*, Geneva.

Available at:

[http://www.unece.org/ead/pau/epf/present/ts2/stropnik.pdf#search='European per cent20population per cent20forum per cent202004: per cent20Population per cent20challenges per cent20and per cent20policy per cent20responses, per cent20stropnik](http://www.unece.org/ead/pau/epf/present/ts2/stropnik.pdf#search='European%20population%20forum%202004:%20Population%20challenges%20and%20policy%20responses,%20stropnik)

This paper summarises the impact of social and economic transition on family policies in Slovenia.

Renner, 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.Renner@guest.arnes.si; alenska.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. and Sambt, J. (2005) 'Parental Leave and Child Allowances: Attitudes, Preferences and Possible Impact', paper given at the *XXVth International Population Conference*, Tours, France. Available at:

<http://iussp2005.princeton.edu/download.aspx?submissionId=51958>

Comparing 14 European countries, this paper considers preferred alternative forms of 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 deciding to have children.

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).

2.22

Spain

Anna Escobedo

Population (UNDP)	2004	42.6 million
Total Fertility Rate (UNDP)	2000-05	1.3
GDP per capita (UNDP)	2004	US\$25,047
Female economic activity (UNDP)	2004	44.2 per cent
As % male rate (UNDP)	2004	65 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 (ECEO)		
Mothers	2003	51.2 per cent
Fathers	2003	93 per cent
Employment impact of parenthood (ECI)		
Men	2005	+11.6% points
Women	2005	-7.5% points
Gender-related Development Index (UNDP)		19 th
Gender Empowerment Measure (UNDP)		15 th
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: six weeks must be taken following the birth, while the remaining ten 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 €2,897.70 a month. A flat-rate benefit (€16.64 per day in 2007) 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 (except those who are self-employed) may take leave part time except for the six weeks following birth.

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 90 days, in the last 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 ten 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)

- Teachers 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 20 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 (before and after birth)

- Fifteen days.

Payment

- One-hundred per cent of earnings, paid by the Social Security Fund except for the first two days that remain paid by the employer.

Flexibility in use

- The first two days have to be used at the time of birth (*permiso por nacimiento*). Fathers who need to travel in their work have two extra days, paid by the employer.
- The 13 days of Paternity leave (*permiso de paternidad*) can be used during or immediately after the end of Maternity leave. With an employer's agreement, it can be used full or part time.

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 instead of the two paid by the employer at birth, and an additional month of Paternity leave 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 case of multiple birth (or adoption or foster).
- In the mentioned case of public employees in Catalonia, lone mothers can use the extra month for fathers at the end of maternity leave. The new entitlements in Catalonia include homosexual and lesbian couples, where this leave can be taken by the member of the couple who did not use the maternity leave.

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

- Public employees of the central state government receive ten days of leave at the time of birth instead of the two initial days paid by the employers, which means they have a total entitlement of 23 days.

**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.

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 payments are made to women and men taking Parental leave in the Basque Country; and to men in the region of Castilla-La Mancha 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) or delegation of leave to person other than the parents

- Social security contributions are credited for a longer period (for 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) 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.

- Public employees of the central state government have their return to the same job position protected during the first two years.

d. Childcare leave or career breaks

- Unpaid career breaks are recognised in the labour and public employees regulation. The only protection offered is to be able to claim the right of return to an equivalent job place 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 parents having their own children for the adoption or fostering of children under six years or children with additional needs (e.g. disabilities, international adoptions).
- Public employees of the central state government involved in an international process of adoption have the right of up to two months of paid leave 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. However, there is no agreement on what 'serious illness' or 'travelling' means. For central state public sector employees this entitlement is extended to three days (five days if travelling is required).
- 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 dependent relative (up to the 'second degree of consanguinity or affinity') due to severe illness, disability, accident or old age. The leave or reduced hours are unpaid. This involves the extension, in part, of leave entitlements for parents with young children to workers with other care responsibilities. 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 of the central state government can extend the unpaid leave to care for a relative for up to three years. 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); they can also benefit from extra flexibility in working time as do parents of children under 12 years.
- Public employees of the Catalan public sector can extend the unpaid leave to care for a relative for up to three years. Some collective agreements provide also for an extension of this unpaid leave period.

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; 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. All employed mothers can consolidate this reduction in working time as full-time leave, thus in practice extending their Maternity leave by between two to four weeks.

- A working parent can reduce his/her working day by between an eighth (1/8), a third 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 of the central state government 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 some non-income-related payments to support this measure; 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 the maternity leave plus the new father month leave, that is approximately until a child is 20 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 and other related developments since 2004 (including proposals currently under discussion)

From 24 March 2007, a new law for gender equality regulates Parental leave arrangements in Spain (*Ley Orgánica 3/2007, para la Igualdad efectiva de mujeres y hombres*). The law includes a section on reconciliation of work, personal and family life that 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 still far from a universal Maternity leave benefit, but a trend in this direction can be seen. 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 eight, instead of six years old; and the unpaid family leave to care for ill relatives has been extended from one to two years.

This new reform is made in the framework of a general law on gender equality, which foresees other measures such as balanced representation of women and men in politics and companies, gender equality plans in public and private companies, and a generic right to work-life balance and co-responsibility in sharing family tasks. 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) have strongly promoted the new Paternity leave, but wanted it to be longer than the measure that has been approved (*Plataforma por un permisode paternidad intransferible 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 six months, and have launched a legislative initiative (www.bajapormaternidadseismeses.org) but they have little representation in the parliament and not much connection with trade unions. No groups – except some researchers in the field - are yet proposing to introduce a paid Parental leave, substituting for the present unpaid one, which has very low coverage.

From the perspective of parental leave and leave for family reasons, the new law does not introduce substantial change; from a child and caring perspective it keeps the system basically as it was. In practice only short leave is available for most families who can not afford to use unpaid leave or working time reductions; from 1997, housing prices have grown 250 per cent which has created high economic stress in most young families. In Spain gender equality is basically focused on increasing women's participation in employment, and paid leave is still perceived as damaging women's professional prospects and creating costs for employers. As family cohesion and intergenerational support are often taken for granted, there is an implicit assumption that the family will provide where there is a need for childcare, and where this support is not available, then informal paid work is rather abundant and culturally accepted in Spain.

Presently, the Spanish Government is giving priority to extending centre-based provision of early education and care (ECEC). In May 2006 the Government passed a new 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 threes in ECEC centres (about half of present estimated coverage in public and private ECEC centres). However, there has been no coordination or connections made between legislation covering leave policy and ECEC services, and equal opportunities policy does not include issues raised by the care of young children. Similarly, there has been no coordination or connections made between leave policy and another new law, passed in December 2006, to promote autonomy and care of dependants. The proposed law initially excluded children under three years of age, but after parliamentary discussions children under three with handicaps or chronic illnesses were finally included. For example, the law envisages a new mechanism for the professionalisation of informal carers (e.g. including wage and social security protection), but no connection is made between benefits for informal carers and leave arrangements for family reasons. Again, the logic is rather to activate and somehow to 'professionalise' adult housewives with low employment opportunities, rather than to give respite and affordable leave opportunities to employees.

Spain's rules on family-related leave continue to be spread over several pieces of legislation (labour, public servants, social security, gender equality, 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 leave around birth (or adoption or fostering) paid by public social security is still only 18 weeks (16 for the mother and two 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, and for short periods.
- Atypical workers (temporary employees, the self-employed and others) are inadequately covered.
- Though the father will have a new opportunity to be involved in fathering at home for at least two weeks, this is still a short period to produce structural changes in attitudes and practices.

With the issue of reconciliation of work and family life gaining a higher profile on the Spanish political agenda since 1999, some regional governments (*Comunidades Autónomas*) have developed additional entitlements for specific groups. The Basque Country, within its family policy, now offers a flat-rate benefit for parents using the unpaid Parental leave or the unpaid working time reduction to take care of children; the benefit is higher for fathers than mothers. Navarre does the same for the unpaid working time reduction, but only if an unemployed woman is hired as a substitute during this working time reduction. Catalonia has approved a new law in June 2006 to support reconciliation of work and family life for public employees, introducing a new father month after maternity leave, and extending the fully paid one-third working time reduction for one year from the end of the maternity plus this additional father month, which could mean until the child is 20 months old. Supplementary entitlements have also been implemented in Castilla-La Mancha, Castilla-León, Rioja and Asturias.

The central government also passed a regulation in December 2005 for its employees, introducing improvements in leave arrangements and working time reductions for parents and informal carers of dependants (outlined in section 1e). Some of these measures are now extended to some employees but not all, as the new gender equality legislation includes that employers assume the responsibility of developing gender equality and family-friendly measures for their employees.

3. Take-up of leave

a. Maternity leave

Maternity leave benefit covered 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% of adoption cases.

b. Paternity leave

Most fathers are eligible for the Paternity leave according to the Labour Force Survey data. As payment for fathers taking Paternity leave has been made only by employers until now, there is no information on take-up rates. From 24 March 2007 onwards, fathers have a new entitlement of two weeks paid from social security, also covering the self-employed. As the Social Security Institution publishes annually the basic data (number of users and expenditure) on the benefits it manages, we expect to be able to publish a coverage indicator of paternity leave in the next annual review.

c. Parental leave

In 2000 around 50 per cent of fathers and 24 per cent of mothers were eligible for parental leave³⁸.

In 2005, 27,953 people started some period of parental leave; fathers made up only 4.5 per cent of users. This corresponds to six 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 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 & Navarro, based on data from MCVL_04 facilitated by the Social Security, Spanish Ministry of Labour and Social Affairs).

³⁸ Own estimate based on 2000 European Labour Force Survey, from EC-funded research project *Care Work in Europe: Current Understandings and Future Directions* (Workpackage 4 - Surveying Demand, Supply and Use of Care. Available at <http://144.82.35.228/carework/uk/reports/index.htm>.) It is a rough estimate based on parental employment rates, excluding self-employment, family workers and temporary employment rates.

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 period 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 dependent 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 a 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 & 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 dependent 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 case 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 2004, 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 2005, 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 from the first survey are starting to be published (as the ones included in the previous section). The data base is being improved and will be supplemented in future years with tax and household data. From the perspective of leave arrangements, the database only provides limited information; however, for the first time it does provide rather more 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 or characteristics of users). Comparative data on social expenditure on maternity and parental leave, compiled both by Eurostat and the OECD, highlight the low priority given to leave benefits in Spanish policies.

Some academic research treats the issue of leave in the framework of research on reconciliation of employment and family life, but only in very 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 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 2004, including results from research studies

Torns, T., Borràs, V. and Carrasquer, P. (2004) 'La conciliación de la vida laboral y familiar: ¿un horizonte posible?', *Sociología del Trabajo*, nueva época No.50, winter 2004: 111-139.

This article presents the results of qualitative research exploring how cultural values and social attitudes restrict the use and development of measures for the reconciliation of work and family life, including leave arrangements.

Escobedo, A. (2004) 'State-of-the-art review on the relationship between formal and informal care work', in: B. Pfau-Effinger (ed.) *Review of Literature on Formal and Informal Work in Europe (Discussion Paper no.2)*. Hamburg: University of Hamburg. Available at: <http://www.sozialwiss.uni-hamburg.de/Isocz/iso2/forschprojekte/fiwe/>. Working paper reporting on findings from a European comparative research project about formalisation and informalisation of care work and the combination of formal employment and family-based care by individuals; leave arrangements are considered, as semi-formal forms of care work.

Comajuncosa, J., Escobedo, A., Flaquer, L., Laborda, A., Obeso, C., Sánchez, E. and Serrano, R. (2004) *Informe Randstad. Calidad del trabajo en la Europa de los Quince: Las políticas de conciliación*. Barcelona: Instituto de Estudios Laborales de ESADE.

Review of reconciliation of work and family life and leave in Spain compared with other EU15 and OECD member states, and of collective agreements approved between September 2003 and February 2004 in Spain.

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.

c. Ongoing research

La conciliació de la vida laboral i familiar del personal al servei de les administracions locals catalanes (2004-2007). Carolina Gala, Department of Public Law and Legal History Studies, Universitat

Autònoma de Barcelona, funded by CENICAL (Consorti Estudis i Mediació de l'Administració Local, Diputació Barcelona).

The study investigates regulations and collective bargaining at the level of the Catalan government in the field of reconciliation of work and family life, which mostly relates to leave arrangements. Contact: carolina.gala@uab.es

Leave arrangements for working parents and informal carers in Spain: evaluation and development perspectives in the framework of the European Union (2006-2007). Lluís Flaquer, Anna Escobedo and Lara Navarro, Department of Sociology, Universitat Autònoma de Barcelona (UAB), funded by the Spanish Institute of Social Security (Ministry of Labour and Social Affairs).

The project consists of an exploratory evaluation of the Spanish system of leave arrangements for family reasons, based on qualitative methods and a review of available documentation and administrative data. The study is expected to result in a proposal of quantitative indicators and evaluation methods to monitor the impact of legal changes and the factors associated with take-up rates, and to undertake cost and benefit analyses. Contact: Anna.Escobedo@uab.es; Lara.Navarro@uab.es

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-oriented 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 more in-depth approach. Contact: Anna.Escobedo@uab.es.

2.23

Sweden

Anders Chronholm, Linda Haas and Philip Hwang

Population (UNDP)	2004	9 million
Total Fertility Rate (UNDP)	2000-05	1.6
GDP per capita (UNDP)	2004	US\$29,541
Female economic activity (UNDP)	2004	58.8 per cent
As % male rate (UNDP)	2004	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 (ECEO)		
Mothers	2003	No data
Fathers	2003	No data
Employment impact of parenthood (ECI)		
Men	2005	-10% points
Women	2005	+2.6% points
Gender-related Development Index (UNDP)		5 th
Gender Empowerment Measure (UNDP)		2 nd
Access to regulated ECEC services (OECD) ³⁹		
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

³⁹ The access rate in 2005 was 83 per cent for children aged one to five years of age

to the foetus. Other pregnant women may use paid Parental leave or sick leave up to 60 days before the baby is due.

b. Paternity leave (*pappadagar*) (responsibility of the Ministry of Social Affairs)

Length of leave

- Ten days (+ 60 days = father's 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) (approximately €44,100).

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. 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 father

- 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 is 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 is 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) (approximately €44,100); the remaining 90 days at a flat-rate

payment of SEK180 a day (€20). (A special formula has been introduced, reducing earnings by 1.1 per cent before counting the 80 per cent of earnings). Non-eligible parents receive SEK180 (€20) 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 denominated 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. A parent remains qualified for highly paid parental leave 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, she/he 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 now low-paid. In the private sector, unions have been more likely to negotiate 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; 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 ten days, considered to be part of temporary (paid) parental leave (*tillfällig föräldradighet*) (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. Paid at 80 per cent of earnings. This is a family entitlement and it can be used to care for sick children. Sixty of these days can also be used to stay home with young children if the regular care-giver is sick. Since 2001, it 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 ten '*pappadagar*' (see 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 and other related developments since 2004 (including proposals currently under discussion)

In October 2006, a new centre-right government was elected. The new government has made a proposal to introduce a gender equality bonus to increase financial opportunities for families to divide parental leave more equally between the mother and the father of the child. The bonus will allow the parent with the lowest wage an extra tax reduction when the parent with the higher wage stays at home. This will also apply to parents who do not live together.

Another proposal is for a municipal child-raising allowance. Local authorities will be able to decide whether to provide a benefit of up to SKK 3,000 (approximately €322) 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 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'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 have taken 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 ten 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 have taken 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 seven per cent of total Parental leave days that year; in 2005, it had increased to 19.5 per cent (JämO, 2006⁴⁰), and during 2006 it increased further to 20.6 per cent (Försäkringskassan, 2007⁴¹). 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 pre-school age) (ibid.)

e. Other employment-related measures

Mothers are more likely than fathers to work part-time hours; 33 per cent versus eight per cent worked 34 hours a week or less in 2002 (Barljan et al., 2004). 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

⁴⁰ JämO [Jämställdhetsombudsmannen - Gender equality ombudsman] (2006). Pappornas föräldraledighet ökar långsammare, January 17. Available at: www.jamombud.se/news

⁴¹ Available at: <http://www.forsakringskassen.se/omfk/analys/barnfamilj/foraldrap/#pappa>

(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).

4. Research and publications on leave and other employment-related policies since January 2004

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 2004, including results from research studies

Barljan, I., Tillander, S., Ljungh, S. and Sjöström, M. (2004) *Föräldrapenning, pappornas uttag av dagar, fakta och analys [Parental Insurance, Fathers' Use of Days, Facts and Analysis]*. Stockholm: Socialdepartementet.

After the first pappa month was instituted in 1995, 15 per cent of fathers did not use it by the time their children turned eight years, which also meant that those children had 30 days less at home with parents (their mothers) than they would have had earlier. The authors call for the government to find ways to stimulate fathers' leave-taking without necessarily increasing the number of months that are dedicated only for fathers' use.

Bygren, M. and Duvander, A-Z. (2004) 'Ingen annan på jobbet har ju varit pappaledig' - Papporna, deras arbetsplatser och deras pappaledighetuttag ['No one else at this workplace has taken father leave' - Fathers, their workplaces and their use of Parental leave], in: M. Bygren, M. Gähler and M. Neramo (eds) *Familj och arbete [Family and Work]*. Stockholm: SNS Förlag pp. 166-193.

Using data on 6,243 new fathers in Stockholm, this study found that fathers take more parental leave if fathers at their workplace have taken leave in the two preceding years, which they regard as the establishment of a workplace norm for fathers' leave taking. This pattern persists after controlling for individual factors e.g. education and income, and workplace factors, e.g., sector, proportion of employees who are women. Men at higher income levels appeared to be more sensitive to workplace norms regarding fathers taking parental leave than other groups of fathers.

Ekberg, J., Eriksson, R. and Friebel, G. (2004) *Sharing Responsibility - Short- and Long-Term Effects of Sweden's 'Daddy-Month' Reform*

(*Swedish Institute for Social Research Working Paper No. 3*). Stockholm: Swedish Institute for Social Research.

This research report evaluates the effect of instituting the first daddy month, by examining leave-taking patterns of parents of two cohorts of newborns, born two weeks before and two weeks after the change. Before the change, only 46 per cent of fathers took at least some leave; after the change, 82 per cent of fathers took some leave.

Fransson, A. and Wennemo, I. (2004) *Mellan princip och praktik - En rapport om föräldraförsäkringen [Between Principle and Practice - A Report about Parental Leave]*. Stockholm: Landsorganisationen.

Findings from a survey of parents revealed that union and party affiliation were related to parents sharing parental leave: blue-collar workers and those affiliated with the Social Democrats and more conservative parties were less likely to share than white-collar workers and those affiliated with other left-wing parties.

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 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: Bonniers.

This book uses material from interviews with 20 fathers to report on the difficult transition taking place in Sweden where 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.

Lidström, M. (2005) *Socialförsäkringstaket och föräldralön - ekonomi vid föräldraledighet [Social Insurance Ceilings and Parents' Pay - Economy at 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 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 lowly paid. 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, such contracts 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 will 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 workers' union federation reports], nr. 17/05. Stockholm: TCO

This report features the results of phone interviews with a random sample of 1,000 Swedes, ages 15-74. Almost all (97 per cent) think parental leave should be shared, but most (90 per cent) oppose the trend toward 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: parents thought parents should decide themselves how parental leave should be shared, but the majority were still positive toward the increase in number of pappa and mamma months, and thought fathers should take 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) *Föräldraledighet och arbetstid [Parental Leave and Worktime]*. Stockholm: Landsorganisationen [Blue-collar workers' union federation].

This report analyses data on labour market involvement of parents who had their first-born 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, become weaker from the standpoint of economic independence after they take leave.

Almqvist, A-L. (2006) 'To care or not to care? Arguments about the use of paid parental leave in French and Swedish families', paper given at the XVI World Congress of Sociology, Durban, South Africa. Available at: anna-lena.almqvist@mdh.se.

Using interview data from 80 French and 80 Swedish families, the study found that French couples were more likely to say that mothers should take care of young children, and to use women's weaker labour market participation as a reason for mothers taking more Parental leave. In both settings, fathers reported experiencing negative attitudes from employers if they wanted to take leave. Swedish couples reported that the availability of special 'daddy months' helped fathers take leave.

Bygren, M. and Duvander, A-Z. (2006) 'Parents' workplace situation and fathers' parental leave use', *Journal of Marriage and Family*, Vol. 68, May: 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. They conclude 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:

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 1988-99. 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 analyzes data on suspect cheating regarding the use of temporary parental leave. The result shows that up to 22.5 per cent of the paid benefit probably is 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: Ellingsaeter, A. and Leira A. (eds) *Politicising Parenthood in Scandinavia*. Bristol, UK: The Polity 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 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 2003-4 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 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*. PhD 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.

Haas, L. and Hwang, P. (2007) 'Gender and organizational 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 doctrine 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.

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 who claim that the primary reason for the division of Parental leave was economy or the father's work are often dissatisfied.

Meyer, A, (2007) *Studies on the Swedish parental insurance*. PhD thesis. University of Lund. Lund: Department of Economics, Lund University.

This dissertation contains three essays considering different aspects of the 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 is 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 reduce the so-called 'signaling costs', i.e., reduced advancement possibilities in the labour market. The third essay focuses on what influences parents' satisfaction with the sharing of Parental leave. If their labour market situation largely influences the sharing of their Parental leave they are less likely to be satisfied.

Haas, L. and Hwang, P. (forthcoming, 2008) 'The impact of taking parental leave on fathers' participation in childcare and ties with children: Lessons from Sweden', *Community, Work & Family*, Vol. 11, No. 3.

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.

c. Ongoing research

Company and unions' responsiveness to fathers - a follow-up (2005-06). 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 ten years. Contact: Linda Haas at lhaas@iupui.edu.

2.24

United Kingdom

Margaret O'Brien and Peter Moss

Population (UNDP)	2004	59.5 million
Total Fertility Rate (UNDP)	2000-05	1.7
GDP per capita (UNDP)	2004	US\$30,821
Female economic activity (UNDP)	2004	55 per cent
As % male rate (UNDP)	2004	79 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 (ECEO)		
Mothers	2003	61.8 per cent
Fathers	2003	90.9 per cent
Employment impact of parenthood (ECI)		
Men	2005	+6% points
Women	2005	-21.2% points
Gender-related Development Index (UNDP)		16 th
Gender Empowerment Measure (UNDP)		16 th
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 and Regulatory Reform⁴²)

Length of leave (before and after birth)

- Fifty-two weeks. A woman can start to take her leave from the beginning of the eleventh week before her baby is due.

⁴² See pages 46-47 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 £112.75 (approximately €165) 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 fifteenth 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 £112.75 (approximately €165) 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. In 2004, 57 per cent of workplaces with ten or more employees provided fully paid Maternity leave and 55 per cent of workplaces with ten or more employees provided fully paid paternity or discretionary leave for fathers (Kersley et. al., 2005).

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 £112.75 (approximately €165) a week.

Flexibility in use

- None except for when leave can be started after birth.

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

- Male 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 fifteenth 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)

- In 2002, 35 per cent of workplaces had a written policy giving employees an entitlement to a specific period of Parental leave (Woodland et al., 2003).

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 eighteenth 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'.⁴³ A recent survey 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, with only a quarter of the

⁴³ 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>

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 £112.75 (approximately €165) 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.'⁴⁴ 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.'⁴⁵

⁴⁴ 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>

⁴⁵ 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 and other related developments since 2004 (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.

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 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 additional Parental leave 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 has been consultation on the detail of the scheme, with a Government response setting out the entitlement in broad terms, published in August 2006, and a further consultation on the detailed administration of the scheme in 2007⁴⁶.

3. Take-up of leave

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 9 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. Higher-earning workers and those working in the

⁴⁶ 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>

public sector or in a workplace with trade union representation are more likely to receive such additional income (Smeaton and Marsh, 2006). A recent 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). A recent 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).

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

There is no national information on overall take-up of other employment-related entitlements, such as use of flexible working, as such data are not routinely collected. A 2002 survey found that 60 per cent of mothers and 52 per cent of fathers knew about the right to request flexible working, but only 10 per cent of this group reported having used the entitlement (Hudson et al., 2004).

Survey data from before the introduction of the time-off entitlement show that both fathers and mothers take unpaid leave to look after children (e.g. when child is ill) but the uptake is lower for fathers. Twenty-two per cent of fathers reported taking leave to care for children, rising to 28 per cent for those whose youngest child was less than 11 years. Comparative figures for mothers were 29 and 41 per cent respectively (O'Brien and Shemilt, 2003).

The results of the Second Flexible Working Employee Survey 2005 (Holt and Grainger, 2005) show that almost a quarter of employees with dependent 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 to 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.

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 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).

4. Research and publications on leave and other employment-related policies since January 2004

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 2004, including results from research studies

Hudson, M., Lissenburgh S. and Sahin-Dikmen M. (2004) *Maternity and Paternity Rights in Britain 2002: Survey of Parents*. London: Department of Work and Pensions. Available at:

<http://www.dwp.gov.uk/asd/asd5/ih2004.asp>

This report examines awareness among mothers and fathers of maternity and paternity rights, the provision by employers of additional 'work-life balance' policies and take-up of statutory rights and employer policies.

Palmer, T. (2004) *Results of First Flexible Working Employee Survey (DTI Employment Relations Occasional Paper)*. London: Department of Trade and Industry. Available at:

<http://www.berr.gov.uk/files/file27455.pdf>

This report examines the knowledge and use of the legal right, introduced in April 2003, for employees to apply to their employers to work flexibly.

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 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*. DTI, London <http://www.berr.gov.uk/files/file38387.pdf>

This report is the third in the series, and examines employee take-up of work-life balance practices and the impact of employer provision.⁴⁷

Smeaton, S. and Marsh, A. (2006) *Maternity and Paternity Rights and Benefits: Survey of Parents 2005 (Employment Relations Research Series. No. 50)*. London: DTI. 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, Working Paper Series. No. 57*. Manchester: Equal

⁴⁷ Since this chapter was drafted, the full report has been published. See Hooker, H., Neathy, F., Casebourne, J. and Munro, M. (2007) *The Third Work-Life Balance Employees Survey: Main findings*, Employment Relations Research Series No.58. DTI, London <http://www.berr.gov.uk/files/file38388.pdf>

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.

2.25

United States

Sheila B. Kamerman and Jane Waldfogel

Population (UNDP)	2004	295.4 million
Total Fertility Rate (UNDP)	2000-05	2.0
GDP per capita (UNDP)	2004	US\$39,676
Female economic activity (UNDP)	2004	59.6 per cent
As % male rate (UNDP)	2004	81 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 (ECEO)		
Mothers	2003	No data
Fathers	2003	No data
Employment impact of parenthood (ECI)		
Men	2005	No data
Women	2005	No data
Gender-related Development Index (UNDP)		8 th
Gender Empowerment Measure (UNDP)		12 th
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 €192) a week on average in 2005) 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 €620) 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 will cost a minimum wage-earner an additional US\$11.23 a year for this benefit while the estimated average additional costs will pay a maximum of US\$46 (approximately €34).

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 and other related developments since 2004 (including proposals currently under discussion)

No changes in leave policy at federal level have taken place recently or are currently under discussion, but there have been new and proposed initiatives at the state level. The California comprehensive paid family leave law (see section 1a above) was implemented in 2004. In April 2007, the legislature in the State of Washington passed a paid family leave bill, granting workers in firms with 25 or more employees up to five weeks of paid leave annually to care for a newborn or adopted child, in effect becoming the second state to enact a comprehensive paid family leave law. The New Jersey state legislature has approved legislation building on the state TDI covering up to 12 weeks of TDI benefits at two-thirds of previous earnings up to US\$502 a month (approximately €370) to cover workers on leave to care for a newborn, adopted or foster child, or sick child, parent, spouse, or partner. The New York State legislation, also building on its TDI policy, is proposing similar but less generous legislation but replacing only half of previous earnings up to a maximum of US\$170 a week (approximately €125).

Minnesota, Montana and New Mexico have active At-Home Infant Care (AHIC) 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. At least three states, Minnesota, Montana and New Mexico, have experimented with AHIC programmes.

3. Take-up of leave

Because of the qualifying conditions, only about 58 per cent of workers in private firms are eligible for the national/federal 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, 1996⁴⁸; 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 effects on leave usage by new mothers (Ross,

⁴⁸ 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.

1998⁴⁹; Waldfogel, 1999⁵⁰; 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 2004

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 that 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 2004, including results from research studies

Ross Phillips, K. (2004) *Getting Time Off: Access to Leave Among Working Parents (Series B, No. B-57)*. Washington, DC: Urban Institute, NSAF New Federalism.

This report presents analyses from the National Survey of American Families (NSAF) on access to leave among working parents.

Ruhm, C. (2004) *How well do Parents with Young Children Combine Work and Family Life? (NBER Working Paper)*. Cambridge, MA: National Bureau of Economic Research. Available at <http://www.nber.org/papers/w10247.pdf>

This study examines trends in labour force involvement, household structure, and some activities that may complicate the efforts of parents with young children to balance work and family life. It considers whether employer policies mitigate or exacerbate these difficulties and, since the policies adopted in the United States diverge dramatically from those in many other industrialised countries, provides some international comparisons before speculating on possible sources and effects of the differences.

⁴⁹ 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.

⁵⁰ Waldfogel, J. (1999), 'The Impact of the Family and Medical Leave Act', *Journal of Policy Analysis and Management*, Vol. 18, No. 2: 281-302.

Berger, L.M., Hill, J. and Waldfogel, J. (2005) 'Maternity leave, early maternal employment and child health and development in the U.S.' *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:QtVTVUdb884J:www.economics.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 leave never returned to their jobs and appear to be leaving the labour force.

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 1969-2000. The focus is 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.

Annex 1

International Network on Leave Policies and Related Research

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 into 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 both from 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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- No. 40 *2002 Compendium of Regulatory Impact Assessments.* Employment Market Analysis and Research. URN 05/582. April 2005
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First published July 2007. © Crown copyright. BERR/7/07/NP. URN 07/1232. ISBN 978-0-85605-702-1