

LEAVE POLICIES

Working parents today in most countries are entitled to a range of different types of leave. Maternity leave is available to mothers only. 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 is 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 is available both to mothers and fathers, either as a non-transferable individual right or as a family right that parents can divide between themselves as they

choose. It is the opportunity to spend time caring for a young child; it usually can only be taken after the end of maternity leave.

Maternity leave

Of the 22 countries we investigated, three 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 de facto maternity leave. In the case of Australia and Sweden, 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 Sweden, it is unpaid in Australia and the United States (see Table).

Statutory leave entitlements

	Maternity leave	Paternity leave	Parental leave		Total post-natal leave months	
Australia	x	x	✓	F	12	(0)
Belgium	✓✓✓	✓✓✓	✓✓	I	9.5	(9.5)
Czech Republic ^{a)}	✓✓✓	✓	✓✓*	I	36	(36)
Denmark	✓✓✓	✓✓✓	✓✓✓	F	10.5	(10.5)
Estonia	✓✓✓	✓✓	✓✓	F	36	(36)
Finland	✓✓✓	✓✓✓	✓✓✓	F	36	(36)
France ^{b)}	✓✓✓	✓✓✓	✓✓*	F	36	(36)
Germany ^{c)}	✓✓✓	x	✓✓*	F	36	(24)
Greece	✓✓✓	✓✓✓	✓	I	9	(2)
Hungary	✓✓✓	✓✓✓	✓✓✓	F	36	(36)
Iceland	✓✓✓	x	✓✓✓	F/I	9	(9)
Ireland	✓✓	x	✓	I	14	(4.5)
Italy ^{d)}	✓✓✓	x	✓✓	I	13.5	(13.5)
Netherlands	✓✓✓	✓✓✓	✓	I	8.5	(2.5)
Norway	✓✓✓	✓	✓✓✓	F/I	36	(12)
Portugal	✓✓✓	✓✓✓	✓	I	34	(4)
Slovenia	✓✓✓	✓✓	✓✓✓	I	12	(12)
Spain	✓✓✓	✓✓✓	✓	I	36	(3.5)
Sweden ^{e)}	x	✓✓✓	✓✓✓	F/I	(g)	
United Kingdom	✓✓	✓✓	✓	F	18	(6)
Canada	✓✓✓	✓	✓✓✓	I	12	(11.5)
Québec					16	(15.5)
USA ^{f)}	x (h)	x	x		0	

Maternity, paternity and parental leave columns: x = no statutory entitlement. ✓ = statutory entitlement but unpaid; ✓✓ = statutory entitlement, paid but either at a low flat rate or earnings-related at less than 50 percent of earnings or not universal or for less than the full period of leave; ✓✓✓ = statutory entitlement, paid to all parents at more than 50 percent 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" leaves.

^{a)} Parental leave may be taken until child is three years, but benefit is paid until child is four.

^{b)} Parental leave payment to parents with one child until six months after the end of maternity leave.

^{c)} Parental leave payment after maternity leave until child is two years and means tested.

^{d)} Parental leave is six months per parent, but total leave per family cannot exceed 10 months.

^{e)} 480 days of paid leave per family (divided between individual entitlements and family entitlement), 390 days at 90 percent of earnings and 90 days at a low flat rate; each parent also entitled to 18 months unpaid leave.

^{f)} Parents may take up to 12 weeks unpaid leave for childbirth or the care of a child up to 12 months as part of the federal Family and Medical Leave Act; employers with less than 50 employees are exempt.

Source: Moss and O'Brien (2006).

The period of maternity leave is mostly between 14 and 20 weeks, with earnings-related payment (between 70 and 100 percent) throughout. There are four main exceptions. Maternity leave in Hungary is 24 weeks, in the Czech Republic 28 weeks, in Ireland 34 weeks and in the United Kingdom 52 weeks. In the last two countries leave is not paid for the full period.

There is not much flexibility in maternity leave, indeed taking leave is obligatory in some countries (e.g. German, 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.

Paternity leave

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. 15 of the 22 countries under review have paternity leave, which (with two exceptions) varies from two to 10 days and is usually paid on the same basis as maternity leave. The two exceptions are: Finland, which provides 18 days of paternity leave, with a further 12 “bonus” days for fathers who take the last two weeks of parental leave; and Portugal which now provides 20 days paternity leave, five days of which is obligatory, i.e. fathers must take leave.

Parental leave and childcare leave

These two forms of leave are considered together here, as childcare leave can usually be taken immediately after parental leave, thereby creating one continuous period of leave. All EU member states must provide at least three months leave per parent for childcare purposes. Four of the non-EU countries in this overview also provide parental leave, the exception being the United States. In six countries, parents can take additional “childcare” leave after parental leave finishes.

Countries can be divided 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. In the former camp come Australia, Belgium, Canada, Denmark, Greece, Iceland, Ireland, Italy, Slovenia and the United Kingdom. In the latter camp are the Czech Republic,

Estonia, Finland, France, Germany, Hungary, Norway, Portugal and Spain. Sweden falls in between.

Parental leave is a family entitlement in eight countries, to be divided between parents as they choose, an individual entitlement in another 10 countries and mixed (part family, part individual entitlement) in three countries.

A majority of countries (14) provide some element of payment. However, in six cases (Belgium, Czech Republic, Estonia, France, Germany and Italy) payment is rather low. Only eight 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 that has supplements for users with additional children and lower incomes. In some cases – notably the Czech Republic, France and Germany – parents on leave receive a general “childrearing” benefit that is paid to all parents with young children, not just confined to those taking leave.

Parental leave can be used in a flexible way. Flexibility takes three 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, Portugal, Sweden); second, the possibility of taking leave in one continuous block or several shorter blocks (e.g. Estonia, Greece, Iceland, Spain, Sweden); third, the possibility of taking 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 and Sweden).

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Reference

Moss, P. and M. O'Brien (2006), *International Review of Leave Policies and Related Research 2006*, DTI Employment Relations Research Series, no. 57, London.