



Legal Seminar

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Reconciliation - Laws to facilitate work-life balance for working parents

Linda Senden

Report written by Aileen McColgan



Introduction

- **Background:** reconciliation high on the Commission's agenda, while some matters touched upon in previous Network reports
 - *Discrimination related to pregnancy and maternity*
 - *Parental Leave Report*
- **Purpose:** comparative analysis
- **Focus:**
 - Flexible working arrangements and flexibility of family-related leave
 - To what extent do current national legal frameworks and practices facilitate or hinder reconciliation
 - how have the countries surveyed exceeded EU requirements?



Themes

- Models of work-life balance
 - In relation also to child-care and labour market participation
- Reconciliation measures
 - Part-time work
 - Flexibility re organisation and location of work
- Leaves
 - Maternity, parental, paternity leave
 - Care leave
- Consideration of reconciliation measures against labour market participation
 - employment rates
 - part-time working



Models of family work-life balance

➤ Traditional

- women leave the labour market while children are most dependent and return part-time when the youngest child starts school
- The norm in countries with low part-time work and low absolute and relative levels of female labour-market participation (**Hungary, Romania, Poland**)
- related to decline in labour-market desirability of the primary care giver

➤ Intermediate

- one parent switches to part-time hours after a period of parental leave without leaving the labour market for any significant period
- the norm in countries where women's involvement in part-time work is high (**Luxembourg, Germany, Austria, Belgium, UK**)
- helps maintain the labour-market link and return to work at a similar level



Models of family work-life balance

➤ Progressive

- Reasonably lengthy periods of parental leave to deter use by one parent alone
- Both parents work part-time (30-35) hours and participate in childcare
- Seen in – **Scandinavian** - states with high levels of relative and absolute female labour-market participation but not of part-time working
- Most gender equitable because it facilitates gender equality in practice



relation with childcare & labour-market participation

- 'Across the EU, part-time work is more concentrated in elementary occupations and less concentrated in professional and managerial roles than full-time work (IPPR study)
- The number of hours worked by parents depends in part on the availability of good-quality and affordable childcare
- Parental leave and part-time work can hold down women's wages but are likely to have less impact than a lengthy departure from paid work



Availability of childcare across European States

Group 1	Group 2	Group 3	Group 4
Belgium	Estonia	Austria	Bulgaria
Denmark	Germany	Cyprus	Croatia
France	Ireland	Finland	Czech Republic
Iceland	Italy	Hungary	Greece
Norway	Malta	Latvia	Poland
Slovenia	Netherlands	Lithuania	Romania
Sweden	Portugal	Luxembourg	Slovakia
	Spain	United Kingdom	Switzerland



Reconciliation measures: part-time / flexible work I

Country	access to reduced hours		compensation?
	tied to reconciliation purposes?	right or right to request?	
Austria	Yes	Right	No
Belgium	Yes	Right	Yes
Bulgaria	No	Right to request	No
Croatia	N/A	N/A	No
Cyprus	No	Right to request	No
Czech Republic	Yes	Right, with exceptions	No
Denmark	Yes	Right to request	No
Estonia	Yes	Right to request	No
Finland	Yes	Right, with exceptions	Flat-rate benefit
France	No	Right to request	No
Germany	No	Right, with exceptions	No
Greece	Private sector only	Collective agreements only	No



Part-time / Flexible work II

Country	access to reduced hours		compensation?
	tied to reconciliation?	right or right to request?	
Hungary	Yes	Right	No
Iceland	No	Right, with exceptions	No
Ireland	Yes	Right to request	No
Italy	No	Collective agreements only	No
Latvia	Yes	Right	Possibly (unclear as yet)
Liechtenstein	No	Right to request	No
Lithuania	Yes	Right	Sometimes
Luxembourg	Public sector only	Right	No
Malta	Yes	Right to request	No
The Netherlands	No	Right to request	No
Norway	Yes	Right	No
Poland	Yes, during (extended) period of additional maternity/parental leave	Right	No



Part-time / Flexible work III

Country	access to reduced hours		compensation?
	tied to reconciliation purposes?	right or right to request?	
Portugal	Yes	Right, with exceptions	No
Romania	Yes	A few collective agreements provide	No
Slovakia	Yes	Right, with exceptions	No
Slovenia	Yes	Right	Social security contributions paid for some parents
Spain	Yes	Right	Sometimes
Sweden	Yes	Right	Sometimes
United Kingdom	No	Right to request	No



Maternity & paternity leave

➤ Maternity leave

- Between 14 and 44 weeks
- An increasing number of states allow some sharing (**UK, Bulgaria, Poland, Portugal, Hungary, Spain**)
- The most common pattern is 14-18 weeks and is not transferable
- In some cases it may be taken on a part-time basis which usually results in extended duration

➤ Paternity leave

- Reserved to fathers/women's partners (male or female)
- Generally for a period of two weeks or less – except in **Iceland, Finland and Slovenia**
- Some countries have no general right to paternity leave (**Cyprus, Croatia, Slovakia, Liechtenstein, Ireland**)
- Not transferrable in any country



Shared parental leave

- Length, payment and transferability varies:
 - parents may assign part or all of their individual rights to each other (**Cyprus, Bulgaria, Croatia, Ireland**)
 - leave is provided on a *per* child basis and may be taken by either parent (**Estonia, Denmark, Finland, Italy**)
 - the leave is for a period of the child's life and may be taken simultaneously or consecutively (**Austria, Hungary**)
 - leave is transferable in the public sector only (**Greece**)
- May be taken on a part-time basis which usually results in extended duration (the case in which the period of parental leave is far in excess of EU requirements - **Germany, Hungary, Austria or Poland**)



The ‘progressive’ approach

- the ability to share periods of maternity leave
- the provision of lengthy (paid) paternity leave and/or reasonably long periods of parental leave designed to encourage uptake by fathers
- ‘Stand out’ progressive states include
 - **Norway** (at least some maternity leave to be taken part time)
 - **Finland, Iceland and Slovenia** (periods of at least 4 weeks paternity leave with at least some pay)



Country	purpose(s) of leave	maximum period of leave	compensation?	other relevant information
Austria	Care of disabled or terminally ill close relatives	Six months	No	Worker may instead reduce hours of work
Belgium	Care of young or disabled children or seriously ill relative	48 months over a career	State benefits	Private sector only, subject to 24 months' service and may be taken part-time
Bulgaria	Care of sick child, spouse or relative	Up to 60 days per year for a child, 10 for an adult	70 % pay	
Croatia	Care of ill relatives	20 days per illness	70 % of salary, capped	
Cyprus	No	Right to request	No	
Czech Republic	Care of family member	9 days	State benefits (60 % wages)	
Denmark	Care of disabled/ terminally ill relative	6+ months	Yes	



Care Leave II

Country	purpose(s) of leave	maximum period of leave	compensation?	other relevant information
Finland	Care of sick relative	Indefinite	Unpaid	Best practice rather than justiciable right
France	Care of a terminally ill child or spouse	Six months	State benefits available	May be taken part time
Germany	Care of close relative	Two years	State benefits available	May be taken part time
Greece	Care of child or spouse in hospital or requiring transfusions, or disabled child	22 days per year	Yes	Public sector workers only
	Care of sick dependents	6 days per year	No	
Hungary	Care of seriously ill or disabled person	Two years	State benefits may be available	Indefinite leave of absence also available
Ireland	Care of seriously ill or disabled person	104 weeks	<u>No</u>	Subject to one year of continuous service



Care Leave III

Country	purpose(s) of leave	maximum period of leave	compensation?	other relevant information
Italy	Care of seriously disabled relatives	Three days per month	No	Details of the nature of such leave to be determined between employer and worker
	Care of seriously disabled spouse	Two years	No	
	Death or serious illness of a close relative	Three days per year	Yes	
	For serious family reasons	Two years over a career	No	
Lithuania	Care of sick child, relative or spouse	120 days per year for a severely ill child, 7 for an adult	State benefits	
The Netherlands	Care of ill parent or partner	10 days	Yes at 70 %	May be taken part time
	Care of close relative or dependent	12 weeks part-time work	No	Worker may reduce hours by up to 50 %



Care Leave IV

Country	purpose(s) of leave	maximum period of leave	compensation?	other relevant information
Norway	Care of terminally ill intimates	60 days	Yes, equal to sick leave pay (100 % salary)	May be taken part time
	Care of relatives	10 days per year	Yes, equal to sick leave pay (100 % salary)	May be taken part time
Portugal	Care of grandchild where mother is a minor	30 days	No	May be taken part time
	Care of dependents	10 days a year	No	May be taken part time
Slovenia	Care of close relatives	14 days, capable of extension	80 % salary	
Spain	Care of infirm relatives	One year	No	May be taken as reduced hours
Sweden	Care of severely ill relatives	100 days (240 where the relative has AIDS)	State benefits	



Reconciliation and labour-market participation

- **Iceland, Norway, Sweden, Denmark, Finland and Estonia** do **well** in terms of female labour-market participation both absolutely and relative to men
- **Hungary, Poland, Slovakia, Romania, Croatia, Malta, Italy and Greece** do relatively **badly** in terms of absolute and relative female participation
- *States with low levels of labour-market participation have less flexible working arrangements*



Reconciliation and part-time working

- **Luxembourg, Germany, Belgium, Austria and the United Kingdom** have absolutely and relatively **high** proportions of female part-time workers
- **Estonia, Hungary, Latvia, Slovakia, Lithuania, Croatia, Bulgaria and Romania** have absolutely and relatively **low** proportions of female part-time workers



Various correlations

- *The quality of part-time work women have access to is a significant factor in determining their labour-market status, pay and prospects*
- *High correlation between the extent of female part-time working and the degree of female labour-market participation*
- *Relatively high correlation between low female participation rates and low rates of part-time work*