



PARENTAL LEAVE AND CARERS LEAVE: INTERNATIONAL PROVISION AND RESEARCH

Report for the Department of Labour:
Susan Kell Associates

EXECUTIVE SUMMARY

The purpose of this report is to review available international research and information on international provisions of parental leave and carers' leave arrangements, as well as any proposed changes for the future. The areas of particular interest are:

- ring-fenced paid parental leave;
- part-time parental leave-taking;
- unpaid carers' leave; and
- general overview information, including
 - leave provisions (if any) for precarious and casual employees;
 - standard duration of paid and unpaid parental leave overseas;
 - findings from existing research evidence on optimal lengths of parental leave, including consideration of WHO and ILO guidelines;
 - any proposals for future development of provisions;
 - interface with flexible working arrangements; and
 - importance of the policy context.

Most countries for which information has been included in this report offer some form of leave, paid and/or unpaid, to employees to be taken at or around the birth of a child. Comparison of provisions is a complex matter because of the variety of different combinations of arrangements involved.

Two major research reports published in the last two years provide the basic information regarding the leave provisions discussed in this report:

- the large cross-national study of leave arrangements in 19 countries undertaken as part of the continuation of the work of the former European Commission Childcare Network (Deven and Moss, 2005); and
- a similar study covering much the same ground (22 countries plus the province of Quebec) undertaken by members of the International Network on Leave Policy and Research, which includes an account of discussions at a seminar of members held in London in November 2005 (Moss and O'Brien, 2006).

In general terms, countries divide up into those where continuous post-natal leave available, including maternity leave, parental leave and childcare leave, comes to around nine to 15 months (Australia, Belgium, Canada, Denmark, Greece, Ireland, Italy, Slovenia and the United Kingdom), and those where continuous leave can run up to 3 years (Czech Republic, Estonia, Finland, France, Germany, Hungary, Norway, Portugal and Spain). Sweden falls roughly in between at around 18 months if the leave available is taken continuously. Currently, Australia provides only unpaid parental leave, and the United States presents a different scenario with no statutory parenting leave available.

The prevalence of parental leave policies among the 23 countries reviewed reflects the dominance of EU member states in the sample. All EU states must provide at least three months leave per parent for childcare purposes, but no payment or flexibility requirements are stipulated. Provisions vary, according to length, basis of entitlement, payment and flexibility of leave conditions and

additional employment flexibility. Eligibility is usually based on employment status, or a preceding qualifying period of continuous employment, but not always with the same employer. The basis of entitlement to paid parental leave is fairly evenly divided between countries with family entitlement systems, and those where entitlement is individually based, but a few countries mix individual entitlement to maternity and paternity leave, with a family entitlement to parental leave.

The main opportunities to induce fathers to take leave are paternity leave and parental leave. Payment is now becoming more common, since research has shown fathers are unlikely to take the leave unless it is paid at a rate that provides realistic level of compensation for their lost earnings during leave. Taking some of the paid paternity leave entitlement is now compulsory in Belgium (3 days), Portugal (5 days) and Slovenia (15 days). In most countries paternity leave is non-transferable, so it is lost if not taken. This arrangement adds to the incentive to take the leave, although the incentive is stronger if the leave is paid.

No countries offered statutory *maternity* leave on an unpaid basis, although some proportions of leave were reported to be unpaid. In Canada and Norway paternity leave is available but unpaid, and parental leave is available but unpaid in Australia, Greece, Ireland, Netherlands, Portugal, Spain and the United Kingdom. Unpaid, extended childcare leave is offered in a small number of countries, and extended paid childcare leave is provided in Hungary.

Paid, post-natal leave can be taken part-time in: Belgium, Czech Republic, Denmark, Estonia, Finland, France (although employers can refuse on business grounds), Germany (employer's agreement needed in SMEs), the Netherlands (where every employee has the right to work part-time if they want to), Portugal, Slovenia, and Sweden. In addition, in Hungary part-time work of up to 4 hours a day with no reduction in benefit is permitted after the child reaches 18 months.

The issue of optimal length of leave is complex. The World Health Organisation currently recommends that infants should be breast fed for at least two years with weaning foods added from six months onwards – implying that exclusive breastfeeding for at least six months will provide the most desirable start in life for the young child. But other factors in the child's life such as the presence of the father and the financial stability of the family are also important. Kamerman (in Moss and O'Brien 2006) points out that longer paid maternity leave reduces infant mortality and neo-natal mortality, but unpaid leave does not have the same protective effect. In addition, longer leave improves other health outcomes, as children whose mothers return to work within the first three months after birth receive less health care.

The International Labour Organisation Convention 183 regarding maternity protection at work and Convention 156 on family responsibilities set out clear guidelines for countries to safeguard the interests of workers who are parents and the well-being of their children, by entitling workers to sufficient job-protected leave. But the issue of payment is left to the countries concerned, with the

acknowledgement that unpaid leave is likely to be unaffordable for many, and so will defeat the purpose of providing it. The OECD has voiced concerns in recent years regarding the relationship between lengthy leave for family purposes and women's labour market attachment. But it is important to acknowledge the policy context in which leave is situated: people's response to the leave will inevitably be shaped by other elements of the policy context, and not just by the existence of a leave entitlement.

The five main categories of policy context in which leave policies appear to operate are:

- maternal and child health
- well-being of pre-school children
- income security in families with children
- labour market attachment for mothers
- gender equity within families, and in the labour market.

Very many countries are now strengthening their statutory leave policies, with the state intervening increasingly to regulate the labour market and increase social benefits for parents taking leave. In nearly all cases, the direction of the change is toward increasing the scope and flexibility of leave entitlements, and many focus on extending fathers' rights.

Policies associated with prioritising maternal and child health are associated with maternity leave that is compulsory for all or some of its duration. A number of countries also make a spell of leave before the birth compulsory as well as afterwards. In addition, multiple births are the focus of policies in many countries that double the leave entitlements (i.e. the paid duration) for twins and triple it for triplets, in recognition of the far higher level of pressure on parents associated with a multiple birth.

The policy instruments associated with prioritising the well-being of children include those associated with maternal and child health, plus provision of publicly-funded childcare places for all children, from as early in their lives as their mothers might need or wish to return to their jobs, or payments to enable parents to provide pre-school care themselves, if not using publicly-funded care.

Prioritising income security for families entails the provision either of paid, job-protected leave for all workers, or payments to all parents at the birth of a child, regardless of their employment circumstances, or both, plus income support for parents with particularly high caring responsibilities associated with having a child or a close family member with a serious illness or disability.

The policies associated with maintaining women's labour market attachment are those that focus on maximising the level of job-protection for those on leave, no matter which parent takes it, or in what circumstances, or for how long. Modes of flexibility practised among the 23 countries include taking leave in blocks of time over a longer period, say until the child is three (so that the actual duration of leave is still around nine months to a year); returning to work part-time while receiving the leave payments part-time; having the option to take a shorter leave

at a higher rate, or a longer leave at a lower rate; permitting both parents to take their parental leave at the same time, whether paid or not; being able to postpone the leave until a later time before the child reaches a certain age; being able to transfer the leave to another person such as a grandparent in cases where a parent is incapacitated; and having the right to request part-time work arrangements when they return to work, either permanently or for a set period. A further aspect of leave policies to assist parents to care for their children after they reach school age are annual or blocks of job-protected childcare leaves (often unpaid) of anything from a few days a year, to up to 13 weeks for each parent as in Iceland, until the child is eight, during which parents can attend important events involving their child, or care for them during school holidays.

Increasing demands for gender equity in many countries have been a factor in designing leave policies that distribute entitlements equally between parents. Provisions mostly in the Nordic countries have provided the greatest opportunities for gender equity: for example, in Iceland, each parent now has an individual entitlement to three months' paid leave that is non-transferable to the other parent. Eligibility includes all parents who have been economically active before the birth. A further three months of paid leave is available as a family entitlement, for the parents to distribute between themselves. Thus a high profile aspect of this policy is gender equity between the parents regarding the entitlement to leave, with the underlying focus that whoever takes the leave available via the family entitlement, the state safeguards up to nine continuous months of parental care for the child.

At a general level, this review of leave provisions in other countries suggests that in order to maximise outcomes over the range of competing policy objectives, leave policies will be most beneficial to children and parents (with consequent benefits for the economy) if they incorporate:

- Enough time to safeguard maternal health following the birth, and continuity of parental care to promote child health and well-being, facilitating exclusive breastfeeding at until the age of six months, then continuing in the child's life till at least one year and preferably two;
- A substantial level of income replacement during leave to encourage take-up, to protect families from either the potentially negative effects of economic hardship from re-entry to employment of the parent providing most of the care, at a time when the child is still very young;
- Ring-fenced paid leave for fathers - paternity leave and particularly parental leave - to encourage participation of fathers in the lives of their young children as well as alleviating gender inequity in the division of unpaid work in the household as well as in the labour market;
- Flexibility so that parents can choose what mix of leave and work arrangements will suit their family best;
- Building a stronger association between extended periods of exclusive care for young children with the status of being on leave from the labour market (if not from an individual employer), rather than with the status of being outside the workforce;
- ensuring a seamless continuity of affordable leave and care arrangements until the child reaches school age, so that there is always a leave option

for parents or a publicly-funded care option for the child during the first five years.

INTRODUCTION

The purpose of this report is to review available international research and information on international provisions of parental leave and carers' leave arrangements, as well as any proposed changes for the future. A commentary to inform ongoing New Zealand policy development regarding leave for parents and carers is provided. The areas of particular interest specified by the Department of Labour, plus other contextual matters relevant to the discussion concern the impacts of:

- ring-fenced paid parental leave;
- part-time parental leave-taking;
- unpaid carers' leave; and
- general overview information, including
 - leave provisions (if any) for precarious and casual employees;
 - standard duration of post-natal leave overseas;
 - findings from existing research evidence on optimal lengths of parental leave, including consideration of WHO and ILO guidelines;
 - any proposals for future development of provisions;
 - interface with flexible working arrangements; and
 - importance of the policy context.

This report is organised into sections that identify and discuss the international evidence and expert commentary available regarding each of the topics above, followed by a brief section discussing the relevance of these findings for New Zealand. Eight appendices provide a series of tables detailing aspects of the specific provisions in the 23 countries reviewed.

Definitions

In this report, the following definitions¹ are used to describe specific types of leave. Not all of the countries reviewed for this report use these exact definitions, however, due to linguistic and cultural differences in each country's terminology.

Statutory leave: Leave provided by law within a country, where the law sets out eligibility and entitlements to time off work and to payment (if any). Payments may be made by the government or by employers as the statute determines.

Maternity leave: Leave generally available to mothers only, except in a very few countries where part of the leave can be transferred to another person if the mother is seriously ill or absent. Maternity leave is usually understood to be a measure to enhance maternal and child health.

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 to mothers and to fathers, either as a non-transferable individual right – where both parents have an individual entitlement to an equal amount of leave – or as a family entitlement to leave that can be divided between the parents as they decide. Parental leave is generally

¹ The basis for these definitions is found in Moss and O'Brien (2006)

understood to be a care measure, intended to give parents the opportunity to spend time caring for a young child. Parental leave can usually be taken immediately following maternity leave, but in some countries all or part of it can be postponed until later on in the child's life (but usually to be taken before a certain age such as three years). In some countries, parental leave can be taken part-time and combined with part-time work.

Total post-natal leave: The total length of leave available to a family, comprising all of the available leaves to both parents directly associated with childbirth. The length of post-natal leave represents the time a young child would have at least one parent available to care for them full-time, while on leave from work. Considering the length of total post-natal leave makes possible comparisons among countries, since some have very long maternity leave but far less parental leave (eg the United Kingdom), and others have no statutory maternity leave but very long paid parental leave (e.g. Sweden).

Childcare leave: In a few countries, parental leave is supplemented by an additional period of leave intended also as a care measure, usually termed 'childcare leave' or 'home care leave'. Where provided, this extended leave usually is available until the child reaches a certain age such as three or eight years, or the age of compulsory schooling. The leave may be paid, means-tested or unpaid.

Career break: A less common form of leave generally open to all employees, not restricted to providing care.

Carers' leave: Leave available in order to provide emergency or ongoing care for other family members as well as young children.

RING-FENCED PAID PARENTAL LEAVE

Introduction

This section of the report focuses on the availability of ring-fenced paid parental leave, and the statutory provisions in countries that provide it. The areas of particular interest within this topic are:

- the entitlements available in those countries that have adopted paid parental leave (including entitlement, eligibility, timing and duration);
- the impact of ring-fencing provisions on the incidence of paid leave sharing between partners; and
- whether barriers persist for male partners (in those countries with ring-fenced paid parental leave) to choosing optimal paid parental leave arrangements.

Most countries for which information has been included in this report offer some form of leave, paid and/or unpaid, to employees to be taken at or around the birth of a child. Comparison of provisions is a complex matter because of the variety of different combinations of arrangements, but also because of the many overlaps in linguistic and cultural meaning among the terms maternity leave, paternity leave, parental leave and childcare leave. In many countries, leave is enshrined in statute, but in others it is placed mostly in employment agreements. Most feature combinations of both. This report focuses on statutory leave provisions, but where information is available on the extent of employer provision, it will be included. For further information on supplementation in collective agreements or individual employment policies, see EIRO (2004).

Two major research reports published in the last two years provide the basic information regarding the leave provisions discussed in this report:

- the large cross-national study of leave arrangements in 19 countries undertaken as part of the continuation of the work of the former European Commission Childcare Network (Deven and Moss, 2005); and
- a similar study covering much the same ground (22 countries plus the province of Quebec) undertaken by members of the International Network on Leave Policy and Research, which includes an account of discussions at a seminar of members held in London in November 2005 (Moss and O'Brien, 2006).

Both of these reports provide details about a variety of paid and unpaid leave provisions, and include tables that set out patterns of provision by country. The range of countries included in the two reports is not identical, but both include most of the EU – original, recent and prospective members, non-EU European countries, and three non-European members of the OECD e.g. Australia, Canada and the United States. New Zealand is not included in either report. The 2006 report omits Austria, but includes the Czech Republic, Estonia, Greece, Slovenia,

and Quebec² in addition to the countries in the first report, making a total of 23 countries for which detailed information about leave provisions is available.

On the basis of the evidence in the two reports, countries providing some combination of paid maternity, paternity, paternity and/or childcare leave provided by statute include: Austria, Belgium, Canada (including Quebec), the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, the Netherlands, Norway, Portugal, Slovenia, Spain, Sweden and the United Kingdom.³ Appendix 1 provides a table of summarised details regarding provision of statutory leave entitlements in the countries included in both of the reports. New Zealand could be included in this list of countries with a certain amount of paid leave available by statute. In each of the two publications, country notes provide further details regarding eligibility, entitlement, timing and duration of the different leaves available by statute.

Because of the differences among between countries regarding the identification of different categories of leave, both of the reports focus on the total amount of post-natal leave available, in order to make comparisons. Moss advises (Moss and O'Brien 2006:44) that in general terms, countries divide up into those where continuous post-natal leave available, including maternity leave, parental leave and childcare leave, comes to around nine to 15 months (Australia, Belgium, Canada, Denmark, Greece, Ireland, Italy, Slovenia and the United Kingdom), and those where continuous leave can run up to 3 years (Czech Republic, Estonia, Finland, France, Germany, Hungary, Norway, Portugal and Spain). Sweden falls roughly in between at around 18 months if the leave available is taken continuously.

Two countries stand out from what appears to be a pattern of paid leave provision for eligible parents, often followed by a further entitlement to unpaid leave: the United States and Australia. Although no statutory paid leave as such is provided in Australia (parental leave is unpaid), recent years have seen the introduction of a lump sum payment for each birth for all mothers, irrespective of their employment circumstances. The money provided by the state to employed parents when a baby is born would therefore compensate (to a fairly low extent) for loss of income for an employed parent around the time of a birth. In the United States, the lack of any statutory leave specifically for birth and parenting young children is partly addressed (for eligible employees, and in workplaces with over 50 employees) by the broader provisions of the federal Family and Medical Leave Act, which includes childbirth and care of babies among other mostly medical reasons for which unpaid leave can be taken. Five states do provide benefit payments to parents missing work around the time of childbirth –

² Canada is a federal country. The government of Quebec is now responsible for the provision of leave in Quebec, but the federal government of Canada still determines leave provisions in other parts of the country.

³ Note that the EU member states are obliged to meet the standards set by the EU Parental Leave Directive of 1996, as well as the earlier 1992 Directive concerning the safety and health of pregnant workers, and workers who have recently given birth or are breastfeeding.

California, Hawaii, New Jersey, New York, Rhode Island; and the territory of Puerto Rico.

In Austria, Czech Republic, France and Germany, the payments are made whether or not an employed parent takes the leave they are entitled to.

Provision of paid maternity and paid paternity leave

Leaving aside the provision of parental leave, this section focuses on the statutory provision of paid maternity and paternity leave. The information in Appendix 1 provides a quick reference to identify the countries where there are separate entitlements to paid maternity and/or to paid paternity leave. Among the 23 countries, those providing statutory paid maternity leave include Austria, Belgium, Canada (and Quebec), Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Netherlands, Norway, Portugal, Slovenia, Spain, and the United Kingdom.

Where a specific period of maternity leave is provided, the duration is usually between 14 and 20 weeks, with a high level of earnings-related payment⁴ (i.e. at a level greater than 50 per cent of earnings), in comparison with the lower level of payment available (i.e. lower than 50 per cent of earnings, or not universal, or for less than the period of leave) such as in Ireland and the United Kingdom. It is probable that different rules are applied in different countries regarding the four countries that have extended paid plus unpaid maternity leave: the Czech Republic (28 weeks: high rate for the paid proportion); Ireland (34 weeks: low rate), the United Kingdom (52 weeks: low rate), and Hungary (24 weeks: (rate depends on insurance status).

Many more countries provide paid leave for maternity than for paternity, although the number of countries where paid paternity leave is provided has risen in recent years. However, paid maternity leave is not available in Australia, Sweden or the United States. Neither Australia nor the United States provides statutory paid maternity, paternity or parental leaves as such. In Sweden, however, the lack of paid maternity leave is a consequence of the entitlement to paid parental leave, which starts before the birth of the child, obviating the need for a separate maternity leave entitlement. The same logic is not applied to paternity leave in Sweden, however, with a separate father-only entitlement to paid paternity leave.

Countries where paid paternity leave is provided include Belgium, Denmark, Estonia, Finland, France, Greece, Hungary, Netherlands, Portugal, Slovenia, Spain, Sweden and the United Kingdom. Payments are at the higher level in all of these countries, except Estonia, Slovenia and the United Kingdom, where the pay is at the lower level. The period of paid leave varies from two days to around two weeks, and is usually paid on the same basis as maternity leave. Paternity leave

⁴ In the information available, few countries have indicated the basis on which the level of earnings is determined. It is reasonable to presume that most use an average over a period of time such as the most recent six months or a year. Some rules are less rigid i.e. for determining eligibility for Maternity Allowance, the UK now uses the amount earned in any 13 weeks during the previous 66 weeks.

is usually not transferable to the mother, and fathers must be eligible by virtue of their employment or residency.

The countries that provide paid *maternity* leave but not paid *paternity* leave include Austria, Canada, Czech Republic, Germany, Iceland, Ireland, Italy, and Norway. Of these, only Canada and Norway provide *unpaid paternity* leave by statute. In Iceland, three months' paid leave (i.e. separate from the family entitlement to parental leave) is available to fathers, but the timing when fathers can take it is not restricted to the period after the birth. In Moss and O'Brien's (2006) view, this does not constitute paternity leave. In many of these countries, however, fathers/partners can access paid leave at some stage, mostly where parental leave is transferable to them by the mother, or where it is a family entitlement to be distributed between the parents as they choose. In a very few countries, fathers/partners can even access paid maternity leave in cases where the mother dies or is seriously ill after the birth.

Because the boundaries and definitions are inconsistent in both meaning and application among the different countries regarding exactly what leave is available to each partner around the time of birth and during the first few months of a child's life, there is little to be gained from further country comparison at this level. Each country's leave structure, paid or unpaid, is essentially a result of its unique combination of social and economic policies.

Provision of Paid Parental Leave

Of the 23 countries surveyed for the two reports, paid parental leave was available by statute in all countries except Australia, Greece, Ireland, the Netherlands, Portugal, Spain, the United Kingdom and the United States. The usual pattern is for eligibility for paid parental leave to follow on from paid maternity and/or paternity leave, providing an extension to the period of continuous leave a parent can take after a birth or adoption. The United States is the only country where no statutory leave of any kind is available for parenting purposes – all of the others at least provide unpaid parental leave. In contrast, in Greece, the Netherlands, Portugal and Spain, paid maternity leave and paid paternity leave are both available by statute, with payments set at the higher level. Only in Ireland and the United Kingdom was unpaid parental leave combined with paid maternity leave at the lower rate (both countries), and with paternity leave that was unpaid in Ireland, and paid at the low rate in the United Kingdom.

The prevalence of parental leave policies in the group of countries reviewed reflects the dominance of EU member states in the sample. Minimum standards for maternity and for parental leaves determined by this supra-national body are set out in the EU 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. All EU states must provide at least three months leave per parent for childcare purposes, but no payment or

flexibility requirements are included. This leave is separate from maternity leave, which is for health and welfare purposes.

Parental leave provisions vary among the countries that provide it in the following basic ways, with no particularly consistent combinations of factors (see Appendix 1):

- *Length* – the countries form two groups, where in the first, the total continuous leave available (maternity, paternity, parental and childcare leave) comes to around nine – 15 months, and the second, where continuous leave can reach three years (not always with payment, though).
- *Basis of entitlement* – three of the countries' entitlement criteria for parental leave are based on a mix of family and individual entitlements, with the remainder divided equally between individual entitlements (which may or may not be transferable), and family entitlements where the leave can be divided between the parents as they choose.
- *Payment* – In 15 countries, payment is provided to parents taking parental leave. In seven of these, the payment is rather low, i.e. a flat rate or means tested or paid for only part of the period, or a combination of these. Only eight countries pay an earnings-related benefit set at more than half of normal earnings.
- *Flexibility* – there are four main forms: first, being able to use all or part of the leave at times chosen by the parents, until the child reaches a certain age (three or eight are common); second, being able to take leave in one block or in shorter blocks of time; third, being able to take leave on a full-time or on a part-time basis in combination with part-time paid work; and fourth, being able to take additional leave in special circumstances such as multiple birth, serious illness, having a child with a disability, etc.
- *Additional employment flexibility* - nine countries enable women to reduce their working hours in the 12 months after the birth (usually to accommodate breast-feeding), with an entitlement to earnings compensation, and in four countries, parents have a legal right to request flexible working arrangements from employers, who must agree unless there are accepted grounds for a request to be declined.

The next sections identify the statutory paid leave provisions in more detail.

Eligibility for paid parental leave

All countries in this review providing leave for parenting stipulate that the applicant must have, or expect to have, day-to-day parental responsibility. This rule makes possible the inclusion of a mother's partner who is not the child's biological father, and the exclusion of biological fathers (or mothers) who do not have day-to-day responsibility for the child. There are several ways in which countries organise eligibility for paid post-natal leave, including status as new parent whether by birth or adoption, residency in the country concerned, and employment status:

- *Status as new parent* – paid leave is available to all parents who give birth, or adopt a baby or young child in Hungary (at flat rate till child is three for non-insured parents but higher in first year for insured parents);

- *Residency* - In Finland, eligibility for paid (maternity, paternity and parental) leaves is based only on at least 180 days' continuous residence in Finland immediately prior to the birth. The basic formula is that anyone who is entitled to family benefits is also entitled to leave.
- *Employment* - eligibility is usually based on completing a period of employment (either continuous or not, usually within a specified and recent time-frame) with the same employer. Self-employed people are often not eligible, particularly in countries where the payments are provided by employers.

The table at Appendix 2 shows the eligibility criteria for leave and for payments, in those countries with employment-related eligibility for paid leave.

Entitlements to paid parental leave

The basis of entitlement to paid parental leave is fairly evenly divided between countries with family entitlement systems, and those where entitlement is individually based. In many of the family-entitlement countries, the leave can be shared by the parents within certain constraints, the most common being that the parents cannot, except for short, specified times, both take their share of the leave at the same time. Countries where eligibility provides family entitlement systems include: Austria, Canada, Denmark, Estonia, Finland, France, Germany and Hungary. Iceland, Norway and Sweden operate systems that combine family with individual entitlement. Countries with individual-only entitlement systems include: Belgium, Czech Republic, Greece, Ireland, Italy, Netherlands, Portugal, Slovenia, Spain and the United Kingdom.

Countries where there is a statutory entitlement to a longer amount of paid leave intended to follow paid maternity leave (usually called parental leave or childcare leave in those countries) include Austria, Belgium, Canada, Denmark, Finland, France, Germany, Hungary (insured parents only), Iceland, Italy, Norway and Sweden. Among these countries, paid leave is available for up to 24 months in Austria and Germany, and 16 months in Sweden.

The table at Appendix 3 shows the length of paid parental leave entitlement in those countries which provide it.

Opportunities to share paid leave

As noted by Deven and Moss (2005) and again by Moss and O'Brien (2006:7), "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." This general lack of information make it very difficult to form a view on how much 'impact' the opportunities to share paid leave have on parents, or on employers. Where payments are made, data is more likely to be available.

The countries in which the parents can share at least part of whatever combination of post-natal leave arrangements is offered, based on either family or individual entitlements include: Australia, Austria, Belgium, Canada, Czech

Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Iceland, Italy, Norway, Portugal, Slovenia, Spain, Sweden and the United Kingdom.

Appendix 4 provides details of access to paid and unpaid leave and the extent of take-up, where data is available. As noted earlier, consistent data from each country on this issue has not been available, which makes a more in-depth analysis impossible, beyond some observations regarding the impact of father-only quotas, which are discussed in the next section.

Fathers' response to access to leave entitlements, and persistence of barriers regarding take-up

Two opportunities to induce fathers to take leave are available: paternity leave and parental leave. In a number of countries getting fathers to take leave has become a policy instrument to encourage fathers/partners to provide practical help and emotional support to the mother and baby, to help with other children in the family, and also as a response to pressure for greater gender equity in family policy. Most countries began this process by providing unpaid paternity leave (and many still do). Payment is now becoming more common, since research has shown fathers are unlikely to take the leave unless it is paid, and paid at a rate that provides realistic level of compensation for their lost earnings during leave (Moss, in Moss and O'Brien 2006). Otherwise, taking leave can be unaffordable for many, who may in fact prefer to take it if they could. A further refinement of paid paternity leave policy is to make at least some of the leave compulsory (as in Belgium, Portugal, and Slovenia, or to make it non-transferable, so the entitlement to paid leave is lost unless the father/partner takes it.

An extension to this strategy, but in the context of *parental* leave for eligible fathers/partners are the 'Daddy days' in Norway, (n.b. unpaid by statute but paid via employment agreements) and parental leave quotas for fathers (i.e. in Iceland and Sweden, paid by statute).

As well as other information on access and take-up of paid and unpaid leave, Appendix 4 contains information that shows what paid and unpaid leave is available by statute or otherwise to fathers, and how much of that leave is typically taken up. The most common strategy is to ring-fence some of the paid leave for fathers only, usually as paid paternity leave, as in Finland, Iceland, Italy, Netherlands, Norway, Portugal, Sweden, the United Kingdom. In Ireland there is no pay, but 14 weeks per child of parental leave for fathers is ring-fenced.

Several countries have gone further to induce fathers to take time off, and to increase the amount of time they take off, when they do. Taking some of the paid paternity leave entitlement is now compulsory in Belgium (3 days), Portugal (5 days) and Slovenia (15 days). In most countries paternity leave is non-transferable, so it is lost if not taken.

One of the more notable arrangements is in Finland, where to access the bonus *parental* leave of 12 extra days, fathers must take the last two weeks of their paid *paternity* leave. The paid paternity leave entitlement is 18 days, so this

means they must take it all to qualify for the bonus. This policy initiative is credited with a sharp rise in the number of men taking parental leave (from 1,700 in 2002 to 5,300 in 2004), although the average total length of leave taken by fathers has fallen from 64 working days in 2002 to 29 in 2004. In Finland, parental leave is taken more often by men with a good employment position and a high level of education. Take-up is highest among men over 30, working in the public sector, in science or health care jobs, although men in higher-status occupations take shorter leave on average than less-educated men in lower status jobs.

In Iceland there has been no statutory paternity leave, but since 2000, three months of the paid parental leave is ring-fenced for fathers, as well as 13 weeks each year of unpaid childcare leave for fathers (and for mothers) until the child reaches 8 years. Italy is more inclusive with a separate entitlement of six months for mothers and six months for fathers, paid at a low rate when the child is under three, then unpaid until the child is eight (except for very low income families, where the low rate of payment continues).

In the Netherlands, the eligibility for the 2 days paid paternity leave does not require qualifying time with employer – only the new parent status (including same-sex couples). In Norway, four weeks of the parental leave entitlement is for fathers-only, known as 'Daddy days' – unpaid by government but paid via collective agreements. In Portugal, five of the 20 days are now obligatory and the use of the other 15 has risen rapidly; and in Sweden a large block of paid parental leave forms part of the quota for each parent (60 days for each parent, followed by another 360 days for parents to share) plus a further 18 months of unpaid leave for each parent.

In the 2006 publication, Moss advises that as a general rule, paid maternity leave appears to be extensively and fully used by mothers who are eligible (and in a number of cases using it is compulsory). There appears to be little problem getting mothers to take the paid leave they are entitled to. On the other hand, the ring-fencing provisions regarding paid paternity leave have been noticed as producing an increase in fathers' take-up of paternity leave entitlements. Take-up of paternity leave has increased, especially when it is paid (for example about 14 percent of fathers in Estonia now take paternity leave) but this does not necessarily spill over into a greater likelihood of fathers taking paid parental leave (in Estonia, only 1 percent of recipients of the leave benefit are men). It is only when part of a family's paid parental leave entitlement is designated for fathers only, and the rate of benefit is high, do fathers appear to take the leave to any great extent, for example, in Iceland where fathers took 1/3 of all leave days - an average of 94 days compared with an average of 182 for mothers.

In countries with employment-related qualifying criteria for paid leave, rates of take-up tend to reduce when unemployment is high, as reported in Germany. Decisions by prospective parents regarding whether to take leave and for how long will necessarily reflect their desire to take time off, their reliance on job protection if they do take time off; and the rate of pay they will receive while on leave – for some couples, the payment is provided it may be unacceptably low, or

they may be above an income threshold. One solution to the predicament of an unacceptably low income is to combine paid parental leave with part-time work. Section 3 explores this possibility.

Extent of Unpaid Leave

No countries offered unpaid statutory maternity leave, although some proportions of leave were reported to be unpaid for example, in the United Kingdom. Where there is an entitlement, maternity leave was paid for many mothers according to eligibility criteria, in all of the countries reviewed.

Countries where paternity leave is available but unpaid were Canada and Norway.

Countries where parental leave is available but unpaid were Australia, Greece, Ireland, Netherlands, Portugal, Spain and the United Kingdom.

A number of countries provide an entitlement of additional unpaid leave to care for children, beyond expiry of maternity, paternity and parental leaves for those who are eligible. Such leave is usually called 'childcare leave', 'career break' or some variation on those terms.

Those countries where a period of unpaid childcare leave is available under particular eligibility conditions following maternity or paternity leaves and paid parental leave (or instead of those leaves) include Estonia (two weeks per year until child is 14); Iceland (13 weeks per year per parent till 8), Norway (one year), and Portugal (two to three years) and Sweden (18 months for each parent). In a number of countries, unpaid leave is available as a career break to eligible employed parents i.e. Belgium, Greece, Iceland, Norway, Portugal and Sweden.

Extended, *paid* childcare leave (albeit at a low, flat-rate level) is available to eligible parents in Hungary (for parents with three plus children, until youngest child is 8), and in Finland (home-care leave is all parents, not just employed).

Appendix 1 summarises leave entitlements, identifying the countries where unpaid leave is available by statute (although payment may be available to employees via collective agreements). Appendix 5 contains further details regarding the availability of unpaid childcare leave and carers' leave. Moss advises that where parental leave is unpaid, there are no regular statistics on use, which is thought to be low by both mothers and fathers:

"[F]ew 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 and is relatively well paid, fathers' use is higher" (Moss and O'Brien 2006: 7).

The separate issue of entitlements to carers' leave are discussed in section 4 below.

PART-TIME PAID PARENTAL LEAVE-TAKING, AND OTHER FORMS OF LEAVE FLEXIBILITY

Introduction

This section looks at the extent of paid parental leave provision for people who work part-time, in the context of flexible work provisions for eligible employees on parental leave. In some cases the entitlement to work part-time while being on leave part-time is subsumed into the broader category of flexible working, rather than being available as a separate provision. Appendix 6 sets out a range of information on the flexible working arrangements in those countries where flexibility in parental leave-taking is permitted (or even encouraged).

The types of flexibility listed in the table in Appendix 6 include the option to take leave:

- full-time or part-time;
- in one block or in several blocks of time;
- for a shorter time with a higher level of payment, or for a longer time at a lower level of payment;
- transfer entitlement to a non-parent (e.g. grandparent);
- at any time until a child reaches a certain age; and
- other forms of flexible policy eg in the case of multiple births (usually double for twins, triple for triplets), and extending the leave or the paid proportion in cases of having a child with a disability or serious illness, or where the mother is seriously ill following the birth.

The table also contains further information about the opportunity leave-takers may have to work reduced hours in their first and subsequent years back at work, and where employees have the right to request flexible working arrangements.

In most countries, one or more forms of these aspects of flexibility are provided to leave-takers. The only country where no flexibility appears to be available is Australia (but Australians can request flexible working arrangements), and of course the United States where there is no federal statutory leave entitlement. The forms of flexibility most available are the opportunity to take the leave at any time before the child reaches a certain age, and the provisions regarding additional leave for multiple births, and sickness and disability. The transfer of leave to another person, and the choice of taking leave at higher pay for a shorter time are the least available forms of flexibility.

Entitlements to part-time paid parental leave

Paid, post-natal leave can be taken part-time in: Belgium, Czech Republic, Denmark, Estonia, Finland, France (although employers can refuse on business grounds), Germany (employer's agreement needed in SMEs), the Netherlands (where every employee has the right to work part-time if they want to), Portugal, Slovenia, and Sweden. In addition, in Hungary part-time work of up to 4 hours a day with no reduction in benefit is permitted after the child reaches 18 months.

In countries where parents can work part-time while taking paid parental leave part-time, parents have the opportunity to supplement a low-level or flat-rate benefit with earned income. For example in Germany in 2002, 8.5% of Childrearing Benefit recipients were working up to 30 hours a week – a proportion that has doubled since 2000. However, this 'unexpectedly low' proportion working part-time is explained by Deven and Moss (2005) as perhaps related to difficulties finding adequate childcare solutions. Other countries where a low rate of payment during parental leave combines with the opportunity to take leave part-time while working part-time are Belgium, the Czech Republic, Estonia and France. In Finland, a higher rate of payment combines with the part-time working option. The small number of parents receiving the part-time parental leave allowance has risen from 2003 to 107 in 2005, showing a growing enthusiasm for the arrangement.

Another way to maintain a higher income but avoid reducing hours to a permanent or temporary part-time arrangement is available to parents in a few countries, where parents can reduce the duration of their parental leave in turn for receiving an increased level of payment. For example, in 2002, the option in Germany to take a higher benefit over a shorter time was chosen by 11.6% of recipients – reaching almost 30% in some parts of East Germany where unemployment was higher and attitudes to women working were more conservative. Countries where this is permitted are Canada, Denmark, Germany and Norway.

Interaction between part-time provisions and other aspects of flexible working

Appendix 6 shows that the opportunity for parents to reduce their hours of work during the first year back at work is a statutory provision in Estonia, Greece, Hungary, Ireland, Italy, the Netherlands (where all employees are eligible to work part-time), Norway, Portugal, Slovenia and Spain. To do the same during subsequent years until the child reaches a certain age is a statutory provision in Estonia (till 1 ½), Finland (8), Greece (2 ½), Iceland (8), Norway (10), Slovenia (3), and Sweden (8). Among those countries, earnings compensation is paid at a high rate in Estonia and Greece, at a low rate in Finland, and not at all in Iceland, Norway, Slovenia and Spain. It is interesting to see that among this group of countries, statutory provision to work part-time on return to work is associated with an earlier statutory right to take parental leave part-time in Estonia, Finland, Slovenia and Sweden making it possible for a parent to reduce hours following a return to work. The right to request flexible work until the child is at school or at a similar age is now provided by statute in Australia, Italy and the United Kingdom. In the Netherlands and Germany, most employees have the right to flexible work arrangements.

The intricacies of flexibility in leave and work arrangements, and in payments available for various combinations of arrangements once again demonstrate the individual combination of arrangements that characterises each country. There are almost no countries with identical arrangements, even in Scandinavia, from which any generalisations might be possible. The main factor determining each

country's mix of statutory provisions is most likely to be the policy strategies that underlie them. This issue will be discussed in section 5 below.

Paid parental leave for part-time employees

Whether paid parental leave is available to part-time as well as to full-time employees is an important issue for countries where a substantial proportion of the workforce works part-time, or where a common response to the advent of parenting responsibilities is for one partner (usually the woman) to work part-time, at least for some of her subsequent career, if not all of it.

According to the country notes in Deven and Moss (2005) and in Moss and O'Brien (2006) some level of paid post-natal leave is available to at least some part-time workers Austria, Belgium, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Iceland, Italy, Netherlands, Norway, Portugal, Slovenia, Spain, Sweden, and the United Kingdom, as well as the payments in Australia via the modest lump sum to all mothers, irrespective of employment circumstances. Usually the eligibility for leave is specified in terms of 'all employees' or in terms of a minimum number of hours (i.e. less than full-time) to have been worked over a preceding period, or length/amount of contributions to a social insurance scheme, rather than specifying the leave is available to part-time workers.

UNPAID CARERS' LEAVE

Introduction

For many people, caring responsibilities go far beyond those associated with parenting, and for some, do not coincide at all. It is not only young children who need care, and it is not only parents who provide it. A number of countries have now begun to make a separate category of carers' leave available, often on a paid basis.

To comply with EU's Directive on Parental Leave, all EU member states must provide at least three months leave per parent for childcare purposes, according to the EU Parental Leave Directive. It also 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', but does not specify minimum requirements for length of time or payment.

The information for the 23 countries in the two major reports reviewed here includes two types of what could be termed carers' leave: the first is long leave for childcare or career break purposes, and the second is a separate provision of leave to care for family members. In this section, the separate provisions regarding leave to care for sick children, leave for 'childcare or career breaks', and leave to care for a family member (both paid and unpaid) will be discussed. The 23 countries include examples where each of these forms of leave is provided on a paid basis (some), as well as on an unpaid basis (most), as will be discussed below. In some countries, payment is available for childcare and career break leave, and most countries provide some paid leave for parents to care for sick children, usually less than 10 days per year.

Among the countries reviewed for this report, there is a strong theme of providing paid leave (rather than unpaid) to care for sick children, as well as to care for other relatives over a short duration (i.e. not more than a month). But it does not follow that if one type of leave provision is unpaid, then other leaves are also likely to be unpaid. In those countries where long leave to care for family relatives is unpaid, the provision is often combined with paid options of shorter leave to care for sick children or to attend to urgent family needs. In a few countries, the entitlement for leave to care for a sick child is merged with that to look after other family members, but mostly it is kept separate. Appendix 6 provides a quick reference to the various combinations.

Leave to care for sick children

The countries where paid leave for looking after sick children is provided by statute are listed in Appendix 1 and again in Appendix 5 where it is presented alongside other forms of leave to care for others. Most of the 23 countries are included in this list, except for Denmark, Finland, Iceland and the United States. The length of time varies from a day or two, up to around two weeks per year. Eligibility is usually based on the same employment-related (or other) rules that apply for other leaves provided in the same country – mostly having worked for a certain amount of time within a recent period.

Among the EU member states included in the two reports analysed here, six specify an entitlement to leave of 10 days or more per year to care for sick children (age range varies), and is paid in all but one. In the other states the leave is shorter or unspecified, and unpaid. Among the non-European states, Australia, and Canada have entitlements to paid leave to care for sick children.

As Appendix 5 shows, about half of the countries (13) reviewed for this report provide leave to care for sick children that is paid at the higher rate (i.e. over 50 percent of earnings). No countries provide this type of leave but paid at the lower level of less than 50 percent of earnings. Six countries provide unpaid leave to care for sick children, and the remaining five countries do not provide statutory leave for this purpose. This is not to say that such leave is therefore unavailable in those countries, since all or some of the provision may be arranged by employers. In eight countries, this leave can be used to care for other family members (five paid; three unpaid).

Leave for childcare and/or career break

A number of countries offer a period of longer leave (presumably job-protected, although this is not always made clear) for an extended period of childcare, or for a career break sought because of parenting responsibility. The countries where this type of longer leave for childcare or career break is provided by statute include Belgium and Greece (provided as part of flexible working arrangements), Finland, Hungary, Iceland (3 months per year per parent until child is 8), Norway, Portugal and Sweden. This type of leave is paid at the benefit rate in Finland, Hungary, Norway (if the child does not attend a publicly-funded childcare facility – otherwise unpaid) and in Sweden. The country notes in the original two reports do not confirm whether eligibility for the benefit-level payments depends on other eligibility criteria associated with the benefit system, or whether all parents taking this leave are eligible, although this later interpretation is implied.

Belgium provides paid leave but as part of a time-credit system with various constraints on eligibility, including a limitation on the percentage of employees in any one company that can be taking the leave at any one time. In Greece it is paid at full earnings where it is provided as part of flexible working, and is for a much shorter duration (almost four months) than in the other countries included here. The leave is unpaid in Iceland and Portugal. Details are provided in Appendix 5.

Paid carers' leave

A period of leave of between several months and a year or more to care for another family member such as a spouse, elderly relative, or an older child with a disability is provided on a paid basis in Austria, Belgium, Canada, Czech Republic, France, Ireland and Slovenia. Shorter leave is available in the Netherlands (10 days). In Denmark and Finland the duration of leave was unclear in the original material. Appendices 5 and 7 provide further information, but note that as information was not available for all 23 countries, this analysis cannot be regarded as complete. Payment is usually calculated at a benefit-level

entitlement, although it is not clear whether other eligibility criteria for the benefit also apply (such as an income threshold).

Unpaid carers' leave

Instead of, or sometimes in addition to paid leave, a period of unpaid leave to care for family members is available in Canada (3-5 days in BC, NB and Q), Portugal (15 days) Spain (up to one year) and the United Kingdom (a few days only). Unfortunately the information provided in Deven and Moss (2005) and in Moss and O'Brien (2006) does not indicate the details of employment protection (if any) might be available for people on leave for childcare or career breaks, or caring for family members, whether paid or unpaid.

According to the information available, the only country with a long period of statutory, unpaid carers' leave is Spain (up to a year). No information is available on whether this leave must be taken in one block, or can be split into several blocks. The intention of the policy appears to be to extend to all employees the leave entitlement held by parents with young children, to workers with other care responsibilities. Public employees can extend the leave to care for a relative for up to three years. The country notes in Moss and O'Brien (2006) advise that such employees can work half-time for up to one month without loss of earnings in the case of a seriously ill first degree relative (child, partner or parent), and can also benefit from flexibility in working time as do parents of children up to 12 years. No information is available regarding the impact on employers of this leave. The information available states that take-up is low: in 2002 there were only 126 users of unpaid leave to care for adult dependants throughout the whole of Spain. But 538 employees in one region only (Catalonia) took a working time reduction with partial earnings compensation to care for dependent or disabled relatives. Moss and O'Brien consider that this result shows that paid leave or reduced working hours attract more use than does an unpaid entitlement.

The table at Appendix 7 presents data selected from Deven and Moss (2005) and Moss and O'Brien (2006) that contrasts total post-natal leave entitlements for parents with the amount of leave that can be taken to care for sick children. Unfortunately for this report, information on both care for children and care for other people was not included for many of the countries included in these publications, and is not readily available elsewhere.

The relationship between unpaid carers leave and paid parental leave in countries where both are available does not show any strong pattern of associations between provision of one type of leave and another. However, some countries merge the provision of extended leave to care for children (who may or may not be ill or disabled), with leave to care for family members. As Appendix 7 shows, these countries that merge the two types of statutory leave are: Canada, Czech Republic, Denmark, Finland, Ireland, Netherlands, Portugal, Slovenia, Spain and the United Kingdom (where 'a reasonable time' is available for emergency care of other relatives than children). Importantly, information on the care of relatives other than children was not available for Germany, Hungary, Italy, Norway, and Sweden. These omissions make impossible a useful analysis of the relationship

between leave arrangements in those countries that merge entitlements to care for children and for other family members, and those that do not.

Of these countries, only Canada provides unpaid carers' leave in combination with paid parental leave. In Portugal, Spain and the United Kingdom, parental leave is also unpaid. However, in Portugal and Spain, maternity leave is paid at the higher rate (i.e. over 50 percent of earnings), and in the United Kingdom, the period of maternity leave is to be extended to nine months, again illustrating the difficulty of comparing provision of one type of leave with another, on an inter-country basis.

Impacts of paid carers' leave – take-up

No definitive analysis is possible to identify patterns of take-up of leave to care for others. The main reason why very few countries provided data for the two studies on uptake of short-term leave to care for sick children or other family members, is because employers are not necessarily obliged to provide it.

Nevertheless, some data on take-up of carers' leave are available as follows:

Austria: contrary to the government's expectations, take-up of family hospice leave (i.e. for terminally ill people) has been low: in 2003, only 470 persons – no data is available on take-up of leave to care for other persons;

Netherlands: survey evidence showed that only a small proportion of people had made use of leave to care for other family members – short-term leave was used by nine percent of employees to care for a sick child, partner or parent, and emergency leave was used by five percent of employees – most people taking time off for an emergency took annual leave or leave accrued in lieu of pay. A small number (about five percent of cases) reported ill themselves to justify taking emergency leave. It is important to remember the Netherlands has a high proportion of part-time workers, both male and female. Reasons for not taking leave included no need, because the part-time hours permitted enough flexibility, and employment-related reasons such as not wanting to inconvenience colleagues, or work would not permit it;

Spain: take-up of unpaid leave is very low: only 126 persons in the whole of Spain in 2003;

United Kingdom: a 2002 survey found that only 10 percent of the approximately 55 percent of employees who knew about the entitlement, had used it.

No information on take-up was available for the other countries with a statutory carers' leave entitlement.

Further to the above information, it was estimated that in Hungary in 2003, the leave taken by parents to care for sick children accounted for 3% of all paid sick leave. All of these results suggest that few employees make extensive use of such entitlements.

GENERAL

Introduction

A number of relevant issues for this review fall outside the three sections of specific enquiry above. Issues that will help to provide additional understanding from a New Zealand perspective include:

- Leave provisions (if any) for precarious and casual employees;
- The standard duration of post-natal leave overseas;
- The findings from existing research evidence on optimal lengths of parental leave, including consideration of WHO and ILO guidelines; and
- Any proposals for future development of provisions
- interface with flexible working arrangements
- importance of policy context.

Leave provisions and payments for precarious and casual employees

Very few countries included in the two major reports that form the basis of this analysis mention whether precarious and casual employees are eligible for leave, whether paid or unpaid. Most appear to include such workers either explicitly or implicitly, as eligibility is usually expressed in terms of a qualifying period of employment, or a level of prior payment into an insurance scheme. For most countries, information specifying precarious employment situations is not mentioned in the two reports on which this analysis is based, but specific exclusion of self-employed people from entitlements or eligibility is found in Germany, the Netherlands and in Canada.

Those countries which appear to include precarious and casual employees at an implicit level, where it would be possible for such people to fulfil the requirements of having worked a certain amount within a period of time, or where eligibility is based on residency and therefore avoids employment status are:

Austria: 'Short-time employed' women and freelance workers are eligible for paid maternity leave only if voluntarily health-insured, but the option of taking insurance is there for all workers.

Denmark: Eligible categories of workers include students and people on temporary vocational courses. However workers with temporary contracts are excluded from maternity leave eligibility only if they are not eligible for unemployment benefit. Details of eligibility rules for unemployment benefit are not provided.

Estonia: All employed mothers are eligible for maternity leave, including workers with temporary contracts if the contract lasts at least 3 months. All employed fathers are eligible for paternity leave – i.e. less stringent eligibility than for mothers.

Hungary: all women are entitled to 168 days of unpaid maternity leave, but entitlement to payments is only for women employees or self-employed women with at least 180 days of previous employment.

Iceland: Eligibility for maternity leave for all women who were economically active before the birth. Payments are based on a proportion of earnings, with a minimum floor of payments accessible for those whose earnings were very low.

Ireland: Eligibility for maternity benefit relies on meeting conditions related to Pay-Related Social Insurance i.e. 39 weeks employment in the 12 months before the birth – so a woman could leave or be unemployed before the birth and still receive a benefit during the duration of maternity leave.

Spain: All employees who become parents eligible for unpaid parental leave, but the leave available for those on temporary contracts cannot exceed the length of the contract.

Sweden: All parents eligible for parental leave (i.e. including those in precarious work), but payments (at 80% of earnings) requires parents to have had an income of over SEK60 a day for 240 days before the due date. In response to a different kind of precariousness, pregnant women are eligible for 50 days' leave at 80 percent of income if they work in jobs considered injurious or involving risk to the developing baby.

For unemployed people, or workers who are ineligible either for leave or for payments by virtue of the circumstances of their employment, some countries provide other forms of payments to support the parents with the financial challenge of caring for their young child. Appendix 8 lists those countries for which details of such payments have been found, and includes Australia, Austria, Belgium, Denmark, Estonia, Finland, Ireland, Italy, Norway, Portugal, the United Kingdom and the United States (via employee-funded insurance contributions only). New Zealand's Parental Tax Credit to assist ineligible workers with the costs associated with having a new baby belongs in this list.

Standard duration of post-natal leave

As noted earlier in this report, countries tend to fall into groups providing around the same amount of total post-natal leave: those where duration reaches around nine to 15 months (Australia, Belgium, Canada, Denmark, Greece, Ireland, Italy, Slovenia and the United Kingdom); and those where total leave can be up to three years (Austria, Czech Republic, Estonia, Finland, France, Germany, Hungary, Norway, Portugal and Spain). The information in this report demonstrates, however, that few generalisations can be made about the countries in each of these groups regarding other aspects of the leave than duration, such as level of payment (if any, and for how long), flexibility, eligibility, the basis of entitlement, or the combination of conditions regarding the various post-natal leaves.

As Appendix 1 shows, the countries providing payments at every stage for eligible people taking maternity, paternity and parental leaves are Belgium, Denmark, Estonia, Finland, France, Hungary, and Slovenia. In addition, Iceland and Norway provide paid parental leave ring-fenced for fathers that operates like paternity leave does elsewhere, Sweden provides paid parental leave ring-fenced for mothers that operates like maternity leave elsewhere, and the United Kingdom is about to introduce paid paternity leave for fathers. These four countries could therefore be included in the list. Of these countries that provide paid leave at every level, those where nine to 15 months of paid, post-natal leave is provided include Belgium, Denmark, Iceland, Slovenia and the United Kingdom. The countries providing longer leave, often up to three years with payment for eligible people include Estonia, Finland, France, Hungary, Norway and Sweden.

No country provides statutory *maternity* leave that is always unpaid, although some countries separate eligibility for payments from eligibility to the leave itself: e.g. in Hungary, Sweden, and the United Kingdom. Unpaid *paternity* leave is more common, and is provided in Austria, Canada, Czech Republic, Germany, Iceland), Ireland, Italy, and Norway. Unpaid *parental* leave is provided by statute in Australia, Greece, Netherlands, Portugal and Spain (and for the time being, the UK). But often the absence of paid leave at one level is balanced by a longer than usual amount of paid leave at another. For example, in Iceland there is no paternity leave, but a ring-fenced proportion of parental leave for fathers that operates like paternity leave and is longer (three months) than most countries' paternity leave entitlements.

Unpaid *childcare leave* or *carers' leave* is more common, but a number of countries provide access to benefit payments to support the caring work involved. Those countries where a period of unpaid childcare leave is available under particular eligibility conditions following maternity or paternity leaves and paid parental leave (or instead of those leaves) include Estonia (two weeks per year until child is 14); Iceland (13 weeks per year per parent till 8), Norway (one year), and Portugal (two to three years) and Sweden (18 months for each parent). Clearly there is no 'standard duration' of unpaid leave.

One of the factors that appears to encourage women in particular to take longer periods of parental leave is their eligibility for payment that substitutes wholly or partly for their income; but also the job guarantee at the end of the leave. In times of high unemployment such as in France, the risk of losing the guaranteed re-employment appears to constrain taking time off after a birth for those who are ineligible for the leave (with a re-employment guarantee) or for the payments (less affordable for low-income people). Furthermore, research shows mothers more likely to take the paid parental leave with childrearing benefit they are eligible for, if they face demanding work conditions such as atypical, non-standard hours, or 'flexible' hours imposed by employers. From this perspective, taking parental leave and receiving the childrearing benefit is one way to escape a job with difficult working conditions, demanding employers, or where it is difficult to combine paid work with family responsibilities (Deven and Moss, 2005).

In many respects, the provision of long parental or childcare leave in the above countries to care for children, or to care for older children or family members with a serious illness or disability appears to serve the same purpose as New Zealand's Domestic Purposes Benefit. But an important effect of statistical recording is that parents (mostly mothers) who are taking longer leave in these countries (whether it is paid or not) may be more likely to be classified as employed. In New Zealand, parents in receipt of a benefit to care for children older than 12 months at home are very likely to be recorded as being out of the workforce, certainly after unpaid parental leave expires if they have not returned to work. For this reason, league-table comparisons among countries do not necessarily reflect the actual number of parents who are attached (or not) to the labour market. Because the incentives in New Zealand's benefit system are not primarily focused

on maintaining women's attachment to the workforce during the child-rearing years even though they are not necessarily available for paid work, New Zealand's labour participation rates for women with young children may appear comparatively lower than in some other countries – even though there may be no actual difference in the daily activities of most of the women concerned.

Optimal length of leave

When considering the 'optimal length' of leave, it is important to consider whose interests are to be optimised – the smallest range of interested parties would need to include mother, baby, family, employer, and the state. In practice, each country attempts to achieve a compromise among these competing interests, but always with the underlying recognition of the need to prioritise maternal and child health. Apart from the period of a few weeks for the mother to recover from the birth, where taking leave is compulsory in a number of countries, one of the principal outcomes of leave from work for mothers is the establishment and maintenance of breastfeeding. This still is the main rationale of maternity leave in those countries with a separate entitlement, or of parental leave where it has now superseded maternity leave entitlements, such as in Sweden.

O'Brien introduces a children's rights perspective, in which infants and young children's right to quality of life has two main characteristics: 24/7 care which is continuous and stable, and regular feeding, preferably breastfeeding. However she acknowledges that economic security for the family is also a matter of significance for the infant's quality of life.

A country's parental leave regime can play an important role in facilitating an optimal quality of infant life in the home. For instance, international comparisons show a positive association between post-birth leave policies and duration of breastfeeding. But good quality of infant life is also dependent on an adequate maternal environment.... At what point does a reduction in the time available to, for example, sensitively engage with an infant outweigh the financial advantage gained through hours spent in employment?" (Moss and O'Brien (2006:3).

O'Brien stresses that interactions with both parents are important for the child to benefit, and identifies three major elements of understanding arising from the (Moss and O'Brien) 2006 study of 22 countries:

- Each country's parental leave arrangements arise from a 'black box' of diversity;
- Parental leave must be contextualised as part of total public investment in children;
- There is very little research on what parents actually 'do' during parental leave that would better explain the mechanisms by which parental leave may promote child well-being.

International agreements and guidelines

The international context of agreements among countries is an important source of influence on national policies regarding leave associated with childrearing. Regarding the interests of the mother and baby, but also those of other parties at an indirect level, the World Health Organisation (WHO) currently recommends

that infants should be breast fed for at least two years, with weaning foods added from six months onwards – implying that exclusive breastfeeding for at least six months will provide the most desirable start in life for the young child. Six to eight feeds in every 24 hours are needed, plus enough rest and nutrition for the mother to maintain the supply of milk (Galtry, 2000). In line with the WHO recommendations, the American Academy of Pediatrics recommends breastfeeding for at least 12 months and as long thereafter as mutually desired. Their advice notes that paediatricians and parents should be aware that exclusively breastfeeding is sufficient to support optimal growth and development for approximately the first 6 months of life and provides continuing protection against diarrhoea and respiratory tract infection. There seems little doubt that the optimal length of leave should be at least six months, and preferably more than a year from a health and well-being perspective.

As well as the WHO recommendations regarding the importance of establishing breastfeeding and safeguarding maternal and child health, the International Labour Organisation (ILO) has also emphasised since its establishment in the importance of ensuring the health and well-being of employees around the time of childbirth. The Maternity Protection Convention 1919 (No 3) was among the first instruments to be adopted, and has been revised several times since, most recently as ILO Convention 183, issued in 2000 (ILO 2000). Article 4 recommends that women be entitled via national laws or regulations to a period of maternity leave of at least 12 weeks, including a period of compulsory leave after the confinement of no less than six weeks, with the remaining six weeks being available before or after the birth, or divided between the two. Article 6 then states that women on maternity leave shall be entitled to receive cash and medical benefits (from social insurance or public funds) at a rate that ensures the “full and healthy maintenance” of woman and child at a “suitable standard of living”. To date, 12 countries have ratified Convention 183 – of the 23 countries considered in this report, only Austria, Hungary and Italy have completed ratification, although the earlier version of it (Convention 103) was ratified by 40 countries, including these three plus Greece, Netherlands, Portugal, Slovenia and Spain. New Zealand has not ratified either convention.

Further to ILO Convention 156 Workers with Family Responsibilities, Recommendation No. 165 (ILO 1999) provides men and women workers with the right to parental leave in order to take care of their children, with the duration and conditions of such leave to be determined in each country. In this recommendation parental leave is regarded as part of an integrated approach rather than in isolation from other initiatives intended to contribute to the reconciliation of family and work responsibilities. At the time of the originating conference in 1999, it was noted that 36 countries had enacted provisions governing parental leave, although major differences could be found among these countries regarding conditions, payments and flexibility. The ILO report notes that while parental leave schemes are effective in some countries, in others the enactment of legislation has not necessarily met the needs of working parents. Notably, the period of prior employment required (usually six- 12 months with the same employer) is increasingly difficult for precarious and casual workers to meet. Many of these workers are women, who (then, in 1999) tended to have

less job tenure, more short-term turnover and higher rates of temporary employment than men did.

The ILO report also points out the importance of ensuring an adequate rate of payment is associated with leave – otherwise it is impossible for lower-paid workers to take it. However some countries such as the United Kingdom had tried to compensate for the absence of paid parental leave by providing other family benefits aimed at improving the material conditions of children, and also maintaining to some extent the living standards of women. New Zealand's Domestic Purposes Benefit could also be seen as a further example. The OECD (1995) compared take-up rates in countries with a policy of high earnings-related benefits with those where no benefits were attached to parental leave. It found that a strong link existed between earnings replacement rates and take-up rates – in countries such as Denmark, Norway and Sweden which provided an allowance which compensates to some extent for the loss of wages, parental leave was used by nearly all eligible families.

Ring-fencing paid leave for fathers is also acknowledged by the ILO report as a strategy likely to induce fathers to take leave, although at that time it was too early to judge the effectiveness of the EU Parental Leave directive. Evidence at the time, however suggested that fathers take parental leave only when a relatively high level of compensation for loss of earnings exists. Otherwise taking leave is unaffordable for many families, in spite of the beneficial effects it would have on family well-being.

The OECD published in 2003 a paper that voiced caution about potential negative effects of providing too much leave – effects such as declining labour market attachment for women (Jaumotte 2003). This paper was followed up by the *Babies and Bosses* series of reviews of work and family arrangements within selected OECD countries and a summary of conclusions (OECD 2004). In this summary, the multi-faceted context of women's labour market participation is set out in a way that demonstrates the inter-linkages between tax/benefit policies, public child care policies, family leave rights and benefits, firms' policies and family-friendly work practices, and working-time regulations and anti-discrimination measures targeted on parents and prospective parents. Each country's unique mix of these factors will determine the dynamics of the labour force participation of its parents – not just the length of its paid leave.

In her 2003 paper, Jaumotte cited evidence that "very long parental leaves" make it difficult for women to return to the labour market, a problem more acute when parental leave is not job-protected, and when mothers are low-skilled. Further evidence was cited that extended parental leaves had a negative impact on the salary of returning mothers, although a Danish study at the same time reported a catch-up of mothers' salaries to those of childless women. But how much leave is too much? This point is not clarified in the paper. With the benefit of hindsight, it is at least possible to speculate that some of the evidence informing this view could have been associated with a particular period of natalist policy plus unemployment in France, and also with other specific country circumstances elsewhere.

For example, Moss and O'Brien's (2006) publication identifies that in France, a 1994 change to the then childrearing benefit payment regime APE (*Allocation Parentale d'Education*) extended eligibility for payments to parents with two children and introduced the option of part-time work from the beginning of the payment period. These changes contributed to a dramatic increase in the number of recipients – numbers almost doubled from 275,000 in 1995 to 563,000 in 2003. The economic activity rate of mothers with two children, the youngest aged less than three years, decreased from 69 percent in 1994 to 53 percent in 2003. 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 was strong because of savings on childcare costs and other expenses. Research also showed that mothers living in rural areas and small towns where public childcare provision is scarce, claimed APE more frequently.

The country notes for France in Moss and O'Brien (2006) suggest that mothers who were in employment just before maternity leave, were more likely to claim APE if they are entitled to parental leave because they had a job guarantee. In times of 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. Further, it has been hypothesised that deteriorating working conditions at the time was also one of the factors leading to the high take-up of APE. From this perspective, taking parental leave with a payment like APE was one way to escape a job with difficult working conditions that created problems for workers trying to balance work and family responsibilities, and helps to help explain French women's response at the time (98-99 percent of parents taking leave at the time were women). The APE system has been replaced for children born after January 2004 with a new system (CLCA) that pays less, but includes families with one child as well as the larger families that were the focus of the previous natalist policies.

In the Central and Eastern European countries such as Hungary that are now characterised by lengthy periods of childcare leave, a care-at-home trend was identified in the late 1990s by the ILO (1999), in which families responded to the major labour market changes that took place following the collapse of the Soviet Union and its political and economic influence. From having sustained very high levels of parental employment alongside widespread provision of poor quality childcare, a return to traditional values in many of these countries has encouraged women to take up the option of caring for their children at home – a luxury previously thought to be the preserve of wealthier Western women. Previously extensive childcare systems are being circumscribed through the closure of centres and the imposition of very high fees. The ILO points out that not surprisingly, a care-at-home childcare policy has emerged, which is less costly for the state and assures children better care than in poor quality childcare centres.

More recent research in the United Kingdom on informal care and employment found evidence of a causal link between caring responsibilities and lower

employment participation. The study suggests that carers *give up work* in order to fulfil caring responsibilities rather than *taking up care* responsibilities in the absence of employment opportunities (Aequus 2006). These arguments focus not only on the existence of paid leave and return-to-work statistics, but place them in the context of other relevant country conditions such as the cost of childcare, the availability of employment for both women and men, and the strength or otherwise of moves to achieve greater gender equality.

Proposals for future development of provisions

The Moss and O'Brien study identifies a number of changes to leave policies now being considered. In particular, Belgium is considering harmonizing policies within the country (a federal system) as well as between the public and private sectors, developing a system of parental insurance, improving the regime for self-employed workers, making the full 10 days of paternity leave compulsory instead of the current three days, and to extend maternity leave to allow mothers to take more time off before the birth. Canada is now widening provision to include same-sex couples, following same-sex marriage legislation. From 2007, the Czech Republic will enable the father to take maternity leave instead of the mother from the seventh week after the birth, as well as increasing the current low level of payments up to 40 per cent of average gross earnings. Finland is considering improving payments, developing parental insurance, providing paid time to care for sick children, providing non-custodial fathers with entitlements to care for sick children, equalising entitlements for adoptive parents, and providing payments to same-sex partners.

Germany intends to reform the payment system, making a two-month period within the new 12 months' paid parental leave obligatory for fathers, but remove the opportunity to combine parental leave payments with other welfare payments. In Greece, consideration is being given to extending leave rights to foster parents and surrogate mothers, extending the job-protection period to match the time associated with the right to work reduced hours after the birth, and providing full payment – half from employers and half from the state. In Ireland, a number of changes are due to be implemented from 1 March 2007, including increasing the maximum length of leave to 42 weeks, of which 26 will be paid, improving provisions for adoptive parents, extending the length of time in the child's life during which parental leave must be taken, making it possible to take leave in blocks of time rather than continuously, and extending leave rights to persons *in loco parentis*.

The Netherlands will be evaluating its new parental insurance scheme later in 2006, with family-friendliness high among important criteria. In Spain, debate is currently focused on further efforts to comply with the EU directives on parental leave and maternity protection, mostly involving individualisation and improvements in entitlements to stimulate take-up, in particular to counter Spain's very high labour market flexibility (one-third of the working populations is temporarily employed). In the United Kingdom, further extensions to leave entitlements planned include extending maternity and adoption pay (at a flat-rate level) from six to nine months, and then to 12 months, introducing a new right to allow fathers to take an additional six months of paternity leave during the child'

first year if the mother returns to work within that time, and extending to the right to request flexible working to carers of adults.

From this review it can be seen that most countries have reported changes in the recent past, as well as prospective change. It is important to note that in nearly all cases, the direction of the change is toward increasing the scope of leave entitlements, and many focus on extending fathers' rights. The following list of recent changes is included by Moss, in Moss and O'Brien (2006:49):

Extension of fathers' rights:

- Hungary: the introduction of five days' paternity leave;
- Iceland: major reform of leave policy has restructured leave so that all fathers were entitled to the same amount as mothers i.e. three months;
- Slovenia: half of parental leave recognised as the father's own right and the introduction of paid paternity leave lasting 90 days (though due to budget constraints, this right was implemented gradually);
- Portugal: five days of paternity leave made obligatory;
- United Kingdom: the introduction of two weeks' paid paternity leave.

Another theme is increased flexibility:

- Germany: benefit paid to parents on leave may be taken at a higher rate - €450 a month - over a shorter period (12 months);
- Denmark: a choice of taking parental leave as 32 weeks at 100 percent of earnings or 40 weeks at 80 percent;
- Greece: the introduction of various options for working reduced hours after parental leave;
- Portugal: a choice of taking maternity leave either as four months at 100 percent of earnings or five months at 80 percent (introduced in 2004);
- United Kingdom: introduction of the right for workers with parental responsibility for a child under six years or a disabled child under 18 years to apply to their employers to work flexibly (e.g. to reduce their working hours);
- Ireland and the United Kingdom: both have extended, or will be extending the length of maternity leave - to 42 and 52 weeks respectively - far in excess of other countries (except the Czech Republic and Hungary). The UK is also intending to introduce an additional period of paternity leave that will be dependent on mothers' not using their full entitlement to maternity leave.

In complete contrast, the Netherlands has introduced this year a leave policy that is to be funded via a new savings scheme with a tax incentive element, intended to offer employees a way to finance various types of leave. Participation is an entitlement, but each employee must opt into the scheme to use this entitlement. State support is restricted to tax relief on savings.

Importance of the policy context

The evidence and discussions presented in this report have emphasised the diversity in leave provisions among the 23 countries considered, and have suggested that the origins of the diversity (despite the harmonizing influences of

the EU Parental Leave Directive, the WHO guidelines and relevant ILO conventions) lie in each country's unique and historically influenced mix of social and economic policies.

A wide variety of policy concerns underpin the leave provisions studied. In some countries, such as France Germany, and Italy, governments are concerned about low fertility and postponement of childrearing among young adults, and the effect such dynamics will have on the labour market and the economy in future. It is possible that younger generations are being dissuaded from having children by the apparent 'impossibility' of combining a career and a family. This predicament maybe behind the recent expansion of leave provisions in these countries, but most countries are now strengthening their statutory leave policies, with the state intervening increasingly to regulate the labour market and increase social benefits for parents taking leave.

The five main contexts in which leave policies appear to operate are:

- maternal and child health
- well-being of pre-school children
- income security in families with children
- labour market attachment for mothers
- gender equity within families, and in the labour market.

In many countries each of these policy zones is the responsibility of a different government agency, and in this, New Zealand is no exception.

Maternal and child health

Given the long-standing association between maternity leave and maternal and child health outcomes, the countries that appear to place a highest priority on maternal and child health outcomes can be expected to be those with the longest and/or most generously paid maternity leave: the United Kingdom and Ireland. However, the overlapping meanings attached to particular leave policies by different countries means that countries like Sweden should be included in this list as well, even though no statutory maternity leave is provided. Once the United Kingdom has extended its paid maternity leave to 12 months, it will operate very much like the period of paid parental leave provided in Sweden.

In accordance with the policy responses in the countries reviewed, the element most associated with prioritising maternal and child health over other outcomes associated with parental leave policies are providing maternity leave that is compulsory, for either all or some of it. A number of countries also make a spell of leave before the birth compulsory as well as afterwards. However, to avoid financial hardship for parents on very low incomes, it is reasonable to assume some provision of payment would be needed to maintain their income at a life-cycle stage of increasing financial demand. In addition, multiple births are the focus of policies in many countries that double the leave entitlements (i.e. the paid duration) for twins and triple it for triplets, in recognition of the far higher level of pressure on parents associated with a multiple birth.

Well-being of pre-school children

The policy context of the well-being of pre-school children is a more complex issue, involving health and pre-school care and education policies, but also economic policies that mediate parents' access to income through paid work or income support. Finland is an example of a country where the provision of a publicly-funded childcare place for each child is provided from birth, as well as a three-year leave entitlement (paid plus unpaid) – so the option is always there for parents to increase labour market participation as and when they wish to. Denmark and Sweden also provide a universal entitlement to an early childhood place for each child that coincides with the expiry of the paid leave period. No gap opens between the entitlements, that parents have to fill with simultaneous responsibility for earning income and providing care. The relationship between parental leave policies and early childhood policies is consecutive, not overlapping. France supports a similar arrangement, but without a guaranteed entitlement to an early childhood place. In France, Hungary, Germany, and Spain, long spells of usually unpaid leave following the paid entitlement are available, and early childhood places are widely available for children aged over three, with near universal coverage.

The policy instruments associated with prioritising the well-being of children are therefore those associated with maternal and child health, plus provision of publicly-funded childcare places for all children, from as early in their lives as their mothers might need or wish to return to their jobs. Alternatively, income support for parents wanting to avoid the publicly-funded childcare provision is also provided in some countries.

Income security in families with children

The maintenance of socially acceptable levels of income within families with young children is an important part of the provision of paid leave rather than unpaid, for the duration of the time when at least one parent is required to provide the 24-hour care a young child needs. Most countries now provide some level of payment during leave, and many are considering increasing it in the near future. Countries which offer paid paternity leave for fathers appear to place additional emphasis on the maintenance of family income, by making it affordable for fathers to take leave. The longest ring-fenced paid paternity leave is found in Iceland and in Norway, although many other countries now have a family entitlement to paid parental leave that can be taken up by fathers or by mothers. Family entitlement systems provide the leave for the parents to distribute between themselves, rather than it being an individual entitlement for one parent (usually the mother) to give to the father. This enables the parents to maximise their income from the labour market as well as providing parental care for their child.

A number of countries also provide leave (or extended leave) or payments (or extended payments) to support the care at home of children with serious illnesses and/or disabilities. Many such arrangements for payment are means-tested, and some countries also include care for the elderly within such policy instruments, but the arrangement is still described as leave. What level of job-protection available is not made clear in the information surveyed, however.

Thus the policy instruments associated with prioritising income security for families are the provision either of paid, job-protected leave with eligibility as inclusive as possible, or payments to all parents regardless of their employment circumstances, or both, plus income support for parents with a particularly high caring responsibilities associated with having a child or a close family member with a serious illness or disability.

Labour market attachment for parents, particularly mothers

Economic prosperity for the country as well as the family is an important outcome of the maintenance of mothers' attachment to the labour market. Job-protected leave for childbirth and rearing, but also provision of affordable childcare once children are past the first year of life are the main instruments used by countries to ensure the link between mothers and employment is not broken during the child-rearing phase of the life-cycle. Sweden and Finland are notable examples of countries that have implemented this approach, but job protection is the cornerstone of parental leaves in many countries, whether the leave is short or longer.

The countries with the highest employment rates of mothers with children aged under 12 years include the five Nordic countries, but also three of the Central and Eastern European countries – Czech Republic, Estonia and Slovenia. Yet Canada and the United States also have high employment rates for women, as do France and the Netherlands. Clearly these high female employment rates cannot be considered as a result of the leave provisions in those countries: it is more likely that the leave provisions have developed over time to support the overall mix of social and economic conditions in each country. The diversity among the labour markets in these countries yet again demonstrates how a focus on any one aspect of a country's conditions or leave provisions may be misleading.

Despite this diversity it can be seen from the analysis of the 23 countries that the policies associated with maintaining women's labour market attachment are those that focus on maximising the level of job-protection for those on leave, no matter which parent takes it, or in what circumstances, or for how long. Furthermore, increasing the degree of flexibility available in leave arrangements will also assist women in particular to maintain the perception of themselves as employees on leave, rather than mothers outside the labour market. Modes of flexibility practised among the 23 countries include taking leave in blocks of time over a longer period, say until the child is three (so that the actual duration of leave is still around nine months to a year); returning to work part-time while receiving the leave payments part-time; having the option to take a shorter leave at a higher rate, or a longer leave at a lower rate; permitting both parents to take their parental leave at the same time, whether paid or not; and having the right to request part-time work arrangements when they return to work, either permanently or for a set period. A further aspect of leave policies to assist parents to care for their children after they reach school age are annual childcare leaves (usually unpaid) of anything from a few days a year up to 13 weeks per family (as in Iceland), during which parents can attend important events involving their child, or care for them during school holidays.

Gender equity within families, and in the labour market

Women's right to access the jobs they aspire to in a labour market context where their ambitions and effort are rewarded equally to those of men is an important motivator of gender equity policies that now shape women's experience within the labour market and elsewhere. Women's experience at home, most often characterised by an unequal division of labour, has not until recent times been thought an appropriate area for policy-led influence beyond health and welfare matters. Women's exclusive role in childbirth and breastfeeding have in the past generated policies that did not challenge the ongoing consequences for mothers or for fathers, as children grow older. The contemporary approach is more likely to recognise and protect women's labour market position around the time of birth and breastfeeding, but also the importance of gender equity issues to women's re-entry to the labour market, as well as the parenting young children need at home.

The Nordic countries have been the most prominent in strengthening the gender equity impacts of leave policies – for example, in Iceland the same length of paid leave (three months) is now available to mothers and fathers as separate, individual entitlements, with a further three months as a family entitlement then provided for the couple to distribute. This policy package was introduced after persistent action from men via the court system to challenge women's apparently favoured access to family leave. Thus the child can experience nine full months of parental care that is accompanied by parental income compensation, and an additional 13 weeks per year of unpaid leave for each parent is provided until the child is eight. It is still likely that the mother will provide more of this care than the father, but the parents make the choice on an equal footing. In another context, the FMLA leave entitlements to eligible employees in the United States are completely gender neutral, being just as available to men as they are to women.

Policy related research

Kammerman (in Moss and O'Brien 2006) points out that all the EU countries and most of the OECD countries have now enacted parental leave policies, and the Central and Eastern European countries are leading the way in providing extended 'child-rearing' or child care or home care leaves. Generous leave policies are associated with the potential to improve child health (Rhum 1998 and 2000, Galtry 2000; Tanaka 2005, Berger, Hill and Waldfogel 2005, and Gregg and Waldfogel 2005).

To widen the perspective, Kammerman emphasises the view that leave policies can lead to improved child health, but they also play an important part in attracting women to the labour force and maintaining their attachment (Kammerman, 2000). But the quality of the leave matters: research evidence highlights the importance of leave being job-protected and paid, since unpaid and non job-protected leaves have no significant effect. Kammerman cites Tanaka's (2005) findings from a study of 18 OECD countries over 30 years to investigate the effects of job-protected leaves and other leaves. The research found a significant association between the extension of weeks of job-protected paid leave and decreasing infant mortality rates: a 10-week extension in paid leave predicted a decrease in infant mortality

rates by four percent. In a similar study, Rhum (1998 and 2000) concluded that parental leave policies may be a cost-effective method of improving child health, a finding supported by Galtry (2000) who found that parental leaves lead to longer period of breastfeeding and less maternal stress. Kamerman concludes that:

- Longer paid maternity leave reduces infant mortality and neo-natal mortality but unpaid leave does not have the same protective effect;
- Longer leave improves other health outcomes, while children whose mothers return to work within the first three months after birth receive less health care.

Kamerman finds there is still plenty of scope for research on:

- The differential consequences of long leaves (two to three years) versus one year leaves;
- The outcomes for children of variations in parents' transitioning from home to work (returning to full-time or part-time work);
- The outcomes for children of leave policies used by parents who work irregular hours;
- the impact of fathers' take-up of parental leave and the impact of 'use it or lose it' policy on these take-up rates.

It should be pointed out that although the results of such research would undoubtedly be very helpful to policymakers, these research topics would be difficult to undertake. Meticulous observations of arrangements chosen by parents over time within a stable policy structure would be required, since it would not be ethical to risk child well-being by withdrawing aspects of care or parental attention in order to measure the outcome. These methodological and ethical issues perhaps explain the current lack of research evidence at this level.

A further aspect of leave policy is the extended leave available in some countries for parents to care for their disabled or seriously ill children. Such policies may also be considered to be potentially cost-effective, in the same way that the benefits of funding the health and development of well children via leave policy is now being recognised in a number of countries.

RELEVANCE FOR NEW ZEALAND

Currently, New Zealand's provisions for leave include a mix of paid and unpaid parental and carers' leave, and each of the zones of relevant policy discussed in the previous section is the responsibility of a different government agency. The key interventions in the Parental Leave and Employment Protection Act are:

- Maternity leave to eligible mothers plus extended leave (up to around child's first birthday) that can be shared between eligible partners;
- Unpaid partners/paternity leave;
- Job protection during a period of parental leave;
- Fourteen weeks' payment to eligible mothers (with either six or 12 months' continuous service with the same employer for at least an average of 10 hours per week) including self-employed mothers (which may be transferred to an eligible partner);
- Criteria providing access for eligible people to entitlements under the Act, based on a degree of workplace attachment (currently access is restricted to employees who have worked for the same employer for either six or 12 months' continuous service with the same employer for at least an average of 10 hours per week).

As can be expected, given the level of diversity in leave policies internationally, New Zealand's arrangements differ from those overseas in some respects that reflect the policy context(s) in which the various measures regarding families with young children have been developed. Various policy objectives are associated with different aspects of New Zealand's leave provisions, rather than a co-ordinated approach focusing on just a few objectives.

Whether New Zealand wishes to pursue such a broad range of simultaneous objectives may need to be considered. Or, to approach the issue from a slightly different angle, it may be possible to pursue the full range of objectives, but narrow the range of contexts in which provisions are delivered. One particularly noticeable way in which many of the countries studied for this report achieve this, is in the conceptualisation of the various policy instruments as connected with *leave from work*, rather than as separate measures, each focused on its own outcome. This approach implies that economic activity is the normal state of being for adults, and that it is in the state's interest to protect it when parents are faced with the competing but compelling demands of raising a family. For example, New Zealand provides a benefit for eligible people to undertake child-rearing full-time at home (i.e. the DPB) but it is not conceptualised as leave, so the people receiving it are not considered to be employed. As a result, New Zealand may not compare well internationally in employment participation statistics, even though the daily activity patterns of New Zealand parents with young children may not differ all that much from those in many other countries.

At a general level, this review of leave provisions in other countries suggests that in order to maximise outcomes over the range of competing policy objectives, leave policies will be most beneficial to children and parents (with consequent benefits for the economy) if they incorporate:

- Enough time to safeguard maternal health following the birth, and continuity of parental care to promote child health and well-being, with exclusive breastfeeding at until the age of six months, then continuing in the child's life till at least one year;
- A substantial level of income replacement during leave to encourage take-up, to protect families from either the negative effects of economic hardship or the potential negative effects of parental re-entry to employment while children are in their first year;
- Ring-fenced paid leave for fathers - paternity leave and particularly parental leave - to encourage participation of fathers in the lives of their young children as well as alleviating gender inequity in the division of unpaid work in the household as well as in the labour market;
- Flexibility of leave arrangements so that parents can choose what mix of arrangements will suit their family best. Such flexibility could involve taking longer leave but at a reduced rate of payment (or vice versa); taking leave in blocks of time instead of one continuous block, greater opportunities for leave-sharing between partners such as family entitlements for the parents to distribute; working reduced hours during the first year following return to the labour force, preferably with some income compensation; working part time permanently or temporarily; access to extended, unpaid childcare/carers' leave/career break leave;
- Building a stronger association between extended periods of exclusive care for young children with the status of being on leave from the labour market (if not from an individual employer), rather than with the status of being outside the workforce;
- ensuring a seamless continuity of affordable leave and early childhood care arrangements until the child reaches school age, so that there is always a leave option available for parents or a publicly-funded care option available for the child during the first five years.

APPENDIX 1: PROVISION OF STATUTORY LEAVE ENTITLEMENTS IN 23 SELECTED COUNTRIES

	Maternity leave	Paternity leave (see note 1 below)	Parental leave	Total post-natal leave	Leave for sick children
Australia	x	x	√ F	12 (0)	√√√
Austria	√√√	x	√√ * F	24 (24)	√√√
Belgium	√√√	√√√	√√ I	9.5 (9.5)	√
Canada (fn) Quebec	√√√	√	√√√ F	12 (11.5) 16 (15.5)	√ [+] √ [+]
Czech Rep.	√√√	x	√√ * I	36 (36)	√√√
Denmark	√√√	√√√	√√√ F	10.5 (10.5)	x
Estonia	√√√	√√	√√ F	36 (36)	√√√
Finland	√√√	√√√	√√√ F	36 (36)	x
France (fn)	√√√	√√√	√√ * F	36 (36)	√ [+]
Germany	√√√	x	√√ * F	36 (24)	√√√
Greece	√√√	√√√	√ I	9 (2)	√ [+]
Hungary (fn)	√√√	√√√	√√√ F	36 (36)	√√√
Iceland	√√√	x	√√√ F/I	9 (9)	x
Ireland	√√	x	√ I	14 (4.5)	√√√ [+]
Italy (fn)	√√√	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 (fn)	x	√√√	√√√ F/I	See footnote	√√√
UK	√√	√√	√ I	18 (6)	√
USA (fn)	x	x	x	0	x

Source: Table 1 published in Moss and O'Brien (2006:54), with details re Austria from country notes in Deven and Moss (2005)

Key:

Note 1: In the originating publication (Moss and O'Brien 2006), this column (3rd from left) is headed 'parental leave' i.e. with an identical title as the next column to the right - also titled 'parental leave'. This analysis assumes the 3rd column has been incorrectly titled in the originating publication, since the data contained in it refer to entitlements for paternity leave, not parental leave. Accordingly, the column is titled 'paternity leave' in the table above, although the table otherwise reproduces the data in the original.

Maternity, paternity, parental leave and leave for sick children columns:

x - no statutory entitlement;
√ - statutory entitlement but unpaid;
√√ - statutory entitlement, paid *either* at 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% of earnings (in most cases up to a ceiling).

Parental leave column:

* indicates payment is made to all parents with a young child whether or not they take 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 this column) indicate length of leave *in months* which receives some payment. n.b. this column includes both 'parental' and 'childcare' leaves.

[+] 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 6 months after the end of maternity leave.

Germany: Parental leave payment after maternity leave is until child is 2 years and means tested.

Hungary:

For insured parents leave is paid at 70 percent of earnings until child's 3rd 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 eighth birthday of the youngest child. Payment same as for non-insured parents.

Italy: Parental leave is 6 months per parent, but total leave per family cannot exceed 10 months.

Sweden: 480 days [approx 16 mths] paid leave per family (divided between individual entitlements and family entitlements);
390 days [approx 13 mths] 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 for childbirth or care of child up to 12 months of age as part of the federal Family and Medical Leave Act;

employers with fewer than 50 employees are exempt;
Five states and Puerto Rico provide some benefit payments to parents missing work around the time of childbirth [California, Hawaii, New Jersey, New York, Rhode Island and Puerto Rico].

APPENDIX 2: EMPLOYMENT-RELATED ELIGIBILITY CRITERIA FOR PAID PARENTAL LEAVE, WHERE APPLIED

Country	Employment-related eligibility criteria for paid parental leave, where applied
Austria	All employees (n.b. no payment associated with parental leave, but since 2002 parents can receive childcare benefit)
Belgium	One year's employment with same employer over the last 15 months. Self-employed not eligible
Canada	Depending on jurisdiction, 12 – 13 months employment, mostly continual. Some categories of casual workers excluded, as are most self-employed, and employees who have not yet worked 600 hours since their last Employment Insurance claim. Quebec includes self-employed who have earned CAN \$2,400 in the 52 preceding weeks
Czech Rep.	No special requirements, but formal approval needed from employer
Denmark	As maternity leave – i.e. for an employee, eligibility based on 120 hours in 13 weeks preceding the paid leave. Workers with temporary contracts excluded only if they are not eligible for unemployment benefit. For self-employed workers (including helping a spouse) eligibility based on level of professional activity within the last 12 month period, of which one month immediately precedes the paid leave. Eligibility includes people who have just completed a vocational training course of at least 18 months, or are doing a paid work placement as part of a course. Students are entitled to an extra 12 months educational benefit (same amount as maternity benefit). Unemployed people are entitled to benefits from insurance, and those on sickness benefit continue to receive it (same amount as maternity benefit).
Estonia	Eligibility for paid maternity leave for all employed mothers, including self-employed and those on temporary contracts of at least three months. Parental leave = childcare leave, all parents eligible. Two types of benefit payments – Parental benefit for 315 days followed by Childcare benefit
France	Eligibility for based on one or two years' work for same employer prior to birth. Different payment regimes re children born before Jan 2004 and those after, with longer qualifying period of work associated with fewer children.
Germany	All parents gainfully employed at birth eligible for means-tested Childrearing Benefit if not employed more than 30 hours a week. After 7 months, level of benefit reduced for those above very low income
Iceland	All people who have been economically active prior to childbirth; three months paid leave per couple following maternity and paternity leave
Italy	All employed workers, except domestic workers and home helps. Self-employed generally entitled to three months. The father is entitled to leave even if the mother is not in the labour force

Country	Employment-related eligibility criteria for paid parental leave, where applied
Norway	Eligibility requires employment for six of the last 10 months prior to delivery, and sufficient income to have earned at least half the basic national insurance benefit payment over the previous year. Non-employed women receive flat payment
Slovenia	Parental leave available to all, but eligibility for payment depends on insurance contributions over the preceding three years. Those not insured at the time the leave starts, but who have contributed for at least 12 months in those three years eligible for lower payments
Sweden	All parents entitled to paid parental leave, but payment level depends on income level over the 240 days before due date of birth. A parent remains qualified for highly paid parental leave if an additional child is born or adopted within 30 months of the birth or earlier adoption of a child

Sources: Table 1 published in Moss and O'Brien (2006:54), with details for Austria from country notes in Deven and Moss (2005).

APPENDIX 3: PAID PARENTAL LEAVE ENTITLEMENTS IN THOSE COUNTRIES WITH STATUTORY PROVISION

Country	Entitlements to paid parental leave *
Austria	Full-time leave for one parent from end of maternity leave (at 8 weeks after the birth) up to the child's 2nd birthday, or part-time (i.e. reduced by at least 40 percent) until the child's 4th birthday
Belgium	Three months per parent per child, which can be taken up to the child's 6th birthday
Canada	Up to 35 weeks paid leave per family. All jurisdictions require that maternity leave and parental leave be consecutive if both are taken and the maximum number of weeks' leave that are allowed for one person in almost all jurisdictions is 52.
Czech Rep	While paid parental leave can be taken (by one parent only) up to child's 3rd birthday, parental benefit is granted until child's 4th birthday
Denmark	32 weeks of paid leave, until the child is 48 weeks, per family
Estonia	Parental leave until child reaches three years, with family entitlement to payment that is independent of leave (i.e. Parental benefit or Childcare benefit)
Finland	158 working days per family, paid via an earnings-related benefit averaging 66 percent of earnings. Those not employed or on very low incomes receive flat rate allowance
France	Family entitlement to leave until child reaches three years, with payment levels depending on whether child born before or after Jan 2004, and number of children in family, where more children means higher payments
Germany	Family entitlement to leave until child is three, with pay via means-tested childrearing benefit, where parents are not employed more than 30 hours per week.
Hungary	Two types of leave and benefit: GYES for non-insured parents until child's 3rd birthday, and for insured parents for child's 3rd year; GYED for insured parents from end of maternity leave until child's 2nd birthday
Iceland	Three months at some time after the birth, which can be taken by either parent after maternity and paternity leaves, and before child is 18 months (i.e. total of 9 months paid leave per family)
Italy	Six months for mothers and six months for fathers (plus another month for fathers taking their three months entitlement of optional leave) paid at 30 percent of earnings if taken when child is under 3 years, or under eight years for very low income families
Norway	54 weeks, including nine weeks for mothers and six weeks for fathers (fathers' quota), with the remaining 39 weeks a family entitlement that can be taken by either parent, paid usually at 100% of earnings

Country	Entitlements to paid parental leave *
Slovenia	260 calendar days (about 37 weeks). Each parent is entitled to half the total, but this individual right may be transferred between parents
Sweden	480 days of parental leave can be taken any time before child's 8th birthday; of which mothers' quota is 60 days, and fathers' quota another 60 days; remaining 360 days is family entitlement, half for each parent. If one parent transfers entitlement to the other, they must consent in writing. Payment for eligible parents 390 days at 80 percent of earnings up to a max; with the remaining 90 days at a lower flat rate. For fathers to be eligible, they must have been employed for at least 240 days before due date or adoption, otherwise fathers get the flat rate.

** This table summarises paid leave entitlements only - unpaid leave is provided as well in some countries*

Sources: Table 1 published in Moss and O'Brien (2006:54), with details for Austria from country notes in Deven and Moss (2005).

APPENDIX 4: PAID AND UNPAID LEAVE ACCESS AND UPTAKE

	Reported access to parental leave	Uptake by women	Uptake by men	Carers' leave: access and uptake
Australia	36 – 39% of women report having access to paid maternity leave via collective agreements and/or insurance; no data for men re paternity leave; nearly 60% of employed workers say they or others have access to parental leave (no data whether paid by employer).	No good data	No good data	Approx. 70% of employed persons have access (but not self-employed or many casual workers) n.b. women (83%) more likely than men to report access to permanent PT work than men (61%)
Austria	Obligatory to take maternity leave, and almost all women eligible; men's use of their 1-2 days is part of wider eligibility to use that time for other private or urgent family reasons	Take-up of maternity leave approx. same as birth rate; since new childcare benefit, only data on benefit uptake available, not use of leave	Parental leave for fathers introduced in 1990. At first, take-up 0.6 – 2%. Since new childcare benefit, take-up risen to 2.8%	Very low take-up for family hospice leave– only 470 persons in 2003. No info on take-up of leave for sick depts.

	Reported access to parental leave	Uptake by women	Uptake by men	Carers' leave: access and uptake
Belgium	All women and all men entitled to maternity and paternity leave; 12 mths employment to qualify for parental leave; Profile of users of parental leave shows mostly women – only about 14 % are fathers. 50% take it as reduced hours (1 day p. wk)	No systematic data on those women who do not take up maternity leave	Large majority of men use the extended paternity leave (10 days); about 5 % use only the 3 days funded at 100% (rather than the 82% for the other 7 days)	Time credit system provides all workers with basic right to take 1 year of partly paid leave for care or break. No data on take-up
Canada	39% of employed women not eligible for parental leave – eg self-employed, not prev. employed etc. 52% of mothers take 9-12 months off work; the median time at home with benefits rose from 6 mths in 2000, to 10 mths in 2001. 25% took less than 9mths off. From 00-01, the % of women returning to work after paid leave rose from 8% to 47%.	Following law change in 2000, the % of all new mothers receiving paid maternity or parental benefits rose from 54% in 2000 to 61% in 2001. Avge. paid leave time for women 30 weeks	Since extension of paid parental leave time from 10 to 35 wks, fathers' uptake has risen from 3% to 10% - maybe extra time means mothers more willing to share the time. Avge. paid leave time for men 13.8 wks	No data on take-up. Eligibility for leave to care for deps on 40% less pay depends on having worked 600 hours in last 52 wks since last Employment Insurance claim

	Reported access to parental leave	Uptake by women	Uptake by men	Carers' leave: access and uptake
Czech Rep	Equal access to parental leave introduced in 2001	Nearly all mothers take maternity leave, and almost all parental leave is taken by women	No statutory leave entitlement to paternity leave. Despite equal access to parental leave, the number of men receiving parental benefit compared with women has stayed negligible (1.45%)	No data on care for sick children
Denmark	Paid maternity and paternity, and parental leave for almost all workers and some beneficiaries. No info on parents who don't take leave because ineligible; but research shows 20% of self-employed mothers aged 30-40 did not take leave	Nearly all mothers take up maternity leave: data combines all 3 leaves. On average, mothers take 351 days	Data for all 3 leaves combined: on average, fathers take 25 days although might take annual leave as well. Only 30% of self-employed fathers took parental leave	No data on care for sick children
Estonia	No good data on take-up of parental leave, but research study shows that over 80% of women take parental leave	Maternity leave is obligatory – 100% take-up	14% of fathers take paternity leave	In 2004, 19% of people receiving benefit to look after a sick child were men. This proportion has risen by about 1% per year

	Reported access to parental leave	Uptake by women	Uptake by men	Carers' leave: access and uptake
Finland	Paid maternity, paternity and parental leave for all parents resident in Finland for 180 days prior to the birth.	Almost all mothers use paid maternity leave	Approx 66% of fathers take paternity leave, with avge. of 14 days (of the 18). Only 4% took the bonus time (12 days) assoc with taking the last 2 wks of paternity leave	No data
France	Paid maternity and paternity leave available to all employees and self-employed workers. Parental leave after that till child is 3; payment depends on no of children and length of prior employment, but is reduced if parent works part-time. Mothers in demanding work conditions more likely to take the paid parental leave with the childrearing benefit they are eligible for.	Almost all mothers use paid maternity leave, but women in high-status employment take less. In practice, women make up 98 – 99% of parents taking parental leave.	About 66% of eligible fathers took paternity leave in 2003, but few took parental leave.	No data re sick children – employers not required to provide it. Long childrearing leave exists in effect, but is called parental leave – see column 1

	Reported access to parental leave	Uptake by women	Uptake by men	Carers' leave: access and uptake
Germany	<p>Paid maternity leave 14 wks available to all women employees including part-time but excluding self-employed; no paternity leave; parental leave entitlement per family until child is 3, with pay via means-tested Childrearing Benefit. Current flat-rate will become earnings-related at 67% in 2008. Take-up of CB 92.4% in 2003, but 14.2% of households with newborns were not eligible for leave and another 12.6% did not take the leave they were entitled to.</p>	<p>There is 100% take-up of maternity leave, as it is prohibited to work for 8 weeks after the birth. Take-up of parental leave tends to follow unemployment rates. High unemployment means lower eligibility levels and take-up higher among public sector and larger firms (over 50 empl.)</p>	<p>No statutory entitlement to paternity leave. In 2003, 4.9% of fathers took parental leave and received Childrearing Benefit.</p>	<p>Longer leave for childrearing is termed parental leave; no long leave for career breaks</p>
Greece	<p>Individual entitlement of 3.5 months of unpaid parental leave per parent</p>	<p>No info</p>	<p>No info</p>	<p>No info</p>

	Reported access to parental leave	Uptake by women	Uptake by men	Carers' leave: access and uptake
Hungary	See Appendix 2 for complex eligibility details. It is thought that the 3rd year of GYED – paid at the lower rate of GYES, plus the career implications of prolonged absence from work result in many taking shorter leave than they are eligible for – many children start child care by age 2	No data. It is thought almost all eligible women take maternity leave, and that mothers with higher education and better jobs take shorter periods of parental leave	No statutory paternity leave.	Uptake of leave to care for sick children est. as 3% of all paid sick leave, in 2003. No data on prolonged child upbringing leave.
Iceland	Eligibility for 4mths (1mth before birth and 3 after) paid maternity leave for all women economically active prior to birth – FT empl receive higher rate than PT or students. No stat. paternity leave, but 6mths additional paid parental leave incl. 3mths for father only + 3mths to share. Also 3mths p.a. for each parent unpaid childcare/career break leave until child is 8.	In 2003, 99% of women applying for leave used the 3mths available. 91% of mothers took some period of parental leave. 59% of women taking leave took it in one uninterrupted spell	In 2003, leave was taken by 84 fathers for every 100 mothers taking leave. Fathers took 1/3 of all days of leave taken by parents – avge. 94 days cf. 182 for mothers. Overall, 16% of fathers took some parental leave; 20% took less than their ring-fenced 3mths; 17% in two + spells	No info

	Reported access to parental leave	Uptake by women	Uptake by men	Carers' leave: access and uptake
Ireland	Est in 2001 that almost 7% of employees in the 655 orgs surveyed were eligible for parental leave that year, and est. that 20% had taken the leave	No info on take-up of maternity leave. 2001 survey est. 84% of parental leave taken by women.	No entitlement to statutory paternity leave. 2001 survey est. 16% of parental leave taken by men.	See Appx X for details – a few days re sick children, and up to 65 wks for empl with 12 mths service for more serious problems. In 2001 29% of employees took short leave. No data on take-up for longer.

	Reported access to parental leave	Uptake by women	Uptake by men	Carers' leave: access and uptake
Italy	20 weeks compulsory leave (incl. at least 8 wks before birth) for all women employees paid at 70% of earnings (100% in public sector). Plus, for all parents except domestic workers and home helps 6 mths parental leave for each parent before child is 8. Self-employed workers generally entitled to 3mths. Double for twins etc. Individual entitlement (so father entitled even if mother is not) but total leave per family cannot exceed 10 mths. Paid at 30% of earnings if child under 3; unpaid (except for very low income) for children aged 3-8.	Maternity leave is compulsory. No info on take-up of parental leave	No stat right to paternity leave but if mother dies, severely incapacitated or leaves child, father can take 12 wks leave with conditions same as maternity leave. No info on take-up. Plus 6 mths parental leave for fathers before child is 8, paid when child under 3 at 30% of earnings. Extra month if father has taken the 12 wks because mother absent. No info on take-up	Unpaid time off to care for depts. unlimited for children under 3; 5 days per parent for children aged 3-8

	Reported access to parental leave	Uptake by women	Uptake by men	Carers' leave: access and uptake
Netherlands	<p>All women employees (not self-employed) entitled to 16 wks maternity leave paid at 100% of max rate for sickness benefit. Must take the 4wks prior to birth. Paternity leave of 2 days paid at 100% by employers for all partners of women giving birth. Unpaid parental leave for all employees with one continuous year with same employer, of 13x usual hrs of work per wk. Can be taken for longer at lower rate of leave hours, or shorter at higher rate. No long carers' leave. The main mechanism for employees to reconcile their work and family responsibilities is via the opportunities to reduce working hours under the Working Time Adjustment Act.</p>	<p>Since women not allowed to work for the 4wks preceding birth, and further 12 weeks are fully paid, it is expected that take-up of maternity leave is 100%. Of mothers eligible for parental leave, 42% in 2004 took an avge of 8 mths, at avge 12 hours a week (incl PT). Uptake of parental leave higher among women, PT workers, those with higher educ, and in the public sector.</p>	<p>Recent survey in 2004 found that 90% of men entitled to paternity leave took some sort of leave; 51% had taken paternity leave but most had taken holidays or other leave accrued in lieu of pay.</p>	<p>All employees eligible for up to 10days' p.a. for sick child – but employer can refuse if serious bus. reason; plus 'reasonable' amt of time of a few days can be taken for urgent domestic problem. Both paid at 100% by employer. Leave to care for sick child used by only 9% in 2004; and the emergency leave by 5%. Many used holidays, or time in lieu of pay.</p>

	Reported access to parental leave	Uptake by women	Uptake by men	Carers' leave: access and uptake
Norway	Mothers employed in 6 of previous 10 mths eligible for 9 wks maternity leave (3 before, 6 after) paid at 100% up to high max. Non-empl. mothers get flat payment. Fathers eligible for 2 wks paid paternity leave at birth, then 4 wks unpaid daddy days quota (part of the family parental leave entitlement) which they lose if they do not take – may be paid via collective agreement. Evidence that some employers view the daddy days as an extn. of maternity leave, so not very supportive for fathers to take it. Parental leave 39 wks + the daddy days; paid as maternity leave; can be taken part-time while working; can be extended out to 40 wks with lower payment.	75% of mothers have the right to and use maternity and parental leave – 2003 data.	Before the daddy days (which they will lose if they do not take) were added in 1990s, only around 4% took leave - then rose to 70% by 1997 and 89% in 2003. But the fathers' quota is only 7.7% of the entitlement. Only 15% of fathers take more than the quota – assoc with higher ed. of mothers. High use assoc. with higher ed. of fathers, and lower use assoc. with longer working hours and managerial positions.	Each parent of child under 12 has right to 10 days leave when child is sick – 15 if 2 children. 20-30 days p.a. for single parents. Extended leave on sickness benefit rate for severely ill/disabled children, till 18 years.

	Reported access to parental leave	Uptake by women	Uptake by men	Carers' leave: access and uptake
Portugal	Eligibility for 120 days maternity leave at 100% of earnings (or 150 days at 80%): all women employees with a record of 6mths continuous or intermittent contributions to social security plus self-employed who contribute. Same eligibility criteria for paid paternity leave (20 days incl 5 oblig.) and for unpaid parental leave of 3mths per parent before child is 6. Adopting parent has right to 100 days leave, consecutive. Carers' leave up to 15 days unpaid leave p.a. to care for spouse, older child or co-resident relative	Estimated that about 33% of mothers not eligible for paid maternity leave. No info on take-up of parental leave, but as it is unpaid it is thought to be very low.	5 day compulsory paternity leave from 1999, seems to be boosting use of the other 15 days – in 2003 30-40% of eligible fathers took some paternity leave and proportion of fathers sharing some maternity leave entitlement reached about 12% of maternal leave beneficiaries.	Up to 30 days per year per family, paid at 65% of minimum wage, to care for sick child under 10, or no age limit for chronically sick or disabled children. Also parents entitled to 4 hours each school term to go to the school, until child turns 18

	Reported access to parental leave	Uptake by women	Uptake by men	Carers' leave: access and uptake
Slovenia	Equal access to the 260 days, each half transferable to the other parent	All insured mothers take maternity leave. All mothers take parental leave.	Around 2/3 of fathers now take up to 15 days of paid paternity leave. Research suggests low rate of payment inhibits further take-up. In 2003, only 2.3% of fathers took parental leave	No

	Reported access to parental leave	Uptake by women	Uptake by men	Carers' leave: access and uptake
Spain	16 wks maternity leave, must take 6 after the birth; can transfer any of the other 10 to father; eligibility for all employees to unpaid leave but payment depends on eligibility for the maternity leave benefit: eg having been making social security contributions over at least 180 days in the previous 5 yrs incl. at the time of the birth. Paternity leave of 2-4 days at birth, paid at 100% of earnings (but no pay for self-employed). Parental leave unpaid until child is 3 for all workers; some regions have improved rights. Unpaid Carers' leave of up to 1 yr to care for ill, old etc close relative; or reduction in working time	In 2002 maternity leave benefit covered around 54% of births – same figure as female employment rate for 25-54 age group. Fathers share some maternity leave in about 1% of cases. Take-up rate improving. Only 24% mothers eligible for parental leave – of all workers, about 18% were self-employed, 2% family workers and 32% on temporary contracts. Main users of parental leave are women	Most fathers are eligible for paternity leave, except for about 20% who are self-employed. No info on take-up rates as payments are made directly by employers	2 days' leave per worker to care for seriously sick child under 6 or other family reasons, paid for by employer. 4 days if travel involved. Re carers' leave: in 2002 there were only 126 users of time off to care for adult relatives in all Spain, but many take the working time reduction opportunity instead.

	Reported access to parental leave	Uptake by women	Uptake by men	Carers' leave: access and uptake
Sweden	No maternity leave. Access for both parents to 480 days' paid parental leave, with 60 mother-only and 60 father-only. Payment level depends on eligibility i.e. employment status – much higher pay 80% of earnings for employed; 20 euros a day for not employed. Can be taken at any time until child is 8. Each parent also entitled to take unpaid leave until child is 18mths. All employed fathers entitled to additional paid paternity leave of 10 days around the birth. All employees can apply for childcare leave (free year) – conditions apply re length of employment etc.	No entitlement to maternity leave. Data shows that mothers take most of the parental leave days in any one year, but men's proportion increasing. Most leave taken before child is 2.	Around 40% of fathers use some parental leave during child's 1st year. In 1987 fathers took about 7% of the total parental leave days – now up to 18.7% at end of 2004. In 2003, fathers used 36% of the leave for sick children. Fathers with more education take more parental leave as do fathers with partners with higher educ and income.	Family entitlement to 60 days per child p.a. to care for sick children under 12, and for those 12-15 with Dr cert. Paid at 80% of earnings.

	Reported access to parental leave	Uptake by women	Uptake by men	Carers' leave: access and uptake
United Kingdom	OML: 26 wks at flat- rate of 100 pounds a week for all women employees; plus a further AML of 20 wks at same rate, plus 6 wks at 90% of avge earnings, for women employees with 26 wks continuous service with present employer up to 15 weeks before due date. None for self-employed, but may qual for 26 wks at the flat rate payment. Same 26wks at the flat rate for 1 (only) adoptive parent, + another 26 wks unpaid. Paternity leave of 2 wks at the same flat rate payment for male emp'ees with the same 26 wks of work. Parental leave of 13 wks per child per parent up until 5th birthday for male employees with the same 26 wks work record. Can take max of 4 wks per year in one block or multiples of 1 week. 18 wks for parents of disabled children. No long childcare leave	All women entitled to OML; in 2002 85% were entitled to AML. 75% of those entitled to AML did not use full entitlement, mostly for financial reasons – pay rate too low. Not good data on take-up of parental leave available since system changed in 2003-04	According to reports from employers, only 19% of fathers took the statutory paid paternity leave when first introduced. But a 2002 survey showed that 95% of fathers took time off work when their baby was born – most as annual leave. But when fully-paid leave was provided by employer, take-up was almost universal. Not good data on take-up of parental leave.	Employees may take a 'reasonable time' off (undefined) to deal with unexpected emergencies, eg to care for dep. who is ill/injured; sudden breakdown of childcare arrangements; or incident involving employee's child during school hours. Plus, right to request flexible working arrangements

	Reported access to parental leave	Uptake by women	Uptake by men	Carers' leave: access and uptake
USA	No stat right to maternity leave, paternity leave, parental leave, or long childcare leave, but federal Family and Medical Leave Act provides for 12 weeks leave in each 12 mth period for a variety of reasons, including childbirth. Unpaid, may be taken in one block or several. Eligibility covers all employees working for a covered employer and who have worked for that employer for at least 1250 hours over the preceding 1 mths. 5 states provide partial payment. California the only state with comprehensive paid family leave law, where since 2004 all workers are covered by Temporary Disability Insurance with up to 6 wks partially paid (55-60%) leave up to a max following childbirth, adoption, placement of foster child, serious sickness, or the obligation to care for a seriously ill child, parent, spouse or domestic partner. Funded by employee contributions.		Because of qualifying conditions, only about 58% of workers in private firms are eligible for FMLA, with lower coverage for wage workers, workers with young children and welfare recipient workers. About 80% of working parents between aged 18-54 have access to some paid leave via statutory provision, collective agreements or individual workplace policies. But as FMLA does not provide payment, workers who are eligible do not often take it.	

Sources: Country notes published in Moss and O'Brien (2006:54), and in Deven and Moss (2005).

APPENDIX 5: SUMMARY OF CARERS LEAVE PROVISIONS

	Leave for sick children	Longer leave for childcare or career break	Leave to care for others; see Appendix 7 for details
Australia	√√√	x	x
Austria	√√√	x Available in some employer agreements, unpaid	6 mths, √√ where hardship
Belgium	√	1 year (up to 5 via collective agreements) available via time-credit system with restricted eligibility, pay various	√√ 10 days for urgent family care; 1-12 mths (or 24 mths PT) in blocks of 1-3 mths to care for terminally ill family, plus 1-2 mths for palliative care; all √√
Canada Quebec	√ [+] √ [+]	x x	√ -BC, NB and Q: 3-5 days; √√ - 9 jurisd. 8 wks (paid for 6)
Czech Rep.	√√√	x	√√ (9 days at a time but no limit on frequency)
Denmark	x	x	√√ (duration unclear)
Estonia	√√√	x	x
Finland	x	Home-care leave, paid √√ (all parents) until child is 3, then 'Partial care leave' available until child is 8; paid √√	√√ (2-4 days at a time) for children; - for others
France	√ [+]	x	√√ (up to 1 year)
Germany	√√√	x	-
Greece	√ [+]	3.75 months via flexible working arrangements, paid √√√	x
Hungary	√√√	Extended leave until child is 8, paid √√	-
Iceland	x	3 mths per parent per year until child is 8, unpaid	x
Ireland	√√√ [+]	x	√√ or √ (max 65 wks)
Italy	√	x	-
Netherlands	√√√ [+]	x	√√√ (10 days)

	Leave for sick children	Longer leave for childcare or career break	Leave to care for others; see Appendix 7 for details
Norway	√√√ [+]	1 year following Parental leave for each parent, paid √√ if child not FT at public care, or for PT attendance payment reduced	-
Portugal	√√√ [+]	2 years special leave extendable to 3 years if 3 or 4 children and presence of disability; unpaid. Right to return to work only - other empl. rights suspended	√ (15 days p.a.)
Slovenia	√√√ [+]	x	√√√ (up to 6 mths)
Spain	√√√	x	√ (1 year)
Sweden	√√√	3 – 12 mths, more stringent eligibility; Paid √√	-
UK	√	x	√ (a few days)
USA	x (FMLA only)	x (FMLA only)	x (FMLA only)

Source: data selected from Table 1 in Moss and O'Brien (2006) and country notes on Austria from Deven and Moss (2005)

Key:

- means no information available;

x - no statutory entitlement;

√ - statutory entitlement but unpaid;

√√ - statutory entitlement, paid *either* at 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% of earnings (in most cases up to a ceiling).

APPENDIX 6: 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			2, 5	
Belgium			1, 2,	
Canada	x	x		x
Quebec	x	x	3,5	
Czech Rep.	x	x	1,4	x
Denmark	x	x	1,3	x
Estonia	√√√	√√√ until 1 ½	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 2 ½	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
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
United Kingdom	x	x	5	√ until child is 6
United States	x	x	x	x

Source: Table 2 published in Moss and O'Brien (2006:56).

Key:

x - no statutory entitlement;

√ - statutory entitlement but unpaid;

√√ - statutory entitlement, paid *either* at 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% 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 case of multiple births

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

APPENDIX 7: THE RELATIONSHIP BETWEEN PAID PARENTAL LEAVE AND UNPAID LEAVE FOR PARENTS TO CARE FOR CHILDREN AND OTHERS, IN COUNTRIES WHERE BOTH ARE AVAILABLE

	Total statutory post-natal leave (paid mths in brackets), entitlement basis, and long leave opp.	Statutory entitlement leave to care for sick child	Leave to care for family member
Australia	12 mths (-) Family No long leave for childcare or career break	- No statutory entitlement, but employees have industrial right to take 5 days p.a. of personal sick leave	
Austria	24 mths (24)* Family Non-stat. Employer-employee-agreed unpaid leave of 6-12 mths for any reason	Paid – high; 0.5 mths	Paid – full; 1 week p.a; + 6 mths to care for seriously ill person - means- tested with benefit payments if low-income
Belgium	9.5 mths (9.5) Individual For eligible workers 1-5 years of leave with duration, timing and pay all based on a complex time credit system	Unpaid; 0.5 mths	10 days unpaid p.a. for urgent reason incl. family care; access to FT leave for 1-12 mths (up to 24 mths for PT) for serious illness in family, but in blocks of 3 mths. Priority given for the long leave (see column 1) for workers with severely ill family members
Canada	12 mths (11.5) Family No long leave for childcare or career break	- No statutory entitlements re children, but 3 jurisdictions have 3-5 unpaid days per year for family care; 9 have compassionate care provisions to care for family member when death is likely within 26 wks. Benefit of up to 6 weeks can be claimed via employment insurance for those eligible. Can also be used by parents, even after 52 weeks since the birth, and no other leave left	

	Total statutory post-natal leave (paid mths in brackets), entitlement basis, and long leave opp.	Statutory entitlement leave to care for sick child	Leave to care for family member
Czech Republic	36 mths (36) Individual No long leave for childcare or career break	No general statutory entitlement for sick children, but all employees eligible for benefit if they care for a sick relative at home. Leave must be taken in blocks of 9 days but no limit on frequency	
Denmark	10.5 mths (10.5) Family No long leave for childcare or career break	- no statutory entitlement re care for children, but all employees eligible for a care benefit if they care for a terminally ill relative or close friend at home	
Estonia	36 mths (36) Family No long carers' leave	Childcare leave 2 wks per year re children under 14 plus 1 day per mth for parents with disabled child, and extra 3-6 days holiday p.a. for families with dep children	
Finland	36 mths (36) Home care leave can be taken after parental leave i.e. from child's 3rd birthday, paid by basic home care allowance plus means-tested top-up, plus some municipal supplements	- No stat. provision, 2-4 days at a time available re children under 10 – often full pay but depends on collective agreement	In addition to home care leave, paid 'Partial care leave' available as a form of flexible working, until around 8 yrs – partial home care allowance available. Could be used for seriously ill child; no information on other dependants
France	36 mths (36) * (a) Family No long leave for childcare or career break	- Unpaid; 3 days p.a. per parent	Leave to care for sick child can be extended if child is seriously ill or disabled, and parent can receive flat-rate benefit
Germany	36 mths (24) * (b) Family No long leave for childcare or career break	No statutory provision, but up to 10 days p.a. paid – high, for children under 12, up to 25 days max per family. No information re other dependants	

	Total statutory post-natal leave (paid mths in brackets), entitlement basis, and long leave opp.	Statutory entitlement leave to care for sick child	Leave to care for family member
Greece	9mths (2) Individual Longer leave for childcare part of flexible working arrangements	2 wks unpaid leave per year for employee with child under 14	
Hungary	36 mths (36) (c) Family; Insured parents paid; Uninsured parents unpaid; Long leave opportunity for childrearing only, but paid at basic benefit level till child is 8.	Paid – high. Entitlement to leave to care for dependants is unlimited if child is under 1; up to 84 days per child p.a. for age 12-35 mths; 42 days for 36-71 mths; and 14 days 6-14 years. Paid at 70% of earnings and includes self-employed. Lone parents get double entitlement, as do parents of twins. No info on other dependants	
Iceland	9 mths (9) Family + Individual Each parent can take 3 mths unpaid leave p.a. till child is 8 yrs for childcare, or for career break.	Parental leave can be extended by up to 3 mths if child seriously ill. No other separate leave to care for dependants	
Ireland	12 mths (4) Individual No long leave for childcare or career break	Paid – high i.e. 3 days in any 12 consecutive mths up to max 5 days in any 36 consecutive mths; but employees with 12 mths continuous service can take max 65 weeks unpaid leave (Carers' Leave) to care FT for family dependant eg child with disability. Such employees may be eligible for means-tested Carers' Benefit	
Italy	12.5 mths (12.5) (d) Individual No long leave for childcare or career break	Unpaid leave for sick child unlimited for child under 3 yrs; + 5 days per parent for child 3-8 years	No information on leave to care for other dependants

	Total statutory post-natal leave (paid mths in brackets), entitlement basis, and long leave opp.	Statutory entitlement leave to care for sick child	Leave to care for family member
Netherlands	8.5 mths (2.5) Individual	Paid – high – 70% of earnings, paid by employer; up to 10 days p.a. to care for sick child living at home, or a sick partner or parent. Strict conditions re need, and employer can refuse on serious business grounds. As well, leave for ‘reasonable’ time (a few days or hours) at 100% of earnings to attend to urgent matters at home (death, broken water pipe etc)	
Norway	11.5 mths (11.5) Family + Individual Each parent has right to one year of unpaid leave, after parental leave. If for children 12-36 mths, full cash benefit is paid if child does not attend childcare; partial benefit if child attends part-time	Paid – high; 10 days per parent if one child under 12; 15 days if 2 + children. More for chronically sick child, to age 18 yrs and paid at sickness benefit rate	No information on leave to care for other dependants
Portugal	11.5 mths (5.5) Individual Plus leave for 2 years (or 3 for 3+ children, or 4 years if a child is disabled) for childcare or career break, for one parent only, with all employment rights eg holidays, and return to work protected	Paid at 65% of minimum wage – Family entitlement to up to 30 days p.a. for sick child under 10. No age limit if child is chronically ill or disabled: payment at lower benefit rate.	Up to 15 days per year to care for a spouse, older child or co-resident elderly relative, increased by 1 day for every second and subsequent child

	Total statutory post-natal leave (paid mths in brackets), entitlement basis, and long leave opp.	Statutory entitlement leave to care for sick child	Leave to care for family member
Slovenia	12 mths (12) Individual No long leave for childcare or career break	Insured workers entitled to 7 days' leave to care for immediate co-resident family member who is ill, paid at 80% of avge. earnings over preceding 12 mths. 15 working days maybe taken re severe illness; or 14 or 30 in more serious cases, up to 6mths for extreme situations. Minimum payment level is the guaranteed wage.	
Spain	36 mths (3.5) Individual No long leave for childcare or career break	2 days' leave per worker (paid by employer) to care for sick child or other family reason eg death of close relative; up to 4 days if travel involved. As well, each worker (not just parents) may take up to one year of unpaid leave, or working hours reduced by 1/3 to 1/2, to care for close relative re illness, accident or old age.	
Sweden	(e) 16 mths (13 high + 3 mths lower rate), plus 18mths unpaid Family + Individual As well, qualifying employees can apply to take 3-12 mths leave for childcare or career break at 85% of UB up to earnings-related max	Family entitlement to 60 days per child under 12 p.a. paid at 80% of earnings, and for children 12-15 with Dr certificate.	No information about leave to care for others
United Kingdom	18 mths (6, but intention stated to extend paid amt to 12 mths by 09-10) Individual No long leave for childcare or career break	Unpaid parental leave is extended to 18 weeks for parents of disabled children, to take any time before child is 18 (otherwise 13 wks for other parents) Employees can take 'reasonable' amount of unpaid time off to deal with emergencies eg family illness, injury; disruption of childcare arrangements; unexpected incident re child's school hours	

	Total statutory post-natal leave (paid mths in brackets), entitlement basis, and long leave opp.	Statutory entitlement leave to care for sick child	Leave to care for family member
United States	No statutory right to leave, but FMLA (f) provides 12 weeks leave in each 12 mth period for birth and/or care of child up to 12 mths No long leave for childcare or career break	The FMLA leave of 12 weeks per year is also available for care of seriously ill child, spouse or parent; or for serious medical condition of employee lasting more than 3 consecutive working days – i.e. it operates as personal sick leave as well as for caring for others	

Source: data selected from Table 1 in Moss and O'Brien (2006) and country notes on Austria from Deven and Moss (2005)

Key:

* indicates that payment is made to all parents, whether or not they take leave

'high' indicates that the rate paid to all parents is more than 50% of earnings (usually up to a ceiling)

'low' indicates there is a statutory entitlement to leave with pay, but the rate is either a low flat rate; or earnings related at less than 50% of earnings; or not universal; or for less than the full period of leave

a - in France, only paid to parents with one child until 6 months after the end of maternity leave

b - in Germany, payment after maternity leave until child is 2 years is means tested

c - in Hungary, uninsured mothers can take unpaid maternity leave 168 days (paid for insured mothers), then insured parents receive 70% of earnings if on leave until child's 3rd birthday, then either parent can take leave at flat rate up till child is 8 in families with three children, or to 10 if child cannot attend school because of illness or disability (discretionary up to age 14).

d - in Italy, parental leave is 6 months per parents, but total leave per family cannot exceed 10 months

e - in Sweden, there is 480 (approx 16 mths) days paid leave per family, divided between individual and family entitlements; 390 days (approx 13 mths) at 90% of earnings and 90 days at a low flat rate; also each parent entitled to 18 months unpaid leave

f - the Family and Medical Leave Act is administered by the federal department for Labour. Note that employers with fewer than 50 employees are exempt.

APPENDIX 8: OTHER PAYMENTS POSSIBLE WHEN PAID POST-NATAL LEAVE IS UNAVAILABLE, OR BECAUSE OF INELIGIBILITY*

	Post-natal leave available by statute	Other payments available when parents ineligible for paid post-natal leave
Australia	Unpaid parental only	One-off maternity allowance payment of A\$4,000 (since July 06, moving to A\$5,000 from July 07) for all children born, irrespective of mothers' employment status prior to the birth. The amount is spread evenly over a 14 wk period, and is now up to more than half the minimum rates of pay, and around 40% of average female full-time earnings.
Austria	Paid maternity Paid parental	Unemployed women are eligible for maternity payment only if they have completed 3 mths continuous employment or have been voluntarily health-insured for 12 months within the last 3 years
Belgium	Paid maternity Paid paternity Paid parental	No info, although a parental insurance scheme is now being developed that might eventually provide cover for parents ineligible for payments because of not being employed at the time
Denmark	Paid maternity Paid paternity Paid parental	Unemployed people are eligible to benefits from unemployment insurance or similar benefits ("activation measures")
Estonia	Paid maternity Paid paternity Paid parental	Parental payments for all families who meet the eligibility conditions for maternity or paternity leave (all employed mothers, including those on temp contracts of at least 3 mths; all employed fathers) – these payments not connected with whether the parents take parental leave. Parental benefit 45 wks, followed by child care benefit from then on until child is 3.

	Post-natal leave available by statute	Other payments available when parents ineligible for paid post-natal leave
Finland	Paid maternity Paid paternity Paid parental	Eligibility for payments is not connected with employment status – depends on residency in Finland for at least 180 days, so payments are made to all parents. But the level of payment reflects employment – those not employed and those whose annual earnings are less than €6,513 before the birth get a minimum flat-rate payment of €15.20 a day (i.e. very low). For the home care leave (from end of parental leave until child is 3) a parent receives a basic allowance with add-ons for each pre-school and school age child, plus means-tested top-up. Avge home care allowance in 2004 per family was €337 a month. Also, some municipalities pay an extra top-up – in 2004 this averaged €205 a month in Helsinki.
Ireland	Paid maternity Unpaid parental	Eligibility for maternity benefit relies on meeting conditions related to Pay-Related Social Insurance eg 39 weeks employment in the 12 mths before the birth – so a woman could leave or be unemployed before the birth and still receive a benefit during the period of time maternity leave lasts
Italy	Paid maternity Paid parental	Eligibility for paid leaves relies on social security membership
Norway	Paid maternity Unpaid paternity Paid parental	Eligibility for paid maternity leave and paid parental leave for those employed for six of the last 10 months prior to delivery and who have earned at least half the Basic national insurance benefit payment over the previous year. Non-employed women receive a flat payment (currently corresponding to about €5,000). Payment for paternity leave is funded by employers.
Portugal	Paid maternity Paid paternity Unpaid parental	Parents of children with a disability entitled to a small cash benefit from social security while on childcare leave – unpaid for other parents.

	Post-natal leave available by statute	Other payments available when parents ineligible for paid post-natal leave
United Kingdom	Paid maternity Paid paternity Unpaid parental	Maternity Allowance (MA – a social security payment) for 26 wks (39 wks re babies due from 1 April 07) from 11th week before wk when birth due (or from the day after the birth, if early). Paid at 90% of average wkly earnings to a max of £100 per wk. Eligibility: mothers recently but no longer employed, and to self-employed mothers. Earnings from any/all jobs must have averaged £30 gross per wk, over any 13 wks (i.e. not continuous) during the previous 66 wks up to and incl. the wk the baby is due. If the mother is ineligible for MA, then an Incapacity Benefit may be available, based on National Insurance contributions – paid from 6 wks before due date to 14 days after the birth. The maternity certificate is evidence of incapacity for work. Further, Income Support may be available for those ineligible for other payments, or where income during maternity leave falls short of their needs – an income-related benefit with maximum levels set each year by Govt. However, not payable if mother or partner has savings of £8,000, or works for 16 hrs a wk (mother) or 24 hrs a wk (partner). Alternatively if these working hrs are exceeded, there is the Child Tax Credit or Working Tax Credit.
United States	none	Family Medical Leave Act provides 12 weeks of unpaid leave only, for family or medical matters. Payments of about half of earnings available via Temporary Disability Insurance in Hawaii, New Jersey, New York, Rhode Island and Puerto Rico. More comprehensive paid family care leave in California – benefits funded from employee contributions

Sources: Table 2 published in Moss and O'Brien (2006:56) and in Deven and Moss (2005); UK Government docs online at www.dti.gov.uk/files/file18061.pdf and www.dwp.gov.uk/advisers/ni17a/ma/index.asp .

* note that this information is not exhaustive – it represents what has been included in the above publications and omits countries for which the information was unavailable or not clear

REFERENCES

Aequus Partners' Diversity and Flexibility Newsletter, April 2006: "Informal Care and Employment in England" online from Juliet.Bourke@aequus.co.au

Berger L, Hill J and Waldfogel J (2005) Maternity leave, early maternal employment, and child outcomes in the US *The Economic Journal* Vol 115, Feb: 29-47

BRC Marketing & Social Research (2005) *An Evaluation of the Paid Parental Leave Scheme. Stage 1 – Environmental Scan*. Presentation to the Department of Labour, November

BRC Marketing & Social Research (2006) *Selected Literature Summary Relating to Parental Leave*. Report prepared for Beven Yee, February, BRC #3281

Deven, Fred and Peter Moss (Eds)(2005) *Leave Policies and Research: Reviews and Country Notes*. Brussels, CBGS – WERKDOCUMENT 2005/3

European Industrial Relations Laboratory (EIRO) (2004) *Family-related leave and industrial relations*, at www.eiro.eurofound.eu.int/print/2004/03/study/tn0403101s.html

Equal Opportunities Commission (2005) *Parents and Carers: a work-life balance*. July. Online at www.eoc.org.uk, 16 May 2006-06-24

Fagan, Colette and Gail Hebson (2004) *'Making work pay' debates from a gender perspective: a comparative review of some recent policy reforms in thirty European countries*. The co-ordinators' synthesis report prepared for the Equality Unit, European Commission. Final Report, 2004. EU expert group on Gender, Social Inclusion and Employment (EGGSIE), at www.mbs.ac.uk/ewerc-eggsie

Galtry, (2000) *Policies, Practices and Support: Breast Feeding*. Paper prepared for WHO/UNICEF Technical Consultation. Geneva: WHO

Gravitas Research and Strategy Ltd (2003) *Evaluation of the Implementation of Paid Parental Leave*. Evaluation report prepared for Employment Relations Service, Department of Labour, August.

Gregg P and Waldfogel J (2005) Symposium on parental leave, early maternal employment, and child outcomes: Introduction *The Economic Journal* Vol 115: Feb: 1-6.

Jaumotte, Florence (2003) *Female Labour Force Participation: Past Trends and Main Determinants in OECD Countries*. Economics Department Working Papers No 376. Paris, OECD, 12 December.

Kammerman S B (2000) Parental Leave Policies: An essential ingredient in early childhood education and care policies. *Social Policy Report* Vol XIV No 2 at www.srcd.org

ILO (International Labour Organisation) (1999) *International Labour Conference 87th Session 1999: Maternity Protection at Work Report V (1)* Chapter 7 Beyond Childbirth: Parental, paternity and adoption leave. Online at www.ilo.org/public/english/standards/relm/ilc/ilc87/rep-v-1.htm

ILO (International Labour Organisation) (2000) C183 Maternity Protection Convention, 2000. Online at www.ilo.org/ilolex/cgi-lex/convde.pl?C183

Moss P and O'Brien M (eds) (2006) *International Review of Leave Policies and Related Research 2006* Employment Relations Research Series No 57, Department of Trade and Industry, United Kingdom

OECD (Organisation for Economic Co-operation and Development) (1995) *Employment Outlook 1995*. Chapter 5: Long-term leave for parents in OECD countries. Paris, July 1995

OECD (Organisation for Economic Co-operation and Development) (2004) *Reconciling Earning and Caring: Social Policies for Working Families. Summary and Conclusions*. Paris, OECD, 9 November.

Rhum, C (1998) Parental leave and child health (NBER Working paper 6554). Cambridge MA: NBER Cambridge MA: NBER

Rhum, C. (2000) Parental Employment and Child's Cognitive Development (NBER Working Paper no 7666)

Tanaka S. (2005) Parental leave and child health across OECD countries, *The Economic Journal*, Vol 115 (Feb): 7-27

Twenty State Policies to Enhance States' Prosperity and Create Bright Futures for America's Children, Families and Communities. *Policy Matters*, January. Centre for the Study of Social Policy, online at www.policymatters.us/pdfs/POLICY%20MATTERS%202006%20FULL%REPORT downloaded 16 may 2006