

# **INEQUALITIES IN ACCESS TO PARENTAL LEAVE IN EUROPE: CHALLENGES FOR FATHERS AND MOTHERS**

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Parental Leave Policies and Gender Inequalities in the  
Uptake of Parental Leave Conference  
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# PARENTAL LEAVE IS A WORK-LIFE BALANCE MEASURE

**Parental leave is**  
a right to take time off from work

- after maternity and paternity leave to take care of small children available to mothers and fathers

+

Benefits to compensate loss of income



TIME TO CARE  
JOB PROTECTION  
INCOME PROTECTION



Koslowski, A., & O'Brien, M. (2022). Fathers and Family Leave Policies: What Public Policy Can Do to Support Families. In H. Riley Bowles, et al (Eds.), Engaged fatherhood for men, families and gender equality. Springer.



# EVOLVING CONTEXT

- **1919 ILO Maternity Protection** Convention; Revised, 1952, 2000
- **1957 EEC Treaty of Rome** Article 119 Principle that men and women should receive equal pay for equal work; Directive, 1975, 1976
- **1981 ILO Workers with Family Responsibilities** Recommendation
- **1992 EU Pregnant Workers** Directive
- **1996 EU Parental Leave** Directive
- **2019 EU Work-life Balance** Directive
- “The women who helped bring the 1919 Convention to life understood very well that maternity protection is not just about granting paid leave at the time of and following the birth of a child. It is also about safeguarding employment and providing income security during and after the birth so that women have the chance of an equal footing with men in the world of work. It is about access to quality maternal health care that guarantees the well-being of mothers and their new-borns.”
- 100 year Anniversary Opening Speech **ILO Director-General, Guy Ryder** –Geneva, 8th November 2019



# IMPACT

- Growing number of studies - comparative & within country analysis of implementation, impact, and experience
- Take up higher when well-paid, has an individual non-transferable design & is culturally endorsed
- Impact research has methodological challenges e.g. selectivity, controls, but before & after legislation experiments provide useful evidence
- Benefits for maternal & paternal mental health, child wellbeing, maternal labour market retention, childcare sharing, couple stability.
- Duration, payment levels, whether on leave together or solo matters

Ivana Dobrotić, et al (2022) Research Handbook on Leave Policy, Elgar. Margaret O'Brien & Karin Wall, 2017  
Comparative Perspectives on Work-Life Balance and Gender Equality Fathers on Leave Alone. UK: Springer.  
doi:10.1007/978-3-319-42970-0\_10










# INEQUALITIES IN ACCESS

Rising insecure work creates risk of inequalities between 'haves' and 'have nots'

Equality concerns (gender, social class, citizenship status)



**DIMENSIONS OF ELIGIBILITY FOR MEN AND WOMEN'S ACCESS TO PARENTAL LEAVE: ADOPTING A *MULTI-DIMENSIONAL* AND *INTERSECTIONAL* APPROACH WITH A PRIMARY SENSITIVITY TO GENDER**

| Employment/labour market   | Family/ Household   | Citizenship  |
|--|---|--|
|  <p data-bbox="383 671 992 772">Activity status (self-employed, unemployed, inactive)</p> |  <p data-bbox="1227 671 1581 715">Same-sex couples</p>     |  <p data-bbox="1877 671 2074 715">Nationals</p>                 |
|  <p data-bbox="383 963 920 1066">Duration of contract (Time with current employer)</p>   |  <p data-bbox="1227 963 1514 1007">Single parents</p>     |  <p data-bbox="1877 963 2074 1123">Third-country nationals</p> |
|  <p data-bbox="383 1203 882 1305">Pay threshold conditions prior to leave</p>           |  <p data-bbox="1227 1203 1570 1246">Adoptive parents</p> |  <p data-bbox="1877 1203 2063 1246">Migrants</p>              |



# AIMS AND OBJECTIVES

To assist the European Institute for Gender Equality (EIGE) to improve its technical monitoring of work-life balance in Member States of the EU:

- Develop a template (including necessary definitions and instructions) for collecting information on all relevant policy aspects that are needed for the eligibility estimations at national level.
- Estimate, using micro-simulation methodology, how many women and men are eligible to parental leave in the Member States of the EU.
- Break down the non-eligibility by the main reasons, i.e. to which conditions do women and men not meet in each Member State (e.g. non-employment, self-employment, not sufficient job tenure, sector of employment, same-sex couples, non-residential parents and other potential reasons, including nationality and citizenship).
- Provide an intersectional analysis of the eligibility rates by looking at women and men with different social-demographic background where relevant and feasible (e.g. age, country of birth, qualifications, occupation, sector).

*Use EU-LFS and EU-SILC 2017 datasets, define our sample of 'potential parents' as men and women aged 20-49*

# DIMENSIONS OF ELIGIBILITY FOR MEN AND WOMEN'S ACCESS TO PAID & UNPAID PARENTAL LEAVE

## ➤ **Employment/ labour market**

- Activity status (Employed, unemployed, inactive)
- Employment type (employee, self-employed, family worker)
- Duration of contract (Time with current employer; Permanent/temporary contract)

## ➤ **Family/ Household**

- Same-sex couples
- Single parents
- Adoptive parents
- Non-resident parents

## ➤ **Citizenship**

- Non-nationals
- EU-citizens
- Non-EU citizens
- Cross border workers
- Refugees, asylum seekers

Unable to simulate due to data availability/methodological approach



# ACCESS TO PARENTAL LEAVE ACROSS THE EU

No EU Member State offers universal access to parental leave

## Restrictions in access to parental leave in the EU-28

|    | Employees | Self-employed | Same-sex parents | Adoptive parents | Lone parents | Non-residential parents | Other EU-28 citizens | 3rd country nationals | Refugees | Asylum seekers |
|----|-----------|---------------|------------------|------------------|--------------|-------------------------|----------------------|-----------------------|----------|----------------|
| HR | ●         | ●             | ●                | ●                | ●            | ●                       | ●                    | ●                     | ●        | ●              |
| SI | ●         | ●             | ●                | ●                | ●            | ●                       | ●                    | ●                     | ●        | ●              |
| FI | ●         | ●             | ●                | ●                | ●            | ●                       | ●                    | ●                     | ●        | ●              |
| SE | ●         | ●             | ●                | ●                | ●            | ●                       | ●                    | ●                     | ●        | ●              |
| ES | ●         | ●             | ●                | ●                | ●            | ○                       | ●                    | ●                     | ●        | ●              |
| DE | ●         | ●             | ●                | ●                | ●            | ●                       | ●                    | ●                     | ●        | ●              |
| EE | ●         | ●             | ●                | ●                | ●            | ●                       | ●                    | ●                     | ●        | ●              |
| NL | ●         | ●             | ●                | ●                | ●            | ●                       | ●                    | ●                     | ●        | ●              |
| BE | ●         | ●             | ●                | ●                | ●            | ●                       | ●                    | ●                     | ●        | ●              |
| BG | ●         | ●             | ●                | ●                | ●            | ●                       | ●                    | ●                     | ●        | ●              |
| DK | ●         | ●             | ●                | ●                | ●            | ○                       | ●                    | ●                     | ●        | ●              |
| RO | ●         | ●             | ●                | ●                | ●            | ●                       | ●                    | ●                     | ●        | ●              |
| FR | ●         | ●             | ●                | ●                | ●            | ●                       | ●                    | ●                     | ●        | ●              |
| SK | ●         | ●             | ●                | ●                | ●            | ●                       | ●                    | ●                     | ●        | ●              |
| AT | ●         | ●             | ●                | ●                | ●            | ●                       | ●                    | ●                     | ●        | ●              |
| IT | ●         | ●             | ●                | ●                | ●            | ●                       | ●                    | ○                     | ○        | ○              |
| PT | ●         | ●             | ●                | ●                | ●            | ●                       | ●                    | ●                     | ●        | ●              |
| IE | ●         | ●             | ●                | ●                | ●            | ○                       | ●                    | ●                     | ●        | ●              |
| LU | ●         | ●             | ●                | ●                | ●            | ●                       | ●                    | ●                     | ●        | ●              |
| MT | ●         | ●             | ●                | ●                | ●            | ○                       | ●                    | ●                     | ●        | ●              |
| PL | ●         | ●             | ●                | ●                | ●            | ●                       | ●                    | ●                     | ●        | ●              |
| UK | ●         | ●             | ●                | ●                | ●            | ●                       | ●                    | ●                     | ●        | ●              |
| CZ | ●         | ●             | ●                | ●                | ●            | ●                       | ●                    | ●                     | ●        | ●              |
| LV | ●         | ●             | ●                | ●                | ●            | ●                       | ●                    | ●                     | ●        | ●              |
| HU | ●         | ●             | ●                | ●                | ●            | ●                       | ●                    | ●                     | ●        | ●              |
| EL | ●         | ●             | ●                | ●                | ●            | ●                       | ●                    | ●                     | ●        | ●              |
| LT | ●         | ●             | ●                | ●                | ●            | ○                       | ●                    | ●                     | ●        | ●              |
| CY | ●         | ●             | ●                | ●                | ●            | ○                       | ○                    | ○                     | ○        | ○              |

● Eligible without conditions    ● Eligible with conditions    ● Not eligible    ○ information not available

Note: Countries are sorted according to the number of green circles (highest to lowest); for ties, red circles (lowest to highest); for ties, by protocol order. Employment conditions are primary criteria; eligibility for same-sex parents or non-nationals are green if no further conditions apply.



# ELIGIBILITY ACROSS THE EU

- All men and women: 36% of women and 28% of men not eligible
- Men and women in employment: 10% of women and 12% of men not eligible

In the EU-28:

- 16 countries restrict access to employees with short working duration before birth
- the self-employed are not eligible in 10 countries
- 11 countries do not allow access for same-sex parents
- Adoptive parents and lone parents are eligible to parental leave across EU-28
- Non-resident parents are not eligible in 11 countries
- 2 countries restrict access to non-nationals through residency conditions
- 19 limit access to refugees or asylum seekers

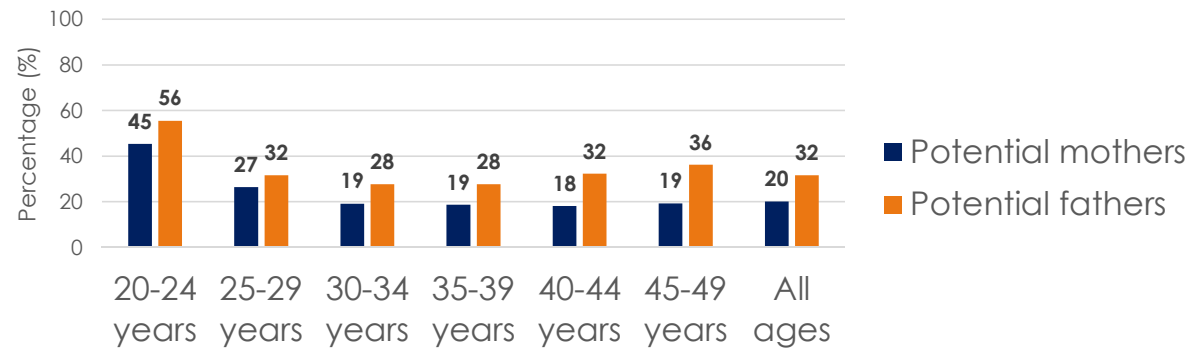


# **“INELIGIBLE” OR “PARENTAL LEAVE POOR”**

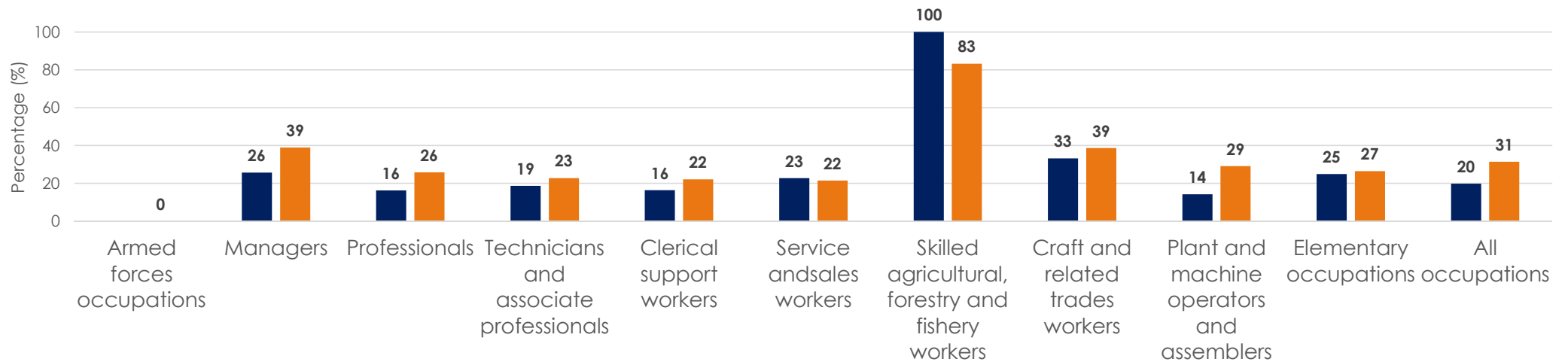
- More likely to be economically inactive, in non-standard employment such as self-employment and have been in their job for less than 12 months.
- Can signify insecure, unstable, and uncertain even precarious work-life trajectories typically associated with poor regulatory protection.
- Eligibility was low in Ireland, Cyprus, Italy, Malta and the UK particularly for women

# IRELAND

## Non-eligibility of Those in Employment by Age



## Non-Eligibility of those in employment by occupation





# CONCLUDING REMARKS

- Simulated eligibility has revealed **variation and inequalities** in access to parental leave across the EU-28 population.
- Future policy makers should take into account those who are “ineligible” to assess **effective or actual** take-up of leave.
- As not possible to gain EU-28 rules on all exclusions, it is likely that the eligibility estimates present an **optimistic scenario**.
- Sampling approach is a hypothetical one (“potential parents” between 20-49 years) so it may have presented an *unrealistic illegibility profile* for younger Europeans who are not yet ready for parenthood.
- Parental leave policies should reflect changes in the labour market and diversity in the society