



transeuroworks

Working Paper 4/2024

Deliverable 4.4

Assessing Compliance: Implementation of EU's Work-life Balance Directive in European Countries

Ieva Zumbyte and Dorota Szelewa

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Abstract

This paper assesses how select EU Member States comply with the EU Directive 2019/1158 on work-life balance for parents and carers (WLBD). The WLBD, adopted in 2019, introduced minimum standards for paternity leave, parental leave, carers' leave, and the right to flexible working arrangements for parents and carers. The WLBD marks a milestone in the EU regulation in seeking to de-gender work and care arrangements by introducing two key provisions to encourage fathers' participation in childcare – paid two weeks of paternity leave and paid two months of non-transferable parental leave, as minimum standards. The Member States had three years to transpose the Directive into their national law. We examined policy compliance and changes implemented by countries at the Directive adoption stage (2019) and after the implementation (2023) in six EU countries (Belgium, Denmark, Ireland, Spain, Slovakia, The Netherlands) and the UK. We find that countries generally exhibit greater compliance with carers' leave and flexible working arrangements compared to paternity or parental leave policies. All countries comply with the carers' leave, largely because most already had existing provisions. Compliance with flexible work arrangements is limited primarily due to the exclusion of relatives, restricting the rights of carers. Only three out of seven countries comply with paternity and parental leave. These policies may be more contentious as there are more dimensions to comply with compared to the former policies. For example, in many countries certain policy aspects, such as eligibility remained unchanged, resulting in non-compliance. Non-compliance with the non-transferable portion of parental leave results also largely due to unmet requirements for remuneration, duration, flexibility, or child's age. These findings reveal significant variation in how countries transpose WLBD and highlight the challenges of ensuring compliance. Effectively addressing gender equality requires countries to consider multiple policy dimensions, which can create barriers if not addressed effectively.

Overview of Work-Life Balance Directive

The Work-Life Balance Directive 2019/1158 (WLBD) emerged after the Great Recession following the financial crisis of 2008, as one of the initiatives under the European Pillar of Social Rights (EPSR) adopted in 2017 which seeks to improve social rights for EU citizens. The WLBD marks a milestone in EU social policy seeking to explicitly degender labour market and caregiving relations in the home through new regulations (de La Porte, Larsen, and Szelewa 2020). The Directive aims to challenge the gendered division of care responsibilities, gender stereotypes, such as the female-carer and male-breadwinner family model, and disparities in earnings and employment opportunities resulting from insufficient family-related leave policies (European Commission 2021).

The WLBD seeks to de-gender work and care arrangements by introducing four policies, two of which explicitly aim to encourage fathers' participation in childcare (see Box 1). First, it grants the right to paternity leave for at least 10 days upon the birth of a child for fathers or equivalent second parents. It stipulates that paternity leave "should be clearly linked to the birth for the purposes of providing care" (OJEU 2019, §19). The WLBD encourages Member States to remunerate paternity leave generously, by requiring leave to be compensated at least at the level of national sick pay, but also suggesting a higher level of remuneration, equivalent to that of maternity leave, "Since granting rights to paternity and maternity leave pursue similar objectives, namely creating a bond between the parent and the child, Member States are encouraged to provide for a payment or an allowance for paternity leave that is equal to the payment or allowance provided for maternity leave at national level" (OJEU 2019, §30).

Second, the WLBD expands on the 2010 parental leave directive, which initially provided four months of parental leave with only one month earmarked per parent and did not effectively encourage fathers to take leave due to the absence of compensation. Recognizing this shortcoming, the WLBD mandates *two months of paid* parental leave, specifically aimed at encouraging father involvement, "as most fathers do not avail themselves of their right to parental leave (...) this Directive extends from one to two months the minimum period of parental leave which cannot be transferred from one parent to the other in order to encourage fathers to take parental leave" (OJEU 2019, §20). While Member States determine the exact compensation level, the Directive emphasizes the need for adequate remuneration to ensure that both parents can afford to take parental leave without compromising their household income, "Member States should take into account that the take-up of parental leave often results in a loss of income for the family and that first earners in a family are able to make use of their right to parental leave only if it is sufficiently well remunerated, with a view to allowing for a decent living standard." Work-family research also confirms the significance of earmarking and generous remuneration to increase

fathers' take-up of parental leave (Patnaik 2019; Duvander et al. 2019). For example, member states with earmarked parental leave tend to have higher take-up rates than those without (De La Porte et al. 2023).

Previous directives, including the 1996 parental leave directive and the 1992 maternity leave directive, also lacked the necessary incentives for fathers to take parental leave, resulting in the persistence of gender imbalances in leave utilization, labour market participation, and family caregiving. In most countries leave was unpaid or compensated at low levels and the largest share of leave has been taken by mothers (van Belle 2016; Adema et al. 2023).

The WLBD aims to address these challenges in the EU by moving many Member States from low or non-existent statutory parental leave compensation to establishing a minimum period of well-paid paternity and parental leave, specifically dedicated to fathers, in a bid to promote greater gender equality in parental responsibilities and the labour market. Early evidence suggests that the Work-Life Balance Directive (WLBD) is driving convergence in paternity leave but divergence in parental leave (de la Porte et al. 2022). The convergence in paternity leave is not surprising, as most countries already complied with this regulation before WLBD. The divergence in parental leave provisions stems from the lack of specific compensation requirements, different policy legacies, and the principle of subsidiarity, which empowers Member States to determine the level of compensation based on their own practices and political priorities (De La Porte et al. 2023).

Besides paternity and parental leave, the WLBD also introduces stipulations for carers' leave and flexible working arrangements (see Box 1 for policy details). The WLB introduces the right to carers' leave of five days per year for each worker to provide personal care or support for medical reasons to a relative or a person who lives in the same household. However, there is no stipulation for payment.

The final provision of the WLBD grants workers, including parents and caregivers, the right to request flexible work arrangements to balance professional and caring responsibilities, "Member States shall take the necessary measures to ensure that workers with children up to a specified age, which shall be at least eight years, and carers, have the right to request flexible working arrangements for caring purposes". This includes the right for parents or carers to request reduced working hours (part-time work), the right to request flexible working hours, and flexibility in the place of work, i.e. work from home. Employers should be allowed to decide whether to accept or refuse requests for flexible working arrangements.

The Work-Life Balance Directive was adopted in June 2019, and the deadline for the transposition by Member States was in August 2022. However, for the payment of parental leave, the transposition deadline was different, Member States had until August 2024 (Article 20.2) to transpose the last two

weeks of the non-transferable parental leave as provided for in Article 5(2) and Article 8(3) into their national law. As of December 2023, Belgium, Ireland, and Spain have not fully implemented WLBD and the European Commission has taken these countries to the European Court of Justice for failing to notify national measures fully transposing these regulations into national law.

This study investigates policy compliance and subsequent changes made by six EU countries (Belgium, Denmark, Ireland, Spain, Slovakia, The Netherlands) and the UK, both at the Directive adoption stage in 2019 and following its implementation in 2023, as part of the TransEuroWorks project. To evaluate compliance, we developed a questionnaire and scorecard to capture pertinent policy components before and after Directive implementation. We categorized countries into compliant and non-compliant groups for each of the four policies (paternity leave, parental leave, carers' leave, and flexible work arrangements), and beyond the mandatory criteria, we explored additional aspects not explicitly stipulated by the WLBD, including eligibility for paternity or parental leave among self-employed individuals, same-sex parents, and refugees.

Our analysis reveals that countries exhibit higher compliance with carers' leave and flexible work arrangements compared to paternity or parental leave policies. All countries comply with the carers' leave, largely because many already had existing provisions. However, compliance with flexible work arrangements is hindered primarily by the exclusion of relatives, limiting the rights of carers.

Paternity and parental leave present more contentious policy areas, as they involve more dimensions for compliance. Although changes were implemented in almost all countries, certain aspects remained unchanged, resulting in non-compliance for many. For paternity leave, issues of eligibility were prevalent, with parents required to be employed for longer than the Directive's stipulated duration (six months). In some cases, non-compliance stemmed from unmet requirements regarding leave duration and remuneration.

Regarding the non-transferable portion of parental leave (two months), only three countries are fully compliant. For others, non-compliance stems largely from partial or no remuneration of parental leave, though other issues, such as discrepancies in leave duration and the age of the child at which parental leave can be taken also contribute to non-compliance, as observed in Ireland and Belgium, respectively. The next section of this paper presents our data and methods, which are followed by a discussion of policy changes and a conclusion.

Box 1. Main policy stipulations of the Directive 2019/1158 on work-life balance for parents and carers

Paternity leave

- Fathers/ second parents have the right to take at least 10 working days of paternity leave around the time of birth of the child.
- Paternity leave is compensated at least at the national sick pay level. The WLBD also encourages member states to ensure that paternity leave is compensated at a rate similar to maternity leave.
- To receive paternity allowance Member States can require a history of employment, but no more than six months before the anticipated birth date of the child.

Parental leave

- WLBD establishes a minimum of four months of parental leave for each parent.
- At least two months are non-transferable from one parent to another to encourage take-up of leave among fathers.
- These two non-transferable months should be adequately compensated at a level to be decided in each EU country. While remuneration is mandatory, it is left for member states to decide what adequate pay means.
- Parents have the right to request taking the leave flexibly (part-time and piecemeal) before the child reaches a particular age, up to a maximum of eight years old, as determined by each country or by a collective agreement. The employer should be able to accept or refuse such a request for parental leave in ways other than on a full-time basis.
- To be eligible and receive parental leave allowance Member States can require a specific period of employment, but not longer than one year.

Carers' leave

- WLB introduces carers' leave of five working days per year for workers providing personal care or support to a relative or person living in the same household.
- Relatives include a worker's son, daughter, mother, father, spouse, or partner in a civil partnership, where such partnerships are envisaged by national law.
- Member states can decide whether they offer payment or allowance for carers' leave.

Flexible working arrangements

- WLB gives all working parents of children up to at least eight years and all carers a right to request flexible working arrangements. These include reduced working hours, flexible working hours, and flexibility in place of work.
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Data and Methods

Following other examples of systematic data collection efforts on WLB policies (e.g., Leave Network; European Social Observatory),¹ we designed the questionnaire and the scorecard to assess countries'

¹ <https://www.leavenetwork.org/annual-review-reports/country-reports/>
<https://www.ose.be/project/overview-measures-related-work-life-balance-european-union-etui>

compliance with the WLB Directive before and after implementation of the Directive (see Appendix 1 – WLB Directive Questionnaire). We classified countries into compliant and non-compliant for two time periods for each of the four policies. In addition to the mandatory dimensions, we also examined aspects not explicitly required by the WLBD, such as paternity or parental leave eligibility for self-employed individuals, same-sex parents, and refugees. Additionally, the questionnaire asked about the political orientations of parties in the governments and included several optional questions on the involvement of social partners in legislation, activities by prominent NGOs, improvements in the administrative system for applying for WLB leave, and any measures aimed at strengthening leave-taking for fathers.² While the questionnaire gathered detailed information on the four components of WLBD (paternity leave, parental leave, carers' leave, and flexible work arrangements), the scorecard was used for a quick comparative assessment of compliance across countries.

The questionnaire and scorecard were completed by *TransEuroProject* partners for their respective countries of residence between September and October 2023. The participating countries include Belgium, Denmark, Ireland, Spain, Slovakia, The Netherlands, and the United Kingdom.

The selection of April 2019 as the 'before' date was chosen to match the Directive adoption date by the European Parliament. The 'after' or end date, which was the latest available, varied among partners, with most opting for the mid-2023. When completing the questionnaire, partners were advised to refer to Leave Network country reports as well as national legislation and policy documents to confirm relevant information.

The survey data was systematized into a WLB policy database which documents compliance and policy details for each country.³ The database also includes non-compliance dimensions for each policy, period, and country.

Work-Life Balance Policy Changes 2019-2023

Paternity leave

As mentioned above, Member States are obliged to provide paternity leave paid at the same level as maternity leave and for the duration of at least 10 working days. Out of the seven countries under comparison, only Spain had paternity leave in place which would have been in line with the current WLBD

² These questions were optional and due to lack of data we do not discuss the responses.

³ See work-life balance policy database on TransEuroWorks project website: <https://transeuroworks.eu/wp-content/uploads/2024/05/Work-Life-Balance-Policy-Database-for-TransEuroWorks-Countries-2.xlsx>

before 2019 (Table 1). Hence, before 2019 Spanish system already offered 60 days of fully paid paternity leave while its duration was further extended to 120 more recently.

After the Directive was adopted only three countries (Spain, the Netherlands, and Denmark) seem to fully comply with all the requirements of paternity leave. Ireland, Slovakia, and Belgium do not comply in at least one dimension of the leave and the UK has an unclear status. The Netherlands reformed its systems in a way that they now comply with the Directive – the duration of paternity leave was extended from five to 30 days, with the levels of cash benefit at 100% of earnings (70% if the leave is taken for five weeks).

Table 1. Compliance for paternity leave before and after WLBD

PATERNITY LEAVE					
	Before	After		Non-compliance areas	
				Before	After
Ireland	No	No		Eligibility; Remuneration	Eligibility; Remuneration
Spain	Yes	Yes			
The Netherlands	No	Yes		Duration	
Slovakia	No	No		Eligibility	Eligibility
The UK	Unclear	Unclear		Duration; Eligibility	Duration; Eligibility
Denmark	Yes	Yes			
Belgium	No	No		Remuneration	Remuneration

Source: *Questionnaire*.

There are major issues with eligibility requirements, especially in Slovakia, where only employed and self-employed have the right to take the leave and all other categories of persons are excluded. In Belgium, remuneration levels are lower for paternity leave than for maternity leave (100% salary is paid only for the first three days of the leave). It is also hard to assess whether the UK system would comply with the Directive (if that was required) as the length of the leave depends on the type of contract (full-time equivalent or part-time). Hence, the duration of the leave may vary between one and two weeks, based on the number of days worked (for a normal full-time equivalent – it will be 10 days).

Parental leave

For parental leave, the most important change introduced by the Directive is the obligation of every Member State to provide at least two months of paid, individual, and non-transferrable entitlement for each of the parents while the overall duration of the leave should be at least four months. The leave

should also be available for flexible use for parents up to the moment when the child reaches the age of eight.

As per general features of parental leave stipulated by the Directive, only three countries seem to firmly comply: the Netherlands, Slovakia, and Denmark, otherwise the leave is partially unpaid in Ireland, completely unpaid in Spain, and the UK (Table 2). The situation in Ireland is a bit more complex since the country introduced a new type of *parents’* leave that is paid with a flat-rate weekly payment and available for each of the parents for seven weeks. Otherwise, the “old” *parental* leave is unpaid and available for 26 weeks. However, by establishing the new scheme Ireland provided a form of partial compliance with the Directive since the right to use parents’ leave (and benefit) is both individual and non-transferrable (partial as seven weeks does not cover the required period of two months).

Thus, only three countries fully comply with the Directive when it comes to the individual and non-transferrable entitlement to use parental leave, i.e. the Netherlands, Slovakia, and Denmark. While Slovakia already had the right for fathers to use 28 weeks of parental leave (with payment) before the Directive was adopted, the Netherlands and Denmark reformed their systems. In particular, the Netherlands added payment to the previously unpaid leave – at the level of 75% of salary, available for nine weeks. In Denmark, nine weeks of the existing parental leave was earmarked for one parent, available with a benefit at the level of a full salary or statutory sick leave (max 4.550 DKK, depending on contract and collective agreement).

Table 2. Compliance for individual non-transferable parental leave part before and after WLBD

NON-TRANSFERABLE PARENTAL LEAVE				
	Before	After	Non-compliance areas	
			Before	After
Ireland	No	No	Remuneration	Duration/Remuneration
Spain	No	No	Remuneration	Remuneration
The Netherlands	No	Yes	Remuneration	
Slovakia	Yes	Yes		
The UK	No	No	Remuneration; flexibility; Child's age	Remuneration; flexibility; Child's age
Denmark	No	Yes	Duration (no earmarked)	
Belgium	Unclear	Unclear	Child's age	Child's age

Source: Questionnaire.

The remainder of the countries do not fully comply with this obligation stipulated by the Directive due to the lack of remuneration (Spain), insufficient duration *and* remuneration (Ireland). In Belgium, the situation is unclear as the system allows taking leave until the child’s 12th birthday, which is not in line with the Directive limiting the child’s age to eight years old.

Carers’ leave

Carers’ leave was the only work-life balance policy where all seven countries in the study were compliant with the Directive in 2023 (Table 3). However, most countries – five out of seven were already compliant with the WLBD in 2019, hence not requiring significant changes. In 2019, only Spain was not fully compliant, and Denmark’s compliance status was inconclusive.

Spain was initially non-compliant due to the lower than required duration of its leave policies and lack of coverage of relatives. Initially, it had fully paid carers’ leave of two days which covered only children. To comply with the WLB, the policy was extended to five days, and coverage of care recipients now includes children, and first and second-degree relatives.

Table 3. Compliance for carer’s leave before and after WLBD

CARERS' LEAVE				
	Before	After	Non-compliance areas	
			Before	After
Ireland	Yes	Yes		
Spain	No	Yes	Duration; coverage of relatives	
Netherlands	Yes	Yes		
Slovakia	Yes	Yes		
The UK	Yes	Yes		
Denmark	Unclear	Yes	Coverage of relatives	
Belgium	Yes	Yes		

Denmark’s policies were initially inconclusive as many entitlements were tied to collective agreements that covered most employees but there was no statutory policy for carers. In 2019, depending on collective agreements, carers’ leave was allowed between two and 12 days to care for children. It was unclear whether any relatives besides children were included in the allowance. However, in 2023, Denmark became compliant by extending carers’ leave to five unpaid days, unless the collective agreement allows for pay and offers more days (up to 12 days). Moreover, the leave now covers parents, partners, and people in the same household.

Some countries that were already compliant with the WLB in 2019, still initiated changes to extend parents’ and carers’ rights. For example, in 2019 Ireland had two relevant carers’ leaves, one of

which made it technically compliant with the WLB. However, since 2019 it introduced a specific carers' leave, which matches WLB regulations more closely. Thus, Ireland now has three relevant policies: 1) a fully paid force majeure leave of three days to care for sick relatives, 2) a means-tested carers' leave of 13-104 weeks, which workers can use for "anyone who needs care," and 3) five days of unpaid leave for medical care of children and other relatives.

Belgium also extended some of its care policies to increase coverage of care recipients and to match the definitions of carers' leave to the WLBD. For instance, it increased the reasons for requesting thematic care leave for the care of terminally ill to care for "a close person." The government also introduced a new leave of five days that is taken from the 10 days granted for "force majeure" leave.

Currently, out of seven countries examined, four countries (Spain, The Netherlands, Slovakia, and Denmark) offer paid carers' leave and three countries (Ireland, the UK, and Belgium) provide unpaid carers' leave. The Netherlands and Slovakia offer the most generous entitlements. The Netherlands provides two weeks of paid leave at 70% of earnings (to be distributed within 12 months) and Slovakia provides 14 days of paid leave at 55% of earnings. Spain offers five fully paid days of carers leave and in Denmark, the pay for 5-12 days depends on workers' collective agreement.

Notably, many countries offer multiple types of leave specifically designed for care purposes. In some instances, unpaid carers' leave might be considered interchangeable with certain paid care leaves. However, the extent to which these leaves are interchangeable is beyond the scope of this study. The UK offers entitlements that are among the most uncertain since they rely on individual employers' discretion. The policy stipulates a "reasonable amount" of leave, the specifics of which depend on the situation, with payment being determined at the employer's discretion.

Flexible working arrangements

In 2023, four countries (the Netherlands, Belgium, Slovakia, and the UK) complied with the WLB regulations on flexible working arrangements (Table 4). Of these, only Belgium shifted from being non-compliant in 2019 to compliant in 2023 whereas other countries remained compliant during the period. In 2019, Belgium had no statutory entitlements for workers to request any flexible work arrangements. Yet by 2023, it introduced rights to flexible work arrangements, including reduced work hours and remote work for workers to care for their children under age 12 or relatives in case of their illness.

The countries that complied with WLBD in 2023 offered rights to all types of flexible work arrangements, including flexibility and reduction in work hours, and remote work. Slovakia allowed requests for such arrangements for carers and parents of children up to age eight (for remote work) and

age 15 (for reduced hours), while in the Netherlands and Belgium, the age limit was 12. The UK allowed all employees to avail of such rights, regardless of their parent or carer status.

Table 4. Compliance with standards for flexible working arrangements before and after WLBD

FLEXIBLE SCHEDULING				
	Before	After	Non-compliance areas	
			Before	After
Ireland	No	No	Coverage of relatives	Coverage of relatives
Spain	No	No	Coverage of relatives	Coverage of relatives
The Netherlands	Yes	Yes		
Slovakia	Yes	Yes		
The UK	Yes	Yes		
Denmark	No	No	Coverage of relatives	Coverage of relatives
Belgium	No	Yes	No statutory policies	

Three countries (Ireland, Denmark, and Spain) did not comply with WLB in both 2023 and 2019. They were non-compliant mainly due to the non-coverage of relatives. For example, Ireland and Denmark restricted the rights to flexible work arrangements to parents after parental leave concluded, effectively excluding carers from eligibility. Spain, while offering all types of flexible work arrangements, also restricted them to parents of children under the age of 12, excluding carers. To become compliant, these countries will need to extend rights to flexible working arrangements to employees who are carers.

Conclusion

The goal of this paper was to present an overview of the implementation of the WLBD that was adopted in 2019 with the obligation for the Member States to introduce adequate amendments to their national systems by August 2022. The main goal of the Directive was to provide a range of policy tools effectively facilitating work and family life, with the important inclusion of special solutions prioritising a more balanced redistribution of care work between mothers and fathers. The latter included obliging the Member States to introduce two weeks of paternity leave paid at the same level as maternity leave in a given country plus reserving at least two months of paid parental leave for the father (the other parent). In this paper, we also looked at the state of compliance with the regulations about carers' leave and flexible working arrangements.

For assessing the level of compliance with the Directive, we developed a detailed questionnaire and a scoreboard filled in by the representatives of the seven countries under comparison (i.e. Belgium, Denmark, Ireland, The Netherlands, Slovakia, Spain, and the UK).

From the analysis of various countries' adherence to carers' leave and flexible work arrangements, it is evident that compliance is generally higher in the former compared to the latter. The majority of countries demonstrate compliance with carers leave policies, mostly because they already have some form of carers leave in place, albeit often unpaid. When it comes to flexible work arrangements, the lack of compliance is more prevalent primarily stemming from the exclusion of relatives from such provisions, thereby limiting the rights of carers.

Paternity and parental leave emerge as more contentious issues due to the increased complexity of regulations governing them. Despite policy changes being introduced, certain elements of the policies remain unchanged, leading to non-compliance in several countries. For paternity leave, some countries do not comply primarily because of not introducing all the required eligibility criteria, with some countries mandating that parents must have been employed for a longer duration than stipulated by the Directive (typically six months).

For parental leave, the non-transferable portion of leave is only fully introduced by three countries, while others offer partially or completely unpaid leave. In Ireland, non-compliance, for example, results from the inadequate duration of the non-transferrable leave, which is currently only seven weeks (but should be extended to nine weeks by August 2024). In Belgium, on the other hand, non-compliance results from allowing the take-up of leave until the child is twelve instead of the stipulated eight years as a child's age limit.

In sum, our findings underscore the complexities and nuances involved in ensuring compliance with carers' leave, flexible work arrangements, paternity leave, and parental leave across different countries. While the Directive already allows for quite a substantial range of variation between the countries (for example, in the level of payment for parental leave), there are additional factors contributing to non-compliance or partial compliance with the Directive. Such a situation may negatively influence the process of reaching the goal of gender equality and closing the gender care gap. Therefore, to promote a more gender-equal, inclusive, and supportive environment for working carers and parents it is crucial to widen the scope of policy tools available.

References

- Adema, W., J. Fluchtmann, A. Lloyd, and V. Patrini. 2023. "Paid Parental Leave: Big Differences for Mothers and Fathers." 2023. [https:// oecdstatistics.blog/2023/01/12/paid-parental-leave-big-differences-for-mothers-and-fathers/](https://oecdstatistics.blog/2023/01/12/paid-parental-leave-big-differences-for-mothers-and-fathers/).
- Belle, Janna van. 2016. "Paternity and Parental Leave Policies across the European Union." Policy Brief. Rand Europe.
- De La Porte, Caroline, Zhen Jie Im, Brigitte Pircher, and Dorota Szelewa. 2023. "The EU 's WORK-LIFE Balance Directive: Institutional Change of Father-specific Leave across Member States." *Social Policy & Administration* 57 (4): 549–63. <https://doi.org/10.1111/spol.12920>.
- De La Porte, Caroline, Zhen Im, Brigitte Pircher, Nuria Ramos Martin, and Dorota Szelewa. 2023. "An Examination of 'Instrumental Resources' in Earmarked Parental Leave: The Case of the Work–Life Balance Directive." *Journal of European Social Policy* 33 (5): 525–39. <https://doi.org/10.1177/09589287231207557>.
- Duvander, Ann-Zofie, Trude Lappegård, Synøve N. Andersen, Ólöf Garðarsdóttir, Gerda Neyer, and Ida Viklund. 2019. "Parental Leave Policies and Continued Childbearing in Iceland, Norway, and Sweden." *Demographic Research* 40: 1501–28.
- European Commission, Directorate-General for Justice and Consumer. 2021. "Report on Gender Equality in the EU, Publications Office." Publications Office. <https://data.europa.eu/doi/10.2838/57887>.
- La Porte, Caroline de, Trine P. Larsen, and Dorota Szelewa. 2020. "A Gender Equalizing Regulatory Welfare State? Enacting the EU's Work-Life Balance Directive in Denmark and Poland." *The ANNALS of the American Academy of Political and Social Science* 691 (1): 84–103. <https://doi.org/10.1177/0002716220956910>.
- OJEU. 2019. "Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on Work-Life Balance for Parents and Carers and Repealing Council Directive 2010/18/EU." *Official Journal of European Union* 188 (79): 79–93.
- Patnaik, Ankita. 2019. "Reserving Time for Daddy: The Consequences of Fathers' Quotas." *Journal of Labor Economics* 37 (4): 1009–59. <https://doi.org/10.1086/703115>.
- Porte, Caroline de la, Z. J. Im, B. Pircher, D. Szelewa, N. Ramos, J. R. Mercader Uguina, F. J. Gómez Abelleira, A. B. Muñoz Ruiz, and P.G. Díaz de Atauri. 2022. "Strengthening European Social Rights via the Work-Life Balance Directive?" Zenodo. <https://doi.org/10.5281/zenodo.7534047>.
- Van Belle, J. 2016. *Paternity and parental leave policies across the European Union*. Cambridge: Rand.

Appendix 1 – Work-Life Balance Directive Questionnaire

Dimensions	BEFORE: April 2019	Compliance with WLB in 2019? Yes/No	AFTER: Most recent available; specify date here _____	Compliance with WLB in 2023? Yes/No	Directive	
PATERNITY LEAVE					10 working days paid at sick pay	
Duration (total days)						
Paid days						
Unpaid days						
Remuneration						
ELIGIBILITY OF:						
Unemployed						
Self-employed						
Same sex parents						
Non-resident parents						
Refugees						
Asylum seekers						
GENERAL PARENTAL LEAVE					Parental leave for each individual: 18 weeks (4m) until child is 8; flexibility means to be taken full- time/part-time/as needed	

Dimensions	BEFORE: April 2019	Compliance with WLB in 2019? Yes/No	AFTER: Most recent available; specify date here _____	Compliance with WLB in 2023? Yes/No	Directive
Duration (weeks)					
Remuneration					
Flexibility					
Child's age (years up to)					
ELIGIBILITY OF:					
Unemployed					
Self-employed					
Same sex parents					
Non-resident parents					
Refugees					
Asylum seekers					
Non-transferable parental leave					9 weeks (2m) are non-transferrable with adequate pay for fathers/second parent until child is 8. Member States should take into account that the take-up of parental leave often results in a loss of income for the family and
Duration (weeks)					
Remuneration					

Dimensions	BEFORE: April 2019	Compliance with WLB in 2019? Yes/No	AFTER: Most recent available; specify date here _____	Compliance with WLB in 2023? Yes/No	Directive
					that first earners in a family are able to make use of their right to parental leave only if it is sufficiently well remunerated, with a view to allowing for a decent living standard.
CARERS' LEAVE					<p>5 days per year to care for relative in the same household for medical reason (pay optional)</p> <p>Member States can require prior medical certification of the need for significant care or support for a serious medical reason.</p> <p>'relative' = a worker's son, daughter, mother, father, spouse or, partner in civil partnership (if recognized)</p> <p>Member States are encouraged to make the right to carers' leave available with regard to additional relatives, such as grandparents and siblings.</p>
Duration (weeks)					
Remuneration					
Child's age (years up to)					
Beyond children, which relatives are covered? Specify					
FLEXIBLE WORKING TIME ARRANGEMENTS					Right to request reduced or flexible working hours and telework for all
Flexible schedule					

Dimensions	BEFORE: April 2019	Compliance with WLB in 2019? Yes/No	AFTER: Most recent available; specify date here _____	Compliance with WLB in 2023? Yes/No	Directive
Reduced hours					working parents of children under age 8 AND dependent relatives (see above for relative definition)
Telework					
Child's age (years up to)					
Beyond children, which relatives are covered? Specify					
Implementing actors	April 2019	During implementation		August 2023	
Political orientation of parties in the government (left, center-left, center, center-right, right), specify all (no need for party names)					Notable dates: April 2019 – WLB directive passed June 2019 – WLB adoption date August 2022 - deadline for transposition by countries August 2024 - deadline for transposition of parental leave pay
Implementing ministry (specify)					
OPTIONAL, IF KNOWN (add any comments for the period after April 2019, even if just yes/no/some)					
Were social partners involved in parental/paternity leave legislation? If so, who					

Dimensions	BEFORE: April 2019	Compliance with WLB in 2019? Yes/No	AFTER: Most recent available; specify date here _____	Compliance with WLB in 2023? Yes/No	Directive
and how? Specify actor type and participation, e.g., trade unions/employers/NGOs participated in advising/decision-making)					
Were prominent NGOs active during paternity/parental leave legislation between 2019-2023? If so, list up to 3.					
Any improvements in the administrative system to apply for paternity/parental leave (e.g., new online system)? If so, specify.					
Were there were any changes to strengthen the leave taking for fathers (e.g., public campaigns, trade union					

Dimensions	BEFORE: April 2019	Compliance with WLB in 2019? Yes/No	AFTER: Most recent available; specify date here _____	Compliance with WLB in 2023? Yes/No	Directive
involvement)? If so, specify.					

Scorecard

POLICIES/BENCHMARKS	DK	BE	NL	ES	UK	IE	SK	Total
PATERNITY LEAVE								
Duration								
None								
Less than 10 days								
10 days								
11-20 days								
21 days or more								
Remuneration								

100% of earnings								
At sick pay level								
At less than sick pay level								
Flat rate								
Unpaid								
Qualification in employment period								
No qualification, can be unemployed								
Need employment contract								
Less than 6 months								
6 months								
More than 6 months								
Eligible groups								
Self-employed								
Same sex parents								
Non-resident parents								
Refugees								
Asylum seekers								
GENERAL PARENTAL LEAVE (individuals' entitlement)								

Duration (individual)								
Less than 4 months								
4 months								
More than 4 months								
Remuneration								
100% of earnings								
At sick pay level								
At less than sick pay level								
Flat-rate								
Unpaid								
Child's age								
Until child turns 2 - 3								
Until child turns 4 - 7								
Until child turns 8								
Until child turns 9 or more								
Qualification in employment period								
No qualification, can be unemployed			-					
Need employment contract			-					

Less than one year			-					
One year								
More than one year								
Self-employed eligible								
Eligible groups								
Self-employed								
Same sex parents								
Non-resident parents								
Refugees								
Asylum seekers								
Flexibility: right for flexible take up (part-time or full-time, in different durations)								
Yes								
No								
NON-TRANSFERABLE PARENTAL LEAVE								
Duration (individual)								
Less than 2 months								
2 months								
More than 2 months								

Remuneration								
100% of earnings								
At sick pay level								
At less than sick pay level								
Flat-rate								
Unpaid								
CARERS' LEAVE								
Duration								
None			-					
Less than 5 days								
5 days								
More than 5 days								
Dependents covered								
Only children								
Children and other relatives (parents, spouse)								
Remuneration								
100% of earnings			-					
At sick pay level			-					

At less than sick pay level								
Flat-rate								
Unpaid								
FLEXIBLE WORKING ARRANGEMENTS (reduced or flexible working hours and telework)								
Flexible scheduling								
Reduced hours								
Telework								
Child's age								
Less than 8 years								
8 years								
More than 8 years								
Dependents covered								
Only children								
Children and other relatives (parents, spouse)								
Rights not tied to having children/relatives								