

Leave policies in Europe: current policies, future directions

Leave policies
in Europe

Peter Moss

Thomas Coram Research Unit, UCL Institute of Education, London, UK, and

Fred Deven

Population & Family Research Centre (CBGS), Brussels, Belgium

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Abstract

Purpose – The purpose of this paper is to review the development of leave policies in Europe, both at a regional and national level, and to consider what future directions such policies might take to meet changing conditions and emerging needs.

Design/methodology/approach – The paper draws on the work of an international network that the authors founded in 2004, which brings together experts on leave policy from over 40 countries, and in particular on an annual review of national leave policies conducted by network members.

Findings – The article presents developments in European legislation on leave policy stretching from 1883 to the present day, and outlines the extent of leave policies in European countries and the wide variations in the design of these policies. It suggests that future directions in leave policy need to address the relationship between this and other policy areas; the need for a life course perspective to leave policy, getting beyond parental leave; and that leave should turn away from being considered an employment benefit towards becoming a universal right to care.

Originality/value – The paper provides a concise overview of leave policy in the global region where leave policies began and are today most developed, at both a regional and national level. It is also intended to stimulate debate about the future directions that leave policy might take.

Keywords European Union, Europe, Comparative studies, Maternity leave, Parental leave, Paternity leave

Paper type General review

Leave policies for parents have been moving up government agendas across the world. According to the International Labour Organisation (2014), in its 2013 survey of legal provision in 185 countries, all provided some form of statutory maternity leave for women, and all but two (Papua New Guinea and the USA) included some payment. Widespread leave provision is no longer confined to women. The International Labour Organisation (ILO)'s survey found that paternity leave was available in 79 out of 167 countries for whom information was available, with a payment of some sort in 71 (though in most cases paid by employers rather than social security systems). Parental leave, a form of leave which is equally available to both fathers and mothers, was present in 66 out of 169 countries supplying information, though only with some payment attached in 36 countries.

Coverage and standards of leave do, however, vary. According to the ILO's survey, only "34 per cent (57 countries) fully meet the requirements of [ILO] Convention No. 183 [2000] on three key aspects [of Maternity Leave]: they provide for at least 14 weeks of leave at a rate of at least two thirds of previous earnings, paid by social insurance or public funds or in a manner determined by national law and practice where the employer is not solely responsible for payment" (International Labour Organisation, 2014, p. xiii). Standards for leave are particularly low in Africa and Latin America and the Caribbean, with a mixed picture in Asia and the Middle East. Leave provision for men is found most often in higher income countries.

Regionally, the highest levels of leave provision are found in Europe, in the 28 member states of the European Union (EU) and in Norway and Iceland, both members of the European Economic Area (the EEA consists of these two countries, plus Liechtenstein and EU member states, all included in the EU's single market). European states were the first to introduce leave policies, with maternity leave rights introduced in Germany in 1883, and



parental leave in Sweden in 1974. But Europe's leadership on leave has not only been at national level; it is the only part of the world where leave provision is mandated through regional-level legislation, the EU acting as a supra-national legal entity to enforce on its member states minimum standards for maternity, parental and (soon) paternity Leaves.

In this paper, we examine in more detail where Europe has got to in terms of leave policies, starting with consideration of the evolution of policy at the EU level, before turning to national policies and differences, which are still substantial despite this common regional framework. These national differences also enable us to say something about the relationship between policy designs and take-up, in particular men's use of parental leave. We shall also argue that though important issues concerning the purpose and design of leave for parents of young children remain to be resolved, it is increasingly urgent for Europe to get beyond this type of leave, to address emergent needs and policy challenges and, in particular, to ensure that leave policies will be able to make a full and effective contribution to reshaping the relationship between care, employment and gender.

As already indicated, we use the term "Europe" to cover EU and some associated member states, which means the exclusion of a number of other European countries, most obviously in the Balkans but also Switzerland. For our source on individual countries, we draw on the 2018 annual review of leave policies and research (Blum *et al.*, 2018), produced by the international network on leave policies and research, a grouping established in 2004 and which today brings together researchers from over 40 countries across five continents (for more information, see www.leavenetwork.org). This review covers 29 countries in "Europe", as defined above with the exclusion of Liechtenstein and Cyprus.

The EU as a supra-national legal entity

Over the years the EU, and previously the European Economic Community (EEC), have developed and implemented legislation on leave applicable in all Member States, especially via the legal instrument of Directives. The first attempt, however, a proposed Directive on parental leave and leave for family reasons, published in 1983 (COM(83)686), failed due to a veto by the UK, which for nearly 20 years, under a Conservative government (1979–1997), opposed any attempt by the EEC/EU to regulate the labour market. The second attempt, a Directive to improve the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (92/85/CEE), was successfully adopted in 1992, and included minimum standards for maternity leave. The UK's continuing opposition to such measures was circumvented by the Directive being introduced as a health and safety measure, requiring support only from a majority of member states rather than unanimity.

Four years later, a Directive on parental leave (96/34/CE) was adopted, once again avoiding UK blocking, this time by the adoption of a social policy protocol to the 1992 Maastricht Treaty that permitted member states to proceed with social measures with the exclusion of the UK (e.g. Cohen, 1999; Fusulier, 2009). (The UK adopted the Directive in 1999 having, under a new Labour administration, joined the EU's Protocol.) Parental Leave standards were further improved by a second Directive (2010/18/EU), adopted in 2010. In the meantime, the European Commission had proposed, in 2008, a new maternity leave Directive, which would have extended rights in this field, but, due to opposition by "co-legislators", this was eventually withdrawn in 2015.

At the time of writing, in June 2019, a new and wide-ranging Directive, on work-life balance for parents and carers, is close to adoption (for a near final version, see www.europarl.europa.eu/doceo/document/A-8-2018-0270-AM-102-102_EN.pdf). Although not dealing with maternity leave, it does address various other employment measures. It specifies that two out of the existing four months of parental leave for each parent are to be non-transferable, and that leave should be "compensated", although the level is left to member states to determine. The Directive introduces European standards in two new

areas: paternity leave, to be at least ten working days paid at the level of sick pay; and carers' leave of five days per year for workers providing personal care or support to a relative or person living in the same household. Finally, an existing right to request flexible working arrangements (reduced working hours, flexible working hours and flexibility in place of work) is extended to all working parents of children up to at least eight years old, and all carers.

Over more than 25 years, the EU has developed a framework of measures to support employed carers, in which leave entitlements play a major role. This has been a long and fraught process. Many actors are involved, most notably the European Commission (which proposes legislation), and the European Parliament and the Council of Ministers (both of which must ultimately approve Directives). But before any proposal for a Directive is finally considered by these "co-legislators", it is developed and discussed by a number of other European bodies, including those representing "social partners" (employers and trades unions) and the Employment, Social Policy, Health and Consumer Council gathering national Ministers of Employment and Social Affairs.

Given this complex process, also involving 28 member states, each with their own agendas, there are plenty of opportunities to block or water down proposals coming from the European Commission. The UK's obstruction in the 1980s of a proposal for a Directive on parental leave has already been mentioned. But the European Commission's 2008 proposal for an enhanced maternity leave Directive was eventually withdrawn because of a stand-off between the European Parliament, which wanted stronger standards, and the Council of Ministers who opposed them, leading to a four-year impasse. While the inclusion of a European scheme on paternity leave in the proposed work-life balance Directive faced long debates and objections by numerous member states, opposed to the extension of new rights and their financial implications.

One consequence of this complex situation is that the final outcome of proposals for legislation largely depends on the political and social power of all actors involved, including a strong European Commission and a dedicated European Commissioner to carry the main values and ideas of a Directive through a long and tedious political process. A second consequence is that the need for compromise leads to dilution of original proposals and a final product that represents a lowest common denominator. Issues such as payment for leave or whether and how far parental leave should be an individual and non-transferable right have proven particularly contentious in this respect. Directives, therefore, usually create a floor below which countries cannot go, rather than a ceiling that they must strive to reach.

A final point concerns the rationale for European legislation. The European Commission's first foray into leave legislation, the failed Directive on parental leave of 1983, was an explicitly gender equality measure, part of its 1st Action Programme on the Promotion of Equal Opportunities for Women (1982–1985), the aims of which included the building up of a network of public child care services and the extension of parental leave and leave for family reasons. This Programme was, indeed, preceded in the 1970s by calls by the EEC for action to achieve equality between women and men in access to employment and to ensure that family responsibilities might be "reconciled" with the job aspirations of all concerned. In its 2nd Action Programme on Equal Opportunities (1986–1990), the European Commission established an expert Network on Childcare, representing all member states, which was re-titled, in the second half of its ten-year existence, the "European Network on Childcare and other Measures to Reconcile Work and Family Responsibilities for Women and Men"; amongst a wide range of other activities, this network produced two reviews of leave policies in member states, contributing to the accumulation of information about and knowledge of social policies in different countries that has become an important feature of the EU, and being a precursor of the international network on leave policies and research.

This initial focus on gender equality has changed somewhat. The latest initiative of the EU, its work-life balance directive, is presented in broader terms than gender equality, emerging from the European Pillar of Social Rights, adopted in Gothenburg in 2017. This declaration is framed in terms of “delivering new and more effective rights for citizens”, rights that cover equal opportunities and access to the labour market, fair working conditions and social protection and inclusion. It is built on 20 principles. Principle 9 states that “parents and people with caring responsibilities have the right to suitable leave, flexible working arrangements and access to care services” (for a full list of the 20 principles, see https://ec.europa.eu/commission/priorities/deeper-and-fairer-economic-and-monetary-union/european-pillar-social-rights/european-pillar-social-rights-20-principles_en). So while the latest EU initiative on leave retains a gender equality goal, it is located in a broader context that aims to promote more generally social inclusion, non-discrimination, diversity and equality and the social rights attached to European citizenship.

Leave policy in European states

All EU member states, as well as Iceland and Norway, have maternity leave (or an equivalent mother-only portion of parental leave), and parental leave. At least for the former countries, these leaves are mandated by EU legislation. But most of these 29 countries, 22 in total, also have paternity leave, which has not been so far covered by a Directive. Many countries also make some provision for a period of leave to care for a sick child or adult dependent. Having acknowledged the widespread presence of various forms of leave in Europe, it is also important to recognise the wide variation in how these leave policies are designed, in such dimensions as length, payment, eligibility and flexibility.

Three examples of these substantial variations can be seen in Tables I–III. Table I summarises the length of post-natal maternity leave in the 29 countries, plus the length of well-paid leave (“well-paid”, following an earlier European Commission norm, is 66 per cent or more of average earnings) and the possibility of transferring part of maternity leave to another person, usually the father. From this, it can be seen that the average length of leave

No separate maternity leave	4 (Iceland, Norway, Portugal, Sweden)
<i>Length of maternity Leave (months)</i>	
Range	1.9–12
Median	3.7
Of which, well paid	3.3
Transferable maternity lave	5 (Bulgaria, Croatia, Czech Republic, Spain, UK)
Note: <i>n</i> = 29 countries	
Source: Blum <i>et al.</i> (2018)	

Table I.
Maternity leave in
Europe, 2018

No well-paid leave	13
<i>Length of well-paid parental leave (months)</i>	
Range	6.1–24
Median	11
Individual, non-transferable leave	13
Family leave	8
Other	8
Note: <i>n</i> = 29 countries	
Source: Blum <i>et al.</i> (2018)	

Table II.
Parental leave in
Europe, 2018

is 3.7 months, most of which is well-paid. However, there are four countries with much longer periods of leave, of 6 months or over, with Bulgaria and the UK running to 12 months. Also in five countries, part of maternity leave can be transferred.

On parental leave, in Table II, just under half of the 29 countries offer no well-paid leave, while those that do vary in their offer from 6 to 24 months, with a median period of 11 months. There is also variation in the nature of the entitlement. Again, in just under half, parental leave is an individual and non-transferable entitlement; in other words, each parent must use their portion or lose it. The remaining countries are equally divided between those where parental leave is an entirely family entitlement, so that parents can decide how they will share (or not share) the whole leave period between themselves; and those with some other form of entitlement, for example a mixture of part family entitlement and part non-transferable individual entitlement, or an individual but transferable entitlement, or an individual and part-transferable entitlement. Countries also have a variety of options in how leave can be taken, the most common (in well over half) being: leave can be taken at any stage up to a certain time after birth; both parents can take some period of leave together; leave can be taken in one continuous block of time or in several blocks; and leave can be taken full-time or part-time.

Finally, in Table III, we show variations in the amount of well-paid, father-only leave available, derived from paternity leave and/or parental leave. Most countries, 23, provide some, but the median length for those who do is only two to three weeks, and only 4 provide three months or more. The most common form of such leave is a short period of paid paternity leave.

The extremes of policy can be illustrated by comparing Sweden and the UK, countries that (using the typology of welfare regimes proposed by Esping-Andersen (1999)) are, respectively, social democratic and liberal. Sweden has no separate post-natal maternity leave, but a period of three months mother-only leave as part of its parental leave system, combined with three months father-only leave and a further ten months to be divided between the parents as they choose; most of this leave period, including the father and mother-only months is well paid at 78 per cent of earnings. parental leave is very flexible: it can be taken at any time until a child is 12-years-old, in one or multiple blocks of time, and full-time or in various part-time options. parental leave is supplemented by 10-days well-paid paternity leave, and up to 120 days a year of well-paid leave per child under 12 years of age, in case of illness. The number of fathers taking Parental leave is not far behind mothers, men accounting for 45 per cent of leave takers, though men take substantially fewer days of leave overall, 27 per cent in 2016 up from 12 per cent in 2002; the percentage of couples that are sharing parental leave equally (40–60 per cent) is also slowly increasing, reaching 14.1 per cent in 2013 (Duvander and Haas, 2018).

Leave policy in the UK is dominated by a long period of maternity leave, up to 12 months post-natally, only 6 weeks of which is well paid, with the rest either paid at a low flat rate or unpaid. Mothers may transfer up to 50 weeks of their leave to their partners, a form of transferable maternity leave misleadingly called “Shared Parental Leave”. The actual parental leave is four months per parent, unpaid. There are few options in how this leave can be taken, the main exception being that Parental leave can be used up to a child’s 18th birthday;

None	6
<i>Length of well-paid, father-only leave (months)</i>	
Range	0.1–7.9
Median	0.5

Note: *n* = 29 countries
Source: Blum *et al.* (2018)

Table III.
Well-paid,
father-only leave

however, leave cannot be used in one block of time but only in shorter periods, the maximum that can be taken being four weeks per year. There is also a two-week paternity leave entitlement, paid at a low flat rate. There are no data on take-up of parental leave, but it is thought to be very low, while less than 2 per cent of all parents eligible to take “shared parental leave” have opted to do so (www.ft.com/content/9b6cd2b6-9724-11e8-b67b-b8205561c3fe).

The substantial variations in leave design in Europe are significant, illustrating the divergence in purpose and goals for leave policy found among different countries. For example, long periods of maternity leave, such as in the UK, implicitly express a maternalist view about the care of young children, a gendered assumption that young children are the primary responsibility of mothers (Moss and O'Brien, 2019); while substantial periods of well-paid, father-only leave, such as in Sweden, are based on a strong commitment to promoting gender equality in child care (Haas and Hwang, 1999). The evidence is clear that well-paid, father-only leave is a necessary condition for take-up by fathers (Moss, 2007; Schulze and Gergoric, 2015) – necessary, though not sufficient, since countries outside Europe with generous leave for fathers, Japan and Korea, show low take-up rates, reflecting perhaps policy change running ahead of cultural mores and workplace practice (Kim, 2018; Nakazato *et al.*, 2018; Nakazato, 2019). Another important feature of leave design is eligibility, since eligibility conditions also influence use of leave provisions, defining who is included and who excluded, an issue we will return to.

Future directions

Much work has been done on the development of leave policy in Europe, yet Europe is far from achieving a uniformly high standard in leave provision for parents of young children; much work remains to be done in improving the effectiveness of leave provision, especially from a social equality perspective. But, as we contend, Europe cannot afford to concentrate its efforts on this task alone. New needs and emerging challenges must be addressed if leave policy is to play a full and effective part in supporting the evolution of a relationship between care, employment and gender that is equitable and sustainable, ensuring the rights and well-being of care-givers and care-receivers alike. In this final section, we identify three key strands in the future direction that leave-related policies should take if they are to contribute to this important goal.

Leave is a necessary but not sufficient condition

As we indicated earlier in this paper, the EU (and its predecessor, the EEC) has had a long-standing interest in the reconciliation of employment and family responsibilities. This interest has been expressed both in legislation and a range of other actions. One of these was the adoption in 1992, by the Council of Ministers of the then EEC, of a Council Recommendation on Child Care (92/241/EEC), a political statement of intent by governments rather than a legally binding Directive. This document, in dense Euro-speak, “recommended that Member states should take and/or progressively encourage [other public authorities, employers and labour to take] initiatives to enable women and men to reconcile their occupational, family and upbringing responsibilities arising from the care of children” (Art.1). These initiatives should include leave, but also three other areas: child care services, the “environment, structure and culture of work”, and “sharing of responsibilities”, involving “increased participation by men [in the care and upbringing of children], in order to achieve a more equal sharing of parental responsibilities between men and women”.

The argument behind this Recommendation, that leave is a necessary but not sufficient condition for an equitable and sustainable relationship between care, employment and gender, is re-asserted in a recent comparative analysis of policies in four countries, which argues that “that statutory Parental Leave policy must be conceptualised within a broader framework of care-work policies and cultural ideas over care tasks” (Mazzucchelli *et al.*, 2019, p. 241)

This study adds a further condition to the Recommendation on Child Care, a “cultural dimension” that includes “ideas about who is responsible for the care of elderly or young people, in particular the role of the state and family, and how work and family interrelate; for example, formal and informal care in a country may depend on the provision of formal services, but also on ideas about the role of family as primary care provider” (Mazzucchelli *et al.*, 2019, p. 244). In short, leave needs to be part of a coherent and consistent assemblage of policy measures and cultural attitudes.

This is still far from the case in most countries. To take several examples, as we have seen above, leave policies in many countries are not designed to “promote and encourage [...] increased participation by men”, while with the notable exception of Norway, no European country has made a sustained effort to increase the very low number of men working in services for younger children. The relationship between leave and early childhood education and care (ECEC) services is problematic in most countries. According to the international network’s annual review of leave policies, only 7 of the 29 European countries covered (Denmark, Finland, Germany, Malta, Norway, Slovenia and Sweden) have no gap between the end of well-paid leave and the start of an entitlement to ECEC services; the remaining countries either have no entitlement to ECEC services or a gap before that entitlement begins, averaging 31 months (one country, Ireland, has no well-paid leave) (see www.leavenetwork.org/fileadmin/user_upload/k_leavenetwork/overviews_2018/Relationship_Leave_and_ECEC_entitlements.pdf).

Or to take another example, many workplaces have not adapted their environment, structure or culture to the assumption that all employees, male or female, are actually or potentially carers, what Nancy Fraser (1997) has termed a “universal caregiver model”. As a result, new mothers and fathers may take statutory leave, but on return to their jobs are expected to continue working exactly as before they had children, an experience vividly portrayed in a study of the intensive demands on Norwegian fathers returning to a “knowledge-intensive” workplace after taking leave (Kvande, 2012); or in a study of leave-taking fathers in Quebec working in the IT sector, who often found it difficult to resume the same rhythm as before and to be present for the same hours as others, especially when it came to overtime (Harvey and Tremblay, 2019). In both cases, workplace tolerance of the demands of parenting only stretched so far.

Or to take a final example, cultural attitudes to aspects of gender equality. A survey of the 28 EU member states conducted in 2017, with 28,093 respondents, showed significant national variations in attitudes to the roles of women and men:

There is a wide diversity of opinion about whether the most important role of a woman is to take care of her home and family. Agreement with the statement ranges from 81% in Bulgaria, 78% in Hungary and 77% in Poland and the Czech Republic to 11% in Sweden, 14% in Denmark and 15% in the Netherlands. Overall, there are 15 Member States where a majority agree with the statement [...] Opinion about whether the most important role of a man is to earn money also varies widely across the EU. Respondents in Bulgaria (81%), Hungary (79%) and Slovakia (75%) are the most likely to believe this, while those in Sweden (10%), Denmark (17%) and the Netherlands (18%) are the least likely to do so. (European Commission, 2017, pp. 6, 7)

The Council Recommendation and the examples given above refer to parenting of younger children, but the need for a broad approach to reconciling employment and family responsibilities or to move to an equitable and sustainable relationship between care, employment and gender also applies to other care relations. This consideration leads us to our second strand in the future direction that leave-related policies should take.

Taking a broad, life course approach

As we have seen, leave policy in Europe (but also beyond) has mainly concentrated on one phase of the life course, parenthood of younger children. But, clearly, this is not the only

period of the life course when care may need to be given and received, indeed this may occur at any time during later childhood, and early or later adulthood. Furthermore, the need to receive care is increasing, with improved survival rates among people with severe disabilities and chronic illnesses, and as the numbers of very old and often frail members of society inexorably grow; it has been estimated that the “very old” (defined as 80 years or over) in the EU will increase from 27.3m in 2016 to 66.1m in 2080, or from 5.4 per cent of the total population to 12.7 per cent (Eurostat, 2019). This points to the need for a life course approach to leave policy.

There are already signs of this approach emerging, albeit in a patchy way. There has been a tendency to permit parental leave to be taken over an extended period of childhood, and not only in the earliest years; many countries have introduced leave to care for children and adults when ill; and some countries have also introduced leave measures for the care of adult relatives. Such national developments are also to be complemented by the latest EU Directive on work-life balance. Building on these initiatives, it is possible to envisage a future framework for an approach that would ensure leave to care over the life course, including:

- (1) parental leave, to be used from birth until a child has reached school-leaving age;
- (2) adult care leave, to be used for a close relative above school age; and
- (3) short-term Leave to Care for a close relative (child or adult) who is ill.

The length of leave, associated payments and extent of flexibility would remain to be decided, as well as defining, for example, who should count as a close relative.

This constitutes one facet of leave to care, where care involves having time available to give to the care of a close family member. But there is another form of care that merits consideration in a life course approach: that is care of the self and care of society, which might involve each adult having a lifetime allowance of time that they could draw on for a variety of reasons associated with their own well-being or contributing to the well-being of the wider society, for example time for studying, time for exploring other employment options or living possibilities, and time to participate in various activities of benefit to the local community. Here an interesting example is the Belgian time credit system, first introduced in the mid-1980s. The principle is that each worker has a basic right over their working lives to a period of paid time away from work (either full-time or part-time); currently it is one paid year taken full-time, or 24 months taken half-time or 60 months taken at one-fifth time, with a low flat-rate payment (€587 after taxes), and leave can only be taken for certain reasons, including care for a child younger than eight years (or for a disabled child up to 21 years), to provide palliative care, and/or to care for a severely ill relative. However, the length, payment and reasons for taking time off work could be improved and broadened; indeed, earlier in its history, time credit could be taken in Belgium for any reason, and was not only care-related as it has become (for further information and discussion, see Merla and Deven, 2019).

Fusulier and Nicole-Drancourt (2019) envisage just such a use of time credits in their exploration of what they term a “multi-active society”, which defines itself by:

[...] choosing a lifelong parity of participation for everyone, by its recognition of a wide range of productive, socially useful activities (education, care, community work, employment [...]), and by opposing a “mono-active society”, which is defined by its choice of a gendered participation in socially useful activities and by its recognition that the domain of productive activities consists only of employment [...].

This scenario involves emancipating ourselves from the restrictive category of “employment” (and its “unemployment” corollary), fostering instead a broader understanding and concept of activity. In its multiple economic forms (reciprocal, commercial and redistributive), “contributing”

socially useful activities thus becomes the principal means of social integration, even if employment represents a key activity for acquiring social rights and resources. (Fusulier and Nicole-Drancourt, 2019, p. 324)

Fusulier and Nicole-Drancourt (2019) propose a paid time credit scheme as having a major role to play in supporting such a society: “[t]his life course approach is a fundamental principle for structuring a multi-active society” (p. 325).

But who would have access to such life course policies, which might come to play an increasingly important role in people’s lives? This question leads us to the third component of a possible future direction for leave policies.

Towards a universal right

Leave policies, as Dobrotić and Blum (2017) demonstrated, can be employment-based or citizenship-based, and they argue that “[European] countries have increasingly moved towards mixed systems, which combine basic citizenship-based parental leave benefits with more generous employment-based parental leave benefits (Dobrotić and Blum, 2017). While pure employment-based models exist, this is not (or, rather, no longer) the case for citizenship based models” (Dobrotić and Blum, 2019, p. 270). Either system may contain eligibility criteria that exclude certain groups of parents from access to leave. A recent study, for example, estimates that “on average 27% of EU-28 women and 18% of EU-28 men aged 20–49 years are not eligible for leave and/or accompanying benefits (O’Brien *et al.*, 2019, p. 2). Once again, there are substantial national variations, with only three countries (Croatia, Finland and Sweden) providing universal coverage. There are also socio-economic variations, with rates of non-eligibility highest among lowest skilled occupations.

Similar inequalities in eligibility are found in Canada. In 2013, excluding Quebec, only 44 per cent of low income families received parental leave benefits; in contrast, in Quebec, with a more generous system and less restrictive eligibility conditions, the figure was 85 per cent (Doucet *et al.*, 2019). Despite these differences, both systems are fundamentally similar: “with their labour market policy frameworks, both leave programmes use employment status as the basis for eligibility. Parental leave, therefore, is both legally and politically conceptualised as “leave from work” rather than as “leave to care” (Doucet *et al.*, 2019, p. 340).

Reasons for exclusion from leave may, therefore, involve employment status, including unemployment (unemployed workers being denied parental leave benefits), self-employment, short-term contracts and insufficient length of service with an employer. Family-related conditions may also exclude, for example, same-sex parents. Moreover, the number of parents falling foul of such exclusions is likely to increase with the growth of short-term or zero-hour contracts and involuntary self-employment, and increasing diversity in family formation.

To avoid such exclusions arising from eligibility conditions, future leave measures might be reconceptualised and reconfigured, moving away from the idea of “leave from work”, contingent on meeting certain conditions, to an unconditional “leave to care”. Doucet *et al.* (2019) make this case, having shown how many parents are currently excluded in the Canadian system:

How can social protections, including Parental Leave, be made more just? In the face of the growing destandardisation of employment, Rubery (2016) and others (such as Vosko, 2006, 2010; Standing, 2011) argue for social protection measures to be disentangled from the labour market and, more broadly, from commodification. One way would be to reconfigure Parental Leave as benefits *to care* rather than as *leave from work* [...] This promising approach, however, requires more attention to ensure, for example, that newcomers and marginalised populations who do not file income taxes are included. (p. 345; original emphasis)

What is envisaged here is leave as a universal right of citizenship, including a right to care but also to be cared for, an idea embedded in parental leave in Sweden, where “children have a legal right to have a relationship with both parents, and fathers’ ability to take parental leave is one way men can develop their relationship with their children” (Haas and Hwang, 1999, p. 49).

Conclusion

438 We edited a book 20 years ago with the title *Parental Leave: Progress or Pitfall?* The sub-title reflected both hopes for the potential of leave to increase equality and flourishing, and concerns that it might also have the potential to work against these goals. We wrote that:

[...] the Catch 22 is this. If parental leave was equally taken by women and men, it might promote or consolidate gender equality. But to be equally taken requires gender equality to have been achieved already, or to be further advanced than at present. If gender equality is not already advanced, then parental leave may retard or even reverse progress towards its achievement. (Moss and Deven, 1999, pp. 13-14)

The dilemma continues to the present day. An extended, life course leave system, including time credits, available as a universal right of citizenship could serve to perpetuate gender inequality by maintaining women’s role as sole or main carers, for both children and adults. To avoid this pitfall, and to ensure an encompassing system of leave promotes social progress, calls for careful attention to promoting a culture of equality, to ensuring leave design that encourages men’s use, and to the parallel development of care services and workplace change. These parallel developments are needed to ensure the leave system does not become a substitute for the provision of good care services and that the world of work moves towards a “universal caregiver model” as norm, a norm where all workers, male and female, are assumed to have care responsibilities, and “in which citizens’ lives integrate wage earning, caregiving, community activism, political participation and involvement in the associational life of civil society – while still leaving time for some fun’ (Fraser, 1997, p. 62). Fraser adds that this is “the only imaginable post-industrial world that promotes true gender equality”; we are inclined to add that this is the only imaginable post-industrial world that can combine equality, with sustainability, solidarity and flourishing.

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Corresponding author

Peter Moss can be contacted at: peter.moss@ucl.ac.uk