



ESPN – Flash report

2015/5

Better reconciliation of family, care and work

Gerhard Bäcker
February 2015



EUROPEAN COMMISSION

Directorate-General for Employment, Social Affairs and Inclusion
Directorate D — Europe 2020: Social Policies
Unit D.3 — Social Protection and Activation Systems

Contact: Valdis ZAGORSKIS

E-mail: Valdis.ZAGORSKIS@ec.europa.eu

*European Commission
B-1049 Brussels*

EUROPEAN SOCIAL POLICY NETWORK (ESPN)

CEPS-INSTEAD (LU) AND APPLICA (BE)
IN COOPERATION WITH OSE - EUROPEAN SOCIAL OBSERVATORY (BE)

ESPN – Flash report

2015/5

Better reconciliation of family, care and work

Gerhard Bäcker

***Europe Direct is a service to help you find answers
to your questions about the European Union.***

Freephone number (*):

00 800 6 7 8 9 10 11

(*) The information given is free, as are most calls (though some operators, phone boxes or hotels may charge you).

LEGAL NOTICE

This document has been prepared for the European Commission however it reflects the views only of the authors, and the Commission cannot be held responsible for any use which may be made of the information contained therein.

More information on the European Union is available on the Internet (<http://www.europa.eu>).

© European Union, 2015

Theme(s):	<i>Long-term care</i>
Title:	Better reconciliation of family, care and work
Category:	<i>Recent reforms</i>
Abstract:	<p>The conditions for the reconciliation of long-term care and work have significantly improved since the beginning of 2015. A new federal law provides statutory rights to care leave and/or to reduced working hours up to 24 months, with a guaranteed right of return from temporary part-time to full-time work. Employees who take up this scheme can claim a credit-financed benefit. In addition, employees are entitled to short-term care-leave up to ten working days in a year. The loss of income is compensated by an earnings replacement benefit amounting to 90 per cent of the last net monthly salary.</p>
Description:	<p>The number of people in need of long-term care in Germany has increased significantly. The majority of these mostly seniors are still attended to and cared for by their family members, mostly spouses, daughters and daughters-in-law. As women's employment participation is rising, measures for a better reconciliation of work and care obligations - not only rearing children but also caring for older relatives - are necessary. Carers need a flexible organisation of their working time, including paid time off.</p> <p>This is the objective of the Act for a better reconciliation of family, care and work (<i>Gesetz zur besseren Vereinbarkeit von Familie, Pflege und Beruf</i>), which came into force on 1 January 2015 and has markedly improved the previous legal protection. Core elements are the introduction of a legal entitlement to reduced working hours (of at least 15 hours) up to 24 months, including a maximum of six months' time off from work. There is a guaranteed right of return from temporary part-time to full-time work. Employees who take up this scheme can claim a credit-financed benefit (interest-free loan) that must be paid back gradually.</p> <p>In addition, employees are entitled to short-term care-leave up to ten working days in a year without prior notice. This offers the</p>

	<p>opportunity to organise assistance and support when an acute care situation of a close relative occurs. The loss of income is compensated by an earnings replacement benefit (<i>"Pflegeunterstützungsgeld"</i>) amounting to 90 (minus employee contributions to the statutory pension, long-term care and unemployment insurance, comparable to sickness benefit in the case of illness of a child).</p> <p>The legal entitlement for short-term care leave is unlimited; it applies to every employee irrespective of the size of the company. However, the statutory right to the six months care leave is limited in the case of employees in companies with more than 15 employees. And the statutory right to a period of 24 month part-time applies only to employees in a company with more than 25 employees.</p> <p>Entitled persons are spouses, partners in accordance with the cohabiting partnership law or equivalent partnerships, siblings, parents, step-parents, grandparents, parents-in-law, children, children-in-law, grandchildren, as well as brothers- and sisters-in-law.</p>
Outlook & Commentary:	<p>Before 2015, the use of the previous care-leave and part-time schemes was very poor. This was due mainly to the lack of legal entitlements and income replacement benefits.</p> <p>Among welfare associations and experts, the intention of the law has been welcomed, but they were and are sceptical about the content and the impact. The obligation to repay the loan still is a strong barrier to reducing working hours or claiming care leave. And the limitation of the legal entitlement to employees in companies with more than 15 employees in one case and 25 employees in the other means that a great part of the workforce is not protected. This is the case especially with women, as women work particularly often in small and medium-sized businesses.</p> <p>The new law has attracted only little public attention, not least because it contains complex regulations and is difficult to understand. Therefore, no strong increase in the number of users is to be expected.</p>
Further reading:	<p>www.wege-zur-pflege.de/neu-seit-112015.html www.berufundfamilie.de/themen/resources/pdf/1412_Infoblatt_Gesetz_Vb_Beruf_Pflege.pdf</p>
Author(s):	<p>Gerhard Bäcker, gerhard.baecker@uni-due.de</p>

