



Thirty days of (fully) compensated paternity leave in Slovenia from January 2018

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In Slovenia, 90 calendar days of paternity leave were gradually introduced between 2003 and 2005, of which 15 days were with full salary compensation. Since most fathers did not use unpaid leave, and in order to comply with EU legislation, the regulation was amended in 2014. Since 1 January 2018, the duration of paternity leave has been reduced to 30 days, but all of these are paid at 100% of salary.

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Description

Fathers in Slovenia have individual entitlement to half (130 calendar days) of the parental leave. However, they may transfer all these days to the mothers. Ninety (non-transferrable) calendar days of paternity leave were gradually introduced in 2003-2005, of which 15 days were with full salary compensation and 75 days with partial salary compensation, i.e. leave without pay but with social security contributions based on the minimum wage paid for the father from the central government budget.

To comply with the European Union (EU) regulation (Council Directive 2010/18/EU) requesting at least one month of the parental leave to be provided on a non-transferable basis, the Parental Protection and Family Benefits Act (2014) has extended the paternity leave with salary compensation by 15 days. The Act was largely supported, without political or public debate.

Gradual extension was foreseen (by five days a year) with concurrent shortening of unpaid leave (by 25 days a year), starting in the year that follows the year in which economic growth exceeds 2.5% of GDP. Therefore, the adaptation to the new regulation started in 2016 and was completed on 1 January 2018. A considerable number of fathers made use of their right to the additional paid

days (five days in 2016 and ten in 2017).

The first 15 days of paid paternity leave have to be taken before the child is six months of age, while the remaining 15 days are to be used after parental leave and before the child has completed the first grade of primary school. There is quite some flexibility in use. The paternity leave can be taken full time or part time. The father may exceptionally take the first 15 days of leave until the child is one year of age if he adopted the child after the age of six months, if he was continuously absent due to professional reasons, if the child was continuously and full-day in an institution, or if paternity was determined later on. The first 15 days of leave may be taken as individual working days, but in that case the length of the leave is equal to 70% of the eligible calendar days.

The financial consolidation measures implemented in June 2012 have affected the paternity leave salary compensation. The compensation was reduced from 100% to 90% of the individual's base salary for salary exceeding the gross minimum wage. The maximum monthly amount was lowered from 2.5 to 2 times the average monthly salary in Slovenia. These reductions will be maintained until (and including) the year that follows the year

in which: a) economic growth exceeds 2.5% of GDP; and b) the annual increase in the employment rate in the age group 20-64 years exceeds 1.3 percentage points (Act Amending the Parental Protection and Family Benefits Act, 2015) – presumably until the end of 2018. The first condition (set in 2012) was met in 2014, and (thus) the second one was then added. The minimum salary compensation is kept unchanged, at 55% of the minimum wage (EUR 323.55).

To be eligible for the paternity leave and salary compensation, the person must have been covered by parental protection insurance (which is part of social security) just prior to the first day of the leave, or for at least twelve months in the last three years before the start of the leave. This mandatory insurance covers all workers, both employees and self-employed.

Outlook & commentary

Since 2009, roughly four in five fathers take up to 15 days of paternity leave, while less than one in five leave-takers take more than 15 days. Research suggested that most fathers had not taken more than 15 days of paternity leave because their salary was not (fully) compensated beyond those 15 days before 2016 (Stropnik, 2017). Apart from the aforementioned Council Directive (2010), this was the government's argument for a

complete abandonment of the paternity leave with only social security contributions paid for the father.

Obstacles from the employers' side were identified as well (Stropnik, 2017). These might be alleviated now as fathers would need to give up a non-transferrable fully compensated leave.

A supportive work environment and work culture are essential for the fathers' ability to take advantage of statutory policies promoting their participation in childcare and promoting work-life balance. Paternity leave is also one of the ways to get closer to equal opportunities for both sexes in Slovenia where the division of care work continues to be gendered in spite of a dual-earner model (Stropnik and Humer, 2016). With more fathers taking (almost) all paternity leave, such behaviour would become more acceptable and finally normal. This would hopefully close the gap between fathers' rights and their actual use of paternity leave, and possibly lead to marginalisation of those fathers who forego (some of) paternity leave. This would benefit both children and fathers (as well as mothers). An extensive body of research has proven positive consequences of fathers' early involvement with children for the later father-child relation.

Further reading

Council Directive 2010/18/EU of 8 March 2010 implementing the revised Framework Agreement on parental leave concluded by BUSINESSEUROPE, UEAPME, CEEP and ETUC and repealing Directive 96/34/EC, Official Journal of the European Union, 18 March 2010: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32010L0018>

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