

# **Eurocarers'** Position Paper

October 2020

## **Implementation of Work-Life Balance Directive and new Carers' Rights**

### **Where do we stand?**

This position paper aims to provide a user-friendly overview of the state of play on the implementation of the Work-Life Directive and, more specifically, the new carers' rights it introduced in 2019 (i.e. a carer's leave as well as flexible working conditions for employed carers). It builds on the information collected through our member organisations as well as on available literature, as summarised in [our country profiles series](#).

The policy environment related to care and caring is currently undergoing reforms in various EU countries, notably in order to cope with demographic ageing and the challenges it entails. The amount of comparable data in these areas – including on the prevalence of informal care and situation of carers - nevertheless remains scarce. Moreover, carers (or organisations that represent them) are often not involved in the design of policies that affect their daily life. This document therefore offers a snapshot of the situation across the EU as well as an analysis of the extent to which the work-life balance measures in place actually meet the needs of carers, based on the intelligence collected through our network.

**As our analysis shows, while the legislation in place in a huge majority of the countries covered by this position paper already complies with the requirements of the Directive<sup>1</sup>, existing benefits and entitlements are too often provided at a minimal level.** It is indeed common for these rights to be defined on the basis of a narrow-focused notion of 'informal care', strict eligibility criteria or the benevolence of employers. Moreover, existing rights continue to favour those carers who have a first-degree relationship with the person in-need of care, who live in the same household or who are employees in the public or private sector (thereby excluding self-employed workers and atypical forms of employment). Finally, access to the carer's leave and flexible working conditions tend to remain problematic for those who provide care to dependent elderly persons.

**For all these reasons, while complying with the Directive, existing measures often fail to live up to their promise and adequately meet the needs of millions of informal carers across Europe.**

## WHAT THE DIRECTIVE SAYS<sup>2</sup>

*In order to provide men and women with caring responsibilities with greater opportunities to remain in the workforce, **each worker should have the right to carers' leave<sup>3</sup> of five working days per year.** [...] In order to take account of divergent national systems, Member States should be able to allocate carers' leave on the basis of a period other than a year, by reference to the person in need of care or support, or by case. [...] The rise in care needs should be taken into account by Member States when they develop their care policies, including with regard to carers' leave. **Member States are encouraged to make the right to carers' leave available to additional relatives, such as grandparents and siblings.***

**Although Member States are free to decide whether to provide a payment or an allowance for carers' leave, they are encouraged to introduce such a payment or an allowance in order to guarantee the effective take-up of the right by carers, in particular by men.**

In order to encourage workers who are parents, and carers to remain in the work force, such workers should be able to adapt their working schedules to their personal needs and preferences. To that end and with a focus on workers' needs, they have the right to request flexible working arrangements for the purpose of adjusting their working patterns, including, where possible, through the use of remote working arrangements, flexible working schedules, or a reduction in working hours, for the purposes of providing care.

## An unfinished journey































Although the introduction of a legal concept of 'informal carer' as well as of a set of new rights for carers by the Directive can arguably be considered a breakthrough for the European carers' movement, much remains to be done to help informal carers across Europe reconcile their professional and caregiving responsibilities.

- ➔ First of all, the use of **an inclusive and comprehensive definition of informal care(rs)** that overcomes traditional boundaries (i.e. the exclusive focus on next of kins or cohabitants) and acknowledges the contribution of ALL carers (including friends and neighbours), remains essential to adequately respond to the challenges facing millions of people across the EU.
- ➔ **Excluding those carers who are self-employed, have atypical working conditions or are simply not in employment from the scope of available measures and benefits is profoundly unfair and discriminatory.** All carers deserve recognition and support and should therefore be captured in the national and/or regional legislation.
- ➔ Along the same lines, it will be **important to closely monitor whether the right to flexible working arrangements is truly accessible by all carers** (including those in non-standard forms of work). Besides, the duration of such flexible working arrangements should also respond to the actual needs of the carer.
- ➔ They say 'ignorance of the law is no defence' but **better communication around the new rights introduced by the Directive would probably help to reach those carers may not see themselves as such and yet have difficulty reconciling challenging professional and caregiving responsibilities.** Public authorities and stakeholders should also seek to raise awareness about informal carers in the wider society, contributing to a better understanding of their contribution and needs.
- ➔ While the Directive also aimed to respond to the challenges entailed by demographic ageing, **the design of many of the national entitlements and benefits available to carers simply seems to overlook the provision of care to an elderly person. This should be address as a matter of urgency.**
- ➔ Finally, **no policy initiative with a potential bearing on informal carers should be defined and implemented without them (or organisations that represent them).** National and regional authorities should therefore seek to more actively involve carers and carers organisations should be supported.

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1. The Directive entered into force on the 1st August 2019 and should be transposed by all member states within three years.  
2. For more details, see Eurocarers Position paper "The Work Life Balance Directive: what is in it for carers?"  
3. Carers' leave means leave from work in order to provide personal care or support to a relative or a person living in the same household in need of significant care or support due to a serious medical reason, as defined by Member States. Carer means a worker providing personal care or support to the persons referred to in point above.

# Overview table of the transposition of the WLB Directive and carers' rights

	Is a carer's leave available?	Is it compensated?	Do carers have access to flexible working conditions?	Compliance with the Directive
Austria 	✓	✓	✓	✓
Belgium 	✓	✓	✓	✓
Bulgaria 	✗	...	...	✓
Croatia 	...	...	...	✓
Cyprus 	✓	✗	...	✓
Czech Republic 	✓	✓	✓	✓
Denmark 	✓	✓	✓	✓
Estonia 	✓	✓	✗	✓
Germany 	✓	✓	...	✓
Greece 	✓	...	✗	✓
Finland 	...	✓	✓	...
France 	✓	...	✓	✓
Hungary 	✓	✗	...	✓
Ireland 	✓	✓	...	✓
Italy 	✓	✓	✓	✓
Latvia 	✓	✓	✓	✓
Lithuania 	✓	✓	✓	✓
Luxemburg 	...	✓	✓	...
Malta 	...	✓	✓	...
Netherlands 	✓	✓	✓	✓
Norway 	✓	...	✓	✓
Poland 	✓	✗	...	✓
Portugal 	...	...	✓	✓
Romania 	✗	✗	✗	✗
Spain 	✓	✓	✓	✗
Slovakia 	✓	✓	✓	✓
Slovenia 	✓	✓	✓	✓
Sweden 	✓	✓	✓	✓
Switzerland 	...	...	...	...
United Kingdom 	...	✗	...	...

# The situation, country by country

## Austria

Is a carer's leave available?	Is it compensated?	Do carers have access to flexible working conditions?	Compliance with the Directive
✓	✓	✓	✓

### Eurocarers' views on the transposition

The Austrian paid care leave (Pflegekarenz) and part-time care leave (Pflegeteilzeit) to care for dependent relatives are fairly inclusive in their scope and go beyond the rights introduced by the Directive in terms of their duration (up to 3 months) and by offering an income-related compensation (at the level of unemployment benefit). **Take-up nevertheless remains problematic and would certainly benefit from a legal entitlement vis-à-vis the employer.**

## Belgium

Is a carer's leave available?	Is it compensated?	Do carers have access to flexible working conditions?	Compliance with the Directive
✓	✓	✓	✓

### Eurocarers' views on the transposition

The Belgian system of leave entitlements is well developed and includes a dedicated and compensated carer leave of up to 6 times 1 month over the duration of a career. **Although a very good measure all in all, the leave is only available if used to take care of a different care recipient each time, for some reason.**

Is a carer's leave available?	Is it compensated?	Do carers have access to flexible working conditions?	Compliance with the Directive
...	...	...	✓

**Eurocarers' views on the transposition**

Every insured person in Bulgaria is entitled to 10 days of paid leave per calendar year to provide care to sick family members over the age of 18 or to accompany them for medical examination, investigation or treatment either in the country or abroad. Those who provide the same care for family members under the age of 18 are entitled to up to 60 days per year.

Yet, the **care leave is only granted if no other unemployed family member (i.e. no other informal carer) is able to care for patient. Besides, monetary compensation is paid only if a new disease appears that aggravates the initial condition and care needs; if the existing disease gets worse or if the disease reaches a terminal stage.**

**Eligibility to the leave and the approach underpinning it are therefore quite restrictive.**

Is a carer's leave available?	Is it compensated?	Do carers have access to flexible working conditions?	Compliance with the Directive
...	...	...	✓

**Eurocarers' views on the transposition**

The Croatian system provides for carers' leaves only in the case of children with disabilities or who need special care, after the expiry of statutory maternity and parental leave. There is a time-limited right to work half-time until a child reaches three years of age; a right to extended parental leave until a child reaches the age of eight; and unlimited right to work half-time in cases of severe physical or mental incapacities which can extend into the time when a child reaches adulthood.

All three leaves are assessed by medical commissions who may recommend shorter periods and may regularly re-assess. In each case, the carer automatically receives health insurance and basic pension insurance.

**While complying with the Directive, the Croatian legislation includes very strict eligibility criteria.**

Is a carer's leave available?	Is it compensated?	Do carers have access to flexible working conditions?	Compliance with the Directive
✓	✗	...	✓

**Eurocarers' views on the transposition**

Cyprus lacks a care-specific leave scheme and flexible time arrangements. Consequently, employees with caring responsibilities tend to make use of the general leave arrangements (annual leave, parental leave, and leave on the grounds of force majeure).

Parental leave legislation has a special provision for parents of children with disabilities: the leave is available to parents of children up to the age of 8 but this age threshold increases to 18 years if the child suffers from a disability. Employees with dependent relatives can also make use of leave on the grounds of force majeure. According to this scheme, the employee is entitled to 7 days of unpaid leave per year on grounds that include sickness, accident or similar emergencies befalling a relative. The leave may be taken over a single or several time periods.

**The Cypriot legislation complies with the Directive but the development of care-specific leave arrangements may help prevent a number of carers (and specifically women) from falling into flexible and/or atypical contractual working arrangements.**

Is a carer's leave available?	Is it compensated?	Do carers have access to flexible working conditions?	Compliance with the Directive
✓	✓	✓	✓

**Eurocarers' views on the transposition**

**While the Czech legislation does comply with the Directive on paper, there is in reality no guaranteed leave available to carers of dependent relatives in Czechia.** Employers are indeed only obliged to excuse an employee's absence from work if care is provided to a sick child under 10. In the case of any other family member, absence can only be excused for a serious illness, documented by a doctor's certificate.

A 'carer's leave' was nevertheless introduced by an amendment of the Act on Sickness Insurance in 2016, through which a person caring for a relative discharged from the hospital can draw up to 60% of their salary for a period of up to three months.

Is a carer's leave available?	Is it compensated?	Do carers have access to flexible working conditions?	Compliance with the Directive
✓	✓	✓	✓

### Eurocarers' views on the transposition

In Denmark, people who take leave in order to provide care are entitled to a taxable cash benefit, i.e. a care allowance (plejevederlaget). Municipalities, which are responsible for long-term care services, employ family carers directly. The right hereto, as well as the amount paid, depend on several factors, but the period may not last longer than 6 months, which can - in addition - be split and shared between people attached to the labour market, e.g. wage earners, self-employed people, and unemployed people, but not persons above pensionable age.

**The Danish system therefore goes way beyond the Directive and nicely meets the needs of carers.**

Is a carer's leave available?	Is it compensated?	Do carers have access to flexible working conditions?	Compliance with the Directive
✓	✓	✗	✓

### Eurocarers' views on the transposition

In Estonia, paid care leaves are only available for short durations and are case specific. The duration of the benefit is up to 14 days to provide care for a child under 12 or up to 7 days in the event of nursing another family member at home (a new rights introduced in July 2018). Additional benefits exist for carers of children with a disability.

**While the Estonian legislation generally complies with the Directive, the various leave entitlements available to carers would benefit from some streamlining. Moreover, flexible working conditions for carers are still difficult to access.**



Is a carer's leave available?	Is it compensated?	Do carers have access to flexible working conditions?	Compliance with the Directive
✓	✓	...	✓

**Eurocarers' views on the transposition**

The Care Leave Act of 2015 ('Pflegezeitgesetz') introduced wage compensation for acute care leave of up to 10 days (typically 90% of net earnings) ; family care leave is available for those providing care for minors living outside the home (such as in institutional facilities); and leave of up to 3 months is available for people supporting family members at the end of life (e.g. those in hospices).

**While the German system includes good leave entitlements for carers, the possibility to access flexible working arrangements often remains a challenge.**

Is a carer's leave available?	Is it compensated?	Do carers have access to flexible working conditions?	Compliance with the Directive
✓	...	✗	✓

**Eurocarers' views on the transposition**

In Greece, time-off for the care of dependent family members is only provided on the following occasions:

- Up to 6 days of unpaid leave per year for carers to help with dependent family members' sickness in the case of serious illness;
- 1 hour per day of unpaid leave for parents of disabled children (applying only to enterprises with more than 50 employees);
- Up to 10 days of paid leave per year for parents whose children (up to 18 years of age) need regular transfusion or dialysis or suffer from cancer or need a transplant.

**The Greek legislation regarding leave entitlement for carers is therefore extremely restrictive and flexible working conditions are difficult to access due to prevailing negative attitudes among employers.**

Is a carer's leave available?	Is it compensated?	Do carers have access to flexible working conditions?	Compliance with the Directive
...	✓	✓	...

### Eurocarers' views on the transposition

The Finnish legislation currently makes it easier to combine work and care for a child with special needs than for an adult. Parents are indeed entitled to a paid leave of up to 4 days in a row to take care of a child up to 10 years old.

In addition, according to the Employment Contracts Act, an employee can be away from work to provide care to a family member who unexpectedly got ill (absence for compelling family reasons). The Act does not provide any time limits but it is expected that a couple of days should allow the employee to organize care for the family member. **The duration of these leaves should be extended and/or clarified to comply with the Directive.**

An employee may also ask for longer absence to take care of a family member or someone close to her/him. The employer is not required to pay the employee remuneration for the leave.

Is a carer's leave available?	Is it compensated?	Do carers have access to flexible working conditions?	Compliance with the Directive
✓	...	✓	✓

### Eurocarers' views on the transposition

The Carer's leave (congé de proche aidant) is a new entitlement which entered into force on the 30th September 2020. It is targeted at the carers of people with an infirmity or loss of autonomy. Carers can ask their employer to temporarily interrupt their professional activity, while keeping their position and rights in the company. This leave can last up to three months (except if a collective agreement exists) and can be renewed without exceeding 1 year over the entire career of the employee. The daily carer allowance (AJPA) is set at €52.08 for a carer who lives alone and at €43.83 for cohabitants. It is paid by the family allowance funds (CAF) or the Mutualité sociale agricole (MSA). Carers are entitled to a maximum of 22 AJPA per month. The Carer's leave is available to all employees in the private and public sectors, the self-employed and job seekers.

While there is no legal obligation for employers to provide flexible working time to informal carers in France, a 2005 law introduced positive action in favour of personalised working time. This should allow working carers to organise their arrival and departure from work within time slots agreed by the employer, provided that a certain number of working hours are fulfilled. **The availability of this provision nevertheless differs depending on whether the carer is an employee, civil servant or works in the private sector.**

Is a carer's leave available?	Is it compensated?	Do carers have access to flexible working conditions?	Compliance with the Directive
✓	✗	...	✓

### Eurocarers' views on the transposition

The Labour Act allows relatives to go on unpaid leave in order to take care of a child under the age of 3. The maximum age of the child rises to 10 if the child is disabled or permanently ill and the care provider receives childcare allowance or its 2016 successor, child-raising support (respectively, gyermekgondozási segély and gyermekgondozást segítő ellátás). In addition, unpaid leave is available for a maximum of two years to employees who provide personal care to a permanently-ill relative. The need for care nevertheless has to be confirmed by the healthcare system and the employee has to be the sole carer.

**The Hungarian legislation related to care leave entitlements is narrow-focused and restrictive.**

Is a carer's leave available?	Is it compensated?	Do carers have access to flexible working conditions?	Compliance with the Directive
✓	✓	...	✓

### Eurocarers' views on the transposition

An unpaid Carer's Leave - of between 13 and 104 weeks - exists in Ireland but only constitutes a right or entitlement provided one meets the conditions. To be eligible the beneficiary must have been continuously employed by the employer from whom the leave is taken for at least 1 year. The employer is legally entitled to refuse a request for a Carer's leave of less than 13 weeks. The leave cannot be taken on a part-time basis. But a person can work while on Carer's Leave for a maximum of 18.5 hours a week provided the income from employment or self-employment is below a weekly income threshold set by the Department of Social Protection. In addition to the leave, the beneficiary may be eligible for Carer's Benefit or Carer's Allowance provided they have sufficient social insurance contributions and meet the other eligibility criteria.

**The leave entitlement available in the Irish legislation, although unpaid, complies with the Work-Life balance Directive.**

Is a carer's leave available?	Is it compensated?	Do carers have access to flexible working conditions?	Compliance with the Directive
✓	✓	✓	✓

**Eurocarers' views on the transposition**

The Italian care leave system offers a combination of short and longer-term leaves. The Care leave is fully compensated and receives pension coverage. It is nevertheless granted only to workers who provide care to severely disabled relatives. Besides, Law No 183/2010 introduced the principle of “sole carer”, which means that only one worker in a household is entitled to the leave.

Two different types of care leave are available:

- ➔ 3 days of paid leave per month for short term leave for parents and close relatives of a person with a disability, even if they do not share the same roof. The leave can be taken in half days or on a piecemeal hourly basis.
- ➔ Up to 2 years of paid leave for parents and close relatives of individuals with severe disabilities, living under the same roof. The leave is paid at 100% of earnings up to an annual ceiling.

**While complying with the Directive, the Italian legislation is restrictive and only concerns family members.**

Is a carer's leave available?	Is it compensated?	Do carers have access to flexible working conditions?	Compliance with the Directive
✓	✓	✓	✓

**Eurocarers' views on the transposition**

**The Latvian carer leave only concerns parents of children with care needs.**

People caring for a sick child (up to 14 years of age) are entitled to a paid leave of up to 21 days. Sickness benefits are paid from the state social insurance budget for the period between the 1st and 14th day of the child's illness (21st if the child is in hospital).

Is a carer's leave available?	Is it compensated?	Do carers have access to flexible working conditions?	Compliance with the Directive
✓	✓	✓	✓

### Eurocarers' views on the transposition

The Lithuanian Code of Labour provides for some support for working carers, such as flexible working time, part-time work and leave for employees bringing up disabled children. While the standard minimum annual leave is 28 calendar days, single parents who bring up a disabled child (under 18) qualify for a minimum of 35 calendar days. On request, an additional unpaid leave of up to 30 calendar days is available to employees who provide care to a disabled child under 18.

As for other dependent family members requiring care, employees may request an unpaid leave for a duration to be recommended by a health institution.

**While the Lithuanian legislation complies with the Directive, it could be more generous and its scope could be widened.**

Is a carer's leave available?	Is it compensated?	Do carers have access to flexible working conditions?	Compliance with the Directive
...	✓	✓	...

### Eurocarers' views on the transposition

The Leave for family reasons (le congé pour raisons familiales) may be taken by an employee, self-employed or apprentice and consists in 2 days of leave per year and per child under 15 or 4 days per year and per child benefiting from a disabled children's allowance. The duration of the leave may be extended in case of a serious illness or deficiency and is limited to a maximum period of 52 weeks within a period of 104 weeks. The leave may be split up and taken on a part-time basis. The period of leave for family reasons is treated as a period of sick leave and is paid by the employer at 100%. The employers' mutual insurance scheme reimburses the employer for the total wage costs (gross salary + employers' costs) during the period of continued pay.

The leave to accompany a dying person (le congé d'accompagnement) enables an employee, a self-employed or an apprentice to take a leave of absence to stay with a close relative at the terminal stage of a serious illness. The claimant (including part-time employees) is entitled to 5 days of leave (40 hours) per year and per case.

**The scope and duration of the Leave for family reasons (le congé pour raisons familiales) should be extended to fully comply with the Directive.**

Is a carer's leave available?	Is it compensated?	Do carers have access to flexible working conditions?	Compliance with the Directive
...	✓	✓	...

### Eurocarers' views on the transposition

Work-Life Balance measures available to carers in Malta actually depend on whether they are employed in the private or public sector. There is indeed no legal provision in the private sector, which does not prevent employers from voluntarily accommodating the needs of their working employees. Unfortunately, it seems only a limited number of them do so. On the other hand, employees in the public sector/public administration are entitled to a good set of family-friendly measures (reduced working hours, telework, flexitime, donation of holidays between colleagues, special leaves and career break). While these measures are not specifically intended to assist workers with long-term care responsibilities, they can be used in such situations.

**While the Maltese legislation does comply with the WLB Directive, only employees of the public sector have a legal entitlement to the new carers' rights. This should be reviewed.**

Is a carer's leave available?	Is it compensated?	Do carers have access to flexible working conditions?	Compliance with the Directive
✓	✓	✓	✓

### Eurocarers' views on the transposition

The Care leave is organised under the Employment and Care Act (Wet arbeid en zorg, Wazo), which provides short-term care leave, emergency leave (not relevant with regard to informal care) and long-term care leave.

- ➔ The short-term care leave gives an annual right of 10 days of leave for an employee with a full-time contract (40 hours/week). During the leave, 70% of the wage is maintained and paid by the employer. The percentage may be higher if arranged in a collective agreement or other employer regulations.
- ➔ The maximum duration of Long-term care leave is six times the weekly working hours of the beneficiary (so, 40 hours/week in the case of a full-time contract with a maximum of 240 hours or 30 days). Long-term care leave is unpaid, unless defined otherwise by a collective agreement or other regulation. The long-term care leave has to be taken in one go.

**The Dutch Care Leave entitlements comply with WLB Directive**

Is a carer's leave available?	Is it compensated?	Do carers have access to flexible working conditions?	Compliance with the Directive
✓	...	✓	✓

### Eurocarers' views on the transposition

Working parents have a universal right to up to 10 days of leave per year, with full wage compensation up to the sickness benefit ceiling, in order to care for a sick child under 12. In addition, employees have the right to 10 days of unpaid leave per year to care for parents, spouses, cohabiting partners, registered partners, and children older than 18 in need of care.

**While not bound by the Directive, the legislation implemented in Norway does reflect the carers' rights it introduced.**

Is a carer's leave available?	Is it compensated?	Do carers have access to flexible working conditions?	Compliance with the Directive
✓	✓	...	✓

### Eurocarers' views on the transposition

Employees covered by compulsory or voluntary sickness insurance have an entitlement of up to 60 days off per year to take care of a sick child or other family member, provided that a medical certificate is presented and no other carer in the family is available (the latter condition does not apply if the child is younger than 2 years of age).

A care allowance (zasiłek opiekuńczy), set at 80% of the average personal annual wage, is payable for the whole period of leave if the child is under 14, and for a maximum of 14 days otherwise. In addition, flexible working arrangements and labour market reintegration measures (e.g. benefits supporting labour market reintegration for former informal carers, via subsidised employment measures) have been introduced since 2015.

**The Polish legislation does comply with the Directive.**

Is a carer's leave available?	Is it compensated?	Do carers have access to flexible working conditions?	Compliance with the Directive
✓	...	✓	✓

**Eurocarers' views on the transposition**

Two types of leaves and corresponding benefits are available for parents (and in some cases grandparents) who provide care to their disabled or chronically-ill (grand)children:

- ➔ The leave of Absence for the Care of a Child (Falta para Assistência a Filho) gives each parent of a child under 12 (or without age limit in the case of a disabled or chronically ill child) the right to take a leave of up to 30 days per year or during the whole hospitalisation period. For children aged 12 or more, the maximum number of days is reduced to 15. Adult children must share the household with their parents in order for the rights to apply. Grandparents are also entitled if they replace parents in the provision of pressing and indispensable assistance to their grandchildren.
- ➔ The Child Care Leave (Licença para Assistência a Filho) may be taken for a period of maximum 2 years (3 years if regarding a third or subsequent child). If the child is disabled or chronically ill the leave has a maximum period of four years.

**While Portugal does comply with the WLB directive on paper, the country's legislation has a very limited focus.**

Is a carer's leave available?	Is it compensated?	Do carers have access to flexible working conditions?	Compliance with the Directive
✗	✗	✗	✗

**Eurocarers' views on the transposition**

With regard to the care leave, Romania finds itself in two extreme situations. On the one hand, there is a lack of specifically regulated access to leave (whether paid or unpaid), and flexible work schedules for families that cater for the needs of a dependent adult person who is not severely disabled. On the other hand, there is highly regulated access to leave and part-time work regulations for parents with disabled children. Although in principle employees have the legal right to both a flexible work schedule and unpaid leaves for personal matters, there is no specific legal provision to guarantee the right of employees to certain work arrangements in order to cope with the special needs of dependent family members.

**As a result, the Romanian legislation currently does not comply with the Work-Life Balance Directive.**



Is a carer's leave available?	Is it compensated?	Do carers have access to flexible working conditions?	Compliance with the Directive
✓	✓	✓	✓

**Eurocarers' views on the transposition**

The duration of sick leave to care for an immediate co-resident family member depends on the health condition and is assessed on an individual basis. Exceptionally, if required due to the health condition of the sick child, the duration of sick leave may be extended to up to 6 months, or even longer in extreme cases. Sick leave is paid at 70% of average earnings in the preceding calendar year for the first 90 days, and 80% afterwards.

The parent (or other person fulfilling the parental role) who is taking care of a child below the age of 18 years with a severe physical disability or a moderate or heavy mental disability, has the right to work part time. The number of caring hours must nevertheless amount to at least a 50% part-time equivalent. The employer may not reject such a request.

**Although the current Slovenian legislation does comply with the Directive, no care leave system currently exists as regards the provision of long-term care to an elderly person. Adequate workplace arrangements for informal carers are also non-existent.**

Is a carer's leave available?	Is it compensated?	Do carers have access to flexible working conditions?	Compliance with the Directive
✓	✓	✓	✓

**Eurocarers' views on the transposition**

In Slovakia, employees are entitled to a compensated leave in order to care for a sick family member for a maximum of 10 calendar days per year. **While the Slovak legislation does meet the standards introduced by the Directive, its scope is fairly limited since it only concerns first-degree relatives.**

Is a carer's leave available?	Is it compensated?	Do carers have access to flexible working conditions?	Compliance with the Directive
✓	✓	✓	✗

**Eurocarers' views on the transposition**

The Spanish system of leave entitlements provides three possibilities of carers' leave:

- ➔ Short-term leave - 2 days of fully paid leave, which can be extended to 4 if travel is required, in order to care for family members up to the second degree
- ➔ Long-term leave. These are reductions of the working day to care for family members up to the second degree for a reduction of up to 2 years unpaid (unless where extended by collective bargaining). For public servants, this can be extended for up to 3 years. During the first year of leave, the employee's job is safeguarded and the leave is taken into consideration in the calculation of pension credits.
- ➔ Reduction of working hours by up to 50% to care for a child suffering from cancer or other serious illness requiring long-term hospitalisation. The leave may last until resolution of the illness or until the child reaches 18 years of age.

**The Spanish legislation will need to be adapted (extended) to comply with the rights introduced by the WLB Directive.**

Is a carer's leave available?	Is it compensated?	Do carers have access to flexible working conditions?	Compliance with the Directive
✓	✓	✓	✓

**Eurocarers' views on the transposition**

In Sweden, the Care leave and benefit (Närståendepenning) are provided within the framework of the National Social Insurance Act. Those who forgo gainful employment in order to provide care, at home or at a care facility, to a close relative with a severe illness are entitled to this. The benefit (up to almost 80% of the sickness benefit) requires a doctor's certificate, is taxable, and is paid for up to 100 days for each cared-for person. The employer is legally bound to hold the employee's position open while they are on leave.

**The Swedish legislation does comply with the WLB Directive.**

## Switzerland

Is a carer's leave available?	Is it compensated?	Do carers have access to flexible working conditions?	Compliance with the Directive
...	...	...	...

### Eurocarers' views on the transposition

The new law on improving the reconciliation between professional activity and the care of relatives should enter into force in 2021. Parents will be granted 14 weeks of care leave to care for their seriously ill or accidentally injured child. A person will be able to take up to 10 days of paid leave per year (maximum three days per case) for the care and support of a loved one.

**The Swiss legislation in the area is therefore still work in progress.**

## United Kingdom

Is a carer's leave available?	Is it compensated?	Do carers have access to flexible working conditions?	Compliance with the Directive
...	×	...	...

### Eurocarers' views on the transposition

Employees may take a 'reasonable' amount of unpaid time off work in order to deal with unexpected or sudden emergencies affecting a dependant and to make necessary longer-term arrangements. The government is nevertheless working on a new piece of legislation following an open consultation on the topic.

**Work-life balance arrangements for British carers can therefore be seen as work in progress.**

Should you have comments or questions about this position paper, please contact the Eurocarers Secretariat:

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