

## Paternal leave and child care in Austria

### 1) Legal framework

In Austria paternal leave is ruled by a separate law act (Väter-Karenzgesetz), two other laws concern fathers and mothers.

Eight weeks prior and eight (12<sup>1</sup>) weeks after birth the maternity protection law forbids the employment of mothers. During this period the mothers get payment from health insurance substituting their regular income.

After this period either mother or father can take paternal or maternal leave till the child is 2 years old. Sharing the leave between mother and father is not obligatory. They can alternate twice; one part of the paternal/maternal leave has to be at least three months. The first time father and mother alternate, they can take one month together. Three (or six months for mother and father) months of the paternal/maternal leave can be postponed till the 7<sup>th</sup> birthday of the child.

Paternal/maternal leave is not connected to any payments; it protects employed parents against dismissal.

Since 2004 fathers and mothers have also been entitled to demand part-time occupation for a minimum of three months till the 7<sup>th</sup> birthday of the child after or instead of paternal/maternal leave. They have to negotiate about the beginning, duration, and extent of the part-time occupation with their employer. They are protected against dismissal till the 4<sup>th</sup> birthday of the child.

### Child caring benefit

Child caring benefit is a family oriented benefit for employed parents as well as other parents. The father or mother gets 436€ per month till the child is 30 months old or 36 months, if mother and father apply for it alternately. Mother and father can alternate twice. The minimum period is three months. Receiving the benefit, the mother or father is not allowed to earn more than 14.600€ per year.

### 2) The situation in Austria

Statistics available refer to mothers or fathers receiving child caring benefit and not to those, who are on maternal/paternal leave. In June 2005<sup>2</sup> 3,3% of all persons receiving child caring benefit have been fathers. Regarding the age of the child this percentage varies: It has been 1,8% fathers (as percentage of mothers) who received the benefit for a child in its first year, 2,1% fathers for a child in its second year and 8,5% fathers for a child in its third year.

June 2005	Fathers		Mothers		Total	
Till 1 <sup>st</sup> birthday	1.058	1,8%	59.022	100%	60.080	35,4%
Till 2 <sup>nd</sup> birthday	1.498	2,1%	69.940	100%	71.438	42,1%
Till 3 <sup>rd</sup> birthday	3.011	8,5%	35.091	100%	38.102	22,5%
Total	5.567	3,4%	164.053	100%	169.620	100%

Considering that employees are only entitled to take paternal leave till the second birthday of a child, it is interesting to look on the occupational group these fathers belong to:

Occupational group – fathers	Till 1 <sup>st</sup>	Till 2 <sup>nd</sup>	Till 3 <sup>rd</sup>
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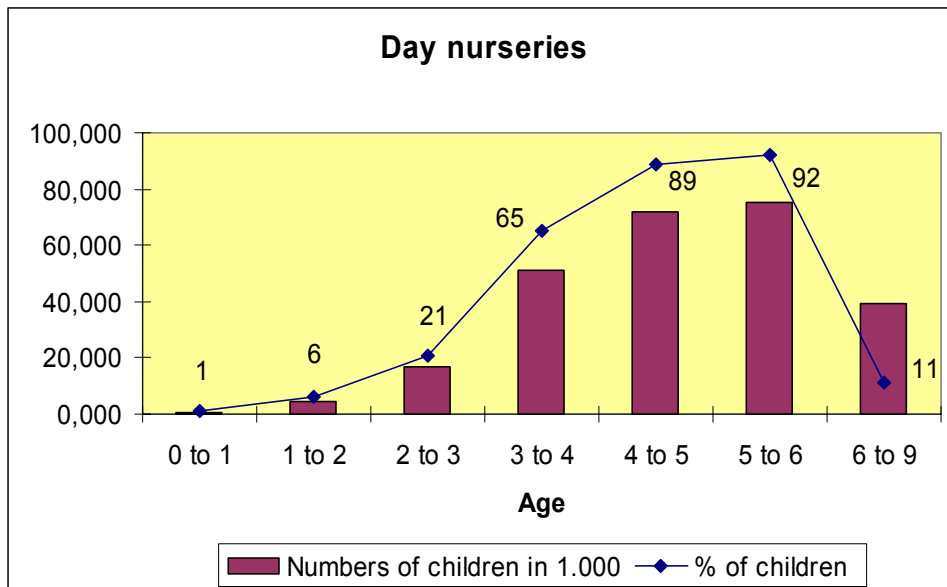
<sup>1</sup> 12 weeks after a Caesarean section or twin birth.

<sup>2</sup> Source: monthly statistics of the Centre of Competence for Child Caring Benefit of the Health Insurance Company of Lower Austria (Kompetenzzentrum Kinderbetreuungsgeld - Niederösterreichische Gebietskrankenkasse)

as percentage of mothers	birthday	birthday	birthday
Self-employed	13,2%	14,1%	73,4%
Civil servants	3,9%	5,9%	14,4%
Employees	0,8%	1,4%	4,1%
Workers	2,4%	2,3%	10,3%
Various <sup>3</sup>	2,2%	2,2%	10,1%

Reconciliation of family and work is mostly a female issue. The activity rate among women aged 15 to 64 is 65% in Austria,<sup>4</sup> among women aged 20 to 49 years it is 79%. 45% of all mothers aged 20 to 49 years work part-time (defined as less than 30 hours a weeks)<sup>5</sup> – this number is twice as high as among women without child. Only 2% of men work less than 30 hours a week. 36% of mothers say<sup>6</sup>, they care for a child mainly or alone, but only 1% of fathers. 77% of women give family as main reason for part-time occupation.

The day nurseries includes crèches (age 0–3), kindergarten (age 3-6) and after-school care-clubs (age 6 and more).



92% of all children aged 5 to 6 attend kindergarten<sup>7</sup>, but less than 1% of children under the age of 1 year go to crèches. Austrian schools usually finish at lunch-time. Still only 11% of all children aged 6 to 9 go to after-school care-clubs. 77% of children at crèches stay for the whole day. In kindergarten 55% of the children stay all day, 44% just mornings<sup>8</sup>.

<sup>3</sup> This category includes unemployed fathers, students, farmers, etc.

<sup>4</sup> Source: EU Labour Force Survey, 4th quarter 2004.

<sup>5</sup> Source: EU Labour Force Survey 2003.

<sup>6</sup> Source: Statistics Austria, Austrian Mikrozensus (sample survey), Sept. 2002

<sup>7</sup> Source: Statistics Austria, Krippen, Kindergärten & Horte (Kindertagesheime) 2004 (crèches, kindergarten, after-school care-clubs (day nurseries))

<sup>8</sup> Source: Statistics Austria, Krippen, Kindergärten & Horte (Kindertagesheime) 2002/03 (crèches, kindergarten, after-school care-clubs (day nurseries))