

Shifting paradigms

Equity through parental leave



Democracy for Development
Demokraci për zhvillim
Demokratija za razvoj

Shifting paradigms

Equity through parental leave

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Glossary of Terms

“Daddy Quota” – A father quota is established as a way to encourage fathers to use parental leave as there was a very low take-up of parental leave amongst men. It was first ideated in Sweden. It allows men to take adequate leave even if their female partner isn’t working.

“Motherhood Penalty” – Occurs when women take a significant (6 months or more) period of paid leave; whilst the father, due to either the lack of paid parental leave or due to cultural norms, have a very short paternity/parental leave. This can negatively impact on women’s wages or career projections.¹

“Statistical Discrimination” – lengthy and paid leave may undermine women’s labour force participation as it makes women less competitive in the labour market, and thus discourages employers from hiring women of childbearing age.²

Gender equality – refers to the role and power relationships between men and women, through the expected social norms of the specific gender.³

Maternity Leave – Before or immediately after birth, mothers are allowed to leave work to take care for the newborn child.

Non-Transferrable Parental Leave – This is a type of parental leave which prevents parents from splitting their parental leave between themselves; often implemented to encourage paternal uptake and enhance post-motherhood gender wage equality.

Parental Leave – One parent is entitled to this leave or both parents in some countries after maternity and/or paternity leave.⁴

Paternity Leave – Leave from work that is entitled to

fathers, resembling maternity leave but usually much shorter in duration.

Puerperal – Child bearing mother; immediately before or right after the birth period.

Shared Parental Leave – This is a type of parental leave which allows parents to split their allocation of parental leave to suit their family, economic, or social requirements.

The Neoclassical economic model – “left aside classical economics’ matters such as wealth distribution and value theory, to study thoroughly the mechanisms that allow the allocation of scarce resources in different markets. This is, understanding how agents, such as consumers and producers, will try to maximize its objective function, *utility* and *production*, considering some given constraints, such as *budget* and *input constraints*.”⁵

Executive Summary

Parental leave policies enable better reconciliation of professional and private life and contribute to improving the working and living conditions of working parents. Such leave benefits, as support mechanisms for families, have an important direct impact on parental wellbeing. Parental wellbeing, in itself, is a contributing factor of child wellbeing. Equally important, sharing of unpaid care and domestic work between women and men can help address stereotypes and change social norms, potentially, transforming both labour markets and households alike.⁶ Hence, parental leave, although often overlooked, not only is key to family policies but also has positive impact on gender equality and socio-economic development.

Research, worldwide, consistently shows that fathers want to spend more time with their new-borns, but the societal pressure to conform to traditional gender roles combined with the perceived impact on their careers, simply leaves fathers without enough incentives to take more leave.⁷ In addition D4D's findings reveal that, in fact 77.8% of all men and women in Kosovo would consider taking parental leave, of which 41.9% of the entire sample (41.8% of men and 45.8% of women) definitely would consider sharing parental leave with their partner. Younger generations 18-24 and those of age 35-44 have expressed a higher rate of readiness to take parental leave - 46.6% and 47.8% respectively.

The maternal leave system in force does not satisfy for the demands of the Kosovar population since it enables leave only for mothers in the format of maternal leave, it does not foresee parental leave, and disables fathers/parents from taking a greater portion of paternity or parental leave. To cater for the demands of the population and align the model based on the EU directives (Directive 2010/18/EU), D4D proposes a scheme of leave where four (4) months are

allocated to the mother as maternity leave - 70% of her base salary, which is covered by the employer; one (1) month is allocated to the father as paternity leave- 70% of his base salary which is covered by the employer. Through the scheme proposed, the family gets eight (8) months parental leave, out of which four months are allocated to the mother and four (4) months are allocated to the father. Such a model can help foster gender equality in the framework of labour roles, pay, and participation in the workplace.

Introduction

The importance of family policy to all states, especially in this key area - parental leave, must not be underestimated. Family policies tend to consider only fertility and labour force participation, and more than often fail to look at different support mechanisms for families such as parental leave benefits. Parental leave benefits have an important direct impact on parental wellbeing. Parental wellbeing is a determinant of child well-being.⁸ Studies have shown that children's wellbeing, physical health, and future educational attainments are dependent heavily on the stability of parental relationships.⁹ Given that there is a democratic will of the people regarding family policies, it is important to transform them into legislation that is implemented.

The survey's results purport that in general Kosovar men want to be more involved in sharing the responsibilities of bringing up children, and believe parental leave to be positive for the whole family; combating any stereotypical suggestions of unchangeable gender roles.

D4D believes that the current Kosovar maternal leave system does not cater for the demands of the population nor the current scientific evidence in regards to parental leave impact. D4D thus proposes a variation to the current system, one which guarantees maternity, paternity and a non-transferable allocation of parental leave for both the mother and the father, alongside a paid and unpaid allocation. The rationale behind recommendations in this paper is to reduce the gender imbalance caused by only offering maternity leave. Parental leave can create a valuable, positive effect for society by offering paid parental leave also to the father, in fact balancing the parental leave between both parents. Something which has been shown in other countries and other settings, to have a beneficial effect on encouraging women to re-enter the workplace following

pregnancy and also on the child's overall development. Moreover, in order to promote the uptake of paternal leave, it is essential that this leave allocation be made non-transferable since if it is simply a shared allocation, studies have shown it will simply be utilized by the mother; often due to pre-existing gender traditions or financial necessity resulting from the father having a higher income.

The structure of the paper is therefore as follows. Firstly, it reviews the scientific literature on parental leave, exploring its impacts on gender equality, most notably in regards to how the current system does not foster gender equality in the framework of labour roles, pay, and participation in the workplace, child development, the mother's health, and presenting examples of its successful implementation across the world. Secondly, it lists EU directives on parental leave, describes Kosovo's current system, and highlights the differences between the two. Thirdly, this paper analyses the results of a survey conducted in Kosovo in December 2016 dealing with parental gender roles and opinions on leave uptake, as means of uncovering the needs of the majority of the Kosovar population in order to overcome the perceived information gap between government policy and the citizenry's wants and aspirations. Finally, the paper uses the information from the survey combined with a review of contemporary social policy literature to provide policy options recommendations and the estimated costs to the government.

Methodology

This paper reviews the relevant current literature, analyses data processed from a survey conducted to measure the opinion of the broader public in Kosovo, and presents findings from six public discussions on parental leave. In this line, this paper elaborates on the potential impact of introducing parental leave in the labour law and its potential impacts on overall socio-economic development, based on reviews of recent empirical studies and the lessons learned from other countries' 'best practices'. The major focus will be concentrated on economies where the implementation of parental leave has been most successful. Furthermore the paper presents a model of parental leave and its approximate cost to Kosovo's state budget.

An opinion survey was conducted in December 2016 to extrapolate the general public view on the topic of shared parental leave, and particularly to assess the readiness of fathers to take up parental leave. In total, five questions were asked, and included topics like considerations for taking up parental leave in the future, and potential concerns for a possible uptake of the parental leave. The selected methodology for the survey was random sampling. It included 1070 respondents (502 men and 568 women), a sample size large enough for a confidence interval of $\pm 3\%$, and it has been stratified accordingly to represent the different residing ethnicities: Albanian, Serbian and other non-majority ethnic groups. Findings from this survey have been presented, and incorporated accordingly in this position paper.

To gain an in-depth view and complement findings from the opinion survey on the topic of parental leave –more specifically to assess the readiness of fathers to take up parental leave, six (6) public discussions have been organized in cooperation with Olof Palme International

Center (OPIC) partners (namely, Kosovo Democratic Institute (KDI), Syri i Vizionit (SiV), Youth Association for Human Rights (YAHR), Center for Policies and Advocacy (CPA), and Communication for Social Development (CSD)). The public discussion covered the following municipalities and localities: Prishtina, Gjilan, Gjakova, Mitrovica, Gracanica, Uglare, Laplje Selo, Lipjan, Peja, Istog, Deçan, Klina, Prizren, and Rahovec. In total, 120 representatives (47 men and 73 women) of different professional profiles (*labour union representatives, assembly members, municipality gender equality officers, CSO representatives, private sector representatives, journalists and artists, etc.*) participated in these six public discussions. In terms of ethnicities, the public discussions included: Albanians, Serbians and other non-majority ethnicities. The discussion focused on current labour law and proposed changes in the draft-law regarding parental leave (Article 49). This was followed with discussions on the perceptions and attitudes of men and women towards parental leave. Particular emphasis was given to learn more about men's attitudes and their readiness to take up parental leave. Comments and suggestions received during these public discussions have been carefully addressed in this report.

Kosovo Context

Almost two thirds of Kosovo's population is of working age (age 15-64).¹⁰ However, it is expected that the working age population will increase rapidly over the next decade as Kosovo is among countries with the youngest population in Europe. The research published by D4D in 2015¹¹ presents a large gender gap in a specific sector. The participation of women in the labour market is estimated to be the lowest in Europe. Almost one in five (18.6 %) women of working age are active in the labour market, compared with about three-fifths (58.3 %) of working-age men¹². While, among those active in the labour force, unemployment is higher for women than for men (31.8 % compared with 26.2 %)¹³. The employment rate among working age women is only 12.7 %, compared with 43.0 % for men.¹⁴

As noted, 82.6% of women in Kosovo are not active in the labour market, despite the fact that the exclusion of women from economic activity is one of the key barriers to economic development of a country¹⁵. Research indicates that women face discrimination in the employment process, in particular if they are pregnant or wish to have children.¹⁶
¹⁷ ¹⁸ In a recent survey conducted by D4D¹⁹, 59.8% of respondents believe that there is discrimination against women in the hiring process. 53.2% of men and women think that one of the reasons why a woman is not looking for a job is the responsibilities she has related to child and elderly care. In fact, 91.2% of women who are not active in the labour market, compared with 48.2% of men who are not active in labour market think that this is the reason why women do not look for a job. Overall a majority of respondents expressed that they think that the main reasons why women are discriminated in the labour market have to do with: a) a strong patriarchal society and b) issues with maternity leave.

Moreover, women's economic engagement in Kosovo is partly low due to the fact that even today most of women do not inherit or possess property of their own; control property investments or utilize their homes as a source of capital. Less than 10% of businesses are managed by women or are owned by women, and only 3% of all loans are awarded to women as they cannot access credit and loans as men because they lack collateral, credit histories, and connections, 18% of women possess property, even though women's property rights are a key component in their role as economic players.²⁰

Theoretical and empirical analysis

Maternity, paternity and parental leave affects the choices women make and the opportunities available to them in the working world.²¹ Traditional gender roles that depict women as “caregivers” and men as “providers”, and the typically lower earnings of mothers (relative to fathers) in the labour market, create strong incentives for women to reduce their employment and take on the large majority of child care responsibilities.²² As women are traditionally responsible for childcare, they will use any type of leave, especially if it is the only childcare option they have.²³ Whereas, traditional gender roles deprive men of the opportunity to participate actively in providing infant and child care²⁴, something which is both detrimental to child development and paternal wellbeing and thus as a result, long-term economic development and productivity is affected.

Impacts of (Im)balanced Parental Leave on Gender Equality

An imbalanced take-up between women and men negatively impacts all women’s salaries, not just mothers’, as all women are affected by the consequent “statistical discrimination”.²⁵ As theorized by the neoclassical school of economics, lengthy and paid leave may undermine women’s labour force participation as it makes women less competitive in the labour market, and thus discourages employers from hiring women of childbearing age.²⁶ This in turn leads to “statistical discrimination” independent of whether economic agents (in this case employers) are rational and non-prejudiced.

Moreover, in the absence of good quality, accessible childcare and other parental support such as maternity, paternity and parental leave, women’s need to raise an income can force them into lower-quality jobs, often in the

informal sector, or to disengage with the labour market completely. Across the world becoming a parent marks the start of the divergence between the pay levels of men and women across the world. Thus if addressing gender inequality is a target, then the economic impacts to women following pregnancy must be a prominent goal of public policy.²⁷

It has been argued that an increase in the uptake of parental leave by women (and not by men) has a negative impact on gender equality; while in turn, an increase in the uptake of leave by men will have a positive impact²⁸. Switzerland serves as an example of the situation where offering a high wage replacement – but limiting it to mothers—can go against gender equality.²⁹ In the US, due to lack of policies, the phenomenon of women leaving the labour market following pregnancy is exponential, and this contributes to a stagnation of women’s participation in the labour market. In comparison, most of the developed world has designed policies that facilitated women participation in the labour market.³⁰

The aptly named “Motherhood Penalty”, occurs when women take a significant (6 months or more) period of paid parental leave, whilst the father, due to either the lack of paid parental leave for him, or the influence of gender traditions, does not take a significant amount of leave. This is believed to be due to higher discrimination against the mother on the grounds of her motherhood reducing her overall commitment to work. Whilst offering medium-term paid parental leave to women does increase their likelihood of being employed³¹, offering extended leave has been shown to have negative consequence for medium and highly educated women’s wage projections being reduced in the future and their likelihood of returning to work³². In order to enhance gender equality post-motherhood and eliminate the effects of the “Motherhood Penalty” it is therefore necessary

to encourage fathers to take up parental leave.³³

Moreover, evidence to suggest that the increased parental leave for fathers improves maternal physical health - is inconclusive; it does appear to have significant impact upon the mother's mental health. Recent evidence indicates that when fathers are more involved in the raising of a baby, it helps to boost the morale and self-esteem of the mother protecting her against depression and anxiety and their damaging impacts upon the child's development.³⁴

Men's greater involvement in care work also brings economic benefits. At the household level, leave for fathers, supports women's participation in the labour market and can increase their income and career outcomes. If women would participate in the labour market at the same rates as men do, it is estimated that the gross domestic product (GDP) could increase; for instance in the United States by five percent, in Japan by nine percent, in the United Arab Emirates by 12 percent, and in Egypt by 34 percent.³⁵ Adding to that, there is increasing evidence that providing paid family leave is good for business: it improves employee retention and reduces turnover, it increases productivity and morale, and it reduces absenteeism and training costs.³⁶

From maternity leave to parental leave

Most recently, there is an emerging move from the idea of a 'maternity leave', either towards a 'birth-related leave' for women, which can be transferred, at least in part, to fathers under normal circumstances; or towards dropping 'maternity leave' altogether in favour of a generic 'parental leave', usually with periods designated for 'mothers only' and 'fathers only'.³⁷

Evidence shows that re-labelling leave as 'parental leave' rather than 'maternity leave' has a minimal impact on take-up of leave by fathers. What is effective is to give fathers and

partners a non-transferable allocation of leave (‘reserved leave’) which is subject to a ‘use it or lose it’ condition, in order to prevent families from being forced by economic necessity to allocate parental leave to the, on average, lower paid mother: a factor which systematically cements both gender inequality and traditional gender roles. If parental leave benefits are available to either parent, social norms often dictate that mothers take far more leave than fathers³⁸ which could lead to parental leave policies help maintaining and reinforcing gender divisions.^{39 40}

Further, this leave should be paid at a minimum of 60-80% of a fathers’ last income, and the leave should be separate from mother’s leave, rather than eating into the mothers’ entitlement. This is thought to again ensure that fathers are not discouraged from taking parental leave for financial reasons.⁴¹ Studies show there is a clear correlation between the level of parental leave pay and the percentage uptake by fathers.

Research consistently shows that fathers want to spend more time with their new-borns, but the societal pressure to conform to traditional gender roles and the perceived impact on their careers, means fathers simply don’t have enough incentives to take more than two weeks of paternity leave.⁴² In most EU countries, fathers are far more likely to take their leave if it is non-transferable. Sweden saw a very low take-up of parental leave amongst men for 20 years, so the government established a “daddy quota” of one month. The proportion of men taking more than one month of leave jumped from 9% to 47% almost instantly.⁴³

A father quota allows men to take adequate leave even if their female partner isn’t working – which Shared Parental Leave ‘SPL’ does not. Under the UK’s current SPL policy, an estimated two in five fathers won’t be eligible because their female partner is not formally employed and therefore has no maternity leave to share.⁴⁴

Monetary remuneration, alongside the aforementioned non-transferable aspect, is vital in encouraging the take-up of parental leave. Studies show the correlation between countries which offer generous parental leave ⁴⁵and men's involvement in childcare at the same level as women (and absence from work for the same length of time) is essential for eliminating differentiated gender roles. In this regard, findings in Norwegian samples reveal long-lasting effects of paternity leave on the division of household work within the family.⁴⁶ Promoting more equal sharing of unpaid care and domestic work between women and men can help address stereotypes and change social norms. It holds the potential to transform both labour markets and households alike.⁴⁷

Investments in basic social services and infrastructure, particularly health care, water and sanitation, the provision of childcare services, and a comprehensive system of paid non-transferable parental leave, which includes paternity leave to enable fathers to support their partners in childrearing, can help reduce and redistribute unpaid care work, and empower women to participate on an equal basis in the economic life. Providing paid parental leave can go some distance toward encouraging fathers to take leave, as suggested by experience in some countries.⁴⁸

Impact of parental leave on child development and wellbeing

Profound social and economic transformations are posing serious challenges to the efforts of parents and others to strike a healthy balance between spending time with their children, securing their economic needs, and protecting them from the many risks beyond the home that may have an adverse impact on their health and development.⁴⁹

The decisions that working parents make about who takes care of their children are personal and varied – as they

should be – but also involve a wider public interest. To thrive, children need not just food and material goods but care and affection that promotes health, cognitive development and social and emotional wellbeing.⁵⁰

Parents and other regular caregivers in children’s lives are “active ingredients” of environmental influence during the early childhood period. Children grow and thrive in the context of close and dependable relationships that provide love and nurturance, security, responsive interaction, and encouragement for exploration. Without at least one such relationship, development is disrupted and the consequences can be severe and long-lasting.⁵¹

Studies show that sick children recover faster when cared for by their parents. The presence of a parent shortens a child’s hospital stay by 31 percent.⁵² It is proven that active parental involvement in a child’s hospital care may head off future health care needs, partly due to increased parental education and awareness.⁵³ Moreover, findings show that where parents are entitled to take leave, children experience better health outcomes and lower rates of mortality.⁵⁴

Research on child health, cognitive development, social and emotional wellbeing, provides a clear message about parental employment in the first three years of life. Across all three dimensions, with all things held equal, children tend to do worse if their mothers work full-time in the first year of life, and would tend to do better if they had a **parent** at home at least part-time in that year.⁵⁵ Evidence shows children’s school performance improves when parents take paternal leave, particularly in families where the father has higher education than the mother.⁵⁶

Lastly, it has been found that men who take two or more weeks off after the birth of a child, are more involved than fathers who take no leave in the direct care of their children nine months later.⁵⁷ This promotes father-child bonding in

the future and thus leads to a range of positive outcomes for the child such as better peer relationship, fewer behavioural issues and higher educational attainment.⁵⁸

Policies can support families with working parents in three main ways: by ensuring that parents have the right to take time off to care for their children at particular times; by providing, or supporting, non-parental care for children; and by providing financial assistance with the costs of raising children.⁵⁹

Parental leave in other countries

Various measures have been introduced to encourage fathers to use parental leave. Mostly these are wholly or partly individualised entitlements, so that fathers not using their 'quota' lose it, as unused leave cannot be transferred to a partner; however, experience has shown that such 'fathers' quotas' need to be well paid if to be widely used.

Another approach is to offer some form of bonus (e.g. additional leave) if both parents take some parental leave. Eight countries offer such a bonus. For example, Sweden has a 'gender equality bonus' that provides an economic incentive for families to divide parental leave more equally; Germany extends paid leave by two months if fathers take at least two months of leave; Japan has a rather similar system, in which an extra two months of leave may be taken if both parents use some of their leave entitlement; and Portugal offers a bonus to families where the father shares part of the initial parental leave, formerly maternity leave. Portugal is also unique in making it obligatory for fathers to take two weeks of leave).⁶⁰

Recently, the Former Yugoslav Republic of Macedonia introduced 90 days of unpaid parental leave.⁶¹ Croatia increased the length of paid parental leave from 90 to 120 days per person. United Kingdom introduced 259 days of

paid parental leave. It also introduced 91 days of unpaid parental leave. Slovenia increased the length of paid paternity leave from 15 to 30 days. It also made parental leave an individual entitlement but did not alter the total amount of days granted to the parents. While, Poland introduced 182 days of paid parental leave. Norway, by contrast, has two weeks paternity leave (i.e. to be used at the time of birth) plus a further ten weeks father's quota, a part of the Parental leave that only the father can use; most of the parental leave is a family entitlement. Sweden also has paternity leave (ten days) and a fathers' quota (60 days) as part of Parental leave.⁶²

Providing options for who takes parental leave can give both parents more flexible work schedules. This is especially relevant for mothers, whose return to the workforce after maternity leave may depend on their ability to share childbearing responsibility with their spouses. Regulatory schemes allowing parents to better balance parenthood with employment vary.⁶³ Although few countries currently provide the type of parental leave that meets the EU Directive, which requires four months of leave to be allocated to fathers, countries are moving towards more gender-inclusive policies of paid entitlement.⁶⁴ Fathers' leave, take-up of family responsibilities and early interaction with their children are directly related to successful child development.⁶⁵

Table 1. *Maternity, paternity and parental leave in SEE and some EU Countries.*

Duration of Maternal Leave	Duration of Paternal Leave	Parental Leave	Financing Mechanism
Kosovo⁶⁶			
9 paid leave 3 unpaid leave	2 days paid-leave 14 days unpaid	No parental leave. The father, only in certain conditions such as the death of spouse or abandonment of the child is entitled to use the maternal leave. The Maternity leave can be split with the father, after the first six months, with mutual agreement between parents.	Employer pays 70% base salary, up to 6 month/50% the state average wage for the next 3 months. Unpaid leave up to three months.
FYROM ⁶⁷			
9 months paid, 3 months unpaid. 15 months paid leave for twins, or multiple birth.	7 days paid leave.	Individual right for the employed mother, transferable to the father. Only transferable leave to the father in certain conditions, such as death of the mother or abandonment of the child, and during the unpaid 3 months leave, or if the mother doesn't use it. Valid until the child is 3 years old.	The condition to be eligible for maternity leave is to be enrolled and contribute for at least six months in the compulsory health insurance fund. The paid maternity leave is compensated at the average salary by the State Budget.
Albania⁶⁸			
12 months paid, 4 months unpaid. 13 months if twins	3 days paid leave. 1 week minimum unpaid up to 4 months.	4 months unpaid parental leave, in 12 months for a parent employed at least 1 year, until the child reached 6 years. Not transferable to another parent, except death of spouse or illness,	The state budget provides for the compensation of maternity leave. First 150 days at 80% of the average wage, then it drops to 50% for the remaining days. For self-employed persons

		abandonment. It can be split with parent's agreement.	it is the basic old-age pension. ⁶⁹
Montenegro⁷⁰			
365 paid leave after the child is born.	7 days paid leave.	Only entitled to one parent that can use it. Transferable in certain conditions, if the mother doesn't use it, or other serious reasons. Unpaid leave until the child reaches the age of 3. By law maternity leave cannot be shared, or taken part-time.	100% of the average wage is paid by the state budget during the period of maternity leave, for senior employees. 6-12 months worked at the company, compensated at 70%. 6 months before the leave 50%. 30% for less than three months worked.
Serbia⁷¹			
Min. 3 months up to 365 days of paid leave after the child is born.	7 days paid leave.	No parental leave. Maternity leave lasts 12 months – only one parent can use it. Non-transferable. Only due to serious reasons can the father use it, such as illness, death, abandonment of the child or even prison time. Parental leave is recognized to only one parent. The father is very limited in this regard.	The state budget compensates the paid maternal leave. 100% if the worker has worked for at least 6 months, 3-6 months at 60% and 30% if the employee contributed less than three months in that workplace.
Bosnia and Herzegovina⁷²⁻⁷³			
12 months of leave. 42 days minimum. 18 months if twins, or multiple births.	7 days paid leave.	No shared parental leave. Only one parent entitled to it. From day 42, if both parents agree the father can uptake the maternity leave. Especially in cases of 'justified reasons' when the mother cannot use the maternity leave.	State Budget, the difference can be paid by the employer. Canton's decide on the value of paid leave. It varies across cantons.

Croatia⁷⁴			
98 days compulsory leave and another 6 months till the child gets six months old.	No paternity leave in force.	First 98 days cannot be transferred to the father, after this period it can be transferred. 6 months of parental leave allocated to only one parent.	State budget, paid at 100% the average wage.
Slovenia⁷⁵			
105 days total leave.	90 days. 15 days are paid.	One of the parents is entitled to 260 days paid leave, and can be taken after maternity leave.	'Average wage of the preceding 12 months.' Paid by the state.
United Kingdom⁷⁶			
52 weeks of maternity leave. 13 weeks are unpaid.	2 weeks at 90% payment, paid by employer.	The maternity leave can be shared after 12 weeks with the father or be shared among both parents.	Employer and the government. The compensation rate is at 90% of the average salary.
Sweden⁷⁷			
68 weeks or 480 days of paid leave.	90 days of parental leave,	Each parent is entitled to 240 days parental leave; 90 days are reserved exclusively for them. Leave is not transferrable; you use it or lose it.	State budget compensates leave at 80% average wage.
Norway⁷⁸			
10 weeks for mother, total 46-56 weeks of maternal/paternal leave. (depending on payment level)	14 days paternity leave.	Yes there is parental leave for both parents. 'Of the post-natal period, 10 weeks are for mothers and 10 weeks are for fathers (fedrekvoten or 'father's quota'). The remaining 26 or 36 weeks is a family entitlement and may be taken by either mother or father.'	100% of average salary compensated by the state budget. 49 weeks at 100% or 59 weeks at 80%. Daddy days can be paid by the employer and can be as long as +10 weeks.

Germany⁷⁹			
14 weeks of maternity leave. 6 weeks before birth and 8 weeks after birth.	No paternity leave.	‘The maximum period of post-natal leave available in Germany is three years, but most of this is unpaid; leave paid at a high rate runs for 12 months, plus two more months if at least two months leave is taken by each parent.’	Government and employer pay for the maternity leave. The leave is paid at 100% the average salary.

Leave financing structure amongst countries

The imperative question regarding the benefit of parental leave is who pays for it. If companies/employers must pay for maternity leave, from the employer’s perspective the cost of hiring women of reproductive age will be higher than the cost of hiring men. If, however, the cost of maternity leave is paid by the government, companies would not necessarily face higher costs for hiring women.

In 51% of the economies that provide paid maternity leave, the government pays for maternity benefits, in 30% the employer pays the full cost and in 19% this cost is shared between the employer and the government.⁸⁰ While 167 of 173 economies mandate maternity leave, paid or unpaid parental leave is still a rarity.⁸¹ Only 92 countries offer leave that can be taken by new fathers; in half of these countries, the leave is less than three weeks.⁸²

Most countries in the EU finance paid leave through payroll taxes – with the overall taxation rates and the relative shares contributed by employers and employees, varying across countries.⁸³ Generally, statutory leave payments come from some form of contributory insurance fund, financed by contributions from employers and, often, employees, and sometimes with contributions from general taxation; the costs are pooled or collectivised, rather than individual employers paying their own workers.⁸⁴

In some countries, these programs are financed through contributory funds dedicated solely to family leave benefits. In others, they are financed through health and sickness funds, or through unemployment compensation, while in some countries, they are financed from social insurance funds that pay for a broad set of contributory programs. Social insurance financing, means that costs are distributed throughout society, which minimizes the burden on individual employers and, in turn, reduces incentives for employers to discriminate against potential leave-takers.⁸⁵

In some cases employers may make ‘top up’ payments, adding to the statutory benefits received by their employees, as a result either of collective agreements or individual company policies. The main exception to this picture is when parents on leave receive a general ‘childrearing’ benefit that is paid to all parents with young children, not just confined to those taking leave; in such cases, payments usually come from general taxation. An exception is France, where such payments are funded by the family allowance fund, financed by contributions from employers and employees.⁸⁶

All in all, more than 100 countries finance parental benefits through social security or public funds, reducing employers’ liability, which is detrimental to women’s opportunities in the labour market.⁸⁷ Whereas, paternity leave is paid in 71 countries, although employer liability is the prevalent source of funding. As with maternity leave, social insurance or public funds can help to mitigate potential discrimination against or disadvantages to men with family responsibilities at work and can boost fathers’ leave take-up rates.⁸⁸

*EU directives on parental leave*⁸⁹

EU law (Directive 2010/18/EU) sets out minimum requirements on parental leave and time off from work on grounds of *force majeure*. It is based on a framework

agreement on parental leave concluded by the European Social Partners (BUSINESSEUROPE, UEAPME, CEEP and ETUC). It revises and repeals an earlier Directive on parental leave.

The directive aims to reconcile work and family life and to promote equal opportunities for men and women in the labour market. It sets out minimum requirements on parental leave for male and female workers, and related employment protection.

Under the new provisions of the directive:

- Male and female workers have individual entitlement to parental leave on the grounds of birth or adoption of a child, enabling them to take care of the child for at least four months;
- At least one of the four months, cannot in principle, be transferred to the other parent, i.e. it is reserved for each parent;
- Workers are protected from discrimination on the grounds of applying for, or taking parental leave;
- When returning from parental leave, workers must have the right to return to the same job, or to an equivalent, or similar job consistent with their employment contract or relationship;
- They also have the right to request changes to their working hours for a set period; in considering such requests, employers must balance the needs of the workers and the company.

The objective for this new initiative is to modernise, and adapt the current EU legal and policy framework to allow for working parents with children or those with dependent relatives to better balance caring and professional responsibilities. Encourage also a more equitable use of

work-life balance policies between women and men, and to strengthen gender equality in the labour market.

Currently (as of April 2017) the EU commission is considering new legislation surrounding parental leave to ensure that the four months of parental leave stated in the previous directive is guaranteed to be paid leave and non-transferable.⁹⁰

The proposed changes to the current directive are as following:⁹¹

	Current EU legislative framework	Proposed Directive
Paternity leave	No paternity leave at EU level	10 working days of paternity leave when the child is born
Parental leave	4 months of parental leave <ul style="list-style-type: none"> • Non-paid • Guideline on uptake until the child reaches the age of 8 • 1 month cannot be transferred between the parents • Possibility of flexible uptake to be decided by the Member States 	4 months of parental leave: <ul style="list-style-type: none"> • Paid at sick pay level • To be taken up at least until the child reaches the age of 12 • 4 months cannot be transferred between the parents • Possibility of flexible uptake
Carers' leave	No carers' leave at EU-level beyond time-off on grounds of force majeure	Right to 5 days of carers' leave per year per worker, paid at sick pay level, to take care of seriously ill or dependent relatives
Flexible working arrangements for parents and carers	Currently at EU level the right to request this exists only for parents coming back from parental leave	Right to request flexible working arrangements for parents of children up to 12 years old and workers with caring responsibilities
Protection against dismissal and unfavourable treatment	Currently at EU level protection against dismissal and/or unfavourable treatment exists for maternity, parental, paternity and adoption leave (in	Protection against discrimination and/or dismissal in cases where workers choose to take or apply to take leave or

	those Member States which have paternity or adoption leave). There is no EU-level protection against dismissal and/or unfavourable treatment for carers' leave and for workers requesting flexible working arrangements (except for part-time work).	request flexible working arrange
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*Current Legal Framework in Kosovo*⁹²

The Law on Labour (Law No.03/L-22) is the official law in force in Kosovo which regulates the stances between employer and employees in the Republic of Kosovo. It has been modelled with consideration of the free market economy, and that of free labour market, including modelled and in accordance with other international laws and regulations and laws, such as the International Labor Organization, or including those of the EU. It clearly states the rights and obligations of all stakeholders, such as employers, employees, and intends to regulate their working relationships. It protects against all forms of direct and indirect forms of discrimination in the workplace.

The Law also regulates the types of contracts as well as the rights of employees such as leave and return to work. It also regulates the posts and jobs in which employers can be transferred to or not. For example pregnant mothers or those returning from maternal leave cannot be transferred without their consent. The law also regulates the working hours and according to the work done, extensions, night shifts etc.; 40 hours are the usual working hours for a week, 30 hours are for people under 18 years. Less than that or temporary work can be used for people who work dangerous jobs.

Also different forms of leave are presented such as paid leave or unpaid leave and in different terms how leave

becomes effective and under what circumstances and the amount of leave allocated in different cases. Protection in the workplace is guaranteed. The employer has to be in line with other laws that regulate the occupational safety of the worker in the workplace. Pregnant women and breastfeeding women are protected from heavy work, from dangerous chemicals or biological/physical elements.

The Law also regulates Maternity (article 49) and Paternity leave (article 50). Maternal leave is regulated at 12 months of paid leave, during which time 6 months are paid at 70% of the basic salary in Kosovo, and the next three months at 50% of the basic salary by the government of Kosovo. The next three months are unpaid leave. The mother can claim the maternal leave 28 days before the expected time of delivery and in case of misfortune and the baby dies, she can have a minimum 45 days of rest with full compensation. The father is entitled to take up the maternity leave in case the mother dies, is ill, or abandons the child. Otherwise paternal leave is two days paid and two weeks unpaid.

In Kosovo, employers pay a greater share of the benefits of maternity leave compared to other countries. Kosovo's policies for maternity leave, give about two-thirds of the burden of paid maternity leave to the employer, and therefore, it is not in accordance with the International Labour Organization (ILO) recommendations concerning maternity leave.

The current maternal leave system does not cater for both the demands of the population or the current scientific evidence in regards to parental leave benefits. Firstly, the current system entrenches gender inequality, with women being statistically much more likely to be discriminated due to the higher cost to businesses for hiring women of child-bearing age; something which is suggested by the general unemployment rate being 5.6% higher for women than for men active in labour force.⁹³

Moreover, the current system of legislating which provides a long period of maternity leave contributes in part to only 18.6% working age females (16-64) being economically active (that is those who are in work or actively looking for work) ⁹⁴. This can be argued in one hand due to the cementing of child-care gender roles, and in the other hand through the hysteresis which occurs from the time off the labour market, and can act as a barrier for women returning to the market to offer their labour. Given the current stage of economic development and the conditions that businesses face in Kosovo in terms of cash flow and access to finance, it has been proven in practice that this provision increases the burden on Kosovo's businesses. To avoid such a burden, unfortunately businesses, (not just in the past but also now) have begun avoiding hiring women in the recruitment processes, as predicted by the neo-classical economic model.

Divergence of the Legal Framework in Kosovo from EU Directives

In some areas Kosovo's legal framework does align with the EU directives, particularly those dealing with maternity leave. For example Kosovo's Article 12 of its labour law prevents discrimination against women returning from maternity leave; thus aligning with the EU directive. Moreover, notably Kosovo offers twelve months of maternity leave; far exceeding the directive's minimum of 14 weeks.

There is one clear area of (parental) leave where the current EU baseline directives diverges with the legal framework of Kosovo.

1. In Kosovo, mothers are entitled to maternity leave (Article 49:1,3,4,5) and working fathers only have two weeks and two days of non-transferable leave (Article

50: 2.1,2.2): a direct divergence from the EU directives which apart from maternity leave, calls for parental leave and states that at least one month of parental leave must be non-transferable.

Yet, the majority of EU nations parental leave legislation expands far beyond the limited baseline directive by offering larger allocations of shared time of leave for parents and some other countries such as in Norway and Sweden, a significant non-transferable allocation of leave for the father.

Survey and public consultation findings

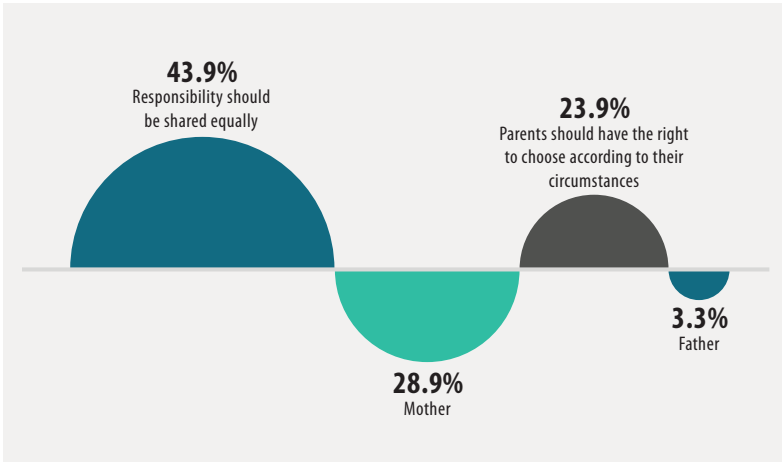
In the six (6) public discussion that were held in December 2016, the discussion focused on the current labour law and the proposed changes in the draft law regarding maternity leave (Article 49), rights of the child's father (Article 50) and parental leave. This was followed with a discussion on perceptions and attitudes of men and women towards parental leave. Particular emphasis was put on learning more about men's attitudes and readiness to take up parental leave.

The general feedback in these public discussions highlighted that:

- Leave, be it maternity leave or parental leave should not be reduced - it needs to cover at least nine to 12 months;
- Parents should be given the option to decide based on their circumstances who should take the leave, opting for the shared parental leave option;
- Given predominant stereotypical gender roles, for fathers to start taking the parental leave, it is of crucial importance for them to have a portion of leave that is not transferable.
- The first six months need to be given exclusively to the mother.
- Fathers are ready to take parental leave - but they feel comfortable doing so more after the 6th month;
- Fathers are ready to take at least a month up to three months of leave.
- Parents should be compensated at least 70 percent of their base salaries as the current law asserts.

This is more or less similar to the findings from the opinion poll as reflected in the figures 1-5 below:

Figure 1. *Responsibility for looking after the children in the household, assuming money is not an issue.*



41.8% of men and 45.8% of women think that the main responsibility for looking after the children in the household should be shared equally, assuming that money is not an issue. 49.6% of younger generations (18-24) compared to 42.5% of middle age (35-44), think that the main responsibility for looking after the children in the household should be shared equally, assuming that money is not an issue. While 31.5% of men and 26.6% of women think that this is a mother's responsibility, compared to only 2.2% of men and 4.2% of women that think that this is a father's responsibility. 45.7% of those employed in the public sector and 45.6% of those in the private sector, think that this responsibility should be shared equally.

Figure 2. *Readiness to share parental leave with a partner in the future.*

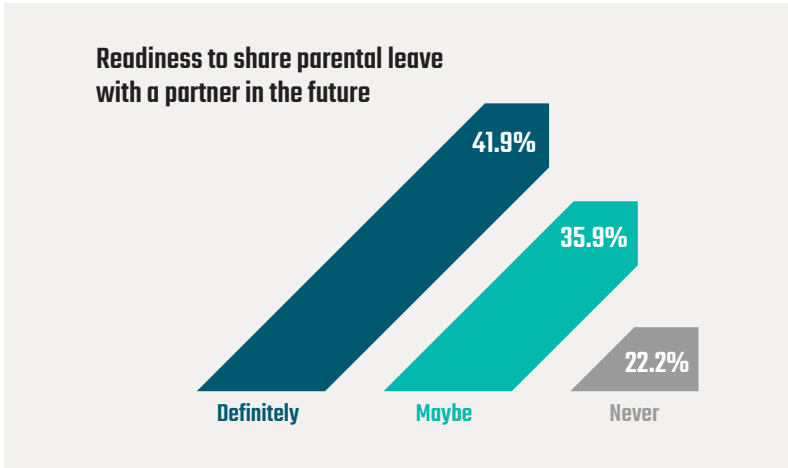
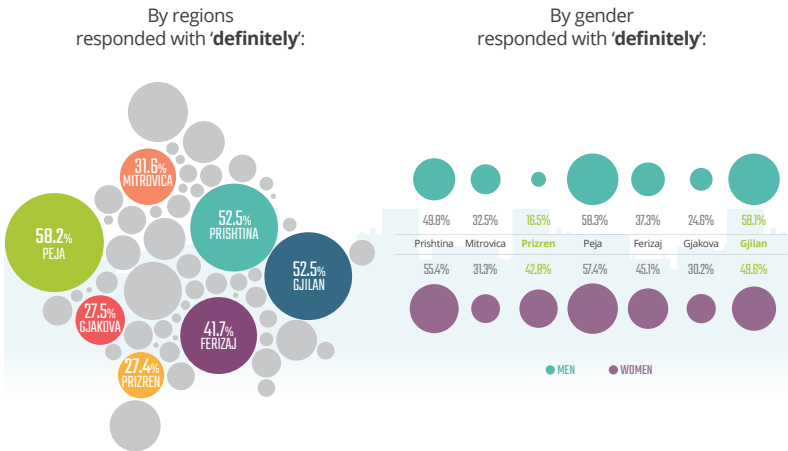


Figure 3. *Readiness to share parental leave with a partner in the future, disaggregated by region.*

Would you consider sharing parental leave with a partner in the future?



77.8% of all respondents would consider taking parental leave, of which 41.9% of the entire sample (41.8% of men and 45.8% of women) definitely would consider sharing parental leave with their partner. 25.3% of men and 19.3% of women, would not consider sharing parental leave. Younger generations 18-24 and those of age 35-44 have expressed a higher rate of readiness to share parental leave - 46.6% and 47.8% respectively.

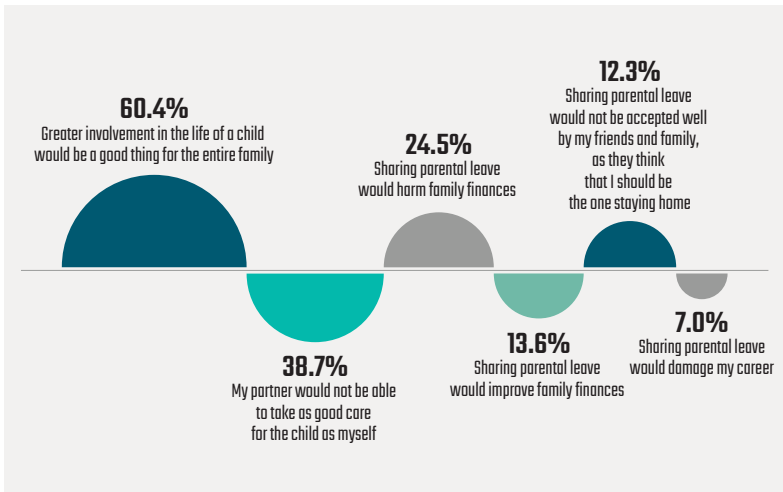
Figure 4. *Statements that men agree with when considering to take parental leave*



45.2 % of men think that taking parental leave and being more involved in the baby's life would be a good thing for the whole family. Particularly, 64.4% of those employed in the public sector and 62.5% of those in the private sector; 71.6% of those of age 34-44, 72.5% of those of 45-54, share the opinion that taking parental leave and their involvement in children upbringing would be a good thing for the whole

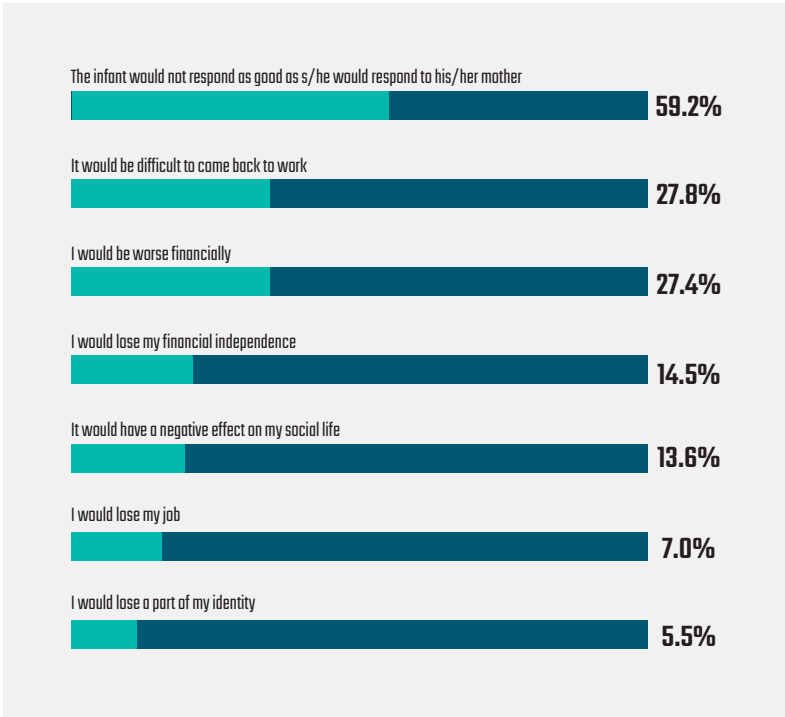
family.

Figure 5. *Statements that women agree with when considering to take parental leave*



Compared to men, 60.4% of women think that sharing parental leave with their partner would be a good thing for the whole family. While, 38.7% of women think that their partner would not do as good of a job looking after the baby as they would.

Figure 6. *Main concerns that men have when considering to take parental leave*



Although men reported great readiness to take part in shared parental leave, 59.2% of men are concerned that their baby would not respond to them as well as to their mother. While only 49.3% of younger generations (18-24) think that their baby would not respond to them as well.

Policy Options

Option 1 - Do nothing.

Choosing not to amend the current Labour law would result in employees being denied rights to parental leave that is available to other EU citizens. This would amount to a failure to implement the Directive, thus undermining the country's efforts towards EU integration. More importantly, it would fail to adhere to the current Law on Gender Equality, prevent discrimination against women in the labour market as well as include and activate more women in the labour market.

Option 2 – Parental leave policy - Minimum implementation of EU requirements (preferred)

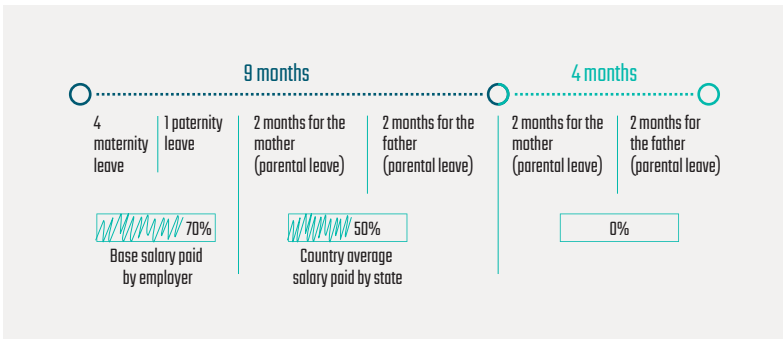
Implement the necessary legislative changes to meet the minimum requirements of the EU Directive 2010/18/EU by introducing the parental leave option for a period of 4 months. This is given as an individual entitlement for each parent and giving employees the right to request flexible working hours on return from parental leave. Therefore, meeting the requirements of the Directive.

To this point, D4D proposes a parental leave model which is based on the minimal standards as per the EU Directive in question. The proposed model would have a long-term impact on the socio-economic development of the country. This model is a scheme of parental leave where 4 months are allocated to the mother as maternity leave - 70% of her base salary; 1 month is allocated to the father as paternity leave- 70% of his base salary. In addition, the family gets 8 months parental leave, out of which four months are allocated to the mother. Two months of parental leave for the mother are covered at a rate of 50% of the country's average salary by the state and two months are unpaid. The

remaining four months are allocated to the father. Two months of parental leave for the father are covered at a rate of 50% of the country's average salary by the state and two months are unpaid. This portion of the leave (parental leave) is not transferable, which will ensure that parental leave policies do not help maintaining and reinforcing gender divisions.⁹⁵⁹⁶

In this scheme the family gets a total of 9 months paid leave and 5 months of unpaid leave.

Temporarily D4D, proposes that maternity and paternity leave be covered by employers. Once the health insurance fund is active and functional, costs of the maternity and paternity leave should be covered by this fund. Parental leave on that case would then be covered by the state.



Costs and benefits of Option 2

The proposed model applies to cases when both parents work; while for cases when only the mother does not work, the father has the right to use paternity leave by being funded for a number of months (see possible situations in table 4) with 70% of base salary for one month of paternity leave covered by the employer, two months of paid parental leave ((50% of country average salary covered the budget of Kosovo) and two months of unpaid parental leave).

To calculate the cost for the proposed model, we need to obtain the *Number of eligible parents of new-borns x proportion of parents taking parental leave*, which is not readily available. Therefore, to calculate this number, due to lack of data, the following assumptions are made for this model:

1. Employment rate of mothers/fathers is the same as the employment rate of men/women in Kosovo.
2. 50% of fathers use paternity leave, including fathers whose wives (the mothers) are employed
3. All births are of mothers over the age of 17 years;
4. Number of children = number of births: there are a number of cases of twin births, or more children (in 2015, 712 twins and 12 cases of more than three children born to a mother);
5. Calculations start from 2012, when data for the indicators of the labour market are comparable.
6. Salaries of fathers and mothers do not differ. This is a finding from Labour Force Survey report for the year 2014 and 2015.
7. The average salary is taken from the Kosovo Agency of Statistics, 2016, while if we consider the International Monetary Fund report for the year 2015 the average wage in

the private sector is around 400 Euros and approximately 520 Euros for the public sector.

8. The forecast for the unemployment rate is the average rate of years 2012-2015 = 11.9%.

9. Forecast of births: medium variant of the population forecast (CSA 2013, Kosovo population forecast 2011-2061).

10. Cost estimate is in gross terms.

11. Following data from 2016, the assumption is that 63% of employed mothers taking up the portion of parental leave designated for mothers. However, the cost has been also estimated for the scenario of all taking up parental leave.

The assessment may be overestimated and underestimated for the following reasons:

Overestimated	Underestimated
Number of births in decline.	The number of mothers who use parental leave may increase.
	The average salary, particularly in the public sector, is higher.
	The employment rate may increase if informal employment is addressed.
The proportion of fathers who use parental leave may be lower.	

If the assumptions are underestimates or overestimates, the true impact of the parental policy could be outside the range of estimates presented below. However, a prudent approach was taken to calculating the costs and benefits, such that the

true impact of the policy is likely to lie within the range presented.

Table 2 contains the number of live births, employment rates of men and women and the number of potential fathers and mothers that might take up parental leave, based on which costs for the state budget are estimated.

Table 1. *Live births, employment rate and number of potential parental leave takers.*

Year	Number of live births (KAS, Birth Statistics)	Employment rate of men (LFS, 2012-2014)	Number of potential fathers for parental leave	Employment rate of women (LFS, 2012-2014)	Number of potential mothers for parental leave
2012	27,743	39.9%	11,069	10.7%	2,969
2013	29,327	44.0%	12,904	12.9%	3,783
2014	25,929	41.3%	10,709	12.5%	3,241
2015	24,594	38.7%	9,518	11.5%	2,828
2016	23,865	41.0%	9,785	11.9%	2,840
2017	22,832	41.0%	9,361	11.9%	2,717
2018	21,800	41.0%	8,938	11.9%	2,594

The table below presents costs for state budget regarding option 2 for parental leave based on the number of women that have taken maternity leave and potential number of fathers that might take up parental leave.

Table 2. *Costs for state budget based on the of number of women that have taken maternity leave*

	2012	2013	2014	2015	2016	2017	2018
Number of live births (KAS, Birth Statistics) taken from KWN from the year 2016-2018	27,743	29,327	25,929	24,594	23,865	22,832	21,800
Employment rate of women (LFS, 2012-2014)	10.7%	12.9%	12.5%	11.5%	11.9%	11.9%	11.9%
Number of potential mothers for parental leave	2,969	3,783	3,241	2,828	2,840	2,717	2,594
Number of mother who have taken the maternity leave (KWN until 2015; MLSW for 2016)	1,126	1,270	1,359	1,223	1,775	1,712	1,634
Percentage of mothers who used maternity leave after the sixth month (for 2017-2018 39%)	38%	34%	42%	43%	63%	63%	63%
Number of potential fathers for parental leave	11,069	12,904	10,709	9,518	9,785	9,361	8,938
Average wage (KAS, 2016, Results of I Enterprise Structural), average yearly increase 2%	338	349	352	354	361	368	376
Mother: 2 months * 50% of average wage	380,588	443,230	478,368	432,942	640,917	630,427	613,971
Father: 2 months* 50% of average salary	3,741,476	4,503,454	3,769,454	3,369,329	3,533,041	3,447,715	3,357,717
Total cost	4,122,064	4,946,684	4,247,822	3,802,271	4,173,958	4,078,143	3,971,688
Current law: Mother 50% of average salary for 3 months	570,882	664,845	717,552	649,413	961,376	945,641	920,956
Difference	3,551,182	4,281,839	3,530,270	3,152,858	3,212,583	3,132,502	3,050,732

The table below outlines costs for state budget regarding option 2 for parental leave, assuming that all potential fathers and employed mothers take parental leave after the maternity leave of fourth months.

Table 3. *Costs for state budget assuming that all potential fathers and mothers take parental leave*

	2012	2013	2014	2015	2016	2017	2018
Number of live births (KAS, Birth Statistics) taken from KWN from the year 2016-2018	27,743	29,327	25,929	24,594	23,865	22,832	21,800
Employment rate of women (LFS, 2012-2014)	10.7%	12.9%	12.5%	11.5%	11.9%	11.9%	11.9%
Number of potential mothers for parental leave	2,969	3,783	3,241	2,828	2,840	2,717	2,594
Number of potential fathers for parental leave	11,069	12,904	10,709	9,518	9,785	9,361	8,938
Average wage (KAS, 2016, Results of I Enterprise Structural), average yearly increase 2%	338	349	352	354	361	368	376
Mother: 2 months * 50% of average wage	1,003,353	1,320,331	1,140,876	1,001,222	1,025,444	1,000,678	974,557
Father: 2 months* 50% of average salary	3,741,476	4,503,454	3,769,454	3,369,329	3,533,041	3,447,715	3,357,717
Total cost	4,744,830	5,823,785	4,910,330	4,370,551	4,558,485	4,448,394	4,332,274
Current law: Mother 50% of average salary for 3 months	570,882	664,845	717,552	649,413	961,376	945,641	920,956
Difference	4,173,948	5,158,940	4,192,778	3,721,138	3,597,110	3,502,753	3,411,318

Additional costs for employers pertaining to parental leave that need to be considered are:

- Costs for maternity leave (4 months 70% of the salary)
- Costs for paternity leave (1 month, 70% of the salary)
- Employer absence costs
- Increased employer administrative costs (recurring) if the policy change results in an increased number of discrete periods of parental leave
- Employer on the job training costs

Apart from the proposed models, additional scenarios need to be defined in the Labour Law and their respective costs be estimated. Possible situations and respective options are presented in the table below:

Table 4. *Additional situation that need to be addressed to complement this policy option*

Possible situation	Suggested options
Mother and father both work	Mother 4 months paid maternity leave Father 1 month paid maternity leave 4 months of paid parental leave (2 months for the mother, 2 months for the father) 4 months of unpaid parental leave (2 months for the mother, 2 months for the father)
Only mother works	Mother 4 months paid maternity leave 2 months of paid parental leave 2 months of unpaid parental leave
Adoption cases	4 months of paid parental leave (2 months for the mother, 2 months for the father) 4 months of unpaid parental leave (2 months for the mother, 2 months for the father) <i>Can be taken until the child reaches the age of 5</i>
Single mothers	Mother 4 months paid maternity leave 4 months of paid parental leave 4 months of unpaid parental leave
Single fathers	1 month of paternity leave 4 months of paid parental leave 4 months of unpaid parental leave

Only father works	1 month of paternity leave 2 months of paid parental leave 2 months of unpaid parental leave
More than one child	Mother 4 months paid maternity leave Father 1 month paid maternity leave 6 months of paid parental leave (3 months for the mother, 3 months for the father) 6 months of unpaid parental leave (3 months for the mother, 3 months for the father)
Child with a disability or a long-term illness	Mother 4 months paid maternity leave Father 1 month paid maternity leave 6 months of paid parental leave (3 months for the mother, 3 months for the father) 6 months of unpaid parental leave (3 months for the mother, 3 months for the father) <i>Can be taken until the child reaches the age of 5</i>

Recommendations

- Address maternity, paternity and parental leave and care as collective responsibilities. Risk pooling through social insurance or public funds for leave benefits and social care services promotes non-discrimination at work, preventing employers from bearing the cost of society's reproduction and well-being. Effective protective regulation with minimal or no costs to employers, in combination with public incentives, especially targeting SMEs, are fundamental for forging positive links between adequate maternity, paternity and parental leave protection and enterprise-level outcomes.
- Flexible Leave - D4D's survey and public discussions have identified that both mothers and fathers want more flexible parental leave arrangements. Labour force participation is also likely to be higher with more flexibility in work arrangements. Hence, D4D strongly supports more flexible options for taking parental leave and for enabling it to be taken on a part-time basis. This option will enable many mothers and fathers to negotiate a return to work on a part-time or flexible basis with their employers. Moreover, this option of flexible leave opens up the possibility of a phased return to full-time work. More flexible options for taking parental leave include: parents can take leave together, or one after the other, or leave can be taken on a part-time basis up to a certain point in time such as when the child turns three years old. This could include allowing a parent to work for a limited number of days while they are on paid leave without losing their payment. Moreover, this would support the labour market participation and care choices of parents, allow parents to spread their leave for longer until their child(ren) are able to access more affordable childcare, and make both

the start and the return to work easier to manage for both employees and employers.

- Design work-family policies to achieve effective gender equality. Public policies specifically aimed at improving the availability, quality and affordability of childcare services and other work-family support measures, are needed to support parents return to work after maternity, paternity and parental leave. Evidence has shown that childcare plays a key role in enabling parents, especially women, to engage in paid work after childbirth⁵⁹. These have great gender-transformative potential when gender equality at work and home is an explicit policy objective. Levels of public spending on work-family measures, especially social care services, should be increased as these act as social stabilisers, create jobs in the care sector and promote women's opportunities to access quality work.
- Assess gaps in current frameworks, followed by making the scope of maternity protection and work-family measures such as parental leave, especially childcare universal. Implementation must be strengthened and data collection improved to measure coverage, progress and policy outcomes effectively.
- Prevent and eliminate discrimination against women and men with family responsibilities. This requires a reliable, accessible and efficient judicial system and adequately staffed and trained labour inspection and compliance services.
- Employers are recommended to find ways to manage workflow when an employee is on parental leave. This may not require legislative change. This would help employers to manage their obligations and support the parental leave scheme to operate flexibly for both employers and employees. This in turn would allow

parents to return to work at a time that meets their needs without disadvantage to their position or pay.

- Employers are encouraged to provide a return to work bonus which would offer an extra incentive for employees to return to their employer following a period of parental leave. By encouraging employees to stay connected to the workplace and return to work, employers can expect to continue to get a return on the investment it has made in staff training and experience, and to offer a family-friendly workplace that is attractive to women looking to enhance their careers and have a family.
- Promote the equal sharing of family responsibilities between parents. Fathers' involvement with infants and young children has positive effects on child development. Behaviour-changing measures to promote men's role as caregivers and to increase take-up include time off to accompany women for prenatal visits, individual statutory right to childbirth leave of adequate duration and with income-related benefits. Measures could also include addressing the prevailing stereotypes of masculinity that hinder men in assuming caretaking roles

Conclusion

Introduction of the parental leave policy in the Labour Law will enable parents to achieve a better balance between work and family responsibilities, providing the environment for increased maternal and paternal employment. The current legislation gives room for discrimination, as it incentivizes businesses to choose men rather than women when hiring. Parental leave would contribute in reducing discriminatory policies, increasing women's participation in the labour market, and hone children's development.

Reducing the risk of parents of young children becoming detached from the labour market brings economic benefits, such as increased labour supply and improved career development for affected parents. At the household level, leave for fathers, supports women's participation in the labour market and can increase their income and career outcomes. If women participated in the labour market at the same rates as men do, it is estimated that the gross domestic product (GDP) would increase significantly.

Adding to that, there is increasing evidence that providing paid **family leave is good for business**: it improves employee retention and reduces turnover, it increases productivity and morale, and it reduces absenteeism and training costs. Moreover, employers may be more willing to invest in training for their employees if they are less likely to resign their employment in order to care for their child. Promoting more equal sharing of unpaid care and domestic work between women and men can help address stereotypes and change social norms. It holds the potential to transform both labour markets and households alike.⁹⁷

Parental leave would provide benefits for **children's health and development**. With current policies, parents are left with no options that enables them to provide the optimal care for their children. Parental leave, as explained

throughout this paper, enables such options.

This is the ideal time for decision makers to produce an evidence-based policy that would be beneficial for all. Not making any changes would only worsen the countries development.

List of Publications

Elections and Political Parties

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- #2 D4D Institute. March 2012. An Impression of Reform: How to Restore Trust on Elections?
- #3 Malazogu, Leon, Visar Sutaj and Drilon Gashi. November 2012. Kaçanik Voters' List Audit: A Sample for Kosovo.
- #4 Malazogu, Leon and Selatin Kllokoqi. February 2013. Lessons learned for Future Elections: An Analysis of the Mayoral By-Elections in Ferizaj and Kaçanik.
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- #7 Leon Malazogu and Brenna Gautam; With contribution by Rezarta Delibashzade & Ngadhujim Halilaj. 26 November 2014. Kosovo's Political Compass – Mapping Party Ideology
- #8 Dardan Berisha with contribution by Driton Qeriqi, Mjellma Hapçiu-Alijaj & Rina Vokshi, July 2015. Bringing Justice to Elections
- #9 Leon Malazogu with contribution by Ngadhujim Halilaj and Rezarta Delibashzade, July 2015. Election Trends 2000-2014-A Numerical Analysis of Participation and Representation
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Forum Reforma Recommendations

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- #1 The series of endorsements and recommendations can also be found on our web-site.

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1. Kërçeli, Ajete

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The Democracy for Development (D4D) Institute was established in April 2010 by a group of analysts who were increasingly worried that the state-building exercise had neglected democracy. D4D's mission is to influence the development of public policy in order to accelerate socio-economic development, improve governance, and strengthen democratic culture in Kosovo.

D4D's vision is to promote an active and educated citizenry that both fully participates in the public space and utilises the public arena of representation and decision-making to deliberate and build consensus over smart, efficient, and sustainable resource allocation as well as equitable development.

For more information about D4D's activities please visit our website: www.d4d-ks.org.



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