

Paternity leave around the world: trends and consequences

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Throughout the 20th century, fathers have had a considerably important role within the family, although it had barely changed until very recently. While mothers have often cumulated roles – working, not working, managing their wealth - fathers have remained confined to their position as patriarchs, i.e. heads of the family. They have always been responsible to financially support the family, but rarely to take care of the children. The change in favor of shared parenthood only started in the second half of the 20th century, and was almost single-handedly brought by feminist injunctions so that women would be able to take on other roles in addition to being mothers, such as having a job.

Paternity leave, settling-in leave and parental leave in France

In France, paternity leave is defined by Article L1225-35 of the Labor Code. It stipulates that the “salaried father (...), the salaried spouse of the mother, (...) the salaried person bound to her by a civil solidarity pact or living in a marital relationship with her, can benefit from a paternity and childcare leave of eleven consecutive days, eighteen consecutive days in the event of multiple births”¹. Paternity leave differs from settling-in leave. The latter lasts only three days and is taken right after childbirth; the former, on the contrary, may be taken later, during the first four months after childbirth. Parental leave differs from both of the aforementioned leaves because it is unpaid: a parent can suspend his or her contract for up to three years, until the child's third birthday.

¹ Article L1225-35 of the French Labor Code. French version here:
https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000037951091

The three measures do have the following in common: they protect parents from dismissal and guarantee they will have a similar job upon their return, with at least an equivalent pay².

Having this in mind, it seems logical that paternity leave has been a lingering conquest. Indeed, the “new fathers” concept that defined those who were involved in their family’s life in the 1970s still applies today. While maternity leave was introduced at the beginning of the 20th century, in 1909 in France, the first paternity leave saw the light in 1993, in Norway. The tables below show the evolution of paternity leave in France³, Europe⁴ and the world⁵. It is important to note that paternity leave has systematically been created after maternity leave, which is itself little used in some regions of the world.

² Ministry of Labor, Employment and Insertion, “Parental leave for education”, updated the 03.12.19. French version here: <https://travail-emploi.gouv.fr/droit-du-travail/les-absences-pour-maladie-et-conges-pour-evenements-familiaux/article/le-conge-parental-d-education>

³ (1) Gosselin H. and Lépine C., “Évaluation du congé de paternité”, 2018, Inspection générale des Affaires Sociales. French version here: https://www.igas.gouv.fr/IMG/pdf/Resume_conge_paternite-2018-022.pdf

(2) Legendre E. and Lhommeau B., with the participation of Vincent J., “Le congé de paternité : un droit exercé par sept pères sur dix”, 2016, Études et Résultats n°957, Drees. French version here: <https://drees.solidarites-sante.gouv.fr/etudes-et-statistiques/publications/etudes-et-resultats/article/le-conge-de-paternite-un-droit-exerce-par-sept-peres-sur-dix>

⁴ (1) “Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance for parents and carers and repealing Council Directive 2010/18/EU”, 2019. English version available here: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019L1158&from=EN>

(2) Galland-Beaune N., “Le congé paternité dans les pays de l’Union européenne”, Toute l’Europe, 2020. French version here: <https://www.touteurope.eu/actualite/le-conge-paternite-dans-les-pays-de-l-union-europeenne.html>

⁵ (1) Chzhen Y., Gromada A. and Rees G., “Are the world's richest countries family friendly? Policy in the OECD and EU”, UNICEF, 2019, 21 pages. <https://www.unicef.org/media/55696/file/Family-friendly%20policies%20research%202019.pdf>

(2) Ber M., “Support for working fathers in Latin America and the Caribbean”, UNICEF, 2017. <https://blogs.unicef.org/blog/working-fathers/>

(3) Bilo C. and Tebaldi R., “Maternity and paternity in the workplace in Latin America and the Caribbean: a review of national policies for paternity and maternity leave and support to breastfeeding in the workplace”, International Policy Centre for Inclusive Growth (IPC-IG) and UNICEF-Regional Office for Latin America and the Caribbean, 2020. https://ipcig.org/pub/eng/RR39_Executive_Summary_Maternity_and_paternity_in_the_workplace.pdf

In France

- Maternity leave was created in 1909. Nowadays, it can last 16 weeks with 100% compensation.
- Paternity leave was created in 2002. It can last 11 days, which may be taken in part or in full, and is not compulsory. It is scheduled to increase to 28 days in 2021.
- In 2016, nearly 70% of fathers made use of their paternity leave, most of them in its entirety.

In Europe

- The European Union legislated on maternity leave in 1992, with a minimum duration of 14 weeks. In most countries, this leave is limited to less than one week.
- Paternity leave was included in the 2019 Directive on work-life balance for parents and carers, with a minimum duration of 10 days.
- Spain and Finland are the most generous countries (12 and 9 weeks, respectively). Conversely, Slovakia, Croatia, Luxembourg and Germany still do not have a paternity leave.

In the world

- The United States is the only OECD country member that does not offer maternity, paternity or parental leave on a national basis.
- Japan and South Korea have very generous paternity leaves: around 30 and 17 weeks respectively. However, it is very seldom used.
- In Iceland, the leave is shared: three months are reserved for the mother, three months for the father and three months are “unallocated”. These are mostly taken by mothers.
- In Latin America, Ecuador and Paraguay have a 10 days paternity leave. For most countries, this leave is limited to less than a week.

The importance of paternity leave

Beyond its legal configuration, paternity leave has a real impact on society. It plays a role on the child's development, on the notions of parenthood, father, mother, on experience and expectations... It also reveals many factors and conflicts related to gender equality and real parenting. All the topics discussed below are interrelated, as each factor influences the other.

Legality, equality and justice

First and foremost, paternity leave is a legal equality issue. As there is an increasing insistence on shared parenting and a strengthened paternal role, the father's ability to be present during the child's first moments is essential. It therefore comes down to giving fathers the same rights as mothers. Although the practical and physical needs of maternity leave related to childbirth cannot be ignored, paternity leave takes on its full meaning in the father's support role, because of the physical trauma often suffered by the mother, but also in the creation of an emotional bond with the child. The law should thus consider paternity and maternity leaves as being in the service of the child, and not solely for the purpose of physical recovery. A paternity leave enshrined in the law is a first step towards the recognition of equality and the father's role in parenting.

Impact on the professional domain

Numerous studies⁶ have shown that having a child considerably slows down a woman's career, while having very little impact – and even a positive impact – on a man's career. This reality is influenced by several factors, but especially by how a father and a mother are perceived. A father arouses increased sympathy, while a mother arouses anxiety or doubt as to her availability. This is directly related to their respective parenting roles. The theoretical and practical existence of paternity leave – and by this we mean it being set forth in the law and actually used by men – contributes to modify gendered mentalities, which in turn has an impact on the professional domain.

In addition, maternity leave is translated into a gap in women's employment history. These weeks spent on leave have an impact on their career and, in particular, slow down their individual chances of promotion. By setting forth a generalized paternity leave, a career halt would be normal for all employees, not just women, upon the birth of a child. This

⁶ For example, the recent study carried out by the Superior Council for Professional Equality (Conseil Supérieur de l'Egalité Professionnelle), "Prendre en compte la parentalité dans la vie au travail - Présentation des résultats", February 2019, French version available here : <https://www.egalite-femmes-hommes.gouv.fr/wp-content/uploads/2019/02/Prendre-en-compte-la-parentalite-au-travail-Presentation-des-resultats-du-22-fevrier-2019.pdf>.

would have a direct impact on reducing the wage gap between men and women⁷.

Paternity leave is an opportunity to correct inequalities in the professional domain by focusing on men's – rather than women's – role in the equilibrium. In a study based in Denmark, a country that is resolutely generous in its paternity leave, Signe Hald Andersen (2018) has shown that an adequate paternity leave that is made use of does reduce wage inequality between men and women by having a real impact on the mother's salary, in addition to increasing household income in general⁸.

In Norway, a two weeks' paternity leave is complemented by a solid parental leave, to be shared between father and mother: the man can have a 15 weeks' leave that is reserved for him, with 100% compensation, and another 16 unallocated weeks that can be shared with the mother. This parental leave is innovative because it is conditional on the mother's return to work. Thus, in order for the man to be compensated, he must take on the majority of the domestic daily work. In 2013, 90% of those concerned took an average leave of 46 days⁹.

Another important aspect of paternity leave is to reduce the stigma associated with men prioritizing family. Indeed, maternity was designed as mandatory for the specific purpose of reducing the pressure that employers may consciously or unconsciously exert on women not to take it. This pressure is equally present for men, which would fully justify a mandatory paternity leave, in part if not in whole. For instance, in Japan, a country with the most generous paternity leave in the world – 30 fully compensated weeks – only 5.14% of fathers used it in 2017. Despite an

⁷ European Commission, "2020 factsheet on the gender pay gap", 2020, https://ec.europa.eu/info/sites/info/files/aid_development_cooperation_fundamental_rights/2020_factsheet_on_the_gender_pay_gap.pdf. In Europe, women earn on average 14.11% less than men per hour. The wage gap is less than 5% in Luxembourg, Romania and Italy. In the Czech Republic, Germany, Austria and Estonia it is wider than 20%.

Bleweis, R., "Quick Facts About the Gender Wage Gap," Center for American Progress, 2020, <https://www.americanprogress.org/issues/women/reports/2020/03/24/482141/quick-facts-gender-wage-gap/>. In the United States, women earn on average 18% less than men.

⁸ Hald Andersen S., "Paternity Leave and the Motherhood Penalty: New Causal Evidence", 2018, Journal of Marriage and Family 80, pp. 1125-1143.

⁹ Kammerer B., "Les congés paternité dans le monde", 2019, Sciences Humaines 2019/12 (N° 320), p.35.

increasing tendency, this number remains extremely low. A survey from 2017 indicates that 35% of surveyed fathers did not take the leave despite wanting to do so because of salary-, career- and general atmosphere-related reasons¹⁰.

Lastly, Brenøe, Canaan, Harmon and Royer (2020) have examined the economic impact of parental, paternity and maternity leaves on firms. They show that the vast majority of companies are very effective in temporarily replacing employees on leave, either by creating temporary contracts or by allocating tasks to other employees¹¹.

Family equilibrium and taking responsibility

Paternity leave is a major issue in defining family equilibrium when a child is born, as it gives room for dynamics that go beyond that time off work.

Indeed, it is essential for the child's development as well as for the parents that the father be involved in household work. In spite of any evolution, in France women still bear that burden in 65% of cases¹². A study has shown that the French paternity leave has not drastically changed standards, having only led to a very small increase (2%) in fathers' involvement in cleaning and dishwashing tasks¹³.

Other models, as the Norwegian, shared by Iceland, are equally flawed and prove that tendencies and invectives for men's involvement in the domestic sphere have limited impact. When the couple can choose which parent will benefit from the leave, women overwhelmingly take on this responsibility and remain the primary child caretakers.

Paternity leave has thus far failed to accomplish its most important mission: to succeed in placing the right amount of domestic and family

¹⁰ Chzhen Y., Gromada A. and Rees G, "Are the world's richest countries family friendly? Policy in the OECD and EU", UNICEF, 2019, p.10, <https://www.unicef.org/media/55696/file/Family-friendly%20policies%20research%202019.pdf>

¹¹ Brenøe A.A., Canaan S.P., Harmon N.A. and Royer H.N., "Is parental leave costly for firms and coworkers?" National Bureau of Economic Research, 2020.

¹² Périvier H., "Réduire les inégalités professionnelles en réformant le congé paternité", OFCE, 2016.

¹³ Kammerer B., "Le congé paternité, un levier d'égalité ?", 2019, Sciences Humaines 2019/12 (No. 320), p.34.

work on men, at the risk of slowing down their careers. No matter the dimension of public policies, as proved by the generous Nordic policies, the wage gap and the uneven division of labour at home remain a reality.

Paternity leave: a step forward for both parents

This argument leads us to the last issue: the impact of paternity leave on the father's behaviour and responsibility, but also on the mother's role. It is worth mentioning that the movement in favour of broader paternity leave is not led by fathers nor men, but rather by feminist associations¹⁴. We can conclude that women no longer wish to be in charge of the bigger share of family work and wish to be able to have their partner's support after childbirth.

The movement for equality is thus endured, or at least passively received, by men, the vast majority of whom have no claim to paternity. The challenge on the subject of paternity leave and, more generally, of men's role in parenting is therefore to awaken men's interest and allow them to formulate their demands for a long-term commitment. This is far from meaning that women have no interest in demanding equality and men's participation in parenting; we must succeed in making parenthood a common struggle that both alleviates mothers' constraints and allows fathers to blossom. This would increase men's interest in parenting.

Conclusion

While paternity leave exists in various forms around the world, it still does not exist in many countries and is very short where it is in place. It plays a rather introductory role in advancing gender equality in parenthood. Because of its very short duration, paternity leave does not sufficiently correct unequal trends. Its biggest flaw is that it is still considered as secondary, mainly because of the priority role assigned to mothers in parenting. On top of that, men have scarce paternal claims. Paternity leave is therefore designed to help the mother with physical and

¹⁴ Ibid.

emotional support, and not as an opportunity for men to fully assume their role as fathers. Developing this leave is key as an entryway for gender equality, especially if accompanied by many other measures.

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