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Parental Leave in Spain 2024: Changes in terminology, regulation, and use

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2019's reform: "Equal and non-transferible leave rights for both parents"

- Paternity and Maternity leave have been renamed to Birth and Care Leave to make the name gender neutral
- **Leave duration** has been extended **for "the other parent" (16 weeks in 2021)**
- A minimum **compulsory leave duration for "the other parent" (6 weeks in 2021)**
- **the non-compulsory leave period of 10 weeks can be taken over the first year** on the basis of minimum 1 week duration and/or on a part-time basis
- **No transferability** of leave rights is allowed

Research questions:

1. What has been the impact of the reform on take up patterns?
2. How far are flexibility measures been used and for which reasons?
3. Has the right to split the non-compulsory period increased the proportion of fathers who take leave to be solo carers after mother´s return to paid work?

Data:

Source1: **Social Security Annual Statistics** on Leave use.

Source 2: **Quidan Survey**, an online survey performed in May/June 2021 to a representative sample of 3,100 parents with at least a child aged 6 years or less residing in Spain. Subsample of those who had children after March 2019 (599 fathers and 618 mothers).

Source 3: A sample of 523,392 administrative data of Birth Leave takers from April 1.st 2019 to July 12th 2021 provided by the **Social Security Administration**

Hypothesis:

1. The introduction of a compulsory period of leave will increase substantially only leave use among fathers (as 6 weeks for mothers are compulsory since 1931)

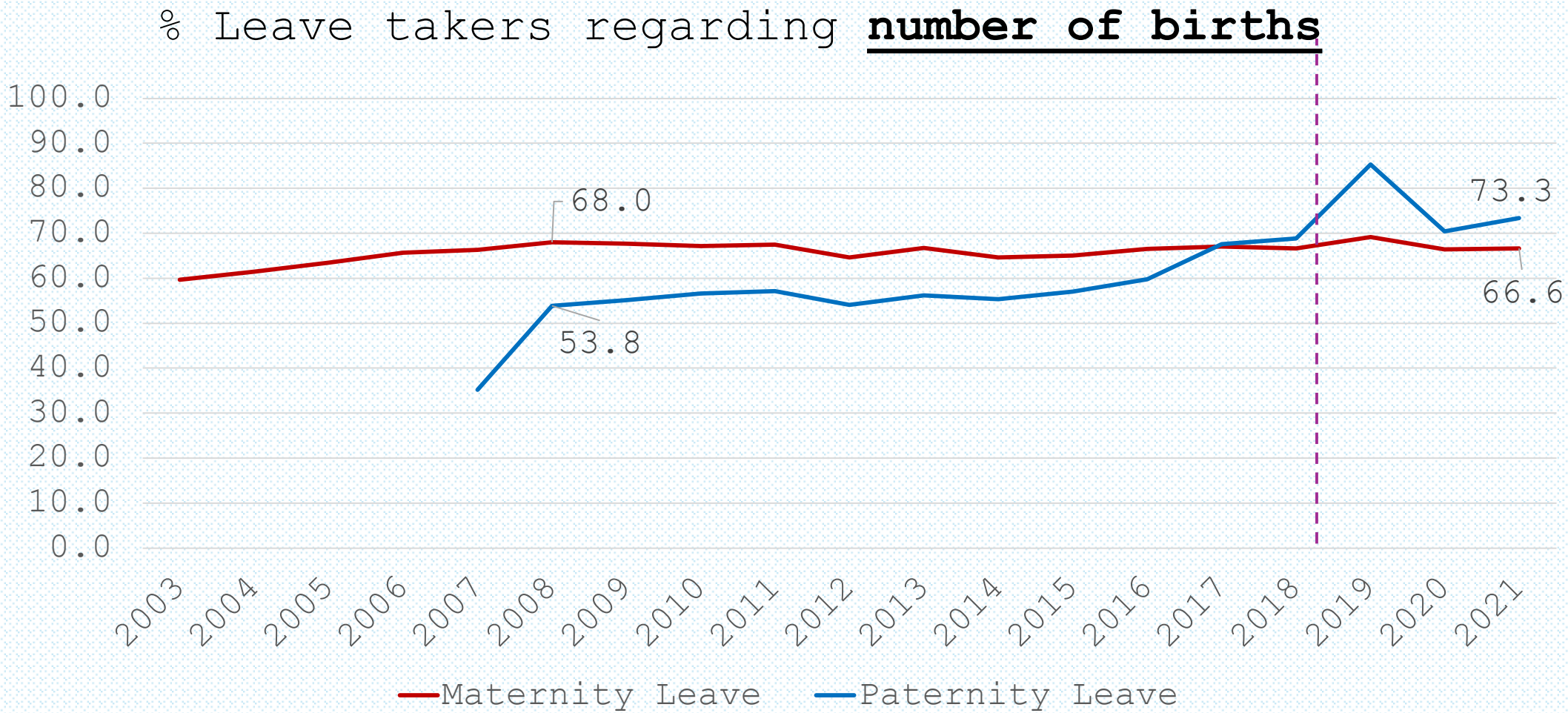
2. Mean leave duration of paternity leave use will be reduced proportionally as leave duration increases.

3. Flexibility options will be taken mostly as a strategy for work-family balance, so that most fathers who split their leave time, will do so

Results:

H1:
Mothers: stab
Fathers: increase

1) USE of leave rights:

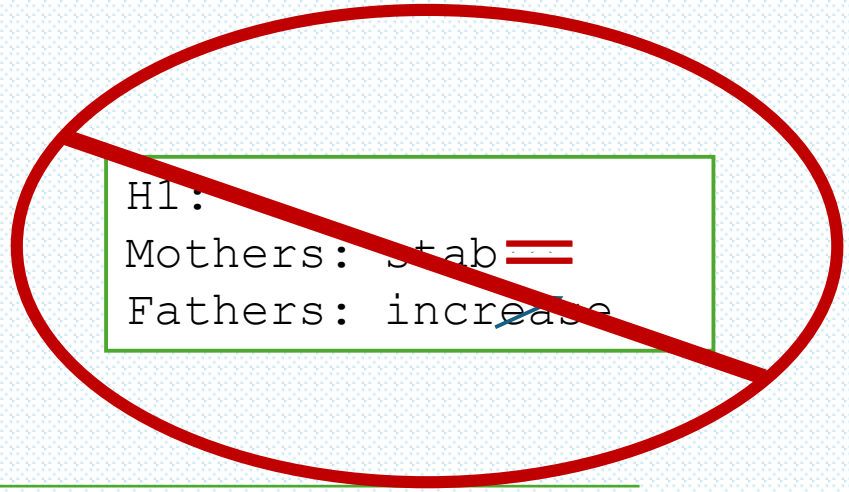


Source 1: Social Security Annual Statistics on Leave use

Results:

1) USE of leave rights:

But…what about ELIGIBLE PARENTS?



	Last child born before April 1st 2019	Last child born after April 1st 2019
Eligible Mothers	88%	93%
Eligible Fathers	86%	94%

Source 2: QUIDAN survey 2021

Results:

2) LENGTH of leave rights:

	% of parents who don´t make use of all the cumpulsory period	
	First parent (mother)	Other parent (father)
2019 (2 weeks)	0,04%	0,01%
2020 (4 weeks)	0,02%	0,01%
2021 (6 weeks)	1,8%	1,8%

Source 3: Data from Social Security Administration.

- No changes in compulsory time

	I.% FATHERS who don´t use the whole leave period	II. Mean Number of leave days	III. Number of days legally established	Rate II/III
2019	23%	48,0 days	63 days	76%
2020	13%	76,6 days	84 days	91%
2021	13%	84,8 days	112 days	76%

Source 3: Data from Social Security Administration.

- Less total lenght
- More total days

Results:

3) FLEXIBILITY of leave rights:

	% of parents who split leave use	
	Mother	Father
2019	3,7%	41,8%
2020	5,5%	52,1%
2021	3,5%	25,5%
TOTAL	4,5%	44,0%

Source 1: Data from Social Security Administration.

- Flexibility option fairly use by fathers
- Minority option for mothers

Source 2: QUIDAN survey 2021

Results:

3) SOLO CARE of leave rights:

Año	% of Father who have taken the optional period of leave around or after the end of the maternity leave period.	
	% over those who split leave use	% over all leave users
2019	39,0	16,3
2020	39,3	20,5
2021	1,2	0,3
TOTAL	35,6	15,7

Source 3: Data from Social Security Administration.

Split the leave increase the percentage of solo care by fathers (40%)

Only the 16% of fathers use the optional leave to solo care

Conclusions:

The **2019 leave policy reform** in Spain has reached important achievements, but has also shortcomings:

- **Terminology:** The Gender Equality objective is symbolically evident in the name and provisions of leave rights.
- **Use:** Nearly all eligible fathers, have made use of some period of leave.
- **Length:** Although around 1/3 don't use the whole period, as a mean, they use 3 months leave (compared to the 1 month in 2018).
- **Solo care:** Only in a limited proportion of fathers who have taken the leave to care alone for the baby.
- One important **limitation** is that it has left unchanged maternity leave rights, making necessary to reform leave policy again at the latest in 2024 to adapt it the requirements of the 2019 EU Directive on Balancing Working and Family Lives.

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Thank you for your attention! ☺

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