



**Observatory for
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in Europe**

Caregiver Leave Models in Europe

Comparison of caregiver leave models for reconciling care and work in Germany, Austria, Belgium and Sweden

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Abstract:

Faced with a constantly increasing number of persons in need of care, the German Federal Government has submitted a draft bill for the improved reconciliation of family, care and work.

This brief expert opinion includes a comparison of the regulations of the current German legislative proposal with the leave models in three European countries: Austria, Belgium and Sweden. The expert opinion highlights common characteristics and differences between the models.

In the appendix summary tables provide an overview of the models' respective characteristics.

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1 Caregiver leave models: common characteristics and differences

All four countries examined have introduced leave models which aim at the reconciliation of care and work (caregiver leave models). Different forms of leave need to be differentiated: entitlements that relate to situations in which care needs are acute (short-term leave), instruments that relate to the medium to longer-term reconciliation of care and work, as well as leave in the case of hospice care. All three types form part of the current draft bill of the German Federal Government.

1.1 Short-term leave

In Germany, Austria and Belgium employees have the right to stay away from work for one week (Austria) to ten days (Germany and Belgium) in case of unforeseen needs of care. The German draft bill stipulates continuation of wage payment on the basis of a new care-support allowance. Also in Austria, employees have a right to continued payment of wages. In Belgium there is no such entitlement.

1.2 Medium and long-term leave

In Germany, Austria and Belgium employees can take a leave, either full-time or part-time, in order to care for a family member. In Germany this is regulated by care leave or 'family care time', in Austria it is the so-called care leave/ 'care part-time' (part-time work in order to combine care and work) and in Belgium the medical assistance leave which regulate entitlements.

In Sweden employees have a right to paid leave for the care of close relatives (allowance for care of close relatives) if the person is in a life-threatening health condition. The allowance for care of close relatives is therefore dealt with together with the leave entitlements for hospice care in Section 1.3.

Legal right:

- In Germany and Belgium a legal right exists (provided that a company has a certain size). In Austria the consent of the employer is necessary.

Objectives and duration:

- The German and Belgian models aim at the reconciliation of care and work which is why both models provide for a longer duration. In both countries the maximum duration in case of continued part-time employment is 24 months. The maximum duration for a full-time leave is 12 months in Belgium and is thusly twice as high as in Germany (6 months).
- In Austria the care leave/'care part-time' aims at bridging a care situation and is with a maximum duration of three months much shorter than in Belgium and Germany.

Protection against dismissal:

- In Austria workers with caregiving responsibilities are less comprehensively protected from termination of employment during periods of caregiving.

Prerequisites and restrictions:

- In all three countries the need for care must be proven.
- In Germany care leave/'family care time' may be applied for to care for any family member that is 'in need of care' according to the German definition of the notion (*Pflegebedürftigkeitsbegriff*). In Austria family members that are in need of care must be entitled to care allowance of the level 3 (at least 120 hours care requirement per month).¹
- With view to part-time employment during the leave, weekly minimum working times apply in all three countries. In Austria the minimum is ten hours weekly which is less than in Germany (15 hours per week). Belgian employees can reduce their working time to a maximum of 14.6 hours a week (50% of a normal 75% employment).

Potential care recipients:

- In Germany and Austria differences are marginal:
 - While the German draft bill provides for care of sisters- and brothers-in-law as well as stepparents, the Austrian regulation does not include this group of persons.
 - In Austria – unlike in Germany – adoptive and foster parents are included.
- In Belgium, the group of persons seen as relatives is defined more narrowly (only relatives of second degree). In addition, the criterion of a common household applies.

Financial benefits:

- The German and Austrian models provide for earnings-dependent instruments: In Germany benefits are provided in form of a loan, in Austria an insurance benefit is paid which employees do not have to pay back (55% of the average net income of the previous year).
- In Belgium employees are provided with a flat-rate amount of €707 (after deductions).

Sweden:

The Swedish model is fundamentally different from the models of the three other countries. In Sweden care is primarily understood as a public task. Longer-term reconciliation of work and care is therefore not a central focus in national legislation. On local level, family carers can be **employed by the municipality** to provide care for a family member:

¹ With minor members and dementia patients care stage 1 is sufficient.

- Employees conclude an employment contract with the municipality for the time they care for a family member dependent on care. They are employed with the municipality during the time of care provision and are also paid by the municipality. This is an approach to ensure that care is provided also in rural regions.
- The compensation paid is the same as paid to the personnel working in municipal out-patient care services.
- The access prerequisites for the care allowance are at the discretion of municipalities: therefore availability, access and compensation vary between municipalities

There is a right to take a paid leave in order to care for a person who is in a life-threatening state of health (see 1.3).

1.3 Leave for hospice care

All four countries have similar caregiver leave models for the purpose of **hospice care**. In Sweden this entitlements also serves for the assistance of persons who are in a life-threatening state of health, but which not necessarily has to stem from incurable, progressive illness.

- In all four countries a legal right exists.
- The time-period covered by the models is between 2-6 months, which can be attributed to the specific, time-limited situation of hospice care.
- In each case, a medical verification to prove the incurable (or life-threatening) state of health has to be provided.
- Differences in funding: In Germany benefits are provided in form of a loan which has to be paid back. There is no repayment obligation in the other countries.
- Differences in the levels of benefits: While Swedish employees receive 80% of their previous net income, it is 55% in Austria and it is a uniform amount of € 707 (after deductions) in Belgium.

2 Summary

Austria, Belgium and Germany have introduced similar caregiver leave models for employees for short-term and longer-term care of family members.

An outstanding difference is that there is no legal right to care leave/‘care part-time’ in Austria. Further, does the Austrian care period not serve longer-term reconciliation of work and care, but rather for a bridging of medium-term care, which is why the period in which benefits are provided is far shorter here (maximum six months). Germany is the only country which provides benefits in the form of a loan instead of payments from social security. In Belgium a flat-rate amount is paid to employees.

In Sweden, care is first and foremost organized in form of public provision of services. Reconciliation measures are within the responsibility of municipalities. There is the option for caregivers to be employed by the municipality and to take paid leave in case a close relative is in a life-threatening state of health.

The caregiver leave models in the case of hospice care are similar in all four countries. A notable difference relates to financing. In Belgium employees are provided with a flat-rate amount, while the other three countries provide earnings-dependent payments. In Germany this is provided in the form of a loan and not as a payment from social security.

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Model	Objective/Goal	Potential care recipients	Duration	Financial payments	Prerequisites/Restrictions
Short-term absence from work Legal claim: ✓	short-term organization of an acute care situation	See below	Maximum of ten days	Continuation of wage payment through a care-support allowance analogous to child sick pay allowance	On request a medical certificate is to be submitted stating the need for care of the close relative
Family care time (Draft 11/2014) Legal claim: ✓	Partial employment release (at least 15 h. working time weekly) to care of a close relative in need of care Or to care for an underage close relative in need of care	Parents, grandparents, parents-in-law, step parents, spouse, life partner, partner in a marriage-like or life partnership-like union, sister-in-law/brother-in-law children, adopted and foster children (also of the spouse/life partner), children-in-law, grandchildren for whom the need for care exists	Maximum of 24 months	Right of the employee to an interest-free loan of half the difference between the average monthly net remuneration before and during care time The loan must be paid back within 48 months after the first day of the family care time deferral or reduction by $\frac{1}{4}$ is possible in cases of hardship	Minimum working time of 15 hours/week Legal claim only exists in companies with more than 15 employees Verification of the need for care through care insurance or medical service required Written agreement between employee and employer about the family care is required Are care time and family care time combined, the maximum duration remains limited to 24 months It is only possible for employees to take care time once per close relative in need of care The term of notice is eight weeks
Care time (Draft 11/2014) Legal claim: ✓	Complete or partial leave In order to care a close relative in need of care Or to care for an underage close relative in need of care Or to accompany/support dying relatives	See above.	Maximum of six months In case of hospice care a maximum of three months is stipulated	See above. However, the maximum monthly loan rate is limited to the amount which is to be guaranteed in case of an average working time during family care time of 15 weekly hours	Legal claim only exists in companies with more than 15 employees Verification of the need for care through care insurance or medical service required In case of hospice care, verification is required about the life-threatening, incurable state of health Are care time and family care time combined, the maximum duration remains limited to 24 months

Austria I

Model	Objective/Goal	Potential care recipients	Duration	Financial payments	Prerequisites/Restrictions
Care leave Legal claim: ✓	Necessary short-term care of sick relatives	Sickness of close relatives living in the same household : Spouse, registered partner, partner, parents, grandparents, children, grandchildren, adopted and foster children, biological children of spouse, of registered partner or partner living in the same household	One week/working year For children under 12 years two weeks in total Can be taken daily or also on an hourly basis	Continuation of remuneration	The sick relative must live in the same household The care of the sick person cannot be performed by another suitable, non-working person
Care leave / Care part-time Legal claim: ×	Bridging a new care situation	Spouse, parents, grandparents, adoptive and foster-parents, children, grandchildren, stepchildren, adopted and foster children, partner and children of the partner, registered partner and his/her children, siblings, parents-in-law and children-in-law, who receive the care allowance of level 3	Three months maximum duration per relative in need of care (minimum interval is one month) An extension to six months in total is possible only once a time, if the care requirement considerably increased (level of care has to have increased at least one level)	Payment of an earnings-dependent care leave allowance in the amount equivalent to unemployment benefits (55% of the daily net income, calculation basis is the average net remuneration), at a minimum of the marginal wage threshold and a maximum of 1,400 Euro In case of care part-time, the care leave allowance is calculated proportionally Per person in need of care, the care leave allowance is paid for at most six months (does the level of care increase it is a maximum of 12 months)	The person being care for must be eligible to care allowance of the level 3 at a minimum (monthly at least 120 h. of care), for dementia patients and underage relatives level 1 In case of care part-time, the weekly minimum working time is ten hours The employment relationship must have existed for at least three months (for seasonal employees it is two months) A dismissal may not be issued due to the care leave, however, it is possible in principle

Austria II

Model	Objective/Goal	Potential care recipients	Duration	Financial payments	Prerequisites/Restrictions
<p>Family hospice leave/ Family hospice part time</p> <p>Legal claim: ✓</p>	<p>Employees are enabled to spend time with dying family members, as well as to accompany severely-ill children</p> <p>(Support/care not must be provided by the employees themselves)</p>	<p>Potential care recipients see above.</p> <p>In case of hospice care, there must be a life-threatening state of health</p> <p>In case of severely-ill children, no danger to life is required</p>	<p>Three months as maximum duration; one-time extension possible to six months in total</p> <p>Five months as maximum duration for severely-ill children; one-time extension possible to nine months in total</p>	<p>See above.</p> <p>Additional resources can be applied for from the family hospice hardship compensation in case monthly earnings are below € 850</p>	<p>In case of care part-time, the weekly working time may not fall below ten hours</p> <p>The employment relationship must have existed for at least three months (for seasonal employees two months in the on-going season and at least one month in former years)</p> <p>A dismissal may not be issued due to the care leave, however, it is possible in principle</p> <p>On request, medical verification and verification concerning family relationship are required</p>

Belgium I

Model	Objective/Goal	Potential care recipients	Duration	Financial payments	Prerequisites/Restrictions
Emergency leave Legal claim: N.N.	Clarification of unforeseeable circumstances, which urgently require the presence of the employee		Ten days/year 45 days/year in the public sector	No	
Medical assistance leave Legal claim: ✓	Improved reconciliation of care and work	Family members of second degree (parents, grandparents, children, grandchildren) Members of the same household	Up to 12 months month full-time/24 months part-time To be used in blocks of one to three months consecutively, or non-consecutively to a maximum of 12 months For a single parent with children up to 16 years old in need of care, an extension to 24 months full-time/48 months part-time is possible	Compensation is analogous to the parental leave: Monthly € 786.78 gross/€ 707.08 net in case of full-time interruption Monthly € 393.38 gross/€ 325.92 net in case of half-time reduction (€ 667.27/€ 552.84 for employees older than 50 years) Monthly € 133.4 gross/€ 110.57 net in case of reduction by 20% (€ 266.91/€ 221.14 for employees aged more than 50 years)	Can only be used in blocks of one to three months Limited to the following two part-time variants: 1) Reduction of the weekly working hours by 50% for employees with at least 75% of the normal weekly working hours or more 2) Reduction of the weekly working hours by 20% for employees with full number of hours weekly Has a company less than ten employees, the employer can refuse the part-time variant for business reasons Medical certificate is required certifying that the family member is in need of care
Palliative care Legal claim: N.N.	Care of a terminally-ill person	No family relationship required, possible also for friends or neighbors	Two months full-time/four months part time; one-time extension of one month possible	Compensation analogous to parental leave (monthly € 786.78 gross/€ 707.08 net with full-time leave)	Medical certificate required concerning: incurable illness; appropriation of the necessary care by the employee

Belgium II

Model	Objective/Goal	Potential care recipients	Duration	Financial payments	Prerequisites/Restrictions
<p>Time credit model</p> <p>"Career break"</p> <p>Legal claim: ✓</p>	<p>Basic right of every employee to a paid career break</p>		<p>At least one year full-time; up to five years part-time</p> <p>Extension to 36 months possible through sector or company agreements in the case of the support/care of:</p> <p>Children younger than 8 years old</p> <p>Seriously ill relatives</p> <p>Children with handicap younger than 21 years old</p> <p>Palliative care</p>	<p>Compensation payment from social security</p> <p>Level of payment varies according to age, work years, civil status</p> <p>Maximum level of payment in case of full-time interruption approx. € 640</p>	<p>The career break can be taken in blocks of three months up to one year</p> <p>Only 5% of the employees can enforce their right to career breaks simultaneously</p> <p>The employment relationship must have existed for two years</p>

Sweden

Model	Objective/Goal	Potential care recipients	Duration	Financial payments	Prerequisites/Restrictions
<p>Allowance for care of close relatives</p> <p>Legal claim: ✓</p>	<p>Complete or partial leave for the care of close relatives who are in a life-threatening state of health</p> <p>Care involves: to be near the person and to support the person (e.g. taking care of errands, accompany the person at medical appointments)</p> <p>Also applies if the person is in hospital</p> <p>The care is only an supplement to public services</p>	<p>Close relatives:</p> <p>Relatives, friends, neighbors</p> <p>suffering from a serious illness</p>	<p>100 days per seriously-ill close relative</p> <p>240 days in case of patients who have become infected with HIV in the Swedish health system due to contaminated blood transfusion or were infected by spouses or partners</p>	<p>80% of the remuneration in case of complete leave</p>	<p>Part-time leave can be either 50% or 25% of the previous weekly working hours</p> <p>Part-time leave can be used on a daily or hourly basis</p> <p>Can be taken only by employees younger than 67 years (employable persons)</p> <p>a life-threatening state of health is a prerequisite, however, the illness must not necessarily be an incurable illness in its final stage</p> <p>A medical certificate about life-threatening illness is required</p> <p>Both the caregiver and the family members in need of care must be registered in Swedish social security</p>
<p>Care allowance</p> <p>Legal claim: N.N.</p>	<p>Employment at the municipality for the care of close relatives, particularly in rural regions</p>		<p>Unlimited</p>	<p>The municipality employs the care-providing family member and pays them a wage (employment contract between the municipality and caregiver)</p> <p>Remuneration and social security rights are analogous of those of the personnel of municipal out-patient care services</p> <p>Compensation is mostly implemented on the basis of the care needs (according to number of defined hours of care per day)</p>	<p>The prerequisites for the care allowance are stipulated by the municipalities: Availability, access and compensation therefore vary between the municipalities</p> <p>The solution is primarily used in rural regions, if the caregiving person and the close relative in need of care have residences nearby</p> <p>Only possible for employees younger than 67 years (employable persons)</p>

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