

Each parent has the right to go on parental leave to take care of their child until the age of 3. Parental leave means that the employment relationship is only paused and continues normally after the parental leave is up. Parental leave can be used by one parent alone, by both alternatingly or also together and at the same time.

Maternity leave

Maternity leave (6 weeks before and 8 weeks after birth) goes for full- and part-time jobs. The maternity benefits fulfil the same purpose as the parental benefits. Both benefits are paid due to the birth of the child and are supposed to replace the related loss of income. Therefore, the maternity pay is fully added to the parental allowance.

REQUIREMENT

Employees (including marginal employees) are able to apply for parental leave if the child lives in the same household as them, it is looked after and raised by them and they do not work more than 32 hours per week.

DURATION

The claim lasts 3 years for each child, also if there is an overlap of the time periods.

DISTRIBUTION

The parental leave can be split into 3 time periods without the consent of the employer (if the 3rd period is between when the child is 3 and 8 years old, the employer can refuse due to urgent company reasons). A maximum of 24 months can be taken between the age of 3 and 8. Attention: this does not go for the case of an employer change! Further time periods require the consent of the employer. Parental leave can be taken for single months or weeks. But in connection with parental allowance, it can only be taken during life months.

APPLICATION DEADLINE

The application must be handed in 7 weeks before the start of the parental leave in written form for time periods until the end of age 3. And 13 weeks before the start of the parental leave for time periods between the age 3 and 8. A binding determination of the time periods within the first 2 years of life is necessary.

EARLY TERMINATION

An early termination is only possible with the consent of the employer. Early termination in order to make use of legal maternity leave deadlines is possible without the consent of the employer. (The termination is only effective after the employer has been informed.) Parental leave is

always connected to the currently existing employment – if it ends, so does the on-going parental leave. When there is an employer change, the claim for parental time revives at the latest until the end of age 3.

DISMISSAL PROTECTION

Protection against dismissal takes effect 8 weeks before the start of the parental leave that you have applied for before the 3rd birthday and 14 weeks after the 3rd birthday.

PART-TIME DURING PARENTAL LEAVE

The requirement for this is that the employment has existed for more than 6 months. The application incl. the distribution of working hours (between 15 and 32 hours a week for at least 2 month) must be made in written form at the latest 7 weeks before the beginning of the part-time job. The application can be refused due to urgent company reasons. In the application, the use of parental leave is dependent on the consent of the employer with part-time job. There is still protection against dismissal.

EMPLOYER CONSENT/REFUSAL

Consent fiction: The requested reduction of working hours during parental leave until the end of age 3 can only be refused by the employer in written form within 4 weeks due to urgent company reasons; between the age 3 and 8 within 8 weeks.

FULL-TIME DURING PARENTAL LEAVE

The claim for a full-time job during parental leave remains. But parental allowance is only paid during a part-time job of up to 32 working hours per week.

MULTIPLE BIRTHS

The right to parental leave here too: 3 years per child. For each child at least 1 year of parental leave must be taken before the 3rd birthday.

HELPFUL LINK

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