

Parental leave reform: towards greater flexibility

It has been possible to choose from various forms of parental leave since 1 December 2016 depending on the working time of the working parents.

Employees may choose between:

- Full-time parental leave for 4 or 6 months
- Part-time parental leave for 8 to 12 months
- Fractionated parental leave over a period of 20 months
Or a reduction of 20% of the working time (1 day per week)
Or 4 separate one-month periods

Working hours/week	40 hours	> 20 and < 40 hours	> 10 and < 20 hours
1 employer	Full-time parental leave Part-time parental leave Fractionated parental leave	Full-time parental leave Part-time parental leave	Full-time parental leave
Several employers	Full-time parental leave	Full-time parental leave	Full-time parental leave

Is the employer required to accept a parental leave request?

In the case of full-time parental leave, as soon as the request has been filed in due course and form, the employer must accept the request of an employee who wishes to go on full-time parental leave (4 or 6 months).

In case of part-time parental leave, the employer can refuse to grant part-time parental leave. He need not provide reasons for refusing to grant that leave nor make an alternative proposal.

In case of fractionated parental leave, the employer is not required to accept a request for such leave. If he refuses, he must nonetheless inform the employee by registered letter with acknowledgement of receipt at the latest two weeks as of the request and invite the employee for an interview within 2 weeks as of said notification. The employer is not required to provide reasons for his refusal in writing. During this interview, he must submit a written alternative proposal for parental leave (e.g. another day of the week, other isolated months, full-time parental leave of 4 or 6 months). If the employee does not want to accept the employer's counterproposal, s/he is still entitled to full-time parental leave of 4 or 6 months according to his or her choice.

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