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Childcare-related policies, unstable and/or atypical employment in the post-Yugoslav countries










Ivana Dobrotić



Here the main results of the InCARE project are briefly summarised. The project aimed to analyse (1) the current state and development of childcare-related policies in the post-Yugoslav countries (PYCs) in the 1945-2020 period, as well as the implications of reforms on (2) gender and social inequalities in care and employment and (3) care and employment practices of parents in unstable and/or atypical employment (e.g., marginally employed, self-employed, freelancers), who are often left with weaker childcare-related rights or excluded from schemes. The focus was on two main policy instruments – parental leave policies (maternity, paternity and parental leave) and early childhood education and care services (ECEC).



Terminology

	Maternity leave	Leave generally available to mothers only, and to be taken just before, during and immediately after childbirth
	Paternity leave	Leave generally available to fathers only, usually to be taken soon after the birth of a child
	Parental leave	Leave available to mothers and fathers to care for children in their first years of life
	Extended leave	Extended leave period available to parents with three or more children
	Individual entitlement	(Non-)transferable leave period reserved for the use of the mother or father only
	Quota	Individual entitlement, non-transferable from one parent to another
	Family right	Leave is a family right and can be transferred between parents
	Legal entitlement to an ECEC place	A statutory duty to secure publicly subsidised ECEC provision for all children in a catchment area whose parents require a place for their child
	Childcare gap	A gap between the end of well-paid leave and ECEC entitlement

Parental leave policies, ECEC systems, gender and social inequalities in employment and care in PYCs

In PYCs, parenting-related leaves are primarily directed towards mothers, having a weak potential to mitigate gender inequalities in employment and care. Reforms aimed to challenge a gendered design of leave policies have been very slow, and provide a clear reflection of the different dynamic of the EU negotiations and accession in the region, and therefore the need to comply with the parental leave directive (cf. Figure 1 and 2).¹ Slovenia introduced paternity leave (implemented since 2003),² Croatia two-month³ (in 2013) and Montenegro (in 2019) one-month quotas. However, only in Slovenia and Montenegro the fathers-only leave is well-paid, having a potential to challenge a gendered division of care in the private sphere (see [Dobrotić and Varga 2018](#)). In other countries – including Serbia, which transformed most of the maternity leave into

parental leave – parenting-related leaves remained defined as the primary mother's right, which may be used by the father. Finally, the practice of over-reliance on leave policy elements that shift most of the “care burden” to women and the experience of heterosexual, dual-earner partners, brought weaker rights for “non-traditional” families in most countries (e.g., single parents, same-sex (male) couples).

In some PYCs, extended parental leaves were introduced, which have been detrimental to women's employment, wages and career opportunities. In Croatia, three-year leave and in Serbia two-year leave was introduced for families with three or more children (i.e. extended parental leave).⁴ In addition, some countries (Croatia, Serbia, Montenegro, and North Macedonia) introduced different pronatalist benefits aimed at families with three or more children. These benefits have been the subject of frequent changes, depending on an available budget (in Montenegro and North Macedonia they

1 All the countries will need to align with a new [work-life balance directive](#) to improve the gender dimension of leave policies (cf. Figure 1 and 2).

2 Slovenia did not introduce fathers' quotas, while one month of parental leave is defined as exclusive mothers' right.

3 That is not the case for the fathers whose partner is unemployed. Also, quotas in Croatia are not well-paid.

4 Paid extended leaves have been introduced also in parts of BIH and Slovenia; however, they are of moderate duration and less detrimental for women's participation in the labour market.

were recently abolished). In some cases (e.g., Croatia), these benefits are also predominantly regional (see [Dobrotić 2019](#)).

Parents in unstable and/or atypical employment have better access to paid parenting-related leaves in countries with more inclusive parental leave systems.

Countries differ in the *inclusiveness* of leave; that is the extent to which they provide access to paid leaves to all parents, regardless of their status in the labour market ([Dobrotić and Blum 2020](#)). In countries with more inclusive, “*mixed parental leave systems*”, which combine the right to paid leave of employed and unemployed parents (e.g., Croatia, Slovenia), parents in unstable and/or in atypical employment have better access to (adequately) paid leave. Slovenia has a more inclusive system than Croatia, where the right to citizenship-based leave benefits is conditioned by three to five-year residence in a country, potentially excluding migrants. Countries relying on *employment-based parental leave systems* (e.g., Serbia, Northern Macedonia) provide access to paid leave primarily to “traditionally” employed parents. While Serbia also provides access to occasionally employed parents, they find it difficult to fulfil eligibility criteria for (full) leave benefit (18 months of employment before the leave start) (see [Dobrotić 2019](#)).

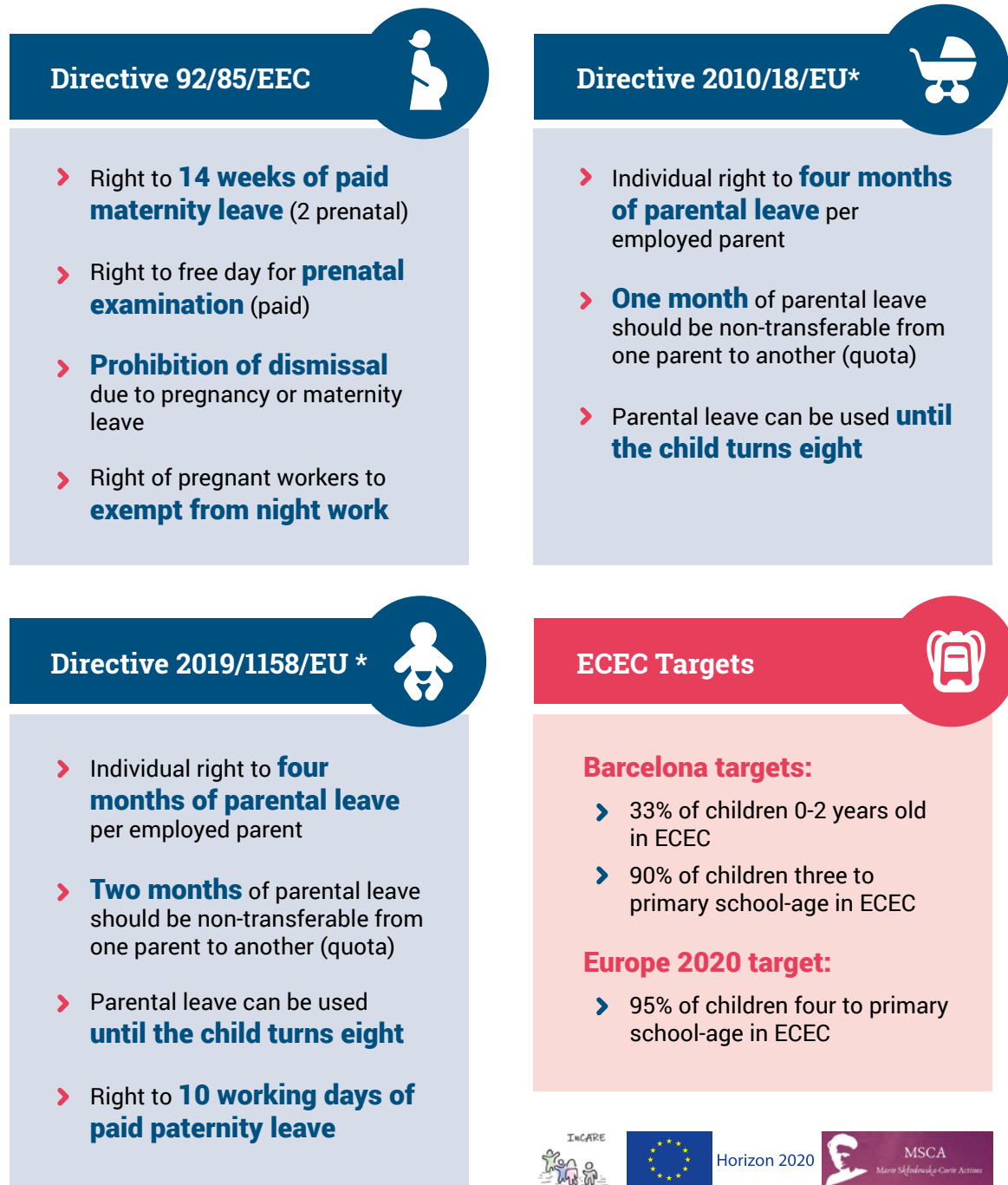
In most PYCs ECEC services are not accessible, hindering women’s (continuous) participation in the labour market. For the past three decades, only Slovenia has made significant investments in ECEC. It is the only country in the region to reach EU targets – in 2019 66.5% of nursery-age children, 90.7% of kindergarten-aged children, as well as 94.1% of three-year-olds and four-year-olds attended ECEC ([SURS 2020](#); cf. Figure 1 and 3). Slovenia is also the only country in the region that has introduced the legal entitlement to ECEC for every child, following the end of well-paid parental leave (since 1996; cf. [Stropnik 2001](#); [Dobrotić 2019](#)). Parents in other countries are faced with

a lack of ECEC services (Figure 3), while a gradual increase in ECEC coverage rates was mostly a result of the declining preschool population. Only recently have some countries, supported by international actors’ funds, began to invest more visibly in new ECEC capacities (e.g., Croatia, Montenegro, and Serbia). Therefore, if we look at the ECEC enrolment criteria, countries continue to resort to selective practices and prioritise children of “traditionally” employed parents during the enrolment process. Children of lower socioeconomic status, as well as children living in less developed, rural or depopulated areas face a higher risk to remain outside the system (cf. [Prca et al. 2014](#); [Mladenović 2016](#); [Dobrotić et al. 2018](#); [Dobrotić 2019](#)).

In some PYCs the ECEC affordability mechanisms have weakened, opening a space to broader regional inequalities in ECEC affordability.

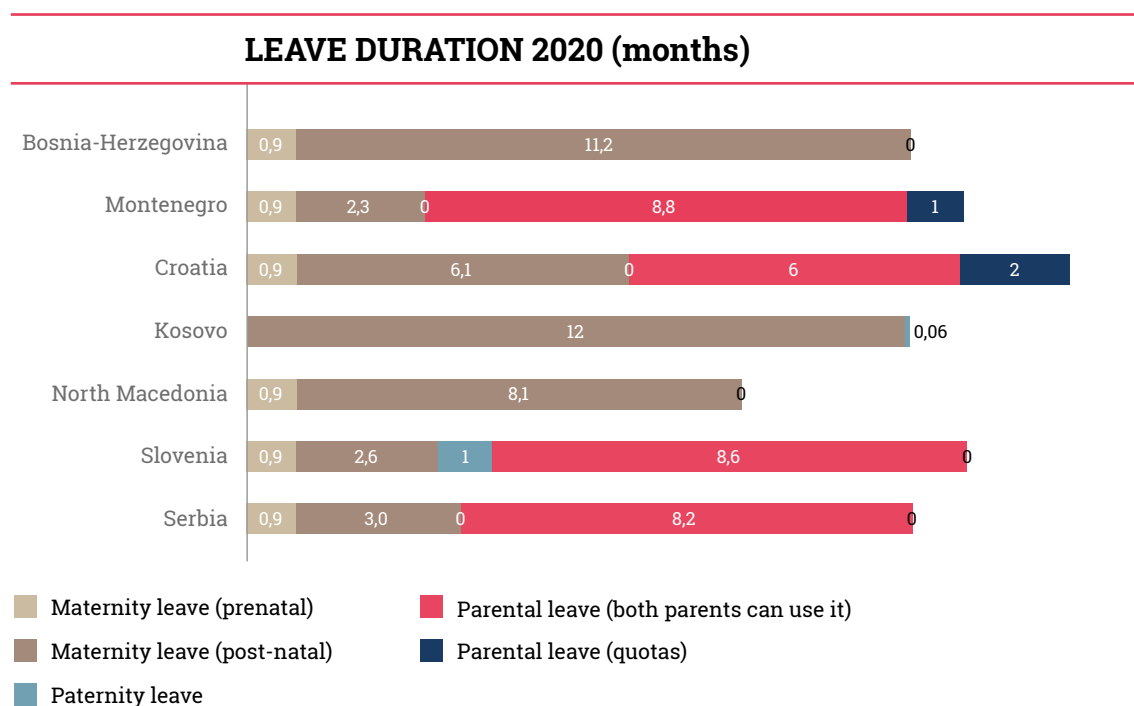
Montenegro and Serbia have been giving cities/municipalities more autonomy in defining the level of ECEC subsidies, allowing them to shift a larger share of ECEC expenditure towards parents – Montenegro allowed municipalities/cities to introduce parental fees (previously programmes were free), and Serbia abolished the upper limit on parental fees (previously a maximum of 20% of the economic price). Such reforms may make ECEC programmes less affordable, especially for children from lower socioeconomic strata and children living in less developed areas, as evidenced by Croatia’s experience (cf. [Baran et al. 2011](#); [Dobrotić et al. 2018](#)). Slovenia is the only country to have defined a transparent methodology for calculating the ECEC economic price and subsidies, which are based on a progressive scale and consider the socioeconomic status of the family. In this way, regional differences in ECEC affordability were reduced ([Stropnik 2001](#)) and the system became more affordable for parents of lower socioeconomic strata and thus more accessible to all children (cf. [Abrassart and Bonoli 2015](#)).

Figure 1: EU policy framework



* Directive 2019/1158/EU must be transposed into national law by 2 August 2022 (except for the provision of two months of paid parental leave, where the legislation of the Member States must be harmonised by 2 August 2024).

Figure 2: The structure of paid parenting-related leaves (at figure leave duration for the first child)



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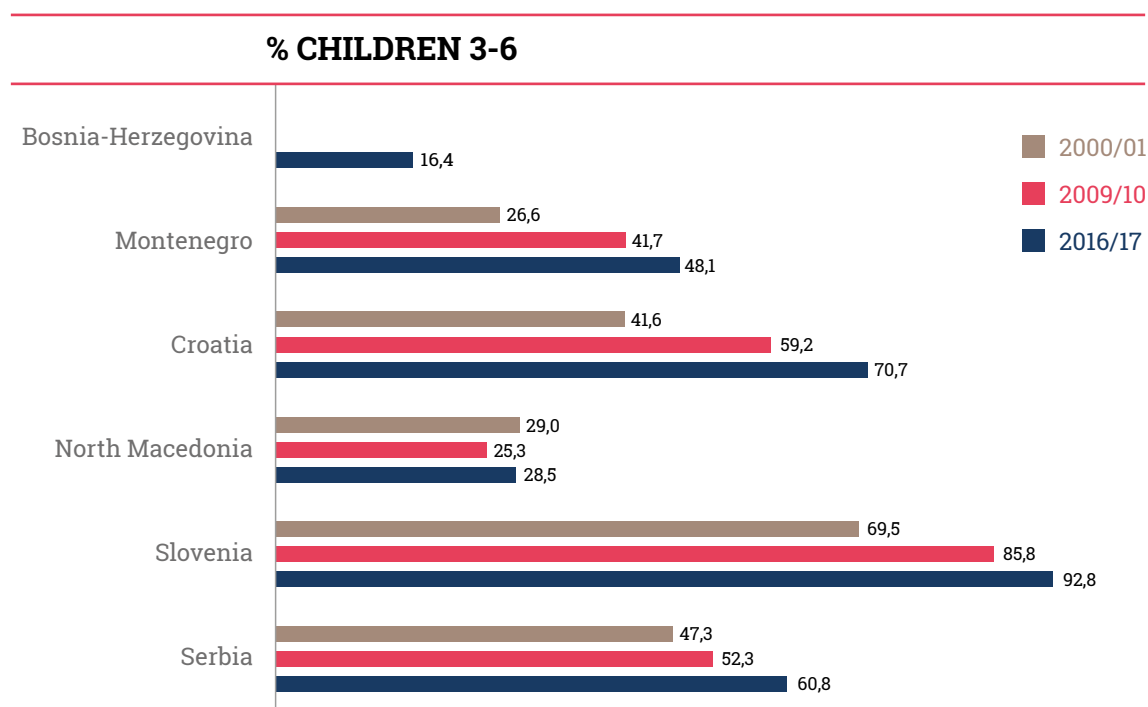
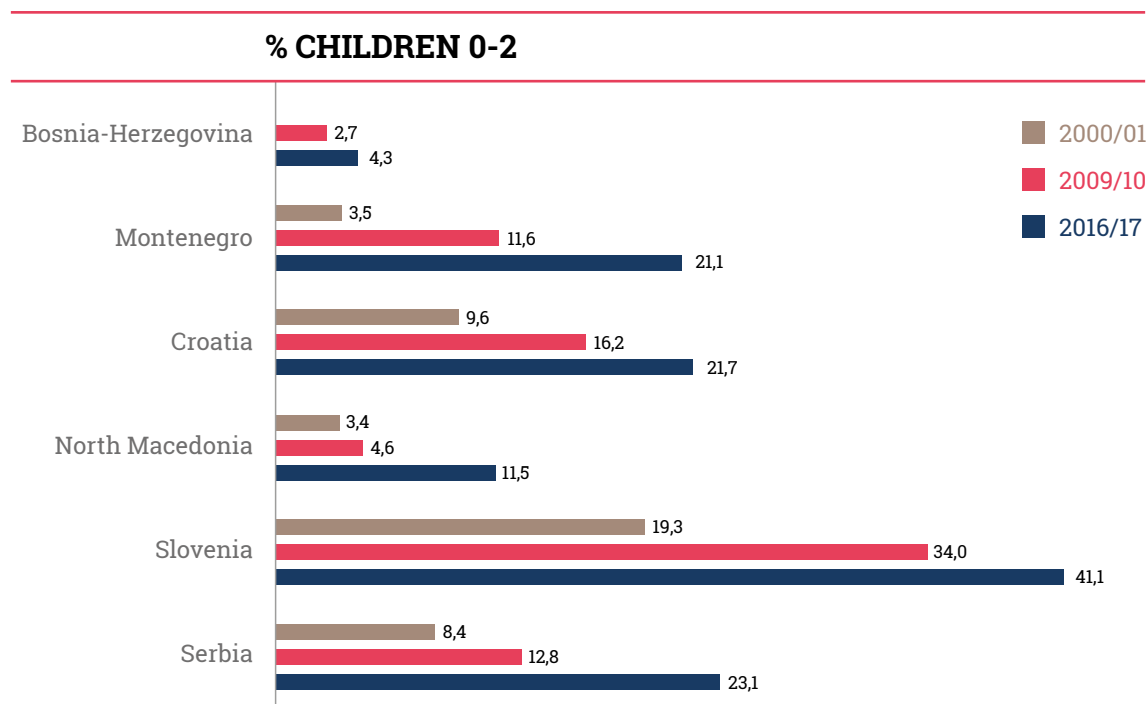
Notes: Leaves are paid 100% of previous earnings with the exemption of Bosnia-Herzegovina (benefits are decentralised and amount 40-100% of previous earnings; see [Dobrotić and Obradović 2020](#)) and Kosovo (six months 70% of previous earnings, three months 50% of average salary and three unpaid months). There is a ceiling on parental benefit in Croatia – HRK5, 654 (0.8 of average net salary). Montenegro, Slovenia and Serbia also introduced ceilings, defined based on the average salary: Montenegro (2) and Serbia (3) for maternity and parental leave, and Slovenia (2.5) for parental and paternity leave (maternity leave is exempt). In Slovenia, one month (of 8.6 months) of parental leave is the mother's exclusive right.



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Figure 3: The ECEC coverage rates (0-2 years; 3 to primary school-age)



Notes: For data comparability, the latest TransMonee data were used, which may differ from Eurostat or the national statistical offices' data.



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Source: [TransMonee \(2019\)](#)

Unstable and/or atypical employment and work-care arrangements: the experience of parents of nursery-aged children in Croatia and Serbia

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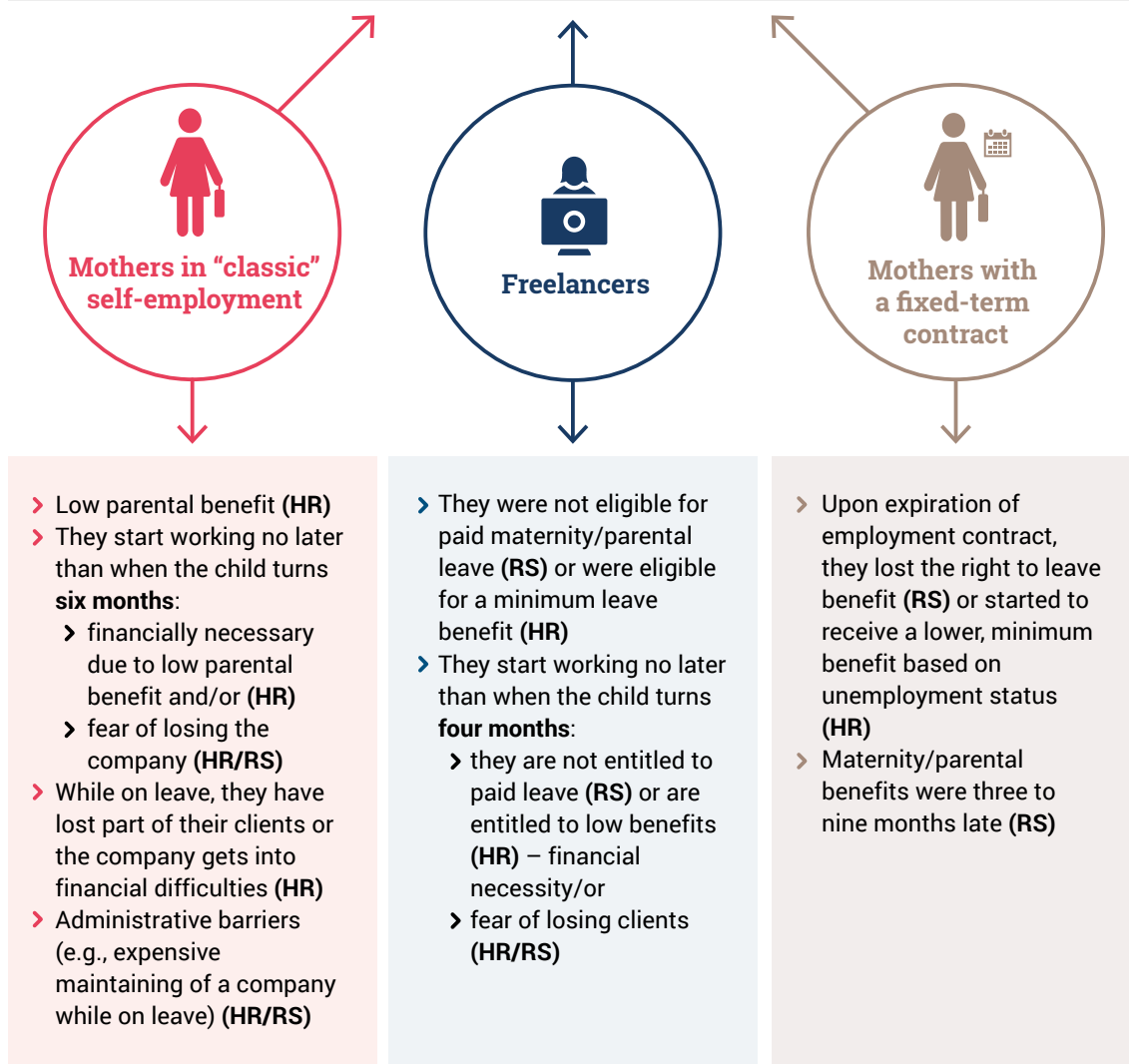
Parents, that is, mothers in unstable and/or atypical employment – in temporary/occasional employment or self-employment, freelancers or (partly) employed in the informal economy – pointed out many obstacles in exercising fundamental parental rights, which limits their ability to engage in employment and care. Part of the explanation can be found in the interrelationship between the childcare-policy design and parents' (mothers') position in the labour market, making it difficult for them to access and use paid leaves and/or ECEC services. An additional challenge is their precarious position in the labour market and the burden of the traditional distribution of care and housework.

Experience of using maternity/parental leave

Mothers employed on fixed-term contracts are at risk of “dropping out” of the labour market and losing the right to (full) maternity/parental benefit. Mothers employed on fixed-term contracts would typically lose their employment during maternity or parental leave. As Serbia has an employment-based parental leave system, these mothers would be left without the right to paid leave and could possibly be entitled to unemployment benefit. In addition, some mothers whose employer extended their contract until the end of parental leave in order to retain their right to paid parental leave pointed out that maternity/parental benefits were often late (sometimes 3 to 9 months), which put their families in a challenging financial situation. Some mothers also pointed out that their families could not meet basic needs during

Summary of challenges related to the use of maternity/parental leave

- Adverse financial situation (e.g., due to low maternity/parental benefit, reduced workload, or expiration of employment contract)
- Weak information about the leave rights (e.g., about leave duration, (lump-sum) benefit level, father's entitlements)



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that period. The situation of those mothers would be somewhat more favourable in Croatia. Due to a more inclusive parental leave system, which provides paid leaves for employed and unemployed parents, mothers in Croatia would become entitled to minimum

leave benefit after their employment termination. Although significantly lower than the employment-based benefit, which visibly distorted the family's financial situation, it would guarantee basic social protection in the early parenthood.

Self-employed mothers work while on maternity leave and emphasise the need to return to the labour market quickly to not jeopardise the business further or lose clients and thus affect their family's material conditions. The experience of mothers in “classical” self-employment (company owners) is somewhat more favourable than the experience of freelancers (usually working on occasional contracts). **Mothers in “classical” self-employment** tended to have a more established business and more stable income and access to fully paid maternity leave. This allowed them to postpone full integration in the labour market, but no later than when the child turns six months. This was not the case with **freelancers**, whose situation was particularly unfavourable in Serbia as they were not entitled to paid maternity/parental leave due to their employment contract nature. Therefore, they would continue to work immediately after the childbirth, which was also a financial necessity (e.g., the mother of twins started to work on the 17th day after the childbirth). A more inclusive parental leave system in Croatia allowed freelancers access to a minimum maternity/parental benefit and somewhat slower integration into the labour market. However, due to the low benefit level and a fear of being entirely left without future projects and dropping out of the labour market, they usually started to work within one to four months after the childbirth. While a minimum maternity benefit was extremely important to them, as it was their only stable income immediately after the childbirth, the fact is that it was significantly lower than the income mothers had before and some families have been in a tough financial situation in the early parenthood period. Finally, mothers pointed to the administrative obstacles and “anomalies” they face when using maternity/parental leave, which make it difficult for them to use their leave rights smoothly and their work activation immediately after the childbirth even more necessary (e.g., costs of maintaining a company while on leave; inability to charge for “old” projects while on leave or retain trainees).

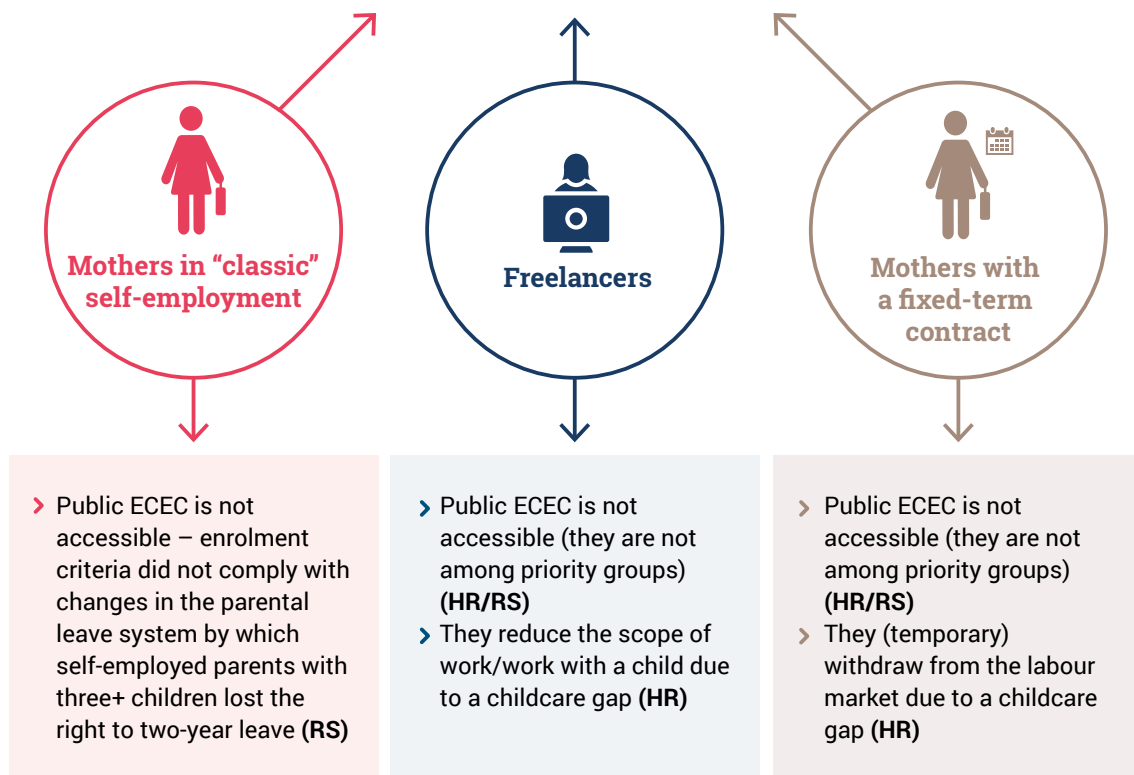
Experience of using ECEC services

Mothers faced with limited access to affordable and quality ECEC services tend to delay the child's ECEC start. Delaying the ECEC start is a practice pronounced in Croatia, typically until the child turns 18 months or two years of age. Some mothers were faced with such a decision after their request for a public ECEC was declined due to lack of places. It is important to point out that due to the nature of their employment, some mothers could not prove “regular” employment status at the time of enrolment and were placed lower on the priority list. Some mothers postponed the ECEC start, emphasising that the child should become more independent, mainly because the educational groups are too large and educators cannot pay the necessary attention to each child. The problem of large educational groups, which they see as a problematic aspect of the ECEC quality, was pointed out by almost all mothers.

Due to the lack of affordable ECEC services, “mothers’ work does not pay off”. Although self-employed mothers would start working quickly, they would still reduce their usual business activity in the absence of affordable ECEC. This was especially emphasised by **freelancers** in Croatia, who pointed out the “unprofitability” of employment in the early parenthood phase as a primary challenge. Faced with the fact that they could not enrol a child in a public ECEC program, they would continue to work from home while caring for the child, were forced to reduce the scope of their work, and also to reject offers where the earnings would not exceed the costs of an occasional childminder. It is important to mention that these mothers were under visible daily stress caused by all-day balancing between work and the child. Most **mothers with a fixed-term contract**

Summary of challenges related to the use of ECEC services

- › Unavailability of public nursery programs
- › Private ECEC is a transitional option – weak affordability
- › Poor quality of nursery programs (too large educational groups)
- › Unavailability of informal care (e.g., grandparents are ill, in employment or leave in another city)
- › Nannies are not affordable, and they distrust this service



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(which would usually expire during the leave) have temporarily withdrawn from the labour market. Some of them postponed searching for a new job for a shorter period and re-entered the labour market when the child turned eighteen months or two years, and it was easier to get a public ECEC. Others withdrew from the labour market for a longer period (until the child turns three or starts primary school, which is most pronounced among the "parents carers" in Zagreb as they receive a generous financial benefit).

Private ECEC is a transitional option, informal care is unavailable, and nannies are unaffordable. In Croatia, only a small number of mothers enrol children in private ECEC programmes, which is the dominant option in Serbia. These are typically mothers who, for financial reasons, have to return to the labour market as soon as possible. In both Croatia and Serbia, a private ECEC is unaffordable for parents even with city subsidies being in place; usually as a transitional option is chosen until the child is enrolled in a public programme. In

some cases, it is also an undesirable option because mothers would prefer informal care (grandparents) that is usually not available or a nanny, who is not affordable. In almost all cases, grandparents would be unable to care for the children for three reasons: they are ill, still employed, or do not live in the same city. All mothers, primarily self-employed mothers in Croatia, pointed out that nannies were unaffordable. It is interesting to mention that mothers in both countries show distrust towards nannies and point out that even if the service were affordable to them, it would be difficult to leave a child with an “unknown person”.

Precarious labour market and parenting

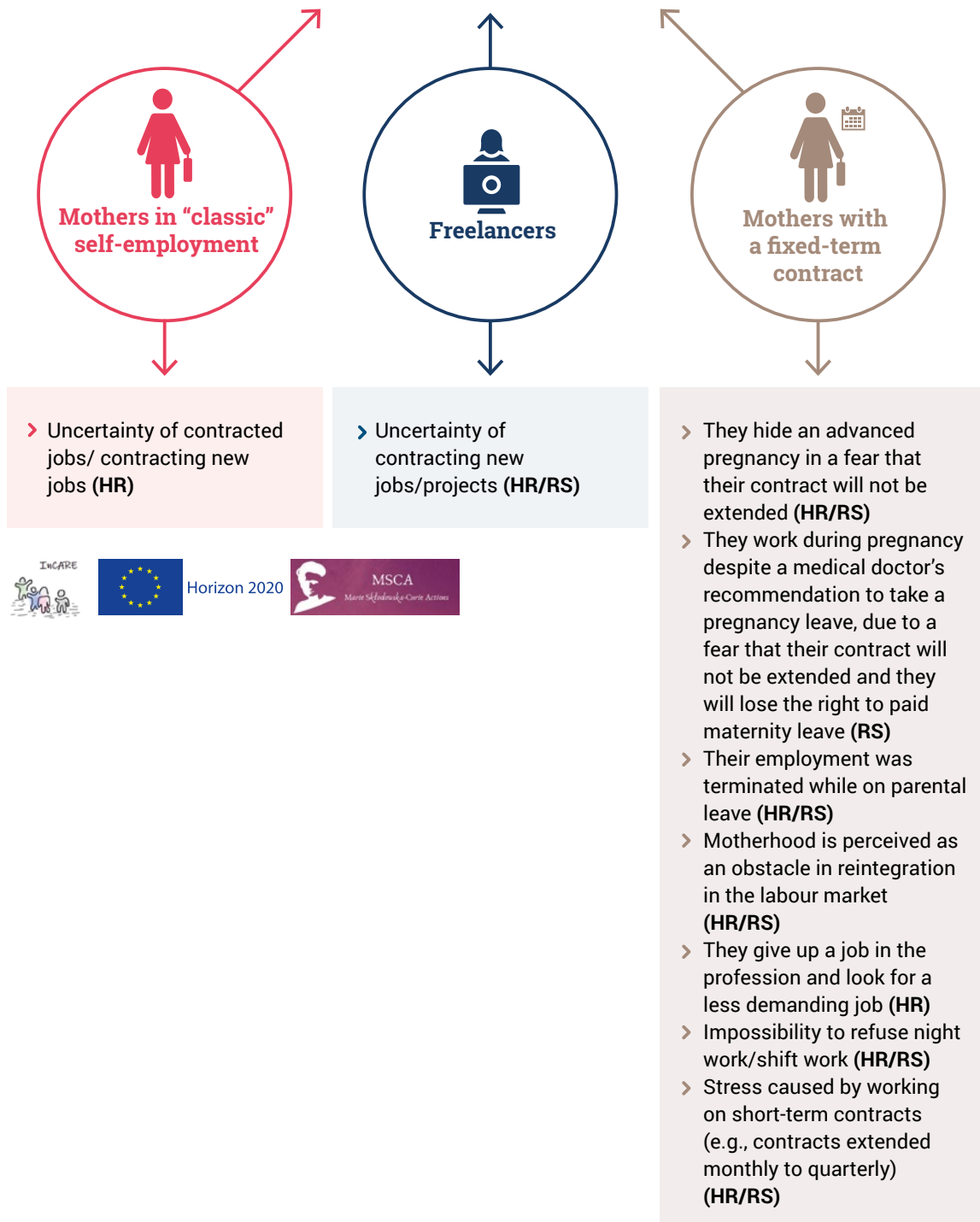
they would have the right to refuse that until the child's third birthday. Furthermore, due to a fear that this could lead to employment termination, which is necessary for them to survive from month to month, the mothers did not use the right to sick leave to care for a child while ill. In all cases, it was a non-supportive work environment, where the practice of not extending employment contracts for pregnant women would be common. It was often merely the company's practice – it appears that they have kept workers on short-term contracts for extended periods (sometimes they extended contracts on a monthly or quarterly basis). Some mothers in Serbia tend to be employed on short contracts by the same employer up to eight years (including in the public sector), while the legal obligation to provide them with permanent contract would be avoided by establishing “sister” companies.

Mothers face barriers while integrating into the labour market after maternity/parental leave. Mothers face various barriers to reintegration into the labour market. One of the critical barriers to their (more intensive) work activation has already been described challenges related to ECEC accessibility and affordability, and some mothers (temporarily) withdraw from the labour market (mothers with fixed-term contracts) or reduce the scope of their work and therefore their earnings (freelancers). Moreover, motherhood would often be perceived as a barrier to re-employment, especially for mothers who worked on fixed-term contracts. It is not only that some employers are reluctant to hire mothers with young children, but mothers themselves would point out that they avoid such jobs because they have already worked in an unsupportive work environment and this would not be possible with a young child (e.g., intensive overtime, absence of any flexibility in terms of working hours, inability to use sick leave). Moreover, because of this, some highly educated mothers deliberately do not look for a job in the professions, which could provide them with a higher salary and better prospects in career.

Mothers employed on fixed-term contracts are exposed to discriminatory labour market practices and find it challenging to exercise fundamental parental rights. Mothers employed on fixed-term contracts highlighted a fear of dismissal (i.e. non-renewal of an existing contract) and difficulties in exercising fundamental rights related to pregnancy and childbirth, and caring for an ill child (e.g. sick leave; a free day for prenatal examination). In both countries, due to a fear of losing their jobs, some mothers have been working while hiding an advanced pregnancy. The situation was more difficult for mothers in Serbia as they knew that with the termination of their employment they would be left without any right to paid maternity/parental leave. Therefore, and because of the fear of falling into (even greater) poverty, they did not use the right to pregnancy leave that the medical doctor recommended, exposing themselves to additional health risk. Mothers also shared the experience of low control over the organisation of work, with some of them signing the consent for overtime or night shifts due to a fear of losing their job, although

Summary of challenges related to the precarious position in the labour market

- › Barriers in exercising the sick leave/not entitled to sick leave
- › Difficult integration in the labour market after the maternity/parental leave
- › Inability to find a secure job



Traditional distribution of care and household work

The burden of the traditional distribution of family responsibilities is an additional source of stress and an obstacle to mothers' (full) integration into the labour market. Almost all mothers included in this study share the experience and burden of the unequal distribution of care and household work. Mothers in Croatia, visibly more critical and willing to talk about the gender inequality in the distribution of care and household work, would point out that household work distribution is the main reason that leads to tensions within the family. Equally, they consider mental work, that is, the fact that the entire organisation of the household and "overseeing that things are done" is on them, exhausting and an essential source of stress (and it is at the same time invisible work). The traditional division into "male" and "female" tasks is more present in Serbia and among mothers less active in the labour market, where it was also more accepted (or even implied). These mothers also demonstrated a "gatekeeping" – they would emphasise the primary father's role as a "breadwinner" and the need for exclusive maternal care of the child at an early age, while some would even exclude the father from certain activities. It is interesting to point at the "illusion of equality" that could often be noticed among mothers in Croatia. The discussion would usually start with "we are equal", while further discussion would put a light on many aspects of inequality. These are typically more visible when it comes to household chores (mostly routine tasks such as ironing and laundry), while the situation is more equal in terms of the distribution of activities related to children.

When there are "well-paid" quotas, more fathers use parental leave. Although mothers

predominantly use leaves in both countries, quotas within the parental leave system make a difference. In Croatia, fathers tend to use the right to parental leave more often, typically when it is a more financially viable option for the family (e.g., their income is around the benefit level; the mother earns more) or after they did not get a place in a public ECEC and decided to use the quotas to overcome the childcare gap. In these families, fathers tended to participate more equally in almost all family responsibilities. Partners of mothers in "classical" self-employment who activated parental leave continued to work and did not take full care of the child. They activated the right so that even after the mother returned to the labour market; the family retains the right to parental benefit, which ensured a much-needed income source until the mother has re-established a business after returning from leave. The father's use of parental leave was not the subject of discussion in Belgrade, which does not have a quota system, and mothers would point out that it was simply self-understandable that they would use the entire leave.

When quotas are poorly paid, and fathers do not have broader support, they will not use parental leave. Mothers whose partners did not exercise their right to parental leave would point out that this was not a cost-effective option for them due to low parental benefit, but also that they did not seek employer's consent due to a fear of negative consequences in the workplace. As the father's leave eligibility in Croatia depends on the mother's employment status, some fathers did not even have the right to leave (predominantly partners of unemployed mothers and freelancers). Some mothers, especially those who withdrew from the labour market after the termination of temporary employment, also expressed traditional narratives (e.g., the father is not ready for this; the father cannot be alone with a small child). Some experiences also indicate a lack of support in a broader environment (family, workplace), so some fathers gave up using leave.

The key findings of this study and their implications

Many parents in PYCs do not have (adequate) access to childcare-related rights, which is primarily related to the design of parental leave and ECEC systems, currently designed to “create” and reproduce gender and social inequalities. In almost all dimensions of childcare policy design, the situation is more favourable for parents in Slovenia, while in other countries parents face many obstacles. To create better opportunities for care and employment of different groups of parents, it is necessary to:

- **(Re)define parental leave policies as a right to care and social protection, and not just as an employment right** in countries that rely solely on employment-based parental leave systems;
- **Develop more inclusive parental leave schemes** that will provide all parents with entitlement to the adequate scope of paid leave (duration and benefit level), and thus with the possibility to use leave (e.g., by introducing fathers’ quotas/ leave entitlements independent of mothers’ employment, equal rights of same-sex parents, enabling

the leave transfer to a third party, more adequate rights of parents in precarious jobs that would also include more lenient eligibility criteria);

- **Ensure access to affordable and quality ECEC services for all children**, and above all ensure a legal entitlement to ECEC for every child; affordable services (e.g., via a progressive scale to determine the subsidy level, the ceiling on a maximum ECEC parental fee) and quality services (e.g., improve the child per educator ratio);
- **Develop additional support mechanisms for self-employed parents** and remove formal barriers to exercising childcare-related rights (e.g., higher benefits for freelancers; (cash) support in maintaining a business while on leave or helping with childcare costs, employment subsidies for replacement while on leave or for reintegration into the labour market after the leave);

- **Ensure uniform implementation of parental leave legislation and the general implementation of existing labour market legislation**, which needs to be further simplified and improved to ensure adequate protection of (future) parents in the labour market (e.g., through training of implementing bodies; a proper inspection and punishment of employers who violate employment rights; promotion of practice of more stable employment contracts);
- **Introduce “parents-friendly measures” in the companies and raise awareness of the importance to change the organisational culture of “constant availability”** (e.g., additional financial support to employers to introduce “parent-friendly measures”; campaigns and workshops);
- **Inform parents about their parental rights and raise awareness** of the importance of equal participation of women and men in care and the labour market and the child’s inclusion in ECEC.

Methodology

Presented findings of the research project *“Social and gender inequalities in care: childcare-related policies and parenting practices in the post-Yugoslav countries and the role of policy ideas”* ([InCARE](#)) built on: (1) data collected based on the in-depth analysis of legislation in five post-Yugoslav countries in the 1945–2020 period (Bosnia-Herzegovina (BIH), Croatia, Montenegro, Serbia, and Slovenia) and mapping of policy development in Macedonia and Kosovo; (2) expert interviews (18 interviews in Croatia and Serbia) and (3) interviews with parents of nursery-age children (1–3 years), who face difficulties while accessing and/or using childcare-related rights because of the interrelationship between the policy design and their own position in the labour market

(35 interviews with parents in atypical and/or unstable employment in Croatia and Serbia). Although the initial invitation to participate in the research was addressed to both mothers and fathers, all interviews were conducted with mothers (two partner interviews). Finally, a one-day workshop was organised where the main findings were discussed with non-governmental organisations advocating for different parents’ rights: RODA, Adopta, Murid Čakovec, Centar za građanske inicijative Poreč, Status M, Dugine obitelji, Romska organizacija mladih Hrvatske, SOS Rijeka and BRID. This research is part of a project that has received funding from the European Union’s Horizon 2020 research and innovation programme under grant agreement No786826.



Contact

Dr. sc. Ivana Dobrotić

Department of Social Policy and Intervention

University of Oxford

ivana.dobrotic@spi.ox.ac.uk

<https://www.incare-pyc.eu/ivana-dobrotic/>

More about InCARE project:

<https://www.incare-pyc.eu/>

<https://www.incare-pyc.eu/resources/>

Further reading:

Dobrotić, I. (2021), 'Rastuća nevidljiva većina'? Nesigurna i netipična zaposlenost i roditeljstvo u post-jugoslavenskim zemljama, <https://www.incare-pyc.eu/resources/>

Dobrotić, I. (2019), Changing faces of social and gender inequalities in childcare-related policies design in the post-Yugoslav countries, https://www.incare-pyc.eu/wp-content/uploads/2019/07/INCARE_final_hr.pdf



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