



ANALÝZA

„PRÁVNÍ ÚPRAVA MATEŘSKÉ A RODIČOVSKÉ DOVOLENÉ VE VYBRANÝCH ČLENSKÝCH ZEMÍCH“

PŘÍLOHA Č. 1

320a písm. a) – činnosti podporující vzájemná jednání sociálních partnerů na celostátní nebo krajské úrovni, která se týkají důležitých zájmů zaměstnavatelů a zaměstnanců v roce 2023 na aktuální témata – Analýza legislativního ukotvení duálního vzdělávání v ČR, Dynamika mezd během recese – Jak se liší recese COVID-19 od minulých ekonomických krizí?, Možnosti konsolidace makroekonomické situace ČR po pandemii koronaviru, Právní úprava mateřské a rodičovské dovolené ve vybraných členských zemích, Analýza dopadů vystoupení Spojeného království Velké Británie a Severního Irsku z EU (brexit) na export a dodavatelské řetězce českých firem, vliv brexitu na zaměstnanost další nepřímé dopady.

Questionnaire for national experts

Country:

Name, affiliation and contact of the national expert:

1. [Legislation on maternity, paternity and parental leave](#)

Please, generally describe (with references to legal sources) your national legislation on maternity leave, paternity leave and parental leave.

Provide a legal definition of:

- maternity leave,
- paternity leave and
- parental leave

according to your national legislation.

If your national legislation distinguishes between time off and social security during it, please explain, with references to legal sources.

2. Time-off

Please, answer the questions in the following table. Please, always refer to your national legislation (indicate the legal act and its part, section or paragraph).

TIME OFF	
Question	Your answer with reference(s) to legal source
A. Maternity leave	
<p>1. Indicate the conditions for entitlement to time off.</p> <p><i>(including whether it depends on the duration of the employment relationship, the extent of the working hours, etc.).</i></p>	
<p>1.1. Please indicate whether the right to time off also applies when the child is taken into substitute parental care.</p> <p>Indicate which cases are considered to be taking the child into substitute parental care.</p> <p>Indicate any differences from the conditions referred to in point 1.</p>	
<p>1.2. Please indicate whether employees working in flexible forms of work (<i>on-call work, telework, platform work etc.</i>) are also entitled to time off.</p> <p>Indicate any differences from the conditions referred to in point 1 and, where appropriate, 1.1.</p>	
<p>1.3. Indicate whether persons performing a function in a legal entity outside an employment relationship (<i>e.g. a statutory body of a business corporation, etc.</i>) are also entitled to time off.</p>	

<p>Indicate any differences from the conditions referred to in point 1 and, where appropriate, 1.1.</p>	
<p>2. If the entitlement to time off is transferable to another person, please identify that person and indicate the conditions under which the entitlement may be transferred.</p>	
<p>2.1. Indicate the differences for persons according to point 1.1.</p>	
<p>2.2. Indicate the differences for persons according to point 1.2.</p>	
<p>2.3. Indicate the differences for persons according to point 1.3.</p>	
<p>3. Indicate the duration of time off.</p> <p>Please indicate, if there are any specific rules (e.g. for workers who performed the work for a shorter time before taking the leave). If so, please, specify.</p> <p>Please, indicate, if there is any entitlement to take the time off in a part-time form. If so, please, specify.</p>	
<p>3.1. Indicate the differences for persons according to point 1.1.</p>	
<p>3.2. Indicate the differences for persons according to point 1.2.</p>	

<p>3.3. Indicate the differences for persons according to point 1.3.</p>	
<p>4. Indicate the rules and conditions of taking time off, including specification of the requirements for related legal acts.</p> <p><i>(for example, whether the drawing is notified to the employer or done through another person, whether the notification requires a written form, or has any obligatory content).</i></p> <p>Is there any possibility of the employer to refuse providing time off? If so, please, specify legal conditions.</p>	
<p>4.1. Indicate the differences for persons according to point 1.1.</p>	
<p>4.2. Indicate the differences for persons according to point 1.2.</p>	
<p>4.3. Indicate the differences for persons according to point 1.3.</p>	
<p>5. Indicate whether drawdown can be interrupted.</p> <p>If so, under what conditions.</p> <p><i>(for example, whether the drawing is notified to the employer or done through another person, whether the notification requires a written form, or has any obligatory content).</i></p> <p>Indicate the consequences of the suspension of drawdown on the total claim.</p> <p>Is there any possibility of the employer to refuse interruption of taking time off? If so, please, specify legal conditions.</p>	

<p>(If the legislation distinguishes between different situations – for example, interruption of drawing due to placement of a child in a healthcare facility due to illness versus interruption of drawing due to removal of the child due to lack of care – characterise each situation and answer the questions asked separately for each question).</p>	
<p>5.1. Indicate the differences for persons according to point 1.1.</p>	
<p>5.2. Indicate the differences for persons according to point 1.2.</p>	
<p>5.3. Indicate the differences for persons according to point 1.3.</p>	
<p>6. Indicate whether drawing can be terminated prematurely.</p> <p>If so, under what conditions.</p> <p>Indicate the consequences of the suspension of drawdown.</p> <p><i>(for example, whether the drawing is notified to the employer or done through another person, whether the notification requires a written form, or has any obligatory content).</i></p> <p>(If the legislation distinguishes between different situations – see, for example, point 5 – characterise each situation and answer the questions asked separately for each question).</p> <p>Is there any possibility of the employer to refuse earlier return from time off? If so, please, specify legal conditions.</p>	

<p>6.1. Indicate the differences for persons according to point 1.1.</p>	
<p>6.2. Indicate the differences for persons according to point 1.2.</p>	
<p>6.3. Indicate the differences for persons according to point 1.3.</p>	
<p>7. Indicate whether the drawdown can be extended compared to the originally announced period.</p> <p>If so, under what conditions.</p> <p><i>(for example, whether the drawing is notified to the employer or done through another person, whether the notification requires a written form, or has any obligatory content).</i></p> <p>Indicate the consequences of the suspension of drawdown.</p> <p>(If the legislation distinguishes between different situations, characterise each situation and answer the questions asked separately for each question).</p> <p>Is there any possibility of the employer to refuse extension of originally provided/agreed time off? If so, please, specify legal conditions.</p>	
<p>7.1. Indicate the differences for persons according to point 1.1.</p>	
<p>7.2. Indicate the differences for persons according to point 1.2.</p>	

<p>7.3. Indicate the differences for persons according to point 1.3.</p>	
<p>8. Indicate the rules that apply when the employee returns to work, in the case of assignment to a job, workplace, etc.</p>	
<p>8.1. Indicate the differences for persons according to point 1.1.</p>	
<p>8.2. Indicate the differences for persons according to point 1.2.</p>	

TIME OFF	
B. Paternity leave	
<p>9. Indicate the conditions for entitlement to time off.</p> <p><i>(including whether it depends on the duration of the employment relationship, the extent of the working hours, etc.).</i></p>	
<p>9.1. Please indicate whether the claim also applies when the child is taken into substitute parental care.</p> <p>Indicate which cases are considered to be taking the child into substitute parental care.</p> <p>Indicate any differences from the conditions referred to in point 1.</p>	

<p>9.2. Please indicate whether employees working through flexible forms of work (<i>on call work, telework, platform work etc.</i>) are also entitled to time off.</p> <p>Indicate any differences from the conditions referred to in point 1 and, where appropriate, 1.1.</p>	
<p>9.3. Indicate whether persons performing a function in a legal entity outside an employment relationship (<i>e.g. a statutory body of a business corporation, etc.</i>) are also entitled to time off.</p> <p>Indicate any differences from the conditions referred to in point 1 and, where appropriate, 1.1.</p>	
<p>10. If the entitlement to time off is transferable to other person, please identify that person and indicate the conditions under which the entitlement may be transferred.</p>	
<p>10.1. Indicate the differences for persons according to point 1.1.</p>	
<p>10.2. Indicate the differences for persons according to point 1.2.</p>	
<p>10.3. Indicate the differences for persons according to point 1.3.</p>	
<p>11. Indicate the duration of time off.</p> <p>Please indicate, if there are any specific rules (e.g. for workers who performed the work for</p>	

<p>a shorter time before taking the leave). If so, please, specify.</p> <p>Please, indicate, if there is any entitlement to take the time off in a part-time form. If so, please, specify.</p>	
<p>11.1. Indicate the differences for persons according to point 1.1.</p>	
<p>11.2. Indicate the differences for persons according to point 1.2.</p>	
<p>11.3. Indicate the differences for persons according to point 1.3.</p>	
<p>12. Indicate the rules and conditions of taking time off, including specification of the requirements for related legal acts.</p> <p><i>(for example, whether the drawing is notified to the employer or done through another person, whether the notification requires a written form, or has any obligatory content).</i></p> <p>Is there any possibility of the employer to refuse providing time off? If so, please, specify the legal conditions.</p>	
<p>12.1. Indicate the differences for persons according to point 1.1.</p>	
<p>12.2. Indicate the differences for persons according to point 1.2.</p>	
<p>12.3. Indicate the differences for persons according to point 1.3.</p>	

<p>13. Indicate whether drawdown can be interrupted.</p> <p>If so, under what conditions.</p> <p><i>(for example, whether the drawing is notified to the employer or done through another person, whether the notification requires a written form, or has any obligatory content).</i></p> <p>Indicate the consequences of the suspension of drawdown on the total claim.</p> <p>(If the legislation distinguishes between different situations – for example, interruption of drawing due to placement of a child in a healthcare facility due to illness versus interruption of drawing due to removal of the child due to lack of care – characterise each situation and answer the questions asked separately for each question).</p> <p>Is there any possibility of the employer to refuse interruption of taking time off? If so, please, specify the legal conditions.</p>	
<p>13.1. Indicate the differences for persons according to point 1.1.</p>	
<p>13.2. Indicate the differences for persons according to point 1.2.</p>	
<p>13.3. Indicate the differences for persons according to point 1.3.</p>	
<p>14. Indicate whether drawing can be terminated prematurely.</p> <p>If so, under what conditions.</p>	

<p>Indicate the consequences of the suspension of drawdown on the total claim.</p> <p><i>(for example, whether the drawing is notified to the employer or done through another person, whether the notification requires a written form, or has any obligatory content).</i></p> <p>(If the legislation distinguishes between different situations – see, for example, point 5 – characterise each situation and answer the questions asked separately for each question).</p> <p>Is there any possibility of the employer to refuse earlier return from time off providing time off? If so, please, specify the legal conditions.</p>	
<p>14.1. Indicate the differences for persons according to point 1.1.</p>	
<p>14.2. Indicate the differences for persons according to point 1.2.</p>	
<p>14.3. Indicate the differences for persons according to point 1.3.</p>	
<p>15. Indicate whether the drawdown can be extended compared to the originally announced period.</p> <p>If so, under what conditions.</p> <p><i>(for example, whether the drawing is notified to the employer or done through another person, whether the notification requires a written form, or has any obligatory content).</i></p> <p>Indicate the consequences of the suspension of drawdown on the total claim.</p> <p>(If the legislation distinguishes between different situations, characterise each</p>	

<p>situation and answer the questions asked separately for each question).</p> <p>Is there any possibility of the employer to refuse extention of originally provided/agreed time off? If so, please, specify the legal conditions.</p>	
<p>15.1. Indicate the differences for persons according to point 1.1.</p>	
<p>15.2. Indicate the differences for persons according to point 1.2.</p>	
<p>15.3. Indicate the differences for persons according to point 1.3.</p>	
<p>16. Indicate the rules that apply when the employee returns to work, in the case of assignment to a job, workplace, etc.</p>	
<p>16.1. Indicate the differences for persons according to point 1.1.</p>	
<p>16.2. Indicate the differences for persons according to point 1.2.</p>	
<p>16.3. Indicate the differences for persons according to point 1.3.</p>	

TIME OFF

C. Parental leave	
<p>17. Indicate the conditions for entitlement to time off.</p> <p><i>(including whether it depends on the duration of the employment relationship, the extent of the working hours, etc.).</i></p>	
<p>17.1. Please indicate whether the claim also applies when the child is taken into substitute parental care.</p> <p>Indicate which cases are considered to be taking the child into substitute parental care.</p> <p>Indicate any differences from the conditions referred to in point 1.</p>	
<p>17.2. Please indicate whether employees working through flexible forms of work (<i>on call work, telework, platform work etc.</i>) are also entitled to time off.</p> <p>Indicate any differences from the conditions referred to in point 1 and, where appropriate, 1.1.</p>	
<p>17.3. Indicate whether persons performing a function in a legal entity outside an employment relationship (<i>e.g. a statutory body of a business corporation, etc.</i>) are also entitled to time off.</p> <p>Indicate any differences from the conditions referred to in point 1 and, where appropriate, 1.1.</p>	
<p>18. If the entitlement to time off is transferable to another person, please, identify that person</p>	

and indicate the conditions under which the entitlement may be transferred.	
18.1. Indicate the differences for persons according to point 1.1.	
18.2. Indicate the differences for persons according to point 1.2.	
18.3. Indicate the differences for persons according to point 1.3.	
<p>19. Indicate the duration of time off.</p> <p>Please indicate, if there are any specific rules (e.g. for workers who performed the work for a shorter time before taking the leave). If so, please, specify.</p> <p>Please, indicate, if there is any entitlement to take the time off in a part-time form. If so, please, specify.</p>	
19.1. Indicate the differences for persons according to point 1.1.	
19.2. Indicate the differences for persons according to point 1.2.	
19.3. Indicate the differences for persons according to point 1.3.	
20. Indicate the rules and conditions of taking time off, including specification of the requirements for related legal acts.	

<p><i>(for example, whether the drawing is notified to the employer or done through another person, whether the notification requires a written form, or has any obligatory content).</i></p> <p>Is there any possibility of the employer to refuse providing time off? If so, please, specify the legal conditions.</p>	
<p>20.1. Indicate the differences for persons according to point 1.1.</p>	
<p>20.2. Indicate the differences for persons according to point 1.2.</p>	
<p>20.3. Indicate the differences for persons according to point 1.3.</p>	
<p>21. Indicate whether drawdown can be interrupted.</p> <p>If so, under what conditions.</p> <p><i>(for example, whether the drawing is notified to the employer or done through another person, whether the notification requires a written form, or has any obligatory content).</i></p> <p>Indicate the consequences of the suspension of drawdown on the total claim.</p> <p>(If the legislation distinguishes between different situations – for example, interruption of drawing due to placement of a child in a healthcare facility due to illness versus interruption of drawing due to removal of the child due to lack of care – characterise each situation and answer the questions asked separately for each question).</p> <p>Is there any possibility of the employer to refuse interruption of time off? If so, please, specify the legal conditions.</p>	

<p>21.1. Indicate the differences for persons according to point 1.1.</p>	
<p>21.2. Indicate the differences for persons according to point 1.2.</p>	
<p>21.3. Indicate the differences for persons according to point 1.3.</p>	
<p>22. Indicate whether drawing can be terminated prematurely.</p> <p>If so, under what conditions.</p> <p>Indicate the consequences of the suspension of drawdown on the total claim.</p> <p><i>(for example, whether the drawing is notified to the employer or done through another person, whether the notification requires a written form, or has any obligatory content).</i></p> <p>(If the legislation distinguishes between different situations – see, for example, point 5 – characterise each situation and answer the questions asked separately for each question).</p> <p>Is there any possibility of the employer to refuse earlier return from time off? If so, please, specify the legal conditions.</p>	
<p>22.1. Indicate the differences for persons according to point 1.1.</p>	
<p>22.2. Indicate the differences for persons according to point 1.2.</p>	

<p>22.3. Indicate the differences for persons according to point 1.3.</p>	
<p>23. Indicate whether the drawdown can be extended compared to the originally announced period.</p> <p>If so, under what conditions.</p> <p><i>(for example, whether the drawing is notified to the employer or done through another person, whether the notification requires a written form, or has any obligatory content).</i></p> <p>Indicate the consequences of the suspension of drawdown.</p> <p>(If the legislation distinguishes between different situations, characterise each situation and answer the questions asked separately for each question).</p> <p>Is there any possibility of the employer to refuse extention of originally provided/agreed time off? If so, please, specify the legal conditions.</p>	
<p>23.1. Indicate the differences for persons according to point 1.1.</p>	
<p>23.2. Indicate the differences for persons according to point 1.2.</p>	
<p>23.3. Indicate the differences for persons according to point 1.3.</p>	
<p>24. Indicate the rules that apply when the employee returns to work, in the case of assignment to a job, workplace, etc.</p>	

24.1. Indicate the differences for persons according to point 1.1.	
24.2. Indicate the differences for persons according to point 1.2.	

3. Social security during the leave

Please, answer the questions in the following tables. Please, always refer to your national legislation (indicate the legal act and its part, section or paragraph).

SOCIAL SECURITY	
A. Maternity leave	
<p>25. Is the employer obliged to provide any benefit or compensation to the employee on maternity leave?</p> <p>If so, please specify the conditions for entitlement.</p> <p><i>(including whether it depends on the duration of the employment relationship, the extent of the working hours, etc.).</i></p>	
<p>25.1. Please indicate whether the claim also applies when the child is taken into substitute parental care.</p> <p>Indicate which cases are considered to be taking the child into substitute parental care.</p> <p>Indicate any differences from the conditions referred to in point 1.</p>	
<p>25.2. Please indicate whether employees working through flexible forms of work (<i>on call work, telework, platform work etc.</i>) are also entitled to the benefit/compensation.</p> <p>Indicate any differences from the conditions referred to in point 1 and, where appropriate, 1.1.</p>	

<p>25.3. Indicate whether persons performing a function in a legal entity outside an employment relationship (<i>e.g. a statutory body of a business corporation, etc.</i>) are also entitled to the benefit/compensation.</p> <p>Indicate any differences from the conditions referred to in point 1 and, where appropriate, 1.1.</p>	
<p>26. If the benefit/compensation is transferable to another person, please identify that person and indicate the conditions under which the entitlement may be transferred.</p>	
<p>26.1. Indicate the differences for persons according to point 1.1.</p>	
<p>26.2. Indicate the differences for persons according to point 1.2.</p>	
<p>26.3. Indicate the differences for persons according to point 1.3.</p>	
<p>27. Indicate the amount of the benefit/compensation.</p>	
<p>27.1. Indicate the differences for persons according to point 1.1.</p>	
<p>27.2. Indicate the differences for persons according to point 1.2.</p>	
<p>27.3. Indicate the differences for persons according to point 1.3.</p>	

<p>28. Indicate the rules and conditions of claiming the benefit/compensation.</p> <p><i>(for example, is the benefit/compensation provided automatically as soon as the time off is taken, or does the worker have to claim it in a special way, e.g. through a written request etc.).</i></p>	
<p>28.1. Indicate the differences for persons according to point 1.1.</p>	
<p>28.2. Indicate the differences for persons according to point 1.2.</p>	
<p>28.3. Indicate the differences for persons according to point 1.3.</p>	
<p>29. Indicate whether the benefit/compensation can be reduced, or withdrawn. If so, under which conditions.</p>	
<p>29.1. Indicate the differences for persons according to point 1.1.</p>	
<p>29.2. Indicate the differences for persons according to point 1.2.</p>	
<p>29.3. Indicate the differences for persons according to point 1.3.</p>	
<p>30. Indicate whether the entitlement/amount to the benefit/compensation can be changed.</p>	

<p><i>(e.g. as a consequence to interruption, earlier termination or prolongation of time off, or of taking the time off in a part-time form).</i></p> <p>If so, under what conditions.</p>	
<p>30.1. Indicate the differences for persons according to point 1.1.</p>	
<p>30.2. Indicate the differences for persons according to point 1.2.</p>	
<p>30.3. Indicate the differences for persons according to point 1.3.</p>	
<p>31. Indicate whether the employer gets any compensation from the state for providing the benefits/compensations mentioned above. If so, under which conditions.</p>	
<p>32. Indicate what is the impact of the rules for social security system, if any.</p>	
<p>33. Which benefit(s) are envisaged for persons on maternity leave from public social security system?</p> <p>Please specify the social security system, under which each benefit is provided and the legal conditions for each entitlement.</p> <p><i>(including whether it depends on the duration of the employment relationship, the extent of the working hours, etc.).</i></p>	
<p>33.1. Please indicate whether the claim also applies when the child is taken into substitute parental care.</p>	

<p>Indicate which cases are considered to be taking the child into substitute parental care.</p> <p>Indicate any differences from the conditions referred to in point 1.</p>	
<p>33.2. Please indicate whether employees working through flexible forms of work (<i>on call work, telework, platform work etc.</i>) are also entitled to the benefit/compensation.</p> <p>Indicate any differences from the conditions referred to in point 1 and, where appropriate, 1.1.</p>	
<p>33.3. Indicate whether persons performing a function in a legal entity outside an employment relationship (<i>e.g. a statutory body of a business corporation, etc.</i>) are also entitled to the benefit/compensation.</p> <p>Indicate any differences from the conditions referred to in point 1 and, where appropriate, 1.1.</p>	
<p>34. If the benefit is transferable to another person, please identify that person and indicate the conditions under which the entitlement may be transferred.</p> <p>Please, specify, how the rules of non-transferability deriving from the EU directives are implemented.</p> <p><i>(e.g. has any new benefit been introduced? What are the conditions? How is it proved, that the other parent is really taking care?).</i></p>	
<p>34.1. Indicate the differences for persons according to point 1.1.</p>	

34.2. Indicate the differences for persons according to point 1.2.	
34.3. Indicate the differences for persons according to point 1.3.	
35. Indicate the amount of the benefit and the method of calculation.	
35.1. Indicate the differences for persons according to point 1.1.	
35.2. Indicate the differences for persons according to point 1.2.	
35.3. Indicate the differences for persons according to point 1.3.	
36. Indicate the rules and conditions of claiming the benefit. <i>(for example, is the benefit provided automatically as soon as the time off is taken, or does the worker have to claim it in a special way, e.g. through a written request, is the employer engaged somehow? etc.).</i>	
36.1. Indicate the differences for persons according to point 1.1.	
36.2. Indicate the differences for persons according to point 1.2.	

<p>36.3. Indicate the differences for persons according to point 1.3.</p>	
<p>37. Indicate whether the benefit can be reduced, or withdrawn. If so, under which conditions.</p>	
<p>37.1. Indicate the differences for persons according to point 1.1.</p>	
<p>37.2. Indicate the differences for persons according to point 1.2.</p>	
<p>37.3. Indicate the differences for persons according to point 1.3.</p>	
<p>38. Indicate whether the entitlement to the benefit or its amount can be changed.</p> <p><i>(e.g. as a consequence to interruption, earlier termination or prolongation of time off, or of taking the time off in a part-time form).</i></p> <p>If so, under what conditions.</p>	
<p>38.1. Indicate the differences for persons according to point 1.1.</p>	
<p>38.2. Indicate the differences for persons according to point 1.2.</p>	
<p>39. Are there any other legal instruments aimed at social security of a person on maternity leave?</p>	

If so, please, specify.	
SOCIAL SECURITY	
B. Paternity leave	
<p>40. Is the employer obliged to provide any benefit or compensation to the employee on paternity leave?</p> <p>If so, please specify the conditions for entitlement.</p> <p><i>(including whether it depends on the duration of the employment relationship, the extent of the working hours, etc.).</i></p>	
<p>40.1. Please indicate whether the claim also applies when the child is taken into substitute parental care.</p> <p>Indicate which cases are considered to be taking the child into substitute parental care.</p> <p>Indicate any differences from the conditions referred to in point 1.</p>	
<p>40.2. Please indicate whether employees working through flexible forms of work (<i>on call work, telework, platform work etc.</i>) are also entitled to the benefit/compensation.</p> <p>Indicate any differences from the conditions referred to in point 1 and, where appropriate, 1.1.</p>	
<p>40.3. Indicate whether persons performing a function in a legal entity outside an employment relationship (<i>e.g. a statutory body of a business corporation,</i></p>	

<p><i>etc.</i>) are also entitled to the benefit/compensation.</p> <p>Indicate any differences from the conditions referred to in point 1 and, where appropriate, 1.1.</p>	
<p>41. If the benefit/compensation is transferable to another person, please identify that person and indicate the conditions under which the entitlement may be transferred.</p>	
<p>41.1. Indicate the differences for persons according to point 1.1.</p>	
<p>41.2. Indicate the differences for persons according to point 1.2.</p>	
<p>41.3. Indicate the differences for persons according to point 1.3.</p>	
<p>42. Indicate the amount of the benefit/compensation.</p>	
<p>42.1. Indicate the differences for persons according to point 1.1.</p>	
<p>42.2. Indicate the differences for persons according to point 1.2.</p>	
<p>42.3. Indicate the differences for persons according to point 1.3.</p>	

<p>43. Indicate the rules and conditions of claiming the benefit/compensation.</p> <p><i>(for example, is the benefit/compensation provided automatically as soon as the time off is taken, or does the worker have to claim it in a special way, e.g. through a written request etc.).</i></p>	
<p>43.1. Indicate the differences for persons according to point 1.1.</p>	
<p>43.2. Indicate the differences for persons according to point 1.2.</p>	
<p>43.3. Indicate the differences for persons according to point 1.3.</p>	
<p>44. Indicate whether the benefit/compensation can be reduced, or withdrawn. If so, under which conditions.</p>	
<p>44.1. Indicate the differences for persons according to point 1.1.</p>	
<p>44.2. Indicate the differences for persons according to point 1.2.</p>	
<p>44.3. Indicate the differences for persons according to point 1.3.</p>	
<p>45. Indicate whether the entitlement/amount to the benefit/compensation can be changed.</p> <p><i>(e.g. as a consequence to interruption, earlier termination or prolongation of time off, or of taking the time off in a part-time form).</i></p>	

<p>If so, under what conditions.</p>	
<p>45.1. Indicate the differences for persons according to point 1.1.</p>	
<p>45.2. Indicate the differences for persons according to point 1.2.</p>	
<p>45.3. Indicate the differences for persons according to point 1.3.</p>	
<p>46. Indicate whether the employer gets any compensation from the state for providing the benefits/compensations mentioned above. If so, under which conditions.</p>	
<p>47. Indicate what is the impact of the rules for social security system, if any.</p>	
<p>48. Which benefit(s) are envisaged for persons on paternity leave from public social security system?</p> <p>Please specify the social security system, under which each benefit is provided and the legal conditions for each entitlement.</p> <p><i>(including whether it depends on the duration of the employment relationship, the extent of the working hours, etc.).</i></p>	
<p>48.1. Please indicate whether the claim also applies when the child is taken into substitute parental care.</p>	

<p>Indicate which cases are considered to be taking the child into substitute parental care.</p> <p>Indicate any differences from the conditions referred to in point 1.</p>	
<p>48.2. Please indicate whether employees working through flexible forms of work (<i>on call work, telework, platform work etc.</i>) are also entitled to the benefit/compensation.</p> <p>Indicate any differences from the conditions referred to in point 1 and, where appropriate, 1.1.</p>	
<p>48.3. Indicate whether persons performing a function in a legal entity outside an employment relationship (<i>e.g. a statutory body of a business corporation, etc.</i>) are also entitled to the benefit/compensation.</p> <p>Indicate any differences from the conditions referred to in point 1 and, where appropriate, 1.1.</p>	
<p>49. If the benefit is transferable to another person, please identify that person and indicate the conditions under which the entitlement may be transferred.</p> <p>Please, specify, how the rules of non-transferability deriving from the EU directives are implemented.</p> <p><i>(e.g. has any new benefit been introduced? What are the conditions? How is it proved, that the other parent is really taking care?).</i></p>	
<p>49.1. Indicate the differences for persons according to point 1.1.</p>	

49.2. Indicate the differences for persons according to point 1.2.	
49.3. Indicate the differences for persons according to point 1.3.	
50. Indicate the amount of the benefit and the method of calculation.	
50.1. Indicate the differences for persons according to point 1.1.	
50.2. Indicate the differences for persons according to point 1.2.	
50.3. Indicate the differences for persons according to point 1.3.	
51. Indicate the rules and conditions of claiming the benefit. <i>(for example, is the benefit provided automatically as soon as the time off is taken, or does the worker have to claim it in a special way, e.g. through a written request, is the employer engaged somehow? etc.).</i>	
51.1. Indicate the differences for persons according to point 1.1.	
51.2. Indicate the differences for persons according to point 1.2.	

<p>51.3. Indicate the differences for persons according to point 1.3.</p>	
<p>51.4. Indicate the differences for persons according to point 1.1.</p>	
<p>51.5. Indicate the differences for persons according to point 1.2.</p>	
<p>51.6. Indicate the differences for persons according to point 1.3.</p>	
<p>52. Indicate whether the entitlement to the benefit or its amount can be changed.</p> <p><i>(e.g. as a consequence to interruption, earlier termination or prolongation of time off, or of taking the time off in a part-time form).</i></p> <p>If so, under what conditions.</p>	
<p>52.1. Indicate the differences for persons according to point 1.1.</p>	
<p>52.2. Indicate the differences for persons according to point 1.2.</p>	
<p>53. Are there any other legal instruments aimed at social security of a person on paternity leave?</p> <p>If so, please, specify.</p>	
<p>SOCIAL SECURITY</p>	

C. Parental leave

54. Is the employer obliged to provide any benefit or compensation to the employee on parental leave?

If so, please specify the conditions for entitlement.

(including whether it depends on the duration of the employment relationship, the extent of the working hours, etc.).

54.1. Please indicate whether the claim also applies when the child is taken into substitute parental care.

Indicate which cases are considered to be taking the child into substitute parental care.

Indicate any differences from the conditions referred to in point 1.

54.2. Please indicate whether employees working through flexible forms of work (*on call work, telework, platform work etc.*) are also entitled to the benefit/compensation.

Indicate any differences from the conditions referred to in point 1 and, where appropriate, 1.1.

54.3. Indicate whether persons performing a function in a legal entity outside an employment relationship (*e.g. a statutory body of a business corporation, etc.*) are also entitled to the benefit/compensation.

Indicate any differences from the conditions referred to in point 1 and, where appropriate, 1.1.

55. If the benefit/compensation is transferable to another person, please identify that person and indicate the conditions under which the entitlement may be transferred.	
55.1. Indicate the differences for persons according to point 1.1.	
55.2. Indicate the differences for persons according to point 1.2.	
55.3. Indicate the differences for persons according to point 1.3.	
56. Indicate the amount of the benefit/compensation.	
56.1. Indicate the differences for persons according to point 1.1.	
56.2. Indicate the differences for persons according to point 1.2.	
56.3. Indicate the differences for persons according to point 1.3.	
57. Indicate the rules and conditions of claiming the benefit/compensation. <i>(for example, is the benefit/compensation provided automatically as soon as the time off is taken, or does the worker have to claim it in</i>	

<p><i>a special way, e.g. through a written request etc.).</i></p>	
<p>57.1. Indicate the differences for persons according to point 1.1.</p>	
<p>57.2. Indicate the differences for persons according to point 1.2.</p>	
<p>57.3. Indicate the differences for persons according to point 1.3.</p>	
<p>58. Indicate whether the benefit/compensation can be reduced, or withdrawn. If so, under which conditions.</p>	
<p>58.1. Indicate the differences for persons according to point 1.1.</p>	
<p>58.2. Indicate the differences for persons according to point 1.2.</p>	
<p>58.3. Indicate the differences for persons according to point 1.3.</p>	
<p>59. Indicate whether the entitlement/amount to the benefit/compensation can be changed.</p> <p><i>(e.g. as a consequence to interruption, earlier termination or prolongation of time off, or of taking the time off in a part-time form).</i></p> <p>If so, under what conditions.</p>	

<p>59.1. Indicate the differences for persons according to point 1.1.</p>	
<p>59.2. Indicate the differences for persons according to point 1.2.</p>	
<p>59.3. Indicate the differences for persons according to point 1.3.</p>	
<p>60. Indicate whether the employer gets any compensation from the state for providing the benefits/compensations mentioned above. If so, under which conditions.</p>	
<p>61. Indicate what is the impact of the rules for social security system, if any.</p>	
<p>62. Which benefit(s) are envisaged for persons on parental leave from public social security system?</p> <p>Please specify the social security system, under which each benefit is provided and the legal conditions for each entitlement.</p> <p><i>(including whether it depends on the duration of the employment relationship, the extent of the working hours, etc.).</i></p>	
<p>62.1. Please indicate whether the claim also applies when the child is taken into substitute parental care.</p> <p>Indicate which cases are considered to be taking the child into substitute parental care.</p> <p>Indicate any differences from the conditions referred to in point 1.</p>	

<p>62.2. Please indicate whether employees working through flexible forms of work (<i>on call work, telework, platform work etc.</i>) are also entitled to the benefit/compensation.</p> <p>Indicate any differences from the conditions referred to in point 1 and, where appropriate, 1.1.</p>	
<p>62.3. Indicate whether persons performing a function in a legal entity outside an employment relationship (<i>e.g. a statutory body of a business corporation, etc.</i>) are also entitled to the benefit/compensation.</p> <p>Indicate any differences from the conditions referred to in point 1 and, where appropriate, 1.1.</p>	
<p>63. If the benefit is transferable to another person, please identify that person and indicate the conditions under which the entitlement may be transferred.</p> <p>Please, specify, how the rules of non-transferability deriving from the EU directives are implemented.</p> <p><i>(e.g. has any new benefit been introduced? What are the conditions? How is it proved, that the other parent is really taking care?).</i></p>	
<p>63.1. Indicate the differences for persons according to point 1.1.</p>	
<p>63.2. Indicate the differences for persons according to point 1.2.</p>	

<p>63.3. Indicate the differences for persons according to point 1.3.</p>	
<p>64. Indicate the amount of the benefit and the method of calculation.</p>	
<p>64.1. Indicate the differences for persons according to point 1.1.</p>	
<p>64.2. Indicate the differences for persons according to point 1.2.</p>	
<p>64.3. Indicate the differences for persons according to point 1.3.</p>	
<p>65. Indicate the rules and conditions of claiming the benefit.</p> <p><i>(for example, is the benefit provided automatically as soon as the time off is taken, or does the worker have to claim it in a special way, e.g. through a written request, is the employer engaged somehow? etc.).</i></p>	
<p>65.1. Indicate the differences for persons according to point 1.1.</p>	
<p>65.2. Indicate the differences for persons according to point 1.2.</p>	
<p>65.3. Indicate the differences for persons according to point 1.3.</p>	

<p>66. Indicate whether the benefit can be reduced, or withdrawn. If so, under which conditions.</p>	
<p>66.1. Indicate the differences for persons according to point 1.1.</p>	
<p>66.2. Indicate the differences for persons according to point 1.2.</p>	
<p>66.3. Indicate the differences for persons according to point 1.3.</p>	
<p>67. Indicate whether the entitlement to the benefit or its amount can be changed.</p> <p><i>(e.g. as a consequence to interruption, earlier termination or prolongation of time off, or of taking the time off in a part-time form).</i></p> <p>If so, under what conditions.</p>	
<p>67.1. Indicate the differences for persons according to point 1.1.</p>	
<p>67.2. Indicate the differences for persons according to point 1.2.</p>	
<p>68. Are there any other legal instruments aimed at social security of a person on parental leave?</p> <p>If so, please, specify.</p>	

4. Administration

- 69. How is the administration of the leave and/or benefit legislated?
- 70. Is there any administrative burden for employers? For instance, as regards obligations, that have increased in connection with the implementation of the WLB Directive and Transparency Directive, did administrative costs of employers grow? If so, does the State compensate those costs? How?
- 71. Have some responsibilities been entrusted to state authorities (e.g. labour offices or labour inspectorates)?
- 72. Has any specific mechanism or procedure been introduced in order to check who is really taking care after the child, in order to avoid fraudulent behaviour?

5. General analysis

73. Please, summarize relevant national case-law providing legal interpretation of any of legal provisions mentioned above.
74. Has there been any public debate on the topic of maternity leave, parental leave, changes due to European legislation, non-transferability? Has this debate have any impact on current or proposed legislation?
75. Can you provide us with any relevant statistics on maternity and/or parental leave, possibly showing some developments relevant for this questionnaire?
76. Can you briefly sum-up and provide a short analysis of the national legislation on maternity and parental leave? What are its positives, which weaknesses can be mentioned?