

## RECONCILIATION OF WORK AND FAMILY LIFE IN SLOVENIA

### “GOOD SOCIAL LEGISLATION AND FAMILY POLICY IS NOT ENOUGH”

#### GOOD PLATFORM

Slovenia has always had a good standard of social protection. Its legislation and social policies, especially in the area of parenthood and childcare has not diminished during the period of transition. Moreover, they have in spite of existing tendencies towards the process of influencing women to return to traditional roles and domestic sphere, even improved on some areas. In the last decade the adopted laws upgrade the earlier good basis for the reconciliation of parental and working responsibilities.

To underpin this, I would like to point out the most important legislation acts:

EMPLOYMENT RELATIONSHIP ACT (2002)<sup>1</sup> protects parents during parental leave and in its Article 115 enforces Special Legal Protection against Termination “*The employer may not terminate the employment contract to the female worker during the period of pregnancy and all the time she is breastfeeding, nor may the employer terminate the employment contract to parents in the period when they are on parental leave in the form of a full absence from work*”. In one of its subdivisions, from article 187 to 193, the act specifically endorses Protection of Workers due to Pregnancy and Parenthood, where it even clearly states that: “*The employer must enable workers to easily reconcile of their family and employment responsibilities*”.

EQUAL OPPORTUNITIES FOR WOMEN AND MAN ACT (2002)<sup>2</sup> is a basis for equal participation of women and man on the labour market.

PARENTAL PROTECTION AND FAMILY BENEFITS ACT (2001)<sup>3</sup> implements rights of parents to different forms of parental leaves and benefits during the leave and with the enforcement of paternity leave as a non-transferable right of the father, encourages equal cooperation of both parents into childcare. Article 23: “*The father is entitled to paternity leave upon the event of childbirth for the duration of 90 days. This right is non-transferable*”.

The law implements four types of parental leave:

1. maternity leave (105 days)
2. paternity leave (90 days: 15 + 75)

“*The father must use his paternity leave by the time the child is six months-old for the duration of at least 15 days in the form of full absence from work.*”

“*The father can use paternity leave for the duration of 75 days in the form of full absence from work until the child is 3 years old.*”

3. child care leave (260 days)
4. adopter’s leave (150/120 days)

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<sup>1</sup> Employment Relationship Act;

[http://www.mdds.gov.si/en/legislation/veljavni\\_predpisi/employment\\_relationships\\_act/](http://www.mdds.gov.si/en/legislation/veljavni_predpisi/employment_relationships_act/).

<sup>2</sup> Equal Opportunities for Women and Man Act;

<http://www.uradni-list.si/1/objava.jsp?urlid=200259&stevilka=2837>.

<sup>3</sup> Parental Protection and Family Benefits Act;

[http://www.mdds.gov.si/fileadmin/mdds.gov.si/pageuploads/dokumenti\\_\\_pdf/zsdp\\_upb2\\_en.pdf](http://www.mdds.gov.si/fileadmin/mdds.gov.si/pageuploads/dokumenti__pdf/zsdp_upb2_en.pdf).

The law also implements four types of parental benefits:

*“Parental benefit for full absence from work shall amount to 100% of the basis.”*

1. maternity benefit
2. paternity benefit

*“The right to paternity benefit during paternity leave in the duration of 15 days, while the Republic of Slovenia shall ensure the father the payment of social security contributions from the minimum wage for the duration of 75 days.”*

3. child care benefit
4. adopter’s benefit

The law provides also for Parents’ Right to Part-time Work and to Payment of Social Security Contributions due to Parenthood: *“One of the parents who nurses and cares for a child until the child’s third year of age shall have the right to part-time work”*.

Part two of the Parental Protection and Family Benefits Act regulates the rights to family benefits. There are six types of family benefit. Family benefits are benefits in cash comprising:

1. parental allowance, (2008/181,46 €)

*“Parental allowance is cash aid to parents which is provided when they are not entitled to parental benefits after the birth of a child.”*

2. child birth allowance, (2008/259,27 €)

*“Child birth allowance is a lump-sum benefit in cash intended for the purchase of equipment for the new-born baby.”*

3. child benefit,

*“The aim of child benefit is to provide parents or the child supplementary income for living, raising and education when the income per family member does not exceed the maximum limit of income class pursuant to this Act.”*

*“A child entitled to child benefit shall be a person until the age of 18, or older if he or she attends school for as long he or she has the status of a pupil, apprentice or undergraduate student, but only until the age of 26 at the latest.”*

4. large family allowance, (2007/363,36 €)

*“Large family allowance is an annual benefit intended for families with several children.”*

5. special child care allowance, (2008/93,32 €)

*“Special child care allowance is a benefit in cash for a child who needs special care and is intended to cover higher costs of living the family has due to special care and nursing of such child.”*

6. partial payment for lost income.

*“Partial payment for lost income is personal benefit paid to one of the parents who has terminated his or her employment or started to work part-time in order to care and safeguard a child with severe disturbance in mental development or severe disability in movement.”*

We have to consider that also a long tradition of established public concern for childcare was in the time of transition not abolished in Slovenia. Latest data of the Statistical office of the Republic of Slovenia states that there are 777 kindergartens in Slovenia with some 57000 children. According to answers to a special set of question that were added to the Labour Force Survey in 2005 and that referred to the reconciliation between work and family life, a third of children younger than 15 years living in Slovenia spent time in kindergarten, with baby-sitters or in after-school classes when

their parents were at work. A quarter of children were taken care of by one of the parents (usually their mother) and about a fifth were taken care of by relatives, neighbours or friends.<sup>4</sup>

Good platform therefore means good legislation framework, but in the case of financial compensation of the legal mechanisms for parenthood, the system encounters problems and generates discrimination between men and women. In short, fathers must give up their salary for eleven weeks if they wish to exercise the right to full 90 days of paternity leave.

### **INDIVIDUAL UNDER THE INFLUENCE OF THE SOCIAL AND ECONOMIC ENVIRONMENT<sup>5</sup>**

In modern society there is a serious competition between paid labour and private life. Nowadays young people stall with the decision of taking over the parental role. The insecurity in private and in working life is produced through modern processes and changes that derive from individualization, change of values as well as situation in the labour market. This is clearly seen in the starting points of the Slovenian Resolution on the National Social Assistance Programme 2006 – 2010<sup>6</sup>, where it emphasizes that the responsibility for the social security and welfare of the family falls primarily on the individual. The aspiration for parenthood and the expectations of young people regarding the possibility of reconciling family and work are connected with the dominant values of the society. In our society, where the success in paid work is of the highest value and furthermore is the basis for social inclusion, status and mobility as well as financial and other rewards, the parenthood takes second place. The best way to describe the current situation in the shift of society values is seen through the words of A. Hochschild (2003)<sup>7</sup> “to care for family is more and more understood as ‘being stuck’ outside the mainstream.”

Women, who are employed for full working time usually use the right to one year of paid leave (maternity leave + child care leave) and later return to paid employment with the same number of working hours as before the parental leave. Not so commendable is the situation with the paternity leave. Even after the introduction of the mentioned, the percentage of the fathers, that decide to take the paternity leave, did not rise above 2%. The data from the year 2004 show that 72% of fathers exercised the right to paternity leave with the benefits and only 9% of that without the benefits.

This shows just how deeply rooted is the conviction that the care for smaller children is the primary role of women and which is in the capitalist economy unlawfully marginalized.

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<sup>4</sup> *Reconciliation between Work and Family life*, Slovenia, 2<sup>nd</sup> Quarter 2005; <http://www.stat.si/doc/statinf/07-SI-008-0705.pdf>.

<sup>5</sup> The following chapters of the presentation are based on the research (2007) of Dr. Aleksandra Kanjuo Mrčela and Dr. Nevenka Černigoj Sadar, University of Ljubljana, Faculty of Social Sciences (FDV), Department of Social and Human Resources Management.

<sup>6</sup> *Resolution on the national social assistance programme 2006 – 2010*; <http://www.uradni-list.si/1/objava.jsp?urlid=200639&stevilka=1683>.

<sup>7</sup> Hochschild, A. R. (2003): *The Commercialization of Intimate Life: Notes from Home and Work*. New York: Metropolitan Books.

The results of the research conducted in the year 2004 (on the sample of 608 parents with children under seven years old) have shown that the parenthood influences the employment and experiences at work. Women have frequently as men reported about negative experiences due to their parental status regarding employment and work. 1/5 (3% men) of women had trouble with finding a job. To one of every ten women (2% men) was the promotion denied. 13% (3% men) of women reported that the relationship with their superintendent worsened. To the 14% of women the employment contract was terminated. Furthermore women often leave the labour market usually as a result of negative experiences.

The recent researches have shown that the changes on the labour market, meaning employment flexibility and organization of work, have negative consequences, resulting in higher uncertainty and intensification of work. According to the Fourth European Working Conditions Survey<sup>8</sup> the intensification of work in Slovenia (index 54/60)<sup>9</sup> is the highest among 31 analyzed countries. The most affected are younger workers. For years now, the fix-term employment contracts represent the highest share of new employments in Slovenia. In 2005 41.9% out of 75.1% of all employments that were produced on the basis of fix-term employment contract, included young workers between 15 and 24 years of age. In the year 2005 the European commission reported that there were 16% of young workers, age between 15 and 24, that were unemployed in Slovenia.

### **RECENT RESEARCH IN THE AREA OF RECONCILIATION OF WORK AND FAMILY LIFE**

The sociological research was conducted on the basis of 882 telephone interviews with young people age 22 to 35 years. The research gave the following findings:

- the younger were the interviewees the higher was the percentage of fix-term employment;
- 66% of those who work under fix-term employment contract have no children;
- 60% of those who work under full time employment contract have children;
- The assumption that the parents of smaller children are frequently absent from work, because of the children, failed to prove its accuracy. Moreover, only 12 % of the interviewees were absent in the last year for 11 days or more and 2/5 of the interviewees were never absent;
- 13% of parents terminated their leave, which was intended for children, prematurely;
- In average young people work up to 47 hours a week;
- ½ have no autonomy over determining their working time;
- 1/3 are of the opinion that employers demand too much from the employees;
- Young people have no big expectations form the employers, because they are not well informed of their rights;
- After the childbirth, when women return to work they often come across the following problems:
  - Additional work load

<sup>8</sup> EUROFOUND; <http://www.eurofound.europa.eu/pubdocs/2006/98/en/2/ef0698en.pdf>.

<sup>9</sup> Intensity of work is measured by Karasek four models of work organization (*active work organisation*, characterised by high demands and high control; *high-strain work organisation* (high demands and low control); *low-strain work organisation* (low demands and high control); and *passive work organisation* (low demands and low control). The index is measured form 0 - 60. Slovenian index is 54.

- Prevented employment at desirable work place
- Prevented promotion
- Regression of the career
- Worsening of the relations at the work place
- Termination of the employment contract from the employer side
- Fathers complain about longer working hours

The research was also conducted in seven companies/organizations on the basis of focus groups and interviews with the representatives of management.

The fact that the considerations for young families and parents with small children are not high on the priority list of managers is shown through:

- The preference regarding human resources plans, that is given to those groups of candidates that have no parental obligations (young people or men);
- The practice of employment, which is based on fix-term employment contracts during the first few working years;
- Organizational practices that severely sanction lateness or highly appreciate (and reward) presence at the work place irrespective of work results;
- Lack of time for fulfilment of personal needs;
- The definition that the paid responsibility is seen as prioritized activity in life;
- The inconsistency between declarative values of companies and their practices;

With the exception of one company, young parents, in these companies, do not represent a special group that would be considered to receive special attention. Companies see parenthood as a personal experience, private problem that needs to be resolved by the parents themselves, so they could be able to work efficiently.

The research also came across some good practises:

- Pleasant atmosphere in small working groups (a lot of mutual assistance)
- Perceptive superintendents/management
- Flexible working time
- Possibility of telework

### **FINDINGS AND RECOMMENDATIONS**

Young people decide to have their own families later and later in life. The average age of a woman that gives birth to her first child is currently 28 years. The common economic/material reasons are: uncertain employment, low and unsure incomes, insufficient access to social apartments or rentals and its shortage as well as absence of other possibilities for the resolution of the housing question and high costs of childcare.

Latest analysis of reconciliation of work and family life show that the success of reconciliation depends on intertwining of factors at three different levels: social (national legislation and institutional framework), organizational (practices and policies of employers) and individual (strategies of individuals).

The negative changes that affect mostly young generation in the labour market can be linked to employers. In this regard we can mention the intensification of work and precarious types of employment contracts. They can not be effectively addressed just through legislation and different forms of social policies or with intensive support form

social networks, but demand appropriate answers of the employers regarding employment an organizational practices.

There is a great need for corporate social responsibility. The researches on this area show that Slovenia is only at the beginning. The companies in Slovenia report mostly about legally defined index fingers and not about indicators of their voluntary organizational practice.

Under the framework of international project CSR-Code to Smart Reality for SMEs<sup>10</sup> or “Social responsibility – opportunity for small and medium-sized businesses” the first training program for entrepreneurial consultants on the area of social responsibility of the companies in Slovenia, was developed and executed.

Under the framework of development partnership “Young-mother/family-friendly employment practices”, which was exercised under the Community initiative EQUAL Slovenia, from the year 2006 to 2007, a pilot project was launched, of which intend was to familiarize the interested public and companies, with the procedure of acquiring the conditions for the obtainment of the basic certificate “Family Friendly Enterprise”<sup>11</sup>. Our trade union association (ZSSS) was also a partner in this project and will be involved also in the future developments of the partnership.

Slovenia is in practice a kind of example of the conflict between a good social welfare state that was based on the permanent employment contracts and new flexibility employment system that is in Slovenia based on the fix-term employment contracts, because of the misuse of the flexicurity model. What works against the reconciliation of work and family is: segmentation of the labour market (the biggest share of precarious work arrangements is placed on the shoulders of the young generation), intensity of work (high level of intensity of work), inappropriate housing policy (lack of appropriate affordable apartments, expand black market of rental apartments); lack of decent employment opportunities (A person entitled to financial social welfare who is unemployed is obliged to accept any employment offer...)<sup>12</sup> etc.

The answer that we are looking for needs to incorporate the way of channelling development on all levels so that it will guarantee economic prosperity, equality of women and men as well as equal valued paid /public and unpaid /private work.

To conclude, the point is that a good legislation and social system is not enough to convince young people to start family life, mostly because the fix-term contracts and the behaviour (the logics) of employers (capital) discourages people to have family.

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<sup>10</sup> More information can be found at:

[http://ec.europa.eu/enterprise/csr/documents/projects/project\\_summary\\_maribor\\_cci.pdf](http://ec.europa.eu/enterprise/csr/documents/projects/project_summary_maribor_cci.pdf).

<sup>11</sup> More information can be found at:

[http://www.zavodekvilib.si/images/izdelki/attachments/Certificate\\_Slovenia.pdf](http://www.zavodekvilib.si/images/izdelki/attachments/Certificate_Slovenia.pdf).

<sup>12</sup> Social Security Act;

[http://www.mddsz.gov.si/fileadmin/mddsz.gov.si/pageuploads/dokumenti\\_\\_pdf/zsv\\_upb2\\_en.pdf](http://www.mddsz.gov.si/fileadmin/mddsz.gov.si/pageuploads/dokumenti__pdf/zsv_upb2_en.pdf).