

LEAVE SCHEMES

Advisory Handbook 2026



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As an employer, you are required to grant your employees leave according to the schemes provided under the Work and Care Act (Wazo). It is therefore essential to be fully informed about these regulations. Which schemes are there, and what do they entail for you and your employees?

MATERNITY LEAVE

Maternity leave begins between six and four weeks before the day following the expected date of childbirth. This period is known as the flexible period. Employees must request this leave at least three weeks prior to its start by submitting a statement from a doctor or midwife confirming the expected childbirth date. After birth, maternity leave continues for a minimum of ten weeks from the day following childbirth and is extended by the number of days the baby was born prematurely. In total, maternity leave combined with childbirth leave lasts at least sixteen weeks.

MULTIPLE BIRTHS LEAVE

Employees expecting multiple births are entitled to an additional four weeks of maternity leave. This leave may start between ten and eight weeks before the expected date of childbirth. In the case of multiple births, childbirth leave is extended by the number of days that maternity leave was shorter than ten weeks. Thus, total leave for multiple births amounts to at least twenty weeks.

SPECIAL TYPES OF MATERNITY AND CHILDBIRTH LEAVE

- Extended childbirth leave due to baby's hospitalisation: Depending on circumstances, childbirth leave can be extended by up to ten weeks in cases of prolonged hospitalisation of the newborn baby. This calculation begins from the eighth day of hospitalisation and continues until the last day of childbirth leave, up to a maximum of ten weeks.
- Part-time childbirth leave: From six weeks after childbirth, childbirth leave can be taken part-time over a maximum period of thirty weeks, in consultation with the employer. Employees must request this within three weeks after childbirth. Employers must respond within two weeks and may only refuse if the request severely impacts business operations.
- Transfer of remaining childbirth leave upon the mother's death: If the mother passes away after childbirth, her partner is entitled to the remaining childbirth leave with full salary continuation. This ensures ongoing parental care for the newborn child. The leave period continues until ten weeks after childbirth. This entitlement also applies if the mother was self-employed or ineligible for childbirth leave due to unemployment. The partner must inform the employer about the mother's death and request leave within two days of her passing. Within four weeks following the mother's death, the partner must submit copies of the child's birth certificate and the mother's death certificate to the employer. The partner's employer can claim reimbursement for salary payments from the UWV.

BIRTH LEAVE

Birth leave for partners (also known as partner leave) equals one week of the employee's working hours (maximum five days). The employer covers the full salary during this leave. Employees can request and utilise this leave within the first four weeks following childbirth. No additional birth leave is granted for multiple births.

ADDITIONAL BIRTH LEAVE

In addition to birth leave for partners, there is also the option of taking five additional weeks of supplementary birth leave. A partner may therefore take a maximum of six weeks' leave in total. The first week of leave may be taken immediately after childbirth or within the first four weeks following childbirth. The additional five weeks of supplementary birth leave must be taken within the first six months after childbirth and after the initial birth leave has been used. A condition for this supplementary birth leave is that the employee must first take the standard birth leave equivalent to one week's working hours. It is also possible to take fewer than five weeks of supplementary birth leave.

Employees must request supplementary birth leave from their employer four weeks before the desired start date. If it is not possible to apply on time due to circumstances, the employee must inform their employer as soon as possible. Requests for supplementary birth leave must be made in whole weeks, but the leave itself may be spread over a longer period, provided it remains within the six-month period starting from the day following childbirth. The scheduling of this leave should be discussed with the employer.

During supplementary birth leave, the employee is entitled to a benefit from the UWV amounting to 70% of the maximum daily wage. This benefit is paid to the employee via the employer. Employers may choose to supplement this benefit but are not obliged to do so, unless the applicable collective labour agreement (CAO) provides otherwise.

Applications to the UWV and the payment of supplementary birth leave are managed through the employer. This is in line with the existing system for applying for maternity and childbirth benefits, as well as adoption and foster care leave.

If an employment contract ends, the employer must, upon request, provide the employee with a statement indicating how much birth leave the employee is still entitled to. The remaining leave can then be taken with a new employer.

In cases of illness, leave can only be taken if the employee is able to partially resume work. If an employee becomes ill during supplementary birth leave, the leave does not automatically cease. However, in consultation with the employer, the leave can be suspended and resumed after the period of illness, provided this remains within six months after childbirth. Taking supplementary birth leave does not affect the end date of the continued salary payment period during illness.

Not only employees working for an employer, but also directors and major shareholders, 'alfahulpen', and domestic household workers can make use of supplementary birth leave arrangements. They can apply for this via mijnuwv.nl.

ADOPTION AND FOSTER CARE LEAVE

Employees who adopt a child or take a child into foster care within their family are entitled to six weeks of adoption or foster care leave. This leave applies to both adoptive and foster parents. Employees must request this leave from their employer no later than three weeks before its commencement. During the leave, the employee continues to accrue holiday entitlement, and the leave continues in the event of illness.

Adoption or foster care leave can be taken within a period of 26 weeks, from four weeks before the actual adoption or foster care placement up to 22 weeks afterwards.

Employees may take this leave at a later time or spread it over a period. If an employee adopts multiple children simultaneously, adoption leave can only be requested once. During the leave, the employee receives an adoption or foster care benefit under the Work and Care Act, amounting to 100% of the maximum daily wage. This benefit is paid by the UWV via the employer.

PARENTAL LEAVE

Parental leave is leave that an employee can take to care for their own child under the age of eight. It is a type of leave requested from the employer and applies to both parents. A caregiver living at the same address as the child can also request parental leave, provided they have permanently assumed responsibility for the child's care and upbringing. However, for biological parents, it is not mandatory to reside at the same address. The duration of parental leave is up to 26 times the number of hours the employee works per week.

PAID PARENTAL LEAVE

Both parents (including adoptive and foster parents) are entitled to nine weeks of paid parental leave during the child's first year of life, or within the first year the child enters the family in the case of adoption or foster care. The benefit during this leave amounts to 70% of the maximum daily wage. Employees must notify their employer at least two months prior to the desired start date of their intention to use this scheme.

Note!

Directors and major shareholders, *alfahulpen*, and domestic household workers are also eligible for this scheme. They can apply for the benefit themselves via mijnUWV.nl.

After the nine-week period (but no later than 15 months after the birth or adoption date), employers can request reimbursement from the UWV. If these weeks are not used within the first year, they can be added to the remaining 17 weeks of parental leave, although these will then be unpaid. This unpaid parental leave can be taken until the child reaches the age of eight.

Please note!

The remaining 17 weeks of parental leave are still unpaid unless different arrangements are agreed between employer and employee.

OTHER AGREEMENTS ON PARENTAL LEAVE

Employers may not deduct parental leave hours from the employee's holiday entitlement. Public holidays that coincide with parental leave are considered part of that leave.

Employees are entitled to parental leave for each child.

Employers cannot refuse a request for parental leave on the grounds of compelling business or operational interests, even if the employee works abroad. However, the employer may request an adjustment to the scheduling of the leave, which then applies to the entire leave period. Employers can propose this adjustment up to four weeks before the commencement of parental leave.

If an employee changes jobs before the leave has been fully used, they may claim the remaining leave from their new employer. Upon the employee's departure, the previous employer must provide a statement indicating how much leave remains.

Previously, under the Work and Care Act, 40 hours represented a full working week. Following the implementation of the Minimum Hourly Wage Act, a full working week is now considered to be 36 hours.

Families can use the WorkCare Calculator, developed by Nibud and Women Inc., to calculate the financial implications of their parental and employment choices.

SHORT-TERM AND LONG-TERM CARE LEAVE

Short-term care leave allows employees to provide necessary care for:

- children, partners, parents, grandparents, grandchildren, brothers and sisters (second-degree relatives);
- other members of the household (e.g. a resident aunt) or housemates;
- acquaintances (individuals with whom the employee has a social relationship), such as neighbours or friends, provided it is reasonable that the employee provides this care.

The employer continues to pay at least 70% of the salary during short-term care leave, but no less than the minimum wage and, in principle, no more than 70% of the maximum daily wage, unless a different arrangement is specified in an applicable collective labour agreement. The employee continues to accrue holiday entitlement during short-term care leave.

Employees may take short-term care leave for up to twice their weekly working hours within a twelve-month period. This twelve-month period begins at the moment the employee first takes short-term care leave. Short-term care leave not taken within the year cannot be carried forward to the following year.

Employees must inform their employer about the leave, preferably before taking it, stating the reason. If circumstances prevent the employee from notifying the employer in advance, they must inform the employer as soon as possible afterwards.

Long-term care leave is available for extended periods and applies to the same target group as short-term care leave. The employer is not required to continue paying salary during long-term care leave; however, the employee continues to accrue holiday entitlement throughout this leave period.

Long-term care leave amounts to a maximum of six times the weekly working hours within any consecutive twelve-month period. As with short-term care leave, this twelve-month period begins on the first day the leave is taken. Long-term care leave does not need to be taken consecutively and may also be taken part-time.

Long-term care leave can be taken in cases of life-threatening illnesses, as well as for necessary care during illness or dependency. It is not required for the patient's chances of survival to be minimal or negligible in the short term. Employees may therefore request long-term care leave multiple times for the same person. Leave can also be taken to care for close family members abroad. Dutch law does not require the care to be provided within the Netherlands.

Requests for long-term care leave must be submitted to the employer in writing, at least two weeks before the leave commences.

If granting short-term care leave would cause severe operational issues for the business, the employer may refuse or stop the leave immediately upon notification. This is not permissible at a later date. Once long-term care leave has started, it cannot be stopped.

Afterwards, the employer is permitted to request information verifying whether the employee was entitled to the leave. Long-term care leave cannot be offset against holiday entitlement.

Tip!

It is always advisable to consult an applicable collective labour agreement to see if alternative arrangements are specified.

EMERGENCY LEAVE AND SHORT-TERM ABSENCE LEAVE

Emergency leave and short-term absence leave cover private situations requiring immediate resolution by the employee. Examples include the birth of a partner's child, visits to doctors or hospitals that cannot be scheduled outside working hours, and other situations that briefly prevent the employee from working. This category also includes obligations imposed by the government which cannot be fulfilled during personal time, or exercising the right to vote. The employer continues salary payments as usual during such leave. Emergency leave and short-term absence leave typically last from a few hours to a few days, depending on the time necessary to resolve the initial issue. If the absence becomes prolonged, the employee may request short-term care leave, depending on the reason. Essentially, this transfers the risk of salary continuation from the employee to the employer for situations within the employee's sphere of risk.

FUTURE PLANS

The Dutch government intends to consolidate various existing leave arrangements into three pillars:

1. Leave related to childbirth and childcare;
2. Leave for caring for loved ones;
3. Personal leave.

The government seeks to standardise rules and conditions for various leave types as much as possible. This simplification will make it easier for both employees and employers to request or grant leave.

- The periods within which leave related to childbirth can be taken will be standardised. The period for (additional) partner leave, adoption leave, foster care leave, and flexible maternity leave will be set at six months following the child's arrival. The existing periods for maternity leave and paid parental leave remain unchanged.
- Application procedures for leave types under this pillar will also be harmonised. Employees must inform their employers of their intention to take leave at least six weeks before the leave starts. Currently, this notice period varies from two weeks to two months.
- Additional maternity leave will be reformed. In future, everyone will be entitled to ten weeks of maternity leave after the due date, giving all entitled individuals clarity and certainty in advance.

Of the existing leave arrangements, emergency leave and other short-term absence leave will fall under pillar three. The new structure of leave arrangements provides scope to add new leave types in future, such as bereavement leave or transition leave under pillar three.

PROPOSAL TO INTRODUCE BEREAVEMENT LEAVE

An initiative legislative proposal to introduce bereavement leave is currently before the House of Representatives. This leave would apply to employees whose child has passed away, or whose partner, who shared responsibility for childcare, has passed away. Thus, it applies to a limited group. The leave amounts to one week's working hours per year, to be used within one year from the date of cremation or funeral. Employees can take this leave intermittently if desired. During bereavement leave, employees will be entitled to full salary payment from their employer.

Please note!

It remains uncertain whether bereavement leave will actually be introduced.

Tip!

Would you like more information on leave arrangements? Visit verlofregelaar.nl or contact us.

CONTACT

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