


PAID PARENTAL LEAVE IN SERBIA: THE GENDER PERSPECTIVE

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ABSTRACT. For the last two decades, Serbian family policies have gone through several changes in accordance with contemporary trends and changes in family life and also influenced by EU regulations and recommendations. Current legislation is in line with the gender equality principle, enabling both parents to exercise their rights and to pursue a work-life balance. However, when it comes to paid parental leave, the Serbian legal framework is considered inflexible in terms of choosing the combination of length of leave and the remuneration amount. In this paper, we argue that Serbian parental leave policies must be analysed in relation to the specific context of a (unfinished) post-socialist transition at the semi-periphery of Europe, population decline and strong familism. The burden of parenthood is still predominantly on women's shoulders, even though ideas about a "new fatherhood", more involved in child rearing, have become more widespread. Whether they are employed or not, women/mothers remain the primary caregivers, while the typical Serbian family can be described as a male breadwinner model.

Keywords: paid parental leave, gender perspective, regulation, practice, Serbia

Introduction

Many studies examine how parents adjust to having a child, especially for first-time parents (Holopainen et al., 2020; Bradley and Slade, 2011). Caring for a child modifies existing family practices and generates new ones in order

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to overcome the challenges of parenting. There is a matter of synchronizing: parental roles within the family and parental and other social roles of family members, as well as keeping the continuity of family functions under the novel circumstances. All these significantly define the chances to provide well-being for family members and the family as a unit.

Providing support for families with children is not only an issue of individual capacities of family members, but also a matter of social and political responsibility. (Inter)sectoral family-friendly policies “provide three types of essential resources needed by parents and caregivers of young children: time, finances and services” (UNICEF, 2019: 1) aiming to facilitate the transition to parenthood, enable life – work balance, and prevent poverty.

The efficiency of family-friendly policies depends not only on the measures themselves, but also on the social context and the characteristics of families. Feminist welfare research showed that the gender perspective has great importance in analysing social policies and social security issues (Pascall, 1997; Randles, 2018). Gender determines “who does what and how often” (Lammi-Taskula, 2008: 133), both in public and private social life. It shapes patterns of family roles and practices, roles and positions in labour division, access to and control over various forms of capital, and opportunities to participate in decision-making and have an impact. Even though contemporary social policy programs tend to be gender-neutral, one’s gender considerably impacts the access to and use of social benefits and services, and their outcomes. Gender is a highly relevant aspect of social welfare, bearing in mind the gap between the economic activity of men and women. It generates different types of vulnerabilities for men and women due to their different family roles and expectations about harmonizing family and other (in particular professional) social roles.

Balancing between family and work is supposed to be facilitated by a particular set of family policies, such paid maternity and pregnancy leaves, paid paternity leaves for fathers, paid parental (or childcare) leaves, home care leaves, family & child allowances, child care services (nurseries, kindergartens etc.). In this paper, we focus on paid parental leave as one of the most popular measures in Europe which encompasses “employment-protected leave of absence for employed parents, which is often supplementary to specific maternity and paternity leave periods, and frequently, but not in all countries, follows the period of maternity leave” (OECD, 2022: 1). Keeping this in perspective, this paper aims to identify and analyse main traits of the social context for implementing the measure of paid parental leave in ensuring the well-being of families with small children. We analyse the issue within the contemporary Serbian society having in mind its three analytically important aspects: (unfinished) post-socialist transition (Jović, 2022) at the (European) semi-periphery (Blagojević Hughson, 2015), significant population decline (Nikitović, 2022), and familism (Tomanović et al., 2016).

Those sociological markers enable us to explore the implications of gender on paid parental leave regulations and their outcomes. We also present the EU policy and legal context, due to its relevance to Serbia as a candidate country.

Gender and paid parental leave - practicing contemporary motherhood and fatherhood

In the last decades, paid parental leave gained significant attention, both from scientists and politicians. The issue is becoming more important not only for working parents, but for their employers as well. It is closely connected with the changes in contemporary families, as well as in the labour market. The variable that intersects all mentioned is gender.

Gender roles and practices, statuses, identities and attitudes, in both private and public social spheres, are expressed and determined by gender regimes (Connell, 1987). Contemporary gender regimes, especially social democratic ones (Walby, 2020), strive towards equity, altering traditional parenthood, especially fatherhood. The concept of what a father is and should do has significantly changed over the past few decades. The father role has evolved tremendously (Sarkadi et al., 2008) - from an ever-absent breadwinner and strict disciplinarian to a warm and present partner and co-parenting figure. From the former perception that taking care of a child is like “doing time” (LaRossa, 1988), fathers nowadays aim to spend more time in child rearing activities, becoming deeply involved in all aspects of child development (Lamb, 2010; Bianchi and Milkie, 2010). There is an abundance of studies showing that children whose father is involved have many benefits later in life: higher academic achievement, emotional stability, better social adaptability (Adamson and Johnson, 2013; Baker et al., 2018; Henry et al., 2020; Jeynes, 2016). The concept of “new fatherhood” aligns with the practice of equally shared parenting, where both parents are equally responsible for the children’s well-being (Deutsch, 2001). Such practice “debunks myths about gender differences in the ability to give care” and “resists conventional images of motherhood and fatherhood” (Deutsch, 2001: 26). In return, it has positive effects on the child, on the formation of parental identity and parental relationship (Keizer et al., 2019; Miller, 2010; Simović-Zvicer, 2022).

Despite observable changes, the gap between societal values of equally shared parenting and its practice persists (LaRossa, 1988) as “beliefs about gender equality and parenting roles do not necessarily converge” (Craig and Mullan, 2011: 836). How the actual equally sharing parenting would be practised depends not only on the couple, but also on the social circumstances they live in. According to Craig and Mullan (2011: 835), “limited time availability, unequal

relative resources and conformity to traditional gender ideology” are the main factors that determine how couples manage to share their “responsibilities for market and non-market work”. Additionally, equal sharing of parental responsibilities depends on the characteristics of the prevailing breadwinner model, the gendered division of labour, work organization climate, maternal gatekeeping, available formal and informal support for parents, policy goals and measures, etc. As cultural patterns and gender standards are reflected in various institutional frameworks, we can question whether public discourses aim to encourage equal parental involvement in childcare or not. This issue is important in terms of establishing policy measures for parental leave, especially in countries where the transformation of gender regimes towards greater equality is in its infancy, like Serbia.

The social context of becoming (and being) a parent in Serbia

The majority of families in Serbia are families with children (68.9%) (RZS, 2022), of which 62.9% are married couples with children while 31.3% are single-parent families (predominantly, mother with child/children). In most of the families, there is one child (54.3%) or two children (36.1%) (RZS, 2022). 18% of the children living in families are younger than five years old (RZS, 2022). For the last three decades, Serbia has faced continuous depopulation (Nikitović, 2022), both due to the negative net migration rates and negative population growth. Fertility rates have been in decline for at least half a century, and recently, they have been around 1.4 and 1.5 (Nikitović, 2022; Vuković, 2022; Šobot, 2022), i.e. the lowest fertility rates registered in the recent history of the country. Even though some demographic trends correspond with the second demographic transition, which is characterised by low fertility rates, delayed marriages, delayed transition to parenthood, high divorce rates, high share of births out-of-wedlock, leading Serbian researchers (Bobić, 2006; Bobić and Vukelić, 2011; Tomanović et al., 2016) showed that these trends were not exclusively grounded in what were seen as “typical” postmodern values and norms. The second demographic transition was shaped by the values of individualisation, the rise of “higher order” needs, gender equality, changes in the motivation for parenthood, increased mobility, multiple lifestyles, etc. However, the specific structural features of the Serbian (post)transitional society at the semi-periphery of global capitalism also influenced fertility, parenthood, and parenting.

(Unfinished) post-socialist transformations in Serbia are characterized by transitional features that were also present in other Central and Eastern European countries after 1989, but also exceptionally deep economic, political

and social crises (Jović, 2022; Babović, 2009). As a society in the semi-periphery, Serbia is burdened with economic and political instability, increased poverty and social exclusion, lack of social security and institutional trust, impaired quality of life (Hughson, 2015). In such context, prospective parents face high fertility costs, and they might delay or even renounce at parenthood. Due to the slow and unsteady economic development (World Bank, 2022; IMF, 2023), young people in Serbia face high risks of unemployment and/or underemployment. Moreover, employed young people are often engaged in temporary, low-paid or freelance jobs, and their precarious labour market positions only worsen their risk of poverty and social exclusion. Lack of financial stability significantly slows down their emancipation from the family of origin, leading to delayed marriage/cohabitation and/or procreation. Additionally, low and unstable income increases young people's sense of precariousness and poverty, thus hindering their transition to parenthood. High fertility costs also imply a significant demand for other resources that parents utilize in their daily child-rearing practices. For example, one of the main issues for the parents-to-be/new parents is to obtain adequate housing (Tomanović et al., 2016). As young people in Serbia have difficulties when it comes to owning and/or renting apartments, they are often forced to live with their parents (Miletić-Stepanović, 2011). Living in a multigenerational household can be rewarding in terms of the help for the young parents, but it can also be a major stressor and cause of intergenerational conflicts (Miletić-Stepanović, 2011). Joint living with his/her parents "reproduces asymmetry in gender and generational relations" (Tomanović et al., 2016: 194), thus obstructing the individualisation of a young couple/young parents.

Institutional support is the second major resource that new parents need and use in their everyday child upbringing practices. Current Serbian family-related policy offers several measures for the (new) parents: financial, organizational and advisory (Tomanović et al., 2016; Perišić, 2016). However, due to the semi-peripheral position of Serbian society and unfinished post-socialist transition (Jović, 2022), young people face a lack of reliability of public services (Mojić, 2012: 115). Recent research has shown that the transition to parenthood is not supported adequately by relevant institutions and that institutional support was lesser than the support that was asked for (Tomanović et al., 2016; Stanojević, 2018). Lack of finances and institutional support increased the parents' need for social capital. This especially refers to parental support, both monetary (regular and/or extra cash-flows from old parents to young parents) and non-monetary (e.g. living in his/her parents' house, helping in household chores, taking care of children, giving advice). According to Tomanović (2012: 141), three quarters of young parents reported getting help from their parents. Substantial use of parental support corresponds with the South-European (Mediterranean) model of transition to adulthood and parenthood. This model

relies on a sub-protective (familist) transitional order (Walther, 2006) in which, even though the public sector provides some support, the state also counts on the major help offered by the families of origin. The inconsistency of family policies aimed to provide support for parents with dependent children matches with the (post)transitional restrictions regarding public sector engagement in social security and the advanced role of the private sector.

Serbian gender regimes at the semi-periphery: between the reproduction of gender gaps and new fatherhood practices

Semi-peripheral societies, such as Serbia, are often characterised by a certain level of re-traditionalisation and re-patriarchalization which are seen as consequences of its “never finished reforms”, “diachronicity” and “hybridity” (Hughson, 2015: 81-82). In circumstances of the previously discussed negative population growth (Nikitović, 2022), society often seeks someone to blame. In Serbian culture, parenthood is (still) perceived as one of the crucial life events, often linked with becoming an adult (Tomanović et al., 2016). Thus, young people are expected to procreate. The burden of parenthood is habitually put on women’s shoulders. Becoming a wife and a mother is considered an important foundation of female identity. Such social norms and expectations are deeply embedded in the gender regime. The current semi-peripheral Serbian gender regime is characterised by several important features: “intensive use of female resources in both public and private sphere; the existence of a ‘self/sacrificing micro-matriarchy’ (SSMM); the existence of a ‘crisis of masculinity’; extremely strong patriarchal ideologies” (Blagojević Hughson, 2015: 256). It is based on high utilization of women’s unpaid work (Hughson, 2015). Moreover, gender impacts the likelihood to benefit from structural and functional changes during post-socialist transformations – women are less likely to benefit from transitional structural and market adjustments, due to, among others, “incompatibility of economic and reproductive role in modified economic circumstances” (Dokmanović, 2017: 49).

Despite its evident bifurcation in the last decades (Blagojević Hjuson, 2013), current Serbian gender regime still reproduces significant gender gaps. Available gendered statistics reveals gender gaps in terms of employment, wages, time management, caregiving practices, public engagement/power, experience of violence, etc. These gaps are reflected in the significantly lower value of the gender equity index in Serbia as compared with the EU-average (58.0 and 67.4, respectively). The lowest scores were registered in domains that involve authority, time management, knowledge, and money. Based on current trends, Serbian society will need, arguably, six decades to achieve full

gender equity (Babović and Petrović, 2021). Furthermore, female employment rate is 14.7 percentage points lower than male's (41.9% and 56.6%, respectively), while female unemployment rate is 15.6 percentage points higher than male's (37.3% and 52.9%, respectively). Female long-term unemployment rates are also higher than men's. Women are twice less likely to be self-employed as compared with men, they are more frequently part-time employed, mainly due to providing care for the children, old, sick and/or disabled family members (RZS, 2020). Women are at greater risk of losing their jobs due to parenting than men (Đan and Vrbaški, 2019: 33). The wage gender gap was 8.8% in 2018; the highest wage gender gap was registered for the 30-39 and 40-49 age groups (12.2% and 12.3%) (RZS, 2020). Women are exposed to higher risk of monetary poverty than men (23.6 and 22.7, respectively), and also higher risk of poverty or social exclusion (32.3 and 31.2, respectively) (RZS, 2020). Women spend twice as much time than men in unpaid, domestic labour, whether they are employed or not. 41.2% of women above the age of 18 years old are engaged in taking care of others on a daily basis (Babović and Petrović, 2021); in addition, married women with preschool child/children spend almost eight hours (full-time shift) in unpaid domestic labour (RZS, 2020). Every fifth woman has experienced physical and/or sexual violence after she reached the age of 15 (Babović and Petrović, 2021).

Considering the role of fathers, research on contemporary Serbian families showed that father's role is "defined, seen and estimated as the role of a less warm parent, distant in the relationship with the children and that the relationship with the father is at greater risk of becoming dysfunctional, with a low share of intimacy, positive exchange and trust in the relationship durability" (Mihić, 2010: 198).

Observed gender gaps have a significant impact not only on fertility rates, but also on (gendered) parenthood practices. There are three existing models of parental relations and practices in Serbian families: traditional, modern and post-modern (Tomanović-Mihajlović, 1997; Babović, 2006; Blagojević, 1997; Blagojević Hjuson, 2013; Hughson, 2017). Motherhood and fatherhood in identified models vary significantly – from strict gendered role division (in the traditional model), through slightly modernized gendered role division (father's supporting engagement in some of the children's everyday activities) up to a gender egalitarian parenthood. The last model implies fathers' active participation in children's all everyday activities (Stanojević, 2018). In addition, new fatherhood implies changes in relationships between parents/partners, but also between the father and relatives, public institutions, the labour market, and society as a whole.

Women in Serbia still have a dominant role in taking care of children/family members in general. This especially refers to everyday, repetitive tasks such as feeding, bathing, dressing, preparing food, etc. Whether employed or not, women remain primary caregivers, particularly for the new-borns, infants and toddlers. A typical Serbian family is a male breadwinner family (Mirić, 2022).

However, some recent modifications in gendered parental activities should be acknowledged (RZS, 2017). They can be described as a mild turn away from “traditional fatherhood” towards a glimpse of “new fatherhood” practices. This implies that the father is not the only/unquestionable moral authority (as in the traditional family), and that the decision-making process has been democratized so that the wife/mother and also, the children have a voice and participate in decision-making. Furthermore, the division of gender roles is changing towards a more egalitarian model. Gender roles and their corresponding practices become less strict and more fluid. Importantly, the father establishes and develops a deep emotional connection with children and participates in various childhood activities such as playing, helping with school assignments, providing everyday care.

The legal outlines of family policies in Serbia)

The beginning of establishing social policies in the support of families in Serbia can be traced back to the 1920s and 1930s. First measures were aimed at improving the social status of families with children, but they had “humble effects in practice” (Vuković, 2009: 271). The modernization of family policies corresponded with women’s increasing entry on the labour market in the second half of the 20th century, under the state-socialist regime. Socialist family policies were a combination of population policy and social protection measures aiming to “provide economic and social security for families, create space for family planning, improve support for parenthood in the field of labour, and improve the adequacy of housing” (Sekulić, 2016: 141-142). Despite certain structural and functional changes, the traditional gender division of family roles remained. The solution for harmonizing parenthood (and in particular motherhood) and work was found in establishing affordable child care institutions, such as nurseries and kindergartens (Tanasijević, 2016). Permanent and occasional, supplementary financial benefits were also provided, and their scope broadened by the end of the 1980s (Vuković, 2009). Even though gender equality was constitutionally guaranteed during the entire socialist period, family support measures were mainly focused on mothers.

During the 1990s, families with dependent children in Serbia were in a specifically vulnerable position. Widespread unemployment and poverty, the proximity of war and the growing number of refugees urged families to ask for additional state support. However, similarly to the whole welfare system, family policy institutions and the benefits and services they provided have collapsed. Consequently, support for families with dependent children was pushed back into the private sphere, depending solely on (often insufficient) family resources.

For the last two decades, Serbian family policies have undergone notable changes. The implemented reforms aimed to boost biological reproduction and facilitate transition to parenthood, enable better targeting of social protection, prevent poverty (especially child poverty), expand coverage (number of beneficiaries), facilitate administrative procedures, and harmonize national laws with the EU regulations. Also, the reforms aimed to improve policy budgeting by introducing censuses or special conditions for individuals to practise their legal rights. Current legislation on paid child care leave is in line with the gender equality principle, enabling both parents to exercise their rights to balance professional and family roles.

Serbian family policies offer both monetary and non-monetary parenting support for families with minor children (Perišić, 2016; Službeni glasnik RS, 2009/2023). Paid parental leave is one of the measures guaranteed to every parent with an employment contract (Službeni glasnik RS, 2005/2018; Službeni glasnik RS, 2009/2023). According to the legislation, paid parental leave starts after the end of maternity leave and lasts no longer than 365 days from the birth of a child.⁷ The duration of paid parental leave is regulated progressively, in relation with the number of children born (Službeni glasnik RS, 2005/2018).

Even though most often mothers take up the paid parental (child care) leave, in Serbia fathers are also entitled to paid child care leave. Serbia is one of the 44% of countries globally that provide fathers the right to take up paid parental leave⁸ (World Bank, 2023). However, fathers' uptake of paid child care leave is conditioned by the fact that both parents have to be employed and take the leave alternatively (not at the same time) (Službeni glasnik RS, 2005/2018). Fathers also have the right to paid maternity leave only in case that something

⁷ The Labour law (Službeni glasnik RS, 2005/2018) allows additional paid parental leave in the case of the necessity of taking special care of a child. The right is granted based on the permission of the competent medical authority. Additional leave is time-limited to five years from the day of the child's birth which puts parents of children with difficulties in development in quite unfavourable position.

⁸ Data refers to fathers' legal right to "at least one day of paid leave for the birth of a child, or if the law reserves a portion of paid parental leave specifically for fathers—that is, through 'use-it-or-lose-it' policies or fathers' quotas; or if fathers are individually entitled to paid parental leave" (World Bank, 2023).

prevents the mother from using the benefit (e.g. mother's death, serious illness, institutionalization, child abandonment, etc.) (Službeni glasnik RS, 2005/2018). Additionally, fathers are entitled to a paid paternal leave up to five working days in the case of childbirth (Službeni glasnik RS, 2005/2018. art. 77). Employed parents have the right to financial compensation during his/her paid parental leave (Službeni glasnik RS, 2009/2023). The benefit is paid directly to the right holder from the national budget. The salary compensation baseline is calculated based on the sum of all taxed net income of a parent in the year and a half before parental leave (art. 13) divided by 18. It encompasses a gross amount which is subjected to taxation and, since the 1st of January 2022, it cannot exceed the equivalent of five national average month salaries. However, the law does not guarantee a minimal monthly salary compensation⁹ to a parent during his/her paid parental leave which often leads to a situation in which the parent receives a rather low amount of payment, which jeopardizes financial security of his/her family.

Since the 2000s, expenditures on paid parental leave as a % of GDP increased, despite the decline in fertility rates and employment rates (Stanić and Matković, 2017: 44, 52). Some authors described salary compensations as generous and adequate, in terms of length and amount (Matković et al., 2018). However, the authors based their analysis on the older version of the regulation (in use until June 2018). According to the newer version of the regulation (Službeni glasnik RS, 2018/2023), the calculation has changed which can result in poor payment (as explained earlier). Additionally, the issue of flexibility has been raised – the paid parental leave in Serbia is considered inflexible in terms of the “possibility to choose combination of length of leave and the amount of compensation” (Matković et al., 2018: 84). Unfortunately, available national data on paid parental leave expenditures are not gender sensitive, therefore the analysis of welfare payments transferred to mothers and fathers separately is not possible. It is nonetheless highly likely that the amount of paid parental leave benefits transferred to mothers is greater, as mothers make up the majority of beneficiaries. Yet, it would be interesting to analyse the trends in payments transferred to fathers, compared to the number of fathers on paid paternal leave and the length of their absence from work.

Despite the legal opportunities, only a few fathers in Serbia have taken paid parental leave. According to Lebedinski and Vladislavljević (2022), 328 fathers took paid parental leave in 2019 (0.51% of total births). The majority of them were in their 30s, living in major urban areas (Belgrade, Novi Sad, Niš).

⁹ Minimal month salary compensation is guaranteed only for the mothers on the first three months of the paid maternal leave. The amount granted is set on a level of one national average monthly salary.

Despite uncertain data, a growing trend in the number of beneficiaries over the last couple of years can be observed (Macura, 2023), whilst there is a strategic plan to increase the number of fathers on paid parental leave by 50% up to 2025 (MBPD, 2022). However, there is reasonable doubt in achieving the set goals due to the current economic, social and cultural setting, and obstacles that Serbian parents face in their everyday activities.

Paid parental leave from an international perspective: challenges and opportunities

Different EU strategies, action plans and directives aim to harmonize parental, professional, and family responsibilities. Yet, until the 1990s, parenting was mostly associated with motherhood (Simović-Zvicer, 2022), so the father's role as an (equally responsible) parent was not properly normatively addressed. Due to the "gender turn" largely driven by academics and civil organizations at the end of the 1980s and beginning of the 1990s, EU work-family balance policies, renamed later as work-life balance policies, began to incorporate the gender perspective more thoroughly. According to Aybars (2007: 569), exercising the right to (paid) parental leave has been promoted based on the "soft" (non-binding) "coordination approach to employment and social policy", reflected in several important documents (European Social Charter, 1961/1996; Community Charter of the Fundamental Social Rights of Workers, 1989; European Employment Strategy, 1997). However, such measures were mainly voluntary for member states and often partial. Consequently, additional strategic documents have been adopted (Guidelines for Growth and Jobs, 2005; Roadmap for equality between women and men, 2006; Strategy for equality between women and men (2010-2015), 2010, European Pact for Gender Equality, 2011) in order to encourage member states to include a gender equality perspective in their National Reform Programs (Aybars, 2007).

Since the 1990s, the "hard" legislative framework obligatory for all Member States has been developing, mainly oriented towards the principles of equal employment and the work-life balance¹⁰. The Directive 96/34/EC (1996) was the first¹¹ to directly address the issue of gender-equal right to parental leave. It regulated the issue for both male and female employees, based on the birth

¹⁰ In 1983, there was also an attempt to adopt the European Commission proposal on the issue, but it didn't pass (de la Porte et al., 2022).

¹¹ Council Directive 96/34/EC of 3 June 1996 on the framework agreement on parental leave concluded by UNICE, CEEP and the ETUC (1996) indicated that conditions of such leave need "to be defined by the law and/or collective agreement in the Member States".

or adoption of a child, with a duration of at least three months. The Directive 2010/18/EU (2010) is of particular importance as it provides employees an individual right to parental leave, lasting minimum four months, based on the birth or adoption of a child, whereby at least one month of parental leave must be non-transferable (“daddy months” or “daddy-quota”), but without obligation for remuneration during the leave (de la Porte et al., 2022).¹² Even though the directive brought some legal improvements, its implementation did not contribute to an increase in the number of fathers using the right to parental leave (Borg, 2018; Simović-Zvicer, 2022). Also, it did not considerably improve mothers’ reconciliation of professional and parental duties and their labour market position.

All of these developments has led to the adoption of a new, Work-Life Balance Directive 2019/1158/EU (2019). According to Caracciolo di Torella (2020: 73), this new directive addresses the issue of work-life balance “no longer just as a problem for women or (at a stretch) parents, but as something that can (and will) affect most workers”. Also, it applies to the broader range of employment arrangements, following changes in the contemporary labour market, especially atypical forms of employment and labour market transitions. Work-Life Balance Directive (2019) introduces new obligatory rights (paternity and carers’ leave) and reinforces additional rights (parental leave and flexible working arrangements) (Caracciolo di Torella, 2020). According to the Directive (2019/1158/EU, 2019), both parents have the right to paternity leave, regardless of their marital or family status which enables equalizing status of other parent/partner, including parent/partner from same-sex unions. This was a significant innovation compared to the previous Directive 2010/18/EU. Since August 2022, each of the EU Member States needs to offer a minimum of 10 working days of paid paternity leave, compensated at least at the sick pay level. The implementation of this right is not conditioned by the previous duration of the employment, but the Directive (2019) leaves the possibility for the payment of paternity leave to be conditioned by the previous duration of the employment up to six months before the birth of the child. In addition, member states have an option to decide whether to regulate the usage of paternity leave more flexibly - one part before and one part after the birth of the child (Simović-Zvicer, 2022). However, in certain countries, actual practices do not comply with the Directive 2019/1158/EU, because they provide fewer days of paternity leave than the minimum prescribed by the Directive (Simović-Zvicer, 2022).

¹² This Directive (2010) provided protection “against dismissal and less favourable treatment” based on the application for parental leave or the usage of such leave, although detailed conditions of protection are not specified. However, Directive (2010) does not prescribe employer’s obligations regarding remuneration during parental leave. It was left to member states to set down the specifics (Directive 2010/18/EU, 2010).

Directive 2019/1158 (2019) also allows each parent at least four months of parental leave, of which two months are paid and non-transferable. This period is extended, compared to previous directive, in order to encourage fathers to take up parental leave (Directive 2019/1158/EU, 2019). Parents have the right use the leave in a flexible form (e.g. full-time or part-time) before the child reaches a specified age. Also, each member state defines the level of compensation for the two non-transferable paid months. Even though the right to paid parental leave for both parents is currently guaranteed as an individual right in all EU countries, noticeable variations in terms of the leave are observable (e.g. the length, compensation levels, whether it is a family or individual right) (Van Belle, 2016). The maximum duration of parental leave is in the Czech Republic, Lithuania, France, Hungary, Slovakia and Spain (up to the child's third year). However, in those countries only one parent can be entitled to a salary during this period (Simović-Zvicer, 2022). On the other hand, some countries of the European Union contain different measures in the case of sharing parental leave between parents (Simović-Zvicer, 2022).

The Work-Life Balance Directive (2019/1158/EU, 2019) advocates for a higher level of the paid parental leave benefit, equivalent to the maternity benefit (de la Porte et al., 2022). Member states determine the amount of the received payment, but the sum "shall be set in such a way as to facilitate the take-up of parental leave by both parents" (Directive 2019/1158/EU, 2019). Nevertheless, this Directive (2019/158/EU, 2019) is "only one more step on a long journey" (Caracciolo di Torella, 2020: 80), given that it does not address the issues regarding motherhood progressively (e.g. IVF, surrogacy, breastfeeding, enhanced dismissal protection), it ensures only modest guarantees to the implementation of rights, and it does not provide clear ground on the rights of the most vulnerable workers, such as those with atypical labour contracts (Caracciolo di Torella, 2020).

Even though there is no sufficient qualitative data on fathers' uptake of paternity and parental leave (Van Belle, 2016), fathers across the EU use their right to paternity leave at higher percentage compared to parental leave (Simović-Zvicer, 2022), but still much less than mothers do. 90% of fathers throughout the EU do not use their rights to parental leave (Borg, 2018). The number of fathers on parental leave varies – from less than 1% (e.g. Greece, Cyprus) up to more than 40% (e.g. Sweden) (van Belle, 2016). The reasons for the non-usage of parental leave by fathers are various: cultural reasons and beliefs about gender, different regulations on the obligation to provide full payment for the entire period of using the parental leave, especially for the fathers (EPRS, 2022), as well as inflexible national solutions regarding the possibility of transferring parental leave to the other parent.

The existing experience shows that, when a transfer of one part of the parental leave from the mother to the father is foreseen as a possibility, there is often not enough institutional support to implement this kind of solution in practice. In addition, father's parental leave is sometimes treated not as his right, but as a "gift offered by the mother" (O'Brien and Wall, 2018). This shows that the perception of parental leave as the natural right of the mother is still a dominant one.

Conclusions

Paid parental leave is an important measure of family policies, promoting the well-being of a new-borns and parents, but also assisting parents in "managing employment obligations in the presence of young children" (Farré, 2016: 50). Social policies, particularly family policies, are gendered. They are heavily influenced by gender regimes and perceptions of (a)typical gender roles and practices, statuses, identities and attitudes in both private and public social spheres. When it comes to parental leave policies, the above-mentioned notions are translated into regulations which can promote equally shared parenting or discourage it.

Serbian parental leave policies must be analysed related to the specific context of (unfinished) socialist transition at the semi-periphery of Europe, population decline, and strong familism. Due to the semi-peripheral position of Serbia and its unfinished post-socialist transition, parenthood is not supported adequately by relevant institutions. The burden of parenthood is predominantly put on women's shoulders. Whether they are employed or not, women/mothers are the primary caregivers, while the typical Serbian family can be described as a male breadwinner model. Recently, minor adjustments in mother's and father's parental activities have been acknowledged, but they are the exception rather than the rule. The current Serbian gender regime still reproduces significant gender gaps in employment, wages, time management, caregiving practices, domestic unpaid work, and public engagement/power relations.

For the last two decades, Serbian family policies have gone through several changes in accordance with contemporary trends and changes in family life, and also influenced by EU regulations and recommendations. Current legislation is in line with the gender equality principle, enabling both parents to exercise their rights. However, when it comes to paid parental leave, the Serbian legal framework is considered inflexible in terms of choosing the combination of length of leave and the remuneration amount. Welfare state redistribution towards mothers via paid parental leave is significant, as mothers make up the majority beneficiaries. Arguably, the "cultural component that governs the (gendered)

division of market and non-market activities within the family actively delays the effects of the reforms” (Farré, 2016: 57). Current population policy, elaborated in the national *Strategy of encouraging childbirth* (Vlada RS, 2018), is mainly focused on financial incentives. Clearly, contemporary policy measures do not generate the expected results – thus, researchers “recommend that population policies focus on strengthening human resources” (Vuković, 2022: 57).

In the last decade, the EU and individual member states have introduced or expanded paid parental leave measures to encourage the uptake of the leave amongst fathers. Motivations behind such policies include reducing the gender gaps in both private and public social arena. According to Farré (2016: 57), “parental leave exclusively reserved for fathers and non-transferable to mothers are presented as a useful policy instrument to alter the gender-specialization home production model and increase women’s opportunities in the workplace”. The recent EU Work-Life Balance Directive (2019) aims to reduce gendered labour market inequalities and the female pension gap (van Belle, 2016). Moreover, the EU expanded the paid parental leave policy aiming to improve conditions for parents to achieve the desired number of children. Expanded paid parental leave policy potentially also benefits the employers as it helps them to attract or retain good workers/experts; it improves employees’ morale and thus their efficiency and have a positive impact on their health and well-being. In order to increase the number of fathers taking paternity leave and improve gender balance in taking parental leave (both in Serbia and EU countries), several measures might be installed, such as: high(er) income replacement rates¹³, individual entitlement of the right (“use-it or lose-it basis”), and “appropriately timed leave around the time of birth or linked to the mother’s return to employment” (van Belle, 2016: 9).

The integration of the gender mainstreaming principle implies creation and implementation of family-friendly policies providing major assets for the parents to harmonize work and family life. Additional measures of family-friendly policies (e.g. campaigns that promote fathers’ involvement in childcare) could openly advocate a positive image of new fatherhood and shared parenting aiming to transform gender-imbalanced cultural patterns and ideologies, both in public and private discourses. This is of particular importance in societies with (semi)traditional gender regimes. As Farré (2016) stated: with more countries modifying their family policies, there will be more opportunities to evaluate the outcomes of newly applied measures on gender equality.

¹³ The compensation rate during parental leave varies from very low (10-25%, e.g. Hungary) up to 100% of earnings (Spain, Croatia), with the average rate of 50%. Some EU members provide flat rate allowances (e.g. Slovakia); in some countries, amount of compensation is determined by duration of the leave (e.g. Poland, Sweden) and in some, it depends on the amount of other social compensations (e.g. Luxemburg). (<https://ec.europa.eu/social/home.jsp?langId=en>).

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