

REPUBLIC



OF CYPRUS

MINISTRY OF FOREIGN AFFAIRS

Ref. 03.05.011.001.016

NOTE VERBALE

The Ministry of Foreign Affairs of the Republic of Cyprus presents its compliments to the Royal Danish Embassy.

In response to 25/22NV, dated 20 September 2022, with regards to Directive on WLB (Work Life Balance), the following reply to the questions related is noted:

1. When was the WLB-Directive transposed into national law?

Draft legislation has been prepared for the transposition of Directive (EU) 2019/1158 on work-life balance for parents and carers into national law, and has undergone technical legal review. The draft legislation consists of a new bill but also several amendment bills on related issues. The draft legislation is being discussed with the social partners and is expected to be submitted to the House of Representatives for adoption soon.

2. What are the leave entitlements for fathers according to national legislation?

Paternity leave: The existing paternity Law (N.117(I)/2017) provides that an employee, whose wife gave birth or obtained a child through a surrogate mother or he and his wife have adopted a child up to the age of twelve, is entitled to paternity leave for two consecutive weeks during the period beginning in the week of childbirth or adoption and ending two weeks after the ending of maternity leave according to The Maternity Laws of 1997 to 2021.

In the draft legislation it is proposed that all fathers irrespective of their marital or family status be granted paternity leave.

Parental Leave: According to the draft legislation, the parental leave individual entitlement for both working fathers and working mothers stands at eighteen (18) weeks per child, and can be exercised until the child reaches the age of eight (8).

According to the draft legislation, the right to parental leave for both working fathers and working mothers is subject to a qualification of a 6-month continuous period of employment (with the same employer).

3. What is the compensation afforded to fathers during leave according to national legislation?

Paternity Leave Benefit: Allowance benefit is 72% of wages – at the same rate as maternity benefit.

Parental Leave: According to the draft legislation, allowance calculated under the provisions of the Social Insurance Legislation.

To qualify for parental leave allowance, any employee should have at the moment of their application to the Social Security Fund a total employment duration of 12 months within the latest 24-month period.

4. What are the requirements for fathers according to national legislation?

Paternity Leave: An employee who intends to exercise the right to paternity leave is obliged to warn his employer in writing 2 weeks before the start of paternity leave.

Parental Leave: According to the draft legislation, the right to parental leave for both working fathers and working mothers is subject to a qualification of a 6-month continuous period of employment (with the same employer).

5. What are the leave entitlements for mothers according to national legislation?

Maternity leave: A pregnant worker who notifies of her pregnancy with a certificate, stating the presumed date of childbirth is entitled to 18 weeks paid maternity leave, 22 weeks for the second birth and 26 weeks for the third birth or more, (No 167(I)/2021). An 8-week compulsory leave after child birth is guaranteed to the worker and the prenatal portion of maternity leave can be extended by any period elapsing between the presumed date of childbirth and actual date of childbirth, without affecting the compulsory leave of 8 weeks after childbirth.

Parental Leave: According to the draft legislation, the parental leave individual entitlement for both working fathers and working mothers stands at eighteen (18) weeks per child, and can be exercised until the child reaches the age of eight (8).

According to the draft legislation, the right to parental leave for both working fathers and working mothers is subject to a qualification of a 6-month continuous period of service (with the same employer).

6. What is the compensation afforded to mothers during leave according to national legislation?

Maternity Leave Benefit: Allowance benefit is 72% of wage.

Parental Leave: According to the draft legislation, allowance calculated under the provisions of the Social Insurance Legislation.

To qualify for parental leave allowance, any employee should have at the moment of their application to the Social Security Fund a total employment duration of 12 months within the latest 24-month period.

7. What are the requirements for mothers according to national legislation?

Parental Leave: According to the draft legislation, the right to parental leave for both working fathers and working mothers is subject to a qualification of a 6-month continuous period of service (with the same employer).

8. Do parents have flexibility when planning their family leave? (If yes, please briefly specify the flexibility)

The draft legislation provides that parental leave can be taken in any flexible way that is agreed between the employer and the employee, which is restricted to weekly arrangements (not daily or hourly).

9. Are there others who have access to/right to leave with the child? (If yes, please briefly specify rights and requirements)

According to the draft legislation, the right to parental leave is restricted to parents.

The Ministry of Foreign Affairs of the Republic of Cyprus avails itself of this opportunity to renew to the Royal Danish Embassy the assurances of its highest consideration.

Nicosia, 07 October 2022

To the
Royal Danish Embassy
Athens

