



**Expanding
Choices** through
Family-Friendly Policies



With funding from
 Austrian
Development
Cooperation

ANALYSIS OF GENDER-RESPONSIVE FAMILY FRIENDLY POLICIES IN ALBANIA

ALBANIA POLICY ANALYSIS

Parents in Albania are entitled to parental, maternity and paternity and childcare leave.

PARENTAL LEAVE

Parental leave was first introduced in 2015 amendments of the Labor Code. Parental leave in total is four months until the child becomes six years old and cannot be taken for less than a week. Each parent can claim it individually. Parental leave is neither paid nor transferable. The same is valid for adopted child.



MATERNITY LEAVE

A woman can benefit from 365 days maternity leave, with a minimum of 35 days before and 63 days after the birth of the child. For a pregnant woman with twins or more, the leave is 390 days, including a minimum of 60 days in advance and 63 days after the birth of the children.



For an adopted child up to one-year old, the leave is 330 days from the day of adoption. In other cases, the minimum is 28 days.

The maternity leave from 35 days before the date of delivery up to 150 calendar days after the birth, is financially covered at 80 percent based on the average of the net base salary of the last twelve months.

The remaining of 180 days are covered at 50 percent on the same basis.

Maternity Leave is financially covered only if the woman has been insured for at least 12 months. This condition shall be met for every child except in the cases when the next pregnancy occurs within 24 months from the delivery of the previous child.

PATERNITY LEAVE

The Labor Code allows fathers to take three days of leave at the time of a childbirth, which shall be financially covered by the employer. Fathers can take paternity leave 63 days after the childbirth, upon expiration of the mandatory maternity leave. The same is valid for adopted child.

Paternity leave is 267 calendar days. If the mother does not meet the criteria to benefit from maternity leave, insured fathers for the first 150 days can benefit 80 percent of the average net base salary of the last twelve month. The remaining days are covered at 50 percent on the same basis. Paternity leave is financially covered by the Social Insurance Scheme.



CHILDCARE LEAVE



The Labor Code regulates the childcare leave when the child is sick or needs indispensable care. In case of indispensable care, the caring parent has the right of 12 days paid leave per year. For a child up to three years old who is sick and has a medical certificate, parents are entitled to a paid leave up to 15 days and an additional unpaid leave up to 30 days a year. The leave is given fully to the caring parent or to both parents on an alternative basis.

FINANCIAL ARRANGEMENTS

LEAVE FINANCIAL BENEFIT

Only the Social Insurance Scheme supports financially maternity and paternity leave as described above. No additional financial benefits are regulated by law for parents or children.



CHILDBIRTH ALLOWANCE



As per the Law on Social Insurance, childbirth allowance is paid only once and the insured mother has priority in receiving it. If not, the insured father can receive it for a least one year before the child is born. The allowance equals to 50 percent of the monthly minimum salary by law for every born child or 13.000 ALL

NURSING

Labor Code allows for two hours paid break for nursing mothers within the normal duration of work or two hours reduced work duration with the same salary. This benefit is valid until the child becomes one year old, even if nursing mothers decide to work after the 63-day leave post delivery.



CHILDCARE



Childcare has no further financial regulations other than paid childcare leave described above.

Social Insurance Law regulates for caring parents with disability to benefit an additional 5% of the pension base to take care of their children. The additional 5% benefit is for each child until the child becomes 18 years old and younger than 25 years old if the child is studying and unable to work. The financial benefit cannot be more than 30 percent of the parent disability pension.

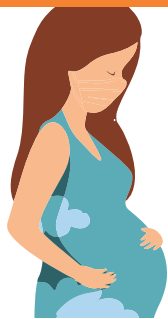
ACCESS TO CHILDCARE

There are no special regulations regarding access to childcare for working parents. The childcare system is actually managed by Local Government Units. It is a challenge to collect data on how these institutions are spread over the country in urban and rural areas. These systems apply fees and the fee value, which is decided by the municipal council, are different for each municipality.



WORK ARRANGEMENTS

PREGNANT WOMEN AND NEW MOTHERS



The Labor Code regulates working conditions for pregnant women and new mothers, and the rules are applicable for both the public and private sectors.

Pregnant and after delivery women are forbidden to perform additional working hours until the child becomes one year old. Pregnant women are forbidden to work 35 days prior to the expected date of birth and 63 days after delivery. If the woman is expecting more than one child, she has the right of 60 days leave before delivery.

Pregnant or breast-feeding women cannot be employed to carry out difficult or dangerous jobs, which threaten the health of the mother and the child.

63 days after delivery, the woman decides herself if she wants to work or to benefit from social insurance. If the woman decides to work, but the previous job does not fulfill the safety and health criteria for a new mother, the employer must take the necessary temporary measures to ensure and adjust appropriate work conditions and hours.

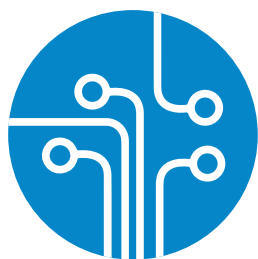
PROTECTION OF WORK POSITION AND CONTRACT

The Labor Code protects parents from termination or change in their positions during maternity and paternity leave. These rules are applicable for both the public and private sectors.

Upon the expiration of the maternity and paternity leave the employee is entitled to return to their position or to an equivalent position, under conditions which are not less favorable for them. A termination of a work contract announced during the maternity or paternity leave is not valid. The same rule applies for adoption.



FLEXIBLE WORKING CONDITIONS



The Labor Code regulates the right to telework or work from home. In teleworking/working from home employees carry out their work at home or in another place designated in agreement with the employer using the information technology under the agreed terms.

