Managing Parental Leave in HR-Expert

Recording Maternity Protection

- Open the tab **Employment - Maternity Protection / Parental Leave**[1]
- Clicking the "**Edit**" button puts the employee record into edit mode
- Clicking "**New**" creates a new record
- In the newly opened form, enter the child's **expected date of birth**
- Checking "**Create/update employment entry for maternity protection**" automatically generates or updates matching employment entries, which are displayed in the Employment tab
- In the "**Authority notified**" field you can enter the date on which you informed the labor inspectorate in writing about the pregnancy and, if applicable, the head of occupational health care
- The statutory **maternity protection** is calculated automatically
- In the **Work restrictions** area, you have the option to note, with a date, all precautionary measures and workplace changes made to protect mother and child. This serves only your documentation and information.
- As soon as the child has been born, the **actual date of birth** and the **name** of the child can be entered in the corresponding fields
- Since the maternity protection periods change in the case of exceptional births, these can be adjusted by setting the corresponding check mark for
  - Premature birth
  - Multiple birth
  - Cesarean section

WARNUNG

Remember to "Save" again and again so that no data is lost!

Recording Parental Leave

- Open the tab **Employment - Maternity Protection / Parental Leave**[2]
- Check "**Parental leave?**" to put the associated fields into edit mode
- Checking "**Create/update employment entry for parental leave**" automatically generates or updates matching employment entries, which are displayed in the Employment tab
- In the "**Registration**" field you can enter the date on which the employee notified you of the parental leave in writing.
  - Chamber of Labor - Austria - Notification deadlines[3]
  - Federal Ministry - Germany - Parental leave[4]
- In the "**End at the latest**" field, the statutory end of the parental leave is entered automatically based on the actual date of birth
- The "**From**" field is not prefilled, since some mothers use remaining vacation days between maternity protection and parental leave. Enter here when the parental leave begins.
- In the "**To**" field, the planned end of the parental leave is entered.
- The "**Expected return**" field is updated automatically
- Optionally, parents can split the parental leave period, and the possibility of a parent taking parental leave a second time can also be taken into account
- Checking "**Split?**" lets you enter a second parental leave period with "**2nd part from**" and "**2nd part to**"

- The "**Expected return**" field is updated automatically again
- In the "**Extended until**" field, a possible extension of the parental leave can be entered, but it has no effect on the "Expected return" date (can be overwritten manually)

NOTIZ

For the "parental leave" employment entries, only the "From" and "To" dates are used, but not the "Extended until" and "Expected return" dates!

Entering Parental Leave for Fathers

When entering parental leave for a father, a few things need to be observed:

- The check mark at "**Create/update employment entry for maternity protection**" must **not** be set.
- The "**expected date of birth**" must **not** be entered in the field provided for it.
- The **actual date of birth** is entered and you then proceed as in the description above.

WARNUNG

Remember to "Save" again and again so that no data is lost!

As soon as an entry has been saved in this tab, the "**x linked documents**" button becomes visible, so that documents can be uploaded and linked to this record. A description of this can be found under Linking Documents to a Disability or Tax Benefit[5], but note that you must select the **Maternity Protection / Parental Leave tab**[6].

Statutory Provisions

	Austria **(valid as of 10/2021)**	**Germany** **(valid as of 10/2021)**
Maternity protection including employment ban	An absolute employment ban applies **8 weeks before** and **8 weeks after** the expected due date or the actual delivery.	**Six weeks before the due date** (earlier with medical confirmation) and **eight weeks after the due date**
When is maternity protection extended after birth?	• In the case of multiple births, premature births, and cesarean sections, mothers may not work for **at least 12 weeks** after the birth • If the child is born earlier than calculated, the maternity protection after the birth is extended by exactly this period, but **at most** to **16 weeks**	• In the case of premature or multiple births, the ban applies **until 12 weeks after the birth**. • If the baby arrives only after the calculated due date, there is still a **protection period of 8 or 12 weeks**. • If the child was born with a disability, the mother can apply for an extension of the protection period to **12 weeks**.
Parental leave / Karenz	• Parental leave (Karenz) begins after the end of the maternity protection period (usually the eight-week period after the birth).	• Parental leave begins after the end of the maternity protection period. • It lasts **at most three years for each parent** and in

	• The leave can be **split between the parents a maximum of twice**. • One part of the leave must last **at least 2 months**. • The duration of the leave must be communicated to the employer in writing. Please observe the notification deadlines for parental leave! • The leave, which is secured under employment law by protection against dismissal and termination, lasts **at most until the day before the child's 2nd birthday**. • If you want to take leave beyond that, a written agreement with the employer is absolutely required. • During parental leave you receive **no wages or salary**. However, during this time you receive **child care allowance**. • The duration of the leave under employment law does not have to coincide with the period of receipt of the child care allowance.	principle ends with the **child's third birthday**. • If the employer agrees, however, a portion of **up to 12 months** can also be taken later - until the child's **eighth birthday**. If the child was born after 07/01/2015, the parents are entitled to take **24 months** until the child's eighth birthday. • During this time you are entitled to **parental allowance**.

1. /daisy/personalwolke-admin/7760-dsy.html?language=4
2. /daisy/personalwolke-admin/7760-dsy.html?language=4
3. https://wien.arbeiterkammer.at/beratung/berufundfamilie/karenz/Meldefristen.html
4. https://www.bmfsfj.de/bmfsfj/service/publikationen/elterngeld--elterngeldplus-und-elternzeit-/73770
5. /daisy/personalwolke-admin/7783-dsy.html?language=4
6. /daisy/personalwolke-admin/7760-dsy.html?language=4