

# Managing parental leave and maternity leave

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## Enter maternity protection

- Open [Tab Employment - Maternity Protection / Parental Leave](#) <sup>1</sup>
- Click the "**Edit**" button to set the employee file to edit mode.
- Click on "**New**" to create a new dataset.
- Enter the **calculated birth date** of the child in the newly opened form.
- By checking "**Create/update employment entry for maternity leave**", suitable employment entries are automatically created or updated and displayed in the Employment tab.
- In the "**Authority notified**" field, you can enter the date on which you informed the Federal Labour Inspectorate in writing about the pregnancy and, if applicable, the management of the company medical care.
- **Legal maternity protection** is calculated automatically.
- In the area of **work restrictions**, it is possible to record all precautions taken to protect mother and child and all changes to the workplace with a date. This is for your documentation and information only.
- Once the child is born, the **actual date of birth** and the child's **name** can be entered in the appropriate fields.
- Since the maternity protection periods change during exceptional births, these can be adapted by setting the appropriate check mark for
  - premature birth
  - multiple birth
  - Caesarean section

### WARNUNG

Think again and again about "**Save**" so that no data is lost!

## Recording a leave / parental leave

- Open [Tab Employment - Maternity Protection / Parental Leave](#) <sup>2</sup>
- Tick "**Parental leave**" to put the corresponding fields into edit mode.
- By checking "**Create/update employment entry for maternity leave**", suitable employment entries are automatically created or updated and displayed in the Employment tab.
- In the "**Registration**" field, you can enter the date on which the employee notified you in writing of the parental leave.
  - [Arbeiterkammer - Österreich - Meldefristen](#) <sup>3</sup>
  - [Bundesministerium - Deutschland - Elternzeit](#) <sup>4</sup>
- The legal end of maternity/paternity leave is automatically entered in the "**End latest**" field on the basis of the actual date of birth.
- The "**From**" field is not prefilled, as some mothers take days of leave between maternity leave and paternity leave. Here you enter when the maternity/paternity leave begins.
- The planned end of the leave is entered in the "**To**" field.
- The "**Expected return**" field is updated automatically.
- Optionally there is the possibility for parents to share the parental leave and also the possibility that a parent takes a second parental leave can be taken into account.
- With a check mark at "**Split?**" a second waiting period can be entered with "**2nd part from**" and "**2nd part to**".

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

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For the employment entries "maternity leave" only the data "from" and "to" are used, but not the data "extended to" and "expected return"!

## Registering Parental Leave for Fathers

In order to register for a maternity leave for a father there are some things to consider:

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

WARNUNG

Think again and again about "**Save**" so that no data is lost!

Sobald in diesem Reiter ein Eintrag gespeichert wurde, wird die Schaltfläche "**x verbundene Dokumente**" sichtbar, um Dokumente hoch zu laden und mit diesem Datensatz zu verknüpfen. Eine Beschreibung dazu finden Sie unter , allerdings ist zu beachten den zu wählen.

As soon as an entry has been saved in this tab, the "**x connected documents**" button becomes visible in order to upload documents and link them to this data record. A description can be found under [Linking documents with disability or tax advantage](#)<sup>5</sup>, but please note that the [Tab Employment - Maternity Protection / Parental Leave](#)<sup>6</sup> must be selected.

## Legal Regulations Status

	<b>Austria (in effect since Oct.2021)</b>	<b>Germany (in effect since Oct.2021)</b>
<b>Maternity protection incl. employment exclusion</b>	<b>8 weeks before</b> and <b>8 weeks after</b> the calculated date of birth or the actual childbirth, an absolute work ban applies.	<b>6 weeks before the delivery date</b> (earlier if confirmed by a doctor) and <b>8 weeks after the delivery date</b> .
<b>When is maternity protection extended after the birth?</b>	<ul style="list-style-type: none"> <li>• In the case of multiple births, premature births and caesarean section, mothers must not work for <b>at least 12 weeks</b> after birth.</li> <li>• If the child is born earlier than calculated, maternity protection is extended by exactly this period after the birth. however, to a maximum of <b>16 weeks</b>.</li> </ul>	<ul style="list-style-type: none"> <li>• In the case of premature or multiple births, the ban applies until <b>12 weeks after birth</b>.</li> <li>• If the baby arrives after the calculated delivery date, there are still <b>8 or 12 weeks of protection</b>.</li> <li>• If the child was born with a disability, the mother can apply for an extension of the protection period to <b>12 weeks</b>.</li> </ul>
<b>Parental leave</b>	<ul style="list-style-type: none"> <li>• Parental leave begins after the end of the maternity</li> </ul>	<ul style="list-style-type: none"> <li>• Parental leave begins at the end of the maternity protection period.</li> </ul>

	<p>protection period (usually eight weeks after the birth).</p> <ul style="list-style-type: none"> <li>• The maternity leave can be <b>divided between the parents a maximum of two times</b>.</li> <li>• A parental leave period must last <b>at least 2 months</b>.</li> <li>• The duration of parental leave must be notified to the employer in writing. Please note the registration deadlines for parental leave!</li> <li>• The parental leave, which is protected by employment law through protection against dismissal and dismissal, <b>lasts until the day before the child's 2nd birthday</b> at the most.</li> <li>• If you wish to go on maternity leave in addition to this, a written agreement with the employer is absolutely necessary.</li> <li>• During parental leave, you will <b>not receive any wages or salary</b>. However, you will receive <b>childcare allowance</b> during this period.</li> <li>• The length of the period of parental leave does not have to correspond to the length of the childcare allowance.</li> </ul>	<ul style="list-style-type: none"> <li>• This is a <b>maximum of three years for each parent</b> and generally ends when the <b>child reaches the age of three</b>.</li> <li>• If the employer agrees, a share of <b>up to 12 month</b> can also be taken later - until the <b>child reaches the age of eight</b>. Is the child born after <b>30.06.2015</b> the share is extended to <b>24 month</b></li> <li>• During this time you are entitled to <b>parental allowance</b>.</li> </ul>
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1. </daisy/personalwolke-default-en/HR-Expert/employee-form/employment/maternity-protection-parental-leave.html>
2. </daisy/personalwolke-default-en/HR-Expert/employee-form/employment/maternity-protection-parental-leave.html>
3. <https://wien.arbeiterkammer.at/beratung/berufundfamilie/karenz/Meldefristen.html>
4. <https://www.bmfsfj.de/bmfsfj/service/publikationen/elterngeld--elterngeldplus-und-elternteil-/73770>
5. </daisy/personalwolke-default-en/7783-dsy.html>
6. </daisy/personalwolke-default-en/HR-Expert/employee-form/employment/maternity-protection-parental-leave.html>