

The potential contribution of the EU directive on work-life balance for parents and carers

*Based on a legal and social scientific analysis of work-life balance
in the Netherlands and Sweden*

Master thesis



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1. Introduction

1.1 Work-life balance: a contemporary subject

1.1.1 A new EU directive

Very recently, on the 13th of June 2019, the Council of the European Union adopted the directive on work-life balance for parents and carers (Directive (EU) 2019/1158). The directive aims to improve parents' and carers' access to arrangements that foster work-life balance, by setting requirements for paternity, parental and carers' leave and flexible working arrangements. Closely connected to this ambition is the goal of the directive to stimulate an equal share in family responsibilities by men and women. "The new rules should increase the take-up of family-related leaves and flexible working arrangements by men, thus making it easier for women to stay on the labour market" (Council of the EU and the European Council, 2019).

Work-life balance is one of the priority areas of the European Pillar of Social Rights, alongside equal access to the labour market and fair working conditions. With a directive on work-life balance for parents and carers, the existing framework can be modernized with improved and new rights for both men and women. In this way, the directive "seeks to promote a good balance between family and professional commitments and to provide more equal opportunities for women and men in the workplace and at home" (Council of the EU and the European Council, 2018).

1.1.2 Why has work-life balance become so important?

In academic literature, several studies try to explain why the issue of work-life (im-)balance has become so important. A well-known reason for the increased importance of work-life balance is the declining support for the 'male breadwinner, female homemaker' family model – driven by women's increasing education and employment and the decrease of the influential sphere of religion (Cunningham, 2008). In this 'traditional' household model, financial and family responsibilities were divided between men and women, providing a basis for the balance between work and home. Since the increasing participation of women in the labour market in the second half of the 20th century, balancing work and home requires a reconciliation of responsibilities between men and women.

Moreover, from an organisational psychology perspective, Guest (2002) identified three other reasons which cause work-life imbalance and have "brought the issue of work-life balance to the forefront of policy debates" (p. 256). To start off with, work pressure has increased in recent decades. This pressure is caused by factors such as technology developments, increasing quality and customer service requirements and accompanying demands for fast change and constant availability. Moreover, imbalance also results from reduction in participation in non-work activities, due to intensified work demands and declining community life. And lastly, the view exists that workers from new generations give greater priority to having a good work-life balance, and that these new generations do not have unlimited commitment to the organisation they work for - induced by, among other, decline in secure progressive careers.

All these reasons explain why work-life balance is receiving increasing attention in the human resources field. It can be defined as "the stability characterized by the balancing of an individual's life complexity and dynamism with environmental and personal resources" (Crooker, Smith & Tabak, 2002, p. 389). Organisations are introducing initiatives to "facilitate the reconciliation of employees' work and personal lives" (McCarthy, Darcy & Grady, 2010, p. 158), such as temporal arrangements, flexible working arrangements, work-life balance supports and childcare facilities (McCarthy et al., 2010). Such practices and arrangements can, regarding the abovementioned

definition, be considered a resource to cope with complexity and dynamism in work and personal life.

The recent development on EU level, introduced in section 1.1, stimulates member states to better facilitate said arrangements. “Men and women throughout Europe should be able to fulfil their full potential, both at work and in their family lives. With this directive, the EU will make it easier for men and women to share the joys and burdens of parenting or caring for relatives while continuing to pursue a career.” (Petkov, Council of the EU and the European Council, 2018). For companies, work-life balance is of particular importance, since it is associated with lower levels of employee turnover and stress and higher levels of job satisfaction and productivity (McCarthy et al., 2010). From a ‘mutual gains perspective’ (Van De Voorde, Paauwe & Van Veldhoven, 2012), both employee and employer can benefit from deeper understanding of the relationship between labour legislation and work-life balance.

1.1.3 Work-life balance and the OECD Better Life Index

Also the OECD Better Life Index considers work-life balance as an important indicator for well-being of workers and their families. To assess the work-life balance in different countries, OECD takes ‘working long hours’ and ‘time devoted to leisure and personal care’ as items of measure. In 2018, compared to all other 37 countries assessed by OECD, the Netherlands has been found to score highest on work-life balance. The OECD states that this can be attributed to the relatively high female employment rate, which allows families to share work responsibilities. The female employment rate in the Netherlands has doubled since the early 80’s, however, a large part of this increase is constituted by part-time work. 59% of the female workforce works part-time, against a rate of 19% for the male workforce. According to the OECD, “this may free up time for family commitments, but often has negative consequences on career progression and underutilizes women’s education and skills” (OECD, 2018).

Among the top 5 countries scoring high on work-life balance are also Denmark, France, Spain and Belgium. Norway and Sweden rank 6 and 7. This is interesting, since Scandinavian countries are particularly praised for their progressiveness in adopting policies that facilitate and foster combining work, family commitments and personal life for both male and female workers (e.g. Abendroth & Den Dulk, 2011; Crompton & Lyonette, 2006; Lunau, Bambra, Eikemo, van Der Wel & Dragano, 2014). The fact that Sweden ‘only’ ranks 7 can be attributed to OECD’s measure of time devoted to leisure and personal care: Sweden scores lower on this item than the Netherlands does. Sweden differs from the Netherlands regarding its part-time rates for men and women: 17.5% of the female workforce works part-time, against a rate of 10% for the male workforce. This may explain why less time is available for other commitments than work – since both men and women spend a lot of time at work, there is less time available for responsibilities at home. However, OECD indeed indicates that male and female workers in Sweden have ample access to parental benefits, compared to other countries. Moreover, the Swedish receive extensive information on the benefits they are eligible for (OECD, 2018).

1.1.4 What constitutes high levels of work-life balance at country level?

This comparison between the Netherlands and Sweden, based on the OECD Better Life Index, reveals that high levels of work-life balance are enabled by different underlying mechanisms. Whereas work-life balance in the Netherlands is, to a large extent, facilitated by part-time working possibilities, in Sweden, easy access to parental benefits contributes to balancing work, family and personal life. Labour legislation and social policies influence how individuals and families can cope with complexity and dynamism to enhance work-life balance. Examples in Dutch labour legislation are the Work and Care Act and the Flexible Work Act, which set rules on the rights and obligations of employers and employees regarding the arrangement of work and adjustments in such

arrangements. An example of Swedish legislation is the Parental Leave Act, which sets out working parents' and carers' rights to full or partial leave upon childbirth or illness of a relative. Clearly, different policies may contribute to work-life balance in different ways. At the same time, policies that have been introduced to facilitate or foster work-life balance may have other consequences or side-effects for workers, their families or relatives and society as a whole. For example, part-time working possibilities in the Netherlands facilitate work-life balance but can also have negative consequences for career progression of the female workforce (e.g. Russo & Hassink, 2008).

1.2 Research question and design

1.2.1 Main research question

As emphasized in subsection 1.1.1, an important objective of the EU directive on work-life balance for parents and carers is to "achieve equality between men and women with regard to labour market opportunities and treatment at work, by facilitating the reconciliation of work and family life for workers who are parents, or carers" (Directive (EU) 2019/1158, art. 1). By its adoption, the directive sets (new) requirements for the national legislation of EU member states - influencing whether member states must adopt new or adjust existing national laws. Since the intention of the European Commission is to improve work-life balance in the member states, the question arises how the directive will make its contribution. It is expected that the impact of the directive will differ for each of its member states, due to differences in national law and the current state of work-life balance in each country, as indicated by the OECD Better Life Index. Therefore, it is interesting to make a comparison at country level, which will because of pragmatic reasons be limited to two countries. Combined with the outcomes of research on work-life balance in these countries, expectations can be drawn on the potential contributions of the provisions in the directive to the work-life balance of employees.

In light of the above, this study examines the following research question:

RQ *How does the recently adopted EU directive on work-life balance for parents and carers aim to contribute to the work-life balance of employees – and what does this imply for two high scoring countries on work-life balance, namely the Netherlands and Sweden?*

1.2.2 Research design

This study involves an investigation of existing literature. To answer the research question, investigation of sources from both the field of labour law and the social sciences field is required. The goal of this study is to bring these two fields together by combining labour legislation with knowledge from work-life balance literature.

The choice to include the Netherlands and Sweden in this study is based on both pragmatic and theoretical factors. First, a pragmatic consideration for the selection of these two countries is the availability of information on the topic (in Dutch or English). Secondly, from a theoretical point of view, these countries are interesting to examine since they have both been acknowledged for their high levels of work-life balance - yet, they differ in the underlying mechanisms that enable work-life balance. Whereas the Swedish system is known for its generous provisions on leaves, the Dutch system provides ample access to flexible working arrangements. These two 'models' correspond well with the subjects to which the new EU directive sets rules: (1) paternity leave, parental leave and carers' leave, and (2) flexible working arrangements for working parents and carers. Hence, the theoretical consideration on which the choice for the Netherlands and Sweden is based, concerns the usefulness of comparing these systems to draw expectations of the new directive's contribution to work-life balance.

In order to answer the research question, the following sub-questions need to be addressed:

- SQ1 *What is work-life balance and how can work-life balance be fostered?*
- SQ2 *What is the background of the EU directive on work-life balance for parents and carers and what does it provide?*
- SQ3 *What is the current state of work-life balance in the Netherlands and Sweden?*
- SQ4 *How do the Dutch and Swedish legal frameworks foster work-life balance?*
- SQ5 *How do the Dutch and Swedish legal frameworks correspond with and differ from the EU directive?*

Conducting this research requires bringing together knowledge from two different fields. The work-life balance topic is embedded in the social sciences, whereas for the legal framework, Dutch and Swedish legislation needs to be consulted. To answer the posed research question and sub-questions, connections need to be made between legislation and the work-life balance domain. Below, these sources are described, and the methods of collection are explained.

1.2.3 Data collection

This study requires data from four different sources.

- To answer SQ1: *What is work-life balance and how can work-life balance be fostered?*, existing literature from the social sciences on work-life balance is required. Web of Science has been used to gather literature on work-life balance. The advantage of Web of Science is that all articles are peer-reviewed, which enhances the quality of the study.

Accurate key words have been used to find relevant articles:

- TOPIC: work-life balanc* OR work life balance* OR work-life conflict* OR work life conflict OR role demand* OR role conflict*
- TOPIC: competenc* OR capability* OR resource* OR agency*
- TOPIC: antecedent* OR consequence*
- TOPIC: institute* OR arrangement* OR right*

These key words have also been used in Dutch translation. Furthermore, a filter for relevant categories has been applied.

- To answer SQ2: *What is the background of the EU directive on work-life balance for parents and carers and what does it provide?* and SQ5: *How do the Dutch and Swedish legal frameworks correspond with and differ from the EU directive?*, legal text of the EU directive on work-life balance of parents and carers is required. This text is consulted and analysed to answer these questions.
- To answer SQ3: *What is the current state of work-life balance in the Netherlands and Sweden?*, findings from existing research on work-life balance in the Netherlands and Sweden are required. Web of Science has again been used to gather literature for this purpose. To be able to compare the Netherlands to Sweden, research has been included in which both countries have been investigated.

Accurate key words have been used to find relevant articles:

- TOPIC: work-life balanc* OR work life balance* OR work-life conflict* OR work life conflict OR role demand* OR role conflict*
- TOPIC: Netherlands OR Dutch* OR Holland
- TOPIC: Sweden OR Swedish OR Swedes
- TOPIC: gender equal* OR gender unequal OR gender gap

These key words have also been used in Dutch translation.

Interestingly, research with characteristics required by the purpose of this study is scarce. Effort has been made to include relevant and as recent as possible literature in this study. However, due to this scarcity, not all literature included is recent: the research by Cousins and Tang dates back to 2004. It has to be taken into account that legislation has changed over the last fifteen years.

- To answer SQ4: *How do the Dutch and Swedish legal frameworks foster work-life balance?*, Dutch and Swedish legislation need to be consulted. Dutch and Swedish labour law has been analysed and relevant legislation has been included in the study. For Dutch law, this concerns the Work and Care Act (Wet arbeid en zorg) and the Flexible Work Act (Wet flexibel werken). For Swedish law, this concerns the Parental Leave Act (Föräldraledighetslag) and the Social Insurance Code (Socialförsäkringsbalk).

1.2.4 Data analysis

The analysis starts with a construction of the concept 'work-life balance'. Based on a collection of existing literature, a theoretical framework is created in which the complexity and dynamism of the concept is illustrated. A model is included with which the relationship between 'conversion factors' and work-life balance is explained. This explanation is important for the purpose of this study, since institutional factors can be concerned as conversion factors with which resources can be converted into capabilities for work-life balance. Following the rationale of this model, provisions in the EU directive can be analysed as to how they can potentially contribute to the work-life balance of employees.

Next, the EU directive is consulted, and its background, objectives and content are described. With the outcomes, a comparison with national legislation of the Netherlands and Sweden - on which the EU directive is expected to have impact on - can be made.

Subsequently, findings from existing research on work-life balance in multiple countries are analysed and discussed for the Netherlands and Sweden. The scores of these two countries on each indicator for work-life balance are compared with average scores. Where possible, gender gaps between male and female scores are analysed and discussed.

This is followed by exploring Dutch and Swedish legislation in relation to work-life balance. For the Netherlands, the Work and Care Act and the Flexible Work Act, and for Sweden, the Parental Leave Act and Social Insurance Code are observed, and relevant acts are included for comparison with the EU directive. Outcomes of this comparison are reported. Based on these outcomes, conclusions can be drawn to which extent Dutch and Swedish legislation currently meet requirements set by the EU directive – and thus how the directive may have impact on Dutch and Swedish legislation.

Lastly, a comparison is made between the Dutch and Swedish legislation and between the state of work-life balance in both countries. In this way, insights can be given in how the legal framework in each country leads to a certain level of work-life balance. Moreover, the relationship with other factors that play a role in determining the level of work-life balance can be understood. The outcomes of this last analysis are reported by integrating them in the conversion factors model as elaborated on in the theoretical framework. Based on these outcomes, additional conclusions can be drawn on how the EU directive may have impact on the Netherlands and Sweden.

1.2.5 Structure of the thesis

To conclude the introduction, in this section a roadmap will be provided on how the argumentation of this thesis will progress. The thesis consists of six chapters, including this introduction and a final conclusion.

This first chapter has introduced the research subject and the research problem and explains the relevance of the research, as well as the methodology used in this study.

The abovementioned sub-questions constitute the subsequent sections of the study. The second chapter addresses SQ1, thereby building on existing knowledge of work-life balance from the social sciences. The third chapter addresses SQ2, examining the recently adopted directive, its background, objectives and provisions. The fourth chapter addresses SQ3, by analysing and exploring research from the social sciences on work-life balance in the Netherlands and Sweden. The fifth chapter addresses SQ4 and SQ5: it elaborates on relevant Dutch and Swedish legislation and explains its relation to work-life balance, whilst comparing it to the directive. The sixth and last chapter provides an answer to the RQ.

2. Theoretical framework

This chapter addresses SQ1: *What is work-life balance and how can it be fostered?* To answer this question, this study builds on existing knowledge from the social sciences. By doing so, a theoretical framework is created to represent the construct of work-life balance throughout this study.

The first section of this chapter elaborates on the various definitions that exist for work-life balance and points out the definition that this study will use. Subsequently, an explanation of the work-life balance construct is given to illustrate its complexity and to provide a model from which the construct can be evaluated.

The second section presents a model that illustrates the relationship between individual, societal and institutional factors and the individual's capability to enhance work-life balance. For the purpose of this study, this model can be used to explain the relationship between certain legislation and work-life balance.

2.1 Work-life balance

2.1.1 Definition of work-life balance

Although work-life balance has received increasing attention over the last decades, there is no widely accepted definition for the concept. Kalliath and Brough (2008) attempted to develop a definition that integrates the different meanings that are attached to work-life balance in literature. In order to do so, they explain six conceptualizations.

First, work-life balance can be defined based on the multiple roles that an individual has and the 'carry over' (positive as well as negative) that these roles may cause. For example, family demands may influence someone's performance at work. With respect to this, work-life balance can be defined as the reflection of "an individual's orientation across different life roles" (Greenhaus, Collins & Shaw, 2003, p. 511).

Second, when defining work-life balance, one can focus on the extent to which time, involvement and satisfaction are equally divided over different roles. Work-life balance can then be defined as "the extent to which an individual is engaged in - and equally satisfied with - his or her work role and family role" (Greenhaus et al., 2003, p. 513).

Third, one can also focus primarily on individual satisfaction with multiple roles, whereby work-life balance is viewed as "achieving satisfying experiences in all life domains" (Kirchmeyer, 2000, p. 80) whereby there is a minimum of role conflict (Clark, 2000, p. 751).

Fourth, multiple roles vary in salience over time, since work-life balance is subject to various life changes. Greenhaus, Allen and Foley (2006) stress this idea by defining work-life balance as "the extent to which an individual's effectiveness and satisfaction in work and family roles are compatible with the individuals' life role priorities at a given point in time" (p. 10).

Fifth, researchers also focus on how work-life balance is psychologically constructed, that is, through absence of conflict and presence of facilitation (Frone, 2003; Grzywacz & Bass, 2003).

And last, while defining work-life balance, several researchers also consider the individual's perceived autonomy over multiple role demands. "Work-life balance is about people having a measure of control over when, where and how they work" (Fleetwood, 2007, p. 351).

Taking these six conceptualizations together, Kalliath and Brough (2008) define work-life balance as "the individual perception that work and non-work activities are compatible and promote growth in accordance with an individual's current life priorities" (p. 326).

To determine which definition best fits this study, several factors have been considered. Work-life balance does not only concern an individual's current (short-term) life priorities but may also refer to one's satisfaction regarding combining work and personal life throughout his or her life and career. The definition of Greenhaus et al. (2006) highlights that multiple roles vary in salience over time but does not approach work-life balance from a long-term perspective. For this study, a definition is required that refers to role satisfaction in a more general manner. Furthermore, since this study examines the potential contribution of legislation to one's work-life balance, a definition is desired which approaches work-life balance as an achievement – or, in other words, an outcome of a process. Hereby, it is important that the definition is broad enough to be connected to the antecedents of work-life balance (as will be explained in 2.1.2).

None of the definitions above, however, meets these requirements. Valcour (2007), however, provides a definition for work-life balance that adopts rather general terms for satisfaction (whether short- or long-term) and approaches work-life balance as a result of a process. She defines work-life balance as “an overall level of contentment resulting from an assessment of one's degree of success at meeting work and family role demands” (Valcour, 2007, p. 1512). This definition best fits the purpose of this study.

2.1.2 Construction of work-life balance

The multiple definitions that exist for work-life balance, and the finding that there is no widely accepted definition for the concept, illustrates the complexity of the construct of work-life balance. The construct can be approached from multiple perspectives, but the resource-based approach of Crooker, Smith and Tabak (2002) suits best to explain the factors that underlie work-life balance. They built a theoretical framework to explain the contextual antecedents of work-life balance, which are, characterized as demands or resources. They explain that work-life balance is a state of stability, resulting from balancing the complexity and dynamism of life (hence the demands). This balancing requires resources, “such as family, community, employer, profession, geography, information, economics, personality, or values” (p. 389). They suggest that higher levels of complexity and dynamism result in lower levels of work-life balance, and that this relationship varies with the amount of (by Crooker et al. referred to as ‘munificence’) and access to resources in one's environment.

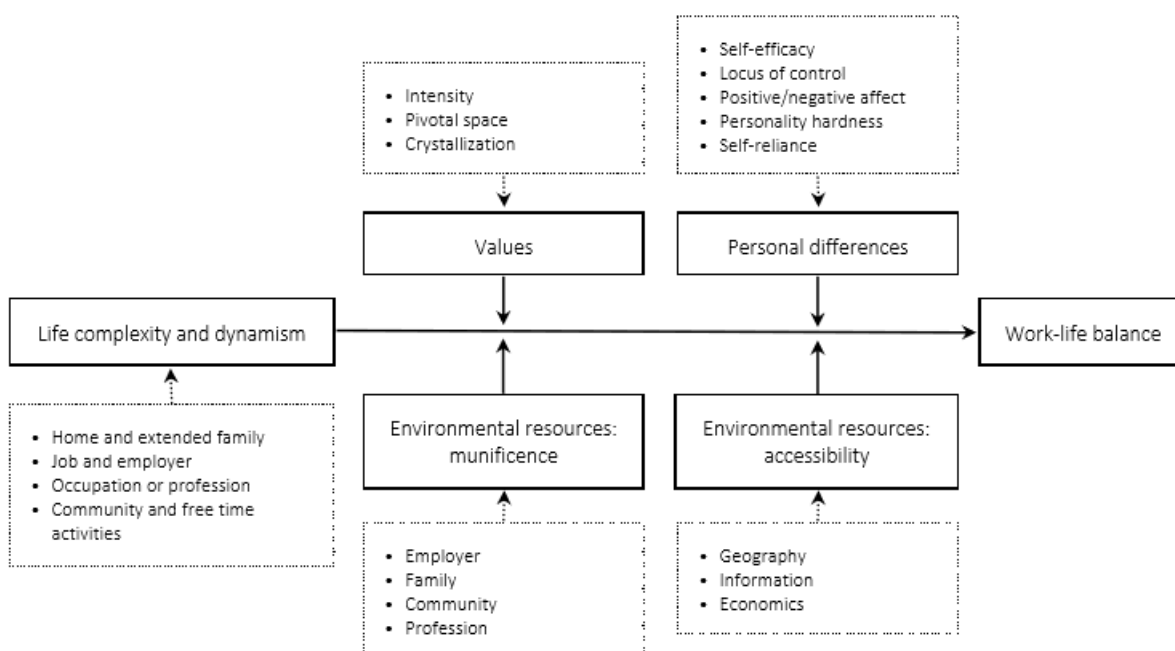


Figure 1. Contextual antecedents of work-life balance (Crooker, Smith & Tabak, 2002)

The model again illustrates the complexity with which work-life balance is constructed. For the present research, several variables are particularly interesting: complexity and dynamisms related to job and employer and occupation or profession, amount of environmental resources related to employer and profession, and accessibility of environmental resources related to information. First of all, complexity and dynamism may be created by issues related to job requirements (e.g. overtime, irregular shifts, continuous availability, traveling) (Bond, Galinsky & Swanberg, 1998; Voydanoff, 1988), organisational culture (Kidder & McLean Parks, 1993; Milne, Blum & Roman, 1994), and technology (Duxbury, Higgins & Mills, 1992). Balancing work and life may also become more complicated when one chooses to continue studying and combines this with work (Schor, 1992). Second, amount of resources from employer and profession moderates the relationship between above mentioned complexity and dynamisms and work-life balance. “Leave and time off policies, employee wellness programs, employee assistance programs, and flexible work arrangements (i.e. flex time, part-time, job sharing, reduced hours, compressed work weeks, and telecommuting), whether paid for by the employer or merely facilitated, are all intended to help employees maintain a healthy balance between work and life.” (Crooker et al., 2002, p. 395-396). And third, of particular interest for the present study, is the accessibility to information, since one cannot make use of abovementioned resources if information about their existence and accessibility is lacking (Milne et al., 1994).

2.2 Capabilities to balance work and personal life

Hence, according to the model of Crooker et al. (2002), the relationship between life complexity and dynamism and work-life balance is moderated by, among other, environmental resources. These resources can help an individual cope with various demands in life. This model gives us insight in the complexity of work-life balance and how resources play a role in the relationship between life demands and work-life balance. However, it does not explain exactly how such resources enable an individual to enhance his or her work-life balance, or, in other words, how one can be capable of balancing work and personal life by using such resources. A model that does address this question, is Hobson’s (2013) conversion factors model – which is therefore interesting to explore.

Sen (1993) describes capability as the “actual ability to achieve various valuable functionings as a part of living” (p. 30). He developed a context-specific approach with different evaluative spaces to assess which capabilities are required to achieve a certain ‘functioning’. Hobson (2013) applied this approach by taking work-life balance as a functioning and built a model based on Sen’s thought framework.

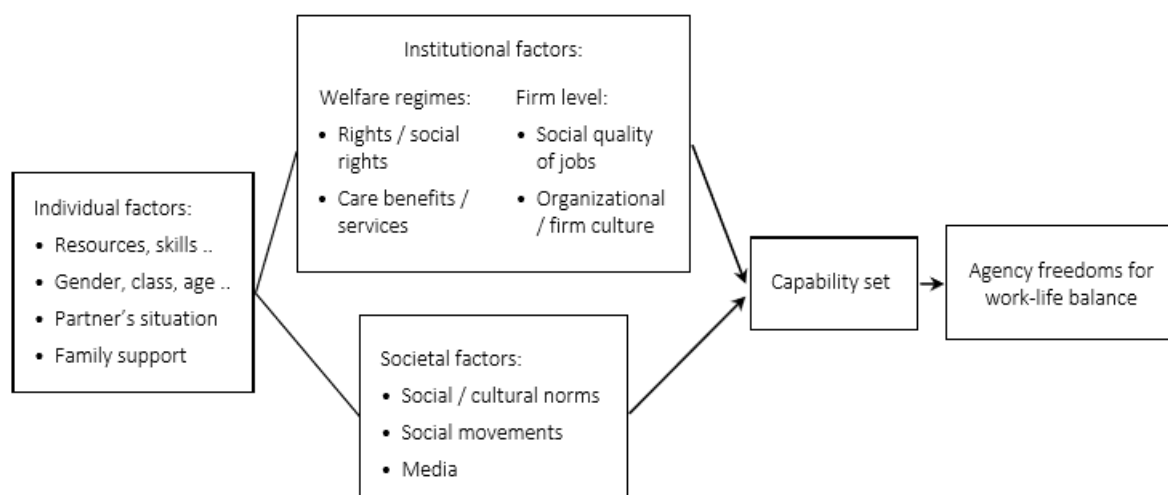


Figure 2. Conversion factors model for work-life balance (Hobson, 2013)

The conversion factors in the model (individual, institutional and societal factors) either promote or inhibit achieving capabilities needed to convert resources into agency for (or influence on) work-life balance. According to the capabilities approach, people's "options/opportunities greatly depend upon relations with others and what the state and other institutions do" (Hobson, 2013, p. 13).

The firm level is the place where employees need and claim their rights for work-life balance. An organisational culture can both foster or inhibit balancing work and private life, by offering arrangements and support for work-life balance (or not) and by granting (or denying) employees' claims. However, arrangements at firm level largely depend on incentives and limitations at the institutional level.

In light of this, Hobson states that institutional factors have primacy for capabilities in the work-life balance context, since they underlie the possibilities for people to claim rights for work-life balance. However, as Hobson (2011) states, "a law in itself may not lead to changes in practices" (p. 172). Conversion factors "involve specific policies at the state and firm level that legitimate a sense of entitlement to make a claim for care needs, and, more broadly, family time" (Hobson, 2011, p. 172). Differences in institutional conversion factors can be found in their legal formulation, whether they are regulated by law or agreed upon at the work, and whether they are specified or more generalized.

For the purpose of this study, this model will be used to explain how certain legislation can function as a conversion factor (more specifically, an institutional factor) to convert resources into agency for work-life balance. Moreover, the relationship with other factors that play a role in determining the level of work-life balance can be understood.

Since the present research focuses on the influence of EU- and national law, the scope is limited to (social) rights as institutional factors, while acknowledging the importance of conversion factors at the firm level.

2.3 Summary

This chapter addressed SQ1: *What is work-life balance and how can it be fostered?*

The first section of this chapter elaborated on definitions of work-life balance. The definition adopted by this study is "an overall level of contentment resulting from an assessment of one's degree of success at meeting work and family role demands" (Valcour, 2007, p. 1512). In order to assess the level of contentment with work-life balance, it is important to take into account how it is influenced by life complexity and dynamism. According to the model of Crooker et al. (2002), the relationship between life complexity and dynamism and work-life balance is moderated by various resources.

The second section of this chapter elaborated on the relationship between resources and work-life balance, in order to address the position of legislation. Hobson (2013) developed a model which explains how conversion factors (individual, institutional and societal factors) either promote or inhibit achieving capabilities needed to convert resources into agency for work-life balance. For the purpose of this study, this model will be used to explain how certain legislation can function as a conversion factor (institutional factor) to convert resources into agency for work-life balance. Moreover, the relationship with other factors that play a role in determining the level of work-life balance can be understood. Findings will be integrated with Hobson's model in chapter six, to support the answer to the main research question (RQ).

3. Work-life balance in EU law

This chapter elaborates on the embeddedness of work-life balance in EU law. It addresses SQ2: *What is the background of the EU directive on work-life balance for parents and carers and what does it provide?*

First, the chapter briefly discusses the current state of EU legislation which provide rights for employees to balance work and private life. Second, an introduction is given on the background of the EU directive on work-life balance for parents and carers. And third, the objectives and the content of the directive are discussed.

3.1 Work-life balance in current EU legislation

3.1.1 Parental Leave Directive

The Parental Leave Directive, Directive 2010/18/EU, puts into effect the revised Framework Agreement on Parental Leave – repealing Directive 96/34/E (Official Journal of the European Union, 2010, L68). It provides the right to mothers and fathers to leave after the birth of their child and sets a minimum of (unpaid) parental leave of four months for each parent, of which one month is not transferable between the parents (Directive 2010/18/EU, annex, clause 2). Workers are protected against unfavourable treatment and dismissal related to their parental leave and workers have the right to return to their job or to a comparable job on similar (or no less favourable) terms and conditions (Directive 2010/18/EU, annex, clause 5). Employers must consider the requests of employees who desire to adjust their working hours or working patterns after they return from parental leave (Directive 2010/18/EU, annex, clause 6).

3.1.2 Part-time Work Directive

The Part-time Work Directive, Directive 97/81/EC (Official Journal of the European Union, 1998, L14) concerns the Framework Agreement on Part-time Work and is one of the three EU directives that aim to regulate atypical work (together with the Fixed-term Work Directive and the Agency Work Directive). Its objective is to ensure workers, who do not have a permanent job, a minimum level of equal treatment – compared to full-time permanent workers (Directive 97/81/EC, annex, clause 1). The directive emphasizes that employers must consider the requests of employees who desire to adjust their full-time working hours to part-time, and vice versa (Directive 97/81/EC, annex, clause 5).

3.2 Background of the recently adopted EU directive

The initiative to develop a directive aimed at improving work-life balance for workers dates back to 2008, when the European Commission submitted a Work-life Balance Package. The proposal for this package particularly aimed at enlarging the pregnancy and maternity leave period as incorporated in the Pregnancy Directive 92/85/EEC. The European Commission suggested a fully paid leave period of eighteen weeks. However, the proposal did not find consent by the member states and was withdrawn in July 2015 (European Commission, 2015a). From November 2015 to December 2016, public consultation took place to develop a new initiative which would incorporate societal developments, thereby adopting a broader approach (European Commission, 2015b; European Commission, 2015c). Again, however, no agreement with the European social partners could be established.

In April 2017, the European Commission introduced the European Pillar of Social Rights, consisting of twenty key principles. Principle 9 is specifically aimed at work-life balance, stating: “Parents and people with caring responsibilities have the right to suitable leave, flexible working arrangements

and access to care services. Women and men shall have equal access to special leaves of absence in order to fulfil their caring responsibilities and be encouraged to use them in a balanced way” (European Commission, 2017a, p. 16). Along with this principle included in the European Pillar, the European Commission published a new Work-life Balance Package. Part of this package was the proposal for a new directive on work-life balance for parents and carers (European Commission, 2017b).

On the 26th of April 2017, the European Commission submitted the proposal. In the proposal, the Commission addresses the gender employment gap, the gender pay gap and the gender pension gap. In EU member states, women are less likely than men to have a job – and this employment gap becomes larger for people with children. Moreover, women are more likely than men to take on caring responsibilities for children and relatives. Due to these caring responsibilities, women who have a job are more likely to work part-time than male workers – causing a gender pay gap, which over the working life results in a gender pension gap. According to the Commission, these gaps lead to higher risks of poverty and social exclusion for women in EU member states. With the proposal, the Commission aims to initiate EU action – addressing the important role of work-life balance policies (European Commission, 2017b, p. 2).

According to the Commission, one of the main causes for abovementioned gender gaps is an inadequate work-life balance policy. “Unbalanced design of leave between genders, insufficient incentives for men to take leave to care for children and/or dependent relatives, limited possibilities to make use of flexible working arrangements, insufficient formal care services and economic disincentives have all been shown to exacerbate the female employment challenges” (European Commission, 2017b, p. 1). With the directive, the Commission proposed minimum requirements for member states regarding paternity, parental and carers’ leave, and flexible working arrangements. The objectives and content of these requirements will be described in paragraph 4.3.

According to the European Commission, it is expected that the directive will advance individuals, companies and society. Parents and carers will benefit from an enhanced ability to balance work and private life, while women and their families will benefit from health and financial improvements, due to their career advancement. An increase in labour force and less absenteeism benefits companies, while member states will profit from an increase in female employment as an answer to the challenge of the ageing society (European Commission, 2017b, p. 3).

On the 21st of June 2018, the Council of the European Union agreed on the general approach regarding the proposal (European Council and Council of the European Union, 2018). Hereafter, negotiations with the European Parliament took place, which resulted in a provisional agreement on the 24th of January 2019 (European Council and Council of the European Union, 2019). After the Council of Ministers approved the provisional agreement on the 6th of February, the directive was submitted to the European Parliament for plenary vote – resulting in adoption by the Parliament on the 4th of April (European Parliament, 2019). Recently, on the 13th of June 2019, the Council adopted the directive. The text of the directive was published on the 12th of July (Official Journal of the European Union, 2019, L188) – implicating that the directive enters into force on the 2nd of August, and that EU member states need to align their national legislation with the directive before the 2nd of August 2022.

3.3 Content of the EU directive on work-life balance for parents and carers

3.3.1 Objectives

The aim of the directive is to ensure that the principle of equal treatment and opportunities between men and women - in matters of employment and occupation - is implemented throughout

the European Union. The general objective is defined as follows: “to achieve equality between men and women with regard to labour market opportunities and treatment at work, by facilitating the reconciliation of work and family life for workers who are parents, or carers” (Directive (EU) 2019/1158, art. 1).

The directive introduces its objective by referring to article 153 of the Treaty of the Functioning of the European Union, which provides that the EU must support member states’ activities regarding the equality between men and women in labour market opportunities and treatment at work (Directive (EU) 2019/1158, preamble, recital 1). In addition to this, the directive refers to article 3 of the Treaty of the European Union and to article 23 of the Charter of Fundamental Rights of the European Union, both promoting equality between men and women in all areas (Directive (EU) 2019/1158, preamble, recital 2). The directive also brings in the United Nations Convention on the Rights of the Child, of which article 18 provides that both the mother and the father have mutual responsibilities regarding care and development of their child (Directive (EU) 2019/1158, preamble, recital 5). To stress the EU fundamentals of equality between men and women, the directive refers to principles 2 and 9 of the European Pillar of Social Rights (Directive (EU) 2019/1158, preamble, recital 9), which address gender equality in treatment and opportunities (including the area of work) and equal access to arrangements that foster work-life balance.

The directive connects its equality objective to work-life balance by elaborating on the role of work-life balance policies. According to the directive, such policies should contribute to achieving gender equality by promoting female labour market participation, fostering an equal share of care responsibilities between men and women, and closing the pay gap (Directive (EU) 2019/1158, preamble, recital 6).

3.3.2 Content

The matter of the directive is divided into two subjects to which individual rights are related: (1) paternity leave, parental leave and carers’ leave, and (2) flexible working arrangements for working parents and carers (Directive (EU) 2019/1158, art. 1). Minimum requirements are laid down, improving existing rights and introducing new rights - however, member states may maintain or introduce provisions that are more favourable to the worker than those in the directive. Rights already required before the directive entered into force should continue to apply, unless provisions in the directive are more favourable (Directive (EU) 2019/1158, preamble, recital 46).

3.3.2.1 Paternity, parental and carers’ leave

Paternity leave. To foster a more equal sharing of caring responsibilities for children between men and women, and to facilitate the early creation of a bond between fathers and children, fathers need to be encouraged to take up leave around the birth of their child (Directive (EU) 2019/1158, preamble, recital 19). In current EU law, no provisions for fathers to take up paternity leave exist yet. The new directive therefore introduces minimum requirements for the right to paternity leave – “leave from work for fathers or, where and insofar as recognized by national law, for equivalent second parents, on the occasion of the birth of a child for the purposes of providing care” (Directive (EU) 2019/1158, art. 3). The directive provides that fathers have the right to take paid paternity leave for at least ten days, irrespective of their marital or family status. The paternity leave has to be taken on the occasion of the birth of the worker’s child. It is to be decided by the member state whether the worker is allowed to take up the leave (partly) before or after the birth, and whether the worker may take up the leave in flexible ways (Directive (EU) 2019/1158, art. 4).

Parental leave. The Parental Leave Directive, Directive 2010/18/EU, repealing Directive 96/34/E, already sets minimum requirements for member states to provide the right for workers to take up parental leave after the birth of a child. Each parent is entitled to four months of parental leave, of

which one month is non-transferable between parents. The new directive makes adjustments to these provisions. Parental leave – “leave from work for parents on the grounds of the birth or adoption of a child to take care of that child” (Directive (EU) 2019/1158, art. 3) – should be designed in such a way that not solely the mother, but also the father of a child feels encouraged to take up leave for caring responsibilities (Directive (EU) 2019/1158, preamble, recital 11). Also, it needs to be promoted and facilitated that mothers can reintegrate in the labour market after their maternity and parental leave (Directive (EU) 2019/1158, preamble, recital 20). The new directive therefore extends the non-transferable period of leave from one to two months (Directive (EU) 2019/1158, article 5) and provides that an allowance should be paid for the period of leave (Directive (EU) 2019/1158, article 8). The entitlement to four months of leave up to the child reaches the age of eight, maintains. As such, the new directive builds on Directive 2010/18/EU by introducing new and strengthening existing rights – repealing and replacing Directive 2010/18/EU (Directive (EU) 2019/1158, preamble, recital 15).

Carers’ leave. Men and women with caring responsibilities should have the opportunity to remain in the workforce, despite these responsibilities (Directive (EU) 2019/1158, preamble, recital 27). Since the objective is to facilitate the reconciliation of work and family life not only for parents, but also for carers (Directive (EU) 2019/1158, art. 1), while no provisions on carers’ leave exist in EU law yet, the new directive introduces minimum requirements for workers’ entitlement to carers’ leave. Workers have the right to take up carers’ leave – “leave from work for workers in order to provide personal care or support to a relative” (Directive (EU) 2019/1158, art. 3) – of five working days per year (Directive (EU) 2019/1158, art. 6). This right may depend on the condition of the relative the worker has to take care of. In addition, employers have to allow workers to take time-off in case of urgent family matters (force majeure), for example in case of illness or an accident (Directive (EU) 2019/1158, art. 7). This may be limited to a certain amount of time.

Payment or allowance. Incentives should be increased for mothers and fathers to take up paternity and parental leave (Directive (EU) 2019/1158, preamble, recital 29). The new directive provides that workers who take up paternity or parental leave, must receive a payment or allowance (Directive (EU) 2019/1158, art. 8). Fathers who take up paternity leave must receive an allowance at least equivalent to the amount that workers receive in case of sick leave – whereby member states are encouraged to provide an allowance equivalent to the allowance for maternity leave, since these leaves pursue similar objectives (Directive (EU) 2019/1158, preamble, recital 30). Regarding parental leave, the directive provides that the allowance must be determined by the member state or social partners, whereby “member states should take into account that the take-up of parental leave often results in a loss of income for the family and that first earners in a family are able to make use of their right to parental leave only if it is sufficiently well remunerated, with a view to allowing for a decent living standard” (Directive (EU) 2019/1158, preamble, recital 31). With regard to carers’ leave, member states have the freedom to decide whether an allowance should be paid. However, the directive encourages member states to provide for a remuneration, since this supports an effective take-up of carers’ leave. Introducing an allowance is expected to facilitate not solely women, but also men, to take up leave for caring purposes (Directive (EU) 2019/1158, preamble, recital 32).

3.3.2.2 Flexible working arrangements

It is expected that when working parents and carers have the ability to adjust their working schedules to their personal situation and preferences, this encourages them to remain in the workforce (Directive (EU) 2019/1158, preamble, recital 34). The new directive therefore provides minimum requirements for flexible working arrangements – “the possibility for workers to adjust their working patterns, including through the use of remote working arrangements, flexible working

schedules, or reduced working hours” (Directive (EU) 2019/1158, art. 3). Workers with children, up to at least the age of eight, and carers, are entitled to submit a request for flexible working arrangements (Directive (EU) 2019/1158, art. 9). Employers must consider such requests and provide a justification in case of refusal. Workers are entitled to return to their original working patterns after the agreed period, or before the end of the agreed period, if justified by changing circumstances. There may be set reasonable limitations to the duration of arrangements.

3.4 Summary

This chapter addressed SQ2: *What is the background of the EU directive on work-life balance for parents and carers and what does it provide?* It discussed current EU legislation related to work-life balance, introduced the new EU directive by elaborating on its background, and discussed the objectives and content of the new directive.

Current EU legislation related to work-life balance can be found in the Part-time Work Directive (Directive 97/81/EC) and the Parental Leave Directive (Directive 2010/18/EU). The latter has been repealed by the new directive on work-life balance by parents and carers (Directive (EU) 2019/1158), which was recently adopted on the 13th of June 2019. The aim of the new directive is to ensure that the principle of equal treatment and opportunities between men and women - in matters of employment and occupation - is implemented throughout the European Union. Its general objective is “to achieve equality between men and women with regard to labour market opportunities and treatment at work, by facilitating the reconciliation of work and family life for workers who are parents, or carers” (Directive (EU) 2019/1158, art. 1). The directive connects its equality objective to work-life balance by elaborating on the role of work-life balance policies. The new directive therefore provides minimum requirements for rights of parents and carers on (1) paternity leave, parental leave and carers’ leave, and (2) flexible working arrangements for working parents and carers.

Regarding paternity leave, the directive provides that fathers have the right to take leave for at least ten days upon the birth of the child. With regard to parental leave, each parent is entitled to four months of parental leave, of which two months are non-transferable between parents to foster the take-up of leave by fathers. Furthermore, the directive provides that workers with caring responsibilities have the right to take up carers’ leave of five working days per year. In terms of remuneration to increase the incentives to take up leave, the new directive provides that workers who take up paternity or parental leave, must receive a payment or allowance. With regard to carers’ leave, member states have the freedom to decide whether an allowance should be paid. Regarding flexible working arrangements, the directive provides that workers with children, up to at least the age of eight, and carers, are entitled to submit a request for flexible working arrangements. Employers must consider such requests and provide a justification in case of refusal.

The objectives and content of the new directive will be used as frame of reference when making a comparison with Dutch and Swedish legislation in chapter five.

4. Work-life balance in the Netherlands and Sweden

This chapter addresses SQ3: *What is the current state of work-life balance in the Netherlands and Sweden?* It introduces research on work-life balance in different countries and elaborates on the outcomes of these studies to describe the current state of work-life balance in the Netherlands and Sweden. Hereby, this chapter will ‘set the stage’ for the purpose of answering (relevant parts of) the research question.

To gain insight in the current state of work-life balance in the Netherlands and Sweden, an overview has been made of relevant outcomes of research on work-life balance in multiple countries. To be able to compare the Netherlands to Sweden, research has been included in which both countries have been investigated. Since work-life balance is a complex concept which can be constructed by numerous elements (as elaborated on in 2.1.2), a diversity of indicators has deliberately been included in this overview.

To put the matter into context, a brief overview of characteristics of the labour force is given for each country. Second, existing research on work-life balance is analysed, which provides insight in how work-life balance in the Netherlands and Sweden rank among other countries, and why.

4.1 Work-life balance in the Netherlands

In the Netherlands, around 77% of the working-age population (age 15 to 64) has a job, which is higher than the OECD countries’ average of 68%. The female employment rate is 72.5% (against a male employment rate of 81%), which is higher than the OECD average of 61%. However, for a long time, the Dutch female employment rate has been one of the lowest among the OECD countries: in 1980, around 35% of the female working-age population had a job. Since then, in particular the group of women working part-time has increased: 59% of the employed female workforce nowadays works part-time, which is the highest part-time employment rate among the OECD countries. However, with a rate of 19%, the Dutch employed male workforce also scores highest on part-time employment among the OECD countries (OECD, 2018b).

| Indicator | Score | Average | Gender inequality | Source |
|--|----------------------|------------------------------|-----------------------|---|
| Employees working very long hours | 0.5% (rank 2/38) | 13% (OECD countries) | 7.47 (rank 38/38) | OECD (2018a), Better Life Index |
| Time devoted to leisure and personal care | 15.9 hrs (rank 3/38) | 15.0 hrs (OECD countries) | 1.02 (rank 11/38) | OECD (2018a), Better Life Index |
| I have come home from work too tired to do some of the household jobs which need to be done | 45% (rank 28/28) | 59% (EU member states) | men: 35% - women: 57% | Eurofound (2017), European Quality of Life Survey |
| It has been difficult for me to fulfil my family responsibilities because of the amount of time I spend on the job | 26% | 38% (EU member states) | men: 19% women: 34% | Eurofound (2017), European Quality of Life Survey |
| I have found it difficult to concentrate at work because of my family responsibilities | 7% (rank 28/28) | 19% (EU member states) | men: 6% women: 10% | Eurofound (2017), European Quality of Life Survey |
| How satisfied or dissatisfied are you with the way you divide your time between work and personal life? | 10.89 (rank 1/6) | 10.12 (six EU member states) | not available | Abendroth & Den Dulk (2011), based on EU project |

| Indicator | Score | Average | Gender inequality | Source |
|--|-------------------|--------------------------------|--|---|
| Your ability to meet the needs of your job and the needs of your personal or family life | | | | Quality of Life in a Changing Europe |
| The opportunity you have to do your job well and yet be able to perform home-related duties properly | | | | |
| Work makes it difficult for me to do household tasks | 44.5% (rank 2/3) | 45.1% (three EU member states) | men without children: 39% women without children: 42% fathers: 55% mothers: 42% | Cousins & Tang (2004), based on EU project Households, Work and Flexibility |
| Work makes it difficult for me to fulfil family responsibilities | 30% (rank 3/3) | 34.2% (three EU member states) | men without children: 20% women without children: 28% fathers: 42% mothers: 30% | Cousins & Tang (2004), based on EU project Households, Work and Flexibility |
| Family responsibilities prevented me from working adequately | 10.75% (rank 3/3) | 13% (three EU member states) | men without children: 7% women without children: 7% fathers: 14% mothers: 15% | Cousins & Tang (2004), based on EU project Households, Work and Flexibility |

4.1.1 OECD's Better Life Index: gender inequality in working hours

The OECD's (2018a) Better Life Index includes the indicators 'employees working very long hours' and 'time devoted to leisure and personal care' in their investigation of work-life balance throughout the OECD countries. Overall, the Netherlands ranks highest on work-life balance among all 38 countries. This is constituted by its scores on the two indicators, on which it ranks second and third respectively. Dutch people spend more time on leisure and personal care than the OECD average. And, in line with the Dutch part-time rate, only 0.5% of the Dutch people work very long hours - which is far less than the OECD average of 13%. However, the gender inequality gap for this score is 7.47 (against the 'equality' score of 1.0), indicating that there is a tremendous difference between men and women working very long hours. The Dutch gender inequality gap on working hours is even the biggest among all 38 OECD countries. Although the female employment rate is well above the OECD average, the majority of the employed female workforce works part-time. In its elaboration on this topic, the OECD highlights both the positive and negative side of this development: on the one hand, "Dutch families are doing well as mothers take on dual roles", while on the other hand, part-time work "often has negative consequences on career progression and underutilizes women's education and skills" (OECD, 2018a). "In the Netherlands, a working mother with two grown up children has, on average, earned less than half of the total working-life earnings of otherwise similar female employees" (OECD, 2018a).

4.1.2 European Quality of Life Survey: differences in men's and women's experience

The Eurofound's (2017) European Quality of Life Survey includes the indicators 'I have come home from work too tired to do some of the household jobs which need to be done', 'it has been difficult for me to fulfil my family responsibilities because of the amount of time I spend on the job' and 'I have found it difficult to concentrate at work because of my family responsibilities'. Regarding the

first indicator, the Netherlands scores lowest of all EU member states, however, there is a remarkable difference between the male and female score: the percentage of women who indicate work-related fatigue as an obstacle to do household tasks is higher than the percentage of men who indicate this. This also applies to the second indicator: the Netherlands scores lower than the EU average, but again, there is a remarkable difference between men and women. Apparently, employed women experience their work more as an obstacle to fulfil household and family responsibilities than employed men do - while, at the same time, the female part-time rate is higher than the male part-time rate.

4.1.3 Quality of Life in a Changing Europe: balancing needs of work and home

The EU project Quality of Life in a Changing Europe, reported by Abendroth and Den Dulk (2011), includes the indicators 'how satisfied or dissatisfied are you with the way you divide your time between work and personal life?', 'your ability to meet the needs of your job and the needs of your personal or family life' and 'the opportunity you have to do your job well and yet be able to perform home-related duties properly'. Unfortunately, no distinctive data for men and women are available for this study. Of the six EU countries that have been included in this study, the Netherlands scores highest on the combination of the three indicators.

4.1.4 Households, Work and Flexibility: gap between men with and without children

The EU project Households, Work and Flexibility, reported by Cousins and Tang (2004), includes the indicators 'work makes it difficult for me to do household tasks', 'work makes it difficult for me to fulfil family responsibilities' and 'family responsibilities prevented me from working adequately'. This study investigated three EU member states: the Netherlands, Sweden and the United Kingdom. On the first indicator, the Netherlands ranks second. Yet again, there is a remarkable difference between the male and female score. Among the women without children, 42% indicates that work is an obstacle for them to do household tasks. Interestingly, this percentage does not differ from the group of women who do have children. In contrast, among the men without children, 39% indicates that work makes it difficult for them to do household tasks - while this percentage increases to 55% for the group of fathers. On the second indicator, the Netherlands scores lowest. Among the women without children, 28% indicates that work forms an obstacle for family responsibilities. This percentage is only slightly higher (30%) for mothers. Contrarily, the difference in scores between men without children and fathers is remarkable: among the men without children, only 20% indicates that work makes it difficult to fulfil family responsibilities, while this amounts to 42% for men who do have children. Regarding the third indicator, the Netherlands again scores lowest. There are no remarkable differences between men and women, however, mothers and fathers report more difficulty than people without children.

4.2 Work-life balance in Sweden

In Sweden, around 77% of the working-age population (age 15 to 64) has a job, which is higher than the OECD countries' average of 68%. The female employment rate is 76%, which is also higher than the OECD average of 61%. With this female employment rate, Sweden ranks second on the list of OECD countries (right after Iceland with 81%). The male employment rate, 78%, is almost equal to the female employment rate. The part-time employment rate in Sweden is 14%: 17.5% for the employed female workforce and 10% for the employed male workforce. The Swedish part-time rate scores below the OECD average of 16.5% (OECD, 2018b).

| Indicator | Score | Average | Gender inequality | Source |
|--|----------------------|--------------------------------|--|---|
| Employees working very long hours | 1.1% (rank 3/38) | 13% (OECD countries) | 3.11 (rank 25/38) | OECD (2018a), Better Life Index |
| Time devoted to leisure and personal care | 15.2 hrs (rank 9/38) | 15.0 hrs (OECD countries) | 1.01 (rank 4/38) | OECD (2018a), Better Life Index |
| I have come home from work too tired to do some of the household jobs which need to be done | 55% | 59% (EU member states) | men: 44% women: 66% | Eurofound (2017), European Quality of Life Survey |
| It has been difficult for me to fulfil my family responsibilities because of the amount of time I spend on the job | 25% | 38% (EU member states) | men: 21% women: 31% | Eurofound (2017), European Quality of Life Survey |
| I have found it difficult to concentrate at work because of my family responsibilities | 12% | 19% (EU member states) | men: 11% women: 14% | Eurofound (2017), European Quality of Life Survey |
| How satisfied or dissatisfied are you with the way you divide your time between work and personal life? | 10.48 (rank 2/6) | 10.12 (six EU member states) | not available | Abendroth & Den Dulk (2011), based on EU project Quality of Life in a Changing Europe |
| Your ability to meet the needs of your job and the needs of your personal or family life | | | | |
| The opportunity you have to do your job well and yet be able to perform home-related duties properly | | | | |
| Work makes it difficult for me to do household tasks | 49.25% (rank 1/3) | 45.1% (three EU member states) | men without children: 35% women without children: 44% fathers: 57% mothers: 61% | Cousins & Tang (2004), based on EU project Households, Work and Flexibility |
| Work makes it difficult for me to fulfil family responsibilities | 42.25% (rank 1/3) | 34.2% (three EU member states) | men without children: 29% women without children: 38% fathers: 51% mothers: 51% | Cousins & Tang (2004), based on EU project Households, Work and Flexibility |
| Family responsibilities prevented me from working adequately | 11.25% (rank 2/3) | 13% (three EU member states) | men without children: 7% women without children: 8% fathers: 15% mothers: 15% | Cousins & Tang (2004), based on EU project Households, Work and Flexibility |

4.2.1 OECD's Better Life Index: an 'average' gender inequality gap in working hours

The OECD's (2018a) Better Life Index includes the indicators 'employees working very long hours' and 'time devoted to leisure and personal care' in their investigation of work-life balance throughout the OECD countries. Overall, Sweden ranks seventh on work-life balance among all 38 countries. This is constituted by its scores on the two indicators, on which it ranks third and ninth respectively. Swedish people spend more time on leisure and personal care than the OECD average. Regarding the first indicator, 1.1% of the Swedish people work very long hours - which is far less than the OECD average of 13%. The gender equality gap for this score is 3.11 (against the 'equality'

score of 1.0), which indicates that there is quite a difference between men and women working very long hours. However, with this score, Sweden does not belong to the group of OECD countries with the biggest working hours gender inequality gap. This is rather an average score, almost similar to the scores of Norway and Finland. Interestingly, while Sweden ranks second among the OECD countries with its female employment rate, the majority of the Swedish women works full-time also. Regarding the second indicator, Sweden scores slightly above the OECD average, which lowers its rank on the overall work-life balance score (OECD, 2018a).

4.2.2 European Quality of Life Survey: differences in men's and women's experience

The Eurofound's (2017) European Quality of Life Survey includes the indicators 'I have come home from work too tired to do some of the household jobs which need to be done', 'it has been difficult for me to fulfil my family responsibilities because of the amount of time I spend on the job' and 'I have found it difficult to concentrate at work because of my family responsibilities'. Regarding the first indicator, Sweden scores slightly below the average of the EU member states, however, there is a remarkable difference between the male and female score: the percentage of women who indicate work-related fatigue as an obstacle to do household tasks is higher than the percentage of men who indicate this. Regarding the second indicator, Sweden scores lower than the EU average, but again, there is a difference between men and women. Apparently, employed women experience their work more as an obstacle to fulfil household and family responsibilities than employed men do - while, at the same time, the female part-time rate is slightly higher than the male part-time rate.

4.2.3 Quality of Life in a Changing Europe: balancing needs of work and home

The EU project Quality of Life in a Changing Europe, reported by Abendroth and Den Dulk (2011), includes the indicators 'how satisfied or dissatisfied are you with the way you divide your time between work and personal life?', 'your ability to meet the needs of your job and the needs of your personal or family life' and 'the opportunity you have to do your job well and yet be able to perform home-related duties properly'. Unfortunately, no distinctive data for men and women are available for this study. Of the six EU countries that have been included in this study, Sweden ranks second on the combination of the three indicators.

4.2.4 Households, Work and Flexibility: similar scores for mothers and fathers

The EU project Households, Work and Flexibility, reported by Cousins and Tang (2004), includes the indicators 'work makes it difficult for me to do household tasks', 'work makes it difficult for me to fulfil family responsibilities' and 'family responsibilities prevented me from working adequately'. This study investigated three EU member states: Sweden, the Netherlands and the United Kingdom. On the first indicator, Sweden ranks first. There is again a difference between the male and female score. Among the men without children, 35% indicates that work is an obstacle for them to do household tasks, whereas 44% of the women without children indicates this. Interestingly, these percentages increase for both men and women who have children: 57% of the fathers and 61% of the mothers indicate that work makes it difficult for them to do household tasks. Regarding the second indicator, Sweden again ranks first. And yet again, there is a difference between men and women: among the men without children, 29% indicates that work makes it difficult to fulfil family responsibilities, whereas 38% of the women without children indicates this. Similar to the first indicator, these scores increase for both men and women who have children - and moreover, the scores amount to similar percentages (51%) for fathers and mothers. Regarding the third indicator, Sweden ranks second. There are almost no differences between men and women, however, mothers and fathers report more difficulty than people without children.

4.3 Summary

This chapter addressed SQ3: *What is the current state of work-life balance in the Netherlands and Sweden?* To set the stage for answering the research question, it introduced research on work-life balance in different countries and elaborated on the outcomes of these studies to describe the current state of work-life balance in the Netherlands and Sweden.

The Netherlands ranks consistently high on indicators of work-life balance. However, there is a substantial gender gap in working hours of men and women. The high part-time rate of the female workforce 'facilitates' the work-life balance of both men and women. Moreover, men and women experience their level of work-life balance differently: although the female part-time rate is almost three times higher than the male part-time rate, women experience less work-life balance than men do. This changes when they become parents: mothers experience more work-life balance than fathers do.

Sweden ranks high on indicators of work-life balance but does not hold the high scores from an overall perspective. On several indicators of work-life balance, the Swedes experience conflict. The part-time rate of Sweden is below OECD average and there is no tremendous gender gap for part-time work, indicating that both men and women make many hours at work. This may lead to less possibilities for families to divide responsibilities, which could be an explanation for the conflicts that the Swedes experience. On the other hand, there is less inequality between men and women regarding working hours and to which extent they experience work-life balance once they become parents.

These findings can be used to connect the state of work-life balance in the Netherlands and Sweden to the Dutch and Swedish legislation related to work-life balance in chapter five.

5. Work-life balance and Dutch and Swedish legislation

This chapter addresses SQ4: *How do the Dutch and Swedish legal frameworks foster work-life balance?* and SQ5: *How do the Dutch and Swedish legal frameworks correspond with and differ from the EU directive?*

The first section addresses the Dutch legal framework. First, an overview is given of current Dutch legislation related to work-life balance. Second, a comparison is made between this national legislation and the new EU directive on work-life balance for parents and carers. The second section addresses the Swedish legal framework: again, an overview is given of current legislation related to work-life balance, followed by a comparison with the new EU directive.

5.1 Work-life balance and the Dutch legal framework

5.1.1 Dutch legislation in relation to work-life balance

Chapter four elaborated on the state of work-life balance in the Netherlands and on the elements that indicate a high level of work-life balance. To be able to examine how the Dutch legal framework fosters work-life balance, Dutch labour legislation has been consulted and analysed according to its relevance for the work-life balance of employees. The relevant acts and articles, accompanied by their consequences for employees and/or employers, have been recorded in the overview below.

| Work and Care Act (Wet arbeid en zorg) (Staatsblad, 2001, 567) | |
|---|--|
| Article | Implications for employer and employee |
| Art. 4.2 | A male employee is entitled to paid leave (100% of the wage) of 5 days during a period of 4 weeks after his wife, registered partner, unmarried person with whom he lives together, or the person whose child he acknowledges, has given birth. |
| Art. 5.1 | An employee is entitled to short-term paid leave (70% of the wage) in case of necessary care for a sick person, with whom the employee has a family or social relationship from which the responsibility for care directly arises. This paid leave concerns a maximum of 2 times the weekly working hours over a period of 12 months. |
| Art. 5.9 | An employee is entitled to long-term unpaid leave in case of care for a person who is sick, dependent of help or critically ill, with whom the employee has a family or social relationship from which the responsibility for care directly arises. This unpaid leave concerns a maximum of 6 times the weekly working hours over a period of 12 months. |
| Art. 6.1 | An employee who has a parental relationship with a child is entitled to unpaid parental leave. This concerns a maximum of 26 times the weekly working hours until the child has reached the age of 8. |
| <i>Provisions entering into force per the 1st of July 2020 – addition to current art. 4.2 of Work and Care Act</i> (Staatsblad, 2018, 451) | |
| Art. 4.2a | After the employee has taken the leave referred to in article 4.2, he is entitled to a leave of five weeks during a period of six months after the birth of the child. |
| Art. 4.2b | During the leave, the employee is entitled to an allowance of 70% of the wage. |
| Flexible Work Act (Wet flexibel werken) (Staatsblad, 2015, 245) | |
| Article | Implications for employer and employee |
| Art. 2.1 | An employee with at least 26 weeks of employment with an employer who has at least 10 employees, is entitled to request an adjustment in working hours, working time or place of work. The employer may only refuse the request if it would lead to serious problems for the business. |
| Art. 2.3 | A year after the request has been granted or refused by the employer, the employee may submit a new request. |

5.1.2 Similarities and differences between Dutch law and the adopted EU directive

The recently adopted EU directive on work-life balance for parents and carers shall have an impact on the national law of EU member states. This section discusses the similarities and the differences between the new EU directive and current Dutch law, and thus the potential impact of the directive after its implementation in the Netherlands.

5.1.2.1 Paternity, parental and carers' leave

Paternity leave in the Netherlands was previously set to two days, paid by the employer, with the possibility to request three extra days of unpaid leave. Per the 1st of January 2019, paternity leave is extended to five days, paid by the employer (and the optional three days are no longer applicable). The directive requires a minimum of ten days of paid paternity leave, which implies that - despite the extended paternity leave per 2019 - Dutch law does not yet answer to the EU requirements. However, besides the extended paternity leave, provisions on supplementary paternity leave will be implemented, which entitles partners to a leave of five weeks during the first six months after the birth of the child (Staatsblad, 2018, 451). During these five weeks, partners receive an allowance of 70% of their wage. This provision enters into force per the 1st of July 2020 (Staatsblad, 2018, 452). These measures thus exceed the requirements for paternity leave set in the EU directive. However, as stressed in the new directive (Directive (EU) 2019/1158, preamble, recital 46), rights already required before the directive entered into force should continue to apply (unless provisions in the directive are more favourable). Hence, although these provisions exceed EU requirements, it shall continue to apply.

Parental leave in the Netherlands is currently set to twenty-six weeks, unpaid, until the child reaches the age of eight. This leave is non-transferable between parents. In some cases, employers or collective agreements provide (partially) paid parental leave, particularly in the public sector. The EU directive requires a parental leave of at least four months, of which two months are non-transferable between parents, and for which an allowance shall be paid. Regarding the length and the non-transferable nature of the parental leave, Dutch law meets these requirements. However, a paid parental leave would be an impactful change of the current Dutch system. The Dutch government has expressed critique on the idea of funding parental leave due to its financial burden (Ministerie van Sociale Zaken en Werkgelegenheid, 2018). Nevertheless, opposite opinions have been expressed by Dutch employers and employees. In March 2018, a delegation of the Dutch Social-Economic Council has introduced a proposal for restructuring the Dutch parental leave system, in which they advocate for funded parental leave (SER, 2018a). In the proposal, it is emphasized that particular attention should be paid to low- and middle-income families: "Employees only take up leave in case they can afford it" (SER, 2018b).

Carers' leave in the Netherlands is set to two weeks per year paid short-term leave (at 70% of the wage) and six weeks per year unpaid long-term leave. The EU directive requires a carers' leave of at least five days per year, paid by the employer. Hence, Dutch law meets these requirements. Moreover, the definition of 'carer' in Dutch law is broader than it is in the EU directive.

5.1.2.2 Flexible working arrangements

Flexible working arrangements are extensively provided for in Dutch law. While the EU directive obliges employers to take into consideration workers' requests for adjustments in working arrangements for caring purposes, Dutch law entitles all workers to submit such requests - regardless of the reason for their request. In the Netherlands, all workers (with at least 26 weeks of employment with their employer) are thus entitled to flexible working arrangements - workers without children or caring responsibilities as well. Moreover, Dutch workers cannot only request a reduction, but also an extension of working hours. And lastly, Dutch employers may only refuse requests for serious business reasons, which is a stricter condition than that in the EU directive.

5.2 Work-life balance and the Swedish legal framework

5.2.1 Swedish legislation in relation to work-life balance

Chapter four elaborated on the state of work-life balance in Sweden and on the elements that indicate a high level of work-life balance. To be able to examine how the Swedish legal framework fosters work-life balance, Swedish labour legislation has been consulted and analysed according to its relevance for the work-life balance of employees. The relevant acts and articles, accompanied by their consequences for employees and/or employers, have been recorded in the overview below.

| Parental Leave Act (Föräldraledighetslag) (Svensk Författningssamling, 1995, 584) | |
|--|--|
| Article | Implications for employer and employee |
| Art. 5 | An employee, as a parent, is entitled to full leave with regard to the birth of the child, until the child reaches the age of 18 months. In addition, a parent is entitled to full leave during the period the parent receives full parental benefit. |
| Art. 6 | An employee, as a parent, is entitled to a reduction of normal working hours by 75%, 50%, 25% or 12.5% while the parent receives the corresponding parental benefit. |
| Art. 7 | An employee, as a parent, is entitled to a reduction of normal working hours by up to 25%, until the child has reached the age of 8 (or older, but has not yet concluded its first year of school). |
| Art. 8 | An employee is entitled to leave during the period he or she receives temporary parental benefit or is entitled to temporary parental benefit. An employee who needs to take care of his or her child when the regular carer is ill, is entitled to leave, even if he or she is not entitled to temporary parental benefit on the grounds that the child is younger than 240 days old. |
| Art. 9 | An employee, as a parent, is entitled to full leave or a reduction of normal working hours by 50% for care of a child, when full child-raising allowance is paid for the child. |
| Art. 10 | The employee may divide the leave into a maximum of 3 periods per calendar year. |
| Art. 11 | The employee is entitled to take the full leave on the day or days he or she requests. |
| Art. 12 | The employee may distribute reduced working hours over all days of the working week or certain days of the working week. |
| Social Insurance Code (Socialförsäkringsbalk) (Svensk Författningssamling, 2010, 110) | |
| Article | Implications for employer and employee |
| Sct. B, ch. 12 | An employee is entitled to parental benefit until his or her child turns 12 or finishes the 5th year of school. Parental benefit is paid for a total of 480 days per child (390 days at 80% of the income, 90 days at a fixed rate). If the employee has joint custody with the other parent, each parent is entitled to 240 days (195 days income-related and 45 at fixed rate). 90 of the income-related days are parent-specific and non-exchangeable, while the other 150 can be transferred between the parents. If the employee has full custody of the child, he or she is entitled to the total of 480 days. |
| | An employee is entitled to temporary parental benefit to care for an ill child until the child is 12 years old (in some cases 16). Temporary parental benefit can be paid with a maximum of 120 days per child per year. Furthermore, a male employee with a new-born child is entitled to 10 days of temporary parental benefit. The amount of temporary parental benefit is approximately 80% of the income. |
| | An employee is entitled to a maximum of 100 days of paid leave to care for a seriously ill relative ('seriously ill' means that the illness poses a severe threat to the relative's life). |

5.2.2 Similarities and differences between Swedish law and the adopted EU directive

The recently adopted EU directive on work-life balance for parents and carers shall have an impact on the national law of EU member states. This section discusses the similarities and the differences

between the new EU directive and current Swedish law, and thus the potential impact of the directive after its implementation in Sweden.

5.2.2.1 Paternity, parental and carers' leave

Paternity leave in Sweden is set to ten days, paid at a rate of 80% of the income. The EU directive requires a minimum of ten days of paid paternity leave, which entails that Swedish legislation meets these requirements.

Parental leave in Sweden is currently set to ninety-six weeks per child, which can be divided between the parents. This parental leave is paid: seventy-eight weeks at 80% of the income and eighteen weeks at a fixed rate. Eighteen weeks of the parental leave are non-transferable between the parents. Parents can take parental leave until the child reaches the age of twelve. The EU directive requires a paid parental leave of at least four months, of which two are non-transferable between parents. Swedish legislation amply exceeds these requirements.

Carers' leave in Sweden is set to a maximum of twenty-four weeks of paid leave per year to care for an ill child, and a maximum of twenty weeks of paid leave per year to care for a seriously ill relative. The EU directive requires a paid carers' leave of at least five days per year. Hence, Swedish legislation again amply exceeds these requirements.

5.2.2.2 Flexible working arrangements

Swedish legislation entitles an employee to a reduction of working hours in case of an ill child or relative (as discussed in 5.2.2.1). The Parental Leave Directive provides that workers should be allowed to request an adjustment in working hours or working patterns after they return from parental leave, until the child reaches the age of twelve. The Swedish Parental Leave Act entitles workers to a reduction of working hours (by 25%, 50% or 75%), while he or she receives the corresponding benefit. The latter is possible until the child reaches the age of twelve. A worker is also entitled to a reduction of working hours by 25% until the child reaches the age of eight (or when the child has not yet concluded the first year at school). Furthermore, a worker can request a reduction of working hours by 50% to care for an ill child, while he or she receives child allowance (until the age of sixteen). To conclude, Swedish legislation provides for flexible working arrangements for workers with children, however, it does not provide for workers with caring responsibilities for relatives – as required by the EU directive.

5.3 Summary

This chapter addressed SQ4: *How do the Dutch and Swedish legal frameworks foster work-life balance?* and SQ5: *How do the Dutch and Swedish legal frameworks correspond with and differ from the EU directive?*

Work-life balance in the Netherlands is fostered by provisions on paternity, parental and carers' leave. However, Dutch legislation does not yet meet all requirements that are included in the adopted EU directive. The existence of part-time jobs (and workers having access to jobs with less than forty working hours) is stimulated by the Dutch Flexible Work Act. Any employee, with at least twenty-six weeks of employment with an employer, is entitled to request an adjustment in working hours - which the employer may only refuse if it would lead to serious problems for the business.

The overview below displays similarities and differences between the adopted EU directive and Dutch legislation and concludes whether Dutch legislation currently meets the requirements.

| Topic | Adopted EU directive | Dutch legislation | Similarity/difference | Requirements met? |
|-------------------------------|--|---|--|---|
| Paternity leave | 10 days (paid) | 5 days (paid) | - Both paid leave - NL: 5 days less than in directive | No - 5 days of paid leave extra required; Yes – when provisions on extra paternity leave enter into force (1-7-2020) |
| Parental leave | 16 weeks (paid) (non-transferable) | 26 weeks (unpaid) (non-transferable) | - NL: 10 weeks more than in directive - NL: unpaid | No - paid leave of 16 weeks required |
| Carers' leave | 5 days/year (paid) | 2 weeks/year (paid), 6 weeks/year (unpaid) | - NL: 5 days more than in directive | Yes - NL exceeds paid leave and provides additional unpaid leave |
| Flexible working arrangements | Reduction of working hours for caring purposes. Scope: workers with children up to age of eight and carers | Reduction or extension of working hours for any purpose. Scope: all workers with 26 weeks employment. | - NL: purpose not restricted to caring - NL: broader scope of workers | Yes - NL exceeds scope of purpose and scope of workers |

Several provisions in Swedish legislation facilitate working parents in combining their work and taking care of their family. Workers' entitlement to parental leave, as well as the benefits they receive while taking up parental leave, is generous in Sweden. Legislation stimulates both mothers and fathers to take up time to take care of their children.

The overview below displays similarities and differences between the adopted EU directive and Swedish legislation and concludes whether Swedish legislation currently meets the requirements.

| Topic | Adopted EU directive | Swedish legislation | Similarity/difference | Requirements met? |
|-------------------------------|--|--|--|---|
| Paternity leave | 10 days (paid) | 10 days (paid) | - Both 10 days - Both paid leave | Yes - similar |
| Parental leave | 16 weeks (paid) (non-transferable) | 96 weeks (paid) for 2 parents (18 weeks non-transferable) | - Both paid - SE: 32 weeks per parents more than in directive | Yes - SE exceeds extent of leave |
| Carers' leave | 5 days/year (paid) | 24 weeks/year (paid) for a child, 20 weeks/year (paid) for a relative | - Both paid - SE: 23 weeks more for a child, 19 weeks more for a relative than in directive | Yes - SE exceeds extent of leave |
| Flexible working arrangements | Reduction of working hours for caring purposes. Scope: workers with children up to age of eight and carers | Reduction of working hours for workers with children up to age of age, or twelve (limited to period of parental benefit), or to care for an ill child up to age of sixteen | - SE: scope limited to workers with children | No – SE does not meet requirements of scope |

6. Conclusion

This chapter summarizes the outcomes of the study and answers the main research question (RQ): *How does the recently adopted EU directive on work-life balance for parents and carers aim to contribute to the work-life balance of employees – and what does this imply for two high scoring countries on work-life balance, namely the Netherlands and Sweden?*

6.1 Summary of the outline of the study

The objective of the EU directive on work-life balance for parents and carers is to “achieve equality between men and women with regard to labour market opportunities and treatment at work, by facilitating the reconciliation of work and family life for workers who are parents, or carers” (Directive (EU) 2019/1158, art. 1). The adopted directive sets requirements for the national legislation of EU member states - influencing whether member states must adopt new or adjust existing national laws. Since the intention of the European Commission is to improve work-life balance in the Member states, the question arises how the directive will make its contribution.

The matter of the EU directive is divided into two subjects to which individual rights are related: (1) paternity leave, parental leave and carers’ leave, and (2) flexible working arrangements for working parents and carers. Whereas the Swedish system corresponds in particular with the first subject, the Dutch law system does with the second. Combined with the outcomes for work-life balance in these countries, expectations can be drawn on the potential contributions of the provisions in the adopted directive to the work-life balance of employees.

6.2 Comparison between the Netherlands and Sweden

Comparing the legal frameworks and the state of work-life balance in the Netherlands and Sweden enables answering the RQ. By doing this, it can be explained how legislation contributes to work-life balance in these countries – and expectations can be drawn on how the adopted EU directive might contribute to work-life balance in EU countries.

6.2.1 Comparison of the legal framework

In sections 5.1 and 5.2, overviews have been provided of Dutch and Swedish legislation related to work-life balance and comparisons have been made between Dutch and Swedish law and the EU directive on the two subjects (1) paternity leave, parental leave and carers’ leave and (2) flexible working arrangements. A brief overview of this comparison is displayed below.

| Topic | Adopted EU directive | Dutch legislation | Swedish legislation |
|-------------------------------|--|---|--|
| Paternity leave | 10 days (paid) | 5 days (paid); when provisions on extra paternity leave enter into force (1-7-2020): 5 weeks (paid) | 10 days (paid) |
| Parental leave | 16 weeks (paid) (non-transferable) | 26 weeks (unpaid) (non-transferable) | 96 weeks (paid) for 2 parents (18 weeks non-transferable) |
| Carers’ leave | 5 days/year (paid) | 2 weeks/year (paid), 6 weeks/year (unpaid) | 24 weeks/year (paid) for a child, 20 weeks/year (paid) for a relative |
| Flexible working arrangements | Reduction of working hours for caring purposes. Scope: workers with children up to age of eight and carers | Reduction or extension of working hours for any purpose. Scope: all workers with 26 weeks employment. | Reduction of working hours for workers with children up to age of age, or twelve (limited to period of parental benefit), or to care for an ill child up to age of sixteen |

6.2.2 Comparison of the state of work-life balance

To gain insight in the current state of work-life balance in the Netherlands and Sweden, an overview has been made of relevant outcomes of research on work-life balance in multiple countries in chapter four. The overview below displays a summary of these findings for both the Netherlands and Sweden. Colours have been used to indicate how the scores relate to the average, to facilitate a comparison between the countries. For the scores on the items ('Score'), the colour indicates a score above, around or below the average of the countries with which the research has been conducted. Hereby, the colour green indicates a score towards high work-life balance (or higher than average), the colour red indicates a score towards low work-life balance (or lower than average) and the colour orange indicates a score around the average scores (towards nor a high, nor a low work-life balance). For the gap between male and female scores ('Gender inequality'), the colour indicates whether there is identified a gap (orange), a large gap (red), or no gap (green).

| Topic | | The Netherlands | | Sweden | |
|--|-----------------|------------------------|------------------------|------------------------|------------------------|
| Employees working very long hours (average = 13%) | | Score | Gender inequality | Score | Gender inequality |
| | | 0.5% (rank 2/38) | 7.47 (rank 38/38) | 1.1% (rank 3/38) | 3.11 (rank 25/38) |
| Time devoted to leisure and personal care (average = 15 hrs) | | Score | Gender inequality | Score | Gender inequality |
| | | 15.9 hrs (rank 3/38) | 1.02 (rank 11/38) | 15.2 hrs (rank 9/38) | 1.01 (rank 4/38) |
| I have come home from work too tired to do some of the household jobs which need to be done (average = 59%) | | Score | Gender inequality | Score | Gender inequality |
| | | 45% (rank 28/28) | men: 35% women: 57% | 55% | men: 44% women: 66% |
| It has been difficult for me to fulfil my family responsibilities because of the amount of time I spend on the job (average = 38%) | | Score | Gender inequality | Score | Gender inequality |
| | | 26% | men: 19% women: 34% | 25% | men: 21% women: 31% |
| I have found it difficult to concentrate at work because of my family responsibilities (average = 19%) | | Score | Gender inequality | Score | Gender inequality |
| | | 7% (rank 28/28) | men: 6% women: 10% | 12% | men: 11% women: 14% |
| How satisfied or dissatisfied are you with the way you divide your time between work and personal life? | average = 10.12 | 10.89 (rank 1/6) | | 10.48 (rank 2/6) | |
| Your ability to meet the needs of your job and the needs of your personal or family life | | | | | |
| The opportunity you have to do your job well and yet be able to perform home-related duties properly | | | | | |
| Work makes it difficult for me to do household tasks (average = 45.1%) | | Score | Gender inequality | Score | Gender inequality |
| | | 44.5% (rank 2/3) | without children | 49.25% (rank 1/3) | without children |
| | | | men: 39% women: 42% | | men: 35% women: 44% |
| Work makes it difficult for me to fulfil family responsibilities (average = 34.2%) | | 30% (rank 3/3) | with children | 42.25% (rank 1/3) | with children |
| | | | men: 55% women: 42% | | men: 57% women: 61% |
| | | men: 20% women: 28% | men: 42% women: 30% | men: 29% women: 38% | men: 51% women: 51% |
| Family responsibilities prevented me from working adequately (average = 13%) | | 10.75% (rank 3/3) | without children | 11.25% (rank 2/3) | without children |
| | | | men: 7% women: 7% | | men: 7% women: 8% |
| | | men: 14% women: 15% | men: 15% women: 15% | men: 15% women: 15% | men: 15% women: 15% |

Several findings from the comparison between the Netherlands and Sweden (in combination with their legal frameworks) are particularly interesting. These findings will be discussed below in three categories: working hours, household tasks and family responsibilities.

6.2.2.1 Working hours

The item 'employees working very long hours' indicates a very interesting finding. The Netherlands and Sweden both score very high on this item. However, the gap between male and female scores for the Netherlands is the largest of all participating countries - whilst Sweden ranks among the average scores on gender inequality for this item. The fact that 59% of the Dutch employed female workforce works part-time (against 19% of the male), makes up for the high score on this item, which constitutes a high level of work-life balance. This is different for Sweden, where 17.5% of the employed female workforce works part-time, against 10% of the employed male workforce. In conclusion: work-life balance in both countries is fostered by the fact that people seldomly work very long hours. However, for the Netherlands, this is constituted by a high part-time rate, which brings along an enormous gap between men and women.

6.2.2.2 Household tasks

The item 'I have come home from work too tired to do some of the household jobs which need to be done' again indicates a very interesting finding. The Netherlands rank highest among the participating countries, whilst Sweden scores on average. An explanation for this difference might be that in the Netherlands, part-time working is more common – and requests for an adjustment of working hours does not have to be justified by parental reasons (as in Sweden). For both countries, an enormous gap between men and women can be observed. For the Netherlands, this finding is contrary to the numbers of working hours, which indicate that women work less hours than men. For Sweden, this gap on working hours is smaller, but this does still not provide an explanation. The following question arises: how can it be explained that women experience more discrepancy between their level of energy and the household tasks for which they feel responsible, than men do? Do women feel more responsibility for the household, than men do? There is no immediate answer available to this question, but it could nevertheless be an interesting topic for further research. Nonetheless, the findings indicate that particularly women perceive this discrepancy - which does not foster the possibility to combine work and personal life.

The item 'work makes it difficult for me to do household tasks' displays additional findings. The Netherlands score on average, whilst Sweden scores above average. The authors of this research made a distinction between the scores of males and females without children and mothers and fathers. For the Netherlands, the gap between the scores of males and females without children is smaller than for mothers and fathers. When observing these scores, it seems that men without children experience work to be less of an obstacle to do household tasks, than women without children do. However, once they become mothers and fathers, these scores are reversed, and the gap becomes larger: fathers experience work to be an obstacle to do household tasks more than mothers do. For Sweden, the gaps between the scores and the gender inequality are completely different. The gap between the scores of males and female without children is larger than for mothers and fathers and, moreover, there is no reversed score for people with children: fathers do not experience work to be an obstacle to do household tasks more than mothers do. These differences may imply that in Sweden, there are more equal opportunities for mothers and fathers to combine work with their households than in the Netherlands.

6.2.2.3 Family responsibilities

The item 'it has been difficult for me to fulfil my family responsibilities because of the amount of time I spend on the job' indicates similar scores for the Netherlands and Sweden. Both countries

score below average, indicating a positive consequence for work-life balance. However, the countries score different on the gender gap for this item. For both countries, there is gender inequality, whereby female workers find it harder to fulfil family responsibilities due to their jobs. However, this gap is larger for the Netherlands. This finding is again in contrast to the numbers of working hours, which indicate that Dutch women work less hours than men. As discussed in 6.2.2.2, the question arises, how it can be explained that women experience more discrepancy between their level of energy and the family tasks for which they feel responsible, than men do. Do women feel more responsibility for the family, than men do? If the perception of responsibility is not equal for Dutch men and women, a possible explanation for this can be found in the parental arrangements in the Netherlands, which facilitate mothers more than fathers in taking time off for parental purposes. Moreover, the majority of the Dutch females works part-time. Both might be a reason for women to feel more responsible for family tasks because they have more time free from work, causing a feeling of pressure while combining work and personal life.

The item 'work makes it difficult for me to fulfil family responsibilities' displays additional findings. There is a difference between the countries in gender gap. In the Netherlands, women without children experience more difficulty than men without children. This is, however, reversed for people with children: fathers experience more difficulty in combining work and family responsibilities, than mothers do. In Sweden, the gap is different. Similar to the Netherlands, women without children experience more difficulty than men without children. However, for the people with children, there is no difference between mothers and fathers in how they experience difficulty in combining work and family. This can be explained by the generous parental arrangements for both mothers and fathers in Sweden. However, Sweden scores worse on this item than the Netherlands does, for people with and without children – despite the available Swedish arrangements. This is a surprising finding which could, however, be explained by the high part-time rate in the Netherlands and the female workforce who takes on 'dual roles' – thereby compensating for the difficulty experienced by both men and women.

6.3 Answer to the research question

How does the recently adopted EU directive on work-life balance for parents and carers aim to contribute to the work-life balance of employees – and what does this imply for two high scoring countries on work-life balance, namely the Netherlands and Sweden?

This thesis examined how the new EU directive on work-life balance aims to contribute to the work-life balance of employees. Based on the findings of this study, expectations can be drawn on the potential implications of the directive for the Netherlands and Sweden in particular.

The objective of the directive is to "achieve equality between men and women with regard to labour market opportunities and treatment at work, by facilitating the reconciliation of work and family life for workers who are parents, or carers" (Directive (EU) 2019/1158, art. 1). To answer the research question, this objective will be discussed in two parts: facilitating the reconciliation of work and family life and achieving equality between men and women.

6.3.1 Facilitating the reconciliation of work and family life

The directive entitles workers to a minimum amount of days of paternity, parental and carers' leave - paid. Swedish legislation meets all requirements that are set by the directive, whilst Dutch legislation does not yet meet the requirements on paternity leave and parental leave. Despite this, Sweden does not seem to score higher on work-life balance indicators than the Netherlands does – neither when scores are differentiated between people with and without children. When it comes to combining work and personal life, the Netherlands scores at least equal to Sweden. Nevertheless, also Sweden consistently ranks amongst the highest scoring countries, indicating that

the Swedish work-life balance arrangements definitely contribute to the work-life balance of Swedish employees. When the EU directive requires EU countries to adopt minimum arrangements on paternity, parental and carers' leave, it is expected that this will lead to higher levels of work-life balance for employees in EU countries. However, for Sweden, these provisions will have less impact, since Sweden already meets the requirements laid down by the directive. For the Netherlands, it is expected that the directive will have great impact, since Dutch legislation does not yet provide for paid parental leave.

The directive also entitles workers to request a reduction of working hours for caring purposes. Swedish legislation largely meets the requirements set by the directive, whilst Dutch legislation exceeds the requirements. Regarding the request for a reduction of working hours, Dutch legislation does not provide a restriction to the purpose and applies a larger scope than the directive does. As a consequence, working part-time is easier for Dutch people than it is for Swedish people. However, it needs to be taken into account that the high part-time working rate in the Netherlands has a long history: it is not solely facilitated by legislation – it has rather become a 'social norm', especially for the female workforce. The access to part-time work shows association with high levels of work-life balance: the Netherlands scores consistently high regarding the ability to combine work and personal life – at least equal to the Swedish scores. Sweden ranks consistently lower than the Netherlands on work-life balance topics that do not involve caring responsibilities, which may suggest that it is more difficult for Swedish people to get access to arrangements that are not limited to caring purposes, than it is for the Dutch. This is in line with the scope of the Swedish legislation for the entitlement to a reduction of working hours.

When the EU directive requires EU countries to adopt a regulation which entitles workers to request a reduction of working hours, it is expected that this will lead to higher levels of work-life balance for employees in EU countries. However, an important point of attention should be the purpose for which the reduction may be requested and the personal scope – it is expected that restrictions to the purpose or a limited scope will lead to a limited gain in work-life balance. For the Netherlands, the directive will have no particular impact, since Dutch legislation amply exceeds the requirements laid down by the directive. For Sweden, only minor requirements need to be implemented, thus little impact is expected.

6.3.2 Achieving equality between men and women

The directive entitles male workers to a minimum amount of paid paternity leave. Swedish legislation meets the requirements of this leave, whilst Dutch legislation does not. Moreover, the directive entitles both male and female workers to a minimum amount of days of paid parental leave. Swedish legislation amply exceeds the requirements for this leave, whilst Dutch legislation, again, does not: Dutch legislation meets the required amount of days - however, this concerns unpaid leave. Additionally, the directive includes a measure to foster the take-up of parental leave by men: the minimum amount of days of parental leave is non-transferable between parents. Parental leave is in both Sweden and the Netherlands non-transferable. However, since in the Netherlands, parental leave is unpaid, currently working parents often decide not to take up parental leave at all – whereby mothers take up leave twice as often as fathers do: 22% against 11% in 2017 (Centraal Bureau voor de Statistiek (CBS) and Sociaal en Cultureel Planbureau (SCP), 2018).

Research shows that the Netherlands has consistently larger gender gaps than Sweden on work-life balance topics. Women experience more difficulty in combining work and personal life than men, despite the higher part-time rate of female workers. In the Netherlands however, among people with children, men experience more difficulty in combining work and personal life than women. This differs for Sweden, where mothers and fathers experience difficulty to a comparable extent. These findings suggest that the equal opportunities for mothers and fathers in Sweden lead to less gender inequality than in the Netherlands.

When the EU directive requires EU member states to adopt regulations on paid paternity leave and paid parental leave for both parents, it is expected that this will lead to less gender inequality in the ability of men and women in EU countries to combine work and personal life, and to less gender inequality with regard to career progression. For Sweden, the directive is expected to have no particular impact on gender equality, since Swedish legislation already provides for equal work-life balance facilitation. For the Netherlands, the directive is expected to have more impact. The directive may contribute to gender equality by providing for paid parental leave – in this way, it may be stimulated that both parents take-up leaves instead of the mother only.

If the goal of the directive is indeed “(...) to provide more equal opportunities for women and men in the workplace and at home” (Council of the EU and the European Council, 2018), the directive should additionally address the gender inequality in working hours in EU countries – and require EU countries to take measures to change their social norms. Social norms per country should be taken into account and measures should be taken to initiate change, if the EU really intends to provide equal opportunities in the workplace and at home.

6.3.3 Trade-off

A trade-off can be recognized in the ‘models’ that currently constitute work-life balance in the Netherlands and Sweden. In the Dutch model, the access to part-time work – which is especially the norm for women – leads to a high level of work-life balance for men and women together. In the Netherlands, the ‘dual roles’ of women seem to compensate for the difficulty that male and female workers both experience in combining work and personal life: by working part-time instead of full-time, time can be devoted to family- and household responsibilities – which might otherwise also be the responsibility of the full-time working spouse. In this way, the fact that the Netherlands scores highest on work-life balance amongst EU countries is mainly constituted by the high part-time rate of the female workforce. However, this model preserves gender inequality when it comes to career progression (especially for women) and the opportunity to take on family responsibilities (especially for men). The Swedish model leads to slightly lower levels of work-life balance than the Dutch model does. However, there is less gender inequality in opportunities to take on family responsibilities and more access for parents to care for their children in general. These models can be visualized by integrating them with Hobson’s (2013) model – as discussed in chapter three.

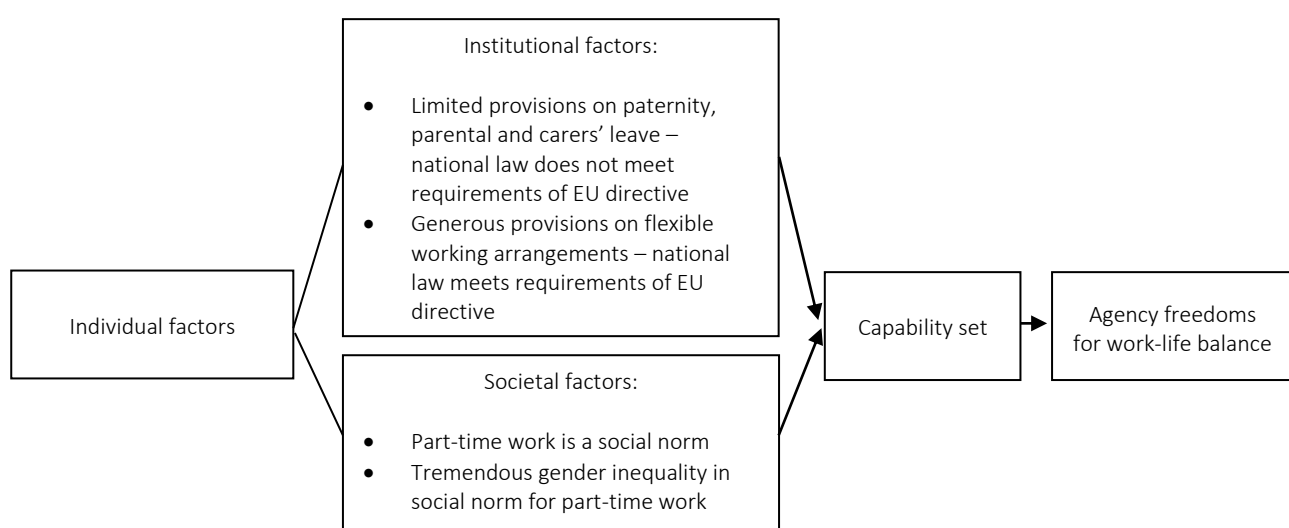


Figure 3. Dutch conversion factors model for work-life balance (based on Hobson, 2013)

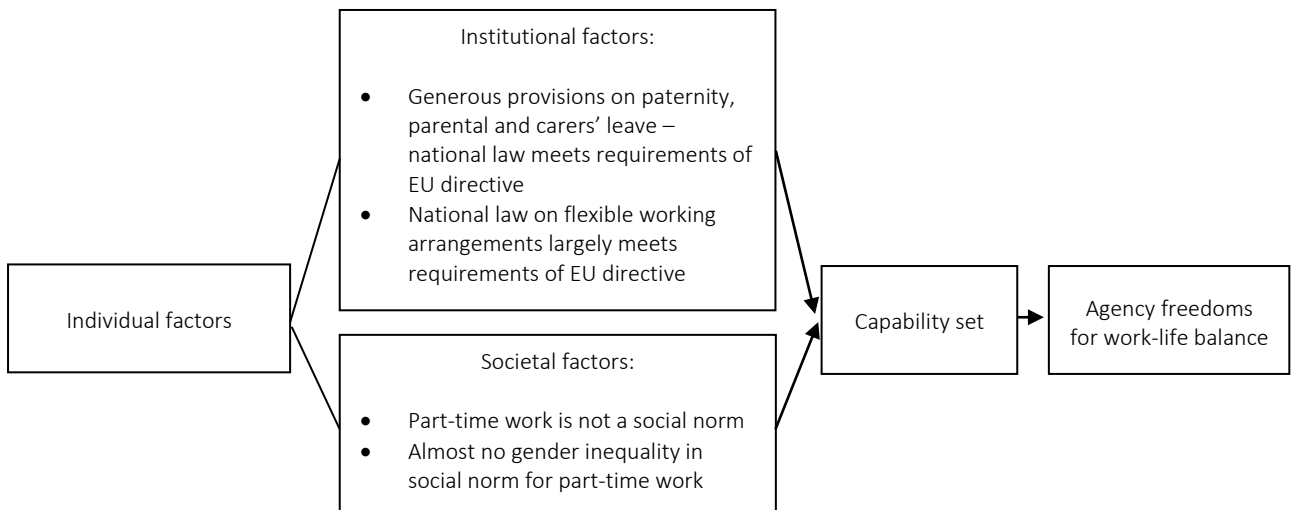


Figure 4. Swedish conversion factors model for work-life balance (based on Hobson, 2013)

The trade-off between different models should be taken into account: taking measures to foster work-life balance, and simultaneously aiming to achieve gender equality, requires compensation on certain resources – hence, it always comes at a price.

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