

# **Redistributive ‘winners and losers’ of childcare-related policies: (in)equality dynamic of childcare-related policies in the post-Yugoslav countries\***

**Ivana Dobrotić**

Marie Curie Fellow, University of Oxford, Department of Social Policy and Intervention

[ivana.dobrotic@spi.ox.ac.uk](mailto:ivana.dobrotic@spi.ox.ac.uk)

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## **A research puzzle: Childcare-related policies and social and gender inequalities**

There is a rising interest in redistribution effects of childcare-related policies,<sup>1</sup> with recent findings pointing out at a so-called Matthew effect in the use of childcare-related leaves and services in most of the European countries; that is, disadvantaged families are less likely to benefit from paid parental leaves and early childhood education and care (ECEC) of good quality (Abrassart & Bonoli, 2015; Ghysels & Van Lancker, 2011; Pavolini & Van Lancker, 2018). The design of these policies was identified as one of the crucial conditions of childcare inequalities. For example, exploring inequalities in childcare use across developed countries, Van Lancker and Ghysels (2016, 325) found that “the organization of leave schemes, government involvement in the supply of childcare services, affordability and quality of childcare services are all (conditionally) associated with inequality in childcare use”. Similarly, leave policy scholars (e.g. McKay et al., 2016; Dobrotić & Blum, 2019a, 2019b) pointed out at close relationship between the leave policy design and social (besides gender) inequalities in access to parental leave benefits.

These findings have evoked discussion on a need to develop a more *just* childcare-related policies, which would support both mothers and fathers in early childcare and allow access to parental care and ECEC of good quality to all children, regardless of their parents’ attachment to the labour market (e.g. Rostgaard, 2018; Doucet et al., 2019; Koslowski et al., 2019). While universal access to ECEC is increasingly advocated from a social right perspective at European level (Rostgaard, 2018; Eurydice & Eurostat, 2014), leave rights are still highly contingent on labour market participation. Namely, in many countries, access to leave rights is conditioned by strict employment-related requirements and outdated concepts of labour market relations, and parents in atypical and unstable employment are faced with difficulties in accessing leave rights (McKay et al., 2016; Dobrotić & Blum, 2019b). As argued by Koslowski et al. (2019, 359) “the conditioning of employment for access to parental leave is often based on the idea of

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<sup>1</sup> Childcare-related policies are understood here in terms of childcare-related leaves (maternity, paternity and parental leaves and benefits) and services (early childhood education and care services, ECEC).

parental leave as an employment right linked to social insurance”, which excludes many people (e.g. migrant workers, workers in the informal economy) and asks for a reconsideration. Doucet et al. (2019, 342) thus argue that in order to foster solidarity and reduce social inequalities countries need “a broad justice position [which] would entirely detach paid support for parental care of newborns from employment to ensure equality of opportunity regardless of parents’ relation to the labour market“. This discussion is highly relevant in the context of changing labour markets, that is, a considerable change in employment patterns over recent decades in European countries, with an evident “move away from the traditional (i.e. ‘standard’) open-ended full-time contract towards a more flexible, non-standard, form of employment” (Green & Livanos, 2017, 175).

The question of how to make childcare-related policies more just asks for further elaboration and empirical evidence. While there seems to be a consensus at European level when it comes to ECEC policies and access to ECEC become widely advocated as children’s right and realised at the policy level in the form of the legal entitlement to ECEC in many countries (e.g. Rostgaard, 2018),<sup>2</sup> that is less the case for leave policies. Leave policies literature, as well as political debates (e.g. European Commission, 2017), have been predominantly preoccupied with rights of mothers and fathers in (standard) employment, while class differences embedded in leave policy design have come to the attention only recently, both from parents and child perspective (for more details see Dobrotić & Blum, 2019a, 2019b; Doucet et al., 2019). Thus, a deeper understanding of an (in)equality dynamic of leave policies reforms and their implications is needed, to be able to reconsider and „re-configure leave policy as a social right“ (Koslowski et al., 2019, 359) and develop new practical strategies which would overcome social (and gender) inequalities in childcare.

This paper aims to contribute to these debates by providing deeper insight into the complexities (including tensions and dilemmas) involved in inter-connection of childcare-related policies design and gender and social inequalities in childcare and employment. It engages in this discussion by comparatively examining an (in)equality dynamic and priorities of childcare-related policies reforms in five post-Yugoslav countries (PYCs): Bosnia-Herzegovina, Croatia, Montenegro, Serbia and Slovenia.<sup>3</sup> Both leave policies, and ECEC policies design is discussed as well as a coherence between these policy areas in each country, providing a closer and systematic look at constituent elements of these policies and their implications for gender and class (in)equalities in childcare and employment. The paper conceptually builds on growing literature that attends to social (and gender) inequalities in childcare-related policies design (e.g. Abrassart & Bonoli, 2015; McKay et al., 2016; Van Lancker & Ghysels, 2016; Doucet, 2017; Dobrotić & Blum, 2019a, 2019b; Doucet, 2019; Koslowski et al., 2019).

The PYCs provides an interesting case as in the last three decades they have experienced abrupt shifts in gender assumptions behind childcare-related policies, additionally divided along social and ethnical lines (e.g. Shiffman et al., 2002; Dobrotić et al., 2013). The fact that these policy shifts occasioned frequent changes in entitlements to childcare-related rights and redistribution among various groups of mothers and fathers provides a vibrant ground for exploration of an (in)equality dynamic of childcare-related policies reforms and their

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<sup>2</sup> Although, the age when the entitlement starts differs a lot among European countries, which is also related to cultural factors (see e.g. Eurydice and Eurostat, 2014).

<sup>3</sup> As for a deeper understanding of social inequalities in policy design, especially in leave policy design, it is important to explore systematically the connection between the entitlement-conferring statuses and the scope of the rights, which presumes a close work with legislation, only countries whose language is familiar to the researcher are included. Even with this decision, the paper provides a comprehensive overview of trends in this region, as North Macedonia and Kosovo did not significantly reform that area in the last three decades (see Stropnik & Dobrotić, 2018).

implications. It sheds light on elements of policy design that may challenge or reinforce parental (in)equalities and thus also children's equal opportunities, and reveals methodological and conceptual complexities in assessing the inter-connection of policy design and multiply determined and intertwined inequalities in care. The main focus is to identify the "redistributive winners and losers" produced by different policy approaches and ideas (e.g. employment vs. fertility-centred reforms) in the last three decades; however, to better understand the policy shifts and their redistribution implications first a brief overview of socialist legacy in leave policy and ECEC is given.

## **Childcare-related policies in the post-Yugoslav countries and their implications for gender and social inequalities in childcare and employment**

### ***Socialist legacy in leave policies and ECEC: the foundations of the employment-based system***

Childcare-related leaves and services in the PYCs started to develop more rapidly with the state-socialist period when Yugoslavia experienced rapid and intensive industrialisation and became faced with a labour force shortage. In response to this trend a dual-earner model became advocated, and the introduction of paid maternity leave, together with investments in ECEC, was seen as a necessary prerequisite for women's entrance and participation in the labour market (Černigoj-Sadar & Vojnovič, 1992; Puljiz & Zrinščak, 2002; Drezgić, 2004). Until the 1980s the PYCs thus gradually introduced rather generous maternity leaves (e.g. nine-month to one-year leaves paid at the level of the previous salary)<sup>4</sup> and started to establish ECEC infrastructure (Stropnik, 1997; Zrinščak, 2002; Dobrotić, 2019a; cf. with Western countries: OECD, 2019; Daly & Ferragina, 2018).

Childcare-related policies in the socialist period were built on maternalist assumptions (see e.g. Dobrotić, 2018; Stropnik & Dobrotić, 2018), that is, "upon a gendered division of labour in which women were mothers, wives, caregivers, and domestic workers – even if they also worked for pay – while men supported families economically, almost always through paid labour. If women were not always housewives, they almost always cut back on or in some way made accommodations in formal economic activities in order to carry out their responsibilities for caregiving" (Orloff, 2006: 236-237). Leave policies reforms in the socialist period were primarily oriented towards the establishment and expansion of maternity leaves, to facilitate women's participation in the labour market. Leave policies lacked a serious incentive for fathers to engage in childcare (see Stropnik & Dobrotić, 2018) and reforms in this domain remained either oriented towards "practical" issues (e.g. since the late 1970s fathers could exercise the leave if the mother was not capable of taking care of the child) either symbolic – in the mid-1970s Croatia and Slovenia introduced a so-called "additional maternity leave" (Table 1), which could be used by both men and women, however, leave remained a primary mother's right that could be transferred to the father (often only if the mother was in full-time employment, see Dobrotić, 2019b). Moreover, due to the traditional understanding of the fathers' role, it was not expected from fathers to engage in childcare,<sup>5</sup> and mothers continued to use the whole leave period (Korintus & Stropnik, 2009; Dobrotić, 2012).

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<sup>4</sup> It is less known that the PYC are characterised by early state intervention in the area of maternity leaves. Following the 1927 ratification of the 1919 ILO Maternity Protection Convention, the Kingdom of Serbs, Croats and Slovenes enacted 12 weeks (2.8 months) of paid maternity leave (Korintus & Stropnik, 2009).

<sup>5</sup> As Stanojević (2015, 103) describes: "...ideas of women as mothers (regardless of their work engagement) and wives to whom the domestic sphere belongs remained dominant. Even though women gained the right to work

As the gendered division of care remained unaddressed, the rise in women's employment in the socialist period came with a double burden (see, e.g. Tomić-Koludrović & Kunac, 2000; Dobrotić et al., 2013), which was additionally aggravated because of a lack of ECEC. Namely, despite early investments, ECEC in the PYCs remained underdeveloped in comparison to some other socialist countries. For example, while more than 75% of children aged 3-6 participated in ECEC in Czechia and Slovakia in 1990, and 85% in Hungary, the availability of ECEC in Yugoslavia was lower – 23% of children aged 3-6 were enrolled in ECEC (Zrinščak, 2002). Enrolment rates varied a lot among (and within) the republics of former Yugoslavia reflecting development level and cultural specificities of each area, with Slovenia and more developed areas performing comparatively much better (cf. Stropnik, 2001; UNICEF, 2012; Prica et al., 2014; Dobrotić et al. 2018).<sup>6</sup> Although PYCs tended to introduce different (state-level) mechanisms intended to improve the ECEC affordability (e.g., parents were expected to cover only meal costs in Serbia and Montenegro, Slovenia had an upper limit on parental ECEC fees), it was a higher social strata who mostly benefited from ECEC (see e.g. Matković et al., 2019). Namely, due to the lack of ECEC, the providers relied on selective practices in defining enrolment criteria. In line with the main goal behind the ECEC development—support to women's participation in the labour market—the priority was given to children of employed parents (Dobrotić, 2019c), additionally institutionalising social inequalities in access to ECEC. As it is known, selective practices in enrolment (i.e. preferential criteria) only aggravate social inequalities in ECEC participation (see, e.g. Dobrotić et al., 2018; Yerkes & Javornik, 2018).

Social inequalities were inherent to leave policies design as well, particularly in the early socialist period. Childcare-related leaves and benefits were built as employment-based rights linked to social insurance, and aimed solely towards parents (i.e. mothers) with the traditional (“standard”) open-ended full-time contracts (i.e., self-employed, farmers and occasionally employed were excluded from the social insurance system). It was as late as at the end of the 1980s when Slovenia and Serbia opened the system to self-employed parents (i.e. mothers) and farmers, while other countries followed this practice after 1990. At the same time, Slovenia and Serbia also implemented the right to less generous maternity benefits for certain categories of unemployed mothers (Dobrotić, 2019c). Finally, leave benefits were additionally conditioned with a previous insurance/employment history (e.g. in the 1960s six uninterrupted months or 12 months with interruptions before the leave; however, the benefit was calculated based on the earnings in a year before the year in which leave started). In the mid-1970s the insurance period needed to become eligible for leave benefits was discarded in all the countries, while Croatia, Montenegro and Serbia started to calculate benefits on a milder criterion of three months before the leave (Dobrotić, 2019c), what allowed access to generous maternity benefits also for parents (i.e. mothers) with short or unstable working career.

To sum up, in spite of some differences in policy design, childcare-related leaves and services in the socialist period primarily targeted employed mothers, i.e. dual-earner families with “standard” and stable attachment to the labour market. Moreover, following a strong assumption that childcare is women's work, leave policies remained gendered, and together with underdeveloped ECEC system had a propensity to exacerbate social and gender inequalities in parenting practices and childcare.

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and that they had high participation in the labour market [...], there was no significant change in the division of care work. Fathers in this period retain their primary role as breadwinners.”

<sup>6</sup> For example, estimates based on 1990 data show that the enrolment rate of children aged 0-6 ranged from only 7.7% in Bosnia-Herzegovina over 17.3% in Montenegro, 19.9% in Serbia and 25% in Croatia to 49.5% in Slovenia (Savezni zavod za statistiku, 1992a, 1992b), followed by large regional differences within each country.

### *Post-1990 reforms of leave policies and early childhood education and care*

Since 1990 the differences in childcare-related policies among the PYCs have become more evident, clearly reflecting the specific circumstances each country has faced after the dissolution of Yugoslavia and in the process of the nation- and state-building (see, for example, Deacon & Stubbs, 2007; Stubbs & Zrinščak, 2009). Looking from a general perspective and without going in detailed contextual differences between the analysed countries as these are not the main focus of this paper, in the 1990s the childcare-related policies in the PYCs were challenged by two abrupt shifts. First, a societal re-traditionalization, in some cases supported by explicit pronatalist agenda closely interwoven with an explicit (ethnicized) nationalist discourse (e.g., Shiffman et al., 2002), has triggered reform proposals aimed at women's redomestication (see Puljiz & Zrinščak, 2002; Korintus & Stropnik, 2009; Dobrotić et al., 2013; Dobrotić, 2012, 2018). For example, in Croatia a withdrawal of state support to nurseries become advocated, and, instead, investments in three-year maternity leaves and/or cash-for-care benefits, aiming to withdraw women from the labour market and allowing them to devote to their "primary" role – a reproductive and caring function (Kesić, 1994; Dobrotić et al., 2013). Second, after 1990, in the process of transition from a socialist to a capitalist regime, a wide range of social problems only aggravated (see, e.g. Deacon & Stubbs, 2007), and growing demands to reform most of the social policy areas have become quickly faced with very limited state capacities to address them. Moreover, in countries strongly affected by the 1990s wars the state's limited (re)distributional capacities only exacerbated due to a need to take care of a large population of refugees and displaced persons and address a newly emerging demands of a large groups of war veterans asking various social rights (see Deacon, 2000; Dobrotić, 2008; Stubbs & Zrinščak, 2009, 2012; Obradović, 2017). As discussed further, these trends have manifested to a different extent in the PYCs, reinforcing further divergence in their childcare-related policies.

Before a detailed discussion of post-1990 childcare-related policies reforms from a gender and social inequalities perspective, it is important to point out at two more general trends. First, pronatalist elements eventually become incorporated in leave policies design solely in Croatia and Serbia. Both countries introduced longer leaves for parents with more than two children in the 1990s, however, with the important difference among them – Serbia introduced more generous leave benefits (Table 1) that explicitly targeted (self)employed mothers and low-fertility geographical areas. Namely, in Croatia the right to three-year maternity leave paid at flat-rate level was introduced, targeting both employed and unemployed mothers with three or more children (or multiple births), while Serbia introduced two-years, earnings-related leave benefits that explicitly targeted the third (eventually fourth) child (see Table 1, notes).

Second, since 1990 all the PYCs have seen reforms that (in)directly affected the leave benefits level. Bosnia-Herzegovina was most affected, as the decision to decentralise maternity benefits (see Table 1, notes) left many employed mothers without the right to paid maternity leave. The reform was abrupt and many cantons in the Federation of BIH were not prepared to continue to pay previous state-level benefits. Namely, while some cantons immediately introduced their own maternity benefit schemes (e.g. Zenica-Doboj or Tuzla Canton), others re-established maternity benefits only recently (e.g. Posavski Canton in 2015, and Herzegovina-Neretva Canton in 2017). That brought large territorial differences in maternity benefits as well as a decrease in their level as cantonal benefits were not able to reach the previous replacement rate of 100% – nowadays maternity benefits typically range from 40-80% of the previous salary in the Federation of BIH (often followed by a ceiling).<sup>7</sup> While Croatia transformed an earnings-

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<sup>7</sup> In 2013 the benefit was newly set to 100% of the previous earnings only in Canton 10, and in 2006 at 90% only in the Tuzla Canton (there is a ceiling set at the average salary in the Federation of BIH; Dobrotić, 2019c).

related "additional maternity leave benefit" to flat-rate benefit (in 1997),<sup>8</sup> other countries have managed to maintain earnings-related benefits inherited from the socialist period. Eventually, a ceiling on maternity/parental benefits was introduced in Montenegro, Serbia and Slovenia affecting the higher earners. As ceilings remained attached to the average net salaries and typically exceeded the average net salary by two to five times,<sup>9</sup> a decrease in leave benefits was less detrimental than in Croatia and Bosnia-Herzegovina.

Table 1: Maternity leave, parental leave, and maternity/parental allowances for unemployed/inactive parents 1990-2019

	1990#			2010			2019		
	months	%	gender	months	%	gender	months	%	gender
<b>Maternity leave</b>									
<b>BIH</b> <sup>1</sup>	12	100	/	12	(0-100)	/	12	(0-100)	/
<b>HR</b>	7	100	/	7	100	/	7	100	/
<b>ME</b>	9	100	/	13	100	/	2.4	100*	/
<b>RS</b>	9 <sup>2</sup>	100	/	4	100*	/	4	100*	/
<b>SI</b>	3.5	100	/	3.5	100	/	3.5	100	/
<b>SFRJ</b>	9 <sup>3</sup>	100 <sup>3</sup>	/	/	/	/	/	/	/
<b>Parental leave</b>									
<b>BIH</b>	-	-	-	-	-	-	-	-	-
<b>HR</b>	6	100	Mother's right	6 <sup>4</sup>	100*	Individual right	8 <sup>4</sup>	100*	Individual right (2 months quotas)
<b>ME</b>	-	-	-	-	-	-	10.6	100*	Family right
<b>RS</b>	-	-	-	9 <sup>5</sup>	100*	Mother's right	9 <sup>5</sup>	100*	Mother's right
<b>SI</b>	8.6	100	Mother's right	8.6	100	Family right	8.6 <sup>6</sup>	100*	Individual right, transferable
<b>Maternity/parental allowances</b>									
<b>BIH</b> <sup>7</sup>	-	-	-	-	-	-	-	-	-
<b>HR</b>	(-) <sup>8</sup>	(-) <sup>8</sup>	(-) <sup>8</sup>	12 <sup>10</sup>	31.2	Mother's right	12 <sup>10</sup>	36.6	Mother's right
<b>ME</b>	12	16 <sup>9</sup>	Mother's right	12	4.9	Family right	12	15.5	Family right
<b>RS</b>	12	30	Mother's right	(24) <sup>11</sup>	(13-31.1) <sup>11</sup>	Mother's right	(24-120) <sup>12</sup>	(20.1-36.2) <sup>12</sup>	Mother's right
<b>SI</b>	12	23.3	Mother's right	12	19.8	Family right	12	22.7	Family right
<b>ECEC (2019)</b>									
	Child's age at start of ECEC entitlement			Childcare gap (months) <sup>▲</sup>			Affordability mechanisms		
<b>BIH</b>	∞			∞			/		
<b>HR</b>	∞			∞			/		
<b>ME</b>	∞			∞			/		
<b>RS</b>	∞			∞			/		
<b>SI</b>	11 months			0			Progressive scale for defining parental fees		

Notes: # 1995 data in the case of maternity/parental allowances; **4.3** weeks of leave constitute one month of leave; % = share in the previous salary (in the country's average wage in the case of maternity/parental allowance); \* there is a ceiling; ▲ gap between the child's age at start of ECEC entitlement and end of well-paid leave; ∞ there is no legal entitlement to ECEC

**1** = the right to maternity benefit in Bosnia-Herzegovina was decentralised to the entity level in the early 1990s, and in the Federation of Bosnia-Herzegovina further to the level of cantons in 1999; Bosnia-Herzegovina thus has 12 different systems of maternity benefits with pronounced regional differences in their amount; **2** = in the 1992-1996 period leave was 12 months for the first and second child, 24 months for the third child, and 9 months for the fourth and every subsequent child, maternity benefit was 100% of the previous earnings only for the first three children (four in depopulated areas), and it was falling at 80% for the fourth and every subsequent child (in the early 1990s to 50% for the sixth and every subsequent child); in the 1997-2001 period the leave was 24 months only for the third child; **3** = data for 1989; **4** = the leave can be extended until the child turns three in the case of multiple births or births of the third and every subsequent child (the benefit is lower for the extended leave period, i.e. the ceiling on first six or eight months of leave is 0.64 average salary, and on remaining leave period 0.36 average salary); since 2013 two months of leave are non-transferable (quota); **5** = the leave for the third and every subsequent child is 21 months; since 2018 only parents in "standard" employment can use the extended leave period, i.e. other categories of parents, such as self-employed parents, temporary or occasional employees and parents in agriculture can use only 12 months of leave; **6** = the leave is extended for 30 days if the parents already have two preschool children or children attending the first grade of elementary school, for 60 days if they already have three children of that age and 90 days if they already have four or more children of that age; leave is extended in the case of multiple births (up to three months, a practice since the 1980s); **7** = Bosnia-Herzegovina did not implement citizenship-based benefits at the state level; in the Federation of

<sup>8</sup> Although this reform, as well as the introduction of a ceiling on maternity benefits, initially affected smaller number of parents, the absence of benefits' indexation brought a rapid fall in their real values (e.g., a ceiling on maternity benefits was set at 2.8, and the flat-rate benefit at one average salary, what fell until 2006 at 0.9 and 0.5 average net salary respectively; Dobrotić, 2019b).

<sup>9</sup> As a result of the 2009-crisis reforms, Slovenia temporarily reduced parental and paternity benefits in the 2012-2018 period from 100% to 90% of previous earnings, for parents whose income is exceeding the minimum salary.

BIH cantons have gradually introduced these benefits and their amount range from low and only symbolic one-off benefits to monthly benefits reaching 40% of average salary; **8** = flat-rate benefit was introduced in 1996 only in the case of multiple births and the birth of the third and each subsequent child (64.8% of the average salary in 1997); **9** = estimated share; **10** = in the case of multiple births and the birth of the third and each subsequent child, the benefit is paid for 36 months; **11** = since 2002 citizenship-based benefit aimed at both employed and unemployed; the benefit for the first child is paid as one-off benefit in the amount of 0.8 average net salary, and for the second, third and fourth child monthly through 24 months; the benefit increases with the number of children; **12** = the benefit for the first child is paid as one-off benefit in the amount of two average net salaries, for the second child through 24 months, and for the third and fourth child through 120 months; the benefit amount increases with the number of children.

Izvor: Dobroć (2019c)

***Post-1990 childcare-related policies reforms and gender inequalities.*** Among the compared countries, only Slovenia improved the gender dimension of childcare-related policies. That particularly holds for leave policies design as Slovenia is the only country that has, since the early 2000s, gradually introduced a one-month paternity leave paid at the level of the previous salary,<sup>10</sup> providing an important incentive for fathers' take-up of leave. Since the introduction of well-paid paternity leave, the number of fathers and days they spent on leave have continuously grown and reached four out of five fathers (Stropnik, 2018). Although in 2013 Croatia introduced a two-months father's quotas within the parental leave policy design, fathers rarely use them.<sup>11</sup> This is not surprising as a low ceiling is set at parental benefits (see Table 1, notes), while comparative studies show that only well-paid father's entitlements may improve their take-up rates, and result in a more equal redistribution of care responsibilities in private sphere (see, e.g. O'Brien, 2009; O'Brien & Wall, 2017; Karu & Tremblay, 2018). Moreover, Croatia limits the access to parental leave only to (self)employed fathers whose partner is also (self)employed, and only in the case of the birth of the first and the second child (cf. Table 1; Dobroć, 2019b). The leave policy design for parents with three or more children thus remains gendered – it provides a long parental leave primarily intended for mothers (30 instead of 8 months), paid at a lower level after the eighth month of leave (Table 1). In other PYCs, the gender dimension of leave policy design was a silent topic. Although Serbia and Montenegro transformed the majority of maternity leave into parental leave, parental leave remained the mother's right in Serbia and the family right in Montenegro (Table 1), and mothers remained the main beneficiaries (N1info, 2018; CDM, 2019).

Besides, Slovenia is the only country that has significantly improved the ECEC accessibility, availability and affordability in the last three decades (Figure 1), important for women's (continuous) participation in the labour market (e.g. Del Boca et al., 2008, 2009; Keck & Saraceno, 2013; Boeckman et al., 2013). It is also the only country that introduced a legal entitlement to ECEC in 1996, starting after the well-paid parental leave. The childcare gap is thus formally non-existent, i.e. there is no gap between the end of well-paid leave and an ECEC entitlement (Stropnik, 2018). Although, in spite of the legal entitlement and high enrolment rates the needs of children younger than three in more populated areas are still not fully covered (see Eurydice, 2019), which may be partially prescribed to the nature of the legal entitlement – it is activated only in the case when there are enough children on the waiting list in the certain local community to create a new educational group. Contrary, other PYCs have seen much slower (or no) development, and ECEC is still unavailable to a large number of children (Figure 1). That is most evident in Bosnia-Herzegovina as a large number of ECEC institutions

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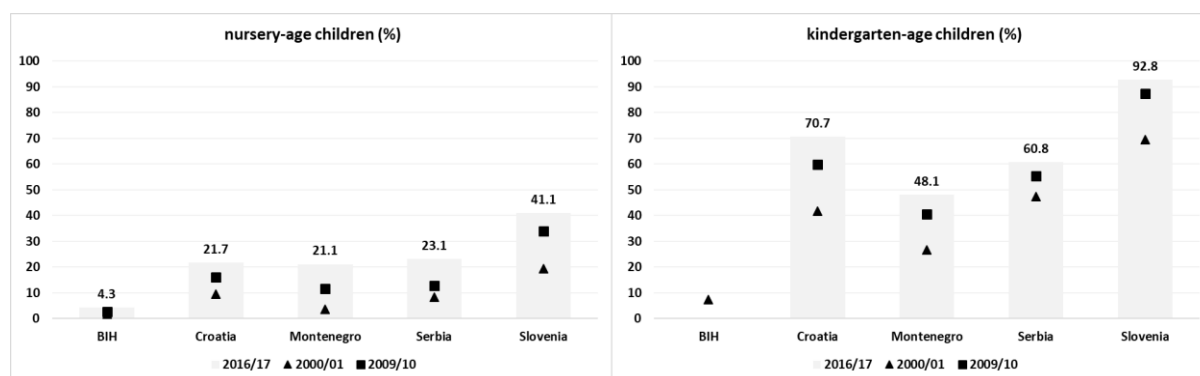
<sup>10</sup> Initially, 90 days of paternity leave was introduced, but only 15 days were paid (for the remaining days the contributions to the minimum wage were paid). From 2016 paid paternity leave have gradually increased (5 days a year) to reach 30 days in 2019, while the unpaid leave was abolished.

<sup>11</sup> The data on beneficiaries gender structure shows that only 4-5% of fathers used the leave in the last few years, to slightly increase to 7.6% in 2018, after a slight increase of a ceiling on parental benefit in 2017 (see Dobroć, 2019b; Pravobraniteljica za ravnopravnost spolova, 2019).

destroyed in the 1990s war failed to be re-established,<sup>12</sup> and in the absence of visible investments in ECEC there are currently about 7,000 ECEC places less than in 1990 – these capacities hardly cover the needs of one-tenth of preschool population (cf. Ministarstvo civilnih poslova BIH, 2004; Agencija za statistiku BIH, 2018).

To sum up, only Slovenia has developed childcare-related policies which allow both men and women to participate in the labour market continuously and could challenge traditional redistribution of care in the private sphere. It is thus not surprising that in comparison to other PYCs Slovenia has higher employment rates and the lowest gender gap in employment. For example, in 2018 the employment rate (20-64) of men was 79% and women 71.7%, while the employment rate of fathers (25-49) with children younger than six was 97.1% and mothers 83.3% (Eurostat, 2019a). Moreover, men in Slovenia spend 18 hours a week in caring for or/and educating children. Although this is still ten hours less than women, the gender gap in childcare is less pronounced than in other analysed countries where it ranges from 17-21 hours a week (e.g. in Montenegro and Serbia, women spend around 38 hours a week in caring for or/and educating children, and men 18-20; EQLS, 2016). There is also a larger gender gap in parents' employment in these countries; e.g. in 2018, the employment rate of fathers (25-49) with children younger than six in Montenegro was 80.7% and mothers 51% (Eurostat, 2019a).

Figure 1: The ECEC enrolment rates – nursery programs (0-2) and kindergarten programs (from 3 years until the beginning of the primary school)



Note: For data comparability, TransMonee data are used, which differ from the national data to a certain extent. For example, in comparison to the national data, the TransMonee data for 2016/2017 underestimate the enrolment rate of children in nursery programs in Slovenia (61% according to national data; SURS, 2019), and overestimate the enrolment rate of children in kindergarten programs in Croatia (59.2% according to national data, Dobrotić *et al.*, 2018).

Source: TransMonee (2019)

**Post-1990 childcare-related policies reforms and social inequalities.** Looking from social inequalities perspective, post-1990 reforms are far from being straightforward. That relates to both leave and ECEC policies. On the one hand, leave policies became more inclusive as access to leave rights have been gradually given to new status groups, however, on the other hand, eligibility criteria for employment-based leave benefits become stricter hindering access to (full) employment-based benefits. The latter was particularly inherent to reforms in Croatia, Montenegro and Serbia, while Slovenia is again an outlier here. Slovenia started to implement reforms that made leave policies more inclusive already in the late 1980s and to slightly improve the eligibility criteria for leave benefits inherited from the socialist period; i.e. a new formula for calculation of leave benefits was introduced, which increased the benefit level for

<sup>12</sup> For example, only in Canton Sarajevo barely 27 out of 59 pre-war facilities remained functional (Ministarstvo civilnih poslova BIH, 2004).



parents with less stable career and thus slightly improved the duration of well-paid leave available to them (Figure 2). Eventually, all the PYCs ceased to target only parents in “standard” employment and the *access to leave rights have gradually been given to self-employed, farmers and parents in “atypical” employment* (e.g. occasionally employed, employed on short-term contracts).

Still, growing inclusiveness of leave policies for parents in non-standard employment was followed by few small-step reforms, which made *eligibility criteria for leave benefits stricter*. That was the case in Croatia, Montenegro and Serbia, the countries that in the early 1990s granted the full amount of leave benefits (i.e. 100% of the previous salary) to all employed parents, regardless of their employment history. After the post-1990 reforms, parents in short-term or unstable employment become entitled to low flat-rate benefits in the same amount as unemployed parents (in Croatia) or even smaller benefits (e.g. in Serbia who failed to define the minimum benefit level). More precisely, Croatia newly introduced the condition of the previous insurance period needed to qualify for employment-based leave benefits (currently nine uninterrupted months or 12 months within 24 months before the leave), while the benefit level started to be calculated based on the average earnings in six months before the leave (previously a month). (Self)employed parents who fail to fulfil these criteria have the right to low, flat-rate benefit as the unemployed, which significantly affects the duration of well-paid leave available to them (Figure 2). Similarly, in Montenegro, only parents who fulfil a condition of 12 months of uninterrupted insurance period before the leave are entitled to the full amount of leave benefit (100% of the previous earnings), while benefits of parents with a shorter insurance period can decrease up to 30% of the previous earnings.<sup>13</sup>

Serbia had a similar system in the 1990s and 2000s<sup>14</sup> and had since then made eligibility criteria stricter. The 2018 reform, particularly hit parents in unstable employment, as well as parents in “atypical” employment who gained access to employment-based leave rights for the first time. Namely, following the aim to discourage ongoing practice of women's fictive employment in pregnancy period to be able to gain access to employment-based leave benefits (see Stanić & Matković, 2017),<sup>15</sup> the benefit level become calculated based on the average earnings in 18 months before the leave (for persons insured in agriculture 24 months), while at the same time the periods of pregnancy leave (if there were any) ceased to be calculated within this 18 months, and a minimum benefit level failed to be defined. Much more parents (i.e. mothers) than initially expected<sup>16</sup> were not able to fulfil these criteria and were left with very low benefits. For example, after 2018 reform, some mothers were left with maternity benefits lower than €10 per month (Blic, 2018; Espresso, 2018). Besides, self-employed parents who typically had access to equal leave rights as employed parents become entitled to shorter leave period (Table 1).

It is important to consider the effects the stricter eligibility criteria may have in light of the recent trends in the PYCs’ labour markets. Namely, while in the socialist period the employment was secure and stable, that abruptly changed with the transition period (see, e.g. Matković, 2008; Perišić & Vidojević, 2015) and may only aggravate the effects of reforms in eligibility criteria and deepen social inequalities in childcare. In the PYCs, in parallel with

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<sup>13</sup> Parents with 6-12 months of previous insurance period have a right to 70% of the previous earnings, with 3-6 months to 50%, and with less than three months to 30% (Dobrotić, 2019c).

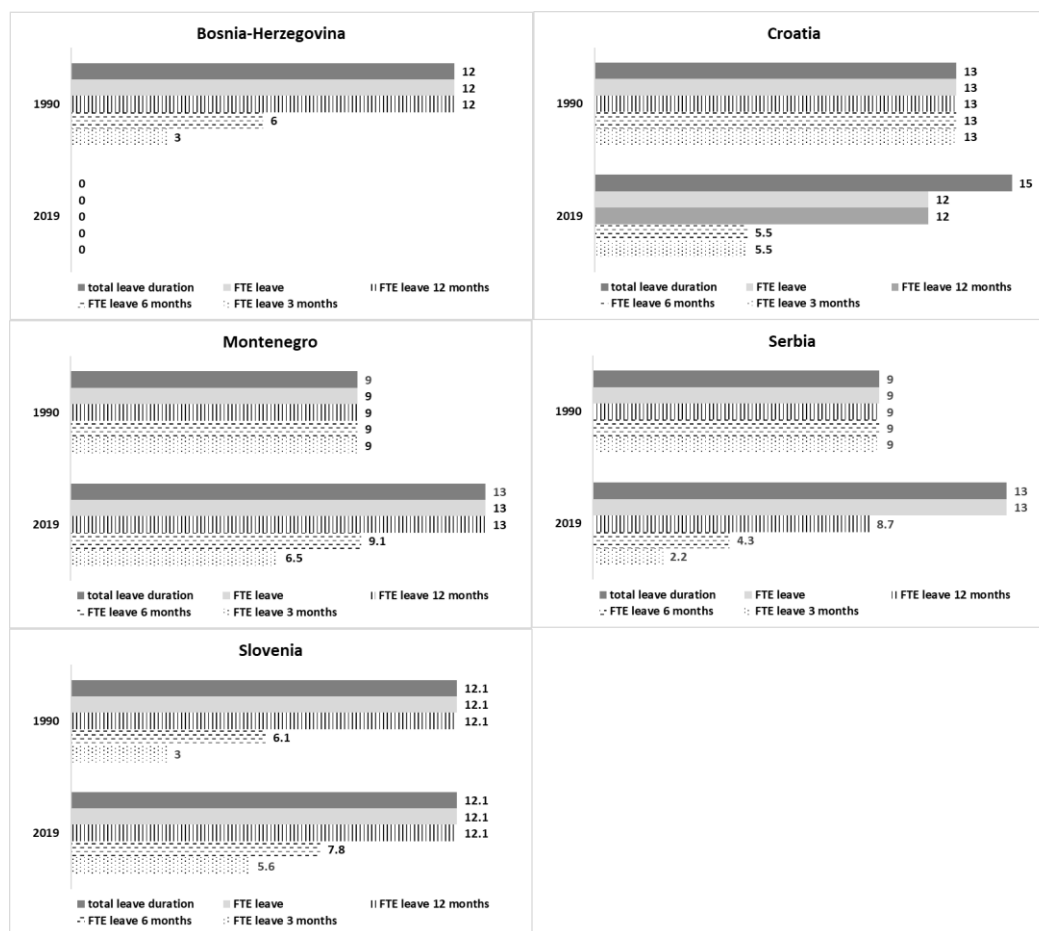
<sup>14</sup> In the 1992-2009 period the benefit was 60% of the previous earnings for parents with 3-6 months and 30% for parents with less than three months of previous insurance period (Dobrotić, 2019c).

<sup>15</sup> It must be noted here that there was no data on an exact number of mothers, who have used this practice.

<sup>16</sup> It took few months for the effects of the reform to become apparent, and the reform has come across strong public resistance and mobilisation of various actors with the aim to address the issue of low leave benefits for those with unstable careers (e.g. the initiative *Mame su zakon*).

reforms which made eligibility criteria for leave benefits stricter, there has been an evident rise in instability and precariousness of employment, particularly among young people and women who become faced with a growing obstacles while entering the labour market, unstable career paths as well as greater involvement in informal employment (see e.g. Matković, 2008; Perišić & Vidojević, 2015; Eurostat, 2019a).<sup>17</sup> Therefore, a growing number of (future) parents is not able to fulfil eligibility criteria of long and uninterrupted insurance period before the leave, needed to become eligible to (full amount of) employment-based leave benefits (cf. Dobrotić & Blum, 2019a, 2019b).

Figure 2: Total leave duration, FTE leave duration and FTE leave duration of parents who fulfil the condition of three, six and twelve months of uninterrupted insurance period before the leave start (in months) – 1990 and 2019



Notes: **Total leave duration** refers to the duration of maternity and parental leave. **FTE leave** reflects the duration of well-paid leave—it is calculated as the duration of leave multiplied by the wage replacement rate; if the country offers a flat—rate benefit or has a ceiling, the benefit level is calculated as a percentage of the average salary in the country (see, e.g. Ray *et al.*, 2010). FTE leave is calculated for the beneficiaries with 12 months of uninterrupted insurance period before the leave started (*FTE leave 12 months*), six (*FTE leave six months*) and three months of the previous insurance period (*FTE leave three months*).

Source: own calculations based on Dobrotić (2019c)

<sup>17</sup> For example, there was a rapid increase in temporary employment: the share of temporary employees (25-34) in the total number of employees rose from 13.1% in 2002 to 29.2% in 2018 in Croatia; in Montenegro from 26.8% in 2011 to 47% in 2018, and in Serbia from 19.9% in 2010 to 33.9% in 2018. The temporary employment contracts in these countries are on average of very short duration, i.e. in 45-60% of cases, they last up to 6 months. There was also an increase in involuntary temporary employment: in Croatia from 6-8% until 2015 up to 17.2% in 2018; in Serbia from 7.9% in 2010 to 21.2% in 2018; and in Montenegro from 16% in 2011 to 29.1% in 2018. The share of workers (20-29) in involuntary part-time employment is even higher: 30.6% in Croatia and 52.3% in Serbia in 2018 (Eurostat 2019a).

Finally, besides more inclusive (although at the same time increasingly targeted) employment-based leave rights, the citizenship-based leave benefits (see Dobrotić & Blum, 2019a, 2019b) were introduced, i.e. with post-1990 reforms unemployed and inactive parents (primarily mothers) become entitled to leave benefits (Table 1). These benefits were first introduced as a right of registered unemployed mothers and regular students, and have become more inclusive since then in all the countries except Montenegro. While Slovenia provides citizenship-based benefits for all the residents without access to employment-based rights, Croatia limits them to long-term residents, i.e. parents with uninterrupted three- or five-years residency period before the childbirth. In Serbia, following pronatalist goals (see Stanić & Matković, 2017), these benefits changed their character in the early 2000s when they become available to all citizens regardless of their employment status, allowing employed parents to exercise childcare-related benefits on two status basis (Table 1).<sup>18</sup> Although seen as a universal right, it must be noted that access to citizenship-based leave benefits conditioned with permanent residency (long-term in Croatian case) limits the access to these benefits for migrants.<sup>19</sup>

Although the citizenship-based benefits are low, flat-rate benefits that range between a tenth to a third of the average net salary in the PYCs (Table 1), they importantly contribute to inclusiveness of leave rights (cf. Dobrotić & Blum, 2019b) in the context where many parents (i.e. mothers) are not able to enter the labour market, and thus qualify for employment-based leave benefits (cf., e.g., Perišić & Vidojević, 2015; Stanić & Matković, 2017). However, it must be noticed that recently, in countries such as Serbia and Croatia (to some extent also Montenegro), there has been a growing tendency, driven by pronatalist agenda, to provide long-term citizenship-based leave benefits for families with three or more children (in Serbia three and four children). These are flat-rate benefits, gendered in their character, which eventually do not allow mothers to incorporate care into their everyday life without endangering their autonomy, independence and self-development (see, e.g. Knijn & Kremer, 1997; Dobrotić & Blum, 2019). They can last up to 10-15 years per child<sup>20</sup> and tend to withdraw women from the labour market and children from ECEC, while at the same time having a propensity to be used predominantly by lower social strata (e.g. Dobrotić, 2015, 2019b, cf. Sainsbury, 2019), thus reinforcing social (and gender) inequalities in parenting practices and childcare, including employment.

These inequalities are additionally reinforced through, already discussed, underinvestments in new ECEC capacities in these countries. Due to limited ECEC capacities, countries continued to rely on selective enrolment practices, i.e. preferential criteria that give preference to parents in (stable) employment. Children from families of lower socioeconomic status continued to remain out of the ECEC system (Dobrotić, 2013; Dobrotić et al., 2018; Mladenović, 2016),<sup>21</sup> particularly children living in less developed areas, rural and depopulated areas as large regional differences in ECEC accessibility and affordability continue to be a main feature of

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<sup>18</sup> Serbia also defines a so-called “take-up-related duties” or behavioural requirements (see Dobrotić & Blum, 2019a, 265): the citizenship-based benefit is suspended if the child has not been vaccinated or did not attend a mandatory preschool program or primary school as well as in the case of divorce/end of a partnership (in the latter case unless the ministry decides otherwise).

<sup>19</sup> The right to permanent residency can only be acquired after a person already resides in the country for some period, e.g. Directive 2003/109/EC foresees a period of five years (Dobrotić & Blum, 2019b).

<sup>20</sup> In Serbia parental allowance for the third and fourth child is paid through ten years period (Table 1), while in Croatia the City of Zagreb introduced a so-called parent-caregiver allowance in 2016 intended for parents of three or more children with at least one child of preschool age. They are entitled to a monthly allowance that reaches about 150% of the minimum wage (65% of the average net salary) until the youngest child turns 15. This right can be exercised if the parent withdraws from the labour market and children from the ECEC (Dobrotić, 2019b).

<sup>21</sup> For example, in Croatia only 2% of children attending ECEC have both unemployed parents (Dobrotić *et al.*, 2018), and in Serbia only 8.6% of children of lower socioeconomic status attended the ECEC (Mladenović, 2016).

the ECEC systems (see UNICEF, 2012; Prica et al., 2014; Dobrotić et al., 2018). Moreover, some countries recently implemented reforms that have the potential to worsen ECEC affordability, another basic precondition within the policy design that facilitates the enrolment of children of lower socioeconomic status. Namely, the state-level mechanisms initially introduced in some PYCs with a purpose to make the ECEC affordable have been recently withdrawn (e.g. the prescribed upper ceiling on parental fees in Serbia, parental participation limited at meal costs in Montenegro), opening a larger space to shift the ECEC costs to parents. The fact that a full autonomy of service providers to define the parental fees opens a space for high parental fees and hinder enrolment of children of lower socioeconomic status, is more than evident in Croatia, which has pursued such a practice since the 1960s – ECEC programs are not affordable to children of lower socioeconomic status, and there are also large regional differences in ECEC subsidies and affordability (Baran *et al.*, 2011; Dobrotić, 2013; Dobrotić *et al.*, 2018). Finally, only Slovenia developed clear, a state-level methodology of calculating the economic price of the ECEC program, and the subsidies level – a progressive scale is introduced in determining the level of parental fees that take into account the socioeconomic status of the family. The reform has reduced the large regional differences in the ECEC costs (Stropnik, 2001), and ECEC system has become accessible to parents of lower socioeconomic status<sup>22</sup> and their children (see OECD, 2019b), which is in line with research suggesting that progressive scale in determining the subsidies level contribute to lower social differences in access to ECEC (e.g. Abrassart & Bonoli, 2015).

## Concluding remarks

The establishment of childcare-related policies in the socialist period followed the same goal in all the PYCs, to facilitate and enable women's participation in the labour market. The employment-driven goals prioritised development of employment-based and gendered maternity/parental leaves aimed towards parents (i.e. mothers) in traditional (“standard”) employment and investments in affordable ECEC favouring dual-earner families. As the “standard” employment was considered as a norm in Yugoslavia (see e.g. Matković, 2009), parents (i.e. mothers) in “atypical” employment (e.g. farmers, self-employed) were excluded from leave schemes until the late 1980s and early 1990s, while attempts to build ECEC programs available to all children regardless of their parents' employment status failed to be implemented (see, e.g., Baran et al., 2011; Dobrotić, 2012). The policy development was thus a clear reflection of the “employment and parenting ideal” advocated at the political level, and the PYCs did not aim to accommodate parents’ inequalities in opportunities within the childcare-related policies design, what only exacerbated both gender and social inequalities in parenting practices and childcare.

Post-1990 reforms continued to build on the legacy from the socialist period and were far from straightforward. On the one hand, in most of the PYCs both leave policies and ECEC policies eventually aimed to become more inclusive and provide all the parents with opportunities and resources to engage in employment and care. On the other hand, all the countries except Slovenia continued to maintain and promote social dualisms, thus strengthening gender and class inequalities in childcare and employment (cf. Orloff, 1993). More precisely, alongside the employment-based leave rights which have become gradually inclusive to various status groups in the labour market (e.g. for self-employed, farmers and parents in precarious

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<sup>22</sup> In line with the progressive scale, the parents participate in 0-77% of the economic price of the ECEC, depending on their socioeconomic status. If more children from one family participate in the program, for the youngest child, parents pay 30% of the defined parental fee, while further children attend free of charge.

employment), all the PYCs introduced citizenship-based leave benefits aimed at unemployed/inactive parents “freeing them from the pressure to actively seek employment and providing them with time for care” (Dobrotić & Blum, 2019b, 8). However, at the same time, and in the context of growing unemployment and precariousness in the labour market, eligibility criteria for employment-based leave benefits have become much stricter, excluding many people (e.g. workers in widespread informal economy) or leaving parents (i.e. mothers) in unstable employment without adequate leave benefits. These trends only raised inequalities in employment and everyday parenting practices. Moreover, as argued by O’Brien (2009, 190) “differential access to statutory leave raises the possibility of a new polarization for infants: being born into either a parental-leave rich or -poor household and, indeed, country”. A high conditioning of leave rights with stable employment history has thus only hindered the progress towards “greater equality in caregiving conditions of possibility” (Doucet, 2017, 21), and additionally aggravated within the policy context which failed to take into account already existing inequalities embedded in both existing social environment and institutions (cf. Doucet, 2017). For example, the 2018 reform in Serbia provides an obvious example that reform approach that aimed to solve “anomalies” within the existing system without creating a certain “safety net” (e.g. through establishment of minimum benefit level) and taking into account wider structural and cultural inequalities only exacerbated social and gender inequalities in opportunities to engage in care and employment, and, consequently, in child well-being.

These inequalities have been additionally aggravated by lack of affordable ECEC. Namely, only Slovenia established an entitlement to ECEC, while the other PYCs has continued to be faced with a lack of affordable ECEC. That affected primary parents (i.e. mothers) and children of lower social strata, particularly those living in less developed and rural areas, who are faced with additional obstacles while entering the ECEC due to persistent regional differences in ECEC accessibility and affordability. These inequalities are even more co-determined by territorial dimension in Bosnia-Herzegovina, which has been faced with many difficulties to re-establish maternity benefits after they were decentralised at cantonal level in the Federation of BIH in the late 1990s and ceased to exist in some cantons (see *Institucija ombudsmena za ljudska prava BIH*, 2015); as well as general indifference to reforms needed in the area of childcare-related policies.

Reforms which aimed to improve the gender dimension of leave policies were mostly absent. They were inherent only to Slovenia and Croatia as a clear reflection of the different dynamic of the accession of the PYCs to the EU (Slovenia became a member state in 2004 and Croatia in 2013). Initiatives aimed to increase the father's leave take-up rates started from the early-2000s in Slovenia and the late-2000s in Croatia and were closely connected to the EU negotiations and alignment with the EU parental leave directive (Dobrotić, 2012, Stropnik & Dobrotić, 2018). Eventually, only Slovenia put gender equality oriented goals higher on political agenda and implemented the leave scheme with the potential to transform traditional gender norms and practices in care and employment, while the leave policies in other countries remained gendered (Stropnik & Dobrotić, 2018), and with potential to exacerbate gender inequalities along social lines. That is particularly the case in Croatia and Serbia, where leave policies development become predominantly driven by pronatalist agenda, and an idea that long periods of leave benefits/allowances for mothers with three or more children will motivate them to have more children. Eventually, that only brought new polarisations. On the one hand, dual-earner families (and higher social strata) continued to be supported via well-paid leaves and affordable ECEC, while on the other hand parents (mostly mothers) with weak, low quality or no labour market attachment become stimulated to cut back or make accommodations in employment to provide care (for ten or more years), and withdraw children from ECEC (they can only have access to short programs which serve as preparation for school). Thus, in most

of the PYCs the post-1990 reforms only deepened between and within country inequalities embedded in childcare-related policy design.

Finally, the analysis has point out at a need to develop more comprehensive comparative indicators of childcare-related policies, which would be able to better catch the relationship between various dimensions of policy design and “better understand the effects of combinations of the various dimensions of leave policy [...], as well as the combinations of leave with other policy areas” (Kosłowski et al., 2019, 367). Indicators which connect leave eligibility criteria and the benefit scope (cf. Dobrotić & Blum, 2019b) may provide deeper insight into social and gender inequalities embedded in policy design. Namely, comparative leave policy literature and databases (e.g. Ray et al., 2010; Ciccia & Verloo, 2012; Dearing, 2016; Karu & Tremblay, 2018; OECD, 2019) have developed a reach set of indicators incorporating dimensions of leave policy design such as leave duration, benefit level and the gender dimension of leave policies, which reflect the situation of parents in stable and standard employment in comparative and historical perspective. Still, in order to be able to grasp deeper in both social and gender inequalities in leave policy design and effects the policies may have on parents and children, it is necessary to pay more attention to “obligations” side of the social rights relationship (Clasen and Clegg 2007) and its relationship with the scope of the rights (see Figure 2). It is the only way to understand: 1) the resources and opportunities the policy design is producing for mothers and fathers of various social statuses to incorporate care and employment in their life cycle, and how they interact with the existing parenting practices, and country-specific structural and cultural circumstances, and 2) whether all children could benefit from “parents having more time to devote to them” (Kosłowski et al., 2019, 365) and involvement in ECEC (see e.g. Penn, 2009). That may also bring deeper and more nuanced insight into the role of childcare-related policies design in the redistributive processes, as well as a reconsideration of the concepts such as equality, universalism, selectivity and targeting within the childcare-related policies design (cf. Anttonen et al., 2012; Marchal & Van Lancker, 2018).

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