

NEW LAW REGARDING PARENTAL LEAVE

On May 14th, the Luxembourg's Chamber of Deputies passed the bill n°6467 changing the rules on parental leave¹ on two aspects:

1. Right to an arrangement of working hours / of the pace of work at the end of parental leave

The new Law introduces a right for the employees returning from parental leave to request flexible working arrangements. The employee may ask for a meeting with the employer, in order to request changes to his/her working hours or patterns, for a maximum period of one year from the date of return to work.

The employer must now consider and respond to such a request, taking into account both employers' and workers' needs. Should the request be denied by the employer, this decision must be motivated.

2. Increase of the duration of unpaid parental leave

The new Law also extends unpaid parental leave.

In principle, one of the two parents must take the parental leave immediately after the maternity leave or adoption leave. Failing this, the right to take a paid parental leave is lost.

The employee who does not take the parental leave immediately after the maternity/adoption leave is entitled to unpaid parental leave (if he/she fulfills all the other conditions to benefit from a parental leave).

The new Law increases from three to four months the duration of this unpaid parental leave.

The Chamber of Deputies gave its consent for the dispense of the second vote, so that the publication and the entry into force of the new legal provisions are expected in the coming weeks.

CONTACT

Louise Lauwerier
+352 47 68 47- 475
Louise.Lauwerier@ifgroup.lu
121, avenue de la Faïencerie
L-1511 Luxembourg

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¹ Projet de loi n° 6467 portant modification du Code du Travail, de la loi modifiée du 16 avril 1979 fixant le statut général des fonctionnaires de l'Etat et de la loi modifiée du 24 décembre 1985 fixant le statut général des fonctionnaires communaux. The objective of the bill is to transpose the European directive 2010/18/UE of 8 March 2010.