

During the period of pregnancy and childbirth, as well as in the case of adoption and foster care, there is protection for maternity and paternity which differs according to the work category you belong to.

- If you are an employed worker, you are entitled to an obligatory 5-month absence from work, compensated at 80% of your salary. For some types of female workers such as: agricultural workers, home helpers and carers, domestic workers, unemployed or with a suspended employment contract, with obligatory absence from work, protection is granted if certain legal requirements are met.
- If you are self-employed, if you meet the contribution requirements of the law, you are entitled to an allowance equal to 80% of your income, with no obligation to be absent from work.
- If you are a worker registered with the INPS separate national insurance and pension scheme (as per Article 2(26) of Law No 335/1995), if you meet the contribution requirements of the law, you are entitled to an allowance equal to 80% of 1/365 of the income deriving from dependent self-employment, joint venture or freelance professional activity, calculated on the basis of the income from work produced in the 12 months preceding the month in which the allowance period begins. This allowance is paid without any obligation to be absent from work.
- If you are an employed or self-employed father or a worker registered with the INPS separate management scheme, if the mother is unable to care for the child - for example in the event of her death or serious illness, abandonment of the child by the mother, the father's sole custody of the child - you are entitled to paternity leave of the same duration as would have been due to the mother, or an allowance depending on the working category to which you belong.
- If you are a father who is an employed worker, you are also entitled to a compulsory leave compensated at 100% of your salary currently equal to seven days (to be taken within five months of the birth, or adoption/custody of the child and not necessarily on a continuous basis) which can also be taken at the same time as the mother's maternity leave. You may also benefit from another day of optional parental leave, if the mother renounces one day of her maternity leave.
- If you do not meet the requirements to access the above-mentioned protections, you can apply for a maternity allowance, paid by the Municipality of residence, for each child born or adopted by citizens of an EU country or citizens of a non-EU country in possession of certain residence permits. This benefit is not compatible with other maternity benefits.
- If you have previous contributions, even without a current employment relationship, you may apply for a State maternity allowance reserved for atypical or discontinuous work, if the legal requirements are met.

You must submit your application for maternity or paternity benefit to INPS online, or via the Contact Centre or *Patronato* (institutions for advice and social assistance), before the start of the maternity leave and, in any case, no later than one year after the end of the allowance period.

You must forward to the INPS, together with your application, the electronic pregnancy certificate issued by a doctor of the national health service or one recognised under it.

To find out under what circumstances and how you can apply, what you are entitled to and who you can contact, please see the following chapters of the MISSOC (Mutual Information System on Social Protection) Guide.

Please note: updates for 2020 are being published by the MISSOC Secretariat.

[Maternity and paternity leave allowance](#)

Applicable statutory basis

- Article 31 of the Italian Constitution.
- Decree of the President of the Republic No 1403 of 31 December 1971: Regulations governing social insurance obligations in relation to workers engaged in domestic and family services and workers engaged in the refurbishment and cleaning of premises.
- Decree of the President of the Republic No 1403 of 25 November 1976: Regulation implementing Law No 1204 of 30 December 1971 on the protection of working mothers.
- Law No 184 of 04 May 1983: Right of the minor to a family.
- Legislative Decree No 151 of 26 March 2001: Consolidated text of the legislative provisions on the protection and support of maternity and paternity, in accordance with Article 15 of Law No 53.
- Law No 92 of 28 June 2012: Provisions on labour market reform from a growth perspective.
- Italian Legislative decree No 80 of 15 June 2015: Measures to reconcile care, life and work needs, in implementation of Article 1(8) and (9) of Law No 183 of 10 December 2014.
- Law No 81 of 22 May 2017: Measures for the protection of non-entrepreneurial self-employment and measures aimed at encouraging flexible working hours and places of employment.

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