To the clients:

Subject: **INPS allowance in case of parental leave increased to 80%**

In Circular No. 95 of 26th May 2025, INPS provided guidance and clarifications on the application scope of the provisions contained in the Budget Law 2025, (Law 207/2004, Art. 1, paragraphs 217 and 218) concerning parental leave for employees.

Before analysing these novelties in detail, it is useful to remind that the institution of maternity and paternity leave for workers is present in our legal system through the Consolidated Text referred to in Legislative Decree No. 151 of 26th March 2001, where both maternity leave (formerly mandatory abstention) and parental leave are regulated.

Maternity leave is the period of abstention from work granted to working mothers during pregnancy and in the first and following months after childbirth. This period, with a total duration of five months, is normally divided into two months before the expected date of birth and three months after the childbirth. The legislation also provides for forms of flexibility (so-called flexible maternity leave), allowing - in the presence of medical certification - the start of the leave to be postponed until childbirth, fully utilizing the five months following the birth.

During this period, the employer is absolutely forbidden to employ the woman in any work activity, by virtue of Article 16 of Legislative Decree 151/2001, precisely to protect the health of the mother and the unborn child. During this period there is an allowance equal to 80% of the average daily wage, paid by the employer and subsequently reimbursed by INPS. Normally, the CCNLs add the salary portion of up to 100% with a treatment paid by the employer.

These protections also apply in cases of adoption or fostering, with starting dates and modalities adapted to each case.

Once maternity leave is over, our legal system regulates a further institute to help parents take care of their children: parental leave, i.e. an optional period of abstention from work aimed at allowing parents to take care of their children during their first years of life, through appropriate leave.

The INPS Circular No. 95/2025 intervenes precisely in relation to the latter institution, incorporating and analysing the changes introduced by the Budget Law 2025. The main change concerns the increase in the economic allowance granted to parents who take parental leave during the first six years of their child's life.

Thanks to this legislation measure, employed parents will be able to enjoy a total of **three months of parental leave compensated at 80% of the average daily salary**, to be taken within the sixth year of the child's life (or within six years of the child's entry into the family in the case of adoption or fostering). This is a major improvement on the previous legislation, which already provided for two months at 80% thanks to the 2023 and 2024 Budget laws. With the intervention of 2025, therefore, there will be three months more favourably compensated.

The Circular also specifies that **these are not additional months of parental leave, but an increase in the economic allowance due for periods already provided for**. A further 6 months are provided for with an allowance of 30% of the average daily wage within the child's 12 years.

Further clarification of the circular concerns the utilisation modalities: the compensated parental leave may be used in a continuous or fractioned form, also in days or hours. Moreover, the three months may be freely divided between the two parents or used entirely only by one, without the obligation to alternate.

As regards the starting date, the Circular states that the new provisions apply to periods of leave taken from 1st January 2025 and recognises the right to the increased allowance also in cases where maternity or paternity leave ends after 31st December 2024.

For children born on or after 1st January 2025, on the other hand, the 80% allowance is automatically payable, regardless of whether maternity or paternity leave is taken.

Practically, workers will have to apply to INPS in telematic mode, while employers through their delegates will use specific event codes in the Uniemens flows to communicate the periods of parental leave compensated at 80%, starting from the accrual date of January 2025.

Best Regards,

23rd June 2025

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