



**AN INITIATIVE TO
SUPPORT WORK-LIFE
BALANCE FOR
WORKING PARENTS
AND CARERS**

**European Pillar of
Social Rights**



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**European
Commission**

**Legal Network
Seminar 2017**

The Work-Life balance initiative:

- A key deliverable of the Social Pillar*
- Follows the withdrawal by the Commission of the 2008 proposal to amend the Maternity Leave Directive*

« The Commission will present a broader initiative which will continue to promote the objectives of the previous proposal and provide minimum protection. The new initiative will take account of the developments in society over the past decade and use the best mix of available policy tools to deliver results as effectively as possible. »

- **Commision Press Release, 01.07.2015**

Current EU legal framework on family-related leaves...

- Maternity Leave Directive (92/85/EEC)
- Parental Leave Directive (2010/18/EU)
- + Directive on Gender Equality in Employment (2006/54)

Current EU legal framework on flexible working arrangements (FWA) ...

Parental Leave Directive (2010/18/EU)

- Right to request reduced and flexible working hours upon return from leave

Part-Time Work Directive (97/81/EC)

- Right to request change from part-time to full-time and vice-versa



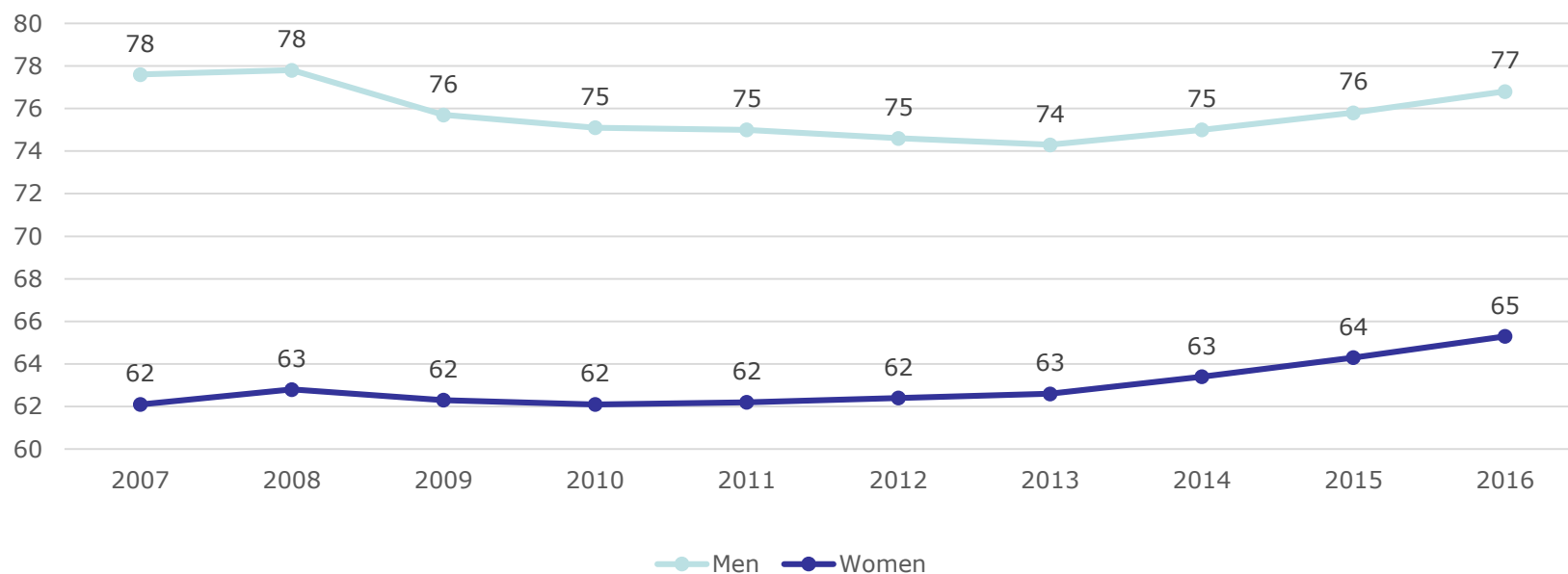
Work-life balance for parents and carers

What is the Problem ?

**Women's underrepresentation
in the labour market and the unequal
sharing of caring responsibilities**

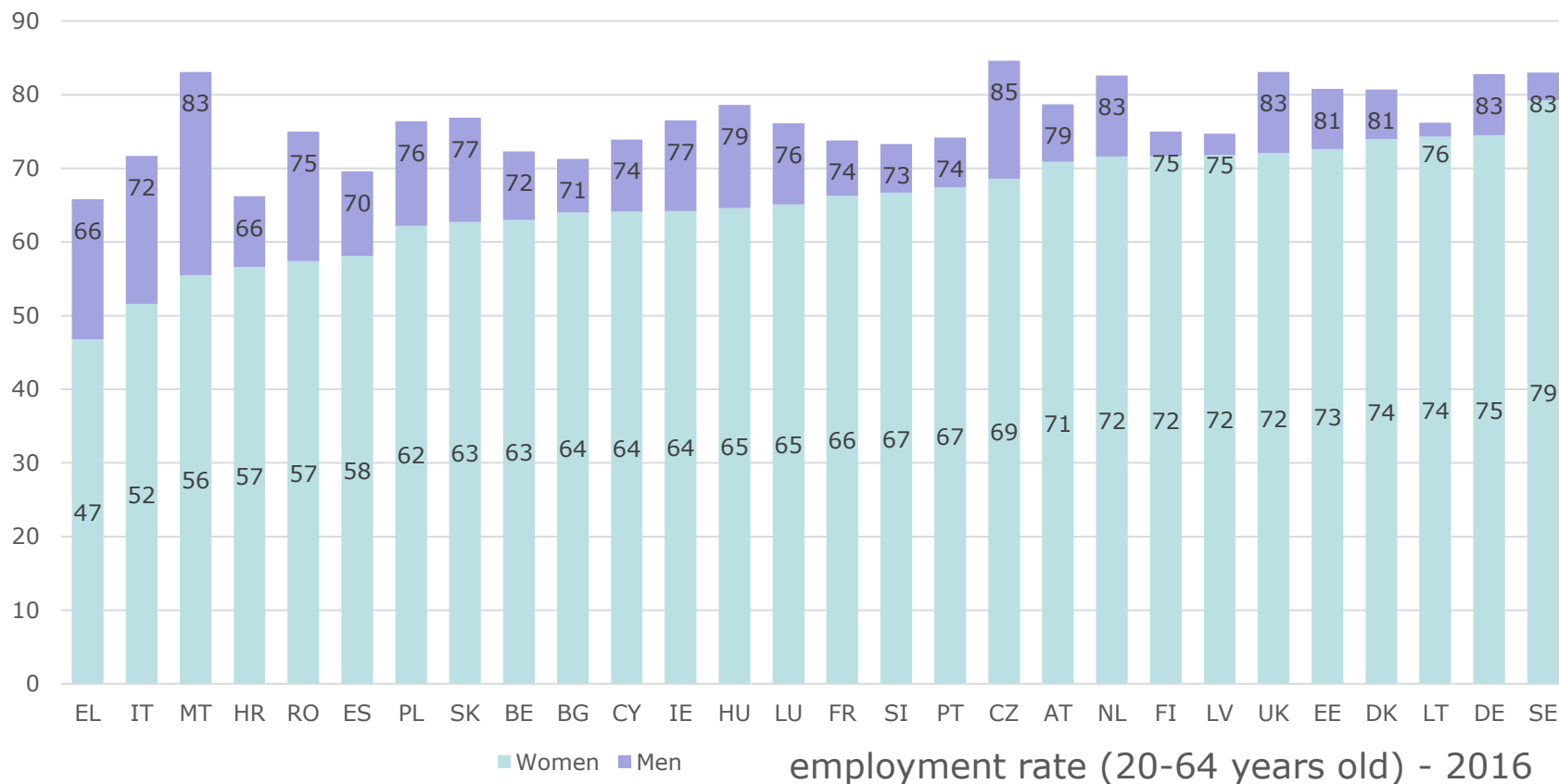
Employment rates improved in the last three years, but the gender gap did not change much (12 pps)

Women and men's employment rates in EU28 (20-64 years old)



Source: Eurostat

Womens employment rate is lower than men - in all MS



Source: Eurostat

What are the main causes?

- **Unequal share of care responsibilities** men / women: children and dependant relatives
- **Shortage of childcare services**, notably for children under 3 and long-term care services for other dependants
- **Financial disincentives** in tax-benefit systems for second earners

Objectives of the initiative

- 1. **Increase female participation in the labour market** and reduce the gender gap, including pay and pension gaps*
- 2. **Give workers a real choice** when balancing their professional and caring responsibilities by modernising the current legal and policy framework*
- 3. **Address shortcomings** in care services facilities and the tax/economic disincentives to work for second earners.*

Proposal for a Directive

The legal basis for EU action

- Article 153(1)(i) TFEU foresees that :

"(W)ith a view to achieving the objectives of Article 151, the Union shall support and complement the activities of the Member States in following fields: (...)

*(i) **equality between men and women with regard to labour market opportunities and treatment at work;**"*

- Article 153(2)(i) TFEU provides :

"To this end the European Parliament and the Council (...)

*b) **may adopt** (...) by means of **directives**, minimum requirements for gradual implementation"*

The initiative

1) A proposal for a directive

2) A communication with non-legislative measures

1) The Directive

Strengthening existing and creating new rights to improve the current EU legal framework:

- Paternity leave (new)
- Parental leave (strengthened)
- Carers' leave (new)
- Flexible working arrangements (strengthened)

Repeal Directive 2010/18

- Commission uses its power of initiative provided for by the Treaty and proposes new legislation
- Commission proposes to repeal Directive 2010/18
- All entitlements in Directive 2010/18 maintained in proposal for new Directive

1) The Directive

Paternity Leave



- 10 working days,
- compensated at sick pay level

Parental Leave



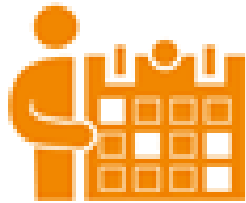
- 4 months (as before)
- non-transferable between parents (before only 1 month non-transferable)
- compensated at sick pay level
- until child is 12
- flexible uptake

Carers' Leave



- **5 working days/year/worker**
- **to take care of sick or dependent relative**
- **compensated at least at sick pay level**

Flexible Working Arrangements



- **For parents of children up to 12 or carers**

- **Right to request to employer:**

- **Reduction of working hours**
- **Flexible working schedules**
- **Remote working**

- **Employers must consider the request and justify any refusal**

For those who request or take leaves and flexible working arrangements

Employment protection


- Protection against dismissal**
- Prohibition of discrimination**

***+ Job and previous rights
maintained***

2) Non-legislative measures

Three group of measures to accompany Member States: via seminars, funding (including ESF) and monitoring

- **1) Improving the design and gender-balanced take-up of family-related leaves and flexible working arrangements**
 - Ensure better implementation of existing legislation and promote compliance
 - Study on enforcement of dismissal protection and unfavourable treatment
 - Seminar on capacity building with EQUINET and Labour Inspectorates
- **2) Improving the quality, affordability and access to childcare and long-term care**
- **3) Addressing economic disincentives for parents and carers to work**



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***Thank you for
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