

# Equal treatment between men and women: self-employed workers and their spouses

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On the basis of a **Presidency report**, the ministers took stock of the progress achieved so far on a draft Directive aiming at improving the social protection of self-employed workers and of "assisting spouses". They invited the preparatory bodies to continue their work on this file.

Under the Czech Presidency, discussions in the responsible working group focused mainly on the definition of "assisting spouses", the provisions concerning maternity leave for self-employed workers and assisting spouses, the issue of temporary replacements, and the linkage between EU and national legislation, as well as the anti-regression clause.

Most delegations have broadly welcomed the aims of the proposal. However, certain delegations have voiced doubts regarding the need for new legislation in this sector and with regard to the cost implications.

All delegations have maintained general scrutiny reservations on the proposal at this stage. CZ, DK, MT, PL and UK have maintained parliamentary scrutiny reservations. EL, IT, LT and HU have maintained linguistic scrutiny reservations.

Despite some progress, the **Commission proposal needs further discussion**, particularly in respect of a number of issues, including the following:

- the concept of "assisting spouses", including the major question as to whether the provisions would give rise to a new category of entitlement to social security, thereby impinging upon the Member States' competence for social security, and the level of protection to be accorded to life partners;
- the most appropriate means of providing maternity leave (or benefits) to persons working in the self-employed sector, given that in some Member States, maternity benefits are not conditional upon the interruption of activities;
- the proposed optionality of the social protection provided to self-employed workers and their assisting spouses in relation to existing obligatory regimes in certain Member States;
- the need to define the scope of the Directive as clearly as possible;
- the issue of replacement services.

The Working Party on Social Questions will continue its examination of the proposal and begin its examination of the European Parliament's amendments in due course.

Like the [proposal](#) on the extension of maternity leave, the proposal concerning assisting spouses forms part of the Commission's work-life balance package.