Framework Agreement on parental leave concluded by Businesseurope, UEAPME, CEEP and ETUC: transposition period for Mayotte

2013/0189(NLE) - 30/09/2013 - Legislative proposal

PURPOSE: to amend Council Directive 2010/18/EU on implementing the revised Framework Agreement on parental leave because of the change in status of Mayotte.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: the Council adopts the act after consulting the European Parliament but without being obliged to follow its opinion.

BACKGROUND: by Decision 2012/419/EU, the European Council decided to amend the status of Mayotte with regard to the European Union with effect from 1 January 2014. Therefore, from that date, **Mayotte will cease to be an overseas territory and will become an outermost region of the Union** within the meaning of Articles 349 and 355(1) of the Treaty on the Functioning of the EU.

Following this change in legal status of Mayotte, Union law will apply to Mayotte from **1 January 2014**. Certain specific measures, justified by the particular structural social and economic situation of Mayotte as a new outermost region, on the special conditions of application of Union law should, however, be established.

Considering the specific structural economic and social situation of Mayotte, particularly the fact that the jobs market is underdeveloped and the employment rate is low due to its remoteness, insularity, difficult topography and climate situation, an additional implementation period for Council Directive 2010/18/EU of 8 March 2010 implementing the revised Framework Agreement on parental leave concluded by BUSINESSEUROPE, UEAPME, CEEP and ETUC and repealing Directive 96/34/EC should be provided in order to ensure that equal treatment in the particular field of parental leave is achieved progressively and so as not to destabilise the gradual economic development of the new outermost region.

The provided additional transposition period should allow this specific disadvantaged structural social and economic situation of Mayotte, as a new outermost region, to be improved.

LEGAL BASIS: Article 349 of the Treaty on the Functioning of the European Union (TFEU).

IMPACT ASSESSMENT: no impact assessment was undertaken.

CONTENT: with the proposed Decision, it is planned to extend the additional transitional period for Mayotte as regards the transposition of the revised Framework Agreement on parental leave concluded by BUSINESSEUROPE, UEAPME, CEEP and ETUC, so that this Directive may be applied as of **31 December 2018** in this outermost region.

BUDGETARY IMPLICATIONS: the proposal has no impact on the EU budget.