Work-life balance for parents and carers

2017/0085(COD) - 24/08/2018 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Employment and Social Affairs adopted the report by David CASA (EPP, MT) on the proposal for a directive of the European Parliament and of the Council on work-life balance for parents and carers and repealing Council Directive 2010/18/EU.

The Committee on Women's Rights and Gender Equality, exercising its prerogatives as an Associate Committee under Rule 54 of the Rules of Procedure of the European Parliament, has also expressed its opinion on the report.

The legislative proposal focuses on measures that address the under-representation of women in employment, improving conditions for the reconciliation of professional and private responsibilities, and unequal treatment and opportunities in the labour market. In addition, it encourages the strengthening of the role of men as caregivers in the family.

The committee recommended that the position of the European Parliament adopted at first reading following the ordinary legislative procedure amend the Commission proposal as follows:

Paternity leave: Members proposed that **fathers or the equivalent second parents**, as defined in national law, have the right to paternity leave of at least **ten working days** to be taken around the time of the birth, or adoption of a child. The right to paternity leave shall be granted irrespective of the length of service.

Member States shall assess whether it is appropriate to adapt the need for the conditions of access and detailed arrangements for the application of paternity leave to the needs of fathers with a disability, fathers of children with a disability including a mental health condition or a serious medical condition or illness, and single fathers, as defined in national law or practice.

Parental leave: Members proposed that workers should have an individual right to a paid parental leave of **at least 4 months that could be taken before the child reaches 10 years of age.** This age could be raised for children with a disability or chronic illness, adoptive parents, parents with disabilities and parents with mental health conditions. Member States shall assess the possibility of extending the provisions on parental leave laid down in the directive in regard to single parents.

Carers' leave: a carer is defined as a worker providing personal care or support to a **relative ora person from the worker’s immediate circle** who is not a relative, following the written request of that person, due to a serious medical reason, including a disability, a chronic illness or a mental health condition, as well as hospitalisation, surgical intervention without hospitalisation, or an age-related impairment.

Member States shall take the necessary measures to ensure that workers have the right to carers' leave of at least **five working days** per year, per worker. Such right may be subject to appropriate medical substantiation of the care and support needs of the worker's relative or the person for whom the worker provides care. The information concerning the medical condition shall be confidential and shall be shared only with a restricted number of services involved.

Time off and flexible working arrangements: Members proposed that Member States should be able to specify, taking into account in particular the constraints of micro, small and medium-sized enterprises, **a**

reasonable period of notice to be given by the worker to the employer and be able to introduce a requirement for a minimum period of service, of no longer than six months, before the worker is entitled to benefit from that right.

The employer should justify any postponement of parental leave in writing. In the event of a justified deferral, the employer, where possible, should offer **other flexible forms of parental leave.** Members also wanted workers with a child under the age of 10 to have the right to request **flexible work arrangements**.

Adequate income: Member States should ensure that workers exercising their right to leave receive adequate payment or allowance. Members proposed that the level of payment or allowance should be at least **78% of the worker's gross salary** for parental and carer's leave, and **80%** for paternity leave.

The committee specified that the directive should not be a valid justification for reducing the rights granted to workers or reducing the level of protection already granted to workers in the Member States in any form whatsoever.