Situation of the wives of self-employed workers

1995/2086(INI) - 21/02/1997 - Text adopted by Parliament, single reading

In approving the report by Mrs Astrid LULLING (PPE, L), the European Parliament called on the Member States to establish a legal status for assisting spouses, enabling them to choose between the status of employed spouse, partner spouse or collaborating spouse, on the assumption that in the latter two cases the person concerned must, even if unpaid, be registered and therefore eligible for social protection, or even for insurance cover for health care, retirement pensions, maternity benefit and replacement services and invalidity benefit. Regretting that Directive 86/613/EEC has led to little progress for assisting spouses of self-employed workers in terms of recognition of their work and adequate social protection, the European Parliament welcomed the Commission's intention to submit a proposal for amending the directive in 1997. Parliament called for the amended directive to be more binding on Member States than was the case with Directive 86/613/EEC and for it to apply equally to assisting live-in partners in other long-term forms of cohabitation in Member States which recognize contracts of this kind. The amended Directive should also include: - compulsory registration of assisting spouses so that they are no longer invisible workers; - the obligation on Member States to take the necessary measures to ensure that assisting spouses are able to take out insurance cover for health care, retirement pensions, maternity benefit and replacement services and invalidity benefit; - the same conditions for access to vocational training for assisting spouses as exist for self-employed workers; - the right for assisting spouses to represent their company and/or to vote and stand for election to the appropriate professional organization, except in instances where membership of these bodies requires a diploma or professional qualification which the assisting spouse does not possess. Parliament believed that there should be options for the calculation of contributions to social security schemes either on the basis of the income of the company or business or on a flat-rate basis. Parliament also called on Member States to make provision for tax incentives for assisting spouses who opt to take out social security cover and to take steps to ensure that such persons are not disadvantaged in terms of inheritance or succession rights or in the event of divorce. It also recommended that Member States, in cooperation with organizations representing women, those in the professions, independent entrepreneurs and SMEs, should organize campaigns to inform the workers concerned about their rights, particularly their legal status, and called for statistical data to be compiled in order to record the number of persons concerned (particularly in the agricultural sector). Finally, Parliament called for a separate chapter to be devoted to this type of worker in the next report on social protection in Europe.