Health and safety at work: pregnant women, recently given birth or breastfeeding women (direct. 92/85/EEC). Report

1999/2151(COS) - 06/07/2000 - Text adopted by Parliament, single reading

The European Parliament adopted the report drafted by Mrs Elisa Maria DAMIÃO (PES, P) on the European Parliament resolution on the Commission report on the implementation of Council Directive 92 /85/EEC on the introduction of measures to encourage improvements in the health and safety at work of pregnant workers or workers who have recently given birth or are breastfeeding. The European Parliament considers the Commission report inadequate, as it deals only with legal and technical aspects of the implementation of the Directive. The Commission is called upon to submit a proposal for amending the directive by the end of 2000, taking into account the numerous shortcomings in its implementation. The new proposal should contain the following improvements, among others: - an increase in maternity leave entitlement to 20 weeks including a mandatory eight-week post-natal recovery period; - a clearer definition of adequate allowance during maternity leave which should be at least 80% of the previous salary and be taken into account for the purposes of acquiring pension entitlements; - a strict prohibition on dismissal during pregnancy and maternity leave and the requirement to reinstate a women in her job or an equivalent job at the end of her maternity leave; - pregnancy or maternity leave must not result in discrimination with regard to promotion or to improvemnts in working conditions; - specific additional protection for self-employed women workers, especially as regards entitlement to a period of paid leave. Furthermore, the European Parliament demands that more precise and binding provisions concerning breastfeeding during working hours and night work by pregnant women. In addition, it calls for detailed studies to be undertaken in order to determine the benefits of breastfeeding for health and immune defences. The Parliament also calls on the Commission and the social partners, in discussing future legislation covering atypical work, in particular telework and homeworking, to pay special attention to the additional risks faced in those sectors by pregnant women and women who hae already given birth. The Parliament also calls on the Commission and the Member States to consider possible action to reduce workplace risks which may cause sterility or infertility in both women and men as well as miscarriages and premature births. In conclusion, the special needs of small and medium sized enterprises should be taken into account in applying legislation on health and safety.