Basic information

1996/0033(COS) COS - Procedure on a strategy paper (historic)	Procedure completed
Framework agreement on parental leave concluded by UNICE, CEEP and the ETUC **Subject** 4.10.02 Family policy, family law, parental leave	

Key players

European Parliament	Committee for opinion	Rapporteur for opinion	Appointed
	FEMM Women's Rights	GHILARDOTTI Fiorella (PSE)	20/12/1995

Council of the European Union	Council configuration	Meetings	Date
	Social Affairs	1930	1996-06-03
	Social Affairs	1914	1996-03-29
	Social Affairs	1836	1995-03-27
	Social Affairs	1892	1995-12-05

Key events

Date	Event	Reference	Summary
27/03/1995	Debate in Council		
01/10/1995	Additional information		Summary
05/12/1995	Debate in Council		Summary
31/01/1996	Non-legislative basic document published	COM(1996)0026	Summary
27/02/1996	Vote in committee		Summary
27/02/1996	Committee report tabled for plenary	A4-0064/1996	
11/03/1996	Committee referral announced in Parliament		
13/03/1996	Debate in Parliament		
14/03/1996	End of procedure in Parliament		
01/04/1996	Final act published in Official Journal		

Technical information	
Procedure reference	1996/0033(COS)
Procedure type	COS - Procedure on a strategy paper (historic)
Procedure subtype	Commission strategy paper
Legal basis	Rules of Procedure EP 148
Stage reached in procedure	Procedure completed
Committee dossier	EMPL/4/07679

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A4-0064/1996 OJ C 096 01.04.1996, p. 0003	27/02/1996	
Text adopted by Parliament, single reading		T4-0127/1996 OJ C 096 01.04.1996, p. 0224-0284	14/03/1996	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(1996)0026	31/01/1996	Summary
Follow-up document	COM(2003)0358	19/06/2003	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EU	Implementing legislative act	31996L0034 OJ L 145 19.06.1996, p. 0005	03/06/1996	

Framework agreement on parental leave concluded by UNICE, CEEP and the ETUC

1996/0033(COS) - 19/06/2003 - Follow-up document

This document comprises of a report from the Commission on the implementation of the Council Directive 96/34/EC of 3 June 1996 on the framework agreement on parental leave concluded by UNICE, CEEP and the ETUC. On 3 June 1996, the Council adopted Directive 96/34/EC on parental leave which implemented the agreement concluded by the Social Partners under the Agreement on Social Policy. This report is based on the information sent to the Commission in compliance with Article 2, paragraph 1 of the Directive, under which Member States must inform the Commission of their national implementing provisions, either by legislation or collective agreements. The Commission also sent to the Member States a short questionnaire on parental leave, the answers to which complemented the information previously sent. The Commission has also consulted social partners and the network of independent legal experts on equality. It should be noted that the information sent to the Commission is varied considerably in terms of content and detail. The content of this report is correct as at November 2002.

Framework agreement on parental leave concluded by UNICE, CEEP and the ETUC

1996/0033(COS) - 03/06/1996

The Council of Fourteen adopted the Directive on the framework agreement on parental leave concluded by UNICE,CEEF and the ETUC. This is the first Directive implementing an agreement concluded by both sides of industry at Community level on the basis of the Agreement on Social Policy. It should be recalled that the United Kingdom is not party to that agreement and accordingly took no part in the discussions. The framework agreement between management and labour, annexed to the Directive, lays down minimum requirements concerning parental leave and time off work on grounds of force majeure, with the aim of facilitating the reconciliation of parental and professional responsibilities for working parents. The framework agreement provides that an in principle non¡transferable individual right to parental leave shall be granted to all employees, men and women, on the grounds of the birth or adoption of a child, to enable them to take care of that child for at least three months until a given age, which may be up to eight years. The conditions of access and detailed rules for applying parental leave shall be defined by law and/or collective agreement in the Member States, as long as the minimum requirements of the framework agreement are respected. Member States and/or management and labour may, in particular: - decide whether parental leave is granted on a full-time or part-time basis, in a piecemeal way or in the form of a time-credit system; - make entitlement to parental leave subject to a period of work qualification and/or a length of service qualification which shall not exceed one year; - adjust conditions of access and detailed rules for applying parental leave to the special circumstances of adoption; - establish notice periods to be given by the worker to the employer specifying the beginning and the end of the period of leave; - define the circumstances in which an employer is allowed to postpone the granting of parental leave for justifiable reasons related to the operation of the undertaking; - authorise special arrangements to meet the operational and organisational requirements of small undertakings. Certain guarantees have been provided for in order to ensure that workers can exercise their right to parental leave. To that end: - Member States and/or management and labour must take the necessary measures to protect workers against dismissal on the grounds of an application for, or the taking of, parental leave; - at the end of parental leave, workers must have the right to return to the same job or, if that is not possible, to an equivalent or similar job consistent with their employment contract or employment relationship; - rights acquired or in the process of being acquired by a worker on the date on which parental leave starts must be maintained as they stand until the end of parental leave. The framework agreement also makes it mandatory for Member States and/or management and labour to take the necessary measures to entitle workers to take time off work on grounds of force majeure for urgent family reasons in cases of sickness or accident making the immediate presence of the worker indispensable. The Member States must implement the Directive within two yearsof its adoption.

Framework agreement on parental leave concluded by UNICE, CEEP and the ETUC

1996/0033(COS) - 31/01/1996 - Non-legislative basic document

OBJECTIVE: to establish equal opportunities for men and women on the employment market and equal treatment as regards parental leave. SUBSTANCE: this Commission proposal concerning a Council directive relating to the framework agreement on parental leave refers to the agreement concluded between the social partners, UNICE, CEEP and ETUC pursuant to article 4(2) of the social policy protocol contained in the EU Treaty. This agreement partly establishes equal treatment as regards parental leave. It enables both men and women to be more closely involved in bringing up their children and, in certain particular cases, particularly ones of force majeure, to devote themselves entirely to their family situation. The agreement contains only minimum requirements designed to enable family and working life to be reconciled. Specifically, it lays down that men and women are individually entitled to three months' leave when a child is born or adopted. This right, which is not transferable, may be exercised until the child is 8 years old. There are also exemptions and derogations which, from the point of view of work organization, take into account the particular nature of small businesses.

Framework agreement on parental leave concluded by UNICE, CEEP and the ETUC

1996/0033(COS) - 05/12/1995

Commissioner FLYNN reported to the Council on progress in implementing the Agreement on Social Policy with reference to the proposals for directives on the reconciliation of family and working life. He pointed out that the social partners at European level had concluded a preliminary agreement on the subject on 6 November 1995 and that a final agreement was to be expected around the middle of December 1995. He stated that, pursuant to the Agreement on Social Policy, the Commission intended to submit to the Council a proposal embodying the social partners' agreement.

Framework agreement on parental leave concluded by UNICE, CEEP and the ETUC

1996/0033(COS) - 14/03/1996 - Text adopted by Parliament, single reading

In adopting the report by Mrs Anne-Karin GLASE (PPE, D), the European Parliament affirmed that it supported the agreement between the social partners on parental leave and regarded it as a fundamental breakthrough in equal opportunities policy and a first step in the introduction of new

flexible ways of organizing work which satisfy the needs of workers and take account of the requirements of employers. The report notes, however, that certain relevant issues are not adequately covered by the agreement signed by the social partners. Consequently, it calls for: - guaranteed sufficient financial support during parental leave; - extension of rights enjoyed at work to the period in which parental leave is taken; - development of plans to promote the replacement of workers on leave; - the right to social security benefits during parental leave. Parliament takes the view that these issues must be regulated by legislation. Finally, the EP considers it an urgent matter for equality of opportunity that a directive on childcare facilities and the proposal on the reversal of the burden of proof be adopted, to enable a better balance to be created between working life and family life.