Greece¹

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For comparisons with other countries in this review on leave provision and early childhood education and care services, please see the <u>cross-country tables</u> at the front of the review (also available individually on the Leave Network website). To contact authors of country notes, see the <u>members page</u> on the Leave Network website.

1. Current leave and other employment-related policies to support parents

Note on leave information: the information given below is based on: (i) leave arrangements for employees in the private sector that are covered by legislation and the National General Collective Agreements (NGCA) signed between the most representative national employers' organisations (SEV, GSEVEE, ESEE, and SETE) and the General Confederation of Labour, which set the uniform minimum provisions for all workers in the private sector²; (ii) leave arrangements for public sector employees that are covered by basic laws and the Code for Civil Servants and relevant legislation.

- i. Private sector (responsibility of the Department of Labour, Social Security and Welfare)
- a. Maternity leave (basic leave Άδεια Μητρότητας; special leave for the protection of maternity Ειδική Άδεια για την Προστασία της Μητρότητας)

Length of leave (before and after birth)

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Provisions for leave arrangements are also included in other kinds of Collective Labour Agreements (i.e. sectoral, professional, and enterprise), which are signed between employers and confederations of large sub-sectors of the economy (e.g. the banking sector) or enterprises of the wider public sector (e.g. the electricity company). Due to the fact that such agreements cannot include worse provisions than the minimum standards included in the National General Collective Agreement, they usually have improved provisions for working parents.

- Basic leave: 17 weeks eight weeks must be taken before birth and nine weeks after birth. It is obligatory to take the full amount of leave.
- Special leave: six months, granted after basic Maternity leave and before the beginning of the use of flexible working (reduced hours of daily work).

Payment and funding

- Basic leave: 100 per cent of earnings, on the condition that these do not exceed those granted to insured persons who belong to the highest insurance class of IKA, the social insurance fund of all employees working under private law contracts, i.e. in effect, there is an upper limit on payment. The leave is funded by IKA and OAED, the Manpower Employment Organisation which is, inter alia, the social insurance fund for income protection against unemployment.
- Special leave: minimum daily wage agreed in the National General Collective Agreement and lately determined by law, as well as social insurance coverage. It is funded by OAED.
- Maternity leave (both basic and special) is fully insured and gives entitlement to full pension rights.

Flexibility in use

- Basic leave: none, except for when leave can start. If the birth takes place before the time envisaged, the rest of the leave can be granted after the birth, so long as the total time taken remains at 17 weeks.
- Special leave: if the parent, with the employer's agreement, makes use of the right to take a continuous time off work, instead of working reduced hours (see 1.i.e.), then the special leave is taken after this leave.

Eligibility

- Basic leave: to ensure full compensation, 200 working days during the previous two years, irrespective of whether on a fixed-term or permanent contract (or citizenship). Mothers acquiring children through surrogacy are also entitled to receive the post-natal part of the leave.
- Special leave: those insured in IKA-ETAM (the largest social insurance fund)
 with fixed-term or permanent contracts. Mothers acquiring children through
 surrogacy are also entitled to receive this leave.
- Self-employed women, who are directly insured in the Social Security Fund for the Self-Employed (OAEE) and the United Fund for the Self-Employed (ETAA), and fully covered for medical and pharmaceutical care at the time of the child's birth, are entitled to get a monthly payment for four months. In the first case, the benefit is €150 per month; in the second case, it is €200 per month. The benefit is granted in a lump sum following an application by the insured mother after the date of birth. The payment is made by the above funds from their own budgets. No other leave rights are available for self-employed parents. Self-employed surrogate mothers, mothers acquiring children through surrogacy, and mothers that adopt children up to two years of age are also entitled to receive this benefit.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother

None.

b. Paternity leave (Άδεια Γέννησης Τέκνου)

Length of leave

• Two working days at the time of the child's birth, paid by the employer.

Eligibility

- There are no length of service conditions.
- Regarding access for same-sex couples, there is some uncertainty. The
 National General Collective Agreement (2008/9) says that all leave
 provisions that address biological or adoptive parents are extended to foster
 parents. As foster parents can be same-sex couples, they should be able to
 access this leave via this route, but the law is not explicit.

c. Parental leave (Γονική Άδεια Ανατροφής)

Length of leave

• Four months per child for each parent. Leave is an individual entitlement that cannot be transferred.

Payment and funding

- None.
- Working parents taking Parental leave have full insurance coverage on the condition that they pay the full insurance contribution (of both the employee and the employer). The Parental leave time is considered as a time of insurance for both the establishment of the pension right and the determination of the amount of pension.

Flexibility in use

- Leave may be taken up to the child turning six years of age.
- Leave may be taken in one or several blocks of time, subject to agreement with the employer.
- If both parents work for the same employer, they cannot take leave at the same time and must decide together who is to use the leave first and for how long. The law does not specify whether parents working for different employers can take leave at the same time, but as leave is unpaid, it is unlikely that both parents would take it together.

Eligibility (e.g. related to employment or family circumstances)

- All employees who have completed one year's continuous or non-continuous employment with their present employer, irrespective of the type of contract they have (i.e. full-time, part-time, fixed-term or any other type of contract).
- Though the leave is for each child, it is necessary that one year of work with the same employer is completed after the end of any Parental leave taken for a previous child.
- Leave is granted by the employer according to a set of priorities: requests for Parental leave from parents of children with a disability or long-term illness or sudden illness and from single parents (due to the death of parent, total removal of parental responsibility, or non-recognition of the child) are dealt with as an absolute priority. So, though the employer cannot refuse Parental leave, they can negotiate with the employee to take it later if other employees who request leave at the same time meet the priority criteria.
- Non-biological parents in same-sex couples are not eligible for this leave.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the parents

- As leave is allocated per child, the leave period is doubled for parents of twins and tripled for triplets.
- In the case of the death of one parent, or the total removal of parental responsibility, or non-recognition of a child, the amount of Parental leave granted to the other parent is doubled.
- Parents with a disabled child do not get additional Parental leave, but are eligible for carer's leave (see 1.i.e. below).

Additional note (e.g. if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)

None.

d. Childcare leave or career breaks

• A parent can take time off work with full payment, up to an estimated 3.6 months, as part of a scheme which also allows parents to work reduced hours. For more details, see 1.i.e. on 'flexible working.'

e. Other employment-related measures

Adoption leave and pay

- For parents who adopt or foster a child younger than six years of age (with an extension to eight years of age if adoption or fostering procedures are not finished), the same regulations for Parental leave apply as for other parents.
- Adoptive parents of children up to the age of six are entitled to flexible working or a childcare leave (see 1.i.d.).

Time off for the care of dependants

- Leave for children's sickness: up to six working days per year per parent of unpaid leave if the parent has one child; up to eight working days if they have two children; and up to 14 working days if they have three or more children. The leave is also granted for other dependent members of the family (e.g. a disabled spouse or adult children, as well as disabled parents or unmarried sisters if their annual income is less than the basic income of an unskilled worker).
- Leave for visiting children's school: four working days' paid leave per year per parent for each child that attends school up to the age of 16, funded by the employer.
- Leave for parents of children with a disability: one hour per day, if the parent asks for it (unpaid and only applied in businesses with more than 50 employees).
- Leave for parents whose children (up to 18 years of age) need regular transfusion or dialysis, have cancer, or need a transplant: up to ten working days' paid leave per year, funded by the employer. This is an individual right. Parents of children up to 18 years of age who have significant learning difficulties, Down's syndrome, or autism are also entitled to this leave.
- Leave for parents due to the hospitalisation of a child (up to 18 years of age), which requires their immediate presence: up to 30 working days' unpaid leave per year, on the condition that the parent has exhausted their normal Parental leave. This is an individual right.
- Leave for widows, widowers, or unmarried parents caring for children: in addition to other leave, six working days' paid leave per year. If the parent has three or more children, the leave is eight working days per year. The leave payment is funded by the employer.

Flexible working

• Parents are entitled to work one hour less per day for up to 30 months after Maternity leave, with full earnings replacement. This is a family right and both working parents have an independent right to the use of this leave, after deciding who and for how long each will take the leave. If both parents are employees, they address a common declaration to their respective employers, specifying which parent is to use the entitlement; if parents plan to share it, they specify the period each one will use it for within the total entitlement period. The entitlement is granted to fathers in cases where the mother is self-employed, but not if she is not working. This may be taken as: two hours fewer per day for the first 12 months and one hour less per day for another six months; or, with the employer's agreement, in a block or blocks of time of equal time value within the 30-month period after Maternity leave. This last option, of converting reduced hours into a block or blocks of leave, means that a parent can take a number of months off work, up to an estimated 3.6 months. This leave – titled 'alternative use of reduced hours as leave for the care of children' - is considered part of working time, so is paid and funded by the employer with no upper limit on payment.

Specific provision for (breast) feeding

This is covered by National Employer-Workers' Agreements.

ii. Public sector (responsibility of the Department of Interior)³

a. Maternity leave (Άδεια Μητρότητας)

Length of leave (before and after birth)

• Five months: two months must be taken before birth and three after birth. It is obligatory to take the full amount of the leave.

Payment and funding

- 100 per cent of earnings, with no upper limit on payment.
- Maternity leave is fully insured and gives entitlement to full pension rights.
- Funded through general taxation.

Flexibility in use

• If the birth takes place before the time envisaged, the rest of the leave can be granted after the birth, so long as the total time taken remains at five months. If the birth takes place after the time envisaged, the leave is extended until the actual birth date, without any respective reduction in the post-natal leave.

Eligibility

• There are no conditions linked to length of service.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the mother

- Childbearing mothers who need special therapy and have exhausted their sick leave are granted paid childbearing leave.
- In the case of multiple births, Maternity leave after the birth is extended by one month for each additional child.
- For every child after the third, the length of post-natal leave is extended by two months.

b. Paternity leave (Άδεια Γέννησης Τέκνου)

 Two working days' paid leave at the time of the child's birth, funded by the employer.

The leave entitlements described in this section cover civil servants, employees of public entities, and local government, as well as any other employee in the above bodies not covered by special regulations.

Eligibility

- There are no conditions linked to length of service.
- Regarding access to leave by same-sex couples, there is some legal uncertainty. Foster parents can be same-sex and the law refers to foster parents in terms of special leave for adoptive and foster parents (see 1.ii.e.), as well as Parental leave, but there is no mention of foster parents regarding Paternity leave.

c. Parental leave (Άδεια χωρίς αποδοχές)4

Length of leave

• Up to five years per parent. Leave is an individual entitlement that cannot be transferred.

Payment and funding

- None, except for the case of three or more children where three months of the leave are fully paid by the employer and funded through general taxation.
- Working parents taking Parental leave have full insurance coverage, on the condition that they pay the full insurance contribution (of both the employee and the employer). The Parental leave time is considered as a time of insurance for both the establishment of the pension right and the determination of the amount of pension.

Flexibility in use

Leave may be taken at any time up to the child turning six years old.

• The law does not specify whether parents working for the public sector can take leave at the same time, but as leave is unpaid it is unlikely that both parents would take it together.

Public sector employees are also eligible for the parental leave entitlement that applies to private sector employees (see above), since this leave is based on legislation that applies to both private and public sectors (Law 4075/12, incorporates the EU Directive 2010/18 on Parental leave). Unlike the unpaid Parental leave that exclusively covers public sector employees, this leave safeguards the employees' rights (i.e. it is considered as working time that ensures social security rights and does not affect any other employee rights such as leave rights, professional advancement, pensions etc.) (The Citizen's Ombudsman, Annual Report 2014). The five-year leave provision included in this section was introduced in 2011, as a minor provision in a multi-purpose law; previously the period was two years. It is a provision that gives the opportunity to civil servants to use unpaid leave for 'serious personal reasons.' When the European Directive on Parental leave was first introduced in Greece, an addition was made that allowed civil servants to use this leave as Parental leave.

Eligibility (e.g. related to employment or family circumstances)

- An employee can use this leave if their spouse does not make use of the childcare leave at the same time (see 1.ii.d. below).
- An employee can make use of this leave even if their spouse is not working.
- In cases of separation, divorce, widowhood, or birth without marriage, only the parent that cares for the child is entitled to this leave.
- Non-biological parents in same-sex couples are not eligible for this leave.
- There are no conditions linked to length of service.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the parents

- In the case of three or more children, three months of the leave are paid.
- Parents with a disabled child do not get additional Parental leave, but are eligible for leave for the care of dependants (see 1.ii.e. below).

Additional note (e.g. if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone

None.

d. Childcare leave (άδεια ανατροφής or μειωμένο ωράριο εργασίας)

A parent can take nine months of childcare leave with full payment as an alternative option to a scheme which allows parents to work reduced hours (see section 1.ii.e. below on flexible working). The leave is paid by the employer, funded through general taxation, and is granted after the Maternity leave. The leave does not constitute a personal entitlement and can be used by either or both parents within the total nine-month period. For a parent who is unmarried, widowed, divorced, or has a severely disabled child, the leave is extended by one month. In the case of multiple births, an extra six months is provided for each additional child.

e. Other employment-related measures

Adoption leave and pay

- Adoptive parents as well as foster parents are granted a three- month paid leave during the first six months after the adoption or foster care procedures are completed, if the child is under six years of age. If both parents are employees of the public sector, with a common statement to their respective services, they determine who and at what time intervals each will use this leave. One of the three months can be taken before adoption or fostering.
- We note that adoptive or foster parents have access to Parental leave if the child is under the age of six (with the possibility of expansion up to the age of eight, if adoption or project procedures have not been completed earlier).
 Adoptive parents of children up to four years of age also have the right to receive care leave. Adoptive fathers can also receive the two-day Paternity leave if the adopted child is younger than two years of age.

Leave for parents obtaining a child through surrogacy

 Parents that obtain a child through surrogacy are entitled a three-month fully paid leave immediately after the birth of the child. If both parents are employees of the public sector, with a common statement to their respective services, they determine who and at what time intervals each will use this leave.

Time off for the care of dependants

- Leave for children's illness: up to four working days of paid leave per year if the employee has one child; up to seven working days of paid leave per year if the employee has three children; up to nine working days of paid leave per year if the employee has four or more children; and up to eight working days of paid leave per year if the employee is a single parent.
- Leave for children's sickness: parents are entitled to one month of non-paid leave in the case of the hospitalisation of their child due to illness or an accident that requires their presence.
- Leave for visiting children's school: up to four working days of paid leave for one child, and up to five working days for two or more children. If the children attend different levels of schools, an extra day is granted. The leave is not a personal entitlement: i.e. if both parents work in the public sector, the total number of days is for both parents to share.
- Up to 22 working days of paid leave per year for employees whose children or spouses need regular transfusion or periodic therapy, or whose children have a serious learning difficulty or Down's syndrome. The leave does not constitute a personal entitlement, so can be taken by either parent or shared by both.
- Leave for employees with children or spouses with a disability: one hour per day, paid.

Flexible working

- Parents are entitled to work two hours fewer per day if they have children under two years of age, and one hour less per day if they have children between the ages of two and four, with full earnings replacement. As mentioned above (1.ii.d.), there is an alternative option for this leave: nine consecutive months off work after Maternity leave.
- Flexible working does not constitute a personal entitlement and can be used by either or both parents within the total entitlement period, with a common declaration addressed to their respective employers. However, the leave cannot be taken simultaneously by both parents.
- For a parent who is unmarried, widowed, divorced, or severely disabled, flexible working is extended by six months. In the case of the birth of a fourth child, flexible working is further extended by two years. In case of multiple births, flexible working is extended by six months for each child after the first one.
- Adoptive parents of children up to the age of four are entitled to flexible working or, alternatively, childcare leave (see 1.ii.d.).
- An employee supporting a child or partner with a serious disability can work one hour less per day, with full payment.

All paid leave is funded through general taxation.

Specific provision for (breast) feeding

This is covered by law.

2. Relationship between leave policy and early childhood education and care policy

The maximum period of post-natal leave available in Greece for both parents is 72 months in the public sector and 20 months in the private sector. However, paid leave only runs for around 12 months in both sectors. In 2018, Law 4521 extended to two years compulsory attendance at a preschool facility before the beginning of elementary school (i.e. from around six years of age). So, there is an entitlement to ECEC at around four years of age. This means that there is no gap between the end of post-natal leave and an entitlement to ECEC for public sector workers, but there is a gap of around two and a half years for workers in the private sector. However, the gap is larger (around three years) for all workers between the end of paid leave and an ECEC entitlement. The law of 2018, first implemented during the school year 2018-2019, is expected to be fully implemented during the school year 2020-2021.5 Levels of attendance (1 to 29 hours) at formal childcare or educational services for children both under and over three years of age have shown substantial increase during 2018 (65.6 per cent for children over three years and 31.5 per cent for children below three years) compared to 2017 (55.0 per cent for children over three years and 11.7 per cent for children below three years). The increase is attributed to the Government policy that subsidises attendance at a childcare facility as well as the expansion of compulsory preschool attendance from one to two years duration.

3. Changes in policy since April 2019 (including proposals currently under discussion)

No legal changes related to the leave policy system were reported since April 2019. Following the July 2019 elections, a right-wing government has been formed, which, until now, has not taken new policy initiatives but only dealt with difficulties in the implementation and interpretation of existing legislation identified by the Greek Ombudsman.

In its report on Equal Treatment for the year 2018, the Ombudsman noted that circular documents issued by Public Administration bodies sometimes change the letter and the spirit of legal provisions adding complementary and not foreseen in the law limitations in the implementation of rights (p.40). In response to this issue, in November 2019, a draft law that aims to deal with various issues of the Ministry of Interior, one of which relates to parental leaves, was open to public discussion.

school year 2020-2021 it is planned that all children of this age category would attend the programme (Karamessini, M. (2020) Financial Crisis and Left Government: Assessment from the perspective of gender equality, Athens: Nicos Poulantzas Institute).

Accordingly, during the school year 2019-2020, it was planned that 84 per cent of preschool children would attend the two year preschool programme while during the

Special provisions were foreseen that specify or clarify previous ones. For example, it is foreseen that, exceptionally, adoptive or foster parents working in the public sector are entitled, as all other parents working in the public sector, to take the 9-month care leave or part of it until the child turns 4. Another provision refers to the leaves of people working with limited duration contracts in the public sector. The provision foresees that such parents are entitled, as all other parents, to the leave related to the child's illness and the leave for visiting the child's school, adjusted to the duration of their contract. The on-line public discussion revealed the differential treatment that some categories of local government employees receive regarding parental leaves. Namely, employees working for community enterprises set up by municipalities under limited duration contracts are treated as private sector employees as regards their parental rights while in other matters as public sector employees.

Finally, though not directly related to leave policy, the new government introduced a birth benefit with Law 4659/2020 for demographic reasons. It amounts to 2000 euro and is offered (according to certain criteria) to parents whose equivalent annual income is up to 40,000 euro. To be eligible for the benefit, non-Greek or European/EEA citizens who come from third countries, will be required to demonstrate 12 years of residency, unless the child is born during 2020-2023 where residency is required since 2012.

Policy response to the Covid-19 pandemic up to end June 2020

Childcare and schools

• ECEC

11 March 2020: Wholly closed 01 June 2020: Wholly opened

26 June 2020: Nurseries (pre-school educational facilities) closed for

Summer.

31 July 2020: Kindergartens will be closing for Summer

Please note that after re-opening:

- o Nurseries did not reinstate their afternoon programme that aimed mainly at helping working parents.
- Due to social distancing regulations, if nurseries and kindergartens did not have the space to implement the new regulations, they could run certain or all classes in rotation (half children attended the facility for three days one week and two days the following week and the other half attended the opposite way).
- o There were also parents whose children did not attend nurseries/kindergartens because they declared that the child belonged to a high-risk group or came in close contact with a person of his/her family environment that belonged to such a group or was sick.

Schools

11 March 2020: Wholly closed

11 May 2020: 3rd grade (final) of Lyceum reopened

19 May 2020: 1st and 2nd grades of Lyceum and all three grades of

Gymnasium reopened

1 June 2020: Elementary schools reopened

12 June 2020: Gymnasiums and Lyceums closed for Summer

26 June 2020: Elementary schools closed for Summer

Please note that after their reopening:

- o Elementary schools did not reinstate their after-school programme that aimed mainly in helping working parents.
- Due to social distancing regulations, if schools did not have the space to implement the new regulations, they could run certain classes in rotation (half children attended school three days one week and two days the following and the other half attended the opposite way).
- o There were also parents whose children did not attend schools because they declared that the child belonged to a high-risk group or came in close contact with a person of his/her family environment that belonged to such a group or was sick.

Parental leave

 Parents had access to their regular scheme options. There were no modifications to Parental leave.

Other measures for parents and other carers

- A special leave for working parents was introduced since the first day of the closure of the schools called Leave for a special purpose. According to this leave parents (fathers or mothers) working as employees and with children that attended kindergarten or nurseries or school classes up to the level of third grade of the Gymnasium (around 14-15 years of age) could be absent from work during the temporary closure of these facilities. Working parents of children with a disability whose schools or day care centres were closed, irrespectively of their age, were also entitled to this leave. For every four days of leave, three were considered as justified absence and one was taken out of the parent's annual leave; so parents were 'obliged' to take part of their annual leave if they were to claim the leave for a special purpose. If only the one parent worked, he/she was not entitled to take this leave unless the other parent was hospitalised or sick with Covid-19 or had a severe disability. A parent in the public sector could not make use of the leave if the other parent was on another type of leave (i.e. childcare or educational leave). The leave was fully compensated to the level of earnings from labour and except for the annual leave part that is fully compensated by the employer, the rest of the leave was compensated by two-thirds by the employer and by one-third by the State.
- After the reopening of the schools, this leave was restricted to cases where:
 - o The child attended the school only certain days of the week (due to social distancing regulations) and only for the days that the child was at home
 - o The child attended a class where the teacher belonged to a high-risk group and for this reason the attendance took place from long-distance.
 - The parents declared that the child belonged to a high-risk group or came in close contact with a person of his/her family environment that belonged to such a group or was sick.

 The school was closed down due to the detection of a Covid-19 case in the school.

The leave lasted until the date that each care or educational facility closed for Summer.

- Working parents, instead of the leave for a special purpose, could take the
 option of working with reduced hours of work (up to 25 per cent of their
 working time daily) without a reduction of their earnings. In this case, the
 employee, after the restrictive measures period, should cover the reduced
 hours in overtime unpaid work.
- Since the reopening of the schools and because the after-school programmes (in both nursery and elementary schools) were not reinstated, parents continued to have this option in order to be facilitated in picking up their children from nursery/school.
- As it was officially clarified, after reopening, a parent could take a leave for special purpose for the days the child was at home and could work with reduced working hours for the days the child was at school. This option lasted until the date that each educational facility closed for Summer.
- No national policy of income support was installed specifically for parents or carers during this period, although a number of such measures were implemented for employees and the self-employed. No national policy was either enacted with regard to the support in kind of parents or carers. However local governments undertook the delivery of food supplies to vulnerable families and people with higher levels of risk for the disease, particularly the elderly.
- According to evidence from the General Association of Greek Workers, which set up an information and complaints ANTI-COVID 19 team, 11 per cent of those calling asked for more information or expressed a complaint regarding the leave for a special purpose. Press reports based on the above information revealed that many employees said that they were discouraged by their employer to take the leave for a special purpose (due obviously to the cost they were obliged to bear in combination with the absence of the employee), while a number complained that their employer had decided, unilaterally, that they should take leave without payment.⁶

4. Uptake of leave

There is no information on the uptake of the various types of leave. Statistics provided by the Labour Inspectors' Authority on private sector employees record

provided by the Labour Inspectors' Authority on private sector employees record people on leave by sex; however, there is no information about how many employees are eligible, but do not make use of their entitlement. Furthermore, these statistics are collected under the equal treatment legislation and do not provide any data on the uptake of leaves that apply exclusively to mothers.

Anyhow, it seems that, regarding leaves where both parents have entitlement rights, it is the mothers who overwhelmingly use the leave.

www.lifo.gr/now/greece/286188/agora-ergasiaw-kai-koronoios-kataggelies-apo-10-000-ergazomenoys