



# Parental leave – new proposal for a Directive

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Tobias Müllensiefen, European Commission





1. Why a revision?
2. Negotiations and objectives
3. What's in?
4. What's not in?
5. Next steps





- First agreement concluded in 1995
- Policy context has changed (Lisbon strategy, Barcelona targets)
- Gender Equality Roadmap – legislative review
- EP and Council – work-life balance as priority
- Social partner consultation on reconciliation of work, private and family life, 2006-2007





- Negotiations started after thorough internal consultations
- ETUC, BUSINESSEUROPE, CEEP and UEAPME, mandated by national members
- September 2008 to March 2009 – 6 months and 7 rounds
- Signing of the revised agreement on 18 June 2009





- Adapting to a changed environment
  - new family structures
  - views on reconciliation have evolved
  - work structures have changed
- Updating
- More equal sharing of family responsibilities
- Better reintegration after leave
- Improve protection against discrimination





- 4 months of leave per parent (compared to 3 previously), of which at least 1 is made strictly non-transferable
- right of parents returning from parental leave to request changes to their working hours or patterns
- protection of the worker not only against dismissal, but also against less favourable treatment
- clear inclusion of part-time, fixed-term and agency workers





- importance of income in the take-up of parental leave
- reference to the "increasing diversity of family structures", while respecting national law and practice
- encouragement for workers and employers to maintain contact during parental leave and to arrange reintegration measures in order to facilitate the return to work
- assessing the need for additional measures for adoptive parents
- adjusting conditions for parents of children with a disability or a long-term illness





- payment during leave – this decision on whether parental leave is remunerated or not is therefore left to Member States
- no changes:
  - age of the child for which parental leave can be taken (up to 8 years)
  - flexibility in relation to the taking of leave
  - acquisition of rights related to the contract or social security during parental leave





- Adopted on 30 July 2009
- Complements previous proposals on maternity leave and self-employed workers
- Legal basis: Article 139(2) of the EC Treaty – adoption by Council by qualified majority
- Agreement is in annex of the Directive and cannot be changed
- Directive limited to the strict minimum, i.e. what would be the "final provisions" in other Directives (deadline for implementation, entry into force, etc.)





- Priority for Swedish Presidency
- Relatively consensual – good prospects for quick political agreement by Council
- Transposition deadline: 2 years

