



2017/0085(COD)

25.4.2018

AMENDMENTS

599 - 679

Draft report

David Casa

(PE618.193v01-00)

Work-life balance for parents and carers

Proposal for a directive

(COM(2017)0253 – C8-0137/2017 – 2017/0085(COD))

Amendment 599

Dieter-Lebrecht Koch, Thomas Mann, Sven Schulze, Angelika Niebler

Proposal for a directive

Article 11 – paragraph 1

Text proposed by the Commission

Member States shall take the necessary measures to prohibit less favourable treatment of workers on the ground that they have applied for, or have taken, leave referred to in Article 4, 5 or 6, or on the ground that they have exercised their right to flexible working arrangements referred to in Article 9.

Amendment

Member States shall take the necessary measures to prohibit less favourable treatment *or dismissal* of workers on the ground that they have applied for, or have taken, leave referred to in Article 4, 5 or 6, or on the ground that they have exercised their right to flexible working arrangements referred to in Article 9.

Or. de

Amendment 600

Sofia Ribeiro

Proposal for a directive

Article 11 – paragraph 1

Text proposed by the Commission

Member States shall take the necessary measures to prohibit less favourable treatment of workers on the ground that they have applied for, or have taken, leave referred to in Article 4, 5 or 6, or on the ground that they have exercised their right to flexible working arrangements referred to in Article 9.

Amendment

Member States shall take the necessary measures to prohibit less favourable treatment of workers on the ground that they have applied for, or have taken, leave referred to in Article 3, 4, 5 or 6, or on the ground that they have exercised their right to flexible working arrangements referred to in Article 9.

Or. pt

Amendment 601

Renate Weber, Marian Harkin, Enrique Calvet Chambon

Proposal for a directive
Article 11 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Member States together with the social partners shall take the appropriate steps to ensure that reasonable, available and accessible legal advice and assistance can be obtained and is provided to those in need of it, including confidential and in-person counselling, by equality bodies or appropriate intermediaries.

Or. en

Amendment 602

Dieter-Lebrecht Koch, Thomas Mann, Sven Schulze, Angelika Niebler

Proposal for a directive
Article 12

Text proposed by the Commission

Amendment

12 Article 12

deleted

Protection from dismissal and burden of proof

1. Member States shall take the necessary measures to prohibit the dismissal and all preparations for dismissal of workers, on the grounds that they have applied for, or have taken, leave referred to in Article 4, 5 or 6, or have exercised the right to request flexible working arrangements referred to in Article 9.

2. Workers who consider that they have been dismissed on the grounds that they have applied for, or have taken, leave referred to in Article 4, 5 or 6 or of exercising the right to request flexible working arrangements referred to in Article 9 may request the employer to provide duly substantiated grounds for the dismissal. The employer shall provide

those grounds in writing.

3. Member States shall take the necessary measures to ensure that, when workers referred to in paragraph 2 establish, before a court or other competent authority, facts from which it may be presumed that there have been such dismissal, it shall be for the respondent to prove that the dismissal was based on grounds other than those referred to in paragraph 1.

4. Paragraph 3 shall not prevent Member States from introducing rules of evidence which are more favourable to plaintiffs.

5. Member States need not apply paragraph 3 to proceedings in which it is for the court or competent body to investigate the facts of the case.

6. Paragraph 3 shall not apply to criminal procedures, unless otherwise provided by the Member States.

Or. de

Justification

Article 12 should be deleted, as the provisions on protection against dismissal have been moved to Article 11.

Amendment 603
Anthea McIntyre

Proposal for a directive
Article 12

Text proposed by the Commission

Amendment

12 Article 12

deleted

Protection from dismissal and burden of proof

1. Member States shall take the necessary measures to prohibit the dismissal and all preparations for

dismissal of workers, on the grounds that they have applied for, or have taken, leave referred to in Article 4, 5 or 6, or have exercised the right to request flexible working arrangements referred to in Article 9.

2. Workers who consider that they have been dismissed on the grounds that they have applied for, or have taken, leave referred to in Article 4, 5 or 6 or of exercising the right to request flexible working arrangements referred to in Article 9 may request the employer to provide duly substantiated grounds for the dismissal. The employer shall provide those grounds in writing.

3. Member States shall take the necessary measures to ensure that, when workers referred to in paragraph 2 establish, before a court or other competent authority, facts from which it may be presumed that there have been such dismissal, it shall be for the respondent to prove that the dismissal was based on grounds other than those referred to in paragraph 1.

4. Paragraph 3 shall not prevent Member States from introducing rules of evidence which are more favourable to plaintiffs.

5. Member States need not apply paragraph 3 to proceedings in which it is for the court or competent body to investigate the facts of the case.

6. Paragraph 3 shall not apply to criminal procedures, unless otherwise provided by the Member States.

Or. en

Amendment 604
David Casa

Proposal for a directive
Article 12 – paragraph 1

Text proposed by the Commission

1. Member States shall take the necessary measures to prohibit the dismissal ***and all preparations for dismissal of workers***, on the grounds that they have applied for, or have taken, leave referred to in Article 4, 5 or 6, ***or have exercised the right to request flexible working arrangements referred to in Article 9.***

Amendment

1. Member States shall take the necessary measures to prohibit the dismissal, on the grounds that they have applied for, or have taken, leave referred to in Article 4, 5 or 6.

Or. en

Amendment 605
Helga Stevens

Proposal for a directive
Article 12 – paragraph 1

Text proposed by the Commission

1. Member States shall take the necessary measures to prohibit the dismissal ***and all preparations for dismissal*** of workers, on the grounds that they have ***applied for, or have*** taken, leave referred to in Article 4, 5 or 6, or have ***exercised the right to request*** flexible working arrangements referred to in Article 9.

Amendment

1. Member States shall take the necessary measures to prohibit the dismissal of workers, on the grounds that they have taken leave referred to in Article 4, 5 or 6, or have ***made use of any of the*** flexible working arrangements referred to in Article 9.

Or. nl

Amendment 606
Jana Žitňanská

Proposal for a directive
Article 12 – paragraph 1

Text proposed by the Commission

1. Member States shall take the necessary measures to prohibit the

Amendment

1. Member States shall take the necessary measures to prohibit the

dismissal and all preparations for dismissal of workers, on the grounds that they have applied for, or have taken, leave referred to in Article 4, 5 or 6, or have exercised the right to request flexible working arrangements referred to in Article 9.

dismissal of workers, on the grounds that they have applied for, or have taken, leave referred to in Article 4, 5 or 6, or have exercised the right to request flexible working arrangements referred to in Article 9.

Or. en

Amendment 607

Verónica Lope Fontagné, Rosa Estaràs Ferragut

Proposal for a directive

Article 12 – paragraph 1

Text proposed by the Commission

1. Member States shall take the necessary measures to prohibit the dismissal and all preparations for dismissal of workers, on the grounds that they have applied for, or have taken, leave referred to in Article 4, 5 *or 6, or have exercised the right to request flexible working arrangements referred to in Article 9.*

Amendment

1. Member States shall take the necessary measures to prohibit the dismissal and all preparations for dismissal of workers, on the grounds that they have applied for, or have taken, leave referred to in Article 4 *or 5.*

Or. es

Amendment 608

Maria Arena, Vilija Blinkevičiūtė, Agnes Jongerius, Brando Benifei, Edouard Martin, Guillaume Balas, Evelyn Regner, Flavio Zanonato, Georgi Pirinski, Michael Detjen, Miapetra Kumpula-Natri, Sergio Gutiérrez Prieto, Javi López

Proposal for a directive

Article 12 – paragraph 1

Text proposed by the Commission

1. Member States shall take the necessary measures to prohibit the dismissal and all preparations for dismissal of workers, on the grounds that they have applied for, or have taken, leave referred to in Article 4, 5 or 6, or have exercised the

Amendment

1. Member States shall take the necessary measures to prohibit the dismissal and all preparations for dismissal of workers, on the grounds that they have applied for, or have taken, leave referred to in Article 4, 5 or 6, or have exercised the

right to *request* flexible working arrangements referred to in Article 9.

right to flexible working arrangements referred to in Article 9.

Or. en

Amendment 609
João Pimenta Lopes

Proposal for a directive
Article 12 – paragraph 1

Text proposed by the Commission

1. Member States shall take the necessary measures to prohibit the dismissal and all preparations for dismissal of workers, on the grounds that they have applied for, or have taken, leave referred to in Article 4, 5 or 6, or have exercised the right to request flexible working arrangements referred to in Article 9.

Amendment

1. Member States shall take the necessary measures to prohibit the dismissal and all preparations for dismissal of workers, on the grounds that they have applied for, or have taken, leave referred to in Article 4, 5 or 6, or have exercised the right to request flexible working arrangements referred to in Article 9.
Workers who exercise their right to leave shall be protected from dismissal and any preparations for dismissal on the grounds that they have applied for, or have taken, such leave or have requested working arrangements with suitable hours.

Or. pt

Amendment 610
Tania González Peñas, Kostadinka Kuneva, Paloma López Bermejo

Proposal for a directive
Article 12 – paragraph 1

Text proposed by the Commission

1. Member States shall take the necessary measures to prohibit the dismissal and all preparations for dismissal of workers, on the grounds that they have applied for, or have taken, leave referred to in Article 4, 5 or 6, or have exercised the right to request *flexible* working

Amendment

1. Member States shall take the necessary measures to prohibit the dismissal and all preparations for dismissal of workers, on the grounds that they have applied for, or have taken, leave referred to in Article 4, 5 or 6, or have exercised the right to request ***employee-oriented***

arrangements referred to in Article 9.

adaptable working arrangements referred to in Article 9.

Or. en

Amendment 611
Michaela Šojdrová

Proposal for a directive
Article 12 – paragraph 1

Text proposed by the Commission

1. Member States shall take the necessary measures to prohibit the *dismissal and all preparations for* dismissal of workers, on the grounds that they have applied for, or have taken, leave referred to in Article 4, 5 or 6, or have exercised the right to request flexible working arrangements referred to in Article 9.

Amendment

1. Member States shall take the necessary measures to prohibit the dismissal of workers, on the grounds that they have applied for, or have taken, leave referred to in Article 4, 5 or 6, or have exercised the right to request flexible working arrangements referred to in Article 9.

Or. en

Justification

"All preparations for dismissal" is a vague term. It would be uneasy to assess which conduct can be classified as such and to establish a link between such conduct and the exercise of rights conferred by this Directive.

Amendment 612
Sofia Ribeiro

Proposal for a directive
Article 12 – paragraph 1

Text proposed by the Commission

1. Member States shall take the necessary measures to prohibit the dismissal and all preparations for dismissal of workers, on the grounds that they have applied for, or have taken, leave referred to

Amendment

1. Member States shall take the necessary measures to prohibit the dismissal and all preparations for dismissal of workers, on the grounds that they have applied for, or have taken, leave referred to

in Article 4, 5 or 6, or have exercised the right to request flexible working arrangements referred to in Article 9.

in Article 3, 4, 5 or 6, or have exercised the right to request flexible working arrangements referred to in Article 9.

Or. pt

Amendment 613
João Pimenta Lopes

Proposal for a directive
Article 12 – paragraph 2

Text proposed by the Commission

2. **Workers who consider that they have been dismissed** on the grounds that **they** have applied for, or have taken, leave referred to in Article 4, 5 or 6 or **of exercising** the right to request **flexible working arrangements** referred to in Article 9 **may request** the employer to **provide duly substantiated grounds for the dismissal. The employer shall provide those grounds in writing.**

Amendment

2. **The burden of proof** that **there has been no dismissal** on the grounds that **workers** have applied for, or have taken, leave referred to in Article 4, 5 or 6 or **have exercised** the right to request working arrangements **with suitable hours** referred to in Article 9 **should fall on** the employer **when workers report a presumed dismissal on such grounds to a court or other competent authority.**

Or. pt

Amendment 614
David Casa

Proposal for a directive
Article 12 – paragraph 2

Text proposed by the Commission

2. Workers who consider that they have been dismissed on the grounds that they have applied for, or have taken, leave referred to in Article 4, 5 or 6 **or of exercising the right to request flexible working arrangements referred to in Article 9** may request the employer to provide duly substantiated grounds for the dismissal. **The employer shall provide those grounds in writing.**

Amendment

2. Workers who consider that they have been dismissed on the grounds that they have applied for, or have taken, leave referred to in Article 4, 5 or 6 may request the employer to provide duly substantiated grounds for the dismissal.

Amendment 615

Verónica Lope Fontagné, Rosa Estaràs Ferragut

Proposal for a directive

Article 12 – paragraph 2

Text proposed by the Commission

2. Workers who consider that they have been dismissed on the grounds that they have applied for, or have taken, leave referred to in Article 4, 5 **or 6 or of exercising the right to request flexible working arrangements referred to in Article 9** may request the employer to provide duly substantiated grounds for the dismissal. The employer shall provide those grounds in writing.

Amendment

2. Workers who consider that they have been dismissed on the grounds that they have applied for, or have taken, leave referred to in Article 4 **or 5** may request the employer to provide duly substantiated grounds for the dismissal. The employer shall provide those grounds in writing.

Or. es

Amendment 616

Helga Stevens

Proposal for a directive

Article 12 – paragraph 2

Text proposed by the Commission

2. Workers who consider that they have been dismissed on the grounds that they have **applied for, or have** taken, leave referred to in Article 4, 5 or 6 or **of exercising the right to request** flexible working arrangements referred to in Article 9 may request the employer to provide duly substantiated grounds for the dismissal. The employer shall provide those grounds in writing.

Amendment

2. Workers who consider that they have been dismissed on the grounds that they have taken leave referred to in Article 4, 5 or 6 or **made use of any of the** flexible working arrangements referred to in Article 9 may request the employer to provide duly substantiated grounds for the dismissal. The employer shall provide those grounds in writing.

Or. nl

Amendment 617

Maria Arena, Rory Palmer, Vilija Blinkevičiūtė, Agnes Jongerius, Brando Benifei, Edouard Martin, Guillaume Balas, Evelyn Regner, Flavio Zanonato, Georgi Pirinski, Michael Detjen, Miapetra Kumpula-Natri, Sergio Gutiérrez Prieto, Javi López

Proposal for a directive

Article 12 – paragraph 2

Text proposed by the Commission

2. Workers who consider that they have been dismissed on the grounds that they have applied for, or have taken, leave referred to in Article 4, 5 or 6 or of exercising the right to **request** flexible working arrangements referred to in Article 9 may request the employer to provide duly substantiated grounds for the dismissal. The employer shall provide those grounds in writing.

Amendment

2. Workers who consider that they have been dismissed on the grounds that they have applied for, or have taken, leave referred to in Article 4, 5 or 6 or of exercising the right to flexible working arrangements referred to in Article 9 may request the employer to provide duly substantiated grounds for the dismissal. The employer shall provide those grounds in writing.

Or. en

Amendment 618

Sofia Ribeiro

Proposal for a directive

Article 12 – paragraph 2

Text proposed by the Commission

2. Workers who consider that they have been dismissed on the grounds that they have applied for, or have taken, leave referred to in Article 4, 5 or 6 or of exercising the right to request flexible working arrangements referred to in Article 9 may request the employer to provide duly substantiated grounds for the dismissal. The employer shall provide those grounds in writing.

Amendment

2. Workers who consider that they have been dismissed on the grounds that they have applied for, or have taken, leave referred to in Article 3, 4, 5 or 6 or of exercising the right to request flexible working arrangements referred to in Article 9 may request the employer to provide duly substantiated grounds for the dismissal. The employer shall provide those grounds in writing.

Or. pt

Amendment 619
Helga Stevens

Proposal for a directive
Article 12 – paragraph 3

Text proposed by the Commission

Amendment

3. *Member States shall take the necessary measures to ensure that, when workers referred to in paragraph 2 establish, before a court or other competent authority, facts from which it may be presumed that there have been such dismissal, it shall be for the respondent to prove that the dismissal was based on grounds other than those referred to in paragraph 1.* **deleted**

Or. nl

Amendment 620
Tom Vandenkendelaere

Proposal for a directive
Article 12 – paragraph 3

Text proposed by the Commission

Amendment

3. *Member States shall take the necessary measures to ensure that, when workers referred to in paragraph 2 establish, before a court or other competent authority, facts from which it may be presumed that there have been such dismissal, it shall be for the respondent to prove that the dismissal was based on grounds other than those referred to in paragraph 1.* **deleted**

Or. nl

Amendment 621
João Pimenta Lopes

Proposal for a directive
Article 12 – paragraph 3

Text proposed by the Commission

3. *Member States shall take the necessary measures to ensure that, when workers referred to in paragraph 2 establish, before a court or other competent authority, facts from which it may be presumed that there have been such dismissal, it shall be for the respondent to prove that the dismissal was based on grounds other than those referred to in paragraph 1.*

Amendment

3. *Dismissals instigated in this context shall be considered null and void, with suitable procedures for reinstating and compensating the workers concerned, as well as the imposition of penalties on the employer taking such action.*

Or. pt

Amendment 622
Jana Žitňanská

Proposal for a directive
Article 12 – paragraph 3

Text proposed by the Commission

3. Member States shall take the necessary measures to ensure that, when workers referred to in *paragraph 2* establish, before a court or other competent authority, facts from which it may be presumed that there have been such dismissal, it shall be for the respondent to prove that the dismissal was based on grounds other than *those* referred to in *paragraph 1*.

Amendment

3. Member States shall take the necessary measures to ensure that, when workers *who consider that they have been dismissed on the grounds that they have applied for, or have taken, leave* referred to in *Article 4, 5 or 6* establish, before a court or other competent authority, facts from which it may be presumed that there have been such dismissal, it shall be for the respondent to prove that the dismissal was based on grounds other than *having applied for, or having taken, leave* referred to in *Article 4, 5 or 6*.

Or. en

Amendment 623
Sergio Gutiérrez Prieto, Javi López, Iratxe García Pérez

Proposal for a directive
Article 12 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. *When the court's or competent authority's decision considers that the dismissal was based on the grounds referred to in paragraph 2 of this article, the worker will have the right to reinstatement if he/she chooses to do so. This will be without prejudice of compensation for damages granted by national law, applicable collective agreements and/or practice.*

Or. en

Amendment 624
Tom Vandenkendelaere

Proposal for a directive
Article 12 – paragraph 4

Text proposed by the Commission

Amendment

4. *Paragraph 3 shall not prevent Member States from introducing rules of evidence which are more favourable to plaintiffs.*

deleted

Or. nl

Amendment 625
Tom Vandenkendelaere

Proposal for a directive
Article 12 – paragraph 5

Text proposed by the Commission

Amendment

5. *Member States need not apply paragraph 3 to proceedings in which it is for the court or competent body to investigate the facts of the case.*

deleted

Amendment 626
Tom Vandenkendelaere

Proposal for a directive
Article 12 – paragraph 6

Text proposed by the Commission

Amendment

6. Paragraph 3 shall not apply to criminal procedures, unless otherwise provided by the Member States.

deleted

Or. nl

Amendment 627
Tania González Peñas, Kostadinka Kuneva, Paloma López Bermejo, Patrick Le Hyaric, João Pimenta Lopes

Proposal for a directive
Article 13 – title

Text proposed by the Commission

Amendment

Penalties

Penalties **and compensation**

Or. en

Amendment 628
Agnieszka Kozłowska-Rajewicz, David Casa

Proposal for a directive
Article 13 – paragraph 1

Text proposed by the Commission

Amendment

Member States shall lay down rules on penalties applicable to breaches of national provisions adopted pursuant to this Directive or the relevant provisions already in force concerning the rights which are within the scope of this Directive. Member

Member States shall lay down rules on penalties applicable to breaches of national provisions adopted pursuant to this Directive or the relevant provisions already in force concerning the rights which are within the scope of this Directive. Member

States shall take all measures necessary to ensure that those penalties are **applied**. **Penalties shall be** effective, proportionate and dissuasive. **They may take the form of a fine. They may also comprise payment of compensation.**

States shall take all measures necessary to ensure that those penalties are effective, proportionate and dissuasive.

Or. en

Justification

The objective of the directive is to give general guidelines without specifying operational details in a very precise manner leaving the space for implementation at the Member State levels.

Amendment 629

Tania González Peñas, Kostadinka Kuneva, Paloma López Bermejo, Patrick Le Hyaric, João Pimenta Lopes

Proposal for a directive Article 13 – paragraph 1

Text proposed by the Commission

Member States shall lay down rules on penalties applicable to breaches of national provisions adopted pursuant to this Directive or the relevant provisions already in force concerning the rights which are within the scope of this Directive. Member States shall take all measures necessary to ensure that those penalties are applied. Penalties shall be effective, proportionate and dissuasive. They **may** take the form of a fine. They may also comprise payment of compensation.

Amendment

Member States shall lay down rules on penalties **and compensation for damages** applicable to breaches of national provisions adopted pursuant to this Directive or the relevant provisions already in force concerning the rights which are within the scope of this Directive. Member States shall take all measures necessary to ensure that those penalties are applied. Penalties shall be effective, proportionate and dissuasive. They **shall** take the form of a fine. They may also comprise payment of compensation.

Or. en

Amendment 630

Miroslavs Mitrofanovs, Ernest Urtasun

Proposal for a directive
Article 13 – paragraph 1

Text proposed by the Commission

Member States shall lay down rules on penalties applicable to breaches of national provisions adopted pursuant to this Directive or the relevant provisions already in force concerning the rights which are within the scope of this Directive. Member States shall take all measures necessary to ensure that those penalties are applied. Penalties shall be effective, proportionate and dissuasive. They *may* take the form of a fine. They may also comprise payment of compensation.

Amendment

Member States shall lay down rules on penalties applicable to breaches of national provisions adopted pursuant to this Directive or the relevant provisions already in force concerning the rights which are within the scope of this Directive. Member States shall take all measures necessary to ensure that those penalties are applied. Penalties shall be effective, proportionate and dissuasive. They *shall* take the form of a fine. They may also comprise payment of compensation.

Or. en

Amendment 631
Agnieszka Kozłowska-Rajewicz, David Casa

Proposal for a directive
Article 14 – paragraph 1

Text proposed by the Commission

Member States shall introduce measures necessary to protect workers, *including workers who are employees' representatives*, from any adverse treatment by the employer or adverse consequences resulting from a complaint lodged within the undertaking or any legal proceedings initiated with the aim of enforcing compliance with the rights provided for in this Directive.

Amendment

Member States shall introduce measures necessary to protect workers from any adverse treatment by the employer or adverse consequences resulting from a complaint lodged within the undertaking or any legal proceedings initiated with the aim of enforcing compliance with the rights provided for in this Directive.

Or. en

Justification

The term “workers” de facto includes employees’ representatives and consequently this addition is of no added value.

Amendment 632

Tania González Peñas, Kostadinka Kuneva, Paloma López Bermejo, Patrick Le Hyaric

Proposal for a directive

Article 15 – paragraph 1

Text proposed by the Commission

Member States shall ensure that the body or bodies designated, pursuant to Article 20 of Directive 2006/54/EC, for the promotion, analysis, monitoring and support of equal treatment of parents and *carers* without discrimination *on grounds of sex* are also competent for issues falling within the scope of this Directive.

Amendment

Member States shall ensure that the body or bodies designated, pursuant to Article 20 of Directive 2006/54/EC, for the promotion, analysis, monitoring and support of equal treatment of parents and *workers who informally provide care* without *gender* discrimination are also competent for issues falling within the scope of this Directive. *These national bodies shall also be competent in monitoring the implementation of this Directive on national level and provide gender disaggregated data to EIGE in order to allow for the proper monitoring and assessment of this Directive's application.*

Or. en

Amendment 633

Miroslavs Mitrofanovs

Proposal for a directive

Article 15 a (new)

Text proposed by the Commission

Amendment

Article 15 a

Work-life balance support bodies

Member States shall designate or set up consultative bodies for workers to support them and provide personalised advice on dealing with high work pressure and on how to achieve a genuine work-life balance.

Amendment 634
João Pimenta Lopes

Proposal for a directive
Article 16 – title

Text proposed by the Commission

Level of protection

Amendment

Level of protection *and non-regression*

Or. pt

Amendment 635
Evelyn Regner

Proposal for a directive
Article 16 – paragraph 1

Text proposed by the Commission

Member States *may* introduce *or maintain* provisions *that* are more favourable to workers *than those laid down in* this Directive. *They* shall however ensure that at least four months of parental leave remain non-transferable in accordance with Article 5(2).

Amendment

1. This Directive does not constitute valid grounds for reducing the level of protection already afforded to workers within Member states in any form.

2. This Directive shall not affect Member States' prerogative to apply or to introduce laws, regulations or administrative provisions which are more favourable to workers or to encourage or permit the application of collective agreements more favourable to workers.

3. This Directive is without prejudice to any other rights conferred on workers by other legal acts of the Union.

Member States shall however ensure that at least four months of parental leave remain non-transferable in accordance with Article 5(2).

Amendment 636
João Pimenta Lopes

Proposal for a directive
Article 16 – paragraph 1

Text proposed by the Commission

Member States may introduce or maintain provisions that are more favourable to workers than those laid down in this Directive. ***They shall however ensure that at least four months of parental leave remain non-transferable in accordance with Article 5(2).***

Amendment

Member States may introduce or maintain provisions that are more favourable to workers than those laid down in this Directive. ***The provisions adopted in this Directive shall not allow workers to be stripped of more favourable rights available under national law. The definition of minimum levels of rights in this Directive may not serve as grounds to deprive workers of protection or rights in any Member State under the pretext that the Union is imposing new rules (including for the purposes of country-specific recommendations).***

Or. pt

Amendment 637
Ádám Kósa

Proposal for a directive
Article 16 – paragraph 1

Text proposed by the Commission

Member States may introduce or maintain provisions that are more favourable to workers than those laid down in this Directive. ***They shall however ensure that at least four months of parental leave remain non-transferable in accordance with Article 5(2).***

Amendment

Member States may introduce or maintain provisions that are more favourable to workers than those laid down in this Directive, ***provided that such provisions are not excessively burdensome for employers, especially small and middle sized enterprises.***

Or. en

Amendment 638

Michaela Šojdrová, Marijana Petir, Romana Tomc, Anna Záborská

Proposal for a directive

Article 16 – paragraph 1

Text proposed by the Commission

Member States may introduce or maintain provisions that are more favourable to workers than those laid down in this Directive. They shall however ensure that at least **four months** of parental leave **remain** non-transferable in accordance with Article 5(2).

Amendment

Member States may introduce or maintain provisions that are more favourable to workers than those laid down in this Directive, ***provided that such provisions are not excessively burdensome for employers, especially small and middle sized enterprises***. They shall however ensure that at least **one month** of parental leave **remains** non-transferable in accordance with Article 5(2).

Or. en

Amendment 639

Verónica Lope Fontagné, Rosa Estaràs Ferragut

Proposal for a directive

Article 16 – paragraph 1

Text proposed by the Commission

Member States may introduce or maintain provisions that are more favourable to workers than those laid down in this Directive. They shall however ensure that at least **four months** of parental leave remain non-transferable in accordance with Article 5(2).

Amendment

Member States may introduce or maintain provisions that are more favourable to workers than those laid down in this Directive. They shall however ensure that at least **16 weeks** of parental leave remain non-transferable in accordance with Article 5(2).

Or. es

Amendment 640

Dieter-Lebrecht Koch, Thomas Mann, Sven Schulze, Angelika Niebler

Proposal for a directive

Article 16 – paragraph 1

Text proposed by the Commission

Member States may introduce or maintain provisions that are more favourable to workers than those laid down in this Directive. They shall however ensure that at least **four** months of parental leave remain non-transferable in accordance with Article 5(2).

Amendment

Member States may introduce or maintain provisions that are more favourable to workers than those laid down in this Directive. They shall, however, ensure that at least **two** months of parental leave remain non-transferable in accordance with Article 5(2).

Or. de

Amendment 641

Tania González Peñas, Kostadinka Kuneva, Paloma López Bermejo, Patrick Le Hyaric

**Proposal for a directive
Article 16 – paragraph 1**

Text proposed by the Commission

Member States may introduce or maintain provisions that are more favourable to workers than those laid down in this Directive. They shall however ensure that at least four months of parental leave remain non-transferable in accordance with Article 5(2).

Amendment

Member States may introduce or maintain provisions that are more favourable to workers than those laid down in this Directive. They shall however ensure that at least four months of parental leave remain non-transferable in accordance with Article 5(2) ***while progressively guarantee the non-transferability of leaves in accordance with the principle of individual social entitlements.***

Or. en

Amendment 642

Agnieszka Kozłowska-Rajewicz

**Proposal for a directive
Article 16 – paragraph 1 a (new)**

Text proposed by the Commission

Amendment

The implementation of this Directive shall not be sufficient grounds for any regression in relation to the situation

which already prevails in each Member State and in relation to the general level of protection of workers in the areas to which it applies.

Or. en

Justification

This amendment emphasizes that this directive sets minimum standards and will not change the situation prevailing in the Member States that already contain more generous entitlements.

Amendment 643

Renate Weber, Marian Harkin, Enrique Calvet Chambon, Robert Rochefort

Proposal for a directive

Article 16 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

This Directive shall not constitute valid grounds for reducing the general level of protection already afforded to workers within Member States.

Or. en

Amendment 644

Renate Weber, Marian Harkin, Enrique Calvet Chambon, Robert Rochefort

Proposal for a directive

Article 16 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

This Directive shall not affect Member States' prerogative to apply or to introduce laws, regulations or administrative provisions which are more favourable to workers or to encourage or permit the application of collective agreements more favourable to workers.

Amendment 645

Renate Weber, Marian Harkin, Enrique Calvet Chambon, Robert Rochefort

Proposal for a directive

Article 16 – paragraph 1 c (new)

Text proposed by the Commission

Amendment

This Directive is without prejudice to any other rights conferred on workers by other legal acts of the Union.

Or. en

Amendment 646

Laura Agea, Tiziana Beghin, Rosa D'Amato, Marco Valli

Proposal for a directive

Article 16 a (new)

Text proposed by the Commission

Amendment

Article 16a

Non-regression

The implementation of this Directive shall not be sufficient grounds for regression in relation to the situation which already prevails in each Member State and in relation to the general level of protection of workers in the areas to which it applies.

Member States and/or the social partners may maintain or introduce more favourable provisions for workers than those set out in this Directive.

Or. it

Amendment 647

Agnieszka Kozłowska-Rajewicz, David Casa

Proposal for a directive
Article 17 – paragraph 1

Text proposed by the Commission

Member States shall ensure that the provisions adopted pursuant to this Directive, together with the relevant provisions already in force relating to the subject matter as set out in Article 1 of this Directive, are brought by all appropriate means to the attention of **the persons** concerned throughout their territory.

Amendment

Member States shall ensure that the provisions adopted pursuant to this Directive, together with the relevant provisions already in force relating to the subject matter as set out in Article 1 of this Directive, are brought by all appropriate means to the attention of **workers and undertakings, especially micro, small and medium-sized undertakings**, concerned throughout their territory, **including through the Single Digital Gateway**

Or. en

Justification

This change aims at bringing the proposal in line with the Single Digital Gateway adopted in May 2017 as the gateway aims at giving the companies access to good quality information and assistance online.

Amendment 648

Laura Agea, Tiziana Beghin, Rosa D'Amato, Marco Valli

Proposal for a directive
Article 17 – paragraph 1

Text proposed by the Commission

Member States shall ensure that the provisions adopted pursuant to this Directive, together with the relevant provisions already in force relating to the subject matter as set out in Article 1 of this Directive, are brought by all appropriate means to the attention of the persons concerned throughout their territory.

Amendment

Member States shall ensure that the provisions adopted pursuant to this Directive, together with the relevant provisions already in force relating to the subject matter as set out in Article 1 of this Directive, are brought by all appropriate means to the attention of the persons concerned throughout their territory, **also through the Single Digital Gateway**.

Or. it

Amendment 649
Herbert Dorfmann, Heinz K. Becker, David Casa

Proposal for a directive
Article 17 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Member States shall assess the possibility to promote voluntary certification systems. In order to foster a broader adoption of work-life balance measures by public and private organisations, public authorities could set up incentive measures in favour of certificated organisations.

Or. en

Amendment 650
Miapetra Kumpula-Natri

Proposal for a directive
Article 17 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Implementation of this Directive shall not be sufficient grounds for any regression in relation to the situation which already prevails in each Member State and in relation to the general level of protection of workers in the areas to which it applies.

Or. en

Amendment 651
Michaela Šojdrová, Marijana Petir, Danuta Jazłowiecka, Romana Tomc, Anna Záborská, Ádám Kósa

Proposal for a directive
Article 17 a (new)

Text proposed by the Commission

Amendment

Article 17 a

Dialogue with relevant stakeholders

With a view to promoting the objectives of this Directive, the European Union and its Member States shall encourage dialogue with relevant stakeholders, in particular with parents and family associations, employers and trade unions.

Or. en

Amendment 652

Heinz K. Becker

Proposal for a directive

Article 17 a (new)

Text proposed by the Commission

Amendment

Article 17 a

Dialogue with relevant stakeholders

With a view to promoting the objectives of this Directive, the European Union and its Member States shall encourage dialogue with relevant stakeholders, in particular with parents and family associations.

Or. en

Amendment 653

Maria Arena, Rory Palmer, Vilija Blinkevičiūtė, Agnes Jongerius, Brando Benifei, Edouard Martin, Guillaume Balas, Flavio Zanonato, Georgi Pirinski, Michael Detjen, Miapetra Kumpula-Natri, Sergio Gutiérrez Prieto, Javi López

Proposal for a directive

Article 17 a (new)

Text proposed by the Commission

Amendment

Article 17 a

More favourable provisions

1. The implementation of this directive shall not constitute valid grounds for reducing the general level of protection

already afforded to workers within Member states.

2. This Directive shall not affect Member States' prerogative to apply or to introduce laws, regulations or administrative provisions which are more favourable to workers or to encourage or permit the application of collective agreements more favourable to workers.

3. This Directive is without prejudice to any other rights conferred on workers by other legal acts of the Union.

Or. en

Amendment 654
Heinz K. Becker

Proposal for a directive
Article 17 b (new)

Text proposed by the Commission

Amendment

Article 17 b

More favourable provisions

1. This Directive does not constitute valid grounds for reducing the level of protection already afforded to workers within Member states in any form.

2. This Directive shall not affect Member States' prerogative to apply or to introduce laws, regulations or administrative provisions which are more favourable to workers or to encourage or permit the application of collective agreements more favourable to workers.

3. This Directive is without prejudice to any other rights conferred on workers by other legal acts of the Union.

Or. en

Amendment 655

Jeroen Lenaers

Proposal for a directive

Article 18 – paragraph 1

Text proposed by the Commission

1. At the latest, by five years after the entry into force of **this Directive**, Member States shall communicate to the Commission all relevant information concerning the application of **this Directive** necessary for the Commission to draw up a report to the European Parliament and the Council on the application of **this Directive**.

Amendment

1. At the latest, by five years after the entry into force of **these non-binding guidelines**, Member States shall communicate to the Commission all relevant information concerning the application of **these guidelines** necessary for the Commission to draw up a report to the European Parliament and the Council on the application of **these guidelines**.

Or. nl

Amendment 656

Miroslavs Mitrofanovs, Ernest Urtasun

Proposal for a directive

Article 18 – paragraph 1

Text proposed by the Commission

1. At the latest, by **five** years after the entry into force of this Directive, Member States shall communicate to the Commission all relevant information concerning the application of this Directive necessary for the Commission to draw up a report to the European Parliament and the Council on the application of this Directive.

Amendment

1. At the latest, by **three** years after the entry into force of this Directive, Member States shall communicate to the Commission all relevant information concerning the application of this Directive necessary for the Commission to draw up a report to the European Parliament and the Council on the application of this Directive.

Or. en

Amendment 657

Tania González Peñas, Kostadinka Kuneva, Paloma López Bermejo, Patrick Le Hyaric

Proposal for a directive

Article 18 – paragraph 1

Text proposed by the Commission

1. At the latest, by **five** years after the entry into force of this Directive, Member States shall communicate to the Commission all relevant information concerning the application of this Directive necessary for the Commission to draw up a report to the European Parliament and the Council on the application of this Directive.

Amendment

1. At the latest, by **three** years after the entry into force of this Directive, Member States shall communicate to the Commission all relevant information concerning the application of this Directive necessary for the Commission to draw up a report to the European Parliament and the Council on the application of this Directive.

Or. en

Amendment 658
Jana Žitňanská

Proposal for a directive
Article 18 – paragraph 1

Text proposed by the Commission

1. At the latest, by five years after the entry into force of this Directive, Member States shall communicate to the Commission all relevant information concerning the application of this Directive necessary for the Commission to draw up a report to the European Parliament and the Council on the application of this Directive.

Amendment

1. At the latest, by five years after the entry into force of this Directive, Member States shall communicate to the Commission all relevant information concerning the application of this Directive necessary for the Commission to draw up a report to the European Parliament and the Council on the application of this Directive **and an evaluation of to what extent the objectives of this Directive, including the impact on the development of micro, small and medium-sized enterprises, have been achieved.**

Or. sk

Amendment 659
Miroslavs Mitrofanovs, Ernest Urtasun

Proposal for a directive
Article 18 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. By three years after the date of entry into force of this Directive, the Commission shall assess the possibility to include other types of leave in this Directive, including maternity leave, leave for foster care and specific leave arrangements for persons with parental responsibility.

Or. en

Amendment 660

Tania González Peñas, Kostadinka Kuneva, Paloma López Bermejo, Patrick Le Hyaric

Proposal for a directive

Article 18 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. At the latest, by three years after the entry into force of this Directive, the Commission shall assess the possibility of recasting the Directives on maternity, paternity, parental and informal carer's leave into a single European Directive providing for an equal and non-transferable parental leave entitlement for parents in case of childbirth or adoption;

Or. en

Amendment 661

Jeroen Lenaers

Proposal for a directive

Article 18 – paragraph 2

Text proposed by the Commission

Amendment

2. On the basis of the information provided by Member States pursuant to paragraph 1, the Commission shall submit

2. On the basis of the information provided by Member States pursuant to paragraph 1, the Commission shall submit

to the European Parliament and the Council a report in which it reviews the application of *this Directive, accompanied*, if appropriate, by a legislative proposal.

to the European Parliament and the Council a report in which it reviews the application of *these guidelines, followed*, if appropriate, by a legislative proposal.

Or. nl

Amendment 662

Tania González Peñas, Kostadinka Kuneva, Paloma López Bermejo, Patrick Le Hyaric

Proposal for a directive

Article 18 – paragraph 2

Text proposed by the Commission

2. On the basis of the information provided by Member States pursuant to paragraph 1, the Commission shall submit to the European Parliament and the Council a report in which it reviews the application of this Directive, accompanied, if appropriate, by a legislative proposal.

Amendment

2. On the basis of the information provided by Member States pursuant to paragraph 1 *and the assessment pursuant to paragraph 1a*, the Commission shall submit to the European Parliament and the Council a report in which it reviews the application of this Directive, accompanied, if appropriate, by a legislative proposal.

Or. en

Amendment 663

Miroslavs Mitrofanovs

Proposal for a directive

Article 18 – paragraph 2

Text proposed by the Commission

2. On the basis of the information provided by Member States pursuant to paragraph 1, the Commission shall submit to the European Parliament and the Council a report in which it reviews the application of this Directive, accompanied, if appropriate, by a legislative proposal.

Amendment

2. On the basis of the information provided by Member States pursuant to paragraph 1 *and the assessment pursuant to paragraph 1a*, the Commission shall submit to the European Parliament and the Council a report in which it reviews the application of this Directive, accompanied, if appropriate, by a legislative proposal.

Or. en

Amendment 664
Brando Benifei, Terry Reintke

Proposal for a directive
Article 18 – paragraph 2

Text proposed by the Commission

2. On the basis of the information provided by Member States pursuant to paragraph 1, the Commission shall submit to the European Parliament and the Council a report in which it reviews the application of this Directive, accompanied, if appropriate, by a legislative proposal.

Amendment

2. On the basis of the information provided by Member States pursuant to paragraph 1, the Commission shall submit to the European Parliament and the Council a report in which it reviews the application of this Directive, ***including data, disaggregated by sex and sexual orientation, on the take-up of different types of leave contained in this Directive and its impact on micro, small and medium-sized undertakings***, accompanied, if appropriate, by a legislative proposal.

Or. en

Amendment 665
Laura Agea, Tiziana Beghin, Rosa D'Amato, Marco Valli

Proposal for a directive
Article 18 – paragraph 2

Text proposed by the Commission

2. On the basis of the information provided by Member States pursuant to paragraph 1, the Commission shall submit to the European Parliament and the Council a report in which it reviews the application of this Directive, accompanied, if appropriate, by a legislative proposal.

Amendment

2. On the basis of the information provided by Member States pursuant to paragraph 1, the Commission shall submit to the European Parliament and the Council a report in which it reviews the application of this Directive, ***including gender-specific data on the take-up of the different types of leave set out in this Directive and their impact on micro, small and medium-sized enterprises***, accompanied, if appropriate, by a legislative proposal.

Or. it

Amendment 666

Renate Weber, Marian Harkin, Enrique Calvet Chambon

Proposal for a directive

Article 18 – paragraph 2

Text proposed by the Commission

2. On the basis of the information provided by Member States pursuant to paragraph 1, the Commission shall submit to the European Parliament and the Council a report in which it reviews the application of this Directive, accompanied, if appropriate, by a legislative proposal.

Amendment

2. On the basis of the information provided by Member States pursuant to paragraph 1, the Commission shall submit to the European Parliament and the Council a report in which it reviews the application of this Directive, ***including data disaggregated by gender and age on the take-up of different types of leave contained in this Directive and its impact on micro, small and medium-sized undertakings***, accompanied, if appropriate, by a legislative proposal.

Or. en

Amendment 667

Claude Rolin

Proposal for a directive

Article 18 – paragraph 2

Text proposed by the Commission

2. On the basis of the information provided by Member States pursuant to paragraph 1, the Commission shall submit to the European Parliament and the Council a report in which it reviews the application of this Directive, accompanied, if appropriate, by a legislative proposal.

Amendment

2. On the basis of the information provided by Member States pursuant to paragraph 1, the Commission shall submit to the European Parliament and the Council a report in which it reviews the application of this Directive, accompanied, if appropriate, by a legislative proposal. ***The Commission shall also assess the need to revise Council Directive 92/85/EEC on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding and, if appropriate, put forward a legislative proposal.***

Amendment 668

Agnieszka Kozłowska-Rajewicz, David Casa

Proposal for a directive

Article 18 – paragraph 2

Text proposed by the Commission

2. On the basis of the information provided by Member States pursuant to paragraph 1, the Commission shall submit to the European Parliament and the Council a report in which it reviews the application of this Directive, accompanied, if appropriate, by a legislative proposal.

Amendment

2. On the basis of the information provided by Member States pursuant to paragraph 1, the Commission shall submit to the European Parliament and the Council a report in which it reviews the application of this Directive, ***including data, disaggregated by sex, on the take-up of different types of leave contained in this Directive and its impact on micro, small and medium-sized undertakings,*** accompanied, if appropriate, by a legislative proposal.

Or. en

Justification

There is insufficient data available on the implementation of the 2010 Parental leave directive and there is a need for comparable sex-disaggregated data as well as the assessment of the impact on SMEs to be collected in a systematic manner.

Amendment 669

Heinz K. Becker

Proposal for a directive

Article 18 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The report reviewing the application of the directive shall also provide impact assessments, inter alia, on the following points:
- possibilities to extending the duration of

care leave

- possibilities to extending the definition of carers

- the effect of the directive on family carers who are using the possibility for carers' leave, who have used the possibility of requesting flexible working arrangements, and who have used none of the arrangements covered by this directive.

Or. en

Amendment 670

Tania González Peñas, Kostadinka Kuneva, Paloma López Bermejo, Patrick Le Hyaric, João Pimenta Lopes

Proposal for a directive

Article 18 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The Commission shall also assess soon after the date of entry into force of this Directive its compliance with the principle of equal treatment of different levels of income replacement for different types of leave and introduce immediately the necessary legislative measures if such discrimination is identified.

Or. en

Amendment 671

Ernest Urtasun, Miroslavs Mitrofanovs
on behalf of the Verts/ALE Group

Proposal for a directive

Article 18 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The Commission shall also assess soon after the date of entry into force of this Directive its compliance with the

principle of equal treatment of different levels of income replacement for different types of leave and introduce immediately the necessary legislative measures if such discrimination is identified.

Or. en

Amendment 672
Heinz K. Becker

Proposal for a directive
Article 18 a (new)

Text proposed by the Commission

Amendment

Article 18 a

Non-Regression

1. Member States and/or the social partners may maintain or introduce more favourable provisions for workers than those set out in this Directive.

2. This Directive shall be without prejudice to any more specific provisions in Union law, and in particular Union law provisions concerning equal treatment or opportunities for men and women.

3. The implementation of this Directive shall not constitute valid grounds for reducing the general level of protection afforded to workers.

4. The present agreement does not prejudice the right of the social partners to conclude at the appropriate level, including at European level, agreements adapting and/or complementing the provisions of this directive in a manner which will take note of the specific needs of the social partners concerned.

Or. en

Amendment 673

Tania González Peñas, Kostadinka Kuneva, Paloma López Bermejo, Patrick Le Hyaric, João Pimenta Lopes

Proposal for a directive

Article 18 a (new)

Text proposed by the Commission

Amendment

Article 18 a

Non-regression

1. The implementation of this Directive shall not constitute grounds for diminishing the general level of protection already enforced to workers within Member States.

2. This Directive shall not affect Member States' prerogative to apply or to introduce laws, regulations or administrative provisions which are more favourable to workers' rights and leaves.

3. This Directive is without prejudice affecting any application of more favourable collective agreements that improve workers' rights and leaves.

4. This Directive is without prejudice affecting any other rights conferred on workers by other legal acts of the Union.

Or. en

Amendment 674

Miroslavs Mitrofanovs, Ernest Urtasun

Proposal for a directive

Article 18 a (new)

Text proposed by the Commission

Amendment

Article 18 a

Non-regression

1. The implementation of this Directive shall not constitute valid grounds for reducing the general level of protection

already afforded to workers within Member States.

2. This Directive shall not affect Member States' prerogative to apply or to introduce laws, regulations or administrative provisions which are more favourable to workers or to encourage or permit the application of more favourable collective agreements.

3. This Directive is without prejudice to any other rights conferred on workers by other legal acts of the Union.

Or. en

Amendment 675
Jeroen Lenaers

Proposal for a directive
Article 18 a (new)

Text proposed by the Commission

Amendment

Article 18a

Non-regression

Article 18a

1. Member States and/or the social partners may maintain or introduce more favourable provisions for workers than those set out in this proposal.

2. The implementation of these guidelines shall not constitute valid grounds for reducing the general level of protection afforded to workers.

Or. nl

Amendment 676
Jeroen Lenaers

Proposal for a directive
Article 19

Text proposed by the Commission

Amendment

Article 19

deleted

Repeal

Directive 2010/18/EU is repealed with effect from two years following the date of entry into force of this Directive. References to the repealed Directive shall be construed as references to this Directive and shall be read in accordance with the correlation table in the Annex.

Or. nl

Amendment 677

Verónica Lope Fontagné, Rosa Estaràs Ferragut

Proposal for a directive

Article 20 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Amendment

The Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive, at the latest two years after the entry into force. They shall forthwith communicate to the Commission the text of those provisions.

The Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive, at the latest two years after the entry into force ***apart from the four paid weeks of parental leave referred to in Article 8(1)(b) which shall come into force four years after publication of this Directive.*** They shall forthwith communicate to the Commission the text of those provisions.

Or. es

Amendment 678

Claude Rolin

Proposal for a directive

Article 20 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Amendment

The Member States shall bring into force

The Member States shall bring into force

the laws, regulations and administrative provisions necessary to comply with this Directive, at the latest two years after the entry into force. They shall forthwith communicate to the Commission the text of those provisions.

the laws, regulations and administrative provisions necessary to comply with this Directive, at the latest two years after the entry into force. They shall forthwith communicate to the Commission the text of those provisions. ***All these laws, regulations and administrative provisions must be the subject of a consultation procedure involving the social partners which takes account of specific national circumstances.***

Or. fr

Amendment 679

Dieter-Lebrecht Koch, Thomas Mann, Sven Schulze, Angelika Niebler

Proposal for a directive

Article 20 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Member States may count the portion of a period of parental leave granted under national rules which goes beyond the minimum period laid down in Article 5 of this Directive towards the requirements under Article 4 of this Directive, provided that the minimum requirements concerning paternal leave laid down in this Directive have been met.

Or. de