



2015/2097(INI)

19.2.2016

OPINION

of the Committee on Women's Rights and Gender Equality

for the Committee on Employment and Social Affairs

on the report on the application of Council Directive 2010/18/EU of 8 March 2010 implementing the revised Framework Agreement on parental leave concluded by BUSINESSEUROPE, UEAPME, CEEP and ETUC and repealing Directive 96/34/EC (2015/2097(INI))

Rapporteur: Iratxe García Pérez

SUGGESTIONS

The Committee on Women's Rights and Gender Equality calls on the Committee on Employment and Social Affairs, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

- having regard to its position adopted at first reading on 20 October 2010 with a view to the adoption of Directive 2011/.../EU of the European Parliament and of the Council amending 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 on the introduction of measures to support workers in balancing work and family life¹, asking – among other things – for a two-week period of paternity leave,
- A. whereas the target of a 75 % employment rate set in the Europe 2020 strategy has already been met for men and is unlikely to be achieved for women (currently at 63.5 %) by 2020 should there be no large-scale improvements in the provision of measures to support women's labour market participation, predominantly through policy packages equalising the workload related to domestic activities, and the care of children and other dependants, between men and women;
- B. whereas policies aiming to improve work-life balance should contribute to the achievement of gender equality and be considered in the context of demographic changes, the effects of an ageing population, closing the generation gap, promoting women's participation in the labour force and the sharing of care responsibilities between women and men; whereas the aim is to reduce the persisting gender pay and pension gaps and thereby inequality in access to financial resources for women throughout life, thus reducing the currently high risk of poverty facing women in old age;
- C. whereas the differences in men's and women's uptake of maternity, paternity, or parental leave amount to manifest gender discrimination as regards childcare and female labour market participation; whereas, in many Member States, the measures taken to encourage men to assume an equal share of family responsibilities have not led to satisfactory results;
- D. whereas available evidence confirms that unpaid or low-paid family-related periods of leave result in low take-up rates and that fathers represent only a small minority of the parents taking parental leave if these periods are family-based, transferable entitlements; whereas, at the same time, non-transferable periods of leave are widely used by both parents if paid at or close to the level of income replacement;
- E. whereas, according to Eurostat data for 2010 (EU28), out of around 3 500 000 parents taking parental leave that year, 3 423 700 were women, while only 94 800 - a paltry 2.7% - were men;
- F. whereas adequate, individual, compensated parental leave is crucial for same-sex parenting couples to be able to achieve work/life balance;

¹ OJ C 70E, 8.3.2012, p. 163.

- G. whereas it is vital to ensure that women have the right to combine jobs with rights and the right to motherhood without being penalised for it, since women continue to be worst affected and suffer most discrimination; whereas examples of this discrimination include pressure from employers on women attending job interviews at which they are asked whether they have children and how old they are, with the aim of influencing women's decisions and opting for childless workers who are 'more available', along with growing economic and work-related pressures on female employees not to take maternity leave;
- H. whereas women who exercise their right to work/life balance by taking parental leave are faced with a stigma when they return to the labour market, which results in less favourable working conditions and precarious contracts;
1. Calls for the social partners, on the basis of the draft implementation report, to acknowledge the failure of the EU directive on parental leave in achieving its objectives in terms of work-life balance, female labour market participation, demographic challenges and men's share of family tasks, including the care of children and other dependants, a failure which contravenes EU principles and values regarding gender equality; considers as a result that more effective measures should be taken to encourage a more equal sharing of family responsibilities between men and women;
 2. Is of the opinion that the social partners should activate the review clause; calls for the revision of the directive, including adoption of measures introducing adequate and incentive-based financial compensation for lost income for parents taking up parental leave, in order to secure families' social and economic well-being and to promote take-up of parental leave by fathers; underlines the importance of adopting a holistic approach including maternity, paternity and parental leave in any revision of the Directive;
 3. Stresses that work/life balance policy instruments such as parental leave should be designed as individual, non-transferable entitlements with a reasonable level of income replacement in order both to comply with the cardinal principle of welfare entitlements – namely that they are granted on an individual basis, as is the case with all other work-related benefits, such as entitlement to holidays, sick leave, or leave on other grounds, and with unemployment benefits – and to improve their efficiency and take-up rates, especially among men, ultimately leading to closing the gender pay gap, a more equitable position of men and women in the labour market and reducing the discriminatory effects that prolonged periods of labour market inactivity have on women who take up maternity and parental leave; emphasises the need for a balanced distribution of non-transferable parts of the parental leave between both parents; calls in that respect for the minimum 4-month entitlement to be extended to 6 months;
 4. Points out that higher cohesion and accessibility of the leave systems in Member States (encompassing maternity, paternity and parental leave) increases take-up rates and the overall efficiency of policy packages to support families; emphasises that in order for workers to exercise their right to parental leave, Member States and the social partners must take the necessary measures to protect workers against less favourable treatment or dismissal linked to parental leave; calls on the Member States and the Commission to improve access to justice in instances of discrimination and unlawful dismissal in this sensitive area;
 5. Deplores the fact that the Council has proved incapable of reaching an agreement to break

the deadlock over the proposed amendment of the Maternity Leave Directive and that, five years after it was approved by Parliament, the Commission has decided to withdraw the proposal; takes note that the Commission has submitted its roadmap to make a ‘New start to address the challenges of work-life balance faced by working families’, a document which, according to the Commission’s intention, is to replace the above-mentioned proposal revising the Maternity Leave Directive and will comprise a package of legislative and non-legislative measures related to work-life balance; maintains that this is an area in which the Commission has to submit legislative proposals;

6. Underlines the importance of the public sector as an employer playing a pioneering role, since more men in the public sector take parental leave and, as a principle, more protection is granted across the EU in the public sector than in the private sector;
7. Stresses that everyone should be guaranteed the right to parental leave without discrimination, regardless of the type of contract under which working fathers and mothers are employed.

RESULT OF FINAL VOTE IN COMMITTEE ASKED FOR OPINION

Date adopted	18.2.2016
Result of final vote	+: 17 -: 13 0: 1
Members present for the final vote	Daniela Aiuto, Maria Arena, Catherine Bearder, Beatriz Becerra Basterrechea, Malin Björk, Viorica Dăncilă, Iratxe García Pérez, Mary Honeyball, Teresa Jiménez-Becerril Barrio, Elisabeth Köstinger, Agnieszka Kozłowska-Rajewicz, Angelika Mlinar, Angelika Niebler, Maria Noichl, Marijana Petir, João Pimenta Lopes, Terry Reintke, Jordi Sebastià, Michaela Šojdrová, Ernest Urtasun, Jadwiga Wiśniewska, Anna Záborská, Jana Žitňanská
Substitutes present for the final vote	Biljana Borzan, Rosa Estaràs Ferragut, Arne Gericke, Kostadinka Kuneva, Constance Le Grip, Dubravka Šuica, Marc Tarabella, Monika Vana
Substitutes under Rule 200(2) present for the final vote	Mike Hookem