



May 2020

**Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance for parents and carers and repealing Council Directive 2010/18/EU**

*Despite significant progress for some social groups in the area of work-life balance, there has been a general trend of decline since 2011, and progress amongst Member States has been uneven. This proposed directive (complemented with non-legislative measures) should lead to the repeal of the existing Framework Agreement on Parental Leave, made binding by Council Directive 2010/18/EU (the Parental Leave Directive). The new directive contains proposals for paternity, parental and carers' leave. Stakeholders have been divided over the level of ambition of the proposed measures. Trilogue negotiations started in September 2018, and a provisional agreement among the three institutions was reached after the sixth trilogue meeting, in January 2019. The provisional agreement is less ambitious than the original Commission proposal and the Parliament's position, which had, in some ways, gone further than the Commission. The text was approved by the Parliament's Employment and Social Affairs Committee in February 2019, and now needs to be adopted in plenary. Third edition. The 'EU Legislation in Progress' briefings are updated at key stages throughout the legislative procedure. Please note this document has been designed for on-line viewing*

*This Topical Digest offers a selection of publications, produced by the European Parliamentary Research Service, on migration, and education and research.*

**[Maternity and paternity leave in the EU](#)**

*Infographic by Ulla Jurviste, Martina Prpic and Giulio Sabbati, updated in March 2019*

Maternity leave policies in EU Member States are governed by the 1992 Pregnant Workers Directive, which sets the minimum period for maternity leave at 14 weeks, with 2 weeks' compulsory leave before and/or after confinement and an adequate allowance subject to national legislation. In 2008 the Commission tried to replace this directive with a more suitable framework. The proposal was to extend the duration of maternity leave to 18 weeks in accordance with the guidelines of the International Labour Organization. At least 6 weeks would be compulsory after confinement, with an allowance amounting to full salary. This was accepted in 2010 by the Parliament, which extended the proposal to 20 weeks of maternity leave and 2 weeks of paternity leave under the same conditions. However, having been deadlocked in the Council, the proposal was withdrawn in July 2015. It was replaced by the new work-life balance package, which is intended to take a broader approach to modernising the existing EU legal framework in the area of family-related leave and flexible working arrangements. The draft proposal also introduced a right to two weeks paternity leave. The package tackled the challenge of work-life balance for working parents and carers, which is expected to be particularly beneficial for gender equality in the labour market, but it did not change the duration of maternity leave.

**[Parental Leave Directive: Towards a revision?](#)**

*'At a glance' note by Monika Kiss, May 2016*

In the European Union, parental leave is regulated by a 1996 Directive, last amended in 2013. The implementation of this Directive varies greatly among Member States and parental leave overlaps other types of leaves granted to families. The European Parliament called for an evaluation of its implementation and for revision of both the Directive and related legislation. The report of the European Parliament regrets that not all Member States have provided the Commission with correspondence tables between the provisions and the transposition measures and that social welfare rights are not always granted throughout the entire duration of parental leave. It urges the activation of the revision clause in EU legislation on parental leave and calls for the extension of the minimum duration of *parental leave to six months*.

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## [Reconciling work and private life](#)

*Keysource by Gabriella Zana, March 2014*

A balanced work and private life is important for a healthy workplace. Research shows that employees with higher levels of work-family conflict suffer up to 12 times more often from burnout and can experience up to three times more depression or other psychological problems as workers with a better work-life balance. To create a more family-friendly work environment has been for a long time on the European policy agenda. Article 33 the Charter of Fundamental Rights of the European Union refers to the concept of work-life balance. Directives, Recommendations and other related instruments concerning gender equality, working time arrangements and maternity/paternity leave have been adopted. Some of the Europe 2020 Flagship Initiatives also impact on work and family life.

## [Early childhood education and care in family friendly policies](#)

*Briefing by Nora Milotay, May 2016*

Early childhood education and care (ECEC) services for children – from birth to compulsory primary school age – form an essential part of policies for work-life balance and for better social cohesion. A policy mix of flexible labour market arrangements, generous leave policies and quality ECEC services allows choices for parents, and at the same time supports the healthy development of their children. Member States are increasingly establishing well-functioning, efficient systems. Investing in early-years services brings the greatest returns, and is generally more successful than later remedial action. Until recently, ECEC was mainly considered as a vehicle for helping parents, primarily women, to (re)integrate into the labour market across the EU. Lately, there has been a growing awareness about its multiple benefits for children's personal development and social integration, including mitigating inequalities and preparing for later employability.

## [Social protection in the EU: State of play, challenges and options](#)

*Briefing by Nora Milotay, October 2018*

Globalisation, technological change, an aging population and changes to the world of work have made securing social protection for all, i.e. economic and social security, a major challenge. When social protection systems work well, they can have a stabilising effect on the economy and promote socio-economic equality and stability. By contrast, inadequate or ineffective systems can exacerbate inequality. Indeed, improving the existing social protection systems is the priority of half of the principles of the European Pillar of Social Rights – the European Commission's overarching social field initiative designed to serve as a compass for policies updating current labour market and welfare systems. While implementation of the 'social pillar' remains primarily the responsibility of the Member States, in close cooperation with the social partners, the European Commission has put forward several legislative and non-legislative initiatives to support this process in the area of social protection. These include the proposal for a recommendation on social protection for all, including non-standard workers, responding to calls from the European Parliament and the social partners and stakeholders.

## [Trends in female employment](#)

*Briefing by Monika Kiss, October 2015*

Statistics and research results show that over the past decade, despite the economic and financial downturn, the EU's labour market has witnessed an increase in women's employment rates. Women's employment seems to be more resilient to the economic crisis than men's. This is partly due to long-term developments and institutional framework changes, as well as to women's tendency to work in particular sectors and accept flexible working arrangements (e.g. part-time work, teleworking). Despite the general upward trend, however, women's employment rates vary by Member State, age, social group, and educational level. Even though international and EU legislation takes account of women's situation in the labour market, and the EU dedicates a substantial amount of analytical work to it, a number of challenges remain unresolved. Examples include the need to harmonise retirement schemes taking into account specific characteristics of women's careers; to better reconcile work and family life through more flexible employment arrangements; but the improvement and recognition of women's skills, the equal treatment of domestic work and migrant workers, and the further closing of the gender pay gap are likewise important.

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## [Maternity, paternity and parental leave in the EU](#)

*Briefing by Martina Prpic, March 2017*

The EU has been working on reforming family leave policies in Member States since the 1980s. Its efforts resulted in two currently valid directives: the 1992 Maternity Leave Directive and the 2010 Parental Leave Directive. Even though EU Member States' transposition of the current directives has been mostly satisfactory technically, in 2015 the Commission announced a package on work-life balance which would replace the current legislation. The rationale for the new package is increasing female labour participation, bringing gender balance to care activities now predominantly performed by women, and improving negative demographic trends. The current legislative framework has been evaluated as inadequate to deal with these challenges. While the content of the Commission proposal is not yet fully known, an analysis of the current situation may shed light on the direction of change, as well as the obstacles that the new proposal may face. Even though Member States have transposed the current directives, they have also been given much freedom in deciding on elements which may be crucial in achieving the aims of the new Commission proposal. Why Member States decided to implement certain elements over others depends on their cultural, social and economic situations, which, according to experts, play a significant role in deciding policies of that type and may also influence the new proposal.

## [Revision of the Maternity Leave Directive](#)

*'At a glance' note by Martina Prpic and Rosamund Shreeves, May 2015*

The new Maternity Leave Directive was proposed by the Commission in 2008 and was based on Articles 137(2) and 141(3) of the EC Treaty (now Articles 153 and 157 TFEU). Its aim was to improve the protection and employment rights of pregnant workers and those who have just given birth or are breastfeeding, as well as to contribute to a better reconciliation of professional, family and private life. The Commission's proposed revision would set the minimum duration of maternity leave at 18 weeks, with at least 6 weeks compulsory leave after confinement, and provide for an allowance amounting to full salary. The Parliament voted to accept this proposal in 2010, with some amendments, notably prolonging the minimum duration of maternity leave to 20 weeks, and adding 2 weeks of paternity leave under the same conditions as maternity leave. After the Parliament's first reading, the proposed directive reached an impasse in the Council. It has been criticised in the Council because the proposed minimum duration of leave is considered too long and costly, and some feel that it threatens the subsidiarity principle.

## [Work-life balance for parents or carers](#)

*Briefing by Mari Tuominen, September 2017*

After the withdrawal of the Commission's proposal to revise Council Directive 92/85/EEC (the Maternity Leave Directive), the Commission announced its intention to prepare a new initiative with a broader approach. The European Parliament has called in its resolutions for a comprehensive proposal from the Commission on work-life balance. In line with the Treaty on the Functioning of the European Union (TFEU), the Commission conducted a two-stage consultation with the social partners on work-life balance. There was no agreement among social partners to enter into direct negotiations to conclude an EU level agreement. A roadmap for the new initiative was published in August 2015 and the initiative was included in the Commission's 2017 work programme within the framework of the European Pillar of Social Rights. The Commission's proposal for a directive is part of a package of measures aiming to address women's underrepresentation in employment by improving conditions to reconcile work and family duties. The proposal builds on existing EU legislation (especially Directive 2010/18/EU on parental leave), policies and best practices of the Member States in the area of work-life balance.

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