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FIRST-STAGE CONSULTATION OF EUROPEAN SOCIAL PARTNERS ON RECONCILIATION OF PROFESSIONAL, PRIVATE AND FAMILY LIFE

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#### 1. Introduction

The aim of this paper is to launch the first stage of consultation of management and labour on the issue of reconciliation of professional, private and family life (hereinafter reconciliation), following the procedure laid down in Article 138 of the EC Treaty.

Over the last two decades, the European institutions and the European social partners have consistently called for EU level policies for improving reconciliation, stressing the importance of combining sufficient provision of quality childcare services together with leave and flexible working time arrangements and financial benefits.

Recently, the increasing labour market participation of women, changing family forms and the demographic pressure from an ageing population have made reconciliation of work and family one of the major topics on the European social agenda. However, there are marked differences between Member States in terms of policies adopted in order to enhance reconciliation and the results achieved.

In March 2006 the **European Council** stressed the need for a better work-private life balance in order to achieve economic growth, prosperity and competitiveness<sup>1</sup> and approved the European Pact for Gender Equality. The March 2005 European Council re-launched the Lisbon strategy, refocusing on growth and employment. The role of reconciliation in achieving the objectives of the renewed Lisbon Strategy was stressed by the new Guideline  $18^2$  of the Integrated Guidelines for Growth and Jobs  $(2005-2008)^3$ .

At the 2002 Barcelona Summit, targets were set with regards to childcare facilities. Confirming the goal of full employment, the European Council agreed that Member States should remove disincentives to female labour force participation and set specific targets for childcare facilities to be achieved by Member States by 2010<sup>4</sup>.

In terms of current employment policies, inter alia:

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(...)

<sup>&</sup>lt;sup>1</sup> Paragraph 40 of the Presidency Conclusions of the Brussels European Council of 23 and 24 March 2006 states:

Acknowledging that gender equality policies are vital to economic growth, prosperity and competitiveness, the European Council stresses that it is time to make a firm commitment at European level to implement policies to promote women's employment and to ensure a better work- life balance. To this end, the European Council approves the European Pact for Gender Equality ... and agrees that the availability of quality childcare should be increased in line with Member States' own national targets. (The Pact for Gender Equality is attached in Annex II to the Presidency Conclusions)

<sup>&</sup>lt;sup>2</sup> Promote a life-cycle approach to work, through:

<sup>-</sup> a renewed endeavour to build employment pathways for young people and reduce youth unemployment as called for in the European Youth Pact;

<sup>-</sup> resolute action to increase female participation and reduce gender gaps in employment, unemployment and pay;

<sup>-</sup> better reconciliation of work and private life and the provision of accessible and affordable childcare facilities and care for dependants;

<sup>(...).</sup> 

<sup>&</sup>lt;sup>3</sup> Council Decision 2005/600/EC of 12 July 2005 on Guidelines for the employment policies of the Member States

<sup>&</sup>lt;sup>4</sup> Paragraph 32 of the Presidency Conclusions of the Barcelona European Council of 15 and 16 March 2002 states:

*<sup>(...)</sup>* 

Although comparisons between Member States are difficult due to the lack of harmonised statistics<sup>5</sup>, it is clear from the information available that very few Member States have met or exceeded the Barcelona targets<sup>6</sup>.

The **European Parliament** has consistently called for improvements to the existing legislation in relation to protection of pregnant workers and parental leave and for measures to improve reconciliation of professional, private and family life. For example in 2000<sup>7</sup> Parliament called on the Commission to submit a proposal for a revision of Directive 92/85/EEC<sup>8</sup>, and in 2004 Parliament adopted a resolution on reconciling professional, family and private lives<sup>9</sup>.

In 2005, the **European social partners** (UNICE<sup>10</sup>/UEAPME<sup>11</sup>, CEEP<sup>12</sup> and the ETUC<sup>13</sup>) adopted a Framework of Actions on Gender Equality. The Framework sets out four priorities on which the European social partners want national social partners to take action during the five years 2005 to 2010, namely addressing gender roles, promoting decision-making, supporting work-private life balance and tackling the gender pay gap. With regard to supporting work-private life balance, the Framework of Actions identifies three key elements as follows: considering flexible working arrangements that can be taken up on a voluntary basis by both women and men, including leave arrangements, designed in a way that does not undermine their long term participation and position on the labour market (for example career breaks and parental leave arrangements); promoting a more balanced take-up of possibilities to ease work-private life balance; and jointly approaching public authorities to develop instruments that help increase the availability of accessible and affordable child care facilities of good quality and seeking innovative ways of providing essential private household or caring services. This demonstrates the importance of this issue on the agenda of the social partners at European level.

As part of the overall compromise solution reached in inter-institutional discussions on the proposal for a Directive of the European Parliament and of the Council on the implementation

 $<sup>(\</sup>dots)$ 

<sup>-</sup> Member States should remove disincentives to female labour force participation and strive, taking into account the demand for childcare facilities and in line with national patterns of provision, to provide childcare by 2010 to at least 90% of children between 3 years old and the mandatory school age and at least 33% of children under 3 years of age;

<sup>(...</sup>*)*.

<sup>&</sup>lt;sup>5</sup> Harmonised statistics for 2004 will be available for some Member States in October 2006. Statistics for all Member States for 2005 onwards will be available from the EU-SILC (Survey on Income and Living Conditions) in the first quarter of 2007.

<sup>&</sup>lt;sup>6</sup> Only five Member States appear to have met or exceeded the Barcelona target of 33% for children under three. In several Member States the availability of childcare for children under three is below 10%, while no information is available for a number of Member States (see Reconciliation of work and private life, A comparative review of thirty European countries, EU Expert Group on Gender, Social Inclusion and Employment (September 2005)).

<sup>&</sup>lt;sup>7</sup> European Parliament resolution on the report on the implementation of Directive 92/85/EEC (A5-0155/2000)

<sup>&</sup>lt;sup>8</sup> Directive 92/85/EEC of 19 October 1992 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

<sup>&</sup>lt;sup>9</sup> European Parliament resolution on reconciling professional, family and private lives (2003/2129(INI), P5\_TA(2004)0152)

<sup>&</sup>lt;sup>10</sup> Union of Industrial and Employers' Confederation

<sup>&</sup>lt;sup>11</sup> European Association of Craft, Small and Medium-Sized Enterprises

<sup>&</sup>lt;sup>12</sup> European Centre of Enterprises with Public Participation and of Enterprises of General Economic Interest

<sup>&</sup>lt;sup>13</sup> European Trade Union Confederation

of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast version)<sup>14</sup>, both the Council and the Commission made separate statements on reconciliation. They called for renewed efforts and a strengthened policy approach in this area. The full text of the statements is annexed.

# 2. Maternity and Parental Leave: Existing Community Legislation and its Implementation by Member States

#### (i) Maternity leave

Directive 92/85/EEC<sup>15</sup> of 19 October 1992 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 (tenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) provides for a minimum of 14 continuous weeks maternity leave. The Directive also lays down requirements on health and safety in the workplace to protect pregnant workers and workers who have recently given birth or are breastfeeding.

As this Directive is a health and safety measure<sup>16</sup>, it does not apply to adopting parents or fathers. However, the employment rights of workers who take paternity and/or adoption leave are protected under Community law. Directive 2002/73/EC<sup>17</sup> provides that it is without prejudice to the right of Member States to recognise distinct rights to paternity and/or adoption leave. It also requires Member States which recognise such rights to protect workers against dismissal due to exercising those rights and to protect workers' employment rights including the right to return to their job.

#### (ii) Parental leave

The Commission consulted the social partners on the issue of reconciliation in 1995<sup>18</sup>. As a result of that consultation, UNICE, CEEP and the ETUC opened a negotiation which lead to the adoption of the framework agreement on parental leave, the first collective agreement concluded by the social partners under the Agreement on social policy annexed to the Treaty establishing the European Community.

The Framework Agreement annexed to Council Directive 96/34/EC<sup>19</sup> of 3 June 1996 on the framework agreement on parental leave concluded by UNICE, CEEP and the ETUC<sup>20</sup> sets out minimum requirements on parental leave and *force majeure* leave and allows Member States

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<sup>&</sup>lt;sup>14</sup> Directive 2006/54/EC of 5 July 2006, OJ L 204, 26.7.2006, p.23

<sup>&</sup>lt;sup>15</sup> OJ L 348, 28.11.1992, p. 1

<sup>&</sup>lt;sup>16</sup> The legal basis for this Directive is ex Article 118a (new Article 137 EC).

<sup>&</sup>lt;sup>17</sup> Directive 2002/73/EC amending Directive 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion and working conditions, OJ L 269 of 5.10.2002, p. 15

The consultation was broader than the issue of time off work for workers with children, and covered a wide range of issues relating to reconciliation including, in particular, action at enterprise level, especially within the framework of collective agreements, which create an environment, structure and organisation of work which take into account the needs of parents with children

<sup>&</sup>lt;sup>19</sup> OJ L 145, 19.6.1996 p. 4

<sup>&</sup>lt;sup>20</sup> The Directive was extended to the United Kingdom of Great Britain and Northern Ireland by Directive 97/75/EC of 15 December 1997 (OJ L 10, 16.1.1998 p. 24)

the option of providing more favourable provisions than those set out in the Framework Agreement.

The Framework Agreement provides an entitlement to at least three months' parental leave on the grounds of the birth or adoption of a child until a given age (up to eight years) to be specified by the Member States and/or the social partners. It is left to the Member States and/or the Social Partners whether the leave is paid or not. The Framework Agreement also provides for time off work for reasons of *force majeure* for urgent family reasons in cases of sickness or accident requiring the immediate presence of the worker. It is left to Member States and/or the social partners to specify the amount of time off and the conditions for access to such leave.

#### (iii) The Situation in the Member States with regard to maternity and parental leave

There are marked variations between the Member States in relation to inter alia the length of maternity and parental leave and the level of payment in respect of leave. Notwithstanding the difficulties of making comparisons between the leave provisions in the Member States<sup>21</sup>, a number of broad conclusions can be drawn about the implementation of the Directives in the Member States<sup>22</sup>. The duration of maternity leave varies from 14 weeks in a small number of Member States to 28 weeks in other Member States (e.g. the Czech Republic and Slovakia)<sup>23</sup> and in certain circumstances up to 52 weeks, not all of which is paid, in the UK. Similarly, the length of parental leave varies substantially between Member States, ranging from 3 – 4 months in some Member States to 3 years in others (e.g. the Czech Republic, France, Germany, Poland and Slovakia). Finally, parental leave attracts a payment, subject to certain conditions and limitations, in a considerable number of Member States (e.g. Austria, the Czech Republic, Denmark, Estonia, Finland, Germany, Hungary, Italy, Latvia, Lithuania, Luxembourg, Poland, Slovakia, Slovenia and Sweden).

Many Member States provide for time off or leave which go beyond the scope of the Directives. For example:

- the total duration of parental or paternity leave is extended if the father avails of a specified minimum amount of leave (e.g. Finland, Italy and Austria);
- paternity leave (i.e. a period of leave guaranteed at the time of childbirth for fathers) is available in several Member States (e.g. Denmark, France, Latvia, Luxembourg, Sweden and the United Kingdom);
- adoption leave, similar to maternity leave, is available in a number of Member States (e.g. Cyprus, Poland, Malta, Slovenia and Spain);

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<sup>&</sup>lt;sup>21</sup> The fact that Member States leave systems are quite different makes comparisons difficult. Furthermore it is not possible to rank countries simply on basis of the length of leave as the actual impact of the leave will be influenced by other factors, in particular whether it qualifies for a benefit or payment and the level of that payment.

<sup>&</sup>lt;sup>22</sup> Based on information in the 1999 Report from the Commission on the implementation of Directive 92/85/EEC (COM (1999) 100 final) and the 2003 report on the implementation of Directive 96/34/EC (COM (2003) 358 final) in the then 15 Member States. The Commission also has at its disposal more recent information in relation to the implementation of the Directives in the 25 Member States from the network of legal experts in the fields of employment, social affairs and equality between men and women and the EU Expert Group on Gender, Social Inclusion and Employment.

<sup>&</sup>lt;sup>23</sup> The references to individual Member States are by way of example only and are not intended to provide exhaustive lists.

- there is a statutory entitlement to time off for breastfeeding (e.g. Austria, Estonia, Germany, Ireland, Lithuania and Slovakia);
- special leave in case of the illness of a child or other dependants is granted in several Member States (e.g. Belgium, Greece, Hungary and Sweden);
- discrimination on grounds of parenthood is prohibited in some Member States (e.g. Finland, Hungary and the Netherlands).

## 3. The case for further action to improve reconciliation of work, private and family life

The action taken at EU and national level to provide entitlements to maternity and parental leave represents an important step forward in the reconciliation of work, private and family life. However, a number of factors suggest that further action may be required in this area.

#### 3.1 Enabling women and men to have as many children as they would like

Europeans have a fertility rate which is insufficient to replace the population. The low fertility rate may be explained, in part, by obstacles to private choices<sup>24</sup>, including the lack of work-private life balance<sup>25</sup>. There is evidence that some Member States with effective reconciliation policies for both women and men have not only higher fertility rates but also a higher female labour force participation rate<sup>26</sup> and thus higher employment rates e.g. Denmark (female employment rate: 71.9%; fertility rate: 1.78), France (57.6% and 1.9), Finland (66.5% and 1.8) and Sweden (70.4% and 1.75)<sup>27</sup>.

One of the reasons for delaying the decision to have a child is the fact that young people acquire their autonomy later than in the past; in its green paper on demography, the Commission recalls that the desire to have a child is a private matter but that public policies have to develop action lines to offer a better environment for young parents and to facilitate reconciliation of professional, private and family life. Reconciliation policies should also include young women and men who are still in higher education. When it adopted the European youth pact in March 2005, the European Council also called on the Union and the Member States to improve the situation of young people in a range of policy areas, and in particular work-family balance.

Availability, quality and affordability of childcare are also extremely important issues. The availability of childcare facilities does not answer the question of whether demand is fully met. The actual demand for childcare is influenced by the participation rate in employment of parents (mothers), level of unemployment, length of parental leave, opening hours of schools and availability of alternatives such as grandparents and/or other informal arrangements. The cost of childcare is a significant barrier to the uptake of further education or work for low-income families, particularly single parents, and also at higher income levels, particularly for families with more than one child requiring childcare.

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<sup>&</sup>lt;sup>24</sup> Surveys reveal that a gap exists between the numbers of children Europeans would like to have (2.3) and the number they actually have (1.5).

<sup>&</sup>lt;sup>25</sup> Commission Staff Working Document annexed to the Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions: A Roadmap for equality between women and men 2006-2010, Impact Assessment (SEC(2006) 275)

<sup>&</sup>lt;sup>26</sup> OECD Observer, Policy Brief, Babies and Bosses: Balancing work and family life (March 2005)

<sup>&</sup>lt;sup>27</sup> Eurostat: Employment Rates – Labour Force Survey, 2005; Fertility Rates – Demography, 2004

Access to childcare is necessary in order to meet the double objective of women participating in the labour market to a higher degree and having more children at the same time. There is therefore a great need to increase childcare facilities in many Member States. Long periods of leave do not substitute for lack of good quality and affordable childcare.

## 3.2 Caring for the EU's ageing population

Since life expectancy at birth has increased by 8 years since 1960 and is projected to rise by a further 5 years by 2050 the numbers of persons living well into their 80s and 90s will increase substantially in the years ahead. While this will provide an opportunity from the economic perspective, it will also mean that in the future many people will reach ages when frailty and disability are common. It is predicted that the dependent population will increase very significantly in future years in the EU25<sup>28</sup>. This will generate extra demand for high quality care for the elderly. In order to meet the demand for care and to cater for individual requirements, it will be necessary to provide both informal and formal care. Effective reconciliation policies should help to ensure that informal care is shared more equally between men and women and that such responsibilities and paid work can be combined. This is also a necessary precondition for higher participation of women, in particular older women, in the labour market.

## 3.3 Raising the labour market participation rate of women

To underpin economic growth, Member States must attract more people, and in particular more women, onto the labour market. This is all the more important as the ageing population will result in a decline in the working age population. It is also important to ensure that the increasing educational attainments of women are reflected not only in their quantitative but also their qualitative participation in the labour market.

The Lisbon employment targets state that the employment rate in the EU should be raised to 70% by 2010, and the percentage of women in employment to 60% in the same period. This target can be reached if efforts are sustained to create conditions for women to enter and stay in the labour market. Women's participation in lifelong learning and possibilities for them to update and adapt their competences and skills are also important in this context. In 2005 the overall employment rate was 63.8 %. The average employment rate for men in 2005 was 71.3% and the rate for women was 56.3%. The 56.3% employment rate for women in 2005 marks an increase of 2.7 percentage points since 2000 when the rate was 53.6%, and, as a result, the gender gap in the employment rate narrowed by 2.6 p.p. to 15%<sup>29</sup>. Special attention should be paid to actions directed towards men in order to promote a change in the workplace culture in support of gender equality.

#### 3.4 Reaping the business benefits of reconciliation policies

Apart form the general macroeconomic, equality and demographic arguments in favour of reconciliation policies there is also a business case for such policies at the microeconomic level. The business case arguments for reconciliation policies include:

<sup>29</sup> Eurostat, Quarterly Labour Force Survey 2005

<sup>&</sup>lt;sup>28</sup> European Economy: the impact of ageing on public expenditure: projections for the EU25 Member States on pensions, health care, long-term care, education and unemployment transfers (2004-2050): Report prepared by the Economic Policy Committee and the European Commission DG ECFIN; Special Report No. 1/2006

- lower staff turnover and consequently reduction in time and expenditure on recruitment, induction and training of staff, as well as retention of key experienced personnel;
- improved morale, commitment and productivity;
- increased return on investment in training if employees remain longer with the employer;
- enhanced capacity to attract staff;
- reduced absenteeism:
- enhanced reputation and public image of the organisation.

More generally, gender diversity within organisations can contribute to profits as inclusion of both women and men in all areas and at all levels of an organisation will bring different perspectives and talents to the organisation. It will also help the organisation understand better the needs of a diverse market. At the same time, it must be recognised that reconciliation policies can give rise to certain costs and challenges for employers including:

- recruiting suitable replacement workers (in particular in the case of SMEs);
- costs of recruiting and training of replacements;
- a potential temporary reduction in productivity;
- additional administrative and management duties in order to manage the work-load, to meet customer demands and to schedule meetings and training courses so most staff can attend in the case of flexible working hours, job-sharing or part-time work, etc.

As reconciliation policies benefit individuals (including children), employers and society at large, ways of sharing these costs should be addressed in order to foster a positive impact of such policies on competitiveness, in particular of SMEs, and avoid that they become a disincentive to employing particular workers with a negative effect on job creation.

## 3.5 Promoting an equal sharing of caring responsibilities

Women continue to be the main carers of children and other dependent persons, such as the elderly, and as a result are more affected by the tensions arising when trying to combine participation in the labour market with private responsibilities. Data show that participation in the labour market is linked to parenthood, but that the effect is negative for women whilst it is positive for men. For example, the employment rate for women aged 20-49 is 61.1% when they have children under 12, compared with 75.4% when they do not. For men aged 20-49 with children under 12, however, the employment rate is 91.2%, compared with 85.6% for men without<sup>30</sup>.

Statistics on how men and women organise their everyday lives in 10 European countries show that around two thirds of all work done by women is unpaid with women performing between 60 and 65% of all domestic work, while the majority of work done by men is paid work. When gainful employment and domestic work are combined, the total hours worked by

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<sup>&</sup>lt;sup>30</sup> Commission Staff Working Document annexed to the Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions: A Roadmap for equality between women and men 2006-2010, Impact Assessment (SEC(2006) 275)

employed women tend to exceed the total hours worked by employed men; as a result, women have less free time than men<sup>31</sup>.

A Eurobarometer survey carried out in 2003 in the then 15 Member States showed that 75% of current or prospective fathers knew of their entitlement to parental leave, but 84% had not taken parental leave or were not intending to do so. The survey shows that the main factors deterring fathers from staying at home to look after a new baby or a small child are financial (about 40%), and fear of damaging their careers (about 30%)<sup>32</sup>.

Parental leave reform can help to encourage fathers to make greater use of this opportunity. For example since the introduction of a second month of parental leave for exclusive use by fathers<sup>33</sup>, Swedish men have increased their use of available leave days to 17% of the total leave taken by fathers and mothers in 2003<sup>34</sup>. The introduction of a right to more flexible forms of parental leave, for example the right to take leave in hours might also encourage more fathers to take leave and help reduce possible adverse effects on the careers of women who wish to avail of leave.

## 3.6 Adapting working patterns and harnessing new technologies to improve reconciliation

Adapting working patterns can be a very effective way to reduce the negative effects of long absences from the workplace, enabling women and men to maintain contact with their working environment. New technologies allow the temporal and spatial boundaries of work to be extended, potentially facilitating more people, especially those with caring responsibilities, to participate in the labour market.

Examples of innovative working patterns agreed between individual employers and workers include job-sharing, flexible working hours, term-time working and tele-working. The availability of these schemes appears to depend on the size of the organisation, the sector of activity, occupational level, level of education, etc<sup>35</sup>.

Innovative arrangements are also being explored in some Member States. These include 'saving hours' or 'life-course' schemes: personal time accounts allowing employees more individualised working arrangements enabling them, for example to take longer periods of leave (e.g. Luxembourg) or to combine various activities (such as work, education and care) more effectively in different phases of their lives (e.g. the Netherlands)<sup>36</sup>.

In addition, in a number of Member States, there is an entitlement to or the possibility to apply for part-time work or to request flexible work, e.g. change in working hours or days or

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<sup>&</sup>lt;sup>31</sup> How Europeans spend their time, Everyday life of women and men, Data 1998 – 2002, Eurostat. The ten countries covered in this study were Belgium, Germany, Estonia, France, Hungary, Slovenia, Finland, Sweden, the United Kingdom and Norway

<sup>&</sup>lt;sup>32</sup> Europeans' attitudes to parental leave, Special Eurobarometer 189/Wave 59.1 – European Opinion Research Group EEIG

<sup>&</sup>lt;sup>33</sup> In 2002 the total duration of parental benefit was increased to 480 days, and the number of days which are reserved for each parent and cannot be transferred was increased from 30 to 60 days.

OECD Observer, Policy Brief, Babies and Bosses: Balancing work and family life (March 2005) and Women and Men in Sweden, Facts and Figures 2004

<sup>&</sup>lt;sup>35</sup> Reconciliation of work and private life, A comparative review of thirty European countries, EU Expert Group on Gender, Social Inclusion and Employment (September 2005)

<sup>&</sup>lt;sup>36</sup> Reconciliation of work and private life, A comparative review of thirty European countries, EU Expert Group on Gender, Social Inclusion and Employment (September 2005)

place of work, subject to certain limitations (e.g. Germany, Malta, Slovenia, the Netherlands, Portugal and the UK).

Information and communication technologies are creating new opportunities for women and men to combine work with caring responsibilities and for easy connection between home and work through mobile phones and e-mail. This potentially increases productivity, reduces absenteeism, improves staff commitment, increases retention rates and reduces employers' costs. However, care should be taken in order to ensure that new technologies are available to all staff, but do not erode the boundaries of working life, invading the private sphere, and creating new problems such as social isolation and family tensions<sup>37</sup>.

#### 4. The case for further action at the Community level

There is a broad consensus amongst Member States, the social partners and other stakeholders on the need to promote reconciliation of professional, private and family life.

Progress has been made at Community level, particularly in the form of legislation setting out entitlements to maternity and parental leave. But some of the existing provisions may need to be revisited in the light of experience with implementation, taking into account good practice from Member States that have gone further than the Community Directives.

Leave arrangements are only one of the policy tools that can be used to improve reconciliation. Other options that might play a useful role include adapted working patterns, the use of new technologies, changing attitudes of men and women to family responsibilities and the provision of care facilities. It is important to achieve the right mix of all of these components.

There is evidence that further efforts are required in this area in order to address demographic challenges, raise the quantitative and qualitative level of participation of women in the labour market, and encourage men and women to take an equal share of caring responsibilities. Along with improving gender equality, better reconciliation of professional, private and family life can bring economic benefits and help meet the challenges of the Lisbon agenda for growth and jobs.

The Commission believes that it is worth exploring what further action might be taken at European level in relation to reconciliation. This should include examining not only what might be done in the area of leave for childcare purposes, but also leave to care for elderly parents or disabled family members, care facilities for children and other dependants and other forms of working arrangements which would make it easier to balance work, private and family life.

The Commission believes that action is necessary at national and European level to effectively achieve the objective of reconciliation between professional, private and family life. Beyond the benefits of sharing information and good practice in this important area, increased mobility between Member States also warrants Community action in this area. In summary, the scale and effects of action in relation to reconciliation can be reinforced when acting at Community level.

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<sup>&</sup>lt;sup>37</sup> In 2004 the social partners at European level adopted a framework agreement on tele-working; <a href="http://ec.europa.eu/employment\_social/news/2002/oct/teleworking\_agreement\_en.pdf">http://ec.europa.eu/employment\_social/news/2002/oct/teleworking\_agreement\_en.pdf</a>

#### 5. Questions for the consultation of social partners

In the light of the foregoing the European social partners are asked for their views on the following questions:

- (i) Do you consider that there is a need for further action on reconciliation between professional, private and family life in the European Union? If you consider action to be necessary, should such action be undertaken at Community level, national level, enterprise or sectoral level?
- (ii) What are the main areas in which improvements could be needed, taking into consideration in particular: 1) working time and flexible working arrangements; 2) new possibilities offered by information technologies; 3) availability and quality of childcare and care services for the elderly and other dependants; 4) leave, including paternity leave and leave to care for an elderly parent or a child or other family member with a disability?
- (iii) By which means do you consider that better reconciliation between professional life and private and family life could be achieved?
- (iv) Do you consider the existing Community legislation (notably on parental leave and protection of maternity) adequate to help meet the needs for reconciliation between professional and private and family obligations and to create the conditions for more equal sharing of professional, private and family responsibilities between women and men?
- (v) How can the best balance be struck between the costs and benefits for both individuals and companies of measures permitting reconciliation of professional, private and family life?

#### Annex

#### **Commission and Council statements**

## at the time of the adoption of Directive 2006/54/EC

### **Commission statement**

The Commission is committed to the promotion of parental leave as an instrument of paramount importance in order to achieve full equality between men and women in working life. It is determined to ensure that the conditions of reconciliation between work and private life are improved through the proper implementation of the parental leave Directive and the monitoring of its sufficiency and effectiveness.

Therefore the Commission intends to designate the area of reconciliation between work and private life as one of its priority objectives in the roadmap for equality between women and men which has been adopted on 1<sup>st</sup> of March 2006 (COM (2006) 92 final). In that context it is foreseen to carry out an analysis of the situation concerning all areas of reconciliation including parental leave, flexible working arrangements and care facilities with a view to developing policy responses where appropriate. The initiation of an exchange of views with the social partners will constitute an element of these activities.

#### **Council statement**

The Council shares the European Parliament's commitment to improving the situation regarding reconciliation between work and private life in order to achieve equality between women and men in working life. It is therefore pleased that the European Commission plans to take up the theme of women's employment and work-life balance as the central part of its Third Annual Report to Heads of State and Government on equality between women and men, to be presented to the Spring European Council in March 2006.

In this context, the Council takes note of the importance that the European Parliament attaches to the subject of parental leave.