



EUROPEAN COMMISSION

*Brussels, 10.10.2017
C(2017) 6748 final*

Dear President,

The Commission would like to thank the Sejm for its reasoned Opinion on the proposal for a Directive on work-life balance for parents and carers and repealing Council Directive 2010/18/EU {COM(2017) 253 final}.

In putting forward this proposal, the Commission is making good on its commitment in 2015 to present a new initiative that takes a broader perspective to improving the lives of working parents and carers.

This proposal forms part of a broader package of ambitious measures designed to address women's under representation in the labour market and to encourage a better sharing of caring responsibilities between women and men. As such, it aims at ensuring the implementation of the principle of equality between men and women with regard to labour market opportunities and treatment at work.

The above aims are pursued through modernising the already existing European Union legal framework in the area of family-related leaves and flexible working arrangements. This will allow parents and carers to better reconcile their work and caring duties. The proposed directive builds on the existing rights and strengthens them, as well as introducing new rights. It therefore maintains the level of protection already offered by the European Union acquis in the area of work-life balance.

The Commission welcomes the Sejm's broad support of the objective of the draft Directive and takes seriously the concerns expressed in its Opinion.

As far as the principle of subsidiarity is concerned, the Commission would like to point out that there is already European Union legislation in place in the area of work-life balance. This illustrates a common agreement that European Union level action in this area is necessary and in line with the principle of subsidiarity.

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The Commission considers that it has complied with its obligation to present a “detailed statement” containing relevant data allowing for an assessment of the proposal's financial and legislative impact. Such statement can be found both in the “explanatory memorandum” included as an introduction to the proposal itself¹ and in the Impact Assessment accompanying the proposal.²

In particular, the Impact Assessment provides an in depth explanation as to why the objective of the proposal can be better achieved at Union level and presents the data used to assess the proposal's financial impact and its implications for the rules to be put in place by Member States. It explains, inter alia, that the modernisation of the existing legal framework aimed at providing common minimum standards for work-life balance policies can only be achieved by action at European Union level rather than by individual Member States alone. Only European Union action will ensure that sufficient progress is achieved in all Member States in this policy area. The Impact Assessment takes into consideration the legislation of all Member States.

Discussions between the Commission and the co-legislators, the European Parliament and the Council, concerning the proposal are now underway and the Commission trusts that an agreement will be reached in the near future.

The Commission hopes that the clarifications provided in this reply address the issues raised by the Sejm and looks forward to continuing the political dialogue in the future.

Yours faithfully,

*Frans Timmermans
First Vice-President*

*Valdis Dombrovskis
Vice-President*

¹ COM(2017) 253 final, pages 1-16.

² Impact Assessment Accompanying the Proposal for a Directive of the European Parliament and of the Council on work-life balance for parents and carers and repealing Council Directive 2010/18/European Union, SWD(2017) 202 final.