



EPSU General Circular N°12 (2007)
To all EPSU Affiliates
cc. All Standing Committees Members

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Contact person: Nadja Salson, T +32 2 250 10 88, nsalson@epsu.org

**COMMISSION'S SECOND STAGE CONSULTATION
ON WORK/LIFE BALANCE
ETUC response, July 2007**

Dear Colleagues,

Further to our previous note on the subject (EPSU General Circular N°7 (2007), dated 12 June 2007), please find *attached* the ETUC response to the commission's second phase consultation of social partners on conciliation of personal and working life. The text is in English and will soon be available in French.

The ETUC response was drafted in close cooperation with EPSU as there are many implications for public service unions. It is a very comprehensive document calling for an integrated and coherent policy mix, including, as a priority, a better regulation of working time (reducing working time and improving family-friendly arrangement in full-time jobs and reversing or improving part-time work), developing more and better care services for all based on improved working conditions in this sector employing a majority of women, and different forms of paid leave for both men and women taking account of the diversity of modern parenthood and family patterns. It also points out recent negative examples of privatisation of care services (e.g. elderly care services in the Netherlands) whose first casualties are women employees and service users.

It is also useful in relation to some other EU topical issues after the summer break, such as the demographic challenges and definition of EU principles on flexicurity, Communication on the gender pay gap (please see *related* e-mail sent to the GEC on 19 July), revision of the working time directive and the possible comeback of the agency workers directive on the Council agenda. The ETUC key responses to the Commission's questions, are as follows

1. *Review of the Parental leave Directive (based on the 1997 social partners' agreement) including new types of leave* such as :
 - **Mandatory right to paid paternity leave** for every male worker (or partner in same sex couples) around the child birth in addition to the existing right to parental leave. This leave should be of at least between 2 and 4 weeks. It should also be clearly differentiated from maternity leave with broader health and safety objectives for both the mother and the child. The point is made that this right will not be enough to ensure men assume parenthood responsibilities without additional measures, notably in the area of working time and equal pay;

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- **Improving adoption leave** (payment and length);
- **leave for an elderly parent or a family member with a disability or terminal illness** (to be developed in conjunction with the existing leave for “force majeure” in the parental leave directive);
- **Educational leave.**

The ETUC is ready to negotiate EU minimum rights on the above in the framework of the pending evaluation, and possible review, of the parental leave agreement (including right to paid parental leave and review of the Maternity directive, *please see below*). A joint social partners' letter of commitment to the Commission is *attached*. Social partners' discussions will start in the autumn with a view to submit a progress report to the Tripartite Social Summit in **March 2008**.

2. **To update the EU pregnant workers' directive:** the ETUC supports the Commission's proposal for longer maternity leave (currently at 14 weeks) and level of payment, but also adds health and safety issues and breastfeeding rights in line with the ILO maternity Convention 103. The ETUC proposes to negotiate with the employers such a review, failing which the Commission is urged to come up with a legislative proposal.
3. **To support development of -available, affordable, accessible and quality- child care, elderly care (facilities and social services) and care for people for disabilities.** The ETUC provides a wide range of proposals based on national legislation or collective agreements (e.g. most recently in Spain) and recommends the right policy mix combining regulation of working time and good working conditions in care, and household, services and increased public funding. The central role of the State and public authorities in the provision of care services is stressed. The ETUC reminds the Commission that the general interest should prevail over competition for the delivery of these services. It also urges the Commission to consult (sectoral) social partners on the drafting of the Communication on child care scheduled for 2008. In addition, it calls upon the EU policy-makers to adopt stricter targets on childcare availability for children between 0 and school age (Barcelona targets), and introduce a new target in the Lisbon strategy on social and care services for dependents. Last it proposes to develop comparative data on the financing of childcare in the EU.
4. To step up exchange of good practices across the EU and awareness-raising campaigns, also in the context of the implementation of the EU Framework of Actions on gender equality, through a new EU funded scheme as well as the European social fund.
5. To ensure policy coherence with the above, the ETUC also calls for a negotiated **review of the part-time directive** (to tackle the negative impact of part-time work on gender segregation and women's wages) and the **revision of the working time directive**. In relation to the recently published **Communication on the pay gap** it regrets that the Commission fails to make the link between the pay gap and undervaluation of women's work, especially in the care sector. And yet, much of the discussion on work/life balance can be best summed up by “ *Women can only be encouraged to work more if they can afford to care less; men can only be encouraged to care more if they can afford to work less*”.

Much of the above will now depend on the employers' willingness to negotiate or not, failing which the Commission will have to assume its responsibilities.

We will come back to this issue later this year (GEC meeting of 5 November; hospitals social dialogue; equality conference in public administrations on 17-19 October). It will also be on the agenda of the next Steering Committee meeting

Meanwhile I wish you a good reading

Kind regards

Carola Fischbach-Pyttel
EPSU General secretary

Enclosures

- ETUC response to the Commission, July 2007
- ETUCE, Business Europe and CEEP joint letter to the Commission