

Social Affairs

PARENTAL LEAVE

Proposal ([COM \(2009\) 410 final](#)) for a Council Directive implementing the revised Framework Agreement on parental leave concluded by BUSINESSEUROPE, UEAPME, CEEP and ETUC and repealing Directive 96/34/EC

Objective

To establish the minimum requirements on parental leave, as an important means of reconciling professional and family responsibilities and promoting equal opportunities and treatment between men and women

Relevance for the hospitality industry

As the hotel, restaurant and café sector employs around 9 million workers, this proposal for a Directive is of direct impact in the European hospitality industry.

State of progress

On 18 June 2009, the European cross-industry social partners (BUSINESSEUROPE, UEAPME, CEEP and ETUC) formally adopted an agreement on Parental Leave revising their agreement of 1995, which had been incorporated into Directive [96/34/EC](#). The successful conclusion of the Agreement is the result of 6 months of negotiations.

On 30 July 2009 the European Commission presented a proposal for a Council Directive implementing this revised Framework Agreement on parental.

The Council is now to discuss the Commission proposal. The Directive has to be adopted within the Council by qualified majority.

For a detailed overview of the state of progress and related documents you can visit [PreLex](#) (European Commission).

Content

The revised agreement lays down minimum requirements designed to facilitate the reconciliation of parental and professional responsibilities for working parents. It applies to all workers, men and women, who have an employment contract or employment relationship as defined by the law, collective agreements and/or practice into force.

The revised agreement includes, amongst others, the following provisions:

- The length of the right to parental leave is extended from 3 to 4 months;
- At least one of the four months of the parental leave should be provided on a non-transferable basis;
- The right to parental leave is maintained until the child is 8 years old;
- Flexible working arrangements can be requested upon return to work;
- Member States and/or social partners are being asked to establish notice periods to be given by the worker to the employer when exercising the right to parental leave, specifying the beginning and the end of the period of leave;
- Member States may decide whether the parental leave is granted on a full-time basis or part-time basis, in a piecemeal way or in the form of a time-credit system; and

- All matters regarding income, in relation to this agreement, are of the competence of Member States and/or social partners according to national law, collective agreements and/or practice.

HOTREC position

HOTREC took note of this agreement adopted by the European Social Partners. However, HOTREC would have wished to be directly involved in the negotiations leading to the agreement.

Official references

Proposal ([COM \(2009\) 410 final](#)) for a Council Directive implementing the revised Framework Agreement on parental leave concluded by BUSINESSEUROPE, UEAPME, CEEP and ETUC and repealing Directive 96/34/EC

BUSINESSEUROPE, UEAPME, CEEP, ETUC Framework Agreement on Parental Leave (revised) 18 June 2009 ([Agreement on Parental Leave](#)).

See also

Council Directive [96/34/EC](#) of 3 June 1996 on the framework agreement on parental leave concluded by UNICE, CEEP and the ETUC, O.J. L 145, 19.6.1996.