

23 November 2006

UNICE REPLY TO THE EUROPEAN COMMISSION'S FIRST-STAGE CONSULTATION OF EUROPEAN SOCIAL PARTNERS ON RECONCILIATION OF PROFESSIONAL, PRIVATE AND FAMILY LIFE

1. On 12 October 2006, the European Commission published a first-stage consultation of European social partners on reconciliation of professional, private and family life, following the procedure enshrined in Article 138 of the EC Treaty.
2. In a first part, the consultation document recalls the importance of the issue of reconciliation of work, private and family life, to improve labour market participation of women and in a context of demographic pressure on social systems due to an ageing population. The positive contribution of reconciliation policies to achieving the Growth and Jobs objectives set by the European Union is highlighted. Furthermore, existing EU legislation and policies as well as the work done by the European social partners on the issue of work-life balance is recalled.
3. In a second part of the consultation document, the European social partners are asked for their views on the following questions:
 1. 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?
 2. 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?
 3. By which means do you consider that better reconciliation between professional life and private and family life could be achieved?
 4. 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?

5. 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?

General comments

4. UNICE agrees with the Commission that reconciliation of work, private and family life is an important issue in the current context of insufficient labour market participation of women and demographic ageing. The challenge is to encourage women to become or remain active on the labour market. Allowing men and women to combine professional and family responsibilities is certainly one key element to tackling this challenge.
5. Analysis of the labour markets in Europe show that even if there is a general trend of narrowing gaps between women and men in employment and education, womens' difficulties in reconciling family responsibilities with full time employment persist. Indeed, women with young children have, on average, a lower employment rate than women without children whereas the reverse is true for men. Furthermore, women continue to do the majority of work in the home or family, they tend to have more interrupted patterns of employment, with all potential negative effects for career, wages and pensions, and are over-represented in part-time jobs.
6. These inequalities have complex causes. Progressive and in depth work is needed to change mentalities on the ground on gender roles and stereotypes. However, progress has been achieved as today, according to the Dublin Foundation, 80% of workers say they are satisfied with their work-life balance¹.
7. The European social partners have tackled and continue to tackle the issue of reconciliation from different angles, in the remits of their competences, notably by negotiating the framework agreements on parental leave in 1996, by promoting flexible forms of work for example through the framework agreements on telework adopted in 2002 and on part-time work in 1997 and lately by deciding to coordinate their activities at national, sectoral and company levels through the adoption of a framework of actions on gender equality in 2005.
8. The framework of actions on gender equality adopted in March 2005 identifies four priorities for actions: addressing gender roles and stereotypes, promoting women in decision-making, supporting work-life balance and tackling the gender pay gap. The member organisations of UNICE, UEAPME, CEEP and ETUC have committed to promote the framework of actions in Member States at all appropriate levels taking account of national practices, through joint and separate actions, in the next five years. It is also foreseen that the national social partners will draw up an annual report on the actions carried out in Member States on the four priorities identified. The first follow-up report will be discussed by the Social Dialogue Committee on 7 November 2006 in view of its adoption.

¹ Dublin Foundation's 4th European Working Conditions Survey, November 2006

Specific comments

9. The Commission highlights the comprehensive legislation already in existence at EU level. UNICE does not believe it necessary to revise existing EU legal provisions on maternity and parental leave. In any case, a modification of the EU framework agreement on parental leave can only be done by the signatory parties themselves.
10. The Commission document highlights variations in the application of the rights enshrined in these two Directives, notably with regard to the length and level of payment during leave period. UNICE strongly believes that, if necessary, a discussion on these aspects should take place in Member States in the context of a more general debate on how to adapt social security systems to demographic ageing and taking into account the national public finances, as this is not a matter which falls exclusively within the competences of the social partners.
11. Concerning working time, it should be noted that in some countries the lack of flexibility regarding possible working time patterns can be an obstacle to the reconciliation of work and family life. It is important to encourage Member States to remove these obstacles and to avoid the creation of new rigidities at the EU level.
12. Employers fully agree that further efforts are needed to tackle the remaining obstacles to reconciliation of work and family life such as the insufficient availability of child care facilities, the promotion of flexible forms of work etc. Successful policies which encourage balance between work and private life require a partnership between employees, employers and the state. Cooperation with public authorities is crucial notably to promote campaigns and educational programmes aiming at a change in mentalities regarding gender roles and the participation of women in labour markets. Also cooperation between companies and the third sector (NGOs etc.) can be useful for example to find concrete solutions in the field of child care.
13. Exchange of good practices can be useful and targets defined by the European Council in Lisbon in 2000 and Barcelona in 2002 are crucial. However, the concrete actions to meet these targets have to be taken in Member States: at national, sectoral, regional and/or company levels. The focus of these actions may differ from country to country depending of the national situations and specific challenges to be met. For example in some countries, more effort might be necessary to expand the availability of child care facilities whereas in others, priority might be given to alleviating constraints on the use of flexible forms of work. In most countries a difficult but necessary task might also be to changing mentalities and addressing gender stereotypes which continue to have a strong influence on the division of labour between men and women at home, in the workplace and in society at large.
14. This is why the framework of actions on gender equality adopted by European social partners in March 2005 focuses on actions to be taken by social partners in Member States at national, sectoral and company levels. It implies work on four priority areas, one of which is “supporting work-life balance”, but leaves latitude to social partners to undertake more actions in the most problematic fields. Work in

cooperation with other stakeholders and in particular public authorities is also promoted.

15. UNICE believes that the elements highlighted in the framework of actions on gender equality under the priority on work-life balance are the ones on which further action is needed. These elements are

- “Promotion of flexible working arrangements, including leave arrangements, in companies. These work modalities should be designed in a way that does not undermine women long term participation and position on the labour market. Examples of practical tools for this include:
 - Making available a mix of various working arrangements that allow for flexibility in working time or the organisation of work, such as part-time work, job-sharing, reduced hours, compressed working week, school term-time working, staggered or gliding hours, time-off and ad hoc home working etc.;
 - career breaks and parental leave arrangements.
- Promotion of a more balanced take-up of possibilities to ease work-life balance. Examples of practical tools for this include:
 - Company internal awareness raising schemes to promote take-up of flexible work options, especially by men, including in male dominated professions;
 - Information campaigns about leave possibilities available to both women and men and encouraging parents to share leave periods more equally.
- Cooperation with public authorities to develop instruments that help increase the availability of childcare facilities and to seek innovative ways of providing essential private household or care services. Examples of practical tools for this include:
 - Attracting on site services such as travel office, shops, bank and insurance offices etc;
 - Sponsoring childcare centers or providing an allowance covering part of the nursery costs to parents;
 - Creating funds by collective agreements or other means to “mutualise” the costs of maternity or parental leave allowances helps to ensure that women no longer represent a more costly source of labour than men. Similar measures can be useful to support childcare projects addressing specific needs of working parents such as care for sick children, care outside regular opening hours, etc. This can help SMEs in particular”.

16. Social partners in each Member State are currently working on these aspects. It appears in the draft first follow-up report of the framework of actions on gender equality that the highest number of initiatives reported concern the field of work-life balance and in particular, tools to ensure that work organization responds to both workers’ and companies’ needs. For example, social partners have worked on the

introduction or extension of care leave and on the prevention of long working hours, on the promotion of flexible and innovative forms of working such as telework.

17. Social partners across the EU have found a variety of ways, for ensuring that employees have the support necessary for combining work with a caring role. The solutions found vary greatly from country to country, sector to sector and enterprise to enterprise. Indeed, for policies aimed at reconciling work and family life to work effectively it is essential that they are compatible both with workers' and companies needs.
18. UNICE strongly believes that building a working environment which promotes balance between work and family life relies on dialogue between employers and employees at workplace level. Social partners are involved in promotion, within the institutional framework of each Member State, of tailor-made conditions which will further encourage work-life balance. The work done in this area should be strongly interlinked to work on other aspects regarding equal opportunities of women and men on labour markets and in particular the fight against labour market segregation. This is the reason why the European framework of actions calls for integrated strategies to be put in place at all levels and identifies four interlinked priorities for actions.

Conclusion

19. UNICE believes that reconciliation of work, private and family life is an important issue to improve labour market participation of women and in the current context of demographic ageing. The current legislative framework represents a sufficient framework at EU level. Today, concrete actions have to be taken in Member States: at national, sectoral, regional and/or company levels.
20. Social partners have an important role to play in allowing men and women to balance their work and family life, through access to childcare and flexible working options. However, cooperation with public authorities is also crucial, especially to promote campaigns and educational programmes aiming at a change in mentalities regarding gender roles and the participation of women in labour markets.
21. Social partners are currently following up in all Member States the commitments taken in 2005 through the European framework of actions on gender equality, in particular on supporting work-life balance. They are putting in place integrated strategies and looking for innovative solutions to the reconciliation of work and private life as well as to all other aspects influencing the participation of women on European labour markets.