

Health and safety at work: workers who are pregnant, have recently given birth or are breastfeeding

2008/0193(COD) - 06/12/2010 - \${summary.subTitle}

The Council held a policy debate on the draft directive aimed at improving the protection of pregnant workers and workers who have recently given birth or are breastfeeding.

A very large majority of ministers considered that the amendments adopted by the European Parliament at first reading, notably the requested extension of the minimum maternity leave to 20 weeks on full pay, did not constitute an appropriate basis for negotiations. They expressed concerns regarding the cost implications and emphasised that a directive should set minimum standards while respecting the principle of subsidiarity and the diversity of situations in the different Member States.

Many ministers were reluctant to include paternity leave within the scope of the draft directive on maternity leave, of which the main purpose was to improve the health and safety at work of pregnant women and workers who had recently given birth or were breastfeeding, and not to reconcile work, family and private life, which was covered by other EU rules. Some delegations, however, considered that the draft directive should also cover fathers.

Many ministers were open to the idea of including a "passerelle" clause in the draft directive, allowing the Member States to take into account forms of leave other than maternity leave offered to the mother which fulfilled certain conditions.

Many ministers stressed the need to carefully reflect on the draft directive, and some of them called for a further impact assessment.

The Belgian Presidency concluded that the Commission's original proposal aiming to extend the minimum length of maternity leave from 14 to 18 weeks could be a more acceptable basis for a compromise than the European Parliament's amendments. It also stressed the need to examine this issue carefully, including with the social partners, in order to achieve a balanced outcome. The Belgian Presidency announced that it would consider how best to continue dealing with the file over the coming weeks, in coordination with Hungary and Poland, the two forthcoming presidencies.