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European Pillar of Social Rights and Work-life Balance

A first Greens/EFA assessment on Commission initiatives

On 26 April 2017, the Commission presented its proposals for a European Pillar of Social Rights and Work-Life Balance. Since advancing social Europe is a key objective of GreensEFA, we had a closer look at the different parts of the proposals and made a first assessment.

Commission initiative on a European Pillar of Social Rights

The idea of a European Pillar of Social Rights (EPSR) was launched by the Commission in 2015 with the promise to put forward something concrete in spring 2017. The Commission's work on the EPSR up till now has been limited to summing up what already exists (social acquis) with hints of what could be further developed. A public consultation was conducted in 2016.

To feed into the Commission's work, the European Parliament produced a report that was adopted in the beginning of 2017.

In the run-up to the presentation of today, GreensEFA made it clear that the following elements were key to be addressed in the EPSR:

- It is important that the EPSR is not limited to a declaration of principles or good intentions. It needs to be composed of a set of **specific and concrete tools** such as legislation, policy-making mechanisms and financial instruments.
- European action needs to be taken on ensuring adequate minimum income for people in all Member States, in particular through a Framework Directive on adequate minimum income. This should be part of a broader strategy on ensuring adequate social protection for all people throughout the life-cycle.
- The EPRS should include a Framework Directive on decent working conditions, in particular to ensure protection of workers in non-standard contracts and new forms of employment.
- We want decent minimum wages for people, looking into gradually attaining minimum wages of at least 60% of national median wage.
- The availability of and access to quality and affordable (social) services of general interest needs to

be ensured.
- Fundamental social rights are applicable to all people in the EU and not just to EU citizens.
- Quality benchmarks need to be set for unemployment benefit schemes need to improve people's access to the welfare state and a need for adequate social protection.
- gender equality has to be a goal in itself, but should also run through all parts of the EPSR.
- The EPRS has to apply to all EU Member States so not only to the EMU countries.
- social partners and civil society, have to be fully involved at all levels and at all stages.

Looking now at what we got from the Commission today, some positive elements can be pointed out:

- The EPSR puts forward a proposal for 20 principles which go beyond what is currently considered to be the social acquis today. These principles reflect some balance between employment and social rights and include for example wages, social dialogue, minimum income, housing and care. They are not to be agreed by the Council alone, but also the European Parliament will have its say on them.
- Work-life balance, one of the 20 principles, is elaborated further as a separate initiative.
- Two consultations of the social partners are set up: one to explore the possibility of a legal instrument on social protection for all those in employment (including self-employed workers), and a second one on the revision the Written Statement Directive, in view of taking into account new forms of work and ensure decent working conditions for all
- The EPSR will apply in principle to all EU Member States (however, primarily to the EMU)
- A new social scoreboard is presented that gives an overview of where Member States are in achieving social Europe and should feed into the European Semester

These positive points are however overshadowed by the lack of several key elements that are needed to make social Europe a reality for everyone:

- Most importantly, the pillar as such does not include any concrete proposals for new instruments in the social field, apart from the separate initiative on work-life balance.
- No initiative is taken on adequate minimum income, let alone a framework directive.
- A concrete proposal on minimum wage is lacking.
- There will be no framework directive on decent working conditions for all workers as such.
- The focus of the consultation on social protection is limited to people who work, leaving out those who need such support the most or without fully taking up a life-cycle approach.

Commission initiative on Work-Life Balance

Already in 2015, the Commission expressed its objective to increase the participation of women in the labour market, in particular through the publication of a roadmap and the launching of a public consultation. The objective of the Commission was to modernising and adapting the current EU legal and policy framework to today's labour market to allow for parents with children and/or other dependent relatives to better balance family and work life, allow for greater sharing of care responsibilities between women and men, and to strengthen gender equality in the labour market.

In particular since part of Commission's aim was to revise the parental leave directive, the European partners were asked to find an agreement between them. Since they failed to do so, the Commission took back its right to initiative and has announced to be presenting a comprehensive package on 26 April.

To feed into all of this, the European Parliament produced a report for which GreensEFA MEP was co-rapporteur with Tatjana Ždanoka. The result of this report was very positive with almost all our key demands being included.

In this context, our key demands were the following:

- Beyond non-legislative instruments, we need new and improved legislation at EU level on leaves regarding maternity, paternity, parental and carers.
- The availability, affordability and universal access to care services for children and other dependants needs to be ensured. This requires i.a. an increase of public expenditure.
- A post-2015 Gender Equality Strategy has to be put in place.
- The diversity of family relations and society as a whole has to be acknowledged and taken into account so all people can enjoy a genuine work-life balance and so no child is discriminated against due to their parents' status. This concerns in particular single parents, same-sex couples, unmarried couples, migrants, refugees and people with disabilities.
- The burden of proof needs to be reversed and put on the employer in case of discrimination at the workplace.
- More action is needed to tackle the gender pay and pension gaps.
- Taxation and social security rights should be individualised to avoid women's dependency on their partner or on the state.
- A system of "care credits" has to be put in place to ensure that the time people take off work to care for a dependant are considered as equivalent periods for building up pension rights.
- Flexibility and smart-working needs to be employee-oriented at all times to ensure it supports the worker and does not cause additional burden.

We are very happy to see several of our key demands and of the European Parliament's report have been taken up in the Commission initiative:

- Through a revision of the Parental Leave Directive, the minimum 4 months of parental leave per parent are made non-transferable, whereas now this is only the case for 1 month. this currently leads in reality to women taking up most of this leave and stands in the way of an equal sharing of caring responsibilities.
- Parents would be able to take up parental leave for children up to 12 where currently this is only the case for children up to 8.
- The Commission proposes legal provisions to have 10 days of paternity leave, which an employer cannot refuse, remunerated at least at sick leave pay level.
- New legal provisions are also introduced on carers' leave, allowing a worker to take 5 days a year off to care for a relative. Also here, the worker should be remunerated at least at sick leave pay level. The case for a carer's leave was already made in the EP report of 2013 regarding the impact of the crisis on access to care for vulnerable groups care for which GreensEFA MEP Jean Lambert was the rapporteur.
- Measures on employee-oriented flexible working arrangements are introduced for parents and carers.
- The initiative puts a strong focus on the availability, affordability and access to quality care services, including through a better use and re-allocation of EU funding - including the ESF, ERDF and EFSI - to such services and facilities (ERDF, ESF, EFSI) and through country-specific recommendations.
- Some first steps are taken on tackling disincentives in tax benefit systems regarding which the Commission should provide guidance through the European Semester and best practices should be shared

However, we would have liked to have seen the proposal to be more ambitious regarding the following points for which we will continue to fight

- the revision of the maternity leave directive is not opened up again, although Juncker promised to do so.

- The 10 days of paternity leave are not made compulsory.
- 5 days of carer's leave is too limited to really support people with caring responsibilities.
- We still don't see anything coming up on a post-2015 Gender Equality Strategy.

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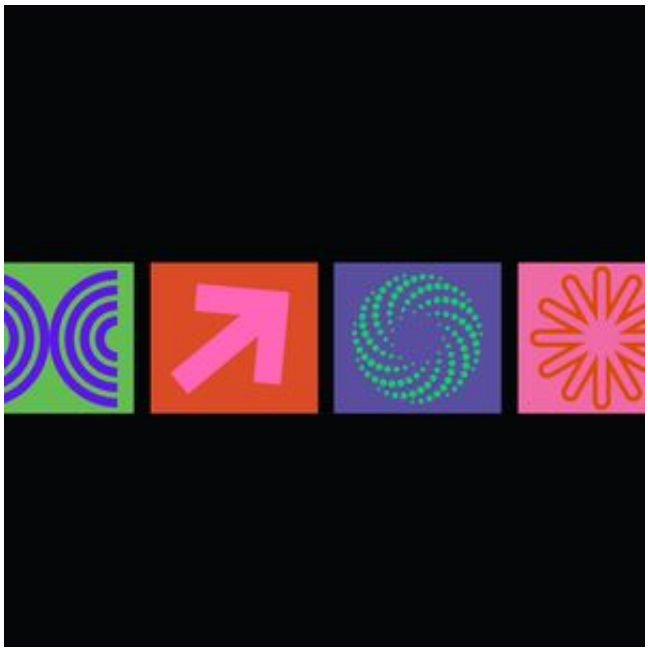
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Contact person



Herlinde Vanhooydonck

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