



EUROPEAN COMMISSION

*Brussels, 6.11.2017
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Dear President,

The Commission would like to thank the Tweede Kamer for its reasoned Opinion on the proposal for a Directive on work-life balance for parents and carers and repealing Council Directive 2010/18/EU {COM(2017) 253}.

In putting forward this proposal, the Commission is making good on its commitment in 2015 to present a new initiative taking a broader perspective to improving the lives of working parents and carers.

This proposal forms part of a broader package of ambitious measures designed to address women's under-representation in the labour market and to encourage a better sharing of caring responsibilities between women and men. As such, it aims at ensuring the implementation of the principle of equality between men and women with regard to labour market opportunities and treatment at work.

The above aims are pursued by modernising the already existing European Union legal framework in the area of family-related leaves and flexible working arrangements. This will allow parents and carers to better reconcile their work and caring duties. The proposed directive builds on the existing rights and strengthens them, as well as introducing new rights. It therefore maintains the level of protection already offered by the European Union acquis in the area of work-life balance.

The Commission takes seriously the concerns expressed by the Tweede Kamer as regards the transnational nature of the problem addressed by the Work-Life Balance Directive and the benefit of equalising regulations on work-life balance between the Member States. First of all, the Commission would like to recall that legislation on work-life balance already exists. The European Union acquis contains several acts of secondary legislation, such as the Parental Leave Directive, the Pregnant Workers Directive and the Part-Time Directive. The Commission would also point out that the modernisation of the existing legal framework aimed at setting common minimum standards for work-life balance policies can only be achieved by action at European Union level rather than by individual Member States alone.

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Only European Union action will ensure that sufficient progress is achieved in all Member States in this policy area. It is necessary to create a level playing field across Member States; that is why the proposed Directive sets out minimum standards, which allow Member States to implement more favourable provisions if this is deemed appropriate.

As regards your concern that the social domain, including issues related to work-life balance, should be a national concern, the Commission would like to recall that Article 153(1)(i) of the Treaty on the Functioning of the European Union explicitly empowers the Union to support and complement the activities of the Member States, in the field of equality between men and women with regard to labour market opportunities and treatment at work. The Commission may therefore submit proposals in the field of social policy after having followed a two stage consultation process of the Social Partners in accordance with Article 154(2) and (3) of the Treaty on the Functioning of the European Union.

Discussions between the Commission and the co-legislators concerning the proposal are now underway. The Commission trusts that an agreement will be reached in the near future.

The Commission hopes that the clarifications provided in this reply address the issues raised by the Tweede Kamer and looks forward to continuing the political dialogue in the future.

Yours faithfully,

*Frans Timmermans
First Vice-President*

*Valdis Dombrovskis
Vice-President*