



Extending maternity leave to 20 weeks fully paid

Minimum maternity leave in the EU should be extended from 14 to 20 weeks and be fully paid, believe MEPs in the Women's Rights Committee. An entitlement to paid paternity leave of at least two weeks was also approved by the committee.

The committee's report, drafted by Edite Estrela (S&D, PT) on the health and safety of pregnant workers, was adopted by 19 votes in favour, 13 against and 1 abstentions. The draft legislation seeks to lay down minimum rules at EU level. Member States may introduce or keep existing rules that are more favourable to workers than those laid down in the directive.

Extend maternity leave from 14 to 20 weeks

MEPs proposed that the minimum maternity leave in the EU be extended from 14 to 20 weeks, 6 weeks of which must be taken after childbirth.

In October 2008, the Commission proposed an update of the current directive 92/85/EEC and an extension of minimum maternity leave from 14 to 18 weeks, 6 of which would have to be taken after childbirth.

The maternity leave rules also apply to domestic workers and self-employed workers.

Fully paid

Workers on maternity leave must be paid their full salary, which must be 100% of their last monthly salary or their average monthly salary, argued the committee.

In its draft law, the European Commission recommended the principle of full payment. However, it did not propose making full payment mandatory but simply said it should not be below the rate of sick-leave payments.

Paternity leave

Member States must give fathers the right to fully paid paternity leave of at least two weeks within the period of maternity leave, says the committee report. So far, there is no legislation at EU level on paternity leave.

Member States that have not introduced fully paid paternity leave to be taken by the fathers on a compulsory basis are strongly encouraged to do so.

Leave in specific situations

This legislation on maternity and paternity leave should also apply to parents who adopt a child of less than 12 months old, argued MEPs.

Furthermore, fully paid additional maternity leave should be granted in specific situations such as premature childbirth, children with disabilities, mothers with disabilities, teenage mothers, multiple birth, and births occurring within 18 months of previous births.

Employment rights

Press release

The Women's Rights Committee adopted amendments to ban the dismissal of pregnant workers from the beginning of a pregnancy to at least 6 months following the end of the maternity leave. Dismissal during that period must be formally justified in writing.

MEPs also argue that, after maternity leave, women must be entitled to return to their jobs or to "equivalent posts", i.e. a position with the same pay, professional category and duties as before.

The committee adds that workers must not be obliged to perform night work or work over-time during the 10 weeks prior to childbirth, during the remainder of the pregnancy in case of health problem of the mother or the unborn child and during the entire period of breastfeeding. Workers wishing to be exempted from night work must inform their employer and submit a medical certificate.

In the Chair: Eva-Britt Svensson (GUE/NGL, SE)

Rapporteur: Edite Estrela (S&D, PT)

Procedure: first-reading

Vote in plenary: March II, Brussels

Contact :

Nora CHAAL

EMPL

BXL: (+32) 2 28 31151

STR: (+33) 3 881 74005

PORT: (+32) 498 98 34 02

EMAIL: femm-press@europarl.europa.eu

Ayla Sultan CICEK

FEMM

BXL: (+32) 2 28 41009

STR: (+33) 3 881 74005

PORT: (+32) 498 98 13 37

EMAIL: femm-press@europarl.europa.eu