



# The Proposal on Work-Life Balance for Parents & Carers

---

**Opinion**

**January 2019**

There are great differences between EU Member States regarding both what constitutes balanced working conditions and how the labour market is regulated. The MEA strongly opposes any proposals that conflict greatly with the principle of subsidiarity.

The MEA emphasizes the necessity to respect the social partners' autonomy and their right to negotiate and conclude collective agreements at the appropriate level as stated in Principle 8 of the European Social Pillars Rights.

It remains critical to recall that a unique model that would work for every country does not exist and that only the Member States can anticipate the implications of initiatives at national, regional and local level.

As social partners, the MEA acknowledges that there is potential to "deepen the EU Social Dimension together" but not at an added cost for employers which could ultimately lead to high unemployment as it would no longer be cost effective for companies to employ people and would rather invest in labour saving technologies.

The MEA would like to highlight that the emphasis which the European Commission is placing on the workers' proposed right to request adaptability of the work conditions is very much dependant on the worker's role within the organisation he/she works for.

The MEA finds no problem whatsoever with the proposal that parental leave will be extended from when the child reaches the age of 8 to the child reaching the age of 10 or 12 but is concerned about the fact that it is being proposed that the parental leave will be paid at a minimum of 78% of the employee's gross basic wage. Who is going to incur this cost? Government or the employer? Moreover, if parental leave is taken on a part time basis, as is being proposed, this is far more disruptive for business than the employee taking parental leave on a full-time basis.

It is being suggested that working parents and carers have the right to request remote working and reduced hours. Apart from this not always being practical, it could be in breach of the same employment agreement entered into between the employer and employee.

It is being proposed that when full time employees request to work on a reduced hour basis, they would have the right to request to return back to their original work pattern at any time. Does this mean that employees have the right to return back to work prior to the agreed period? What about other employees who have been engaged to replace or a determined period of time? In practice it makes more sense that the parties agree on a determined period of time for this arrangement to subsist otherwise employers will be hesitant in accepting to reduce the hours of full time employees, even if temporarily.

With reference to the proposal to have five days carer leave, per year, payable at 78% of the employees' wage, the MEA questions who is going to pay for this entitlement? Government or the employer?

The Malta Employers' Association is extremely worried about the proposed introduction of different leave entitlements which either did not previously exist or else existed but were unpaid entitlements and which now are being introduced as a paid entitlement. One questions whether a cost analysis has been conducted to see the impact such a proposal would undoubtedly have on industry and on employment levels. Moreover, the fact that countries have different levels of entitlements (e.g. Malta will have 28 days of optional leave plus 13 public holidays) will mean that employers will not have a level playing field across EU states. Additional entitlements should be based on quid pro quo considerations, meaning that countries with a level of optional leave higher than the minimum provided for in the Working Time Directives would be able to introduce such work life balance measures in return for fewer days optional leave.